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16 February 2026

## FULL COUNCIL

To all Members of Teignbridge District Council

A meeting of the **Full Council** will be held on **Thursday, 26th February, 2026** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at 10.00 am**



Phil Shears  
Managing Director

**Please Note:** Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the Council Chamber you are consenting to being filmed.

## A G E N D A

### Part I

#### Full Council Terms of Reference

Full Council's Terms of Reference is attached to the agenda pack for reference

#### Public participation and attending meetings

Information pertaining to public participation rules and attending Council and Committee meetings can be found on the following webpage: [Public participation and attending meetings - Teignbridge District Council](#)

1. **Apologies for absence**
2. **Minutes** (Pages 9 - 14)  
To approve as a correct record and sign the minutes of the previous Council meeting held on 15 January 2026.
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)**

Information pertaining to the Members' Code of Conduct and guidance relating to declaring interests can be found on the following webpage: [Teignbridge District Council - Councillor-conduct](#)

**5. Petitions (if any)**

The Chair of the Council to receive any petitions submitted by Members of the Council or Members of the Public.

**6. 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.

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

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

**8. Final Budget Proposals 2026/27**

To consider a recommendation from the Executive in relation to the Final Financial Plan Proposals 2025/26 to 2028/29.

**9. Removal of 50% Council Tax Discount for uninhabitable properties** (Pages 15 - 26)

To provide members with details about the proposal to remove the existing discretionary discount for properties that are undergoing or require major/ significant repairs or structural changes/work to make the property capable of being lived in. This has been suggested by the Medium Term Financial Plan (MTFP) Task Group and recommended by Executive at their meeting on 2.12.25 to seek Full Council approval.

**10. Community Infrastructure Levy (CIL) Community Match Fund** (Pages 27 - 38)

To seek approval from Full Council for the implementation of a CIL Community Fund with associated management and scrutiny structures.

**11. Social Housing Rent Increase 2026-27** (Pages 39 - 46)

To seek agreement of the social and affordable housing rent and service charge increase from 1 April 2026, following consultation with council tenants.

**12. Recommendation from the Strata Joint Executive Committee - Strata Business Plan 2026/2027**

To consider the recommendation from the Strata Joint Executive Committee

meeting held on 28 January 2026:

*That the Committee recommends the Strata Business Plan to be approved by the three partner Councils.*

The link to the Stata Joint Executive Committee Agenda, Business Plan and Minutes can be found at:

<https://democracy.teignbridge.gov.uk/ieListDocuments.aspx?CId=171&MId=3664&Ver=4>

**13. Recommendation from the Appointments and Remuneration Committee - Pay Policy Statement**

To approve the recommendation to Council from the Appointments and Remuneration Committee held on 10 February 2026 that:

*The updated Pay Policy Statement 2026/27 is adopted.*

The agenda, reports and minutes can be found at the link below:

[Agenda for Appointments & Remuneration Committee on Tuesday, 10th February, 2026, 11.00 am - Teignbridge District Council](#)

**14. Recommendations from the Constitution Review Working Group - Changes to the Constitution**

a) Revision to Section 8E Guidance for Planning (Pages 47 - 58)  
To approve the attached revised Section 8E (Guidance for Planning).

**15. Recommendation from Overview and Scrutiny Committee Recycling Collection Service Improvements**

To approve the recommendation from the Overview and Scrutiny Committee held on 3 February 2026:

The Council is recommended to approve:

- (1) The collection of cartons, plastic bags and wrapping for recycling is introduced in line with Option 1 as detailed in the agenda report.
- (2) The collection of batteries is removed from the household recycling collection service from April 2027, and appropriate monitoring programme is put in place to ensure the service safety is considered.

The agenda, reports and minutes can be found at the following link:

[Agenda for Overview and Scrutiny Committee on Tuesday, 3rd February, 2026, 10.00 am - Teignbridge District Council](#)

**16. Notices of Motion**

Members of the Council are able to submit Notices of Motions subject to procedural rules. There is an overall time limit of 60 minutes for Notices of Motions, at the end of this period any motions not heard shall carry forward to the next meeting.

a) Chatty Benches

The following motion on Chatty Benches has been proposed by Councillor Chris Clearance, seconded by Councillor Alex Hall and supported by the requisite number of Members within the procedural rules.

**Background**

Teignbridge offers places and supplies memorial benches for relatives wanting to commemorate those who have passed on. This is able to take place when a person donates money to Teignbridge which includes a sum of money to have it looked after for a period of 20 years. Shaldon in general has many of these benches including all along Marine Parade (20 benches plus 5 vacant spots where benches fallen apart once were) and in parks and places all over Shaldon and indeed throughout the District.

**Chatty Benches initiative**

Chatty Benches is where existing or newly installed benches have a sign on them that shows by sitting on them, a person is happy to chat with whoever comes and sits next to them.

Chatty Benches is a national initiative, and signs have been installed in various locations across the Country in a bid to combat loneliness and isolation. For those who are feeling lonely, or needing to talk, Chatty Benches are a great way of encouraging people to connect with others.

**Proposal**

Mental Health encompassing depression and loneliness is something I would like to highlight and to try to leave a better legacy over in my time of being a Councillor and to give people the opportunity of being less lonely in life whilst alive.

I would like to propose an addition to the Memorial Benches scheme to allow people who want to donate a bench be given the opportunity of not only having a memorial plaque placed on the bench, but having it painted a different one colour (Yellow is the nationally recognised colour for Chatty Benches) and the additional words "Chatty Bench" written on the plaque or on a separate plaque.

So in effect anyone choosing to sit on such a bench is expected to be engaged in conversation by a total stranger and in effect vice versa. This is nothing new, there are other Councils within the UK that make much the same provision, and I feel it would be nice for Teignbridge to adopt such a scheme leading the way in this area.

I for one would like to do this, by providing such a bench, on behalf of a deceased neighbour who back in October 2024 passed away aged 99, who admitted to my wife Sally, who cared for her for over the last two years of her life, that before this she had been so lonely in life.

The Motion asks that the Council resolves to:

1. Introduce an addition to the Memorial Bench scheme to allow for residents who wish to donate a memorial bench to have it painted a

different colour to make it stand out and include a 'Chatty Bench' plaque to encourage people using the benches to talk to each other to promote the reduction of isolation and loneliness.

b) State of Roads

The following motion on State of Roads has been proposed by Councillor Phil Bullivant, seconded by Councillor John Nutley and supported by the requisite number of Members within the procedural rules.

The current deteriorating state of roads in Teignbridge is a disgrace, with numerous areas affected by significantly increasing numbers of potholes.

Whilst some deterioration is normal during the cold weather the significant increase is much worse than in previous years.

The marked deterioration seen with many old repairs failing and delays in rectifying new issues on major and minor routes throughout Teignbridge demonstrates a failure of Devon County Council contractors to provide a professional and lasting solution to this issue.

This Council is requested to write to Devon County Council to register our concerns and require details of their plans to improve this unsatisfactory situation.

c) Speed Camera on Ashburton Road

The following motion on Speed Camera on Ashburton Road has been proposed by Councillor Phil Bullivant, seconded by Councillor Alex Hall and supported by the requisite number of Members within the procedural rules.

Exceeding the speed limit is unacceptable particularly in a residential area at any time.

The process for administering appropriate sanctions requires that the public understand why sanctions are in place and that the enforcement is seen to be appropriate and fair.

Speed cameras are an accepted means of establishing breaches of speed limits and the criteria for their location and operation are well established.

A camera set up on the Ashburton Road 30mph area appears to be in breach of established custom and practice as below:-

**Speed survey criteria**

- At least 15% of traffic must exceed the ACPO/NPCC enforcement threshold (speed limit + 10% + 2 mph), or exceed by 5 mph, for any speed enforcement to be valid.

**Site suitability**

The Highway Authority must confirm:

- The speed limit is appropriate.
- No cheaper engineering solution is more effective.
- Relevant Traffic Regulation Orders and signage are correct and legal.

### **Visibility & Signing Standards**

- Camera visibility: Must be clearly visible; cannot be concealed by vegetation or hidden from drivers.
- Advance signs: Preceding enforcement zones must have clear warnings. On dual carriageways, signs are required on both sides of the road.

Since installation, over 6000 motorists have been in receipt of proceedings initiated by this camera installation.

Many recipients have highlighted the location of the small camera installed on a lamppost with minimal signage and poor visual awareness.

There have also been complaints of proceedings for speeds of less than 35mph.

The stretch of road where the installation took place is where there are no access driveways, the cycle way is separate to the road and there are no residential premises fronting on to the road.

Will the Council contact the appropriate authority to establish:

1. What was the basis for the camera installation?
2. Who decided on the parameters for the actual installation?
3. How many proceedings have been instigated for speeds of 35mph or less?
4. Does the installation meet national standards for speed camera locations?

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)

### **3.3 Full Council**

3.3.1 **Membership:** The Full Council consists of all Councillors who represent the wards of the District of Teignbridge.

3.3.2 **Areas of work:** The primary areas of work which Full Council undertakes comprise:

- (a) Adopting and making substantive changes to the Constitution;
- (b) Approving or adopting the policy framework and the budget (including approving the Annual Budget and setting the Council Tax);
- (c) Creating committees and sub committees (such decisions not to be undertaken by committees) and approving joint arrangements as necessary, with one or more local authorities to carry out such functions as it considers appropriate, including the appointment of a Joint Committee;
- (d) Appointing the Leader; Chair and Vice Chair of Council; Committee membership including the Chair and Vice Chair of Committees;
- (e) Assessing the performance of the Leader and passing a resolution if necessary removing the Leader from his position of Leader;
- (f) Adopting a Members' Allowances Scheme;
- (g) Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation or personal Bills;
- (h) to receive any report by the Chief Finance Officer (Section 151) and/or the Monitoring Officer;

and additionally, all other matters which, by law, must be reserved to Council.

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## **FULL COUNCIL**

### **15 JANUARY 2026**

#### Present:

Councillors Atkins, Bradford, Bullivant, Buscombe, Clarence, Cox, Farrand-Rogers, Goodman-Bradbury, Hall, Hayes, Hook, Horner, Keeling, MacGregor, Major (Vice-Chair), Morgan, Mullone, Nutley, Nuttall, Palethorpe, C Parker, P Parker, Parrott, Peart, Rogers, Rollason, Ryan, Sanders, Smith, Steemson (Chair), G Taylor, J Taylor, Thorne, Webster, Williams and Wrigley

#### Apologies:

Councillors Daws, Dawson, Foden, Gearon, Henderson, Jackman, James, Purser, Radford and Swain

#### Officers in Attendance:

T Corns, Principal Democratic Services Officer  
C Fisher, Democratic Services Manager and Deputy Monitoring Officer  
C Morgan, Assistant Democratic Services Officer  
N Rawley, Council Tax Lead Officer - Revenue & Benefits  
P Shears, Managing Director

### **150. MINUTES**

It was proposed by Cllr Bullivant, seconded by Cllr Keeling and

#### **RESOLVED**

The minutes of the meetings on Thursday 23 October 2025 and two meetings on Tuesday 25 November 2025 be approved and signed by the Chair as a correct record.

### **151. ANNOUNCEMENTS**

The Chair reported on his Civic engagements since the last meeting, which included Teignmouth Town council Christmas pantomime, and the Staff Awards the previous day.

In regard to Local Government Reorganisation, the Leader advised that following him forwarding to all Councillors a letter from the Minister for Local Government and Housing asking Councils with elections in 2026, Plymouth and Exeter City Council, if they wished to postpone them. Plymouth will carry on with their elections. Exeter City Council has announced that it does not have the capacity to run elections. Consequently, he will be offering the Council's resources to the Leader of Exeter City Council to assist with the election and will share this letter with all Councillors.

## **152. DECLARATIONS OF INTEREST**

Cllr Bullivant declared an interest in Minute 157 relating to the Special Responsibility Allowance to be paid to the Chair of the Governance Committee and left the meeting while the item was discussed and determined.

## **153. PUBLIC QUESTIONS**

None

## **154. COUNCILLOR QUESTIONS**

In accordance with the Council's procedural rules, the Leader responded to councillors' question.

The questions and responses were published prior to the meeting and related to Cllrs providing factually incorrect information in a meeting, and Council enforcement for unlawful flags on public furniture.

Supplementary questions were asked and can be viewed at the link below

[Full Council - Thursday 15 January 2026, 11:00am - Start video at 0:12:53 - Teignbridge District Council Webcasting](#)

## **155. RECOMMENDATION FROM THE APPOINTMENTS AND REMUNERATION COMMITTEE - APPOINTMENT OF THE MONITORING OFFICER**

It was proposed by Councillor Keelin, seconded by Councillor Parrott and unanimously,

### **RESOLVED**

That Charlie Fisher is appointed to the position of (Interim) Monitoring Officer, and that Council notes that should efforts to recruit for the role be unsuccessful that he continues on in the role.

## **156. RECOMMENDATION FROM THE EXECUTIVE - COUNCIL TAX REDUCTION SCHEME**

The Executive Member for Corporate and Finance gave an update which included the following:

- Confirmation of the originally proposed income bands following a review of central government decisions about welfare awards from 1.4.26

- The impact of above CPI inflation increases to some welfare award elements.
- The government's decision to change the 2 child limit allowances.
- Confirmation there are no changes to the proposed income bands at paragraph 6.5 of the agenda report.
- In relation to paragraph 6.6 of the agenda report, the Council's scheme has provisions for annual increases in line with CPI, however central government has announced changes that were above or beyond those provisions.
  - The 6.2% increase to the standard allowances of Universal Credit exceed the customary Consumer Price Index amounts
  - The abolition of the Universal Credit 2 child allowance limit.
- With regards to paragraph 6.7, the effect of any band change which causes hardship will be mitigated by using the Exceptional Hardship scheme provisions.
- The impact of the changes will be monitored and any public consultation for any changes to the scheme undertaken. There is insufficient time to make any changes to the scheme for the coming year. (Paragraph 6.8)
- Referring to paragraph 6.9, the scheme has an in-built provision to incorporate the prescribed changes to pensioner claims which are set by Government. This is a statutory uplift.

In response to questions, the meeting was advised that the cost to the Council of the support and benefit was £920K, 8% of the total cost for Devon which was £10m.

The financial hardship scheme was supported, and it was proposed by Councillor Parrott, seconded by Councillor Keeling and,

**RESOLVED**

1. The Council Tax Reduction Scheme (attached as Appendix A) is adopted for the year 2026-27 with the income amounts uprated in line with annual uprating of welfare awards which are usually confirmed before the end of this calendar year.
2. Delegated authority is given to the Council Tax Lead Officer to amend the income bands within the scheme to align with the uprated amounts, once confirmed by Government

**157. RECOMMENDATION FROM THE GOVERNANCE COMMITTEE - RECOMMENDATIONS FROM THE INDEPENDENT REMUNERATION PANEL (IRP)**

*Cllr Bullivant declared an interest relating to the Special Responsibility Allowance to be paid to the Chair of the Governance Committee and left the meeting while the item was discussed and determined.*

It was proposed by Councillor Keeling and seconded by Councillor Palethorpe that the recommendations proposed by the Independent Remuneration Panel be approved.

**RESOLVED**

**1. Travel for those receiving a Special Responsibility Allowance (SRA)**

The existing practice as set out in Section 8f of the Constitution – Members Allowance Scheme as below be confirmed:

“The SRA is paid to recognise the additional commitment and time required to fulfil each role and covers subsistence and travel for attending meetings not listed in Appendix A.”

**2. SRA for the Chair of the new Governance Committee**

The SRA for the Chair of the Governance Committee continue and be set at the current SRA of £3,159.71.

**3. Annual review of expenditure and benchmarking**

There be no increase in the Council’s Basic Allowance other than the annual increase in line with Local Authority employee pay increase.

**158. RECOMMENDATIONS FROM THE CONSTITUTION REVIEW WORKING GROUP - AMENDMENTS TO THE CONSTITUTION**

**a) Section 4 - Procedural Rules**

It was proposed by Councillor Steemson, seconded by Councillor Palethorpe and unanimously,

**RESOLVED**

That within the Procedural Rules (Section 4) that the Monitoring Officer be named to determine the acceptance of Questions by Members of the Public (4.7.1 (f)) and Questions from Members of the Council (4.7.3) instead of the Managing Director to ensure consistency across all processes.

**b) 4.8.6 Amendments to Motions procedures**

It was proposed by Councillor Steemson, seconded by Councillor Keeling and

**RESOLVED**

The changes to the Amendments to Motions procedures as set out in the agenda be adopted.

c) **Petitions Process**

It was proposed by Councillor Steemson, seconded by Councillor Keeling and unanimously,

**RESOLVED**

The petitions process as set out in the agenda be adopted and inserted into Section 4 (Council Meeting Procedural Rules).

d) **Section 8a - District Councillor Role Profiles**

It was proposed by Councillor Steemson, seconded by Councillor Palethorpe and

**RESOLVED**

The Councillor Role Profiles as set out in the agenda to replace the current Section 8a and those role profiles documented in other parts of the Constitution is adopted.

**159. NOTICE OF MOTION - TORQUAY CUSTODY CENTRE**

The Notice of Motion was withdrawn by the proposer, Councillor J Taylor and seconder Councillor Horner because the Chief Constable of Devon and Cornwall Police had decided not to close the Torquay police custody centre. Councillor J Taylor thanked the Leader and all those who had made written representation to the Chief Constable, opposing the closure of the custody centre.

CLLR R STEEMSON  
Chair

The meeting started at 11.03am and finished at 11.46am.

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**Teignbridge District Council**  
**Committee name – Full Council**  
**Meeting date – 26.2.26**

## **Ending 50% Council Tax Discount**

### **Purpose of Report**

To provide members with details about the proposal to remove the existing discretionary discount for properties that are undergoing or require major/ significant repairs or structural changes/work to make the property capable of being lived in.

This has been suggested by the Medium Term Financial Plan (MTFP) Task Group and recommended by Executive at their meeting on 2.12.25 to seek Full Council approval.

The minutes of that meeting were approved at the Executive meeting on 6 January 2026.

### **Recommendation(s)**

- (1) From 1<sup>st</sup> April 2026, the Council no longer offers the 50% Council Tax Discount for up to 12 months for properties that are deemed to be undergoing or require major/ significant repairs or structural changes/work ; and
- (2) Revokes the original decision to award the discount that was agreed by Full Council on 15 January 2013, that took effect from 1 April 2013.

### **Financial Implications**

The financial implications are highlighted in section 2.1. This decision would create a financial saving to the Council.

Gordon Bryant – Head of Financial Services and Audit  
 Email: Gordon.Bryant@Teignbridge.gov.uk

### **Legal or Governance Implications**

The legal implications are highlighted in paras 2.2 of the report.

Maxine Valentine – Senior Legal Officer  
 Email: Maxine.valentine@teignbridge.gov.uk

### **Risk Assessment**

This is considered to be low risk. See paras 2.3 of the report.

Nikki Rawley – Council Tax Lead  
 Email: Nikki.rawley@teignbridge.gov.uk

### **Environmental/ Climate Change Implications**

There are no environmental or climate change implications associated with the recommendations of this report.

William Elliott - Climate Change Officer - william.elliott@teignbridge.gov.uk

## Report Author

Nikki Rawley – Council Tax Lead - Email: Nikki.rawley@teignbridge.gov.uk

## Executive Member

Cllr John Parrott - Executive Member for Finance & Corporate  
MTFP Chair – Councillor Thorne

## Appendices/Background Papers

**Appendix A** - Page 8, Paragraph D of [\(Public Pack\)Supplement - MTFP Review Group Report Agenda Supplement for Overview and Scrutiny Committee, 11/11/2025 10:00](#)

**Appendix B** – Page 3, Paragraph 12.5 of [\(Public Pack\)Agenda Document for Executive, 02/12/2025 10:00](#)

**Appendix C** – Page 10, Paragraph 200.5 of [\(Public Pack\)Agenda Document for Executive, 06/01/2026 10:00](#)

**Appendix D** – Equality Impact Assessment

## 1. Introduction/Background

- 1.1. The Council currently offers a 50% Council Tax discount for a maximum period of 12 months to any unoccupied and unfurnished property that is deemed to be undergoing or require major/ significant repairs or structural changes/work.
- 1.2. The MTFP group has recommended the proposed removal of this discretionary discount from 1<sup>st</sup> April 2026 as first reviewed at the Overview and Scrutiny Committee Meeting on 11 November 2025 (Appendix A)
- 1.3. This was considered by Executive on 2 December 2025 (Appendix B) and minutes approved on 6 Jan 2026 (Appendix C)

## 2. Implications, Risk Management and Climate Change Impact

### 2.1. Financial

The costs of the 50% discount falls on the collection fund with each preceptor meeting the cost in proportion to their precept share.

Teignbridge's approximate 8% cost and potential savings are shown in the right-hand column:

Financial year	No of awards	Total	Teignbridge share 8% (approx.)
		£	£
2025/26(projected to *)	120	79,756	6,380
2024/25	150	80,598	6,448
2023/24	153	63,712	5,097

\*Projected to 31 March 2026 and therefore subject to change)

Based on these costs, it's estimated a potential saving for Teignbridge of £6,000 would be created by no longer having this discount.

### 2.2. Legal or Governance

In considering making a decision to end this discretionary discount , Full Council must formally agree before 1<sup>st</sup> April to revoke the original decision made by Full Council on 15 January 2013. That decision took effect from 1 April 2013 and was made in accordance with existing powers

introduced by the technical reforms to Council tax included in The Local Government Finance Act 2012.

It must also publish its decision in a local newspaper within 21 days of that decision. The new decision and its publication are made in accordance with Section 11A of the Local Government Finance act 1992 as amended by the Rating (Property in Common Occupation and The Council Tax (Prescribed Classes of Dwellings) Regulations 2003.

### **2.3. Risks** - This is regarded as low risk.

It is possible this measure could deter Council Tax payers from taking steps to bring properties back into use but this risk would be largely mitigated by the Empty Homes premium which applies after a property has been regarded as unoccupied and unfurnished for 12 months. This increases the Council Tax charge by 100% so owners remain motivated to avoid the additional charge.

Owners on low incomes may struggle to fund repairs and losing the 50% discount could add financial challenges. For anyone who is experiencing financial hardship they have the opportunity to apply for support in accordance with the Council's Discretionary Discount Policy.

It is also worth noting that removing the 50% discount does not affect the opportunity for council tax payers to apply for a statutory 'uninhabitable' exception to any long term empty premium and will continue to encourage empty homes to be brought back into use.

Owners can also apply to the Valuation Office Agency to have derelict properties removed from the valuation list and reduce a liability to zero. Not all properties that would currently qualify for the discount would be eligible to be removed from the valuation list.

### **2.4. Administrative Impacts**

Most customers who apply for the discount do not satisfy the "undergoing or requiring major works, repairs or structural changes" criteria. This results in significant administration with no benefit for the council tax payer. Removal of the discount will reduce the administrative burden.

### **2.5. Environmental/Climate Change Impact**

None

## **3. Alternative Options**

The Council decides not to revoke the 15 January 2013 decision and continues to offer the 50% Council Tax Discount for up to 12 months for any qualifying property.

## **4. Conclusion**

This proposed change will impact on only a very small number of taxpayers but will increase revenue to Teignbridge and its precepting authorities, as well as potentially encourage properties back into use more quickly than they would otherwise have been. This change will also reduce the administrative burden on the Service - which in the majority of cases does not result in a successful outcome. There are also other forms of support available for council tax payers who may experience hardship as a result of this change.

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# Equality Impact Assessment

Assessment Of:	
<input type="checkbox"/> Policy <input type="checkbox"/> Strategy <input type="checkbox"/> Function <input type="checkbox"/> Service <input checked="" type="checkbox"/> Other:	<input type="checkbox"/> New <input type="checkbox"/> Already exists / review <input checked="" type="checkbox"/> Changing
Directorate: Customer Experience and Transformation	Assessment carried out by: Nikki Rawley
Service Area: Customer & Digital - Revenue & Benefits	Job Role: Council Tax Lead
Version / Date of Sign Off by Director:	Amanda Pujol

## Step 1: What do we want to do?

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the Policy Officer early for advice.

### 1.1 What are the aims and objectives/purpose of this proposal?

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use plain English, avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

Proposal to remove from 1.4.2026 the existing 50% Council Tax discount that can be awarded for a maximum 12 month period when an unoccupied and unfurnished property satisfies the commonly referred to 'uninhabitable' rules.

These relate to properties that cannot be occupied because of the extent of the major works, repairs or structural changes that are being carried out.

### 1.2 Who will the proposal have the potential to affect?

Service users  The wider community  Teignbridge workforce

### 1.3 Will the proposal have an equality impact?

Could the proposal affect access levels of representation or participation in a service, or does it have the potential to change e.g. quality of life: health, education, or standard of living etc.?

If 'No' explain why you are sure there will be no equality impact, then skip steps 2-4 and request review by your manager.

If 'Yes' complete the rest of this assessment.

Yes  No [please select]

We do not hold data on the protected characteristics of customers who have applied for this discount and do not anticipate that any particular group will be affected by discontinuing it but it is possible that there could be an equality impact for a very small number of individuals. The

properties are normally not the usual sole or main residence of the owner as in order to qualify for the discount, it must be unoccupied and unfurnished and require or be undergoing major repairs or significant structural alterations. Once the work has been completed, the property may be reoccupied by the owner, sold or able to be rented to new occupiers.

As the majority of properties that qualify are being renovated by persons who have other dwellings, we do not anticipate any adverse impacts on any particular vulnerable or protected group. It should be noted that - based on historical data - the removal of this discount will impact around only 140 properties annually.

The absence of a discount could act as an incentive for unoccupied properties to be brought back into use earlier as they no longer have access to the 50% Council Tax discount.

If being liable for the full charge causes financial hardship for any household, they will be able to apply for assistance in accordance with our Discretionary Discount Policy. This enables the Council to give support by reducing or remitting Council Tax charges when the customer is experiencing extreme financial hardship.

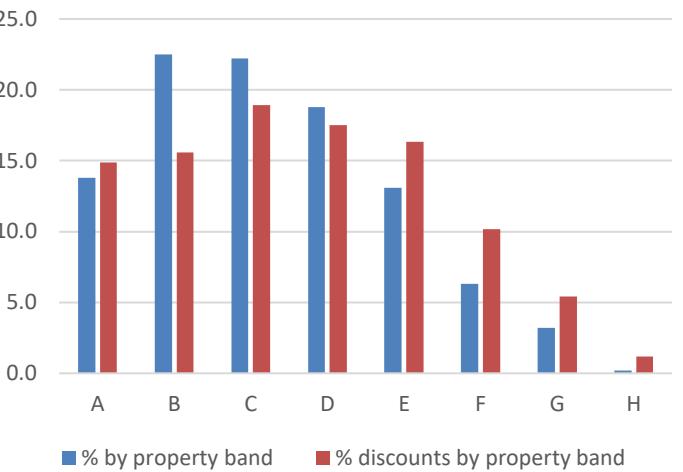
## Step 2: What information do we have?

### 2.1 What data or evidence is there which tells us who is, or could be affected?

Please use this section to demonstrate an understanding of who could be affected by the proposal. Include general population data where appropriate, and information about people who will be affected with particular reference to protected and other relevant characteristics (listed in 2.2).

For workforce / management of change proposals you will need to look at the diversity of the affected team(s) using available evidence such as the employee profile data. Identify any under/over-representation for age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. Please see: [Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk).

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
Applications made for the 50% discount	Limited information about protected characteristics.
Council Tax Bands comparison with 50% discount awards.  This chart gives the % of all dwellings by Council Tax Band for the district (in blue/left hand) and percentage of 50% discount awards by property band (in red/right hand)	It confirms that the districts dwellings are predominantly within the lower B and C bands, a total of 44.7%.  As we make a consistent numbers of awards (average is 16.6%) across all the A to E banded properties, this tells us that the awards are not restricted to properties within the lower bands.  We also make a disproportionate percentage of awards for the higher banded and usually larger properties – bands E to H.

Data / Evidence Source [Include a reference where known]	Summary of what this tells us																											
<p style="text-align: center;"><b>Chart Title</b></p>  <table border="1"> <caption>Data for Chart Title</caption> <thead> <tr> <th>Property Band</th> <th>% by property band</th> <th>% discounts by property band</th> </tr> </thead> <tbody> <tr><td>A</td><td>~14.0</td><td>~15.0</td></tr> <tr><td>B</td><td>~22.5</td><td>~16.0</td></tr> <tr><td>C</td><td>~22.0</td><td>~19.0</td></tr> <tr><td>D</td><td>~19.0</td><td>~17.0</td></tr> <tr><td>E</td><td>~13.5</td><td>~16.5</td></tr> <tr><td>F</td><td>~6.0</td><td>~10.0</td></tr> <tr><td>G</td><td>~3.5</td><td>~5.5</td></tr> <tr><td>H</td><td>~0.5</td><td>~1.5</td></tr> </tbody> </table>	Property Band	% by property band	% discounts by property band	A	~14.0	~15.0	B	~22.5	~16.0	C	~22.0	~19.0	D	~19.0	~17.0	E	~13.5	~16.5	F	~6.0	~10.0	G	~3.5	~5.5	H	~0.5	~1.5	
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G	~3.5	~5.5																										
H	~0.5	~1.5																										
<b>Additional comments:</b>	<p>However we do capture information about the reason for the works or alteration and the intended outcome for the unoccupied property.</p>																											

## 2.2 Do you currently monitor relevant activity by the following protected characteristics?

No

<input type="checkbox"/> Age <input type="checkbox"/> Marriage and Civil Partnership <input type="checkbox"/> Religion or Belief	<input type="checkbox"/> Disability <input type="checkbox"/> Pregnancy/Maternity <input type="checkbox"/> Sex	<input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Race <input type="checkbox"/> Sexual Orientation
--	---	--

## 2.3 Are there any gaps in the evidence base?

Where there are gaps in the evidence, or you don't have enough information about some equality groups, include an equality action to find out in section 4.2 below. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. If you are unable to fill in the gaps please state this clearly with a justification.

For workforce related proposals all relevant information on characteristics may need to be sought from HR (e.g. pregnancy/maternity). For smaller teams diversity data may be redacted. A high proportion of not known/not disclosed may require action to address and identify the information needed.

We anticipate around 140 household will be impacted by this change and it is likely - based on historical data- that most will have no equality impact. We will adopt a case based approach to assessing impacts on any particular protected characteristics when determining applications for discretionary discount relief.

## 2.4 How have you involved communities and groups that could be affected?

You will nearly always need to involve and consult with internal and external stakeholders during your assessment. The extent of the engagement will depend on the nature of the proposal or change. This should usually include individuals and groups representing different relevant protected characteristics. Please include details of any completed engagement and consultation and how representative this has been of Teignbridge's diverse communities.

Include the main findings of any engagement and consultation in Section 2.1 above.

If you are managing a workforce change process or restructure please refer to HR for advice on how to consult and engage with employees. Relevant stakeholders for engagement about workforce changes may include e.g. staff-led groups, trades unions as well as affected staff.

Due to the very low numbers involved with this specific change and the fact that no particular groups have been identified as affected we have not undertaken specific engagement activity.

## 2.5 How will engagement with stakeholders continue?

Explain how you will continue to engage with stakeholders throughout the course of planning and delivery. Please describe where more engagement and consultation is required and set out how you intend to undertake it. Include any targeted work to seek the views of under-represented groups. If you do not intend to undertake it, please set out your justification. You can ask the Consultation Officer for help in targeting particular groups.

None planned but will review and monitor impacts on a case by case basis.

## Step 3: Who might the proposal impact?

Analysis of impacts must be rigorous. Please demonstrate your analysis of any impacts of the proposal in this section, referring to evidence you have gathered above and the characteristics protected by the Equality Act 2010. Also include details of existing issues for particular groups that you are aware of and are seeking to address or mitigate through this proposal.

### 3.1 Does the proposal have any potentially adverse impacts on people on the basis of their protected or other relevant characteristics?

Consider sub-categories (different kinds of disability, ethnic background etc.) and how people with combined characteristics (e.g. young women) might have particular needs or experience particular kinds of disadvantage.

Where mitigations indicate a follow-on action, include this in the 'Action Plan' Section 4.2 below.

<b>GENERAL COMMENTS</b> (highlight any potential issues that might impact <b>all or many groups</b> )	

<b>PROTECTED CHARACTERISTICS</b>	
<b>Age: Young People</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Age: Older People</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Disability</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Neutral <input type="checkbox"/>
Potential impacts:	This is unlikely but if the property is undergoing major works in order to meet the needs of a disabled person.
Mitigations:	Applications for these reasons are rare and there are existing discounts for properties once they have been adapted to meet a residents disability needs. If customers are struggling to afford the full Council Tax charge, they will be signposted to apply for help in line with our Discretionary Discount Policy.
<b>Sex</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Sexual orientation</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Pregnancy / Maternity</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Gender reassignment</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Race</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Religion or Belief</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Marriage &amp; civil partnership</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input type="checkbox"/> Neutral <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	

#### OTHER RELEVANT CHARACTERISTICS

<b>Socio-Economic (deprivation)</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Neutral <input type="checkbox"/>
-------------------------------------	---

Potential impacts:	Low income households may struggle to afford the non-discounted charge.
Mitigations:	If being liable for the full charge causes financial hardship for any household, they will be able to apply for assistance in accordance with our Discretionary Discount Policy. This enables the Council to consider giving support by reducing or remitting Council Tax charges when the customer is experiencing extreme financial hardship. Half of the 50% discounts since 1.4.23 have been awarded to properties banded below the average band D size property. 44.7% of the dwellings within our district are within B and C bands. Lower banded properties are more commonly occupied by lower income households. However it should be noted that lower banded properties are more likely to be rental properties and it's the landlord or owner who applies for a discount before the property is brought back into use and available to rent.
<b>Other group(s)</b> Please add additional rows below to detail the impact for other relevant groups as appropriate e.g. Asylums and Refugees; Rural/Urban Communities, Homelessness, Digital Exclusion, Access To Transport	
Potential impacts:	
Mitigations:	

### 3.2 Does the proposal create any benefits for people on the basis of their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our Public Sector Equality Duty to:

- ✓ Eliminate unlawful discrimination for a protected group
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who don't
- ✓ Foster good relations between people who share a protected characteristic and those who don't

Incentive for owners to bring unoccupied properties that currently qualify for the 50% discount to be brought back into use within the current 12 month discount limit.

## Step 4: Impact

### 4.1 How has the equality impact assessment informed or changed the proposal?

What are the main conclusions of this assessment? Use this section to provide an overview of your findings. This content should be used as a summary in reports, where this full assessment is included as an appendix.

If you have identified any significant negative impacts which cannot be mitigated, provide a justification showing how the proposal is proportionate, necessary and appropriate despite this.

<b>Summary of significant negative impacts and how they can be mitigated or justified:</b>
If being liable for the full charge causes financial hardship for any household, they will be able to apply for assistance in accordance with our Discretionary Discount Policy. This enables the Council to give support by reducing or remitting Council Tax charges when the customer is experiencing extreme financial hardship.
<b>Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:</b>
The absence of a discount could act as an incentive for unoccupied properties to be brought back into use earlier as they no longer have access to the 50% Council Tax discount.

## 4.2 Action Plan

Use this section to set out any actions you have identified to improve data, mitigate issues, or maximise opportunities etc. If an action is to meet the needs of a particular protected group please specify this.

<b>Improvement / action required</b>	<b>Responsible Officer</b>	<b>Timescale</b>

## 4.3 How will the impact of your proposal and actions be measured?

How will you know if have been successful? Once the activity has been implemented this equality impact assessment should be periodically reviewed to make sure your changes have been effective and your approach is still appropriate. Include the timescale for review in your action plan above.

We can monitor customer contact and feedback to the proposed change.

## 4.4 Is there an opportunity to promote positive attitudes and good relations between different groups and communities?

No

## Step 5: Review & Sign-Off

EIAs should only be marked as reviewed when they provide sufficient information for decision-makers on the equalities impact of the proposal. Please seek review and feedback from management before requesting it to be signed off. All working drafts of EIAs and final signed-off EIAs should be saved in G:\GLOBAL\EIA. Once signed-off please add the details to the 'EIA Register' of all council EIAs saved in the same directory.

<b>Reviewed by Service Manager:</b>	<b>Strategic Leadership Team Sign-Off:</b>
Yes <input checked="" type="checkbox"/>	
No <input type="checkbox"/> Instead was reviewed by: Tracey Hooper	
Date: 23.01.26	Date:

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**Teignbridge District Council**  
**Full Council**  
**26<sup>th</sup> February 2026**  
**Part i**

## **Community Infrastructure Levy (CIL) Community Fund**

### **Purpose of Report**

To seek approval from Full Council for the implementation of a CIL Community Fund with associated management and scrutiny structures.

### **Recommendation(s)**

#### **The Council RESOLVES to:**

1. Implement the CIL Community Fund with assigned governance structures as set out.
2. Delegate authority to the Director of Place, in consultation with Executive Member for Economy, Estates and Major Projects to approve details including the Terms of Reference for the evaluation group, scoring criteria detail and weighting.

### **Financial Implications**

Provision has been made in the Capital Programme for the provision of this fund. A representative from Finance will attend the bid evaluation group.

Gordon Bryant - Head of Financial Services and Audit

Email: [gordon.bryant@teignbridge.gov.uk](mailto:gordon.bryant@teignbridge.gov.uk)

### **Legal Implications**

There are no direct legal implications arising from this report. Any transfers of funds will take place under a formal legal agreement.

Charlie Fisher - Democratic Services Manager and Monitoring Officer

Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

### **Risk Assessment**

These are as set out in section 3.3.

Tom Pearce – Principal Strategy and Policy Officer

Email: [tom.pearce@teignbridge.gov.uk](mailto:tom.pearce@teignbridge.gov.uk)

### **Environmental/ Climate Change Implications**

There are no direct environmental or climate change implications arising from this report - controls are outlined in section 3.4

Tom Pearce – Principal Strategy and Policy Officer

Email: [tom.pearce@teignbridge.gov.uk](mailto:tom.pearce@teignbridge.gov.uk)

## Report Author

Tom Pearce – Principal Strategy and Policy Officer

Email: [tom.pearce@teignbridge.gov.uk](mailto:tom.pearce@teignbridge.gov.uk)

## Executive Member

Cllr David Palethorpe – Executive Member for Economy, Estates and Major Projects

## Background Papers

1. [Community Infrastructure Levy \(CIL\) - Teignbridge District Council](#)
2. [The Community Infrastructure Levy Regulations 2010](#)

## Appendices

1. CIL Bid Evaluation Group Terms of Reference
2. CIL Match Fund Bid Evaluation Sheet
3. Town and Parish Guidance

## 1. Purpose

This report proposes the creation of a Community Infrastructure Levy (CIL) Community Fund, which Towns and Parishes can bid into for up-to-match funding of infrastructure projects in their communities.

## 2. REPORT DETAIL

### 2.1. Overview

- 2.1.1. Teignbridge District Council, as the planning authority, has set out a schedule for the charging of Community Infrastructure Levy (CIL), and collects this from developers for use on projects which address the demands development places on communities within the district.
- 2.1.2. Town or Parish Councils where development takes place are assigned a portion of this levy – 15% as standard, rising to 25% where the Town or Parish has an adopted Neighbourhood Plan.
- 2.1.3. This proposal is to allocate a proportion of the CIL which Teignbridge collects, set at £200,000 per annum for the next four years, to a CIL Community Fund. This will be available as up-to match funding (with TDC funding a maximum of 50% of the project) for Towns and Parishes across the district to bid into for infrastructure projects they wish to deliver in their area.
- 2.1.4. There will be a minimum bid value of £1000 to ensure funding allocated for projects is proportionate to the costs of processing a bid, and a maximum bid value of £100,000 as the fund aims to open up smaller funding allocations held by Town and Parish Councils to deliver meaningful projects but is not intended to deliver larger strategic projects which are covered by the Infrastructure Delivery Plan.
- 2.1.5. To ensure that funds are used on the delivery of projects which have a sound evidence base developed through consultation and engagement with the communities in which they are to be delivered, projects aligning with an approved Infrastructure Plan developed by Towns or Parishes will be strongly favoured in the scoring.
- 2.1.6. Where Towns and Parishes do not have an agreed Infrastructure Plan they will be supported to develop one for their area through signposting to

resources, peer support and best practice examples. Teignbridge has published a template to aid Towns and Parishes to create an Infrastructure Plan on the CIL area of our website.

- 2.1.7. Towns and Parishes within the area of Teignbridge where Dartmoor National Park is the planning authority will be able to bid for this up-to match funding, in line with the Community Infrastructure Levy Regulations 2010 reg. 59(3); *'A charging authority may apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure outside its area where to do so would support the development of its area.'*. Projects brought forward in these towns and parishes will be assessed to ensure they will benefit the wider vitality of Teignbridge and support facilities which will be available to all district residents.
- 2.1.8. Projects brought forward will be subjected to robust evaluation against financial, practical, equality and inclusion, and environmental criteria to ensure that they are deliverable, align with our strategic aims and will positively impact the community.
- 2.1.9. The evaluation will be carried out by a board consisting of the relevant Executive Member, the Senior Leadership Team, Senior Management Team, and the Strategy and Policy team.
- 2.1.10. This evaluation will include an assessment to ensure all funding and expenditure is in accordance with the CIL regulations and MHCLG guidance.

### **3. Implications, Risk Management and Climate Change Impact**

#### **3.1. Financial**

- 3.1.1. The proposed expenditure will solely be funded through allocation of Community Infrastructure Levy (CIL) funds received from developers. The proposed fund earmarks £200,000 of this levy per year for up-to match funding of project brought forward by Towns and Parishes.

3.1.2. Officer resource required to implement and administer this system will be provided through the existing Strategy and Partnerships service with no additional revenue funding requirements.

### **3.2. Legal**

3.2.1. The transfer of any funds to Town or Parish Councils will be subject to legal agreements regarding the use of the funds. Standard templates will be set up for these agreements.

3.2.2. These agreements will need to reflect any changes under Local Government Reorganisation, particularly around projects which may be initiated prior to, but completed after the creation of any new unitary authority.

### **3.3. Risks**

3.3.1. Risks include the reliance on Town and Parish Councils to come forward with suitable projects, the potential for Town and Parish Councils to come forward with more projects than we can fund or support, the risk of a large number of smaller projects which require more officer time to administer, and the risk of projects requiring additional funds to complete due to budget shortfalls post commencement. These risks can be mitigated through minimum project values, requirements for contingency in budgets, and robust bid evaluation.

3.3.2. Local Government Reorganisation (LGR) will likely be implemented during the lifespan of this project, with a new unitary authority coming into force. This will require sufficient governance and control procedures to mitigate the risk of uncompleted projects being affected by this change. This will be included in both the Terms of Reference for the project board, and the legal agreements on project funding.

3.3.3. Under the current CIL regulations, unspent CIL funds from Town and Parish Councils may be requested to return to TDC after 5 years. There is a risk that returns to TDC could be affected by this proposal; whilst these returns could increase the CIL spending power of the authority, these returns would also increase demands on TDC resources to bring forward projects using these funds.

### **3.4. Environmental/Climate Change Impact**

- 3.4.1. There are no direct climate impacts arising from this report. Individual project proposals will be reviewed for their environmental/climate change impact as they are brought forward.
- 3.4.2. There are anticipated positive environmental impacts as projects could include renewable energy schemes, green infrastructure projects, active travel elements such as foot and cycle paths, community transport etc.

## **4. CONSIDERATION OF ALTERNATIVE OPTIONS**

- 4.1. The alternative options to the proposed recommendation are:

- Discontinue the process, with Towns and Parishes receiving the proportion of CIL due to them for development in their area, and TDC spending the CIL we retain independently. This will prevent areas with less development from spending their CIL effectively on larger more impactful projects and may risk low value CIL payments being unable to be spent. This may increase the amount of CIL available to TDC following returns from Towns and Parishes unable to make spend within the 5-year period.
- Amend the proportion of CIL allocated to this up-to match fund; if reduced this will limit the number of projects/Towns and Parishes that can be supported, any increase would need to be considered against the other infrastructure priorities and projects currently assigned this funding in the capital programme.

## **5. CONCLUSION**

- 5.1. Community Infrastructure Levy funds are a valuable opportunity to bring forward community led projects within Teignbridge, supporting the leisure, social, transport and public realm facilities that residents rely on. This match fund proposal will support both Teignbridge District Council, and Towns and Parishes across the district, to spend CIL more effectively on higher value, higher impact projects delivered in partnership across both tiers of local government.

## CIL Community Match Fund Bid Evaluation Group

### Terms of reference

- The Group evaluates bids from Town and Parish Councils for the CIL Up-to-Match Fund, where the Town or Parish council provides at least 50% of project costs and TDC will fund up to 50%. It ensures decisions are fair, transparent, and aligned with strategic priorities.
- The group will, on an annual basis, review the Scoring Matrix used to judge bids made by Town and Parish Councils to ensure that the criteria are appropriate and result in fair and justifiable decisions, and that the weighting used gives a balanced mix of projects from larger and smaller Towns and Parishes which are well aligned with the councils strategic aims.
- To review and challenge the mix of bids approved to ensure that funds are being used in a way which provide benefits and outcomes which align with the broader One Teignbridge Council Strategy and maximise benefits to the community and provide the most effective return.
- To ensure projects align with other forecast delivery, such as those in the Medium-Term Financial Plan (MTFP), Teignbridge Infrastructure Delivery Plan, or any other relevant policy document.

### Membership

- Director of Place
- Executive Member for Economy, Estates and Major Projects
- Head of Strategy and Partnerships (or delegated Manager from the service area)
- Representative from the Strategy and Policy Team
- Representative from Finance

- Other Members of the Management Team or the Executive may attend meetings of the Bid Evaluation Group, as appropriate and at their discretion.
- Representatives from the Audit office or from Democratic Services may attend if there is a governance requirement.
- Other members of the Strategy and Partnerships service may attend as required.

### Meetings

- Bi-annual meetings will be scheduled in the council diary with agendas published 2 full working weeks in advance.
- The first meeting will be no sooner than six months from the date of this fund being advertised to Town and Parish Councils. Dates of subsequent meetings will be published 12 months in advance to give clarity to Town and Parish Councils. Bid deadlines will also be published 12 months in advance.

- The Group will elect its own chairperson.
- The standing items on each agenda will include declarations of interest: any attendees with an interest in any of the bids discussed should declare it at this time and should take steps as they see fit to ensure the decisions of the group remain impartial, including not speaking or voting on a proposal.
- Full notes of the meetings will be taken, either by an attendee or by automated software.
- All meetings will take place in-person at Forde House.

### **Analysis of Bids**

- Scoring of bids will be voted on by a simple majority.
- Any bids not supported by this group will receive a written response detailing the scoring and explaining the rationale.

### **Reporting Structure**

- Regular updates will be prepared for Overview and Scrutiny and the Executive, to be circulated following each meeting.
- Declarations of interest will be highlighted on this report where any are given in this standing agenda item.

### **Version Control**

Version	Date	Notes
V0.9	02/01/2026	

## CIL Community Match Fund Bid Evaluation Sheet

This should be completed by the Bid Evaluation group for each proposal received from a town and parish council. The questions in *italics* are designed as prompts and are not intended to be exhaustive. A short narrative should be provided to detail the rationale of each score. The differential scoring for each section reflects the relative weighting of each criterion.

### Strategic Fit & Need (20%)

*Alignment with the One Teignbridge council strategy and the Local Plan; evidence of need and strategic priority.*

*Does the project support development by addressing the demands that development places on the area? How well does it align with Local Plan and council priorities? Is there strong evidence of demand?*

### Community Benefit & Inclusion (20%)

*Measurable outcomes: benefits underserved groups; accessibility and inclusive engagement.*

*What measurable benefits will the project deliver? Does it improve access for underserved groups? Has community engagement been demonstrated?*

### Deliverability & Resource Capacity (15%)

*Consents status; procurement route; realistic milestones and dependencies for delivery within a clearly defined timeframe.*

*Are consents in place or achievable? Is the timeline clear and realistic? Has a procurement route and delivery partners been identified? Does the Town or Parish Council have capacity to manage this project without TDC support?*

*Strength of match funding and leverage; cost competitiveness; robust budget and contingency.*

*Is match funding secured or credible? Could the project proceed without TDC funding? Are costs reasonable and supported by a robust budget?*

## Sustainability & Legacy (10%)

*Whole-life costs and maintenance; net-zero alignment; resilience and long-term viability.*

*Have ongoing costs, such as maintenance or upkeep been considered? How does it contribute to net-zero objectives? Will benefits be sustained long-term?*

## Risk & Governance (10%)

*Analysis of project risks; governance clarity; roles, accountability, compliance.*

*Have project delivery risks been considered with mitigations provided? Is governance clear with defined roles?*

## Infrastructure Plan Status (5%)

*Presence of an approved Infrastructure Plan with prioritised schemes and sound evidence base.*

*Does the Town/Parish have an approved Infrastructure Plan? Is the project identified as a priority within that plan?*

# CIL Community Fund Information for Town and Parish Councils

## Summary of Fund and Purpose

The CIL Community Fund is designed to support Towns and Parishes across the district to deliver infrastructure which addresses the demands that development places on their area.

Teignbridge will fund up to 50% of the project, with the Town or Parish Council expected to fund at least 50% of the project. Teignbridge District Council will use the CIL we retain to fund a maximum of £200,000 to be distributed per year, with a maximum funding of **£100,000** provided to any individual project.

Town and Parish Councils will be the project leads, responsible for administering, managing and contracting the tasks required to complete project delivery.

There will be two bidding rounds per year, with bid deadlines announced at least 6 months in advance. Bids will be reviewed by officers and members from TDC against set criteria, with feedback and justifications for decisions provided. Whilst we have tried to prevent the information required from a bid from being onerous, we also must ensure that projects are deliverable, sustainable and align with community needs.

## Bid Criteria and Scoring

Bids are evaluated against 7 criteria to ensure that projects will contribute to addressing the demands that development places on the area, are practical and deliverable, and that the funding TDC will be providing will be an effective use of funds in line with the priorities of the district.

The criteria, key questions and weighting are as follows:

### **Strategic Fit & Need (20%)**

Bids will be reviewed to assess evidence of need and strategic priority; does the project align with the [One Teignbridge council strategy](#) and the [Local Plan](#)?

### **Community Benefit & Inclusion (20%)**

What measurable benefits will the project deliver? Does it improve access for underserved groups? Has community engagement been demonstrated?

### **Deliverability & Readiness (10%)**

Are consents in place or achievable? Is the timeline clear and realistic? Has a procurement route and delivery partners been identified?

### **Value for Money & Match (15%)**

Is the funding from the Town or Parish secured or credible? Could the project proceed without TDC funding? Are costs reasonable and supported by a robust budget?

### **Risk & Governance (10%)**

Have project delivery risks been considered with mitigations provided? Is governance clear with defined roles?

### **Sustainability & Legacy (10%)**

Have ongoing costs, such as maintenance or upkeep been considered? How does it contribute to net-zero objectives? Will benefits of the project be sustained long-term?

### **Infrastructure Plan Status (5%)**

Does the Town/Parish have an approved [Infrastructure Plan](#)? Is the project identified as a priority within that plan?

### **Resource Capacity (5%)**

Does the Town or Parish Council have sufficient financial and organisational capacity to administer the project? Would the project proceed without TDC support?

### **Conflicts of Interest**

Where there are individuals supporting the bid who are either Members or Officers at Teignbridge Town Council, please declare this at the bid stage. This will not prejudice the bid in any way but will ensure that the process is managed in a fair and transparent way.

### **Contact details**

If you have any questions, please contact [onetegnbridge@teignbridge.co.uk](mailto:onetegnbridge@teignbridge.co.uk) or phone 01626 215900.

**Teignbridge District Council**  
**Full Council**  
**26 February 2026**  
**Part i**

**Social and Affordable Housing Rent Increase 2026/27**

**Purpose of Report**

To seek agreement of the social and affordable housing rent and service charge increase from 1 April 2026, following consultation with council tenants.

**Recommendation(s)**

The Full Council RESOLVES to:

- (1) Increase the Council's social and affordable housing rents by 4.8% from 1 April 2026.
- (2) Review the 2026/27 rents in relation to the formula rent in preparation for the 2027/28 rent increase.
- (3) Increase the service charges for the Council's social and affordable rent homes by 4.8% from 1 April 2026; and
- (4) Review the service charges payable during 2026/27 and refund any overpayment to the affected tenants.

**Financial Implications**

See section 5.1 of the report.

Gordon Bryant, Head of Financial Services and Audit  
Email: [gordon.bryant@teignbridge.gov.uk](mailto:gordon.bryant@teignbridge.gov.uk)

**Legal or Governance Implications**

See section 5.2 of the report.

Marie Downey, Solicitor  
Email: [marie.downey@teignbridge.gov.uk](mailto:marie.downey@teignbridge.gov.uk)

**Risk Assessment**

See section 5.3 of the report.

Jon Lloyd-Owen, Head of Housing  
Email: [jon.lloyd-owen@teignbridge.gov.uk](mailto:jon.lloyd-owen@teignbridge.gov.uk)

## Environmental/ Climate Change Implications

See section 5.4 of the report.

William Elliott, Climate Change Officer  
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## Appendices/Background Papers

Appendix 1 – Proposed weekly rent and service charge for 2026/27 including 4.8% increase

Appendix 2 – Teign Housing performance indicators for the council housing stock

## EIA Attached – No

### 1. Introduction/Background

- 1.1 In recent years, Teignbridge District Council has developed and acquired its own council housing stock. This currently comprises 43 self-contained dwellings, three homeless hostels and 18 traveller pitches. We also lease a further 36 homes from private landlords.
- 1.2 Within the council-owned stock, 11 homes are let at social housing rents, and a further three homes are let at affordable housing rents. These properties are managed by Teign Housing on behalf of the Council under the terms of a management agreement. This report sets out the proposed rent increase for 2026/27 for the 14 social and affordable rented homes.
- 1.3 It should be noted that rent or service charge changes for the other residential properties owned or leased by the Council, which are primarily used for temporary accommodation for homeless households, are not subject to government policy or regulation and are adjusted periodically to reflect changes in the costs of such provision.

### 2. Rent and Service Charge Increase 2026/27

- 2.1 The government previously set, annually, the limit on social rent increases for the following financial year. After lobbying from the social housing sector, as

part of the Spending Review 2025, the government announced a 10-year social housing rent settlement.

- 2.2 From 2026/27 onwards, social and affordable housing rents are permitted to increase by the Consumer Prices Index (in September of the preceding calendar year) plus one percent (CPI+1%). This certainty is welcomed because it allows social landlords to plan financially for the management and maintenance of the existing stock and the development of new homes.
- 2.3 The CPI in September 2025 was 3.8%. It is therefore proposed to increase the Council's social and affordable housing rents by 4.8% from 1 April 2026. This rent increase is consistent with the Council's practice in previous years and with the rent increase for Teign Housing's own tenants. An anonymised table of the proposed rents and service charges for 2026/27 is in Appendix 1.
- 2.4 The level of service charge tenants pay in addition to their rent depends on whether there are any communal area costs for their home, and this should reflect the cost of providing the relevant services. It is proposed to increase the current service charges by 4.8% for 2026/27. A review of the actual cost of providing the services will be carried out during the financial year and any overpayment will be refunded to the affected tenants.

### **3. Rent Convergence from 2027/28**

- 3.1 The government has also completed a consultation on how to implement social rent convergence. This is the process to increase social rents that are currently below 'formula rent' by an additional amount each year, over and above the CPI+1% limit, until they 'converge' with formula rent. Formula rent refers to the formula used to calculate the rent that may be charged for a property when it is let to a new tenant.
- 3.2 Following the above consultation, the government recently announced that social housing rents will be permitted to rise by an additional £1 per week (i.e. CPI+1%+£1 per week) in 2027/28 and by an additional £2 per week (CPI+1%+£2 per week) from 2028/29 until they converge with formula rent. This mechanism does not apply to the 2026/27 rent increase. A review will be carried out to establish if any current rents are below the formula rent, in preparation for the 2027/28 rent increase.

### **4. Housing Management Performance**

- 4.1 As set out above, the 14 social and affordable rent homes are managed by Teign Housing on behalf of the Council. The services they provide include rent collection, housing management, responsive repairs, caretaking, grounds maintenance and safety checks. Teign Housing collects the rents, which are passed through to the Council, and they then invoice the Council for the management fee and rechargeable repairs.

4.2 A summary of Teign Housing's performance for 2025/26, to December 2025, is at Appendix 2. Their current performance is positive across the range of indicators, and this is reviewed regularly by the Council's Housing service.

## 5. Implications, Risk Management and Climate Change Impact

### 5.1 Financial

5.1.1 The increase in rent will enable service provision to continue and meet the increased cost of delivering services.

### 5.2 Legal or Governance

5.2.1 There are no specific legal implications arising from this report.

### 5.3 Risk

5.3.1 There is a risk that the CPI+1% rent increase will result in a higher level of rent arrears than is currently experienced. However, this is assessed to be a lower-level risk than the impact on service performance and customer satisfaction of reducing the housing management and maintenance budget with a lower rent increase. As set out above, the proposed CPI+1% increase is consistent with the rent increase for Teign Housing's tenants.

### 5.4 Environmental/Climate Change Impact

5.4.1 There are no significant environmental or climate change implications affecting this report.

## 6. Alternative Options

6.1 The Council could decide not to increase the social and affordable housing rents or to increase them by less than 4.8%. This is not recommended because it would impact the Council's ability, as landlord, to manage and maintain the homes to a good standard. It would also require renegotiation of the management agreement and mean that the Council's tenants have a different rent increase to Teign Housing's tenants. No consultation comments have been received from council tenants in response to the proposed 4.8% increase.

## 7. Conclusion

7.1 For the reasons set out above, it is proposed to increase the Council's social and affordable housing rents and service charges for 2026/27 by CPI+1%, which equates to an increase of 4.8%.

## Appendix 1

### Proposed weekly rent and service charge for 2026/27 including 4.8% increase

Property type	Rent type	Rent 2026/27	Service charge 2026/27	Total charge 2026/27
1 bedroom flat	Social rent	£96.46	£15.51	£111.97
1 bedroom flat	Social rent	£96.46	£15.51	£111.97
1 bedroom flat	Social rent	£96.46	£15.51	£111.97
2 bedroom flat	Social rent	£115.56	£17.98	£133.54
2 bedroom flat	Social rent	£115.56	£17.98	£133.54
2 bedroom bungalow	Social rent	£147.59	£15.27	£162.86
2 bedroom house	Social rent	£147.59	£15.27	£162.86
2 bedroom house	Social rent	£147.59	£3.84	£151.43
2 bedroom house	Social rent	£147.59	£3.84	£151.43
3 bedroom house	Social rent	£127.61	£3.84	£131.45
3 bedroom house	Social rent	£127.61	£3.84	£131.45
4 bedroom house	Affordable rent	£236.25	£3.83	£240.08
4 bedroom house	Affordable rent	£236.25	£3.84	£240.09
4 bedroom house	Affordable rent	£236.25	£3.84	£240.09

## Appendix 2

### Teign Housing performance indicators for the council housing stock

See separate table.

# TDC Dashboard

## Exception Report

No exceptions to report this month.

	Performance 2024-25	Trend	Actual 2025-26 YTD	Target 2025-26	Current Month	Previous Month
<b>Compliance</b>						
Gas safety checks up to date (%)	100%		100%	100%	100%	100%
Electrical certificates - 5 years up to date (%)	100%		100%	100%	100%	100%
Fire risk assessments annual review	100%		100%	100%	100%	100%
Properties with an asbestos survey	100%		100%	100%	100%	100%
Water Hygiene Monthly inspections	100%		100%	100%	100%	100%
Passenger Lift services completed	100%		100%	100%	100%	100%
Number of open damp and mould cases	0		0	N/A	0	0
<b>Business Health</b>						
Total arrears as a % of annual debt	3.29%		2.23%	3.20%	2.23%	1.21%
Void loss on homes as a % of gross rent	0%		0.27%	0.50%	0.00%	0.00%
Average re-let time - All including major works voids (calendar days)	0		-	25	-	-
<b>ASB</b>						
Number of open ASB cases	0%		0	N/A	0	0
Customer Satisfaction with management of ASB	-		-	96%	-	-
<b>Customer Satisfaction</b>						
Complaints acknowledged within 5 days	100%		100%	100%	100%	-
No. of complaints	1		1	N/A	1	0

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## **8. Member Procedures (e) Guidance for Planning**

### **Introduction: The Need for Guidance**

#### The Role of Local Councillors in Planning Objections - Planning Voice - Objections

“Perhaps the most challenging aspect of a councillor’s role in the planning objection process is balancing the diverse interests of different stakeholders. On one hand, they must consider the concerns of residents who may be affected by a proposed development. On the other, they need to acknowledge the broader benefits that such developments can bring to the community, such as improved infrastructure or economic growth. This balancing act requires councillors to have a deep understanding of both the local community’s needs and the strategic objectives of urban planning.”

This Guidance has been written to inform all parties of Teignbridge District Council’s standards in its operation of the town and country planning system within the district.

The Guidance applies to all Teignbridge District Councillors and staff involved in operating the planning system within Teignbridge. It is not restricted to the Council’s planning officers and members of the Planning Committee but applies also to meetings of the Full Council when taking planning decisions.

The successful operation of the planning system in Teignbridge District depends upon the Council always acting in a way which is clearly seen to be fair and impartial. This relies upon a shared understanding of the respective roles of Councillors and officers, and upon trust between them. The following quotation from *Probity in Planning* (Local Government Association 2019, page 13) illustrates the point:

“It is very difficult to convey every nuance of these situations and get the balance right between the duty to be an active local representative, and the need to take account of all arguments in an open-minded way. It cannot be stressed too strongly, however, that the striking of this balance is, ultimately, the responsibility of the individual councillor. Again, where there are concerns, advice should immediately be sought from the local authority’s Monitoring Officer.”

The Local Government Association has advised local planning authorities, such as Teignbridge District Council, to set out clearly their practices and procedures on handling planning matters in a local Code of Conduct.

Councillors and staff should read this Code thoroughly and to put it into practice consistently. Failure to do so without good reason could be taken into account in

investigating allegations of breach of the Code of Conduct adopted following the requirements of the Local Government Act 2000 or maladministration.

**This Guidance does not form part of the Code of Conduct but is complementary to it.**

It is intended to review the Guidance regularly to keep it up-to-date and relevant. If there are any points which are unclear or which need review, please contact the Council's Monitoring Officer or the Deputy Monitoring Officer as soon as possible. They will be pleased to help you.

## **1. GENERAL ROLE AND CONDUCT OF COUNCILLORS AND OFFICERS**

- 1.1 Councillors and officers have different, but complementary, roles. Both serve the public, but Councillors are responsible to the electorate, while officers are responsible to the Council as a whole. A successful relationship between Councillors and officers can only be based upon mutual trust and understanding of each other's position. This relationship, and the trust which underpins it, must never be abused or compromised.
- 1.2 Legislation emphasises the overriding requirement that the public are entitled to expect the highest standards of conduct and probity by all persons holding public office. There are a number of statutory provisions and codes setting standards which must be followed if the public perception of the integrity of public service, particularly town and country planning, is to be maintained and improved.
- 1.3 While this Guidance deals primarily with planning applications, its principles apply with equal vigour to consideration of Local Plans, Development Briefs, enforcement cases and all other planning matters. An overriding principle is that when local authorities are dealing with planning matters, they should only take into account material planning considerations.
- 1.4 Section 54A of the Town and Country Planning Act 1990 established a plan-led system whereby all planning applications are determined by primary reference to the Development Plan. This principle has carried through into Section 38(6) of The Planning and Compulsory Purchase Act 2004 which is used today. Thus, if the Development Plan is material to the application, then the statutory requirement is that the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 1.5 Officers involved in the processing and determination of planning matters must also act in accordance with the Council's Procedure Rules, The Officer Code of Conduct and (for officers who are Chartered Town Planners) with the relevant sections of the Royal Town Planning Institute's Code of Professional Conduct.
- 1.6 This Guidance supplements the provisions referred to above and provides further specific advice and guidance for Councillors and officers involved in

planning matters. A key principle is that Councillors should represent their constituents as a body and vote in the interests of the District as a whole. Councillors should take account of all views expressed, they should not be biased towards any person, company, group or locality.

- 1.7 A further key principle is that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless that opposition or support is based upon valid planning reasons which can be substantiated.
- 1.8 Councillors and officers should not accept gifts, nor should they accept hospitality. However, if a degree of hospitality is truly unavoidable, (e.g. receipt of tea, coffee or other light refreshments) gifts with a value of over £50 have to be declared to the Monitoring Officer under the Code of Conduct.
- 1.9 Officers must always act impartially and seek permission from the appropriate senior officer for any private work or interest which they wish to take up.
- 1.10 Training events will be provided for Councillors to assist them to carry out their planning roles.
- 1.11 Members of the Planning Committee and substitute members are required to be present on every occasion a planning application is discussed to vote on the application, other than attendance at a site inspection.

## **2. DECLARATION AND REGISTRATION OF INTERESTS**

### **Councillors**

- 2.1 The rules concerning the declaration of interests is contained in the Code of Conduct. Councillors will need to make themselves familiar with the Code and understand the distinction between personal interests which must be declared but which do not lead to the councillor having to withdraw and prejudicial interests which require withdrawal.

### **Officers**

- 2.2 Where Council Officers have a pecuniary, or non-pecuniary interest, in a planning application or other planning matter, they should declare their interest in writing to the Monitoring Officer and Head of Development Management immediately. This written record will then be retained on the relevant file.
- 2.3 An officer declaring such an interest should subsequently play no part in processing an application.
- 2.4 In determining whether an interest should be declared, officers should use the same tests as Councillors. Examples of interest which should be declared are relatives or friends submitting applications; belonging to a church, club or other social group who has submitted an application; or living in proximity to a site which is at issue.

**3. DEVELOPMENT APPLICATIONS SUBMITTED BY COUNCILLORS, OFFICERS AND THE COUNCIL**

- 3.1 Serving Councillors and officers must never act as agents for individuals (including a company, group or body) pursuing a planning matter. This includes not only pursuing development proposals but also works under related legislation such as works to protected trees. If Councillors or officers submit their own proposals to the Council, they should take no part in processing the application, nor take part in the decision making. The Council's Monitoring Officer must be informed of all such proposals as soon as they are submitted.
- 3.2 Proposals submitted by Councillors and officers must be reported to the Planning Committee as written agenda items and not dealt with by officers under delegated powers.
- 3.3 Proposals for the Council's own development (or development involving the Council and another party) must be treated strictly on planning merits and without regard to any financial or other gain that may accrue to the Council if the development is permitted. It is important that the Council is seen to be treating all such applications on an equal footing with all other applications, as well as actually doing so.

**4. LOBBYING OF AND BY COUNCILLORS, AND ATTENDANCE AT PUBLIC MEETINGS BY OFFICERS AND COUNCILLORS**

- 4.1 When Councillors undertake their constituency roles, it is inevitable that they will be subject to lobbying by interested parties and the public on planning matters and specific planning applications. When Councillors are lobbied, they need to exercise great care to maintain the Council's, and their own integrity, and to uphold the public perception of the town and country planning process.
- 4.2 Councillors who find themselves being lobbied (either in person, over the telephone, or by post, fax or e-mail) must take active steps to explain that, whilst they can listen to what is said, it would prejudice their impartiality if they expressed a conclusive point of view or any fixed intention to vote one way or another.
- 4.3 Councillors involved in the determination of planning matters should listen to all points of view about planning proposals and are advised to refer persons who require planning or procedural advice to planning officers. Councillors must not indicate conclusive support or opposition to a proposal or declare their voting intention before the meeting at which a decision is to be taken. Nor should Councillors advise other parties that permission will be granted or refused for a particular development or that land will, or will not, be allocated for development in a Local Plan. To do so without all relevant information and views, would be unfair, prejudicial and may amount to maladministration.

- 4.4 Taking account of the need to make decisions impartially, Councillors must weigh up all the material considerations reported at each Committee meeting. They should not be biased towards any person, company, group or locality.
- 4.5 If planning applications are referred by a Planning Committee to Full Council (or meetings of different organisations attended by Councillors), each consideration will require the Councillor to weigh up, afresh, all the reported material factors before reaching a decision at that particular meeting.
- 4.6 By law, the District Council has to seek comments from the Town/Parish Councils on planning applications and other planning matters so that their comments can be considered when the District Council makes planning decisions. Some District Councillors are also Town/Parish Councillors and they take part in Town/Parish Council debates about planning applications and other planning matters. Merely taking part in Town/Parish Council debates on planning matters does not automatically debar District Councillors from decision-taking at the District Council. However, with few exceptions Town/Parish Councils do not have professional planning advice or complete information on the application and other planning matters when they make their recommendations to the District Council. Therefore, District Councillors who are also Town/Parish Councillors should be careful not to state that they have reached a conclusive decision when they consider planning issues at their Town/Parish Council meeting. Nor should they declare to the Town/Parish Council what their future voting intention will be when the matter is considered at the District Council.
- 4.7 While Councillors involved in making decisions on planning applications will begin to form a view as more information and options become available, a decision can only be taken at the Planning Committee, and Council when all available information is to hand and has been considered.
- 4.8 Any relevant papers (including letters, photographs, drawings, petitions etc) passed only to Councillors by applicants or objectors prior to a committee meeting should be notified to officers and reported to the Committee.
- 4.9 Individual Councillors should reach their own conclusions on an application or other planning matter rather than follow the lead of another councillor. In this regard, any political group meetings prior to Committee meetings should not be used to decide how Councillors should vote. Decisions can only be taken after full consideration of the officers' report and information and discussion at the Committee.
- 4.10 A Planning Committee member who represents a ward affected by an application is in a difficult position if it is a controversial application around which a lot of lobbying takes place. If the councillor responds to lobbying by deciding to go public in support of a particular outcome - or even campaign actively for it - it will be very difficult for that councillor to argue convincingly when the Committee comes to take its decision that they have carefully

weighed the evidence and arguments presented at Committee. A Councillor should avoid organising support for or against a planning application if they intend to participate in its determination at Committee. However, it should be possible for a Councillor to say that they will make the views of the public known at the Committee whilst themselves waiting until the Committee and hearing all the evidence before making a final decision upon how to vote.

- 4.11 Councillors must not lobby other Councillors on proposals in a way that could lead to their failing to make an impartial judgement on the planning merits of these cases when making decisions at Council Committees. Nor must Councillors put undue pressure on officers for a particular recommendation nor do anything which compromises or is likely to compromise the impartiality of officers.
- 4.12 Officers who are wholly or partly involved in the processing or determination of planning matters should not attend public meetings in connection with pre-application development proposals or submitted planning applications unless their attendance has been agreed by their Head of Service. To do so could lead to allegations of prejudice or bias to a particular point of view. If put in such a position, officers should avoid prejudicing the Committee's decision.
- 4.13 When attending public meetings, Councillors must take great care to maintain their impartial role, listen to all the points of view expressed by the speakers and public and not state a conclusive decision on any pre-application proposals and submitted planning applications.
- 4.14 If Councillors consider that they have been exposed to undue or excessive lobbying or approaches, these must be reported to the Monitoring Officer.

## **5. DISCUSSIONS RELATING TO PLANNING APPLICATIONS**

- 5.1 It is generally recognised that discussions between potential applicants or applicants and the Council prior to the submission of an application can be of considerable benefit to both parties. Discussions can take place for a variety of reasons, for example to establish whether an application can be improved in design, or to overcome planning objections or to meet relevant neighbour concerns. However, it would be easy for such discussions to be seen by objectors as part of the lobbying process by potential applicants.
- 5.2 In order to allay such perceptions, application discussions should take place within the clear guidelines given below.
- 5.3 For Major or Strategic applications, the Head of Development Management, with agreement by the Chair of the Planning Committee, can hold a Pre-Committee Briefing is held with the Planning Committee to allow for Members to engage with the applicant and identify issues early on.
- 5.4 Such discussions will take place in person at District Council offices only. Pre-Committee Briefings must be led by the Head of Development Management

or a relevant Planning Officer as agreed by the Head of Development Management.

- 5.5. Members of the Planning Committee must not take part in any Pre-Committee Briefings without the presence of the Head of Development Management or a relevant Planning Officer as agreed by the Head of Development Management.
- 5.6. Councillors involved in any discussions must maintain an independent position and avoid committing themselves to either supporting or opposing the application at Committee. If Councillors feel that they are being put under pressure to support or oppose an application they must suggest to the applicant/objector that they put their views to the planning officer.
- 5.7. Planning officers must always make clear at the outset of discussions that they cannot bind the Council to make a particular decision, and that any views expressed are their provisional professional opinions only.
- 5.8. Advice given by planning officers will aim to be consistent and based upon the Development Plan (Local Plan and Neighbourhood Plans) and other material considerations including the National Planning Policy Framework (NPPF). Senior officers will make every effort to ensure that there are no significant differences of interpretation of planning policies between planning officers.
- 5.9. Planning officers will ensure that their advice, and reports, in the sense that they should not favour any particular applicant or objector are impartial. This is because a consequent report must not be seen as advocacy for a particular point of view.
- 5.10. The involvement of Councillors in such discussions such as a Pre-Committee Briefing and important telephone conversations with applicants will be noted by officers as a written file record and be made available on the Council's website/planning portal. A follow-up letter must be sent, particularly when material has been left with the Council by the applicant or agent for comment. All information will be available to the public on the Council's website.
- 5.11. Councillors who also serve on Town & Parish Councils must make clear their separate roles in each Council regarding Teignbridge District planning policies. The Councillor and other interested parties must be clear at all times when the Councillors are acting as a Town or Parish Councillor, and when they are acting in their role as a District Councillor. Councillors should refer to Section 2.1 of this guide.

## **6. REPORTS BY OFFICERS TO COMMITTEES**

- 6.1. Many planning applications are delegated to be determined by the Head of Development Management.
- 6.2. Where decisions on applications fall to be made by the Planning Committee or Council, they will be the subject of full written reports, except where the

applications are to be determined by the Committee simply because the application is from a District Council Member, a member of staff or staff relatives, or the District Council.

- 6.3 Reports on planning matters will be accurate and will contain a description of the development proposed in the application (including dimensions and areas where necessary). They will refer to the provisions of the Development Plan and all other planning considerations including a full description of the site, any relevant planning history, and the substance of objections and other views received.
- 6.4 All reports requiring a decision will have a written recommendation. Oral reporting (other than to update an existing report) will only be used on rare occasions and carefully minuted when this does occur. All reports will contain a technical appraisal which clearly justifies the stated recommendation. All reasons for refusal and conditions to be attached to permissions must be clear and unambiguous.
- 6.5 Any additional information which is material to a planning decision, and which is received after publication of agendas, will be reported to the meeting.

## **7. THE DECISION MAKING PROCESS AND DECISIONS CONTRARY TO OFFICER RECOMMENDATIONS AND/OR THE DEVELOPMENT PLAN**

- 7.1 The law requires that, where the Development Plan is relevant, planning decisions should be made in accordance with it unless other material considerations indicate otherwise (Section 38(6) of Planning and Compulsory Purchase Act 2004).
- 7.2 The relevant Development Plan, and other material considerations, will be identified in officers' reports. Material considerations will vary from case to case. In arriving at a decision, it is a matter of judgement for the Planning Committee (or Council) as to the weight to be attached to the various material considerations.
- 7.3 In discussing, and determining a planning application or other planning matter, Councillors should confine themselves to the planning merits of the case. The reasons for making a final decision should be clear, convincing and supported by material considerations, planning policy and the planning merits.
- 7.4 Members should consider the advice of the officers but ultimately, they are free to vote as they choose. If Councillors wish to determine an application contrary to officer advice, or to impose additional conditions to a permission, an officer should explain the implications of such action. The Councillors' grounds including planning policies for any contrary determination, or for wishing to impose additional conditions, must be clearly stated at the time the propositions are made and votes taken at the meeting. The personal circumstances of an applicant will rarely provide such grounds.

- 7.5 If a resolution is passed which is contrary to a recommendation of the Head of Development Management (whether for approval or refusal) a Minute of the Committee's reasons will be made, and a copy placed on the application file.
- 7.6 If the report of the Head of Development Management recommends approval of a departure from the Development Plan, the full justification for this recommended departure should be included in the report.
- 7.7 Senior planning officers (and legal officers as necessary) should attend meetings of the Planning Committee to ensure that procedures are properly followed, and planning issues properly addressed.
- 7.8 It is important that Councillors who determine planning applications do so only after having considered all the material planning considerations. They must take all relevant matters into account, and they must disregard irrelevant considerations. It is important that they are seen to do this. For this reason, it is important that Councillors only participate in the debate and vote on a planning application if they have been present throughout the whole of the officers' presentation and the subsequent committee debate. Councillors who arrive at a meeting part-way through consideration of an application or who are absent from the meeting for any part of that consideration may not be aware of all the relevant considerations. In any event, their participation can be seen to be unfair – it could amount to maladministration as well as giving rise to a legal challenge that the decision-making process was flawed. Councillors have to be present at each formal committee meeting at which the application is considered. Site inspections are excluded from this.

## **8. SITE VISITS BY COUNCILLORS**

### **The need for Committee Site Visit**

- 8.1 Site Visits are a fact-finding exercise for further information to address the planning reason(s) for the consideration of the application. Site visits by Planning Committees can be helpful in reaching a decision on issues where site circumstances are fundamental to the decision. However, Committee site visits can cause delay and additional costs for both the developer and the Council and should only be used by exception..
- 8.2 Site inspections are held only if:
  - A. The Head of Development Management believes a site inspection would be beneficial in advance of the consideration of the application
  - B. Requested by the Committee during the Committee decision making process
- 8.3 Attendance at site inspections continue to be for all Committee members and not by an appointed sub-Committee or delegation of Committee members.

8.4 Democratic Services will prepare a written note of the key planning issues and information obtained from the site visit, to be reported to the subsequent meeting of the Planning Committee. Councillors in attendance at the site inspection are able report verbally at the next meeting of the Committee.

### **Attendance at site visits**

8.5 Those authorised to attend a site visit inspection and speak:

- Planning Committee Members (and substitutes)
- Planning Officers
- Democratic Services Officers
- Other Ward Members (if applicable).

Those invited as observers only:

- One Parish/Town Council representative
- Members of adjacent Wards

Others:

- Consultees will be invited to attend only if specifically requested by Councillors or required by Planning Officer.

8.6 Applicants, agents, supporters or objectors will not be invited to attend site visits.

### **Procedure on Site**

8.7 Councillors and Officers attending should refer to the Planning Site Inspections Procedural Guidance for the full procedure on site. A detailed explanation of the proposals, and a summary of the officers' report and recommendations, will be made by the planning officer. Councillors will then be given the opportunity to ask questions and to view the site and surroundings from all relevant vantage points.

8.8 Councillors should keep together during site visits and not allow themselves to be addressed separately by applicants or objectors.

8.9 No decisions are made at site visits.

### **Informal Site Visits**

8.10 There are advantages in Councillors making their own individual site visits to gain knowledge of the development proposal, the application site and its surroundings. In doing so, Councillors should observe sites from public vantage points (highways, rights of way or public open space) and should not enter onto private land.

8.11 Whilst on individual site visits, Councillors must maintain impartially.

8.12 Where application sites are not visible without entering onto private land – for example, rear extensions or country houses in larger plots – Officers will make an additional effort to provide appropriate visual information at Committee.

## **9. REVIEW OF PLANNING DECISIONS**

9.1 Arrangements will be made for Councillors to visit a sample of implemented planning permissions annually, so that a regular review of the quality of planning decisions can be undertaken. This will include examples from a broad range of categories such as major and minor development, permitted departures, upheld appeals etc.

9.2 The outcome of this review will be reported to the Planning Committee and to the Overview and Scrutiny Committee and may lead to identification of possible amendments to existing policies or practice.

## **10. COMPLAINTS AND RECORD KEEPING**

10.1 The Council has a complaints procedure, which can be used by any party to the planning process (applicants, objectors or others) to complain about the way in which a matter has been handled (the complaints procedure is not intended to reopen the planning decision).

10.2 In order to ensure that planning procedures are undertaken properly and that any complaints can be fully investigated, record keeping will be complete and accurate. Every planning application file will contain an accurate account of events throughout its life, particularly the outcomes of meetings, significant telephone conversations and any declarations of interest by Councillors.

10.3 The same principles of good record keeping will be observed in relation to all enforcement and Development Plan matters. Monitoring of record keeping will be undertaken regularly by the senior planning staff.

10.4 Where a planning application is dealt with under the delegated procedure a record of the planning considerations taken into account in determining the application shall be kept, alongside the determined drawings/documents and the decision notice, in the form of an officer report.

## **11. CONTRAVENTION OF THIS GUIDANCE**

11.1 Where any breach of this Code constitutes misconduct by a Councillor, then it is to be dealt with in accordance with the Council's Code of Conduct procedures ([Section 10 of the Constitution](#)).

11.2 Where any breach of this Code constitutes misconduct by an Officer, then it is to be dealt with in accordance with the Council's disciplinary procedure.

