

FULL COUNCIL

A meeting of the **Full Council** will be held on **Tuesday, 30th November, 2021** in the **Buckland Athletics, Kingskerswell Road, Newton Abbot, Devon, TQ12** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors Austen, Bradford, Bullivant, Clarence, Colclough, Connett, Cook, D Cox, H Cox, Daws, Dewhirst, Eden, Evans (Vice-Chair), 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 (Chair), Patch, Peart, J Petherick, L Petherick, Phipps, Purser, Rollason, Russell, Swain, Taylor, Thorne, Tume and Wrigley

Please Note: The public can view the live streaming of the meeting at [via our Youtube Page](#) with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

AGENDA

Part I

1. **Apologies for absence**

2. **Minutes**

(Pages 9 - 14)

To approve as a correct record and sign the minutes of the previous Council meeting.

3. **Announcements (if any)**

Announcements only from the Chair of Council, Leader, Members of the Executive or the Managing Director.

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. **2020/21 Final Accounts including The Annual Governance Statement** (Pages 15 - 94)

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

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

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.

8. **Recommendation from the Appointments and Remuneration Committee - Appointment of the Monitoring Officer to the Council**

The Leader, as Chair of Appointments and Remuneration Committee, will present the recommendation of the meeting on [Thursday, 25th November, 2021](#), – to follow

Part I: Items to be discussed with the Press and Public present

9. **Local Government (Access to Information) Act 1985**

To recommend that the following items be discussed with the press and public present.

10. **New Financial Management System** (Pages 95 - 100)

11. **Recommendation from Executive - Driver and Operational Staff Salaries – Market Forces**

The Executive Member for Recycling, Household Waste and Environmental Health will present the recommendation from the [Executive on 2nd November 2021](#)

RECOMMENDED to Full Council to approve the Driver and Operational Staff salary changes.

12. **Recommendation from Licensing and Regulatory Committee - Gambling Policy**

The Deputy Chair of Licensing and Regulatory Committee will present the recommendation from the [Licensing and Regulatory Committee on 20 October 2021](#)

RECOMMENDED that the amended Statement of Principles be referred to Full Council for approval.

13. **Recommendation from Audit Scrutiny Committee - Review of the Financial Thresholds - Contract Procedure Rules**

The Chair of Audit Scrutiny Committee will present the recommendation from [Audit Scrutiny Committee on 27 October 2021](#)

RECOMMENDED to Full Council that the revision of the financial thresholds within the Contract Procedure Rules be approved as stated in table 2 of 3.7 of the report.

14. **Recommendation from Standards Committee - Appointment of Town/Parish Representatives**

The Chair of Standards Committee will present the recommendation for the appointment of Shelia Brooke and Jane Taylor as the Town/Parish Representatives to sit on Standards Committee.

RECOMMENDED that Sheila Brooke and Jane Taylor be appointed as the Town/Parish Representatives on Standards Committee.

15. **Recommendation from Procedures Committee - Late Information Planning Committee**

The Chair of Procedures Committee will present the recommendation from [Procedures Committee on 14th October 2021](#)

RECOMMENDED to Full Council that:-

- (1) All Councillors be reminded that the deadline for submission of new information on planning applications being considered by the Planning Committee is two clear working days prior to the meeting and no later; and
- (2) Any new information or submissions regarding planning applications should be submitted to the planning email address planning@teignbridge.gov.uk by two clear workings days prior to the meeting.

16. **Recommendation from Procedures - Notice of Motion on variations of conditions on major planning applications**

The Chair of Procedures Committee will present the recommendation from [Procedures Committee on 14th October 2021](#)

RECOMMENDED to Full Council that:-

- (1) Members and Parish Councils can request that applications to vary conditions (including legal aspects) be call-in to Planning Committee in-line with Councils usual process: and
- (2) A report on the variations to conditions for major applications that have been approved be placed on the Planning Committee for information.

17. Committee Seats Allocation

In accordance with the Local Government and Housing Act 1989, the Political Composition of the groups is as below:-

Liberal Democrat Group	22 Seats
Conservative Group	12 Seats
Independent Group	7 Seats
Newton Says No	3 Seats
Liberal Democrat Independent Group	2 Seats
Independent - No Group	1 Seat
Total Seats	47

RECOMMENDED that the Seat Allocation be agreed as below:-

Committee	Total Seats	Lib Dems	Cons	Inds	NSN	Lib Dem Ind Grp	Ind – No Group
Overview & Scrutiny (1)	13	6	3	2	1	1	0
Overview & Scrutiny (2)	13	6	3	2	1	1	0
Planning	17	8	4	3	1	1	0
Licensing & Regulatory	11	5	3	2	1	0	0
Audit Scrutiny	8	4	2	1	1	0	0
Standards	6	3	2	1	0	0	0
Strata Scrutiny	3	1	1	1	0	0	0
Total	71	33	18	12	5	3	0

Not politically balanced:-

Name of Committee	Chair	Lib Dems	Cons	Inds	NSN	Lib Dem Ind Grp	Ind No Grp
Procedures Committee	Chair of Council	2 plus Group Leader	2 plus Group Leader	2 plus Group Leader	Group Leader	Group Leader	0

Name of body other than ordinary committee	Places	Lib Dems	Cons	Inds	NSN	Lib Dem Ind Grp	Ind No Grp
Highways & Traffic Orders - Teignbridge	3	2	1	0	0	0	0

18. 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.

19. Notices of Motion

(Pages 101 - 104)

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.

Notice of Motion 1

The following motion on the Constitution has been presented by Cllr Swain and supported by Cllrs Dewhirst, G Hook, J Hook, Keeling, Nutley and Wrigley – background information attached.

At the last council meeting this council affirmed the constitution as set out on our website. It was suggested that there were material changes in the document when compared to the previous version, and in some cases there are.

There are 2 points where clear material changes have occurred and these should be reversed.

4.3.2(e): Previously the public could ask questions relevant to “the business of the council”. This has been changed to “the business of the meeting”. This is a significant material change.

Section 6, Schedule 2 row 2B3: Group Leaders never had the power to veto a change to the constitution because they didn't like it, however wording has been removed “If group leaders agree a change is minor, It can be done by democratic services manager” The power is lost, for a Group leader to insist that a change is major if others claim it is minor.

In tidying up the constitution, it was not been modified to use gender neutral language throughout. We should replace references to chairman with chair, and he/his with they/their. These are simple changes that encourage wider participation in democracy, and there is no justification for not making them.

I propose that the monitoring officer be asked to produce a form of words that restores the meaning of these two paragraphs and substitutes gender neutral language throughout. The revisions be approved by Full Council.

Notice of Motion 2

The following motion on Moving with the times - 21st Century Councils meeting virtually has been presented by the Leader and supported by Cllrs Dewhirst, Evans, G Hook, J Hook, Keeling, Nuttall

The temporary enabling of virtual council meetings in response to the coronavirus pandemic allowed the council to continue making democratic decisions efficiently, transparently and safely without the need for physical meetings in one place. We welcomed the return to in-person meetings where they can safely and efficiently take place, but also recognise the benefits to democracy of providing flexible meeting options, including opening up local democratic decision-making and creating a more accessible experience for councillors and the public.

The council notes in particular the following advantages of being able to hold remote and hybrid council meetings:

- 1) Some councillors and prospective councillors have work or caring commitments, or mobility or accessibility issues limiting their ability to attend meetings in person. Virtual meeting options provide more flexibility and accessibility for councillors to attend council meetings. In the future, this flexibility and increased accessibility could help to attract a wider range of potential councillors.
- 2) Many councillors have to travel a long distance from their homes to the council meeting place. This can make it more difficult for councillors to attend every meeting they would wish to attend. In addition, long travel time for short meetings may not be the most efficient use of councillor time; remote attendance on occasion may help maintain high levels of councillor attendance and be more efficient.
- 3) This council acknowledges the challenges around climate change. For example, a reduction in unnecessary travel by attending some meetings virtually rather than driving would reduce emissions and cut down on the council's carbon footprint.
- 4) Virtual meetings can save money for the council in terms of travel expenses and venue costs.
- 5) Some councillors are also councillors for other councils in the area, and virtual meetings options can help them attend more meetings, even meetings taking place on the same day. This increases engagement in the various tiers of government, which is an advantage for this council and others affected.
- 6) Providing virtual meeting options can make council meetings more accessible and produce better engagement from the public and the press on various issues. For example, reporting of council business increased when meetings were held virtually compared to when council meetings must be attended in person by journalists and members of the public.

This council would like to have the flexibility to hold virtual, hybrid and in-person meetings to suit the local context and needs of residents and councillors.

This council resolves to:

- 1) Write to the Department of Levelling Up, Housing and Communities (DLUHC) urging a permanent amendment to the meeting rules set out in the Local Government Act 1972 be enabling local authorities to hold virtual, hybrid or physical meetings
- 2) Write to the Members of Parliament serving Teignbridge to ask for support for this flexible approach to council meetings.
- 3) Continue to explore the use of technology to develop online meetings to attract a wider audience once our request has been successful.

Notice of Motion 3

The following motion of no confidence in the Leader of the Council has been presented by Cllr Macgregor and supported by Cllrs Bradford, Daws, Eden, Mullone and Patch.

That this council has no confidence in current leader Cllr Connett and seeks a change in leadership. The reputation, not only of the elected representatives of Teignbridge, but also of the officers and staff of the council is at stake. Failures of the leadership of Cllr Connett should not be ignored or lauded and this council wishes to express its view (by vote of confidence) on the current leader's decision making in light of violent conduct in this chamber and the increasingly dangerous environment in which elected representatives, officers and staff must work.

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