Kingskerswell Parish Council

Churchway Lane Field Committee Terms of Reference

Date: 11th July 2023
Version: 1.0
Agreed at Full Council Meeting 31st July 2023

Introduction

This Terms of Reference provides the basic information for the conduct and remit of the Churchway Lane Field Committee.

Background

On 9th October 2020, the Parish Council purchased a field in land off Churchway Lane, Kingskerswell TQ12 5LX (to the west of the South Devon Highway and south of Kerswell Downs) measuring 0.6274 hectares / 6713m^2.

Land Registry title number – DN730044
OS ref – SX8767SW
Purchase price £32,850.00

Management and Decisions

At the Full Parish Council meeting on 24th April 2023, the Churchway Lane Field Committee was formed.

The Parish Council resolved to permit the Churchway Lane Field Committee delegated powers to manage and develop the land with recommendations for future activity and improvement, whilst complying with the conditions of the planning permission granted by Teignbridge District Council and the conditions of the initial purchase.

The committee shall provide regular updates and reports at Full Parish Council meetings and forward copies of minutes in a timely manner.

Budgetary Control

The Parish Council resolved to permit the Churchway Lane Field Committee delegated powers to purchase goods, works and services relating to the land, but only within the budget set by the Full Parish Council at its annual Precept and Budget meeting.

The committee shall produce a costed annual plan and present this to Full Council to assist in setting the budget for the next financial year.

All orders for expenditure are to be forwarded to the Responsible Finance Officer for purchasing. The Responsible Finance Officer will report all spending to the Parish Council at the next meeting, in accordance with Financial Regulations and Standing Orders.

Membership and Meetings

The committee shall convene as many times as good governance requires it to, but will as a minimum, meet biannually.

Three committee members shall constitute a quorum for meetings.

The committee may comprise of Councillors and non-Councillors.

Non-Councillor members are permitted voting rights:
By virtue of section 13 (1) and (7) of the Local Government and Housing Act 1989 ("the 1989 Act"), non-councillor members of committees and sub committees do not have voting rights.
There are five important exceptions to this rule.
Sections 13 (3) and (4)(e) of the 1989 Act confirm that non-councillor members of advisory committees and sub-committees have voting rights.
Regulation 3 of The Parish and Community Councils (Committees) Regulations 1990 confirms that non-councillor members of committees and sub-committees have voting rights in respect of:

a. management of land owned or occupied by the council.
b. the functions of the council as a harbour authority (as defined in section 57(1) of the Harbours Act 1964).
c. function under section 144 of the 1972 Act relating to the promotion of tourism, and
d. any function under section 145 of the 1972 Act relating to the management of a festival.

The term "management" does not include making decisions about the total amount of money which may be spent by the council in a financial year in respect of land or a festival.

The Chair of the committee may give an original vote on any matter put to the vote and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.

All meetings will be open to the public and agendas and minutes published in accordance with the Parish Council's Standing Orders.

The Committee will adhere to the general approach encapsulated within the Parish Council's Standing Orders, Financial Regulations and Code of Conduct, which will ensure a continuity of approach, where possible.

Status and Review

These Terms of Reference were adopted by Kingskerswell Parish Council at a meeting held on 31st July 2023.

These Terms of Reference were adopted by the Churchway Lane Field Committee at a meeting held on 14th August 2023.

These Terms of Reference will be reviewed periodically.