

FULL COUNCIL

28 JULY 2020

Present:

Councillors Austen, Bradford, Bullivant, Colclough, Connett, Cook, D Cox, H Cox, Daws, Dewhirst, Eden, Evans, Foden, Goodman-Bradbury, Gribble, Haines, Hayes, Hocking, G Hook, J Hook, Jeffery, Jeffries, Jenks, Keeling, Kerswell, MacGregor, Morgan, Mullone, Nutley, Nuttall, Orme, Parker-Khan, Parker, Patch, Peart, J Petherick, L Petherick, Phipps, Rollason, Russell, Swain, Taylor, Thorne, Tume and Wrigley

Officers in Attendance:

Christopher Morgan, Trainee Democratic Services Officer

Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer

Phil Shears, Managing Director

Beth Tipton, Administrative Assistant

Karen Trickey, Solicitor to the Council and Monitoring Officer

28. MINUTES

The minutes of the previous meeting held on 17 March 2020 were signed as a correct record by the chair.

29. ELECTION OF CHAIR OF THE COUNCIL 2020/21

It was proposed by Councillor Keeling and seconded by Councillors Bullivant and Haines that Councillor J Petherick be elected as the Chair of the Council 2020/21.

The Chair announced that his charity for the coming year would be East Teignbridge Community Transport Association and that his Chaplain would be Dr Mark Jones of the Dawlish Christian Fellowship Church.

RESOLVED that Councillor J Petherick be elected Chair of the Council for 2020/21.

A Roll Call was taken.

Voting for

Councillors Bullivant, Clarence, Colclough, Connett, Cook, H Cox, D Cox, Dewhirst, Eden, Evans, Foden, Goodman-Bradbury, Gribble, Haines, Hayes, Hocking, G Hook, J Hook, Jeffrey, Jeffries, Jenks, Keeling, Kerswell,

MacGregor, Morgan, Nutley, Nuttall, Orme, Parker, Parker-Khan, Patch, L Petherick, Phipps, Purser, Rollason, Russell, Swain, Taylor, Thorne, Tume, Wrigley, J Petherick
(Total: 42)

Abstain

Councillors Bradford, Daws and Mullone
(Total: 3)

Absent

Councillors Austen and Peart
(Total: 2)

30. ELECTION OF VICE-CHAIR OF THE COUNCIL 2020/21

It was proposed by Councillor Parker-Khan and seconded by Councillor Purser that Councillor Jeffries be elected Vice-Chair of the Council. Councillor Jeffries thanked members for the kind nominations but said that she would be unable to take up the position at this time.

It was proposed by the Leader and seconded by Councillor Jenks that Councillor Parker be elected Vice-Chair of the Council.

RESOLVED that Councillor Parker be elected Vice-Chair of the Council for 2020/21.

A Roll Call was taken.

Voting for

Councillors Bullivant, Clarence, Colclough, Connett, Cook, H Cox, D Cox, Dewhirst, Eden, Evans, Foden, Goodman-Bradbury, Gribble, Haines, Hayes, Hocking, G Hook, J Hook, Jeffrey, Jeffries, Jenks, Keeling, Kerswell, MacGregor, Morgan, Nutley, Nuttall, Orme, Parker, Patch, L Petherick, Phipps, Purser, Rollason, Swain, Taylor, Thorne, Tume, Wrigley, J Petherick
(Total: 41)

Abstain

Bradford, Daws, Mullone, Parker-Khan and Russell
(Total: 5)

Absent

Councillor Peart
(Total: 1)

31. RECOMMENDATION FROM REGULATORY AND APPEALS COMMITTEE

It was proposed by Councillor J Petherick (Committee Chair (2019/20)) and seconded by Councillor Hayes that the recommendations be approved.

RESOLVED

- (1) That appeals on personnel issues where the Council's internal procedure gives an employee a right of appeal, be delegated to the Managing Director (Head of Paid Service) and dealt with as outlined in the report ([Staff Appeals Procedure-minute 14](#)) paragraph 4.1; and
- (2) The Council's Constitution and associated staff Discipline, Capability, Redundancy and Grievance policies / procedures be amended accordingly.

A Roll Call was taken.

Voting for

Councillors Bullivant, Clarence, Colclough, Connett, Cook, H Cox, D Cox, Dewhirst, Eden, Evans, Foden, Goodman-Bradbury, Gribble, Haines, Hayes, Hocking, G Hook, J Hook, Jeffrey, Jeffries, Jenks, Keeling, Kerswell, MacGregor, Morgan, Nutley, Nuttall, Parker, Parker-Khan, L Petherick, J Petherick, Phipps, Purser, Rollason, Russell, Swain, Taylor, Thorne, Tume, Wrigley
(Total: 41)

Voting Against

Councillors Bradford, Daws, Mullone, Patch,
(Total: 4)

Abstain

Orme
(Total: 1)

Absent

Councillor Peart
(Total: 1)

32. RECOMMENDATIONS FROM STANDARDS COMMITTEE

This item was adjourned to a meeting of Annual Council on 3 September 2020.

33. RECOMMENDATION FROM STRATA JOINT EXECUTIVE COMMITTEE

This item was adjourned to a meeting of Annual Council on 3 September 2020.

34. SECOND REPORT OF THE CONSTITUTION WORKING GROUP

This item was adjourned to a meeting of Annual Council on 3 September 2020.

35. COMMITTEE APPOINTMENTS AND POLITICAL BALANCE

This item was adjourned to a meeting of Annual Council on 3 September 2020.

36. PUBLIC QUESTIONS

Public Questions and responses are attached to minutes.

37. COUNCILLOR QUESTIONS

Councillor Question and response are attached.

Councillor Bullivant asked the following supplementary question, the answer was provided in writing later in the week. [*For ease of reference these answers are set out in square brackets below*]:-

Given that councillors have the right to express an opinion that reflects their ward issues regardless of any other matter is it right that a member of an executive who have agreed a policy decision that affects all residents of Teignbridge votes against something that meets the objectives of that policy, as confirmed by officers qualified To make such an assessment. Where a decision is required should a portfolio holder either uphold the policy or abstain from voting (but still be allowed to comment on it)?

For the avoidance of doubt this refers to planning applications where Council Policy to encourage employment sites have been voted down by Portfolio holders even though they have no connection or ward association with the sites involved and the recommendation from officers is to grant permission as they meet the requirements of council policy.

[Response from the Leader - I regret that Cllr Bullivant didn't think the answer provided to his first question was answered. There was certainly no intention on my part to avoid answering in any way, and I hope therefore that elaboration may help? I similarly hope that all who attended yesterday's planning training found it advantageous and improved their understanding of planning issues. If a councillor believes that an officer recommendation does not conform to the existing Council Local Plan then they would be entitled to vote against an application. Planning policy is mostly subjective and from time to time existing policies conflict with one another. A balance then needs to be made, which is again subjective and personal, consequently it is perfectly reasonable that councillors, irrespective of their position on the Executive, could well come to different opinions, despite the evidence presented to them being identical. Surely that is why we have planning committees? Without subjective judgement why have a committee? I can't really believe that Cllr Bullivant believes officer opinion should always be accepted at face value and never challenged? We live in a democracy where views should be challenged and examined closely.]

38. NOTICE OF MOTION

Councillor Peart attended for this item only.

Councillor Jeffries in presenting her Notice of Motion, stated that it was important that the Council recognised the contributions of individuals from BAME communities in society, business, and infrastructure across Teignbridge both now and historically and that it should seek to remove barriers, tackle prejudice and address inequality.

This was seconded by Councillor H Cox.

During debate members agreed that to ensure that there was full consideration of the issues raised by the Notice of Motion it should be referred to Audit Scrutiny Committee, Overview and Scrutiny Committee and Executive before coming back to Full Council.

Councillor Jeffries fully supported the actions agreed by the members.

RESOLVED that:-

- The review of Teignbridge District Council's Human Resources and Equalities practices and the inclusion of regular training for members and officers, to ensure the needs of underrepresented groups are met through addressing poverty and encouraging economic and social mobility:-
- [The Council to] Work with Devon County Council (DCC) to explore the prospect of making changes the curriculum to include BAME experiences, contributions, and the FACTs of History, throughout the year:-
- [The Council to] Explore the possibility of an education transformation project in conjunction with schools that creates a suite of curriculum resources specific to Teignbridge's History:-
- [The Council to] Lobby Government to invest and resource changes to the curriculum across the UK through the support of organisations such as The Black Curriculum and via associated campaigns:-
- An advisory board [to be] put in place linked to the Equality Impact Assessment for the Covid -19 recovery plan, to connect the experiences of BAME individuals within the community with the aim of driving forward positive change:-
- [The Council to] In partnership with DCC, [to] conduct a review of street names and monuments within Teignbridge to assess where information plaques relevant to uncovering the history of Imperialism and links to slavery can be put in place as soon as possible: [and]

- [The Council to] Encourage Teignbridge organisations to contribute to diversity and social mobility through revising the Cllr Community Fund grants criteria to include (but not exclusively); *projects that contribute to addressing inequalities and raising educational attainment within underrepresented groups.*

The vote was unanimous.

The meeting started at 2.15 pm and finished at 4.00 pm.

Chair