

E-mail: [democraticservices@teignbridge.gov.uk](mailto:democraticservices@teignbridge.gov.uk)

15 April 2024

## **FULL COUNCIL**

A meeting of the **Full Council** will be held on **Tuesday, 23rd April, 2024** in the **Buckland Athletic Football Club, Kingskerswell Rd, Newton Abbot, TQ12 5JU** at **10.00 am**

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors Atkins, Bradford, Bullivant, Buscombe, Clarence (Chair), D Cox (Vice-Chair), Daws, Dawson, Farrand-Rogers, Foden, Gearon, Goodman-Bradbury, Hall, Hayes, Henderson, Hook, Jackman, James, Jeffries, Keeling, Lake, MacGregor, Morgan, Mullone, Nutley, Nuttall, Palethorpe, C Parker, P Parker, Parrott, Peart, Purser, Radford, Rogers, Rollason, Ryan, Sanders, Smith, Steemson, Swain, G Taylor, J Taylor, Thorne, Webster, Williams 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 - 18)

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.

Cllr Daws advised that Cllr Mike Ryan has replaced Cllr Daws on Audit Scrutiny Committee.

4. **Declarations of interest (if any)**

5. **Public Questions**

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.

6. **2020/21 Final Accounts, including the Annual Governance Statement, Audit Findings Reports 2020/21 and Auditors Annual Report for 2021-22 and 2022-23** (Pages 19 - 260)

7. **Recommendation from Executive - Extension of Rent Subsidies**

To consider the recommendation from [Executive on 2nd April, 2024](#),

RECOMMENDED to Full Council that those organisations that were in receipt of a rent subsidy as at 31<sup>st</sup> March 2024, be permitted to apply for a further 12 month period of subsidy pending the outcome of the asset review and any further amendment to the rent subsidy policy.

8. **Housing Compliance Officer** (Pages 261 - 264)

9. **Devon Home Choice Allocation Policy Review** (Pages 265 - 274)

10. **Notices 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.

**Motion 1**

The following motion on Major applications, variations to conditions and TDC property based applications has been presented by Cllr Macgregor and supported by Cllrs Bradford, Lake, P Parker, Gearon

*In order to provide clarity, as well as consistency and transparency in the planning process for residents of the district, in future all of the following planning applications will be put to committee.*

1. *All major planning applications - including those associated with major sites.*

2. *All planning applications involving heritage assets (listed buildings etc).*
3. *All variations to conditions.*
4. *All applications relating to property and buildings owned, leased or managed by Teignbridge District Council.*

*As part of point 1) 'all major planning applications' the officer reports must demonstrate where this is part of a previous 'hybrid' planning application that all the conditions are met and how these apply to the individual plot. Also, as part of point 1) where the hybrid planning application demonstrated a commitment to build schools, or care homes or community buildings, each application must explain how that is to be delivered if it is not detailed in the individualised plot application.*

## **Motion 2**

The following motion on the process of calling in applications to Planning Committee has been presented by Cllr Swain and supported by Cllrs MacGregor, Buscombe, Radford, Rollason, Henderson, Nutley, P Parker, Purser, Palethorpe, Nuttall, Peart, Jeffries, Parrott, Hook, Sanders,

*1. There has recently been a change in process for members referring a planning application to committee. The referral can be in the event that it is recommended for approval, or for refusal. The familiar third option to refer it either way has been removed from the form and members have been told they must opt for one or the other, not both. This might place ward members in a difficult position if they are also on the planning committee. By calling in and effectively picking a preferred outcome, they may risk allegations of predetermination.*

*2. When referring an application to committee, "a valid planning reason", based on planning policy must be given. There are cases with strong community involvement, or with potential conflicts of interest where it might be justified in the public interest to make the decision by committee in public. This might apply regardless of the policy-based merits of the application.*

*3. Parish and town councils work hard to fulfil their duty to comment on planning applications. They are volunteers and have little or no training and support. Planning training is routinely given to Teignbridge councillors and could be opened up to allow parish and town councillors to attend.*

*4. Parish councils work hard to fulfil their duty to comment on planning applications and often feel ignored. Where an officer recommendation goes against the view of the parish or town council, the officer recommendation should acknowledge that view and explain why a different outcome is recommended.*

*I move that we amend the constitution to:*

*1. Allow planning decisions to be referred to committee if recommended for approval, if recommended for refusal, or in either case.*

*2. Allow planning decisions to be referred to committee giving the reason that it is in the public interest for the decision to have oversight from the planning committee.*

*3. Allow parish and town councillors to join Teignbridge planning training where possible without compromising the primary function of training Teignbridge planning committee members.*

*4. Where an officer recommendation goes against the view of a parish or town council, the recommendation should acknowledge that view and explain why a different outcome is recommended.*

### **Motion 3**

The following motion on South West Water Sewage Spills has been presented by Cllr D Cox and supported by Cllrs Palethorpe, Wrigley, Keeling, Parrott, Hook, Swain, Goodman-Bradbury, Sanders, C Parker, Dawson, Buscombe, Goodman-Bradbury,

*South West Water Sewage Spills*

*Recognising the importance of Teignbridge's coasts and rivers to our area's*

*outstanding natural environment, the intrinsic aesthetic, cultural, value of this to our residents, and considering the substantial contribution that these natural assets make to our local economy via tourism, Teignbridge District Council, note the widespread concern among Teignbridge residents regarding the state of our local and national sewage infrastructure.*

*Teignbridge District Council finds the significant increase of 55% of sewage spills by South West Water last year a totally unacceptable behaviour requiring curtailment. (Data released by the Environment Agency has shown that South West Water, which covers Devon, discharged sewage a staggering 582,49 times last year, a 55% rise compared to in 2022).*

*Noting that central Government funding for the Environment Agency and OFWAT, the relevant regulatory authorities, had been cut in real terms between 2009/10 and 2021/22, and conscious of the need for Teignbridge District Council to address these issues on account of its responsibilities to the environment, environmental health, and as the Local Planning Authority, while noting with frustration that all most all legal powers of investigation and enforcement are reserved to central government and under-funded, under-staffed statutory regulators:*

*1. Teignbridge District Council declares that it has no confidence in South West Water's existing systems and processes for managing and investing in Teignbridge's sewage infrastructure;*

*2. Teignbridge District Council believes continual Government underfunding has reduced the regulators the Environment Agency and OFWAT to a toothless tiger.*

*3. Teignbridge District Council requests that the Leader write to the Chief Executive of South West Water to invite the company to:*

*a. Commit to involving the District Council in discussions with Town and Parish Councils regarding ongoing and upcoming works on South West Water infrastructure,*

*b. Jointly convene a regular liaison group bringing together senior staff from South West Water and Teignbridge District Council, together with relevant Teignbridge Executive members and their shadows, to proactively monitor and respond to ongoing developments and issues,*

*c. Proactively and transparently engage with Teignbridge District Council's Portfolio Holder for Planning and his/her shadows*

*d. Commit to working with Teignbridge District Council's Planning officers to help manage development pressures on infrastructure and respond to community concerns, to responding to requests for consultation and providing relevant data, to accepting invitations to Planning Committee meetings to discuss applications whenever possible, and taking other relevant steps,*

*e. Actively engage with Teignbridge District Council's Resorts Team and Environmental Health team to proactively advise of overflow discharges in the interest of public safety;*

*4. Additionally, we request that the Leader copy correspondence to our local MPs to encourage them to support our efforts to engage South West Water, and to lobby government to:*

*a. Revisit weak legislation allowing water companies until 2038 to reduce phosphate pollution in rivers from sewage overflows by only 80%, with a view to requiring more immediate action in the short- and mid-term to reduce storm overflows and ameliorate capacity issues,*

*b. Resist a request by South West Water to raise bills by over 20% by 2030, before inflationary increases, until demonstrable action on sewage spills has been taken to reduce spills towards South West Water's own 2025 targets, and*

*c. Restore Environment Agency funding to 2009/10 real-terms levels, and properly fund other environmental regulators, to ensure that polluting activities are fully and robustly monitored, investigated, and where necessary enforcement action taken.*

#### **Motion 4**

The following motion has been presented by Cllr Macgregor and supported by Cllrs Bradford, Radford, Gearon, Ryan

*Figures for discharges into the water courses, rivers and coastline have just been released for last year. These paint a very disturbing picture for Teignbridge and its residents, visitors and businesses. For the Teign Estuary alone, there were 420 discharges totalling over 2100 hours of untreated sewage and wastewater into the Teign. Every single site managed by South West Water had occasions last year*

*where untreated sewage and wastewater Was released into the water courses. It is likely this was repeated in similar fashion in the Exe Estuary and water course and coastal discharge points throughout the district.*

*This represents a risk to health for residents and visitors. It represents a risk to businesses reliant on the produce from rivers and estuaries. It represents a risk to tourism businesses and to the management and maintenance of beaches, including blue flags.*

*The motion:*

*This council deplores the release of untreated sewage into our rivers and water courses. This council asks the leader and MD to write jointly to the Secretary of State for Environment, Food & Rural Affairs, the Rt Hon Steve Barclay MP, as well as the Secretary of State for Housing, Communities & Local Government, the Rt Hon Michael Gove MP expressing the concern that these discharges represent a risk to the environment, food production, tourism and housing development due to contamination of beaches, rivers, seafood beds etc., and seek their intervention to insist on immediate infrastructure investment to address this.*

## **11. Councillor Questions**

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

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