

## **OVERVIEW AND SCRUTINY COMMITTEE 2**

**TUESDAY, 12 DECEMBER 2023**

Present:

Councillors Sanders (Chair), Buscombe (Vice-Chair), Bullivant, Hall, Hayes, Henderson, C Parker, P Parker, Parrott, Peart, Rollason and Swain

Members Attendance:

Councillors Keeling, Nutley, Nuttall, Palethorpe, G Taylor, Thorne and Wrigley

Apologies:

Councillors Purser

Officers in Attendance:

Neil Blaney, Head of Place & Commercial Services

Trish Corns, Democratic Services Officer

Kay Fice, Scrutiny Officer

Martin Flitcroft, Chief Finance Officer & Head of Corporate Services

Christopher Morgan, Trainee Democratic Services Officer

Tom Phillips, Assets Manager

Amanda Pujol, Head of Community Services and Improvement

Phil Shears, Managing Director

### **38. CHAIRS ANNOUNCEMENTS**

A standard agenda item would be added to future committee agendas from May 2024 entitled “outside organisation updates by the council’s nominated Councillor representatives.” This would enable the nominees to report on any meetings they have attended since the last meeting of the committee, the role they play in promoting the Council's agenda and communicating partnership discussions.

### **39. MINUTES**

It was proposed by Councillor C Parker, seconded by Councillor Buscombe and

RESOLVED that the minutes of the meeting held on 26 September be approved as a correct record and signed by the Chair.

### **40. DECLARATION OF INTEREST**

None.

### **41. PUBLIC QUESTIONS**

None

**42. COUNCILLOR QUESTIONS**

None.

**43. EXECUTIVE FORWARD PLAN**

The Executive Forward Plan listing items to be considered over the next few months was noted, and consideration was given to whether any items were to be requested to come forward to the Committee prior to being considered by the Executive. There were no requests for items to come forward to the Committee.

**44. WORK PROGRAMME**

The committee's work programme as circulated with the agenda showing issues to be considered by the Committee over the next few months was noted.

**45. CALL-IN UPDATE ON FUTURE HIGH STREET FUND**

Consideration was given to Councillor Bullivant's call in of Executive decision Minute 77/10/2023 made at the October 31st Executive Meeting on the future high street fund, supported by Councillors Atkins, Peart, Purser, Rogers, Smith, Thorne

The call-in was made for the following reasons:

1. The decisions made exceeds the powers delegated by the council's financial regulations.
2. The use of funds do not represent good value given the risks identified by officers.
3. The proposed action has previously been rejected by Full Council.
4. As the amendment was introduced on the day of the executive meeting without prior notification the Proposed amendment did not allow sufficient time to allow proper evaluation.
5. The Executive powers to spend without full council approval relates to spending on emergency items. This issue is not an emergency issue therefore fails to meet this important requirement.
6. Task groups established to address the critical financial problems facing the council has specified that all council spending should be subject to justification including details of how any costs are to be paid for without using council reserves or already identified savings, a member of the executive is aware of this as he took part in the cross-party discussions. This decision fails to meet this requirement.

The decision of the Executive was

*RESOLVED to approve:-*

*1) To progress to submit a planning application for the demolition part that was previously within the cinema planning application for the structure between the Alexandra Theatre and the Market Hall excluding the Shauls Bakery and New Look buildings;*

*2) The Executive puts forward up to £70,000 of the Executive budget towards investigating the options as described in sections 5.5.1 and 5.5.3 of the circulated*

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*report combined comprising a whole building solution with the restoration of the Alexandra Theatre and the refurbishment of the Market Hall side of the building;*

*and RECOMMENDED to Full Council:-*

*3) To look at the output of the above and to determine the future direction and to make the final decision on where this project goes. The vote was unanimous.*

The Chair referred to the call-in process to follow as set out on the agenda and the Constitution at Section 8(b).

Written responses by the Leader to questions submitted by Councillor Bullivant were circulated at the meeting.

During consideration of the call-in question were asked of the Monitoring Officer, Head of Place and Commercial Services, Assets Manager, Head of Corporate Services, Executive Member for corporate services, the Leader of the Council and Councillor Bullivant.

The meeting adjourned following conclusions of questions of the Executive Member for corporate services and prior to questions being asked of the Leader of the Council, and again at this juncture at the conclusion of questions and debate.

Following the call-in process and debate which can be viewed at [Agenda for Overview and Scrutiny Committee 2 on Tuesday, 12th December, 2023, 10.00 am - Teignbridge District Council](#) the Chair advised that the Committee

- Acknowledges the need for officers, senior leadership team, the Executive and Members to work together to avoid unexpected decisions and to thoroughly follow procedures.
- Acknowledges Councillor Bullivant's request for a special Council meeting but due to statutory requirement the earliest Council meeting that can be held is that scheduled on 16 January 2024.
- Considered it imperative to proceed to achieve the best outcome for Newton Abbot and Teignbridge and as the matter is of significant importance for the whole District the matter should be referred to Council at its next meeting on 16 January 2024.

It was proposed by Councillor Peart, that option c of section 8(b) of the Constitution proceed, that the matter be referred to the full Council as it is considered a matter of significant importance for the whole district.

This was seconded by Councillor Hall and carried unanimously.

**RESOLVED** That the call-in be referred to full council as it is a matter of significant importance for the whole district.

**46. BUSINESS RATES DISCRETIONARY RATE RELIEF POLICY-COUNCIL TAX REDUCTION SCHEME**

This would be reviewed by the medium term financial plan task and finish group and would come to overview and scrutiny at a later date.

**47. EXECUTIVE MEMBER BIENNIAL UPDATE DEPUTY LEADER CORPORATE RESOURCES IT EW**

The Executive update by Cllr Keeling was deferred to the next meeting given time restraints for the meeting.

**48. FEEDBACK ON TASK AND FINISH GROUPS**

Consideration was given to the agenda reports.

- Rent subsidy/Community Interest Company (CIC) - Councillor Hall presented the agenda report.

It was proposed by Councillor C Parker, seconded by Councillor Buscombe and

RESOLVED The Committee RECOMMENDS to Executive that:

- 1) The Rent Subsidy for TDC owned Commercial Property (Conditions of Funding) Policy updated in November 2023 for implementation from April 2024 be approved as set out in Appendix B) to the agenda report.
- 2) The Buckland Centre (as part of the Newton Abbot CIC) can reapply under the terms of the updated policy (above) for further rent subsidy, subject to a new lease being in place.

- Medium Term Financial Plan- Councillor Thorne presented the agenda report.

It was agreed that consideration of the agenda report be deferred to the next meeting of the Committee and considered in conjunction with the budget papers.

- Car Parking - Councillor Peart presented the agenda report.

RESOLVED The update report be noted.

**49. COUNCIL STRATEGY Q2 PERFORMANCE MONITORING REPORT**

The Committee noted the report and the actions being taken to rectify performance issues detailed in the Appendix.

Councillors were requested to submit any questions they may have on the paper to Democratic Services on [democraticservicestdc@teignbridge.gov.uk](mailto:democraticservicestdc@teignbridge.gov.uk) and responses would be given in the members newsletter.

CLLR S SANDERS  
Chair