

## **FULL COUNCIL**

**29 JULY 2019**

Present:

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

Apologies:

Councillors Austen, Hayes, Phipps, Rollason and Thorne

Officers in Attendance:

Donna Best, Estates & Development Manager  
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer  
Phil Shears, Managing Director  
Tim Slater, HR and Organisational Development Manager  
Karen Trickey, Solicitor to the Council and Monitoring Officer  
Tony Watson, Interim Head of Commercial Services

### **39. MINUTES**

The minutes of the Annual Council 20 May 2019 subject to the amendment to minute no.3 to read '*Vice-Chairman*' and Council meeting 4 June 2019 were approved as a correct record and signed by the Chairman.

### **40. CHAIRMAN'S ANNOUNCEMENTS**

The Council wished Sam Hall, reporter at the Mid Devon Advertiser, all the best for his move to Wales.

### **41. DECLARATIONS OF INTEREST**

None.

### **42. COUNCILLOR QUESTIONS UNDER COUNCIL PROCEDURE RULE 4.5(K)**

The Members' questions and responses are attached to the minutes.

Further to his question, Councillor Bullivant commented that the Devon Association of Town and Parish Councils should be informed of the relevant information and that social rented housing was provided by Housing Associations within the Teignbridge district. In the past four years he pointed out that 575 new affordable homes had been provided: Newton Abbot 221; Kingsteignton 84; Dawlish 105; Chudleigh 15; Christow 18; Ogwell 1; Bovey Tracey 78; Exminster 29; Ashburton 2; Cheriton Bishop 8; Holcombe 5; Kennford 3; Broadhempston 6. The Leader stated that the reference to affordable housing attributed to him, should have been social housing.

Further to her question, Councillor Eden commented that the risk to the community of the proposed Devon and Somerset Fire & Rescue Service (DSFRS) cuts was unacceptable and that further data was required from the DSFRS to explain their proposals. The Leader responded that he would invite a representative from the DSFRS to address Members to further clarify the proposals.

#### **43. NOTICES OF MOTION UNDER COUNCIL PROCEDURE RULE 4.5(L)**

The Leader in presenting the Notice of Motion stated that building control regulation had been overlooked in the last few years and the result was that substandard housing had increasingly been built particularly as builders were not required to use Local Authority Building Control Inspectors. This function should be brought back into local authority control to improve build standards and increase accountability.

During debate the Members raised the following points:-

- Concerns regarding possible increase in buildings costs and the negative impact this could have on social housing coming forward
- Need to ensure that homes were built to a high standard
- Requirement for a robust inspections procedure
- The Council's Building Control Partnership employed highly skilled professionals, at no cost to the Council and its partner authorities.

Whilst supportive of the tenor of the Notice of Motion, Councillor Bullivant proposed that the proposed motion be referred to the Overview & Scrutiny Committee to provide details of the implications for the proposed changes to the building control service to be examined. This was seconded by Councillor Russell, put to the vote and lost.

The Leader in summarising stated that it was the intention to promote a more sustainable way of house building and that the Council had a duty to improve the quality and safety of homes.

The Notice of Motion was proposed by the Leader, seconded by the Portfolio Holder for Planning and carried.

**RESOLVED** that Teignbridge Council contact both of the MPs representing the District and also write to MHCLG to express its concerns regarding the standards of new house building, and call for:

- (1) At least four (4) inspections to be carried out on every new build property by the Building Control body, local authority or private sector;
- (2) The current Building Regulations to be reviewed and upgraded to ensure a higher quality of work than at present;
- (3) Timber framed housing to be included in the Governments Building Safety Programme; and
- (4) Local Authorities to become the sole provider of Building Inspections.

**44. STATEMENT OF ACCOUNTS 2018/19 INCLUDING ANNUAL GOVERNANCE STATEMENT**

The Chairman of Audit Scrutiny Committee, Councillor Morgan, presented the Statement of Accounts 2018/19 including the Annual Governance Statement. She advised the Council had a statutory duty to publish its accounts by the 31 July 2019. The external auditors, Grant Thornton, had been unable to undertake the audit of the accounts, within the time scales due to resourcing issues. It was hoped that the accounts would come to Full Council in September 2019.

The Managing Director stated that the Auditors were appointed to Councils on a regional basis and the Council had no control over the contract.

The recommendation was proposed by Councillor Morgan and seconded by Portfolio Holder for Corporate Resources and carried.

**RESOLVED** that the:-

- (1) 2018/19 Statement of Accounts including the Annual Governance Statement as recommended by the Audit Scrutiny Committee subject to any final adjustments agreed with the external auditors to be reported to Council upon completion of Audit be approved; and
- (2) Treasury Management results for 2018/19 be noted.

**45. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

The Leader proposed, seconded by the Portfolio Holder for Corporate Resources that, because of the financial sensitivity and staffing negotiations and in the public interest, the Council go into Part II session and exclude the press and public. This was carried.

**RESOLVED** that under Section 100 (A) (4) of the Local Government Act 1972 that press and public be excluded from the meeting of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12 A of the Act and such restricted consideration was in the public interest.

**46. SHERBORNE HOUSE NEWTON ABBOT**

The Portfolio Holder for Corporate Resources presented the report on Sherborne House, Newton Abbot, to ensure that the necessary authority and delegated powers were in place to further advance this regeneration project.

The recommendation was proposed Portfolio Holder for Corporate Resources seconded by Portfolio Holder for Sport, Recreation & Culture and carried unanimously.

**RESOLVED** that recommendations (1), (2), (3), (4) and (5) of the circulated report be approved.

**47. BRUNSWICK STREET TEIGNMOUTH**

The Portfolio Holder for Corporate Resources presented the report to ensure that the necessary authority and delegated powers were in place to further advance this regeneration project.

The recommendation was proposed Portfolio Holder for Corporate Resources seconded by the Deputy Leader and carried.

**RESOLVED** that recommendations (1) and (2) of the circulated report be approved.

**48. SENIOR MANAGEMENT PAY - SOUTH WEST COUNCIL'S REVIEW REPORT**

The Deputy Leader, who chaired the meeting of the Appointments and Remuneration Committee 25 July 2019, presented the recommendation from this Committee to approve the Senior Management Pay review further to recommendations from consultants South West Councils.

In response to Member's questions, the Portfolio Holder for Corporate Resources clarified that the Council's salaries for more junior staff were in accordance with national terms and conditions and that the lowest salaries were higher than the National Living Wage. The proposed new management structure would save the Council up to £150,000.

The recommendation was proposed by the Deputy Leader, seconded by the Portfolio Holder for Corporate Resources and carried.

**RESOLVED** that the Senior Management Pay – South West Council's review report, as circulated, be approved.

#### **49. SENIOR MANAGEMENT STRUCTURE**

The Deputy Leader, who chaired the meeting of the Appointments and Remuneration Committee 25 July 2019, presented the recommendation from that Committee to approve the Senior Management Structure, and for a consultation and recruitment process to be undertaken.

In response to Members, the Managing Director clarified the recruitment process.

The recommendation was proposed by the Deputy Leader, seconded by the Portfolio Holder for Corporate Resources and carried.

**RESOLVED** that the Senior Management Structure report as circulated be approved.

The meeting started at 10.00 am and finished at 12.10 pm.

Chairman

This page is intentionally left blank

29 July 2019

### Member Questions under Council Procedure Rule 4.5 (K)

1. The following question has been asked by Cllr Bullivant

#### Question

*At the last TALC meeting the leader gave a presentation on the delivery of affordable homes in Teignbridge.*

*His presentation claimed that there had been no affordable homes delivered outside of Newton Abbot for the last 5 years.*

*Did the Leader check his facts with the council officers before making this claim?*

#### Response from the Leader

The following sentence appeared in the TALC minutes, attributed to me.

“Affordable housing is still too expensive and these rented properties are currently at 80% of the market rent. This is too high and needs to be reduced. With the exception of Newton Abbot, Teignbridge has seen no affordable housing built in the past 5 years”

From memory I believe I did use, erroneously, the term "affordable" on one occasion when answering a question, but subsequently made reference to social rented property, a significantly different product. Whilst, there has been so called "affordable" housing delivered, there has been no social rented housing delivered in Newton Abbot in the last 5 years, which was the point I was trying to make and subsequently did make, correcting my previous error. This unfortunately appears not to have been recorded in the minutes.

Teignbridge is designated as an area of "high affordability pressure" where affordable housing as currently defined (80% of market rent or purchase price) is not affordable for the vast majority of people on low incomes in our District. My answer sought to stress that the Lib Dem administration intended to prioritise social rented housing to address the issues of affordability that our District is experiencing, a very real need.

2. The following questions have been asked by Cllr Clarence

**Question 1**

*Given the outstanding success of the Teignmouth Air Show, which brought in significant numbers of visitors and locals, plus an economic benefit to the town of Teignmouth, will the Council commit to supporting events that contribute also to the happiness and enjoyment of those that attend such events?*

**Response from the Leader**

The assumption in this question is that happiness is produced by people watching planes fly. These activities may be pleasurable but they of themselves do not produce happiness. Happiness is a state of mind, the product of peace of mind where the individual has a lasting sense of wellbeing produced by, amongst other things, a clear conscience, a fulfilled sense of purpose and a degree of personal and family stability. The long term ability to protect, house and feed loved ones are far more likely to produce happiness than watching planes fly.

It is with this in mind that the new administration will strive to house the homeless and those living in overcrowded or inadequate housing; to raise those living in or close to poverty out of their financial difficulties and raise their levels of happiness

We are also investing in our green spaces, leisure facilities, housing and in local communities to improve conditions for our residents, give them places to enjoy the outdoors and stay active, create social connections and learn about their environment. The benefits of these activities are well evidenced, and create long term resilience. Our recent Green Flag awards demonstrates our investment in local projects that will bring enjoyment to visitors and residents alike throughout the whole year.

**Question 2**

*There was much criticism by the L/Ds when in opposition over the previous Conservative administration who supported events, such as the Radio 1 weekend and the Tour of Britain Cycle Race by making a financial contribution to their success. Now that the L/Ds run the Council and their failure to support the Teignmouth Air Show financially in any way, how is the Council going to deliver increased happiness and enjoyment to visitors and residents of Teignbridge?*

**Response from the Leader**

No direct funds (£10,000) were ever promised either by this administration or the previous Conservative administration. Facilities and staffing, advice and guidance were all provided free of charge. The loss of income from the Point Car Park being closed for a single day is in the region of £640. All factors will need to be carefully considered in any future requests for assistance from whatever direction.

The Lib Dem administration will focus its resources on making long term improvements to our residents' welfare. We need to ensure our precious financial resources are allocated in a way that will alleviate the housing crisis and fight to

protect our environment, as we were elected to do. I would hope that our residents and all elected Members will see the benefit of such prioritisation.

Where previous council administrations may have been willing to support events such as the Radio 1 roadshow, we would need to consider whether these would meet our priorities, and whether financing them would have an impact elsewhere on our services.

This administration's position on funding has been entirely consistent with the precedent set when no direct funding for the Dawlish Airshow was provided by TDC at any time. The decision is also in line with our clearly stated position on climate change, which had cross chamber support. On this critically important issue, I am hugely encouraged by the large number of local residents who have contacted me and supported the position taken. That is not to say that all contact has been favourable; it hasn't. However, the overwhelming majority has been supportive. In saying that, I would wish to place on record the collective thanks of many to those who rallied round and gave considerable time and effort, as volunteers, to ensure the show went ahead. I am told a good number turned out and apparently and therefore encouragingly, some business benefit was gained. However, a number have stated that they took less money than on a normal summer Saturday, while others have reported a similar turnover.

This administration will seek to work collaboratively with all to enhance the economic wellbeing of local business, the physical and emotional wellbeing of our residents and protect the local environment. With that in mind, I want to make it crystal clear that we are open to suggestions from Teignmouth, and indeed all parts of the District, to take forward mutually advantageous projects.

### **Question 3**

*In the light of Torbay Councils L/D led administration to continue promoting an air show to the tune of £25k in 2020, whilst still mindful of climate change in other spheres, both the L/D led Teignbridge District Council and L/D led Torbay Council, seem to differ in policy. With that in mind, will Teignbridge District Council soon be gaining the reputation of being known as a Council of killjoys?*

### **Response from the Leader**

I am not in a position to answer for any other local authority, near or far. I am not aware that any authority has yet got close to constructing its budget for next year, and I think we should all wait any such decisions.

3. The following question has been by Cllrs Eden, John Nutley and Huw Cox

**Question**

*As you will be aware Devon & Somerset Fire and Rescue Authority are currently consulting on the heaviest budget cuts proposal in living memory. To specify these cuts propose to close 8 fire stations including Ashburton in Teignbridge, cut night-fire cover at stations across the districts cut second and third fire tenders at fire stations across the district and reduce the day cover for second fire tenders at 14 stations including Teignmouth in Teignbridge. I believe these Conservative led cuts will make communities and visitors less safe. I would like therefore to ask if you as leader of the council will write to DSFRA expressing TDC's opposition to these cuts and seek clarification as to why these cuts are proposed.*

**Response from the Leader**

The proposed cuts to the Devon and Somerset Fire and Rescue Service can only reduce the effectiveness of the service, and in so doing put lives at greater risk. The public deserves a first-class service and this proposal does nothing to either enhance the current reputation of the service or increase the confidence of the public that their best interests are being served.

I will write to the DSFRA and express my concerns as Leader of the Council and circulate this letter to the Group Leaders asking them to sign the letter to show cross party support for the proposed cuts I will ask the DSFRA to come and brief Members on the proposals and I suggest that all Councillors make their concerns known through the DSFRA consultation process.