

ANNUAL COUNCIL

20 MAY 2019

Present:

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

Apologies:

Councillors Hocking and Patch

Officers in Attendance:

Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer
Phil Shears, Managing Director
Karen Trickey, Solicitor to the Council and Monitoring Officer

1. RETIRING CHAIRMAN'S ANNOUNCEMENTS AND PRESENTATIONS

The retiring Chairman, Councillor Kerswell reflected on her year of office and thanked all those who has supported her during the year.

2. ELECTION OF CHAIRMAN OF THE COUNCIL

Councillor G Hook proposed that Councillor Keeling be elected Chairman of the Council for the 2019/20 municipal year, this was seconded by Councillor Bullivant and carried.

RESOLVED that Councillor Keeling be elected Chairman of the Council for the 2019/20 municipal year.

The Chairman announced that his charity for the coming year would be Number 1 The Square.

3. ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

Councillor G Hook proposed that Councillor J Petherick be elected Chairman of the Council for the 2019/20 municipal year, this was seconded by Councillor Macgregor and carried.

RESOLVED that Councillor J Petherick be elected Vice-Chairman of the Council for the 2019/20 municipal year.

4. MINUTES

It was proposed by the Councillor G Hook seconded by Councillor Macgregor that, subject to the amendment to Minute no.25 to remove 'Councillor Hayes' as a Councillor not standing for re-election the minutes of the meeting held on 18 April 2019 were approved and signed as a correct record and signed by the Chairman.

5. ELECTION OF LEADER OF THE COUNCIL

It was proposed by Councillor Dewhirst that Councillor G Hook be elected Leader of the Council, this was seconded by Councillor Macgregor and carried.

RESOLVED that Councillor G Hook be elected Leader of the Council.

The Leader of the Council confirmed his Deputy Leader and Portfolio Holders would be:-

Portfolio Holder	Councillor
Waste Management & Environmental Health & Deputy Leader	Councillor Dewhirst
Corporate Resources	Councillor Connett
Planning	Councillor Taylor
Communities & IT	Councillor Wrigley
Business, Economy & Tourism	Councillor Jeffries
Climate Change Emergency & Housing	Councillor J Hook
Sport, Recreation & Culture	Councillor Macgregor

6. COMMITTEE APPOINTMENTS AND POLITICAL BALANCE

A schedule of the Members proposed to be nominated to the Council's committees in 2019/20 and nominations for the Chairman and Deputy Chairman had been circulated to all Members prior to the meeting.

It was proposed by the Leader, seconded by the Deputy Leader that the schedule as circulated be approved. This was carried.

RESOLVED that membership of Committees including Chairman and Deputy Chairman, as shown in the schedule appended to the minutes, be approved.

7. APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE ORGANISATIONS

A schedule of the Members proposed to be nominated to external organisations had been circulated to all Members prior to the meeting.

It was proposed by the Leader, seconded by the Deputy Leader that the schedule as circulated be approved. This was carried.

RESOLVED that membership of external organisation, as circulated, with the Democratic Services Team Leader be authorised in consultation with Group Leaders, to make variations to the appointments, for the duration of the current Council Administration, be approved.

8. QUESTIONS UNDER COUNCIL PROCEDURE RULE 4.5 (K)

The Members Questions and Responses are attached to the minutes.

Further to his question, Councillor Daws commented that planning permission should not be granted until the Environmental concerns were satisfied beyond all reasonable doubt. He asked could Teignbridge District Council provide the full methodology for the housing number targets that the Local Plan was based on in 2014.

The Portfolio Holder for Planning response given after the meeting.

[You ask for the location of the work to define housing need which was prepared for the Teignbridge Local Plan. The work was contained in a Strategic Housing Market Assessment carried out by ORS. This consisted of an original report published in 2007, together with a technical appendix, and two updates dated 2010 and 2012. It was the last of these which was used to inform the local plan, and which recommended an annual housing target of 620 per year.

The reports are all on our website at:

<https://www.teignbridge.gov.uk/planning/local-plans-and-policy/archive/homes/>].

Councillor Mullone asked a supplementary question regarding disclosure of the payments to departed staff and that the public wanted to urgently know these figures.

The Portfolio Holder for Corporate Services responded that while exit packages were covered by confidentiality agreements the information was published within its Annual Accounts. Efficiency savings had been made by the redundancies and that in the future the Council would try to be more transparent with details of

Annual Council (20.5.2019)

departures. He outlined the financial position of the Council highlighting the £2 million of savings that the Council would need to find to balance budgets in the next couple of years.

Chairman

(a) Overview and Scrutiny Committee (30)			
Liberal Democrats (17 seats)	Conservative (7 seats)	Independent (4 seats)	Newton Says No (2 seats)
Alison Eden	Phil Bullivant	Beryl Austen	Liam Mullone
David Cox	George Gribble	Mike Hocking	Richard Daws
Huw Cox	Ron Peart	Jacqui Orme	
Sally Morgan	Stephen Purser	Adrian Patch	
Lorraine Evans	Bill Thorne		
Charles Nuttall	Sarah Parker-Khan		
John Petherick	Terry Tume		
Linda Petherick			
Colin Parker			
Robert Hayes			
Sheila Cook			
Chris Jenks			
Linda Goodman- Bradbury			
Dave Rollason			
Alison Foden			
Richard Keeling			
John Nutley			
	Nominations for Chairman and Deputy Chairman		
Ch	Phil Bullivant		
D-Ch	Alison Eden		

(b) Planning Committee (21)

Liberal democrats (12 seats)	Conservatives (5 seats)	Independent (3 seats)	Newton Says No (1 seats)
Linda Goodman-Bradbury	Chris Clarence	Mary Colclough	Janet Bradford
Colin Parker	Rob Phipps	Mike Haines	
Richard Keeling	Ron Peart	Adrian Patch	
Huw Cox	Avril Kerswell		
David Cox	Phil Bullivant		
John Nutley			
John Petherick			
Martin Wrigley			
Jackie Hook			
Chris Jenks			
Charles Nuttall			
Robert Hayes			
Substitutes			
Alistair Dewhirst	Sylvia Russell	Beryl Austin	Richard Daws
Nina Jeffries	Mike Jeffery	Mike Hocking	
Nominations for Chair and Deputy Chairman			
Ch	Mike Haines		
D-Ch	Linda Goodman-Bradbury		

(c) Licensing Act 2003 Committee (10)

Liberal Democrats (5 seats)	Conservative (3 seats)	Independent (1 seats)	Newton Says No (1 seats)
David Cox	Sylvia Russell	Mike Hocking	Janet Bradford
Charles Nuttall	Avril Kerswell		
Dave Rollason	Chris Clarence		
John Nutley			
Chris Jenks			
	Nominations for Chairman & Deputy Chairman		
Ch	David Cox		
D-Ch	Dave Rollason		

(d) Regulatory and Appeals Committee (6)

Liberal Democrats (3 seats)	Conservative (2 seats)	Independent (1 seats)	Newton Says no (0 seats)
John Petherick	Sylvia Russell	Beryl Austen	
Robert Hayes	Avril Kerswell		
Lorraine Evans			
Substitutes			
	Ron Peart	Mike Haines	

Nominations for Chairman & Deputy Chairman

Ch	John Petherick
D-Ch	Robert Hayes

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(e) Audit Scrutiny Committee (8)			
Liberal Democrats (4 seats)	Conservative (2 seats)	Independent (1 seats)	Newton Says No (1 seats)
John Petherick	Bill Thorne	Mary Colclough	Liam Mullone
Sally Morgan	Stephen Purser		
Chris Jenks			
Dave Rollason			
Nominations for Chairman & Deputy Chairman			
Ch	Sally Morgan		
D-Ch	Dave Rollason		

(f) Standards Committee (6)

Liberal Democrats (3 seats)	Conservative (2 seats)	Independent (1 seats)	Newton Says No (0 seats)
Charles Nuttall	Phil Bullivant	Mike Haines	
Richard Keeling	Ron Peart		
Linda Petherick			
	Nominations for Chairman		
Ch	Richard Keeling		

(g) Strata Joint Scrutiny Committee (3)

Liberal Democrats (2 seats)	Conservative (1 seats)	Independent (0 seats)	Newton Says No (0 seats)
Charles Nuttall	Chris Clarence		
Andy Swain			
Substitute			
	Sarah Parker-Khan		

11

(h) Highways & Traffic Orders – Teignbridge (3)

Liberal Democrats (2 seats)	Conservative (1 seats)	Independent (0 seats)	Newton Says No (0 seats)
Sheila Cook	Phil Bullivant		
Charles Nuttall			

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APPOINTMENT TO OUTSIDE BODIES 2019/23

KEY

PH – Portfolio Holder

AIC – Any interested Councillor

PH/AIC – Offered to Portfolio Holders in the first instance, then any interested Councillor.

Outside Organisation	No. of Places	Council Approved Representatives	Number of Meetings per Annum	Travelling Expenses
Citizens Advice Teignbridge	2	Portfolio Holder for Communities & IT & Cllr L Petherick	3	Yes
Dartmoor National Park Authority	2	Cllr J Nutley Cllr S Morgan	25 (1 AGM)	Yes
Dartmoor National Park Community Forum	2	Cllr J Nutley Cllr S Morgan	12	Yes
Dartmoor National Park Site Inspections	2	Chair of Planning Cttee & Ward rep(s)	25 (1 AGM)	Yes
Devon Authorities Strategic Waste Committee	1	Portfolio Holder for Waste Management & Environment Health	3	Yes
Devon Building Control Partnership	2	Portfolio Holder for Planning /Chair of Planning Cttee	4	Yes
Devon Playing Fields Association	1	Portfolio Holder for Sport, Recreation & Culture	4	Yes
Exe Estuary Steering Committee	1	Cllr Nuttall	4	Yes
Devon Rail Forum	1	Portfolio Holder for Planning	TBC	Yes
Local Government Association	1	Leader	2	Yes
Local Government Association Coastal Special Interest Group	1	Portfolio Holder for Planning	4	Yes

Local Government Association District Councils' Network Assembly	1	Leader	2	Yes
Local Government Association (Rural Commission)	2	Leader and Deputy Leader	3	Yes
Newton Abbot Community Interest Company	1	Portfolio Holder for Communities and IT	6	Yes
Newton Abbot/Town Centre Partnership	1	Portfolio Holder for Business, Economy & Tourism	6	Yes
PATROL (Parking and Traffic Regulations Outside London)	1	Portfolio Holder for Business, Economy & Tourism	1	Yes
Police and Crime Panel	1	Deputy Leader	TBC	Yes
South East Habitats Mitigation Committee	1	Portfolio Holder for Planning	4	Yes
South West Councils	1	Leader	2	Yes
South West Provincial Council	1	Leader	2	Yes
Stover Canal Trust	1	Portfolio Holder for Planning	2	Yes
Stover Park Advisory Park	1	Cllr H Cox	TDC	Yes
Teign Estuary Management Partnership SG	2	Portfolio Holder for Planning & Cllr A Eden or Cllr D Cox	2	Yes
Teignbridge Care and Repair Agency	1	Portfolio Holder for Communities & IT	2	Yes
Teignbridge Locality (County) Committee	2	Cllr S Cook & Cllr C Nuttall	3	Yes
Teignbridge Rural Aid Committee (non Dartmoor National Park Members only)	2	Portfolio Holder for Communities & IT & Alistair Dewhirst	2	Yes
Teignmouth Town Centre Partnership	2	Portfolio Holder for Business, Economy & Tourism & Cllr A Eden or Cllr D Cox	4	Yes

COUNCIL MEETING

Annual Council 20 May 2019

Member Questions under Council Procedure Rule 4.5 (K)

1. The following question has been asked by Cllr Daws

Question

Newton Says No asks that NA3 be removed from its designation as development land by the incoming Executive? As demonstrated to the Planning Inspectorate, TDC has 5 and a half years land/housing supply and that its target for housing is already 70 per cent built and way ahead of schedule. There is nothing in favour of retaining it as development land thus, in line with the recently passed motion of Climate Change Emergency, it needs to be removed from the Local Plan immediately.

We would also ask for a suspension of the GESP until it can be entirely re-framed in a way that doesn't make Newton Abbot a dormitory of Exeter?

Response from Portfolio Holder for Planning

It is not legally possible for a council to unilaterally and immediately amend an adopted local plan (including removing a development site from it).

The only way to take immediate action would be for the council to revoke the entire local plan (although this is subject to the Secretary of State approval). That would of course leave us with no planning policies at all, no affordable housing requirements, no settlement limits, no design guidance. And no five year supply. In short, we would be up against the dreaded "presumption in favour of sustainable development" and all planning applications being assessed against national planning policy only.

Our planning decisions would be ad hoc and reactive, leaving all of our communities facing speculative and unplanned development. I hope we can all agree that this would be a highly damaging and irresponsible step for the council to take.

The only legal way to reconsider the future of the Wolborough allocation would be through an update to the local plan. An update was scheduled under the previous administration via the Teignbridge Local Plan Review in conjunction with the Greater Exeter Strategic Plan - with a decision on whether to proceed on this or any other basis now up for review. But there are two stumbling blocks. The first is that the appeal site may in any case soon be allowed by the Inspector. The second is that any update to the local plan would currently mandate the 'national calculation for housing need' of 760 per year instead of the 620 we have presently – in other words an extra 2,100 homes would be required by 2033.

Turning to the Greater Exeter Strategic Plan (GESP), this would provide the opportunity to work with our neighbouring councils on the difficult, cross-boundary

issues like climate change, infrastructure, homes and the economy. GESP has the potential to improve our policies on these matters and to ensure that development is supported by a genuinely sustainable and comprehensive transport network. There is no indication that GESP seeks to make Newton Abbot a “dormitory of Exeter” and that would definitely not be our policy approach.

Neighbouring LPAs have a duty to co-operate when any new or updated local plan being prepared - however, with three of the GESP councils setting up new administrations this week, we will all need to take stock, check on progress and work so far and assess where we go from here. We will look to discuss these matters with our partners to agree a mutually beneficial way forward as soon as is possible.

1. The following question has been asked by Cllr Mullone

Question

NSN requests full public disclosure regarding the reported large payments made to the parties Bulbeck and Aggett totalling over £500k under the last Executive?

Response from the Portfolio Holder for Corporate Services

Information in relation to exit packages for employees are exempt from disclosure as this is classified as personal data. However, we are aware that some other councils have ensured the payments have been made public as part of any arrangements with departing members of staff. We will be looking at how they have achieved that and whether, in future, we can adopt the same open approach in Teignbridge.

Teignbridge does publish exit packages within its annual accounts under the Accounts and Audit Regulations. The information in relation to staff that have departed in 2017/18 is contained within the 2017/18 accounts which have been published and are on our website.

Exit packages for all employees who have left during the 2018/19 financial year will be reported in our draft accounts for 2018/19 which are currently being finalised. They will be available on our website by 31 May 2019, which is the deadline by which they must be published.

The extract of the officers remuneration and exit packages note is shown below for 2017/18:

Senior Officers reporting directly to the Chief Executive/Interim Head of Paid Service/Managing Director and statutory posts whose salary is between £50,000 and £150,000 per year for the year 2017/18 are as follows:

	Salary (Inc. fees & allowances)	Compensation for loss of employment	Benefits in Kind (e.g. car allowance)	Total Remuneration Excl. Employers pension contributions	Pension Contributions	Total Remuneration Inc. Employers pension contributions
	£	£	£	£	£	£
Chief Executive (2)	28,196	173,091	90	201,377	4,117	205,494
Deputy Chief Executive / Interim Head of Paid Service / Managing Director	98,583	0	788	99,371	14,393	113,764
Business Lead / Director	88,221	0	0	88,221	12,880	101,101
Chief Finance Officer & Section 151 Officer (1)	21,231	0	0	21,231	3,100	24,331
Interim Chief Finance Officer / Chief Finance Officer & Section 151 Officer (3)	36,923	0	3	36,926	5,391	42,317
Monitoring Officer	62,217	0	1,098	63,315	9,084	72,399
Solicitor to the Council & Strategic Lead for HR & OD & Deputy Monitoring Officer	65,448	16,198	0	81,646	9,555	91,201
Business Manager	63,318	0	2	63,320	9,244	72,564
Business Manager	51,338	0	1,018	52,356	7,495	59,851
Business Manager	55,455	0	0	55,455	8,096	63,551
Business Manager	55,455	0	225	55,680	8,096	63,776
Business Manager	66,648	0	2	66,650	9,731	76,381

(1) Chief Finance Officer & Section 151 Officer is a part time post. Salary is pro rata. The employee left this post on 3 October 2017.

(2) Chief Executive ceased employment with the authority on 9 June 2017.

(3) Interim Chief Finance Officer, moving into the Chief Finance Officer, & Section 151 Officer post began on 4 October 2017.

(1) Chief Finance Officer & Section 151 Officer is a part time post. Salary is pro rata.

The numbers of exit packages with total cost per band and total cost of the compulsory and other redundancies are set out in the table below:

(a) Exit package cost band (including special payments)	(b) Number of compulsory redundancies		(c) Number of other departures agreed		(d) Total number of exit packages by cost band [(b) + (c)]		(e) Total cost of exit packages in each band	
	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18
							£'000	£'000
£0 - £20,000	0	0	1	2	1	2	12	30
£20,001 – £40,000	0	0	3	1	3	1	78	20
£40,001 - £60,000	0	0	1	0	1	0	47	0
£60,001 - £80,000	0	0	0	0	0	0	0	0
£80,001 - £100,000	0	0	0	0	0	0	0	0
£100,001 - £150,000	0	0	0	0	0	0	0	0
£150,001 - £200,000	0	0	0	0	0	0	0	0
£200,001 - £250,000	0	0	0	0	0	0	0	0

£250,001 - £300,000	0	0	0	1	0	1	0	264
Total cost	<hr/>							
Included in bandings	0	0	5	4	5	4	137	314
Add: Amounts provided for in Comprehensive Income & Expenditure Statement not included in bandings							0	0
Total cost included in Comprehensive Income & Expenditure Statement							<hr/> 137	<hr/> 314
							<hr/>	<hr/>

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