

E-mail: democraticservices@teignbridge.gov.uk

25 November 2024

EXECUTIVE

A meeting of the **Executive** will be held on **Tuesday, 3rd December, 2024** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors Keeling (Leader), Palethorpe (Deputy Leader), Buscombe, Goodman-Bradbury, Hook, Nutley, Parrott, G Taylor and Williams

Please Note: Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the Council Chamber you are consenting to being filmed.

A G E N D A

Part I

1. **Apologies for absence**
2. **Minutes** (Pages 5 - 10)
To approve and sign the minutes of the meeting held on 4 November 2024
3. **Announcements (if any)**
4. **Declarations of Interest (if any)**
5. **Executive Forward Plan**
To note forthcoming decisions anticipated [on the Executive Forward Plan](#)

6. **Public Questions (if any)**

Members of the Public may ask questions of the Leader or an Executive Member. A maximum period of 15 minutes will be allowed with a maximum of period of three minutes per questioner.

7. **Petition referred from Full Council 29 October 2024**

The Petition "Save Our Brooks (S.O.B)" was presented by David Force of The Friends of Dawlish Brook to the Council meeting on 29 October 2024, and was referred to Executive. The petition has 2,657 signatures.

8. **Buckfastleigh Rangers Social Club Lease proposal**

(Pages 11 - 16)

To consider the attached report

9. **Update of Future High Street Fund**

10. **Notice of Motion referred from Council 29th October**

The following motion on the Lawns Covenant was presented by Cllr Macgregor at Council on 29th October 2024 and referred to the Executive.

"In March 2023, the Bishopsteignton Scout Group was granted planning permission for a single storey building to be built at The Lawns, Bishopsteignton. (The Lawns, a former green space owned by Teignbridge District Council was sold to Bishopsteignton Parish Council for £25,000 over 20 years ago. Since then, the space has been looked after and maintained to an extremely high standard with Bishopsteignton matching with facilities and equipment, anything Teignbridge has done elsewhere and usually without the benefit of additional grants.)

The Scout Group were forced to exit their previous location as it was condemned and no longer fit or safe for purpose. The Scout Group which serves multiple neighbouring parishes and towns then sought an alternative site to build anew. Discussions were held with estates who informed the Scout Group there was a covenant, but that it should not be an issue and to proceed to planning. Planning is an expensive process and the application was thorough, detailed and agreement was reached with all the officers on a way forward, leading the application to be passed. Since then, the project has stalled. The covenant, which is far from clearly articulated state s the land must be used for recreational purposes. The Scout hut planned and approved is a recreational community building. It is not a housing or residential development, and it is clearly within the scope of the use of The Lawns for recreation.

The Monitoring Officer has quoted cases specific to the removal of any recreational use with plans for the land to be developed. He has stated that the council would be liable, however, as they are no longer the owner of the land their liability would be at the best limited, particularly as 85% of The Lawns area remains open recreational land. An alternative opinion has been sought that paints a quite different picture from that put forward by the Deputy Leader and the Council's Solicitor. That opinion suggests that there is leeway for the construction of a recreational community building and notes that the covenant is poorly framed.

The Motion:

In light of the commitment to being community led and noting the extensive community interest in this Scout Hut, the Scout Group itself and continuing need to provide recreational services for the children of Teignbridge this council wishes to amend the covenant to both allow this recreational community building to proceed as approved by planning officers and to strengthen the covenant for the future protection of this recreation land.

This council seeks to engage an expert legal professional in the specifying and writing of covenants to carry out this work."

11. For Information - Individual Executive Member Decisions

[Executive Member Decisions](#)

**12. Local Government (Access to Information) Act 1985 -
Exclusion of Press and Public**

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the item below on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraph 3 of Part 1 of Schedule 12A of the Act.

Part II: Items suggested for discussion with the press and public excluded

NIL

13. Appropriation of Land, Newton Abbot

(Pages 17 - 24)

If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk

This page is intentionally left blank

EXECUTIVE

4 NOVEMBER 2024

Present:

Councillors Buscombe, Goodman-Bradbury, Keeling (Leader), Nutley, Palethorpe (Deputy Leader), Parrott, G Taylor and Williams

Members in Attendance:

Councillors Clarence, Radford and Sanders

Apologies:

Councillors Hook

Officers in Attendance:

Phil Shears, Managing Director

Martin Flitcroft, Director of Corporate

Rebecca Hewitt, Community Safety and Safeguarding Manager

Michelle Luscombe, Planning Policy Manager

Ian Perry, Interim Head of Development Management

Amanda Pujol, Head of Customer Experience and Transformation

Trish Corns, Democratic Services Officer

Christopher Morgan, Trainee Democratic Services Officer

These decisions will take effect from 10.00 a.m. on Monday 14 November 2024 unless called-in or identified as urgent in the minute

80. MINUTES

The Minutes of the Executive held on 7 October 2024 were agreed as a correct record and signed by the Leader.

81. ANNOUNCEMENTS

The Leader reported that an Executive and Strategic Leadership Team joint away day had been held. The event was a success and provided a productive opportunity to discuss future decisions.

The Leader also reported that Cllr John Parrott had been appointed Executive Member for Finance.

82. DECLARATIONS OF INTEREST

None.

83. EXECUTIVE FORWARD PLAN

RESOLVED

The forward plan be noted.

84. PUBLIC QUESTIONS

None.

85. STATEMENT OF COMMUNITY INVOLVEMENT

The Executive Member for Planning advised the Committee on this item including the following:

- The amendments from paragraph 2.2 had been included as a result of consultation response and consideration of legal requirements.
- Social media will be used as part of consultations.
- Consultations will be undertaken for at least the minimum statutory period.

The Deputy Leader advised that the consultation was welcome and that the proposals would provide greater involvement from Town and Parish Councils.

RESOLVED

That the Statement of Community Involvement (SCI) November 2024 (Appendix 1) be adopted for the purposes of carrying out planning policy consultations and consulting on planning applications.

86. SAFEGUARDING POLICY REVIEW

The Executive Member for Homes, Communities and Human Resources proposed the recommendation as set out in the agenda report.

It was noted that undertaking DBS checks of Councillors would contribute to an improved Safeguarding Policy.

The Leader thanked the Executive Member and Community Safety & Safeguarding Manager for their work on the review. He considered that the review would aid in protecting vulnerable people from harm, including women and girls.

RESOLVED

1. The Safeguarding Policy in Appendix 1 be adopted.
2. A member working group is established to review the inclusion of DBS checks for members within the Council Safeguarding Policy and DBS policy, and consider safeguarding training becoming mandatory.

87. BUDGET MONITORING 24/25

The Executive Member for Finance introduced the item and advised:

- The draft accounts 2023/24 had been published.
- The 2023-24 external audit had commenced.
- There is a forecast surplus of just over £1,000,000 resulting from variations to the original budget. This included income shortfall of £120,000 from Development Management, extra income of £652,000 from investments, £153,000 extra income from car parking charges, decrease in fuel cost of 140,000, recycling income increase of £223,000 resulting from increase price for glass, plastic and cardboard. Leisure Membership growth also provided an additional £158,000.

Revenue reserves are considered sufficient for the current financial year but there is a budget shortfall of 2.2 million for the next financial year.

The Executive Member for Finance thanked staff for their work.

RESOLVED

1. The revenue budget variations for 2024/25 as shown at appendix 1 be approved
2. Approve the updated capital programme as shown at appendix 2
3. Note the updated lending list as shown at appendix 3
4. Note the mid year review of Treasury Management shown at appendix 4

88. UPDATE ON FUTURE HIGH STREET

The Deputy Leader and Executive Member for Estates, Assets and Parking provided the following update to the Executive:

Queen Street Enhancements

- **Progress:** Major construction work at Courtenay Street is substantially complete, with finishing touches underway. Focus has now shifted to the stretch from Albany Street to the War Memorial.
- **Festive Preparations:** Access to install Christmas lights along Queen Street is being facilitated, supporting a festive atmosphere for local businesses.
- **Greening Update:** Double-headed hanging basket posts are installed, and trees will be planted in early 2025 in surface planters, due to challenges with tree pits from undocumented underground services.
- **Traffic and Access:** Queen Street is open to restricted traffic as per the traffic order, with clear access for residents and visitors, crucial for local businesses during the festive season.

UK Shared Prosperity Fund (UK SPF)

- **Collaboration Success:** The UKSPF for towns initiative has reached a milestone with NATC, (pending NATC full council approval), agreeing to act as the conduit for funding. This collaboration between business

representatives, NATC, TDC officers, councillors, and the Chamber of Commerce will support local businesses across Newton Abbot.

Market Hall and Market Square

- **Mini Market Hall Opening:** The mini market hall has officially opened in Newton Abbot's Market Square.
- **Planning Approvals:** Permissions for the Market Hall (application 24/01142/MAJ) and the listed building status (application 24/01143/LBC) have been granted, allowing the Market Hall and Market Square project to advance.
- **Project Timeline:** Construction is set to progress through 2025, with an anticipated completion by early 2026, aiming to enhance public space, amenities, and Newton Abbot's commercial profile.

Bradley Lane Development

- **Conservation Compliance:** A protected species license (2024-69597-EPS-MIT) for horseshoe bats has been obtained, valid from October 2024 to October 2029, under the Conservation of Habitats and Species Regulations 2017.
- **Demolition Preparations:** Site work is being planned carefully to comply with conservation and legal requirements, with no demolition decision yet. Officers are also exploring material reuse, although risks regarding contamination and quality assurance will be thoroughly assessed.

The Leader thanked the Deputy Leader and Officers for their work on the project.

The Executive Member for Planning spoke positively on the opening of the mini market and the new Government's continuation of support for the Future High Street Fund.

The Executive noted the update.

89. TEIGNBRIDGE DISTRICT COUNCIL HOUSING DEVELOPMENT

The Executive Member for Teignbridge 100 advised on the following:

- There was local demand for single bedroom properties.
- Families that downsize to one- or two-bedroom properties would then free up larger houses for other families.
- The Lead Officer on this project was considering new names for Teignbridge 100.
- The development included 25 properties with social rent that was below market price.

The Leader thanked the Executive Member and Lead Officer for their work on the project.

RESOLVED

To allocate capital budget of £142,455 to progress the site at Sherborne House, Car Park, Newton Abbot to a stage where the proposed development can be put out to tender to locate a suitable development partner to deliver 23 truly affordable council homes.

90. FOR INFORMATION - INDIVIDUAL EXECUTIVE MEMBER DECISIONS

The Executive Member Decisions were noted.

The meeting started at 10.00 am and finished at 10.42 am.

CLLR R KEELING
Chairman

This page is intentionally left blank

Teignbridge District Council Executive

03 December 2024

Buckfastleigh Rangers Social Club Lease Proposal

Purpose of Report

To seek approval to grant Buckfastleigh Rangers Social Club a 15-year lease.

Recommendation(s)

The Executive RESOLVES to:

- (1) Approve the grant of a 15-year lease to Buckfastleigh Rangers Social Club as detailed in this report.
- (2) Delegate authority to the Director of Corporate Services to take such decisions as are necessary and appropriate to conclude the grant of the lease on acceptable terms.

Financial Implications

See 2.1 for financial implications.

Martin Flitcroft, Director of Corporate Services

Email: martin.flitcroft@teignbridge.gov.uk

Legal Implications

Legal implications are as set out in paragraph 2.2 below.

Paul Woodhead, Head of Legal Services and Monitoring Officer

Email: paul.woodhead@teignbridge.gov.uk

Risk Assessment

See 2.3 for an assessment of the risks.

Alex Carpenter, Graduate/Assistant Estates Surveyor

Email: alex.carpenter@teignbridge.gov.uk

Environmental/ Climate Change Implications

See 2.4 for Environmental/Climate Change Implications

Alex Carpenter, Graduate/Assistant Estates Surveyor
Email: alex.carpenter@teignbridge.gov.uk

Report Author

Alex Carpenter, Graduate/Assistant Estates Surveyor
Email: alex.carpenter@teignbridge.gov.uk

Executive Member

Cllr David Palethorpe, Executive Member for Estates, Assets and Parking
Cllr John Nutley, Executive Member for Sport, Recreation & Culture

Appendices/Background Papers

1. Introduction/Background

On 28th April 1995, a protected Tenancy was granted to Buckfastleigh Rangers Social Club to occupy land and buildings at Duckspod Playing Field, Duckspod Road, Buckfastleigh. The lease granted was for a term of 28 years from 1st January 1994. The Contractual Term of that lease expired on 31st December 2022, but the Lease continues by operation of law pursuant to the provisions of sections 24 to 28 Landlord and Tenant Act 1954.

The club has approached the Council to secure a further 15-year lease in order to continue its operations and to secure funding/grants to invest into the facilities.

Buckfastleigh Rangers FC was founded in early 1900's. The Football Club moved from the old Rugby pitch to Duckspod Rd in late 1970's. The Social Club was self-built and has been maintained and improved since it opened in 1978 and boasts nearly 300 local members.

A further lease of 15 years will allow the Club to access funding from organisations such as the Football Foundation, giving it the opportunity to improve the playing surface as well as adapt the changing rooms to offer improved facilities suitable for Junior Football and the Woman's game, allowing further engagement with the local community.

2. Implications, Risk Management and Climate Change Impact

2.1 Financial

Under the proposed new lease, the rent would be set at £5,000 per annum (rising from the current passing rent of £2,800 per annum), subject to upward only reviews every 5 years.

2.2 Legal

Buckfastleigh Rangers Social Club is entitled to renew its lease on the same terms as the subject to reasonable modernisation/adjustments.

2.3 Risk Assessment

There are no perceived risks with regard the recommendations of this report as it allows the Council to generate additional income whilst allowing the Club to continue its operations as well as apply for additional funding/grants for the betterment of the site and its users.

2.4 Environmental/Climate Change Impact

There is not considered to be any environmental/climate change impact based on the recommendations of this report.

3. Alternative Options

Do nothing and retain the lease in its current holding over form, with the Council dealing with the lease renewal sometime in the future:

This would frustrate the Club's ability to apply for funding to improve the facilities. It would also mean that the Council would be forgoing the uplift in rental income currently negotiated.

Refuse a new lease:

The Council currently has no reasonable grounds to oppose the granting of a further lease.

4. Conclusion

A new 15-year lease will enable the Club to invest into the facilities and ensure future engagement within Buckfastleigh. TDC will also benefit from the uplift in rent and maintenance liability would remain with the football club.

This page is intentionally left blank



This page is intentionally left blank