E-mail: comsec@teignbridge.gov.uk

8 October 2021

PROCEDURES COMMITTEE

A meeting of the **Procedures Committee** will be held on **Thursday, 14th October, 2021** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors Bullivant, Connett (Vice-Chair), D Cox, H Cox, Haines, Mullone, Parker-Khan, Parker (Chair), Patch, L Petherick and Thorne

Please Note: The public can view the live streaming of the meeting at Teignbridge District Council Webcasting (public-i.tv) with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

A G E N D A

Part I

1. **Apologies for absence**

2. **Minutes of the previous meeting**   (Pages 5 - 6)

   To approve as correct record and sign the minutes of the meeting on 21 July 2021.

3. **Declarations of interest**

4. **Member Development Strategy and Training Programme** (Pages 7 - 18)

    To consider and note the Member Development Strategy and Training Programme 2021/2022.

5. **Recommendation from Full Council 20 September 2021**

    To consider the following recommendations referred back to Procedures Committee from Full Council 20 September 2021.

    (1)   All Councillors be reminded that the deadline for submission of new information on planning applications being considered by the Planning Committee is midnight Thursday 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 planadmin@Teignbridge.gov.uk by midnight Thursday prior to the meeting.

6. **Notice of Motion on variations of conditions on major planning applications**

    To consider Cllr Eden Notice of Motion referred to Procedures Committee by Full Council on 20 September 2021.

    Planning is a process tied up in legislation, including the committee decision making element. Councillors are, when an application comes to committee, presented with recommendations accompanied by detailed reports and are expected to adopt an open mind when deciding on the merits of that application. Often, the officer presenting the report has anticipated where concerns might lie and along with technical aspects listed conditions that will apply should the application be passed.

    On large sites those conditions might relate to aspects such as the street art, number of affordable homes and so on. Thus, typically, the committee members make a decision based on what is no more than a promise. Unfortunately often the delivery of the finished development falls short of those conditions. Usually one of the first aspects to be reduced in number is the affordable housing, then extras, like street art etc. The finished development then looks like every other homogenised estate around the country and far short of what was actually approved.

    Despite developers and estate agents telling us this is what people want, and officers telling us the conditions need to be 'varied after the fact' , the problem remains that we continue to be asked to make a decision on an outcome we know will not be delivered.

    The claim that there are hundreds of variations is simply not the case. There may be several, but the most important ones are those related to large developments across the district. These variations might well be on the website under the planning portal against the original application, but it is my view that variations to conditions on all large developments should be presented to committee with an explanation as to the application to vary and the decision. This is not to stop officers from making the decision, based on the technical nature of the variation and their expertise.

The motion calls for additional transparency by ensuring that on all major developments (over 20 homes) where variations to conditions are applied for, to be brought to the planning committee.

For the decision on the variation to be explained in detail to the planning committee members. To highlight the resulting outcome to planning committee members to explain why, if viability is used as a justification, that this wasn't covered at planning application stage when conditions were applied.

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

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PROCEDURES COMMITTEE

21 JULY 2021

Present:

Councillors Bullivant, Connett, D Cox, H Cox, Haines, Parker-Khan, Parker (Chair), L Petherick and Thorne

Apologies:
Councillors Patch

Officers in Attendance:
Trainee Democratic Services Officer
Democratic Services Team Leader & Deputy Monitoring Officer

1.   **ELECTION OF VICE-CHAIR**

        RESOLVED that Cllr Connett be elected Deputy Chair for 2021/22.

2.   **DECLARATIONS OF INTEREST**

        None.

3.   **REMIT OF THE PROCEDURES COMMITTEE**

        Members requested that the member training/development programme be brought to the next Procedures Committee meeting.

4.   **NOTICE OF MOTION - CONSTITUTION**

        Members discussed Cllr Patch's Notice of Motion that had been referred to the Procedures Committee.

        The Leader commented that Full Council on 24 September 2019 had granted the Monitoring Officer delegated power to amend the Council's Constitution and this work had been undertaken in accordance with this resolution.

        Members voted on each of the recommendations separately.

        RECOMMENDED to Full Council that:-

        (A)   The Council strive to uphold the integrity of the Constitution of this Council;

(B) (i) The constitution as amended by the Monitoring Officer pursuant to the resolution of Full Council 24 September 2019 be reaffirmed as the Council's working Constitution; and

(ii) The Procedures Committee would undertake to consider any Members queries on the published constitution at a future meeting; and

(C) Future changes to the constitution be brought to the Procedures Committee for onward recommendation to Council.

5. **VOTING ON MINUTES**

Councillor G Hook spoke on this item and outlined his support for requesting that if a member either votes against or abstains in a vote on the approval of the recorded minutes of a meeting, s/he gives an explanation as to the reasons for their vote.

RESOLVED that there be no further action on this matter at this stage.

6. **RECOMMENDATION FROM STANDARDS SUB-COMMITTEE**

Members discussed the recommendations from the Standards Sub-Committee and voted on each of the recommendations separately.

RECOMMENDED to Full Council that:-

(1) The council's Procedural Rules should be amended so that Councillors serving on the Planning Committee are no longer permitted to vote on applications within their ward;

(2) Motions to Approve/Refuse/Defer Planning Applications should be made at the end of a debate on the application, which would allow any questions raised during debate to be answered;

(3) All Councillors be reminded that the deadline for submission of new information on planning applications being considered by the Planning Committee is midnight Thursday prior to the meeting and no later; and

(4) Any new information or submissions regarding planning applications should be submitted to the planning email address planadmin@Teignbridge.gov.uk by midnight Thursday prior to the meeting.

The meeting started at 10.00 am and finished at 11.25 am.

Chair

Teignbridge District Council Member Development Strategy

1. Introduction

   Teignbridge District Council is committed to supporting the development of all elected members providing a programme of development opportunities that assists individuals to perform effectively in their role both as community leaders and as representatives of the District Council. It recognises the numerous and ongoing changes to local government in recent years, including national changes to funding and the need for increased collaboration with a range of stakeholders and partners, which increasingly requires the Council to deliver services differently. Members take a leading role in their development by engaging with the process.

2. Key Principles

Through the processes in place to deliver Member Development we will ensure that:

- A comprehensive programme of development will support the delivery of the Council's priorities (climate change, jobs and homes) and meet individual learning needs as they evolve through the life of the Council.
- Development activities will be consistent with the Council's policies and deliver best value. Where possible local and national development initiatives, such as through the Local Government Association) will be utilised.
- Tools are developed and utilised to support the development of elected Members

3. Production of the Member Development Plan

   The Member Development Plan is the delivery mechanism for the Strategy. It will include (but are not exclusive to):-
   (i)   Corporate responsibilities (e.g budget; equality and diversity and safeguarding)
   (ii)   Code of Conduct
   (iii)   Regulatory functions (i.e. planning and licensing)
   (iv)   Specific committee training (e.g overview and scrutiny, audit)
   (v)   Community leadership (e.g. working with the community)
   (vi)   Skills development (e.g information technology; dealing with the media; use of social media; chairing; coaching and mentoring)

4. Delivery of Member Development

   The process is Member owned and driven by the Procedures Committee. Individuals will be encouraged to take an active involvement in their own learning and development.

   Member training and development will be delivered through a range of means including:-

(i) All Member Briefings

The purpose of a briefing is to support the ongoing development of members in relation to strategic issues facing the Council and to provide important briefings which will support Members in the decision making process. Briefings could be presented either in person or virtually by internal colleagues at Teignbridge District Council or external stakeholders.

(ii) Specific learning and development

These events are publicised in advance through the Members' newsletter and via specific emails from Democratic Services. They may apply to all or specific Members, depending on the topic. The purpose of a training session is to teach somebody a specific skill or type of behaviour. Training sessions are likely to be delivered by Business Leads or on occasions by external suppliers. These could be in person or virtually.

(iii) Workshops

The purpose of a workshop is to involve participants in learning. Workshops are sessions where participants/attendees are involved in interactive activities or group tasks.

(iv) Online

E-learning modules may be used at times to impart important information, or teach a specific skill.

The Members Newsletter is circulated on a weekly basis and provides invaluble information to support Members in their role.

As the Council increasingly moves to different ways it works the use of technology will be used to expand methods of delivering training and development.

5. Strategic Direction

The Procedures Committee will be responsible for setting the strategic direction for Member training and development which will be implemented on their behalf by officers. Group leaders will actively encourage party members to attend the planned training events.

Prior to Election

A variety of methods including the web site and social media will be used to communicate with prospective candidates providing information about the role and how they will be supported should they be successful.

Induction

A comprehensive Induction Programme will be delivered following elections for new and returning members. Skills and knowledge will be delivered in a timely manner using a variety of methods to allow for equality of access. The programme will cover the full range of activities that a member will undertake and will be delivered incrementally to avoid overloading.

Preparations for the induction programme will take place in good time and the programme will be published on the Council's web site.

Identifying development needs

Members can undertake to have a personal development interview as a tool to identify their personal development needs. This will be undertaken by an officer from the Devon and Somerset Member Development Group. A personal development plan will be produced for that Member and this will help towards the overall formation of the Members Learning and Development Plan.

Organisational requirements to provide learning and development to Members will be considered through officer networks which will represent all areas of the organisation and coordinated by Democratic Services.

6. Resources and Support

Primarily, Member Development will be delivered in-house and within available resources, as determined by the council. There will be occasions when external training suppliers are used. We will also utilise the member development and leadership courses provided through the local government family and by the Local Government Association and through South West Councils.

Some of the LGA events are 'online' while others are free to register for or offered at subsidised cost

7. Evaluation

Evaluation of all learning and development activities will include take place via a short survey to ensure that the development activity address the key learning points and any potential areas for improvement.
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Member Development Programme 2021/22

Members must be equipped with the tools, training and support to enable them to provide the strategic direction for the Council and make appropriate and lawful decisions. The delivery of Member development supports the ethos that leading the community with greater knowledge and understanding should help the Council achieve its corporate priorities.

The purpose of the Member Development Programme is to bring together learning and development opportunities available to individuals, committees and political leadership, which are considered and prioritised against specific needs and resources.

Members should consider whether they have an area where they particularly want to strengthen their knowledge, skills and understanding in a way that is not possible through internal provision and should also consider seeking out additional opportunities through the LGA and other relevant professional bodies and trainers.

Except where specific training is defined as 'essential', the offer of learning and development will be presented as an opportunity to become Members to personally decide how you wish to engage with Member development.

The Member Development Programme is developed by the Democratic Services team and overseen by the Procedures Committee.

If you have any suggestions for future development opportunities, please contact Democratic Services
comsec@teignbridge.gov.uk

ATTENDANCE KEY

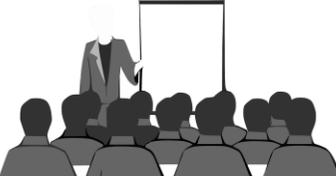|	
■	**Essential Training** Training highlighted in blue is that whilst voluntary **all Members** are expected to attend.
■	**Essential Training – specific** Training highlighted in orange is compulsory for **Members of a certain Committee** to attend.
■	**Beneficial/Optional Training** Training highlighted in green is encouraged, but is optional for Members to attend.

Methods of Delivery

A variety of learning methods will be used for both essential and beneficial development activities including:

Online

E-learning modules may be used at times to impart important information, or teach a specific skill.

Workshop

The purpose of a workshop is to involve participants in learning. Workshops are sessions where participants/attendees are involved in interactive activities or group tasks.
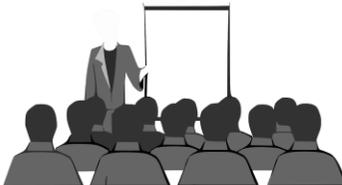
Briefing

The purpose of a briefing is to give information or instructions. Briefings could be presented on zoom by internal colleagues at Teignbridge District Council or external stakeholders.

Training

The purpose of a training session is to teach somebody a specific skill or type of behaviour. Training sessions are likely to be delivered Business Leads or by external suppliers. These could be in person or over zoom

Other methods of learning offered to you will include conferences and seminars, written learning materials, mentoring, webinars and e-learning packages. In addition, Members may learn from visiting other Councils as well as meeting with relevant partnership bodies.

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	Event	Purpose	Outcome	Lead Officer(s)	Attendees	Options Available
	Planning Training	The journey of a Planning application	To give members an understanding of the steps taken to get a decision on an application	Business Manager – Development Management - Ros Eastman	Essential - All **Planning Committee** Members Optional for other members *Any Planning Member who does not complete this training will not be able to vote on applications at committee*	• **Autumn/Winter 2021 – workshop**
	Briefing	South Devon College	To update members on the opportunities that South Devon College can offer young people on the district		Beneficial – All Members	• **October/November 2021**
	Media Training	To help members understand the media landscape, what journalists wants, preparing for interviews, print interviews and broadcasts	To enable members to undertake interviews, respond to questions and communicate key messages	External Provider	Group Leaders, Executive Members and Overview and Scrutiny Chair's	• **Autumn/Winter 2021**

	Event	Purpose	Outcome	Lead Officer(s)	Attendees	Options Available
	Safeguarding	The purpose of the workshop is to raise awareness of child and adults protection. The training will help develop knowledge of how to recognise, report and record concerns about a child or adult at risk.	Be able to identify the signs and symptoms of abuse. Know what to do if you have safeguarding concerns. Have an understanding of your roles and responsibilities in relation to safeguarding.	Community Safety and Safeguarding Lead – Rebecca Hewitt	Beneficial – All Members	• **November/December 2021 On zoom/in person**
	Planning Training	Legislation/Policy update		Business Manager – Development Management - Ros Eastman & Solicitor	Essential - All **Planning Committee** Members *Any Planning Member who does not complete this training will not be able to vote on applications at committee*	• **January 2022 – on zoom**
	Planning Training	To provide Members with an update on a specific topic informed by Member interest and Officer discussion. Could include e.g. Highways and accessibility Environmental Impact Assessment Urban Design / building design Environmental Health	Enhanced knowledge and understanding of key issues in planning	Business Manager – Development Management - Ros Eastman	Essential - All **Planning Committee** Members *Any Planning Member who does not complete this training will not be able to vote on applications at committee*	• **March/April 2022 – workshop**

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	Event	Purpose	Outcome	Lead Officer(s)	Attendees	Options Available
		considerations Enforcement policy and procedures				

	Event	Purpose	Outcome	Lead Officer(s)	Attendees	Options Available
15	**Cyber Security, Data Protection and Freedom of Information**	• To ensure Members are aware of the importance making sure all online activity security is undertaken securely and the common threats they face from Cyber Crime. • To make members aware of their obligations under the Data Protection and Freedom of Information laws.	Councillors will be more aware of their own digital footprint and how to spot suspicious on line activities and approaches. Councillor will know how to process data securely and lawfully	Audit Manager – Sue Heath	Beneficial – All Members	**Online from March 2021**
	Chairs Skills Training					**TBC**

	Event	Purpose	Outcome	Lead Officer(s)	Attendees	Options Available
	Scrutiny Training	To provide Members with a clear understanding of their role in scrutinising the Council Executive and relevant partner organisations: • Latest guidance and legislative framework. Scrutiny powers and authority.	• Scrutiny Members have an increased understanding of the role and potential impact of scrutiny. • Shared understanding of the role of Scrutiny within the Council. • Members understand how Scrutiny can have significant impact in supporting Council performance.	TBC	Beneficial – All Scrutiny Members	**Jan/Feb 2022**
	Planning Training	• Bias and Pre – determination • Material Planning Considerations • Call-in • Different roles – officers, planning members, Local Ward Members, experts (LCC highways etc.) • Good decision – making Vs Bad decision – making examples	To provide Members with the key skills and understanding to be able to take lawful planning decisions	Business Manager – Development Management - Ros Eastman	Essential - All **Planning Committee** Members *Any Planning Member who does not complete this training will not be able to vote on applications at committee*	**May / June 2022**
	Equality and Diversity	To help members fulfil their duties under the Equality Act 2010 and public sector	Members are confident in their understanding of the Equality Act 2010 and can apply	HRBP Rachel Oxenham and/or Community Safety and	Beneficial – All Members	**June/July 2022**

	Event	Purpose	Outcome	Lead Officer(s)	Attendees	Options Available
		equality duty	the principles to actions and decisions	Safeguarding Manager		
	Licensing Training 	To provide an overview of: • the Licensing Act 2003 • Licensing Objectives • Guidance to local authorities	To enable Members to sit on hearings in relation to Premises		Essential - All **Licensing Committee** Members *Any Licensing Member who does not complete this training will not be able to sit on a licensing hearing*	**May / June 2022**
	Audit Scrutiny Training 	To develop their understand of the audit role provide an overview of the Knowledge and skills required	To enable members to performer role effectively	**Audit Manager – Sue Heath**	Essential - All **Audit Scrutiny Committee** Members	**May / June 2022**
	Standards Training 			**Monitoring Officer**	Essential - All **Standards Committee** Members including Independent Person and Town/Parish Representatives	**TBC**

Other Sources for Training and Development available to Members

One to one or workshop sessions on the following:

- Use of iPad and the modern.gov app to access committee papers and emails
- Signing of Councillors Community Funds payment via Firmstep

External sources of Information for Councillors

Local Government Association – Councillors Hub New councillor hub | Local Government Association. This includes Councillor Workbooks and support for Councillors.

Planning

Planning Advisory Service - PAS | Local Government Association

The RTPI youtube channel theRTPI - YouTube or via www.rtpi.org.uk

Legislation and guidance, the Planning practice guidance - GOV.UK (www.gov.uk) and National Planning Policy Framework - GOV.UK (www.gov.uk)

Scrutiny

Centre for Governance and Scrutiny Research & publications - Centre for Governance and Scrutiny (cfgs.org.uk)