

FULL COUNCIL

18 APRIL 2019

Present:

Councillors Austen, Bromell, Bullivant, Christophers, Clarence, Clemens, Connett, Cook, Cox, Dennis, Dewhirst, Eden, Evans, Golder, Goodey, Haines, G Hook, J Hook, Jeffery, Keeling (Vice-Chairman), Kerswell (Chairman), Mayne, Morgan, Nutley, Orme, Peart, Pilkington, Prowse, Russell, Smith, Thorne and Wrigley

Apologies:

Councillors Barker, Fusco, Gribble, Hayes, Hocking, Hockin, Jones, Lake, Matthews, Parker, Rollason and Winsor

Officers in Attendance:

Tom Butcher, Senior Estates & Development Surveyor
Martin Flitcroft, Chief Finance Officer
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer
Karen Trickey, Solicitor to the Council and Monitoring Officer
Tony Watson, Interim Head of Commercial Services

24. MINUTES

It was proposed by the Leader, seconded by Councillor Mayne that the minutes of the meeting held on 28 February 2019 were approved and signed as a correct record and signed by the Chairman.

25. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Councillors Barker, Bromell, Fusco and Hayes who were not standing for re-election in the forthcoming elections for their contributions to the Council over the years.

Councillor Bromell commented that he had enjoyed his time as a Councillor and wished Teignbridge District Council all the best for the future.

26. DECLARATIONS OF INTEREST

There were no declarations of interest.

27. PUBLIC QUESTIONS SESSION UNDER COUNCIL PROCEDURE RULE 4.5(J)

The Public Question and Response are attached to the minutes.

In response to the supplementary question regarding the need to reduce the timeline for action and that to 2030 was too late. The Portfolio Holder for Economy Skills & Tourism stated that this would be addressed later in the meeting.

28. COUNCILLOR QUESTIONS UNDER COUNCIL PROCEDURE RULE 4.5(K)

The Members Questions and Responses are attached to the minutes.

Further to his question, Councillor G Hook commented that that it was disappointing that no new jobs had been created as the Local Plan was based on producing a community that was sustainable, reducing impact of outward migration, and that people should be able to live and work in the district. He questioned the rate of house building in the district and the need for affordable low cost housing.

The Portfolio Holder for Economy Skills & Tourism responded that planning permission had been granted for around a third of the sites although for various reasons none had yet been delivered. He added that since the Local Plan was adopted, there had been an increase of employment land in the district, the number of jobs had risen from 52,000 in 2014 to 59,000 in 2017, and unemployment had decreased from four per cent to 2.5 per cent.

29. NOTICES OF MOTION UNDER COUNCIL PROCEDURE RULE 4.5(L)

a) Climate Change

Councillor J Hook in presenting her Notice of Motion stated that Climate Change was the biggest threat to the planet and mankind and it was getting worse. The Council had a responsibility to help to address this major Global issue and should take measures to commit to achieving a Carbon Neutral District by 2030. A task group engaging with the community, businesses and schools should be established and report back to Council within six months with a set of actions to work towards this target. It was imperative that the Council started work towards this target immediately.

With the agreement of at least 2/3rd of the members present at the meeting, the motion was debated immediately.

The Portfolio Holder for Economy Skills & Tourism in seconding the motion commented that with the growing world population and the impact this had on demands on food and travel, there was an urgent need to address climate change. The Council had taken a proactive approach already to reducing energy consumption, using renewable sources and tackling environmental issues.

The Portfolio Holder for Economy Skills & Tourism proposed an amendment that the target date for the Council to be Carbon Neutral be changed from 2030 to 2025. This was agreed by Councillor J Hook.

All Members welcomed this Notice of Motion recognising that whilst the Council and Local Communities had taken steps to address climate change further urgent action was required to tackle this serious problem. During discussion Members acknowledged the requirement to reduce the use of fossil fuels and single use plastics and the need to build zero/low carbon homes.

Councillor J Hook in summarising stated that climate change required action from individuals and well as communities and governments.

The Notice of Motion (as amended) was put to the vote and carried unanimously.

RESOLVED that Teignbridge District Council:-

1. Declare a 'climate emergency'
2. Pledge to do what is within our powers, to make Teignbridge District carbon neutral by 2025, taking into account both production and consumption emissions.
3. Call on Westminster to provide the powers and resources necessary for Teignbridge District to achieve the target of becoming carbon neutral by 2025, and to implement best practice methods to limit global warming to 1.5C.
4. Report to Full Council within six months with an Action Plan, outlining how the Council will address this emergency. The Action Plan will detail the leadership role Teignbridge District will take in promoting community, public, business and other Council partnerships to achieve this Carbon Neutral 2025 Commitment throughout the District. The Action Plan will also outline adequate staff time and resources to undertake the actions to achieve the target.
5. To investigate all possible sources of external funding and match funding to support this commitment

b) **Fairtrade**

Councillor G Hook in presenting his Notice of Motion stated that it was important that Teignbridge District Council should support a Fairtrade status to facilitate the promotion and purchase of food and drinks with the Fairtrade mark. The Council should commit to sustainable development and give marginalised producers a fair deal to support their families and communities.

With the agreement of at least 2/3rd of the members present at the meeting. The motion was debated immediately.

The Leader in seconding the Notice of Motion stated that the Council should respond to these global issues. Overview & Scrutiny Committee should look to form a task group to look into how the Council could promote the use of Fairtrade products.

All Members supported the promotion of Fairtrade products across the Council and District to ensure that producers got paid fairly.

The Notice of Motion was put to the vote and carried unanimously.

RESOLVED that the Council contribute to the campaign to increase sales of products with the FAIRTRADE Mark by supporting the campaign to achieve Fairtrade status for Teignbridge as detailed in the Fairtrade Foundation's Fairtrade Town Action Guide and:-

1. Widely offer FAIRTRADE Marked food and drink options internally and make them available for appropriate internal meetings;
2. Work in conjunction with the Fairtrade Foundation to promote the FAIRTRADE concept as often and as widely as practical;
3. Use influence to urge local retailers to provide Fairtrade options for residents. Similarly, to offer options to their staff;
4. Use all practical means to promote Fairtrade principles;
5. To act with and coordinate a steering group of interested persons from around Teignbridge to encourage and support the existing work;
6. Nominate a representative (either officer or member or both) to sit on the Steering Group and report back at least once a year on progress via the Members Newsletter;
7. Contact all Secondary Schools and Colleges within Teignbridge inviting participation on the Steering Group; and
8. Organise event(s) and publicity during national Fairtrade Fortnight, the annual national campaign to promote sales of products with the Fairtrade Mark, in conjunction with Devon County Councils ongoing programme of work in this area.

c) **Netting at Development Sites**

Councillor Connett in presenting his Notice of Motion stated that the use of

netting had become wide spread and whilst it might not be illegal, the nets prevented birds from nesting and wildlife from accessing their food sources. The Council should develop guidance for developers and write to Government Ministers to call on the government to ban the use of netting on all sites with planning permission and it should be identified in the Local Plan. It was important to protect wildlife and stop this netting practice. In the absence of a 2/3rd of members present at the meeting agreeing that the matter be debated immediately, it was:-

RESOLVED that:-

the Notice of Motion stand adjourned and be referred to the Executive for consideration.

30. RECOMMENDATIONS FROM THE STANDARDS COMMITTEE - 5 APRIL 2019

Councillor Prowse, the Chairman of the Standards Committee, presented the recommendations of the Standards Committee on 5 April 2019 on the Members Code of Conduct Report.

Councillor Prowse proposed the recommendations, seconded by Councillor Keeling.

In response to Members questions, the Solicitor to the Council and the Monitoring Officer clarified:-

- A note could be added to the footnotes to confirm the examples of bullying and intimidation were not listed in order of seriousness;
- The cross party task & finish group had reviewed the complaints procedure and considered it was fit for purpose, but as noted in the report, the Code and the associated procedure should be kept under review;
- As per the report the officer delegation was expressly stated to cover minor amendments as any material changes to the code would require Council approval as the Code of Conduct formed part of the Constitution;
- Should the Standards Committee consider removal of a member from a committee an appropriate sanction which the sanctioned Member did not accede, the committee's decision would be referred to Council.

The recommendations were put to the vote and all were carried.

RESOLVED that the Members' Code of Conduct applicable to the Council be amended as follows from 8 May 2019:

- (i) The format of the Code be revised as set out in Appendix A to the Council report subject to delegated authority be given to the Monitoring Officer to make such additional minor amendments to further promote clarity in content (including its presentation) as she considers appropriate;
- (ii) Two new obligations be added to require councillors not to act in a manner which brings their office as councillor or the council into disrepute;

and to ensure co-operation and compliance with any standards investigation and prohibit malicious complaints (as shown in paragraph 4.6 and 4.7 of Appendix A);

- (iii) The definition of non-statutory interests which need to be declared at meetings (but not recorded in the Register of Interests) and in respect to which councillors are prohibited from participating in the debate (other than where members of the public are permitted to speak) and voting, be extended to include:
 - (a) where “*a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice the councillor’s consideration or decision-making in relation to that matter*” (as shown in paragraph 6.4 of Appendix A) and
 - (b) financial interests (as per paragraph 6.3 of Appendix A) of Members themselves as well as of their friends, relatives or close associates; and
- (iv) The sanctions for breach of the Code involving removal from committee be revised slightly so that it be made clear that full Council could resolve to remove a member from a relevant position (subject to compliance with political allocation rules) and that a recommendation to Group Leaders could be made to invoke relevant party rules to further sanction the member (e.g. remove them from their group) in a timely manner.

31. NEWTON ABBOT CINEMA PROPOSALS

The Leader stated that the proposal for a four screen cinema would create vibrancy in the town centre and support the regeneration for Newton Abbot town centre as a place for all to visit.

Members welcomed this positive proposal for a much needed new cinema that would help to build up the night time economy in the town centre.

The Leader proposed that, because of the commercial sensitivity issues concerning the Council and third parties, the Council go into Part II session and exclude the press and public. This was seconded by Portfolio Holder for Tourism, Economy and Skills and carried.

32. EXCLUSION OF PRESS AND PUBLIC

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 paragraph 3 of Part 1 of Schedule 12 A of the Act and such restricted consideration was in the public interest.

33. NEWTON ABBOT CINEMA PROPOSALS

The exempt elements of the discussion on this agenda continued. The Senior Estates & Development Surveyor provided additional information in response to Members' questions. Members were advised of the funding details for the project, evidence regarding the cinema's current and potential increase admissions, and the type and quality of events that the proposed cinema could accommodate.

The recommendation was proposed by the Leader, seconded by the Portfolio Holder for Economy Skills & Tourism and carried.

RESOLVED that to enter into a conditional agreement for a lease for a new cinema in Newton Abbot.

(Councillor Connett left the meeting before the vote was taken)

Chairman

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Public Questions

Full Council 18 April 2019

Question

Declaring a climate emergency:

Over the past 20 years, Teignbridge District Council has earned a good reputation for acknowledging and addressing climate change; many Teignbridge communities have groups that have been fighting climate. A lot of us feel that central Government has not provided the leadership and structures required to help, so we are particularly keen that our own local council should help us to become carbon neutral by 2030, which is vital if we want Teignbridge's children to have a future. Will you help us to achieve this by writing a timed Action Plan and providing the staff and financial resources needed to make it work?

Response from the Portfolio Holder for Economy Skills & Tourism

I am sure all members agree about the importance of protecting our planet by reducing our impact for future generations.

Teignbridge has always taken a proactive approach to reducing our energy consumption, using renewable sources and tackling other environmental issues.

Completed projects include;

- Solar Panel system at Newton Abbot's Market Walk Shopping Centre
- Solar Panel system Teignbridge Business Centre, Heathfield
- Installing video conferencing facilities in Forde House to reduce travel to meetings
- Workplace travel survey involving staff and councillors

There are also planned projects for the current financial year to replace the heating system for the Forde House complex, install electric car charging points and consult on our Electric Vehicles, Infrastructure and ultra-low emission vehicles policy.

Given that this is not a unique situation to Teignbridge officers are already in conversation with colleagues from both Devon County Council and other neighbouring authorities to understand the merits of joint working on such a project and the staffing and financial implications.

The longer term plan is to encourage all partners across Devon to come together to produce a Carbon Action Plan.

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COUNCIL MEETING**18 April 2019****Member Questions under Council Procedure Rule 4.5 (K)**

1. The following questions have been asked by Cllr G Hook

Question

Will the PH list the businesses, both new and relocated, which are currently occupying land designated in the Teignbridge Local Plan for economic development since the adoption of the Teignbridge Local Plan almost exactly 5 years ago in 2014?

Since the Local Plan was adopted permission has been granted on around 1/3 of the sites allocated in the Local Plan, but to date none have been delivered. Set out below is a table, highlighting the stage each allocation has reached so far.

Site	Employment land provision	Area/space delivered or approved to date	Progress to date
NA1 Houghton Barton	18 hectares	0 ha delivered.	Outline permission granted for a site of approximately 0.72 ha with consent for B1 (a/b/c) employment use as part of Hele Park. The site is currently being marketed. The land at Forches Cross allocated in the Local Plan for employment uses could come forward once the improvements to the A382 have been undertaken.
NA2 Whitehill	2 hectares	0 ha delivered	This site won't be delivered. The approved alignment for the A382 improvements runs through the site. A financial contribution to employment has been accepted as an alternative approach.
NA3 Wolborough	10 hectares	0 ha delivered	A planning application 17/01542/MAJ for part of the

Site	Employment land provision	Area/space delivered or approved to date	Progress to date
			<p>site is the subject of a current appeal.</p> <p>The hybrid application proposes 3,500sqm (B1), 5,500sqm (C2 – care home), and 1,250sqm (A1, A3, A4, A5) of new employment generating floorspace in outline. The full application also includes 1,158sqm of hotel, restaurant and bar space.</p>
NA4 Milber Employment Area	8 hectares	0 ha delivered	<p>Reserved Matters application approved under reference 14/03208/MAJ in 2015.</p> <p>Issues relating to opening up costs, specifically the road access.</p>
NA10 Bradley Lane	15,000 sqm	0 sqm delivered	This site will be part of the regeneration plans for the Bradley Lane area. Work is not anticipated to begin on this for at least 2 years.
KS1 Sands Copse	16.4 hectares	0 ha delivered	Part of the site is still an active quarry. No planning application received but there is known commercial interest in bringing the site forward.
KK1 Land off Torquay Rd and Embury Close	0.5 hectares	0 ha delivered	<p>Planning consent has been granted for the housing allocation under reference 17/00132/MAJ. The employment allocation is not being brought forward. A financial contribution towards delivering employment land will form part of the section 106 agreement.</p>

Site	Employment land provision	Area/space delivered or approved to date	Progress to date
SWE2 Adjacent to Peamore	5 hectares	0 ha delivered	<p>Reserved Matters planning permission granted under reference 16/00950/MAJ in 2016.</p> <p>A further 15ha has been approved.</p> <p>Issues relating to opening up costs linked to access and power preventing delivery. Devon County Council have recently been successful in gaining Housing Infrastructure Funding for the South West Exeter allocations, including opening up this site.</p>
DA2 North West Secmaton Lane	3 hectares	0 ha delivered	Outline permission granted in 2016 under reference 15/02700/MAJ.
BT2 Bradley Bends	915 sqm	0 sqm delivered	Outline permission granted in 2013 under reference 13/00251/MAJ.
BTC2 Old Newton Road	0.7 hectares	0ha delivered	No progress.
BT3 Challabrook	1.2 hectares	0 ha delivered	An outline planning application is before the Council under reference 17/01821/MAJ.
CH1 Rocklands	1.5 hectares	0 ha delivered	Outline planning permission granted in 2014 under reference 13/01062/MAJ for 2,500 sqm of use class B1 (a) employment space.
CH6 North West of Town	0.5 hectares	0 ha delivered	No progress.

Site	Employment land provision	Area/space delivered or approved to date	Progress to date
Centre (Chudleigh)			
Total	67 hectares	0 hectares	

Table 1: Breakdown of progress of Teignbridge Local Plan employment land allocations

The reasons for non-delivery vary, but the most common themes are high opening up costs for road access and utilities (particularly power supply), lack of funding, and willingness of the landowner. Work is on-going in both the Planning and Economic Development teams to help bring sites forward.

The recent award of £55m from the Housing Infrastructure Fund, secured by Devon County Council, included money for a new roundabout and upgrade to the electricity supply to open up the site at Peamore, Exeter (SWE2). Other infrastructure funding secured, such as the South Devon Link Road (SDLR) and A382 improvements (Jetty Marsh to Drumbridges) will directly and indirectly unlock more development and employment opportunities around Newton Abbot. An economic assessment of the impact of the SDLR is due in 2021 in line with the monitoring requirements of the Department of Transport's funding.

Since the Local Plan was adopted there has been a net increase of 34,000sqm, equivalent of 6,800sqm per year (compared with 12,000sqm per year Local Plan target). The distribution of that space is set out in the table below, alongside the Local Plan's strategic targets. It will be noted that the majority of delivery has been in rural areas, which are made up of many small scale developments.

Location	Total (square metres)	Percentage of overall total	LP target
Heart of Teignbridge	723.03	2%	60%
South West Exeter (Exminster)	0	0%	5%
Dawlish	1137	3%	3%
Bovey Tracey (inc Heathfield)	2327.8	7%	3%
Chudleigh	1137	3%	3%
Teignmouth	-389.73	-1%	0%
Rural	29077.6	85%	0%
Total	34012.7	100.00%	

Table 2: Net new employment land delivered 2014-19

In the same period, around 123,000sqm of space has been approved, some of which are Local Plan sites. Again, the table below shows the breakdown.

Location	Total	Percentage of overall total	LP target
Heart of Teignbridge	42280.26	35%	60%
South West Exeter	18220	15%	5%
Dawlish	33613	27%	3%
Bovey Tracey (inc Heathfield)	16248	13%	3%
Chudleigh	2576.8	2%	3%
Teignmouth	32.26	0%	0%
Rural	9499.35	8%	0%
Total	122469.67	100%	

Table 3: Net new employment land approvals (extant but unimplemented) 2014-19

This table demonstrates that the Council is approving the numbers of employment sites, but as mentioned earlier, there are a number of external factors that are delaying delivery.

Question

How many new jobs have been created as a consequence?

Response from Portfolio Holder for Economy, Skills & Tourism

As none of the Local Plan sites have yet been delivered there are no new jobs directly from those allocations.

Based on ONS jobs density, the number of jobs in Teignbridge has risen from 52,000 in 2014 to 59,000 in 2017 (the latest year available for this data). The job density has increased in that same period from 0.7 jobs per working age resident to 0.78.

During the same time unemployment rate has decreased from 4% to 2.5%. The national unemployment rate is 3.9%.

It should be noted that it is not possible to directly attribute employment levels to specific developments, as around two-thirds to three-quarters of new jobs don't require new employment space. This could be due to greater use of existing buildings, flexible working patterns (i.e. increased shift work in hospitals, factories, etc), or working from home. It also includes jobs that are in sectors that serve the needs of a growing population, such as education, care, retail, etc. and to meet the needs of new employment development such as business supply chains, maintenance, etc.

More statistical information can be found in the Teignbridge Economic factsheets found at teignbridge.gov.uk/business/relocating-to-teignbridge/our-economy/

Question

How much land designated in the Plan remains to be occupied, expressed as a % of the Plan target and also in acreage /square footage.

Response from Portfolio Holder for Economy, Skills & Tourism

A total of 67 hectares of employment land has been allocated. There isn't a square metre or square feet figure, as this will only be clarified once detailed plans are drawn up on each site.

As mentioned in an earlier comment, around 1/3 of the Local Plan sites have planning permission, and work is ongoing with site promoters to help bring them forward. For Teignbridge to actively bring the sites forward would involve additional staff resources, which is potentially high risk for the Council as it would require significant investment (land purchase, opening up costs, legal fees, staff resource, etc) with no guarantee of a return.

1. The following question have been asked by Cllr Connett

Question

Please list the Art works in the possession of the Council, listing who they are owned by if not Teignbridge District Council, and the location of the artworks and if they are available for public view, or currently on public display.

Response from Portfolio Holder for Economy, Skills & Tourism

Attached sheet with details.

All Artwork is owned by TDC and is in areas which the public do not have full access

	Artist	Title of Artwork	Location
	FORDE HOUSE		
1	Ken Carter	Exe Scene I	First Floor between Committee Rooms
2	Ken Carter	Exe Scene II, Sunset	First Floor between Committee Rooms
3	Ken Carter	Exe Scene III	First Floor between Committee Rooms
4	Ken Carter	Estuary View	First Floor between Committee Rooms
5	Ken Carter	Haldon View	First Floor between Committee Rooms
6	Alan Cotton	Stormlight/Golden Harvest Landscape	In storage
7	Gary Fabian Miller	First Fire - Large	Top Floor stairwell RHS
8	Gary Fabian Miller	First Fire 1	Top Floor RHS behind bookcases
9	Gary Fabian Miller	First Fire 2	Top Floor RHS behind bookcases
10	Gary Fabian Miller	First Fire 3	Top Floor RHS behind bookcases
11	Gary Fabian Miller	First Fire 4	Top Floor RHS behind bookcases
12	Tony Glew	Strength to Strength	Top Floor LHS stairwell
13	Tony Glew	Man and Mixer	Top Floor LHS stairwell
14	Heather Jansch	Out of Winter Sea	In storage
15	Pat Johns	Tapestry	Council Chamber
16	R J Lloyd	Dawlish Warren 1	First Floor Council Chamber Corridor
17	R J Lloyd	Dawlish Warren 2	First Floor Council Chamber Corridor
18	R J Lloyd	Haytor Quarry	First Floor Council Chamber Corridor
19	James Ravilious	Photograph	Council Chamber
20	James Ravilious	Photograph	Council Chamber
21	James Ravilious	Photograph	Council Chamber
22	James Ravilious	Photograph	Council Chamber
23	James Ravilious	Photograph	Council Chamber
24	James Ravilious	Photograph	Council Chamber
25	James Ravilious	Photograph	Outside Council Chamber
26	Fiona Scott Evans	And There's a Beauty You Will Never See	In storage
27	Taja	Teignbridge Coat of Arms	First Floor between Committee Rooms
28	Paul Warner	Lidswell Chapel 1	In storage
29	Paul Warner	Lidswell Chapel 2	In storage
30	Paul Warner	Lidswell Chapel 3	In storage
31	Tim and Vicki Wood	Automata Motorized Gaffer	In storage
	OLD FORDE HOUSE		
1	R J Green	Charles I (presented by Cllr Astbury)	Parlour
2	R J Green	Lucy Reynell (presented by Brian Jones – former Chairman)	Parlour
3	W. Bradnee	Gentleman (possible member of Courtenay Family)	Stairway
4		Charles II	Long
5		James II	Long
6		Lucy Reynell	Long
7		King Charles I	King Charles
8		Forde House with lake	King Charles
9		William of Orange	Orange
10		Lord Charles Somerset	Orange
11	M G Holden	Old Forde House – outside	Panelled
12	Frank Owen Salisbury	Lady Gertrude E Smith former member of Newton Abbot Rural District Council – presented by A Kightley	Panelled
13		Old Forde House - outside	Panelled
14		Various sketches of house/inside and out	Library
15		Oliver Cromwell	Library
16		Map of Newton Abbot (not painting/print)	Dining Room
17		Auction Notice	Hallway
18	G Diamon	Teign from Brecknock Hill presented by Arthur Thompson 1954	Hallway
19	W Walton	Great Hall x 2	Hallway
20		Chair used by William of Orange	Hallway
21		St John Honeywood	Hallway
22		Sir William & Lady Francis Courtenay	Hallway
23		Lady Margaret Courtenay	Hallway
24		Sir William Waller	Hallway
25	Paul Mair	Landscape photo of house	Hallway
26	J Neale	Forde House with lady	Hallway
27	MJH	Sketch of Old Forde House	Hallway
28	Catherine Gregg	Lady Amy Bertie (from a watercolour)	Hallway
29		Lady Honeywood	Hallway

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