

FULL COUNCIL

A meeting of the **Full Council** will be held on **Monday, 23rd November, 2020 at 10.00 am**. This will be a virtual meeting and you can observe the meeting [via our Youtube Page](#).

PHIL SHEARS
Managing Director

Membership:

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

Please Note: The meeting will be live streamed with the exception where there are confidential or exempt items, which may need to be considered in the absence of the media and public.

AGENDA

1. **Apologies for absence**
2. **Minutes** (Pages 5 - 12)
To approve as a correct record and sign the minutes of the previous Council meeting.
3. **Announcements (if any)**
4. **Declarations of interest (if any)**

5. **Public Questions (if any)**

Members of the public may ask questions. A maximum period of 15 minutes will be allowed with a maximum period of three minutes per questioner.

The deadline for questions is no later than 12 noon two working days before the date of the meeting.

6. **Councillor Questions (if any)**

Members of the Council may ask questions of the Council subject to procedural rules.

The deadline for questions is no later than three clear working days before the meeting.

7. **Planning Advisory Service findings on the review of the planning application for Langford Bridge, Newton Abbot - Presentation**

8. **2019/20 Statement of Accounts including the Annual Governance Statement** (Pages 13 - 18)

To approve the 2019/20 Statement of Accounts.

Recommendations from Committees to Full Council

9. **Recommendation from Standards Committee**

The Committee Chair (Cllr L Petherick) will present the recommendation of the [Standards Committee 2 October 2020](#).

RECOMMENDED to Full Council that the membership of the Standards Committee be limited to six elected councillors

10. **Recommendation from Licensing and Regulatory Committee - Review of Statement of Licensing Policy**

The Committee Chair (Cllr D Cox) will present the recommendation of the [Licensing and Regulatory Committee 4 November 2020](#).

RECOMMENDED to Full Council that the Statement of Licensing Policy be adopted.

11. **Notice of Motion**

Notice of Motion's shall be referred to the appropriate Committee meeting. The mover of the motion can outline the proposal and then it will stand adjourned. The motion may be debated to assist debate later if agreed by two-thirds of Council Members.

The following motion on Making Votes Matter in Local Elections has been presented by Cllr Swain and supported by H Cox, Dewhirst, G Hook, J Hook, Jeffries, MacGregor, Nutley, Nuttall and Wrigley

Background provided by Cllr Swain to the Motion:

1. The electoral system used for elections in England and Wales, First Past the Post (FPTP), is not a fair system, because it means that votes do not have equal weight and many votes are wasted. Voters cannot express their preferences clearly. If a voter's first choice does not win, that voter has no say in which of the other candidates does win. FPTP can elect Candidate A when more than 50% of the voters would prefer Candidate B but some had a first choice of Candidate C. FPTP does not give the best possible outcome.
2. The alternative to FPTP is a system of Preference voting where voters rank candidates in order and all voters views are still considered after rejecting the least popular candidates. In multi-member wards there can be Proportional Representation (PR), where votes cast for parties translate more directly into seats won. There are many variants of PR. "Single Transferable Vote" (STV) is already in use for local elections in Scotland and Northern Ireland. This would give a mix of elected candidates closer to the mix of voter views, a fairer system of representation.
3. The introduction of PR for local elections in Scotland has led to an increase in turnout, which was 47% at the last elections held in 2017. In contrast turnout in the Teignbridge District Council election in 2019 was 39%. This suggests that the improved representation offered by PR encourages greater engagement in local democracy.
4. The council also recognises that 16 and 17 years olds can leave home, can start a family, can get married, can work, pay taxes and can join the armed forces. With elections occurring every 4 years, they should also be able to vote.

Wording of Motion proposed by Cllr Swain: "In doing so the council believes:

There should be a move to use a system of preference voting including proportional representation in multi-member wards for local elections as soon as is practicably possible and the voting age should be reduced to 16. This would elect a council which more accurately represents the range and proportions of political views among Teignbridge residents.

That PR with voting age 16, should be introduced as the voting system in any further Government devolution, and reorganisation of local government, in order to improve democratic participation and accountability.

This Council resolves:

1. To call upon Her Majesty's Government by writing to the Home Secretary, and the Prime Minister urging them to...
 - a. commit to changing electoral law to permit such a move.
 - b. Introduce such a system of voting in any reforms to local government presented to Parliament
2. To write to Teignbridge's two MPs to ask them to call for changes in electoral law to permit such a system and promote the matter for debate in Parliament.

**12. Local Government (Access to Information) Act 1985 -
Exclusion of Press and Public**

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for 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 12A of the Act.

Part II: Item suggested for discussion with the press and public excluded

13. Long-term maintenance of Dawlish Countryside Park (Pages 19 - 32)

If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk

FULL COUNCIL

30 SEPTEMBER 2020

Present:

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

Apologies:

Councillors Eden, Jeffery, Orme, Phipps and Swain

Officers in Attendance:

Neil Blaney, Head of Place & Commercial Services
Martin Flitcroft, Chief Finance Officer & Head of Corporate Services
Christopher Morgan, Trainee Democratic Services Officer
Fergus Pate, Principal Delivery Officer
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer
Phil Shears, Managing Director
Beth Tipton, Administrative Assistant
Paul Woodhead, Solicitor & Deputy Monitoring Officer

46. MINUTES

The minutes of the Annual Council 28 July 2020 and Adjourned Annual Council 3 September 2020 were approved as a correct record and would be signed at a later date.

47. ANNOUNCEMENTS

The Chair announced that the Managing Director had been notified of the following changes to committee membership:-

- Overview and Scrutiny Committee (2) – Cllr Cook replaced by Cllr D Cox
- Standards Committee – Cllr Foden replaced by the Leader.

The Leader would address Full Council between agenda items six and seven.

48. DECLARATIONS OF INTEREST

None.

49. COUNCILLOR QUESTIONS

The member questions and responses are attached to the agenda.

In response to Cllr Daws supplementary question regarding the Standards Committee procedures and decisions the Leader stated that these were matters for the standards committee, the committee had looked at a number of issues and came to a judgement of their peers as councillors.

In response to Cllr Daws supplementary question regarding the NSN Cllrs outstanding FOI request, the Leader advised that the redaction was a manual process and very time consuming for the quantity of documents involved. The Council could have considered declining the request on these grounds due to the cost of compliance retrieving and redacting such a large quantity of information. All the information would be released by 16 October 2020.

50. THE LEADER'S ADDRESS

The Leader of the Council addressed Full Council and expanded on the three priorities for Teignbridge under his administration climate change, homes, and jobs. He outlined the challenges with the £2 million the savings that the Council had had to make to offset the loss of income and additional costs as a result of the impact of COVID 19. The Leader thanked staff for their work during the ongoing Covid-19 pandemic and highlighted the achievements of the Council during the pandemic.

51. BUDGET MONITORING - REVENUE & CAPITAL, REALIGNMENT OF REVENUE BUDGET 2020/21

The Executive Member for Corporate Resources presented the report to update Members on the principal areas where there were likely to be departures from the 2020/21 budget, summarised those variations to the end of August 2020 and the realignment for 2020/21 based on assumed Government support together with assumptions on the medium term financial plan for future years. He explained that it would be difficult to predict future incomes and expenditure pressures due to the uncertainty around government actions, possible future lockdowns, potential vaccines and the action of the general public. This realignment of the budgets set in February 2020 were addressed by Government funding and from savings that the Council was making to meet the gap that had arisen.

The Chief Finance Officer advised Members of the changing financial position as a result of the impact of the COVID 19 on the Councils' funding streams. The Council had received from Central Government emergency funding £1.4 million by May 2020 and a subsequent additional £200,000. There was an offer of a further funding package to assist with certain income losses although this ignored rental income and losses from Council Tax and Business rates, this would be recovered over the subsequent three financial years. There was a budget deficit of £5.1 million, savings of £2 million had been identified and these

included vacancy savings, eliminating revenue contributions to capital, some natural occurring savings as operations were reduced or closed and ledger spending including a reduction in Rural Aid of £25,000.

During debate Members raised the following points:-

- Thanked staff for their efficient and hard work during the pandemic in particular the prompt payments of the business grants and work with the communities
- Concern with the proposal to remove the rural skip service and impact this could have on an increase in fly tipping
- The need to work with Towns and Parishes with regards to services that the council may not be able to support due to its budget constraints going forward
- The need for all members be involved in any proposed cuts in budgets.

The Leader recognised that there would be difficult decisions ahead, explained the budget consultation and setting process which would include considered of the proposed budget by the Overview and Scrutiny Committees.

It was agreed that the Chair of the Council would write to staff to thanks them for their support and hard work during the pandemic.

The recommendation was proposed by the Executive Member for Corporate Resources, seconded by Councillor H Cox and carried.

RESOLVED that the:-

- (1) revised revenue budget summary as shown at appendix 1 be approved;
- (2) updated capital programme as shown at appendix 2 be approved; and
- (3) treasury management results for 2019/20 as shown in appendix 3 be noted.

A roll-call was taken.

For

Cllrs Austen, Bullivant, Clarence, Colclough, Connett, Cook, D Cox, H Cox, Dewhurst, Evans, Foden, Goodman-Bradbury, Gribble, Haines, Hayes, Hocking, G Hook, J Hook, Jeffries, Jenks, Keeling, Kerswell, MacGregor, Morgan, Nutley, Nuttall, Parker-Khan, Peart, L Petherick, Purser, Rollason, Russell, Thorne, Tume, Wrigley, Parker and J Petherick

(37 members)

Abstain

Cllrs Bradford, Daws, Mullone

(3 members)

Absent

Cllrs Eden, Jeffrey, Orme, Phipps, Taylor and Swain
Cllr Taylor was not present during the vote

(7 members)

52. NOTICE OF MOTION

The Portfolio Holder for Climate Change in presenting her Notice of Motion, stated that the protection and conservation of nature here and overseas was paramount, the detrimental impacts of which were being felt around the world. The harm that humans were causing through the goods consumed could not be ignored. Members by supporting this Notice of Motion would be building upon the work the Council was already doing through declaring its Climate Change Emergency and pledging to be Carbon Neutral by 2025.

This was seconded by the Executive Member for Sport, Culture and Recreation.

Two- thirds of Members agreed to debate the Notice of Motion.

During debate Members agreed that the protection and conservation of the environment and nature was vital and the council should look at all the work it does to ensure this was addressed locally, nationally and globally.

RESOLVED that this Council believes that:-

- (1) All governments (national, regional and local) have a duty to limit the negative impacts of Climate and Ecological Breakdown, and local governments that recognize this should not wait for their national governments to change their policies. It is important for Teignbridge Council and other Councils to commit to carbon neutrality and address the ecological emergency as quickly as possible.
- (2) Towns, Cities and Local Authorities at all tiers are uniquely placed to lead the world in reducing carbon emissions and tackling the ecological emergency; as they have closer links with their residents.
- (3) The Climate and Ecological Bill deserves the support of government as it reassesses the urgency of the twin climate and ecological emergencies.

Consequently, Teignbridge District Council will,

- (a) Declare an 'Ecological Emergency' alongside the Climate Emergency it has already declared. In doing so the Council commit to:
 - Working with partners locally and regionally to drive coordinated leadership and collaborative action to aid the recovery of nature and natural environments and identify areas for habitat restoration.
 - Ensuring irreplaceable habitats are protected, the biodiversity mitigation hierarchy is followed, and that net biodiversity gain is implemented appropriately.

- Lead by example and promote the good work the Council is currently and will in future be doing.
 - Finalising an ambitious Tree Strategy.
 - Reviewing the Teignbridge District Council Green Infrastructure Strategy
- (b) Register our support for the CEE Bill and write to our 2 MP's to urge them to sign up to support the Climate and Ecological Emergency Bill.

The vote was unanimous.

Absent

Cllrs D Cox (lost connection), Daws, Eden, Jeffrey, Orme, Parker-Khan (lost connection), Phipps and Swain.

(8 Members)

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

The Leader proposed, seconded by the Executive Member for Sport, Culture and Recreation that because of financial sensitivity 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 paragraph 3 of part 1 of schedule 12 A of the Act.

54. SOUTH WEST EXETER DISTRICT HEATING SUPPORT

The Executive Member for Planning presented the report to approve a funding contribution, take forward the contract negotiations and the future establishment of a company in order to facilitate successful District Heating Network delivery and its ongoing operation at South West Exeter. He advised of the business case, the viability and the risks.

The Executive Member for Planning proposed the revised recommendation (as circulated to all Members), this was seconded by the Executive Member for Climate Change.

The Principal Delivery Officer gave a presentation on what was needed for the overall for the scheme, the heating plant at Exeter capacity, government support, funding including the Council's funding requirement.

During debate Members raised issues regarding the long term sustainability of the scheme in particular with global ambition to reduce waste, the viability of the plant, the impact on householder fuel bills and their fuel choice and the requirement to ensure that Heat Trust Standards were complied with.

RESOLVED that:-

- (1) a financial contribution of up to £50,000 be approved towards South West Exeter District Heating Network early infrastructure works required before contracts for delivery of the main project have been agreed;
- (2) Delegated authority be granted to the Head of Place and Commercial Services (subject to prior consultation with the Executive Member for Planning) to compile and implement agreements to facilitate the funding of the early infrastructure works;
- (3) Delegated authority be granted to the Head of Place and Commercial Services to participate in negotiating the District Heating Network commercial framework including but not limited to the matters identified in recommendation 4 below; and
- (4) Subject to a future report and decision from Executive Committee, approve:
 - a. Funding of up to £2 million as a contribution towards the South West Exeter District Heating Network as described in Section 2 of the circulated report.
 - b. Completion of a District Heating Network commercial framework including but not limited to matters associated with:
 - (i) the up to £2 million financial loan from the Council to the District Heating Network operator
 - (ii) operating standards associated with customer service, tariffs and environmental performance of the network
 - (iii) expansion of the network into other development areas in the Exeter area (such as Marsh Barton).
 - (iv) Associated legal agreements
 - c. Establishment of the Southern Exeter Heat Company.

A roll call was taken

For

Cllrs Bullivant, Clarence, Connett, Cook, D Cox, H Cox, Dewhirst, Evans, Foden, Goodman-Bradbury, G Hook, J Hook, Keeling, MacGregor, Morgan, Nutley, Purser, Rollason, Taylor, Thorne, Wrigley and J Petherick.

(22 Members)

Against

Bradford, Mullone and Patch.

(3 Members)

Abstain

Cllrs Parker-Khan and Peart.

(2 Members)

Absent

Cllrs Austen, Colclough, Daws, Eden, Jeffrey, Jefferies, Jenks, Gribble, Haines, Hayes, Hocking, Kerswell, Nuttall, Orme, Parker, L Petherick, Phipps, Russell, Swain and Tume.

(20 Members)

The meeting started at 10.00 am and finished at 2.20 pm.

Chair

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TEIGNBRIDGE DISTRICT COUNCIL

COUNCIL

23 NOVEMBER 2020

Report Title	2019/20 STATEMENT OF ACCOUNTS INCLUDING THE ANNUAL GOVERNANCE STATEMENT
Purpose of Report	To bring the statement of accounts 2019/20, letter of representation to Grant Thornton from the Chairman of the Council and the Annual Governance Statement to Members for approval.
Recommendation(s)	<p>That the Council resolve to</p> <p>(a) Approve the 2019/20 Statement of Accounts including the Annual Governance Statement and letter of representation as recommended by the Audit Scrutiny Committee subject to any final adjustments agreed with the external auditors to be reported to Council; and</p> <p>(b) Note the Audit Findings Report from Grant Thornton and approve the actions arising from the action plan.</p>

Financial Implications	The financial implications are contained throughout the reports considered at Audit Scrutiny on 26 August 2020 and 21 October 2020. The main implication is that the accounts have been closed and audited and general reserves are slightly above the budgeted level anticipated at 31 March 2020 - £1.987 million. See section 3 Martin Flitcroft – Chief Finance Officer Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk
Legal Implications	See section 5 – the Accounts and Audit Regulations 2015 set out the requirements for the production and publication and audit of the annual statement of accounts. Martin Flitcroft – Chief Finance Officer Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk
Risk Assessment	Major risks are summarised in section 4. The most significant of these is the level of future funding from Central Government and the level of reserves held to meet future unexpected variations in income. Martin Flitcroft – Chief Finance Officer Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk
Environmental/ Climate Change Implications	The revenue budget supports the funding of a Climate Change Officer and associated budget – see section 7. David Eaton – Environmental Protection Manager Tel: 01626 215064 Email: david.eaton@teignbridge.gov.uk
Report Author	Martin Flitcroft – Chief Finance Officer Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk
Executive Member	Councillor Richard Keeling – Executive member for Corporate Resources Councillor Sally Morgan – Chairman – Audit Scrutiny Committee
Appendices	None – see links to statement of accounts
Part I or II	Part I
Background Papers	2019/20 year end files including Accounts and Audit Regulations 2015.

1. PURPOSE

To bring the Statement of Accounts 2019/20, letter of representation to Grant Thornton from the Chairman of the Council and the Annual Governance Statement to Members for approval. To note the Audit Findings Report from Grant Thornton and approve the actions arising.

2. BACKGROUND

2.1 The accounts and audit regulations 2015 set out the requirements for the production and publication of the annual statement of accounts. The statement usually has to be produced and certified by the chief finance officer by 31 May however the outbreak of Covid 19 has triggered amendments to this deadline by extending this to the end of August. Ordinarily the accounts have to be brought for full council approval after external audit and by 31 July however again this has been amended to the end of November or as soon as is practically possible. The Audit Scrutiny Committee considered the draft Statement of Accounts 2019/20 and the Annual Governance Statement at its meeting on 26 August 2020 and the final accounts (subject to audit) including the Annual Governance Statement on 21 October 2020. The 21 October Committee recommended that the Council approve these documents together with the letter of representation. The Audit Findings Report was also considered on 21 October together with future recommended actions. The report is available on the website at

<https://democracy.teignbridge.gov.uk/ieListDocuments.aspx?CId=167&MId=2797&Ver=4>

2.2 The accounts reports considered by the Audit Scrutiny Committee on 26 August 2020 and 21 October 2020 are appended for ease of reference. The Statement of Accounts including the Annual Governance Statement was circulated with the agenda for the meetings on 26 August and 21 October via a web link in the appended reports. A hard copy is also available on request from Democratic Services.

2.3 The minutes of the Audit Scrutiny Committee meeting held on 26 August and 21 October can be found on the Council's website at <https://democracy.teignbridge.gov.uk/ieListDocuments.aspx?CId=167&MId=2748&Ver=4>

2.4 The Executive considered the draft treasury management results at its meeting on 21 July 2020. The treasury management results for 2019/20 are now final with no changes. For information the minutes of the Executive meeting on 21 July can be found on the Council's website at <https://democracy.teignbridge.gov.uk/ieListDocuments.aspx?CId=135&MId=2710&Ver=4>

3. STATEMENT OF ACCOUNTS 2019/20

3.1 The audit of the statement of accounts is finalised and there are no known major adjustments to date. Grant Thornton will discuss any findings separately in their report when the audit is ready for sign off together with any final late adjustments if material. There are no adjustments required to the Strata figures consolidated into the accounts of the Council. The draft closing general reserves at 31 March 2020 of £1.987 million are an improvement on the original budget of £41,000.

- 3.2** The balance sheet shows a net worth of £17.4 million at 31 March 2020 compared to a net worth of £13.9 million at 31 March 2019. This is due mainly to an increase in capital grants unapplied and capital receipts in the year, a decrease in the pension fund deficit and an increase in the value of our property, plant and equipment.
- 3.3** The regulations require the formal approval of the accounts and this will be signified by the Chairman of the Council signing and dating the accounts on the page entitled the Statement of Responsibilities for the Statement of Accounts at the Council meeting. This statement is from the Chief Finance Officer and will be signed by him before presentation of the accounts to the council meeting.

4. RISKS

The major risks to be aware of are around future funding and the adequacy of reserves going forward as further action may be required to address the impacts of the Covid 19 pandemic. General reserves are maintained at a value higher than originally budgeted and earmarked reserves are held to help deal with future forecast funding changes and earmarked projects/schemes. Further clarity is required on the level of Government support for both this year and next. These risks may impact on the performance of treasury management and borrowing levels moving forward. Preparation and approval of the accounts are required by the Accounts and Audit Regulations 2015 and if these regulations are not adhered to the auditors could qualify the accounts.

5. MAIN IMPLICATIONS

The implications members need to be aware of are as follows:

5.1 Legal

The Financial Accounts for 2019/20 need to be produced and audited in accordance with the Accounts & Audit Regulations 2015.

5.2 Resources

The report notes that general reserves have been maintained at a level slightly higher than originally budgeted at 31 March 2020.

6. GROUPS CONSULTED

The accounts have been advertised as available for inspection and are available on the website. The external auditors have been auditing the financial records and accounts since August.

7. ENVIRONMENTAL/CLIMATE CHANGE IMPACT

The revenue budget supports the appointment of a climate change officer and associated budget.

8. DATE OF IMPLEMENTATION (CONFIRMATION OF DECISION SUBJECT TO CALL-IN)

Immediately. No call in.

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