

E-mail: democraticservices@teignbridge.gov.uk

11 May 2026

FULL COUNCIL

To all Members of Teignbridge District Council

A meeting of the **Full Council** will be held on **Tuesday, 19th May, 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.

AGENDA

Part I

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](#)

Full Council Terms of Reference

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

1. **Apologies for absence**
2. **Chair's Announcements**
3. **Election of Chair of the Council**
4. **Election of Vice Chair of the Council**
5. **Minutes**

(Pages 7 - 16)

To approve as a correct record and sign the minutes of the budget meeting held on 26 February 2026.

6. Announcements (if any)

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

7. Declarations of interest (if any)

8. Changes to the Constitution

Referred from the Constitution Review Working Group.

a) Revision of Section 4 - Procedural Rules (Pages 17 - 44)

b) Revision Section 8b - Overview and Scrutiny Call in Procedure (Pages 45 - 48)

c) Revision Section 10b - Member Officer Protocol (Pages 49 - 54)

9. Committee Seat Allocations (Pages 55 - 62)

Presentation of Annual Committee Reports

10. Audit Committee Annual Report 2025/2026 (Pages 63 - 66)

11. Overview and Scrutiny Committee Annual Report 2025/2026 (Pages 67 - 74)

12. Governance Committee Annual Report 2025/2026 (Pages 75 - 78)

Other business

13. Adoption of the Local Plan 2020-2040 (Pages 79 - 86)

To agree adoption of the Local Plan

Appendices circulated separately

14. Adoption of Community Infrastructure Levy Charging Schedule (Pages 87 - 128)

15. Member Conduct Review Report (Pages 129 - 150)

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

It is unlikely that matters will be discussed in Part 2 of the agenda, but should Council wish to do so the following resolution is recommended:

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting of the particular item(s) on the grounds that it involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act.

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

NIL

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

This page is intentionally left blank

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.

This page is intentionally left blank

FULL COUNCIL

26 FEBRUARY 2026

Present:

Councillors Atkins, Bradford, Bullivant, Buscombe, Clarence, Dawson, Foden, Gearon, Goodman-Bradbury, Hall, Hayes, Henderson, Horner, Jackman, Keeling, MacGregor, Major (Vice-Chair), Morgan, Nutley, Palethorpe, C Parker, P Parker, Parrott, Peart, Radford, Rogers, Rollason, Ryan, Sanders, Smith, Smith, Steemson (Chair), Swain, G Taylor, J Taylor, Thorne and Wrigley

Apologies:

Councillors Cox, Daws, Farrand-Rogers, Hook, James, Nuttall, Purser, Webster and Williams

Officers in Attendance:

Gordon Bryant, Head of Financial Services and Audit
Trish Corns, Principal Democratic Services Officer
Charlie Fisher, Democratic Services Manager and Monitoring Officer
Tracey Hooper, Head of Customer & Digital
Steve Mawn, Director of IT and Digital Transformation
Tom Pearce, Principal Strategy and Policy Officer
Nikki Rawley, Council Tax Lead Officer - Revenue & Benefits
Phil Shears, Managing Director

160. MINUTES

It was proposed by the Leader Councillor Keeling, seconded by the Deputy Leader Councillor Palethorpe and

RESOLVED

The Minutes of the meeting held on 15 January 2026 be approved as a correct record and signed by the Chair

161. ANNOUNCEMENTS

The Chair announced that given the large number of Cllr questions for agenda item 7 and the fact that the focus of the meeting was the Budget, he would exercise his discretion and move the Budget item to Agenda item 7.

The Leader referred to 24 February 2026 being the 4-year anniversary of the Ukrainian invasion and thanked all residents who had shown kindness and compassion to the Ukrainians in the District.

The Deputy Leader referred to the £100k donated from the South Dartmoor

and Teignbridge Community Safety Partnership for the Let's Talk Programme
- Violence against Women and Girls which would be launched in April.

162. DECLARATIONS OF INTEREST

Councillor Rogers declared a pecuniary interest in agenda item 10 by virtue of being a Member of Dartmoor National Park Authority and did not take part in the debate or voting.

Councillors Dawson and Rogers declared a pecuniary interest in agenda items 16b and 16c by virtue of being Devon County Councillors and did not take part in the debate or voting.

163. PETITIONS

Cllr Bullivant handed a petition to the Chair:

- About the failure by developers to complete new developments, and the negative financial and lack of services impact on residents.
- Requesting a 25% reduction in council tax until the roads are adopted.

The petition would be dealt with in accordance with the council's petition procedure.

164. PUBLIC QUESTIONS

The question submitted by Buckfastleigh Town Councillor Clarke regarding community Infrastructure Levy, and the response by the Executive Member for Corporate and Finance was published prior to the meeting.

In accordance with the Council's procedure rules, a supplementary question was asked of the Executive Member which can be viewed at the link below. A written response would be given.

[Agenda for Full Council on Thursday, 26th February, 2026, 10.00 am - Teignbridge District Council](#)

165. FINAL BUDGET PROPOSALS 2026/27

The Executive Member for Corporate and Finance Councillor Parrott presented the budget proposals for 2026/27 to 2028/29 which included the following:

- The Government settlement has been particularly complicated this year and there have been significant changes from previous years.
- This is a three-year settlement which gives us some welcome stability

albeit that the formula disadvantages predominantly rural areas such as Teignbridge.

- There have been major changes to the main funding formula with a stronger link to levels of deprivation.
- Many funding streams have been rolled into the main funding formula instead of being provided as separate grants.
- The baseline for retained business rates has been reset.
- The new homes bonus has been abolished.
- Some grant pots have been simplified and consolidated including homelessness prevention rough sleeping and temporary accommodation.
- The government has provided some transitional funding including a minimum funding floor to protect councils from the full impact of the funding changes.

There are uncertainties, particularly the likely re-structuring of Local Government in Devon within the next few years but it was important to maintain a high standard of financial management and act in the best interests of the residents of Teignbridge.

Despite the disappointing Government Settlement, due to prudent management of the Council's finances the budget deficit has been significantly reduced and now estimated at £1m for each of the following 3 years. This equates to 1.5% of projected annual revenue expenditure.

Over the next 2 years plans are to invest almost £35m in projects that will benefit the lives of people living in Teignbridge.

The difference between expenditure and income was reducing but the deficit going forward each year would still be approximately £1m.

The Chair referred to the agenda report which detailed other issues of the budget for consideration, and the consultation undertaken with residents, the community and the Overview and Scrutiny Committee and Executive.

It was proposed by Councillor Parrott and seconded by the Leader Cllr Keeling that the budget proposals as set out in supplementary pack to the agenda published 18 February 2026 be approved.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a roll call was taken.

For the proposals: Councillors Buscombe, Dawson, Foden, Gearon, Goodman-Bradbury, Hayes, Henderson, Jackman, Keeling, Macgregor, Morgan, Nutley, Palethorpe, C Parker, Parrott, Rollason, Sanders, K Smith, Swain, G Taylor, Wrigley, Major, Steemson

Total 23

Against the proposals: Councillors Bradford, J Taylor

Total 2

Abstentions: Councillors Atkins, Bullivant, Clarence, Hall, Horner, Peart, Radford, Rogers, Ryan, M Smith, Thorne

Total 11

The proposal was CARRIED.

RESOLVED:

1. That the Teignbridge band D council tax for 2026/27 is increased by 2.99% or £6.05 to £208.33 per annum.
2. Maintaining 100% council tax support.
3. That general reserves are increased to 12.4% of the net revenue budget for 2026/27 or £2.6 million.
4. That £200,000 of the general reserve balance in any one year be available to the Executive to meet unexpected expenditure in addition to the agreed revenue budget.
5. All other decisions with regard to budgetary change will be approved by reference to virement rules in the financial instructions.
6. That the summary revenue budget for 2026/27 is £21.0 million as shown at appendix 4. In particular the revenue budget includes:
 - a) Assumptions of a 3.0% pay rise for 2026/27.
 - b) Revenue contributions to fund capital are maintained at £1,500,000 to support the capital budget.
 - c) Core voluntary grants are increased by 4% for three years from 2026/27 through to 2028/29.
 - d) The councillors community fund grant is maintained at £1,000 each.
 - e) Continued resources to cover Modern 25.
7. That fees and charges are approved as shown summarised at appendix 6.
8. That the capital programme as shown at appendix 7 is approved. The capital programme to 2028/29 has been updated to align with the One Teignbridge Action Plan, which was adopted at Full Council on 23 October 2025. The main aims are to work with communities, support the local economy, care for the environment, create affordable homes and work with partners to bring forward infrastructure improvements. It also includes:

Infrastructure delivery plan projects are vital to the development and accessibility of the area. These include highways and cycle path projects, funded by CIL and external sources where available.

Investment in housing (Homes4Teignbridge) continues. On 23 October

2025, the Sherborne House car park social rented flats budget was increased to £7,243,317. Homes England funding in support of the scheme was confirmed in early December 2025. Half of the funds for this scheme come from council resources (receipts and internal borrowing) and half from external contributions.

The purchase of council homes supported by the Local Authority Housing Fund continues, with a further provision of £1,000,000 in prudential borrowing to improve temporary accommodation arrangements and reduce the use and cost of bed and breakfast accommodation. Investment in other support measures such as disabled facilities continue, funded from Better Care grant.

There are provisions to continue corporate decarbonisation measures, including energy efficiency measures at Dawlish and Newton Abbot leisure centres.

Provision is also included for town-centre investment, including the refurbished Market Hall in Newton Abbot, due to complete in 2026. There is a £3,000,000 provision for employment infrastructure, to create new spaces for jobs and local enterprise. These projects aim to stimulate growth in the local economy and ensure it is an attractive and well-connected environment for local businesses.

9. That the Financial Plan 2026 to 2031 is approved as set out in appendix 8.
10. That the prudential indicators are noted and the prudential limits approved all as set out in appendix 11.
11. That the updated treasury management strategy statement and authorised lending list as set out in appendix 12 is approved together with the capital strategy in appendix 12a.
12. That each scheme will be considered on its merits as explained at the end of appendix 12 to decide the calculation of minimum revenue provision for capital expenditure in 2026/27.
13. That the council tax resolutions as recommended in appendix 15 are approved.

166. COUNCILLOR QUESTIONS

Questions were submitted by Councillors Bullivant and Macgregor which were published with responses prior to the meeting. Questions related to the Dawlish railway line, emergency flood plans, structural damage during the recent storms and repair works, fear of voyeurism and work to address this fear, maintenance repairs to the Lido at Teignmouth, and Invest to save opportunities.

In accordance with the Council's procedure rules supplementary questions were asked and either responded to verbally or would be by written answer, and can be viewed at the link below.

[Agenda for Full Council on Thursday, 26th February, 2026, 10.00 am - Teignbridge District Council](#)

167. REMOVAL OF 50% COUNCIL TAX DISCOUNT FOR UNINHABITABLE PROPERTIES

Consideration was given to the agenda report to remove the existing discretionary discount for properties undergoing or requiring major/ significant repairs or structural changes/work to make the property capable of being lived in.

This potential £600k saving was suggested by the Medium-Term Financial Plan (MTFP) Task Group and recommended by Executive at its December 2025 meeting for approval.

This would encourage properties back into use, would decrease the administrative burden on the service, and financial support would be considered for cases caused exceptional hardship by the requirement to pay council tax.

It was proposed by Councillor Parrot, the Executive Member for Corporate and Finance and seconded by the Leader Councillor Keeling and

RESOLVED

- 1) From 1st 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.

168. COMMUNITY INFRASTRUCTURE LEVY (CIL) COMMUNITY MATCH FUND

Councillor Palethorpe, the Executive Member for Economy, Estates and Major Projects presented the report for the creation and implementation, management and scrutiny proposals for a Community Infrastructure Levy (CIL) community fund which Towns and Parishes can bid for matched funding of community infrastructure projects.

In response to Councillor questions advise given included:

- This is a fund for every town and parish in Teignbridge including those in

the Dartmoor National Park (DNP) boundary. Those in the DNP area will need to demonstrate how the spending will benefit residents within the Teignbridge Local Plan area.

- The report appendices set out the Bid Evaluation Group terms of reference, and membership, and how bids will be assessed and approved.
- It aims to make CIL funding easier to apply for.
- CIL is led by government policy.

It was proposed by Councillor Palethorpe, seconded by the Leader Councillor Keeling and unanimously

RESOLVED

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.

169. SOCIAL HOUSING RENT INCREASE 2026-27

This item was withdrawn and deferred until a future meeting.

170. RECOMMENDATION FROM THE STRATA JOINT EXECUTIVE COMMITTEE - STRATA BUSINESS PLAN 2026/2027

The Deputy Leader Councillor Palethorpe, as Chair of the Strata Joint Executive Committee (JEC) referred to the recommendation from JEC that the Strata Business Plan 2026/27 be approved by the three partner Councils, and how Strata has demonstrated a successful shared service across authorities.

The Strata Director presented the annual Business Plan, referring to successes and achievements, finance and value for money, and the stability of the support for services to be provided to residents as expected.

The Managing Director referred to the Strata system security being one of the best in the wider area.

It was proposed by the Deputy Leader Councillor Palethorpe, seconded by the Leader Councillor Keeling and

RESOLVED:

The Strata Business Plan 2026/27 be approved.

At this juncture the meeting adjourned for a short comfort break.

The meeting reconvened.

171. RECOMMENDATION FROM THE APPOINTMENTS AND REMUNERATION COMMITTEE - PAY POLICY STATEMENT

It was proposed by the Leader, seconded by the Deputy Leader and

RESOLVED

The updated Pay Policy Statement 2026/27 is adopted.

172. RECOMMENDATIONS FROM THE CONSTITUTION REVIEW WORKING GROUP - CHANGES TO THE CONSTITUTION

a) Revision to Section 8E Guidance for Planning

The Chair referred to the recommendations of the Constitution Review Working Group regarding Section 8E Guidance for Planning.

An amendment was proposed by Councillor Sanders, seconded by Councillor Swain that the revised Section 8E (Guidance for Planning) as circulated with the agenda be approved with the following amendment:

That within Section 8.5 (Attendance at site visits) "*Other Ward Members (if applicable)*" is moved from the "*Those authorised to attend a site visit inspection and speak*" list to the "*Those invited as observers only*" list.

Councillor Sanders advised that the amendment was in accordance with legal advice as best practice.

A second amendment was proposed by Councillor J Taylor and seconded by Councillor Macgregor that the matter be referred back to the Review Group for consideration.

Councillor Sanders as Chair of the Planning Committee added that processes are vulnerable and the Council is open to challenge if ward members are able to speak at site inspections when they are not a member of the Committee.

The Managing Director reiterated the risk to the Council. Site inspections are an extension of the Planning Committee so those who are not a member of that committee should not be able to speak at site inspections.

The first amendment was put to the vote and carried by a majority vote.

The substantive motion was carried by 20 votes for 5 against and 3 abstentions.

RESOLVED

The revised Section 8E (Guidance for Planning) as circulated with the agenda be approved with the following amendment:

That within Section 8.5 (Attendance at site visits) "*Other Ward Members (if applicable)*" is moved from the "*Those authorised to attend a site visit inspection and speak*" list to the "*Those invited as observers only*" list.

173. RECOMMENDATION FROM OVERVIEW AND SCRUTINY COMMITTEE RECYCLING COLLECTION SERVICE IMPROVEMENTS

Councillor Bullivant as Chair of the Overview and Scrutiny Committee referred to the recommendation from the Committee for approval relating to improvements to the recycling collection service.

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

RESOLVED

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.

174. NOTICES OF MOTION

Notices of Motion were considered as follows:

a) Chatty Benches

Councillor Clarence spoke on his proposed Notice of Motion as set out in the agenda and which was seconded by Councillor Macgregor.

The proposal was put to the vote and CARRIED

RESOLVED

The Motion be approved:

The Council introduces 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**

Councillor Bullivant spoke on his proposed Notice of Motion as set out in the agenda. This was seconded by Councillor Nutley.

The proposal was put to the vote and was LOST.

RESOLVED

The Notice of Motion is not supported.

c) **Speed Camera on Ashburton Road**

Councillor Bullivant spoke on his proposed Notice of Motion as set out in the agenda. This was seconded by Councillor M Smith.

The proposal was put to the vote and was LOST.

RESOLVED

The Notice of Motion is not supported.

The meeting started at 10.00 am and finished at 1.50 pm.

Chair

4. Procedural Rules

This section describes the procedural rules that apply to all formal Council and Committee meetings.

Contents

- 4.1 Interpretation, Suspension and Amendment of Council Procedural Rules
- 4.2 Meetings of the Council
- 4.3 Notice of and Summons to Meetings
- 4.4 Agenda items
- 4.5 Chairing of the meeting
- 4.6 Quorum
- 4.7 Extraordinary Meetings
- 4.8 Minutes
- 4.9 General Rules of Debate
- 4.10 Voting
- 4.11 Conduct at meetings
- 4.12 Procedural Rules applicable to Full Council (inc. Notices of Motion)
- 4.13 Public Participation, Questions from Members of the Public and Petitions Process (inc. Representations to Overview and Scrutiny)
- 4.14 Questions from Members of the Council
- 4.15 Procedural Rules applicable to Executive
- 4.16 Requirements for the appointment of Substitute Members
- 4.17 Access to Information Procedural Rules
- 4.18 State of the District of Teignbridge Debate at a Council Meeting
- 4.19 Resignation of a Councillor

4.1 Interpretation, Suspension and Amendment of Council Procedure Rules

- 4.1.1 The ruling of the Chair of the relevant meeting as to the construction or application of any of these Council Procedure Rules or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.
- 4.1.2 All of these Council Rules of Procedure except the right to require individual vote to be recorded or where such would be contrary to the law, may be suspended by motion on notice or without notice if a majority of Members of the Committee present approve such motion. Suspension can only be for the duration of the meeting and the meeting can at any time vote to re-instate standing orders by a motion in which the majority of Members of the Committee present approve such motion.

4.2 Meetings of the Council

- 4.2.1 Meetings of the Council will be held at Forde House, Newton Abbot, or such other place as the Council may decide.
- 4.2.2 Ordinary meetings are called to consider general business, on the dates and times shown in the Council's calendar of meetings.

4.2.3 Special or Extraordinary Meetings can be convened by the Managing Director (see 4.5)

4.2.4 If the Chair considers that severe weather conditions or some other unforeseen circumstance warrants it, they may postpone a scheduled meeting for a period of no more than 10 working days from the original meeting date or consider an alternative location.

4.3 Notice of and Summons to Meetings

4.3.1 On behalf of the Managing Director as the Proper Officer, the Democratic Services Team will give notice to the public of the time and place of any meeting and the items of business to be transacted in accordance with the law. The time and place of meetings will be determined by the Democratic Services Manager (in consultation with the Chair of the relevant committee) and notified in the summons.

4.4 Agenda Items

4.4.1 Agenda items will be compiled by the Democratic Services Team from the relevant Committee Forward Plan or Work Programme or in consultation with the Chair of the Committee.

4.4.2 Agenda items must be approved by the Chair and Managing Director provided that a Member may, upon giving ten working days' notice to the Democratic Services Manager and the Chair of a Committee / Executive have an item placed on the agenda of the Executive or a Committee if the subject is relevant to the work and scope of that forum. Items placed by individual Councillors will be marked as such and they will be allowed to speak to them subject to other relevant notice requirements.

4.5 Chairing of the Meeting

4.5.1 The person presiding at the meeting may exercise any power or duty of the Chair.

4.6 Quorum

4.6.1 The quorum for meetings will be:

- (a) one-quarter of the whole number of Members of the Committee or Full Council as appropriate.
- (b) two members for the Appointments and Remuneration Committee.
- (c) four members for the Executive provided that where the Executive is required to divide into two committees, the quorum will be three.
- (d) 100% of the membership for a sub-committee of the Governance Committee or Licensing & Regulatory Committee.

4.6.2 During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn

immediately. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

4.7 Extraordinary Meetings

4.7.1 Those listed below may require the Managing Director to call special or extraordinary Council or Committee meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Chair of the Council or the Chair of the Committee;
- (c) the Monitoring Officer or the Section 151 / Chief Finance Officer; or
- (d) any five Members of the Council if they have signed a requisition presented to the Chair of the Council and they have refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

4.7.2 Sub paragraph (b) & (d) above are subject to the Managing Director being satisfied that:

- (i) The requisition relates to matters for which the Council is responsible, or which directly affect the District.
- (ii) The requisition does not relate to the personal affairs or conduct of individual members.
- (iii) The requisition does not relate to planning or licensing matters.
- (iv) The requisition is not trivial, offensive or frivolous.
- (v) The requisition concerns a matter that is being dealt with elsewhere within the Council.
- (vi) The requisition does not relate to a matter(s) that has been debated in the last six months.

4.7.3 At such extraordinary meetings, the order of business will be as follows:

- (a) elect a person to preside if the Chair or Vice-Chair of Council are not present;
- (b) receive declarations of interests from Members; and
- (c) receive the report(s) on the subject of the meeting.

4.8 Minutes

Unless legislation provides otherwise, the Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

4.9 General Rules of Debate

The General Rules of debate are most applicable to meetings of Full Council but apply to all meetings. However, it is recognised that Committee meetings run differently to Full Council and it is for the Chair of the Committee to apply or disapply such rules as they see fit within their powers given in the Constitution.

4.9.1 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

4.9.2 Right to require motion in writing

Unless notice of the motion has already been given, the Chair may require it to be written down and handed to them before it is discussed.

4.9.3 Secunder's speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

4.9.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order with the exception of the mover of a motion who may speak for five minutes. No speech may exceed three minutes without the consent of the Chair.

4.9.5 When a Member may speak again

A Member who has spoken on a motion may speak again whilst it is the subject of debate for the following reasons:

- To speak once on an amendment moved by another Member;
- To move a further amendment if the motion has been amended since they last spoke;
- If their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- To exercise a right of reply (as per 4.9.9);
- On a point of order (as per 4.9.10); or
- By way of personal explanation (as per 4.9.11).

For any other reason, it is at the Chair's discretion to allow Members to speak again if they have spoken once in the debate.

4.9.6 Amendments to motions

An amendment to a motion must be relevant to the motion and cannot negate the motion and will either be:

- to refer the matter to an appropriate body or individual for consideration or reconsideration; or
- to leave out words or insert or add others.

Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

The Chair will invite amendments at the end of each discussion. Members wishing to put forward an amendment must then indicate their intention to do so. The Chair will invite each member wishing to make such a proposal to set out their proposal in the order received. The Chair may seek to eliminate any duplicity through collaboration with those presenting a proposal to amend and by being mindful of paragraph 4.9.7 and paragraph 4.9.8.

If an amendment is not carried, other amendments to the original motion may be moved.

If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

4.9.7 Alteration of motion

A Member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.

A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

Only alterations which could be made as an amendment may be made.

4.9.8 Withdrawal of motion

A Member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

4.9.9 Right of reply

The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment but may not otherwise speak on it.

The mover of the amendment has no right of reply to the debate on their amendment.

4.9.10 Point of order

A Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way

in which they consider it has been broken. The ruling of the Chair on the matter will be final.

4.9.11 Personal explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate in order to correct the record. The ruling of the Chair on the admissibility of a personal explanation will be final.

4.9.12 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) a closure motion (4.9.13);
- (d) to exclude the public and press in accordance with the Access to Information Rules (4.17);
- (e) to appoint a Chair of the meeting at which the motion is moved;
- (f) in relation to the accuracy of the minutes;
- (g) to change the order of business in the agenda;
- (h) to refer something to an appropriate body or individual;
- (i) appoint a Committee or Member arising from an item on the summons for the meeting;
- (j) receive reports or adoption of recommendations of Committees or officers and any resolutions following from them;
- (k) to withdraw a motion;
- (l) to amend a motion;
- (m) in relation to Member Conduct (pursuant to 4.11);
- (n) to give the consent of the Council where its consent is required by this Constitution.

4.9.13 Closure motions

A Member may move, without comment, the following motions at the end of a speech of another Member:

- (a) to proceed to the next business;
- (b) that the question be now put;
- (c) to adjourn a debate; or
- (d) to adjourn a meeting.

If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed, they will give the mover of the original motion a right of reply before putting their motion to the vote.

If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

4.9.14 Motion to rescind a previous decision

Unless there has been a material change of circumstances, a motion or amendment to rescind a decision made at a meeting within the past six months cannot be moved unless the notice of motion is signed by at least one-third of the Members of the Council.

4.9.15 Motion similar to one previously rejected

Unless there has been a material change of circumstances, a motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least one-third of the Members of the Council.

Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

4.10 Voting

4.10.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

4.10.2 Chair's casting vote

If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

4.10.3 Show of hands

Unless a ballot or recorded vote is demanded under the ballot rules below, the Chair will take the vote by show of hands or by means of the electronic voting system, or if there is no dissent, by the affirmation of the meeting.

4.10.4 Ballots

The vote will take place by ballot if a majority of Members present at the meeting demand it. The Chair will announce the numerical result of the ballot immediately the result is known.

4.10.5 Recorded vote

If legislation requires or at least 5 Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

A demand for a recorded vote will override a demand for a ballot.

4.10.6 Right to require individual vote to be recorded

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

4.10.7 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

4.11 Conduct at Meetings

4.11.1 Exclusion of Public and Media for Interruption of Proceedings

If a member of the public interrupts proceedings, the Chair will warn the person concerned.

If they continue to interrupt, the Chair will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chair may order for that part of the room to be cleared and, if they consider it necessary, may adjourn the meeting whilst this action is taken.

Members' Conduct

4.11.1 Chair standing or demand for silence

When the Chair demands or stands, any Members speaking at the time must be silent and where relevant, sit down. The meeting must be silent.

4.11.2 General disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think necessary.

4.11.3 That a Member be not further heard

If a member persistently ignores or disobeys the ruling of the Chair or behaves irregularly, improperly or offensively or deliberately obstructs the business of the meeting any member may move '*That the member named be not further heard*' which, if seconded, must be put to the vote without discussion. If approved, the Member in question will not be able to speak further in the agenda item.

4.11.4 That a Member leave the meeting for the item being discussed

If a Member continues to misbehave the Chair will either move '*That the member named leave the meeting for the item being discussed*' which, if seconded, must be put to the vote without discussion or adjourn the meeting for such time as they think fit. If approved, the Member in question will have to leave the meeting room for the remainder of the agenda item.

4.11.5 That a Member leave the meeting

If a Member continues to misbehave, the Chair will move '*That the member named leave the meeting*' which, if seconded, must be put to the vote without discussion. If approved, the Member in question will have to leave the meeting room for the remainder of the agenda item. If the member refuses to go the Chair can order that they be removed.

4.12 Procedural Rules applicable to Full Council only

4.12.1 Standing to speak

Other than in the case of Members who are attending remotely, when a Member speaks at Full Council they must stand and address the meeting through the Chair. If more than one Member stands, the Chair of Council will ask one to speak and the others must sit. Other Members must remain seated whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

4.12.2 Annual Meeting of the Council

Unless otherwise specified by law, in a year when there is an ordinary election of councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing councillors; and in any other year, the Annual Meeting will take place in March, April or May. The Annual Meeting will:

- (a) elect a person to preside if the Chair of Council for the previous civic year is not present;
- (b) Chair's Announcements (from the previous civic year if they are present);
- (c) elect the Chair of the Council;
- (d) elect the Vice-Chair of the Council;
- (e) approve the minutes of the last Council meeting;
- (f) receive any announcements from the Chair, Managing Director, Leader and/or Executive Members;
- (g) elect the Leader (unless the appointment was made for a four year term following the Council election or the Leader post is vacant);

- (h) agree any changes to the Constitution (including any changes to Committees)
- (i) appoint the Chairs, Vice Chairs and Membership of Committees;
- (j) appoint the Council's representatives to outside bodies and organisations (where applicable);
- (k) receive Annual Reports from the Council's Committees; and
- (l) consider any business set out in the notice convening the meeting.

4.12.3 Ordinary Meetings

At Ordinary meetings of the Full Council, the Council will:

- (a) elect a person to preside if the Chair and Vice-Chair are not present;
- (b) approve the minutes of the last meeting;
- (c) receive any declarations of interests from Members;
- (d) receive any announcements from the Chair, Leader, other Members of the Executive or the Managing Director;
- (e) receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Chair are relevant to the business of the council;
- (f) receive any valid petitions from the Members of the Public or Members of the Council.
- (g) deal with any business from the last Council meeting;
- (h) receive reports from Executive, Committees and other bodies (including questions and answers on such reports) as appropriate;
- (i) consider any other business specified in the summons to the meeting.
- (j) receive and answer questions from Members which in the opinion of the Chair are relevant to the business of the Council; and
- (k) consider Notices of Motion(s).

4.12.4 Notices of Motions

4.12.4.1 Notice

Except for motions which can be moved without notice under 4.10 notice of every motion, must:

- (a) be delivered in writing or by electronic mail,
- (b) signed by at least five Members, and
- (c) be delivered to the Democratic Services Team not later than ten clear working days before the date of the meeting.

The councillor proposing the Notice of Motion must provide evidence that they have the support of a seconder and three other councillors. The evidence shall accompany the Notice of Motion when first submitted. This should be done by the proposer attaching the emails of support to the email used to submit the Notice.

4.12.4.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda as the last item of business in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

4.12.4.3 Scope

The relevant motion must fall within the following scope which will be determined by the Monitoring Officer:

- (a) Motions must be about matters which are related to the responsibilities of the Council or which directly affect the District.
- (b) Motions may not relate to the personal affairs or conduct of individual Members.
- (c) Motions must not include inappropriate or inflammatory language.
- (d) Motions must not relate to matters that have been debated in the last six months.
- (e) Provide sufficient evidence to demonstrate that it meets one or more of the following criteria:
 - It is a District level function over which the District has some control
 - It is a recently introduced policy, service area of activity which would be timely for review
 - It is a policy which has been running for some time and is due for review
 - It is a major proposal for change
 - It is an issue raised via complaints received
 - It is an area of public concern
 - It is an area of poor performance

4.12.4.4 **Process**

If for any reason the proposer of a motion is unable to be present at the meeting, then one of the Councillors supporting the Notice may move it.

The Councillor proposing the Notice of Motion may at the same time propose that the motion be referred to a Committee without debate. If the motion is referred to another Committee, it will consider the motion at its next available meeting. Unless referred back to Full Council by a Committee, there is no requirement for the Notice of Motion to return to Full Council if it has been dealt with by another Committee.

Prior to the debate of a motion, there will be opportunity for an appropriate person to give a statement regarding the facts of the motion to ensure that the debate is well informed.

The Councillor proposing the Motion has a right of reply on their motion and any amendment to their motion.

Only one amendment can be moved and debated at any given time.

Amendments that seek to materially alter or change the subject or meaning of the original motion are not permitted.

If the meeting votes to accept the amendment, that becomes the final motion, subject to any further amendments.

4.12.4.5 **Time Limits**

The overall time limit for dealing with Notices of Motion is 60 minutes.

The proposer may speak for a maximum of five minutes. Other councillors are limited to three minutes.

Members may speak only once on a motion with the exception of the proposer who has a right of reply immediately before a vote is taken.

At the end of the period of 60 minutes motions not dealt with and resolved shall carry forward to the next meeting.

4.13 Public Participation, Questions from Members of the Public and Petitions Process

The Council welcomes public participation at its meetings and has a dedicated website page highlighting the different ways that the public can engage at its meetings ([Public participation and attending meetings](#)).

4.13.1 Questions from Members of the Public

Applies only to Full Council, Executive and Audit Committee.

Members of the public may ask questions of the Chair of Council, Executive Member (including the Leader) or a Committee Chair.

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Democratic Services Team at democraticservices@teignbridge.gov.uk no later than five clear working days before the meeting i.e. should the meeting be on a Tuesday the deadline would be the Monday before at 5pm.

Each questioner must give their name and address.

At any one meeting no person may submit more than three questions and no more than three such questions may be asked on behalf of one organisation.

The Monitoring Officer may reject a question if it:

- a) relates to something that is or should be the subject of alternative recognised procedures (for example, staffing issues, complaint, licensing or planning matters);
- b) is not about a matter for which the local authority has a responsibility or does not affect the District;
- c) is defamatory, frivolous or offensive;
- d) is contrary to the Constitution;
- e) is substantially the same as a question which has been previously put in the past six months; or
- f) requires the disclosure of confidential or exempt information.

The Democratic Services Team will refer these to the appropriate member for reply. A maximum period of 30 minutes will be allowed.

Questions will be asked in the order notice they were received, except that the Chair of the relevant meeting may group together similar questions.

Questions received in time, and which are not rejected will be published as soon as is practicable in advance of the relevant meeting.

Answers will normally be given in writing. An answer may take the form of a direct oral answer; where the desired information is in a publication of the Council or others published work, a reference to that publication; or a written answer.

A questioner asking a question may ask one supplementary question, without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds applicable to the scope of questions in (a-f) above. The answer to the supplementary question may take the same form as the above (a-c). Each person has no more than one minute to ask their supplementary question.

A supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds applicable to the scope of questions in (a-f) above.

If a questioner who has submitted a written question is unable to be present, an alternative spokesperson may attend the meeting to ask the supplementary question.

In exceptional circumstances questions may be referred to another Committee at the discretion of the Chair.

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Members to whom it was to be put, will be dealt with by a written answer.

4.13.2 Petitions Process

Applicable to Full Council only.

Members of the Public and Members of the Council may present and submit a petition at ordinary meetings of Full Council.

A petition may only be presented if notice has been given by in writing or by email to Democratic Services (democraticservicestdc@teignbridge.gov.uk) no later than five clear working days before the meeting i.e. Should the meeting be on a Tuesday the deadline would be the Monday before at 5pm.

Petitions must include a clear and brief paragraph about the subject matter and ideally what action the Council is being asked to take.

The petition organiser must ensure they provide their name, address and contact details.

In order to be accepted, petitions must include at least fifty signatories (name, address and signature) from residents of Teignbridge. The petition organiser is responsible for the validity of the signatories.

In order to be accepted, the Monitoring Officer must be satisfied that the petition: relates to matters for which the Council is responsible for or which directly affect the District; does not relate to the personal affairs or conduct of individual members, planning or licensing matters; is trivial, offensive or frivolous or relates to a matter that has been debated in the last six months.

The petition must be presented in person and the petition formally handed to the Chair of the Council at a Full Council Meeting as part of a “Petitions” agenda item. The petition organiser will have an opportunity to address the Council for three minutes to present their petition before formally handing it to the Chair of the Council. If the petition organiser is unavailable to present the petition, they may nominate an alternative person to present the petition.

After being presented, the petition organiser will receive a written response from the relevant Member (e.g. the Leader, Member of the Executive or Chair of a Committee) no later than ten working days after the meeting to advise how the petition will be dealt with.

Democratic Services will store any presented petitions and retain the information contained within the petition until the subject matter of the petition has been dealt with.

This petitions process does not apply to valid petitions to change the Council’s governance arrangements, which are instead governed by the Local Authorities (Referendums) (Petitions) (England) Regulations 2011

4.13.3 Representations from Members of the Public

Applies only to Overview and Scrutiny Committee meetings.

At Overview and Scrutiny Committee meetings, a member of the public who is resident in the District may make an oral representation.

Representations allow interested parties to raise issues of concern or celebration to aid Overview and Scrutiny Members in their later debate by providing additional voices from residents, service users and the wider community or to bring items to the attention of the Committee.

Representations will be limited to a maximum of three minutes per person, within an overall time limit of 30 minutes.

If a member of the public wishes to make a representation, they should, via email democraticservicestdc@teignbridge.gov.uk no later than five clear working days before the meeting i.e. should the meeting be on a Tuesday the deadline would be the Monday before at 5pm, submit their name and address, and details and an overview of the points they wish to raise,.

Representations should relate to one of the following:

- a) A substantive matter on the agenda for that meeting (not including minutes or work programmes);
- b) A service area of activity which would be timely for review;
- c) It is a policy which has been recently introduced or has been running for some time and is due for review;

- d) Major proposals for change;
- e) Areas of public concern; or
- f) Areas of poor performance.

The Monitoring Officer, in consultation with the Chair of the Committee, may decline a representation if it:

- a) is not a substantive matter on the agenda for that meeting;
- b) relates to something that is or should be the subject of alternative recognised procedures (e.g. staffing issues, complaints, licensing or planning matters);
- c) is not a matter for which the local authority has a responsibility or does not affect the District;
- d) is defamatory, frivolous or offensive;
- e) is contrary to the Constitution;
- f) is substantially the same as previous question or representation which has been previously put in the past six months; or
- g) discloses or requires the disclosure of confidential or exempt information.

There will not be any detailed answers to any points that are raised at the meeting, although officers or Members may choose to respond if they wish to do so. This is not a debate, but an opportunity for clarification if needed. Members may take into consideration the points that are raised in their questioning of the subject at the appropriate point in the meeting.

If more than one person wishes to make the same point or make similar representations, those persons may be asked to agree a spokesperson to make a single representation. If speakers at the meeting are repeating issues that have already been raised, the Chair will ask the speaker to move on.

It is important to recognise that Scrutiny Committees are not decision-making bodies but can make recommendations to the Executive (a decision-making body), therefore consider which forum or mechanism might be best to engage with the Council's meetings.

4.14 Questions from Members of the Council

Applies only to Full Council, Overview and Scrutiny Committee and Audit Committee.

Other than under the provisions for questions without notice a Member may only ask a question of the Chair; Member of the Executive; or the Chair of any Committee or sub-committee, on any matter:

- (a) in relation to which the Council has powers or duties; or
- (b) which affects the District of Teignbridge and which falls within the terms of reference of that committee.

A Member may only ask a question in accordance with this section if either:

- a) they have given written notice of the question no later than five clear working days before the meeting i.e. should the meeting be on a Tuesday the deadline would be the Monday before at 5pm to the Democratic Services Team democraticservicestdc@teignbridge.gov.uk ; or

- b) the question relates to urgent matters, and they have the consent of the Chair to whom the question is to be put and the content of the question is given to the Democratic Services Team democraticservicesdc@teignbridge.gov.uk on the day of but prior to the meeting.

The Monitoring Officer may reject a question for one or more of the following grounds if in their opinion it:

- a) relates to something that is or should be the subject of alternative recognised procedures (for example, staffing issues, complaint, licensing or planning matters);
- b) is not about a matter for which the local authority has a responsibility or does not affect the District;
- c) is defamatory, frivolous or offensive;
- d) Is contrary to the Constitution;
- e) Seeks to benefit the questioner themselves or a personal contact;
- f) is substantially the same as a question which has been previously put in the past six months; or
- g) requires the disclosure of confidential or exempt information.

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the Member.

A Member asking a question may ask one supplementary question, without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds applicable to the scope of questions in (a-g) above. The answer to the supplementary question may take the same form as the above (a-c).

Questions received in time, and which are not rejected will be published as soon as is practicable in advance of the relevant meeting.

The total time allowed/allotted for Member questions and answers is 30 minutes.

Questions will be presented in the order that they were received by Democratic Services.

Each Member has no more than 1 minute to ask their supplementary question.

The process would be that the member raising the question would precis it at the meeting and the Responder would briefly respond with their answer and ask if there would be a supplementary question.

In circumstances where a Member seeks to ask more than one question, any second and subsequent questions will be permitted subject to the principle of one question per member and time constraints. Where time allows, any such additional questions will be presented in the order they were received and in rotation.

After the allotted period of 30 minutes has elapsed, any member submitting a question that was not able to be heard, will be referred to the next meeting or dealt with in some other way namely a written response.

4.15 Procedural Rules applicable to Executive

4.15.1 The Forward Plan

Notices of Key Decisions and other decisions of the Executive will set out details of specific key decisions and key decisions anticipated over a 12-month period. In this Constitution, such notices are together referred to as the “Executive Forward Plan”. The Forward Plan does not have to include exempt information and should not include confidential information.

4.15.2 Reports to Executive:

All reports to the Executive from any Member of the Executive or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and the Overview and Scrutiny Committee, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

4.15.3 Key Decisions:

Unless otherwise provided by law, a key decision means an Executive decision which is likely:

- (a) To result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decision relates. For this purpose significant expenditure or savings shall mean in the case of revenue any contract or proposal with an annual payment of more than £100,000; and in the case of capital, any project with a value in excess of £250,000; or
- (b) To be significant in terms of its effects on communities living or working in an area comprising two or more wards in the opinion of the relevant Director or the Managing Director. A decision taker may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in this Constitution.

(a) Notice of Key Decision: Subject to the provisions of this Rule a key decision may not be taken unless a notice (called here a "Notice of Key Decision") has been published in connection with the matter in question; at least 28 clear days have elapsed since the publication of the "Notice of Key Decision"; and where the decision is to be taken by the Executive legal notice of the meeting has been given.

The Notice of Key Decision will state that a key decision is to be taken by the Executive (including a committee of the Executive, individual members of the Executive officers, area committees or under joint arrangements in the course of the discharge of an executive function) and will describe the matter in respect of which the decision is to be made; where the decision maker is an individual, their

name and title, if any and where the decision maker is a body, its name and a list of its membership; the date on which, or the period within which, the decision is to be made; a list of the documents submitted to the decision maker for consideration in relation to the matter; the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available; that other documents relevant to those matters may be submitted to the decision maker; and the procedure for requesting details of those documents (if any) as they become available.

The Notice of Key Decision must be made available for inspection by the public.

(b) General Exception: If a matter which is likely to be a key decision has not been included in the forward plan, then subject to paragraph (d) below (Special Urgency), the decision may still be taken if:

- a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
- b) the Monitoring Officer has informed the Chair of the Overview and Scrutiny Committee, or if there is no such person, each Member of that Committee in writing, by notice, of the matter to which the decision is to be made;
- c) the proper officer has made copies of that notice available to the public at the offices of the Council; and
- d) at least five clear days have elapsed since the proper officer complied with (a) and (b).

As soon as reasonably practicable after compliance with such requirements the reasons why the meeting is urgent and cannot reasonably be deferred will be published.

(c) Special Urgency: If by virtue of the date by which a key decision must be taken paragraph (c) (General Exception) cannot be followed, then the key decision can only be taken if the decision maker obtains the agreement of the Chair of the Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If the relevant Chair is unable to act or unavailable, the agreement of the Chair of Council, or in their absence the Vice Chair of Council will suffice.

As soon as reasonably practicable after compliance with such requirements the reasons why the meeting is urgent and cannot reasonably be deferred will be published.

(d) Report to Council: When the Overview and Scrutiny committee resolves that a key decision has been taken which was not the subject of a Notice of Key Decision; or the subject of the general exception procedure; or the subject of an agreement with the Chair of Overview and Scrutiny Committee of Council as appropriate as provided for above, it may require the Executive to submit a report to the Council within such reasonable time as the Overview and Scrutiny Committee specifies.

The report must include details of the decision and the reasons for the decision, the decision maker, and the reasons, if any, for the Executive believing that the decision was a key decision. The power to require a report rests with the Overview and Scrutiny Committee but is also delegated to the Monitoring Officer, who shall require such a report on behalf of the committee when so requested by the Chair of the Overview and Scrutiny Committee or any 5 members of the committee. Alternatively the requirement may be raised by resolution passed at a meeting of the Overview and Scrutiny Committee.

The Executive will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within seven days of receipt of the written notice, or the resolution of the committee, then the report may be submitted to the following Council meeting.

(e) Quarterly reports on Special Urgency Decisions: In any event the Leader will submit quarterly reports to the Council on the Executive decisions taken in the circumstances set out in paragraph (d) (Special Urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

4.15.4 Executive Member Decisions:

Each member of the Executive is authorised to make the following decisions without a meeting of the Executive. If an Executive Member is absent or otherwise unavailable to act the Leader (or in his absence, the Deputy Leader) may deputise.

- a) Make any decision other than a key decision which is both within their remit and does not contravene Council approved policy and budget
- b) Two or more Executive Members may jointly agree to make a decision which is within their collective remits.
- c) Before taking any decision under this delegation, the Executive Member shall, so far as is reasonably practicable, consult any Member whose ward is particularly affected by that decision and shall arrange for a copy of any report which they intend to take into account in coming to a decision to be made available to the Chair of the Overview and Scrutiny Committee and to the local Ward Member(s) if it relates to a local issue.

As soon as is reasonably practicable, complete and sign a form provided by the Democratic Services Manager summarising any such decision they have made together with reference to the relevant report or other information which was taken into account by them.

4.15.3 Record of Executive Committee Decisions

After any meeting of the Executive the Democratic Services Manager or, where no Officer was present, the person presiding at the meeting, will produce a written record of every decision taken at that meeting as soon as practicable. The record will include the decision including the date it was made; the reason for the decision; details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made; any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and in respect of any declared conflict of interest, a note of dispensation duly granted.

A record will be placed on the Council's website and available for inspection by the public at the Council's offices.

4.15.4 Record of Executive decisions by Individual Executive Members

As soon as is reasonably practicable after an individual Member has made an Executive decision, the Member must produce or instruct the proper officer to produce a written statement of the decision. The record will include the decision including the date it was made; the reason for the decision; details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made; any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and in respect of any declared conflict of interest, a note of dispensation duly granted. A record will be placed on the Council's website and available for inspection by the public at the Council's offices

4.15.5 Record of Executive Decisions by Officers

As soon as reasonably practicable after an Executive decision has been taken by an officer, they will prepare, or instruct the proper officer to prepare, a record of the decision, including the date it was made a statement of the reasons for it and any alternative options considered and rejected, a record of any conflict of interest declared by any Executive member which relates to the decision, and a note of any dispensation granted by the Managing Director. The provisions of for inspection of documents after meetings will also apply to the making of decisions by an officer in consultation with individual Members of the Executive. A record will be placed on the Council's website and available for inspection by the public at the Council's offices

4.15.6 Notification of Decisions (whether individual or full Executive decisions)

Once made, the decision will be notified to all Members of the Council within 2 clear working days.

The notice will bear the date on which it is published and will specify that the decision(s) which it records will come into force 5 working days after that date unless it is 'called in'.

4.15.7 Call in of Executive Decision

See Section 8(b) of the Constitution which sets out the procedure for call in by the Overview and Scrutiny Committee of Executive and Executive Member Decisions.

4.16 Requirements for appointment of Substitute Members

A Substitute Member may only attend, speak or vote at a meeting in place of another Member of a relevant committee, who is not a substitute and who is unable to attend a meeting where the non-attending Member has advised the Democratic Services team (by 4.00 p.m. on the last working day prior to the meeting) by email at democraticservicestdc@teignbridge.gov.uk (unless otherwise agreed by the Democratic Services Manager) that they will not be attending and nominating the name of the substitute from those appointed for the Committee.

Appointment names will be nominated by the Group Leaders at the start of the municipal year.

No substitutes may attend unless they have received the necessary training to the satisfaction of the Democratic Services Manager.

Substitute Members will be listed on agenda papers and will receive all agenda papers to ensure transparency of process for the public and that they are aware of all pertinent issues when attending the meeting.

Substitute Members, when appointed for a meeting, shall take precedence over the unavailable Member, even if they become available during the course of the meeting, and their rights to attend and vote will remain to any subsequent meeting should it be adjourned.

Substitute Members will have all the powers and duties of any ordinary Member of the Committee but will not be able to exercise any special powers or duties excisable by the person they are substituting, i.e. the Chair of a Committee.

4.17 Access to Information Procedural Rules

4.17.1 Scope

These rules apply to all public meetings of the Council, the Executive, and all Committees and Sub Committees. These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law. These rules do not limit or diminish or limit the Council's duties to protect certain information, including personal information. This includes the rights and duties from the provisions of the Freedom of Information Act 2000 and the Data Protection Act 2018.

4.17.2 Rights to attend meetings

Members of the public may attend all public Council and Committee meetings subject only to the exceptions in these rules.

4.17.7 Notices of meeting

The Council will list all of its public meetings scheduled on the Council's website, notwithstanding any extraordinary meetings which may be called. The time and place of meetings will be determined by the Democratic Services Manager (in consultation with the Chair of the relevant committee) and notified in the summons (see 4.3).

The Council will give at least five clear days' notice of any meeting of the Council and its committees by posting details as required by law at its offices and on the Council's website.

4.17.8 Access to agenda and reports before the meeting

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office and on its web site at least five clear days before the meeting or when notice of the meeting is given. If an item is added to the

agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the designated officer shall make each such report available to the public as soon as the report is completed and sent to Councillors) will be open to inspection from the time the item was added to the agenda.

Except during any part of a meeting during which the public are excluded, the Council will make available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and of the reports for the meeting.

4.17.9 Supply of copies

The Council will, following a request on behalf of a newspaper and on payment being made of postage charges or any other necessary charges for transmission, supply to the newspaper:

- a copy of the agenda for a public meeting and a copy of each of the reports for consideration at the meeting
- such further statements or particulars, if any, as are necessary to indicate the nature of the items contained in the agenda.

If the Monitoring Officer thinks fit, in the case of any item, a copy of any other documents supplied to councillors in connection with the item.

Where a document is available for public inspection, the Council will, on request, supply a copy of the document or part of the document to a person on payment of any reasonable fee required by the Council.

4.17.10 Access to minutes and documents after the meeting

The Council will make available copies of the following for six years after a meeting:

- a) the agenda for the meeting
- b) reports relating to items when the meeting was open to the public.
- c) the minutes of the meeting or records of decisions taken, together with reasons, for all meetings of the Executive excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information.
- d) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record.

Decisions will be notified within two working days of the meeting and minutes will be published as soon as is practicable (with an aim of five to ten working days after the meeting).

4.17.11 Background papers

The officer submitting a report will set out in the report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- a) disclose any facts or matters on which the report or an important part of the report is based; and
- b) have been relied on to a material extent in preparing the report but do not include published works or those which disclose exempt or confidential information.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

4.17.12 Exclusion of the public from meetings

If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which in his opinion relates to items during which, in accordance with 4.20, the meeting is likely not to be open to the public. Such reports will be marked not for publication and specify the category of information likely to be disclosed.

- a) **Confidential information:** The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information the disclosure of which to the public is prohibited by legislation or Court Order.

- b) **Exempt information:** The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The relevant access to information and meeting rules are governed by law. To be exempt from public access, the relevant information must fall within the following categories (subject to any condition) AND it must be considered by the relevant meeting that the information should be excluded in the public interest. Information is not exempt if it relates to proposed development for which the Council as local planning authority can grant itself planning permission under Regulation 3 Town and Country Planning Regulations 1992.

Category	Qualification
1. Information relating to any individual.	Information is not exempt information unless it relates to any individual
2. Information which is likely to reveal the identity of an individual.	Information is not exempt information unless it would reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is not exempt information unless it relates to the financial or business affairs of any person, including the body holding that information. Information is not exempt information if it is required to be registered under: <ul style="list-style-type: none"> • the Companies Act 1985 • the Friendly Societies Act 1974 • the Friendly Societies Act 1992 • the Industrial and Provident Societies Acts 1965 to 1978 • the Building Societies Act 1986

	<ul style="list-style-type: none"> • the Charities Act 1993. <p>"Financial or business affairs" includes contemplated, as well as past or current activities.</p> <p>"Registered" in relation to information required to be registered under the Building Societies Act 1986 means recorded in the public file of any building society (within the meaning of that Act).</p>
<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority</p>	<p>Information within this paragraph 4 is only exempt if and for so long as its disclosure to the public would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter</p> <p>.</p> <p>"Employee" means a person employed under a contract of service.</p> <p>"Labour relations matter" means:</p> <ul style="list-style-type: none"> • any of the matters specified in paragraphs (a) to (g) of Section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or • any dispute about a matter falling within paragraph (a) above; <p>and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority.</p> <p>"Office-holder", in relation to the authority, means the holder of any paid office appointments to which are, or may be made, or confirmed, by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority.</p>
<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>	<p>Information is not exempt information unless, in view of the Monitoring Officer, legal privilege could be maintained in legal proceedings.</p>

<p>6. Information which reveals that the Authority proposes;</p> <p>a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>b) to make an order or direction under any enactment.</p>	<p>Information within paragraph 6 is exempt only if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made</p>
<p>7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>	<p>Information is not exempt information unless it relates to action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>

4.17.13 General access to information rights for Members

Members are entitled to obtain from the Council information that is reasonably needed to assist them in properly performing their duties. A member has no right to a "roving commission" to examine any and all documents of the Council.

Officers need to respect personal and confidential information and this should not be disclosed to members.

Requests for information should normally be directed to Director or Head of Service concerned.

Members who are in receipt of Special Responsibility Allowances will normally be given specific information in connection with the roles they undertake.

Section 100F of the Local Government Act 1972: Any document which is in the possession or under the control of a principal council and contains material relating to any business to be transacted at a meeting of the council or a committee or sub-committee of the council shall, subject to provisions around exempt information, be open to inspection by any member of the council.

Part 5 of The Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 extend these regulations to the Executive.

Any document (other than in a draft form) which is in the possession, or under the control, of the Executive and contains material relating to:

- any business transacted at a public or private meeting of the Executive.
- any decision taken by an individual member of the Executive
- any key decision taken by an Officer.

will be available for inspection by any member of the Council when the meeting concludes or, where an Executive decision is made by an individual member or a key decision by an Officer, immediately after the decision has been made.

A document is not required to be made available for inspection if it appears to the Monitoring Officer that it discloses exempt or confidential information, is in draft format or is the advice of a political advisor.

4.17.14 Access to information rights for Overview and Scrutiny Committee Members

Members of the Overview and Scrutiny Committee hold enhanced rights to access information where it relates to their scrutiny responsibilities. These are governed by Part 5 of The Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012: A member of an Overview and Scrutiny Committee is entitled to a copy of a document which is in the possession or under the control of the Executive of that authority and contains material relating to business carried out at a meeting of the executive, or an Executive Decision, including Executive decisions made by officers.

The Executive must provide that document as soon as reasonably practicable and, in any case no later than 10 clear days after the Executive receives the request.

Exempt or confidential information should be provided to the Member in question if it relates to:

- a) an action or decision that that member is reviewing or scrutinising; or
- b) any review contained in the Overview and Scrutiny work programme.

Where the Executive determines that a Member of the Overview and Scrutiny Committee is not entitled to a copy of a document or part of any such document, it must provide the Overview and Scrutiny committee with a written statement setting out its reasons for that decision.

4.17.15 Non-Committee Members attending Committees

Members may attend and observe a meeting of a Committee of the Council of which they are not an ordinary Member.

Members who wish to speak at a Committee meeting in which they are not an ordinary Member must give notice to the Chair of the Committee in advance of the meeting. Speaking at the meeting is at the Chair's discretion.

Members who wish to speak at a Planning Committee meeting in which they are not an ordinary Member of about an application in their ward must give notice to the Chair of the Committee in advance of the meeting. Speaking at the meeting is at the Chair's discretion. Members who have an interest in an application, should speak under public participation rules only.

Non-Committee Members may attend including Part 2 items (subject to other relevant rules including the Code of Conduct which serve to restrict access in appropriate cases). Attending and speaking Part 2 items is at the permission of the Chair, who in certain circumstances may limit the attendance of those in the room (E.g. confidential or staffing matters).

4.17.16 Invited Guests

Committees and the Executive may invite guests to attend their meetings. Invited guests are likely to be expert witnesses or interested parties who the Committee or

Executive considers will be able to contribute to the work of the Committee. The Committee / Executive will determine the length of the appointment which may be for one meeting or longer but it should only be for as long as the person is likely to make a contribution to the business of the committee. The person will not be a co-opted Member of the Committee / Executive and will not have voting rights. The person will have the ability to speak and participate in the debate at the discretion of the Chair. Members will at all time treat invited guests with respect and will acknowledge their voluntary contribution in asking questions appropriately.

4.18 State of the District of Teignbridge Debate at a Council Meeting

The Leader and Deputy Leader may call a State of the District of Teignbridge debate annually as a separate event from a Full Council Meeting. The Leader and Deputy Leader will decide the format and content of the event. The debate will be chaired by the Chair of Council. The results of the debate will be reported to the next Full Council meeting.

4.19 Resignation of Councillor

Subject to compliance with political allocation of seats and prior attendance on relevant training, if a councillor stops being a member of the Council or resigns from a Committee (such notification being required to be provided in advance and in writing or by email from the relevant member to his Group Leader or the Managing Director), the Leader of the relevant Political Group (or, in their absence, the Deputy Leader), may appoint a replacement committee member to fill the vacancy. Any such appointment or changes to Committee membership will be reported to the next available Council meeting.

This page is intentionally left blank

8. Member Procedures

(b) Overview and Scrutiny Call in Procedure

Introduction

Overview and Scrutiny is a part of the Council's democratic structure led by non-executive councillors. It works to the common aim of improving services for the local community and is involved in:

- policy review and development – helping to shape the way public services are delivered.
- scrutinising decisions – is the right action being taken? Are services working effectively
- external scrutiny – examining services that impact upon the local community

Overview and Scrutiny does not make decisions; it uses evidence to make recommendations to the Executive to request change.

The Overview and Scrutiny Committee act as a crucial part of the Council's governance arrangements and decision makers should always have Overview and Scrutiny at the forefront.

Decision makers should always consider if engagement with Overview and Scrutiny would add value to their decision, ensure that non-Executive Members have a role in the decisions and to ensure broad support to avoid a call In. Engagement with Overview and Scrutiny should be at the earliest stages to ensure they can meaningfully add value to decisions. As such, the power of call in should be used sparingly and reserved for exceptional circumstances.

'Call in'

Under the Local Government Act 2000, Overview and Scrutiny has the power to review or scrutinise decisions made which are in within the Executive function and remit.

This means that Overview and Scrutiny can review or scrutinise decisions taken but not implemented and can ask the original decision maker to reconsider their decision. The 'call in' process temporarily pauses the implementation of a decision.

The call in process

1. The call in process applies to those within the Executive function and remit:
 - a) Decisions made by the Executive Committee as a whole.
 - b) Decisions made an individual Executive Member.
 - c) Key decisions delegated by the Executive to an Officer of the Council.

2. Notice of these decisions are circulated to all Councillors in writing within two working days of being made and will give notice of the further five working day deadline for any call in requests.
3. Those Councillors who can request a call in:
 - a) Any 5 Members of the Council OR
 - b) Any 3 Members of the Overview and Scrutiny Committee, providing those 3 Members represent more than one Political Group or unaligned Councillors.
4. Councillors may request to call in a decision to the Monitoring Officer within 5 working days of the decision notice being published. The Monitoring Officer will provide an appropriate form for Councillors to complete to request a call in and provide information relating to the request.
5. In order to accept the request, the call in request must demonstrate:
 - a) that the decision has been made outside the Council's Budget and Policy framework: or
 - b) that the decision has been made outside of the Council's Constitution, decision making principles or the decision maker's remit; or
 - c) that the decision has been made without sufficient evidence or rationale in support of the decision and not all relevant matters were taken into account; and
 - d) That the Councillors requesting the call in have consulted and have regard to advice from either the relevant Director, Head of Service or the Monitoring Officer and clearly state their reasons for request to call in a decision.

The Monitoring Officer may reject a request for call in if it fails to meet any of the grounds listed above, fails to provide relevant evidence in support of the call in. In exceptional or unforeseen circumstances, the Monitoring Officer may grant a request for a call in if it does not meet the grounds listed above.

6. On receipt of correctly completed call in request supported by the requisite number of Councillors, the Monitoring Officer will inform the requesters and the original decision maker(s) of the request.
7. The Monitoring Officer will ensure that a meeting of the Overview and Scrutiny Committee is arranged at the earliest opportunity to consider the call in request.
8. Any request for call in may be withdrawn at any time before it is considered by the Overview and Scrutiny Committee by those 5 or 3 Councillors who originally requested it (depending on point 3a or 3b – the criteria must always be met for a valid call in). If a call in request has been withdrawn or fails to meet the criteria, and it is after the 5 working day period to request a call in, the decision can be implemented.

Procedure at the Overview and Scrutiny Committee Meeting

1. When a decision is 'called in', a report will be prepared for the meeting. It will detail the decision that has been called in, the names of the councillors making the call in, and the reason(s) given, a copy of the decision and any report(s) or documents that

were considered by the original decision maker. This will normally be sent out as part of the agenda and meeting summons.

2. If the meeting is an extraordinary/special meeting of the Committee, it will be considered so under Section 4 of the Constitution. If the item is included as part of the agenda of the next scheduled Committee meeting, it will be considered as a usual agenda item as part of that meeting's agenda.
3. Consideration may be given to hold the meeting in another location, if it is specific to one area/ward.
4. The relevant Executive Member(s), Director and Head of Service will be advised of the call in to ascertain if they wish to submit any written observations for the meeting to consider. There will be a right for the relevant Executive Member(s) to attend and speak about the decision, which is the subject of the call in, if they choose.
5. In advance of the meeting, the Members who have made the call in can request the report to provide specific information in support of the call in if those Members feel additional information is needed to adequately consider this matter and this was not available in the original report.
6. With the agreement of the Chair, Members may request that an Officer of the Council or external special/expert witnesses attend to provide further information, give evidence or to be questioned. A reasonable period of notice (3 working days) needs to be given to allow this. For example, but not limited to, partner organisations, outside organisations and community groups.
7. Suggested running order for the call in item:
 - i) Chair to open the agenda item.
 - ii) Call in requester(s) to present their call in (a lead spokesperson should be nominated to present the call in).
 - iii) External special or expert witnesses may be called to provide further information or provide additional evidence.
 - iv) The relevant Executive Member(s), supported by Officers, may respond to the call in request and evidence heard.
 - v) The Committee will then have an opportunity to ask clarification questions.
 - vi) The Committee will then be able to debate the call in request and their proposed recommendation.
 - vii) The relevant Executive Member(s) and officers in attendance to have the opportunity to advise the Committee as part of the debate and/or the proposed recommendation.
 - viii) The Committee make a recommendation on the call in request.
8. The Committee will then make a recommendation on the item which will at least include one of the following options:
 - a) the decision should not be challenged and that it will then be implemented in accordance with the original decision, or
 - b) a different course of action can be recommended the original decision maker to consider with any available supporting evidence.

Following the Overview and Scrutiny Committee meeting

If the Committee recommend the original decision be implemented, it can be implemented immediately.

If the Committee recommend a different course of action to the Executive Committee, it will be reported to the next available Executive Committee meeting for the Executive to determine.

If the Committee recommend a different course of action to an Executive Member Decision, it will be for the Executive Member to decide upon themselves what decision to make and reported to at the next available Executive Committee meeting.

If the Committee recommend a different course of action to key decision taken by an Officer, it will be for the Officer to decide upon themselves what decision to make and reported to at the next available Executive Committee meeting. However, Officers may refer back to the Executive Committee to make such decision at the next available Executive Committee meeting.

The result of the Committee's recommendation(s) and any resulting decisions will be reported to the next Overview and Scrutiny Committee meeting for information.

The Committee will report on the number of requests for call ins annually in the Overview and Scrutiny Committee Annual Report.

10B – PROTOCOL FOR MEMBER / OFFICER RELATIONS

1. Purpose

- 1.1 The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another. The Protocol’s intention is to promote build and maintain good working relationships between Members and Officers as they work together.
- 1.2 A strong, constructive, and trusting relationship between Members and Officers is essential to the effective and efficient working of the Council.
- 1.3 The provisions of this Protocol are designed to complement and have regard to the requirements of the Councillor’s Role Profiles, Members’ Code of Conduct, the Officers’ Code of Conduct, the Council’s Whistleblowing Policy and the Council’s policies, procedures and processes. This Protocol sets out how the relationship works and what both Members and Officers can expect in terms of mutual respect and good working relationships.
- 1.4 The Managing Director (Head of Paid Service), the Monitoring Officer and the Director of Corporate Services (Section 151 Officer) have specific responsibilities placed on them by law. These responsibilities go beyond their obligations as employees of the Council. Where an Officer is discharging their responsibilities under any statutory office Members shall not compromise or attempt to compromise their impartiality and must allow them to carry out their duties in a neutral, non-biased and non-partisan way.

2. Roles of Members and Officers

2.1 Members and Officers are indispensable to one another. However, their responsibilities are distinct. Members are accountable to the public, whereas Officers are accountable to the Council as a whole.

2.2 Definitions in this document:

- Members: refers to elected or co-opted Members (Councillors).
- Officers: refers to staff employed by the Council.
- Senior Officer: refers to the Senior Leadership Team and/or Statutory Officers.

2.3 Comparison of Member and Officer Roles:

	Members or Councillors	Officers
How do they get their role?	Elected Office	Recruited on merit
Who are they accountable to?	The public	To the Council as a whole
Political mandate?	Yes	No – strictly impartial and neutral
Role	<ul style="list-style-type: none"> • Strategic direction • Decision Makers • Represent constituents 	<ul style="list-style-type: none"> • Operational delivery • Implementation of decisions • Professional advice

2.4 The full role profile of Members and different roles can be found under Section 8a of the Constitution. The general “All Member” definition also includes rights and expectations

from the Council to its Councillors including to develop good working relationships with Officers.

3. Shared Values and underlying principles

- Mutual trust, respect and courtesy at all times.
- Recognising and respecting the different roles that Members and Officers have.
- Working constructively for the good of the Council and the residents of Teignbridge.
- All of those in public life must adhere to the Nolan Principles.

4. Expectations

4.1 Officers can expect Members:

- To give political leadership and direction and to seek to further their policies and objectives.
- To take final decisions after considering Officer advice.
- To work constructively in partnership with Officers acknowledging their separate and distinct roles and responsibilities and the Council's policies, procedures etc.
- To treat them fairly and with respect, dignity and courtesy, to give support and to respect appropriate confidentiality.
- To appreciate that Officers work to the instructions of their managers who ultimately deliver the decisions of the Council itself rather than individual members.
- To respect the impartiality of Officers and their role in carrying out their duties.
- Make them aware of urgent or emerging issues in their Ward.

4.2 Members can expect Officers to:

- Implement decisions of the Council and its Committees which are lawful, which have been properly approved in accordance with the requirements of the law and the Council's Constitution and are duly recorded.
- Work in partnership with Members in an impartial and professional manner.
- Treat Members fairly and with respect, dignity and courtesy.
- Assist and advise all parts of the Council. Officers must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions.
- Respond to enquiries and complaints in accordance with the Council's procedures.
- Be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.
- Make them aware of key issues in their Ward.
- Act with honesty, respect, dignity and courtesy.
- Not seek to use their relationship with Members to advance their personal interests or to influence decisions improperly.

5. Conduct at meetings of the Council

5.1 Members should question Officers with respect and courtesy. Officers should respect Members in the way they respond to Members' questions. There should be a formal element to Council meetings, addressing Councillors by the correct terminology e.g. Councillor [Surname], The Leader, Chair, Etc.

5.2 Questions and criticisms in meetings are for the topic under debate and the content of papers presented. Members are expected to question and challenge any reports or decisions but ensure these are constructive and not personal attacks on Officers as Officers have no automatic right to reply.

5.3 Senior Officers have a duty to present reports and give advice to Committees and sub-committees of the Council. All reports to Council meetings include the name of a contact officer, and Members are encouraged to approach that Officer for any query or issue they wish to raise prior to the meeting.

5.4 Officers do not have the right per se to take part in debates in meetings, however they may be asked to respond to questions. To fulfil their duties, statutory officers may need to offer advice to the Chair, the Council or Committees if required and as necessary.

6. Meetings with Officers

6.1 Since the introduction of flexible/hybrid working practices, Officers do not always occupy the same desk. To ensure that an Officer is available, Members are advised to arrange a meeting to ensure that the Officer is available.

6.2 Members are usually not desk based, and work in a different way to Officers. Sending an email or diary invite to a Member is not a guarantee that a Member is aware. In respect of important or urgent issues, Officers should ensure that Members have received, acknowledged or responded an invite or message, and if not contact the Member in person or by phone or email.

7. Member enquiries and officer responses

7.1 Members should communicate with officers in the manner and at the level appropriate to the issue. Routine service-related enquiries should be initiated through the Council's Member Contact Form or where this is not possible, through email, telephone or in person inquiries. However, it will usually be appropriate to raise significant issues with the relevant Director or Head of Service for that area.

7.2 In normal circumstances, a full response should be given to all enquiries or requests for information from a member within a reasonable time frame. Where it is not possible to provide a response within that period an acknowledgment and a brief explanation for the delay and timescale for response should be provided to the Member.

7.3 Correspondence between Members and Officers may not always be shareable with the public. Members should consult the Officer responding if they plan to share their response more widely.

8. Access to Information

8.1 Access to Information procedural rules are included within Section 4 of the Constitution.

9. Support Services to Members

- 9.1 The Council's Democratic Services Team provide basic support to Members to help them fulfill their role and are usually a Member's first port of call if they are unsure whom to contact.
- 9.2 The Council via STRATA provide IT equipment, training and resources to all Members.
- 9.3 The Council provide office space and meeting rooms for Members to use whilst in Forde House.

10. Relationship with the Press and Media

- 10.1 Official contact with the media on Council business will normally be handled through the Communications Team. Members and Officers will work co-operatively together in dealing with any publicity or media issue arising.
- 10.2 All such contact should be in accordance with the Code of Recommended Practice on Local Authority Publicity issued by the Department of Communities and Local Government.
- 10.3 Quotes on behalf of the Council for media purposes would normally come from members - normally leading members of the administration appointed by the Council to exercise delegated powers in the relevant area or group leaders - but not so as to appear to effect support for any political party. The content of such quotes for press releases will be cleared in advance with the members concerned. The Leader and Executive Members will normally speak on behalf of the Council for their area of responsibility.
- 10.4 Members should not raise matters relating to the conduct or capability of an Officer, or Officers collectively on social media or in the press. Officers do not necessarily have a right of reply to such comments and Members should take care not to abuse or exploit this imbalance.

11. Breaches of the Protocol

- 11.1 Where the relationship between Members and Officers breaks down or becomes strained, every effort will be made to reconcile or resolve matters informally.
- 11.2 A Member who is unhappy about the actions taken by, or conduct of, an Officer should first take up the concern with the appropriate Head of Service or if the matter is of a particularly serious nature inform the Managing Director.
- 11.3 Where a Member is continued to be dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised in line with the Officer conduct complaints procedure.
- 11.4 Where an Officer is unhappy about the actions taken by, or conduct of, a Member, they should first take up the concern with the Managing Director and/or Monitoring Officer who may be able to raise the concern with the Member's Group Leader.

11.5 Where an Officer is dissatisfied with the conduct or behaviour of a Member, they may make a complaint in line with the Members' Code of Conduct procedure. Breaches of this Protocol by a Member may constitute a breach of the Members' Code of Conduct.

12. Monitoring, Review and further advice

12.1 The application and implementation of this Protocol will be monitored and reviewed by the Council's Governance Committee.

12.2 Further advice on the interpretation of this Protocol is available from the Managing Director or Monitoring Officer.

This page is intentionally left blank

Teignbridge District Council
Full Council
Tuesday 19th May 2026
Part I

Political Balance and Committee Seat Allocation

Purpose of Report

In accordance with the Local Government and Housing Act 1989, to seek approval of the seat allocations detailed in Appendix 1 with effect from Tuesday 19th May 2026.

Recommendation(s)

The Council RESOLVES to:

1. Approve the Committee seat allocations as set out in the Appendix.
2. Give effect to the appointment of individual members as proposed by the Group Leaders.
3. Asks Group Leaders to advise the Democratic Services Manager of any changes required within 24 hours of the change occurring.

Financial Implications

There are no financial implications arising from this report.

Gordon Bryant – Head of Financial Services and Audit

Gordon.Bryant@teignbridge.gov.uk

Legal Implications

The purpose of this report is to comply with the Local Government and Housing Act 1989, which requires the allocation of seats on committees in accordance with the level of representation of political groups on the Council as a whole.

Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the representation of political groups on its committees where the members of the Council are split into different political groups. A Council is deemed to be split into different political groups where there is at least one such group on the Council. There is a particular duty to conduct this review at the Annual General Meeting or as soon as practicable after that.

For political balance, a group is required to have at least two members in order to be formally constituted as a political group.

Section 15 of the Local Government and Housing Act 1989 sets out how committees must be constituted when the Council is divided into one or more political groups. The Council must give effect, as far as reasonably practicable, to the following four principles in constituting its committees or sub-committees:

- (a) that not all of the seats on any committee are allocated to the same political group;

(b) that if a political group has a majority on the Council, it must have a majority of seats on all committees;

(c) that, subject to (a) and (b) above, the number of seats allocated to a political group across all the committees must reflect their proportion of the authority's membership; and

(d) that, subject to (a) to (c) above, the number of seats allocated to a political group on each committee is as far as possible in proportion to the group's membership of the authority.

The Local Government (Committees and Political Groups) Regulations 1990 (as amended) make provision for securing the political balance on councils and their committees and for determining the voting rights of members of certain committees.

Once the allocations have been agreed, the appointment of individual members must be given effect in accordance with the wishes of the relevant Group as expressed through the Group's Leader / Deputy Leader.

Charlie Fisher - Democratic Services Manager and Monitoring Officer
Email: charlie.fisher@teignbridge.gov.uk

Risk Assessment

Failure to allocate seats in line with the statutory principles set out in the Local Government and Housing Act 1989 would be in breach of statutory requirements and may result in legal challenge.

Charlie Fisher - Democratic Services Manager and Monitoring Officer
Email: charlie.fisher@teignbridge.gov.uk

Environmental/ Climate Change Implications

There are no Environmental/Climate Change Implications arising out of this report.

Charlie Fisher - Democratic Services Manager and Monitoring Officer
Email: charlie.fisher@teignbridge.gov.uk

Report Author

Charlie Fisher - Democratic Services Manager and Monitoring Officer
Email: charlie.fisher@teignbridge.gov.uk

Executive Member

Councillor Richard Keeling – Leader

1. Introduction/background

The Council is asked to affirm the allocation of seats to ensure the Council remains compliant with the Local Government and Housing Act 1989.

The current political composition of the Council's groups is as follows:

Liberal Democrat Group	Independent Group	Conservative Group	Unaligned or no group	Vacant
24	10	9	3	1
51.06%	21.28%	19.15%	6.38%	2.13%

The various groups comprise the following Members:

Liberal Democrat Group (24)	Independent Group (10)	Conservative Group (9)	Unaligned or No Group (3)	Vacant (1)
Buscombe	Bradford	Atkins	Dawson	Dawlish South West
Cox	Clarance	Bullivant	Horner	
Farrand-Rogers	Gearon	Hall	Steemson	
Foden	P Parker	Peart		
Goodman-Bradbury	Radford	Purser		
Hayes	Ryan	Rogers		
Henderson	J Taylor	M Smith		
Hook	Daws	Thorne		
Jackman	Mullone	Webster		
Keeling	Macgregor			
Major				
Morgan				
Nutley				
Nuttall				
Palethorpe				
C Parker				
Parrott				
Rollason				
Sanders				
K Smith				
Swain				
G Taylor				
Williams				
Wrigley				

The committees which are subject to political balance requirements currently comprise:

Committee	No. of Members
Overview & Scrutiny Committee	13
Planning Committee	11
Licensing & Regulatory Committee	11
Audit Committee	8
Governance Committee	6

The Committees and/or Working Groups which are not subject to political balance requirements currently comprise:

Committee / Working Group	No. of Members
Appointments and Remuneration Committee	4
Strata Joint Scrutiny Committee	3
Strata Joint Executive Committee	1
Local Plan Working Group	9

The numbers of seats allocate to each group for politically balanced committees is as follows:

Committee	No. of Members on the committee	Liberal Democrat Group	Independent Group	Conservative Group	Unallocated Seats
Overview & Scrutiny Committee	13	7	3	2	1
Planning Committee	11	6	2	2	1
Licensing & Regulatory Committee	11	6	2	2	1
Audit Committee	8	5	2	1	
Governance Committee	6	4	1	1	
Total	49	28	10	8	3
%		57.1%	20.4%	16.3%	6.1%

Appendix - Committee Seat Allocations

Politically balanced Committees:

Overview and Scrutiny Committee (13 Seats)

Liberal Democrat Group (7 Seats)	Independent Group (3 Seats)	Conservative Group (2 Seats)	Unallocated Seat (1)
1. Cllr Cox	1. Cllr J Taylor	1. Cllr Bullivant (Chair)	1. Cllr Steemson
2. Cllr Hayes	2. Cllr Macgregor	2. Cllr Thorne (Vice-Chair)	
3. Cllr Major	3. Cllr Ryan		
4. Cllr C Parker			
5. Cllr Rollason			
6. Cllr Swain			
7. Cllr Williams			

Planning Committee (11 Seats)

Liberal Democrat Group (6 Seats)	Independent Group (2 Seats)	Conservative Group (2 Seats)	Unallocated Seat (1)
1. Cllr Cox	1. Cllr Bradford	1. Cllr Hall	1. Cllr Horner
2. Cllr Goodman Bradbury (Vice Chair)	2. Cllr P Parker	2. Cllr Bullivant	
3. Cllr Palethorpe			
4. Cllr Sanders			
5. Cllr K Smith			
6. Cllr Williams (Chair)			
Substitutes (up to 3 per Group)			
Cllr Hook	Cllr Clarence	Cllr Atkins	
Cllr Parrott	Cllr J Taylor		
Cllr Nutley	Cllr Macgregor		

Licensing and Regulatory Committee (11 Seats)

Liberal Democrat Group (6 Seats)	Independent Group (2 seats)	Conservative Group (2 Seats)	Unallocated Seat (1)
1. Cllr Foden	1. Cllr Bradford	1. Cllr Peart	1. Cllr Horner
2. Cllr Goodman-Bradbury	2. Cllr Gearon	2. Cllr Atkins	
3. Cllr Hayes (Chair)			
4. Cllr Henderson			
5. Cllr Jackman			
6. Cllr Rollason (Vice Chair)			

Audit Committee (8 Seats)

Liberal Democrat Group (5 Seats)	Independent Group (2 Seats)	Conservative Group (1 Seat)	Independent - No Group
1. Cllr Morgan (Chair)	1. Cllr Clarence	1. Cllr Purser	1. Cllr Steemson (Vice Chair) (Liberal Democrat Place)
2. Cllr Jackman	2. Cllr Ryan		
3. Cllr K Smith			
4. Cllr Swain			
5. Place given to Cllr Steemson			
Independent Member (non-voting):			
1. Mr P Dodd			

Governance Committee (6 Seats)

Liberal Democrat Group (4 Seats)	Independent Group (1 Seat)	Conservative Group (1 Seat)
1. Cllr Henderson (Vice Chair)	1. Cllr Clarence	1. Cllr Bullivant (Chair)
2. Cllr Palethorpe		
3. Cllr Nutley		
4. Cllr Nuttall		

Independent Persons (non-voting):

1. Mrs Hazel Elliott
2. Ms Sandra Genender
3. Dr Geraldine Sharp

Committees not politically balanced:

Appointments and Remuneration Committee (4 Seats)

Membership determined by the Constitution

Liberal Democrat Group (2 Seats)	Independent Group (1 Seat)	Conservative Group (1 Seat)
1. Leader of the Council – Cllr Keeling (Chair)	1. Group Leader – Cllr Clarence	1. Group Leader – Cllr Bullivant
2. Executive Member for Corporate Resources – Cllr Parrott		

Strata Joint Scrutiny Committee (3 Seats)

Liberal Democrat Group (1 Seat)	Independent Group (1 Seat)	Conservative Group (1 Seat)
1. Cllr K Smith	1. Cllr Radford	1. Cllr Rogers

Strata Joint Executive Committee (1 Seats)

Liberal Democrat Group (1 Seat)	Independent Group (0 seats)	Conservative Group (0 seats)
1. Cllr Palethorpe		

Working Groups:

Local Plan Working Group (9 Seats)

Liberal Democrat Group (5 Seats)	Independent Group (2 Seats)	Conservative Group (2 Seats)
1. Executive Member for Planning – Cllr G Taylor	1. Cllr Macgregor (Nominated by Group Leader)	1. Chair of Overview and Scrutiny Committee - Cllr Bullivant

2. Executive Member for Housing and Homelessness- Cllr Buscombe	2. VACANT	2. VACANT
3. Chair of Planning Committee - Cllr Williams		
4. Executive Member for Environment - Cllr Hook (Nominated by Group Leader)		
5. Executive Member for Neighbourhoods - Cllr Sanders (Nominated by Group Leader)		

Teignbridge District Council

Audit Committee Annual Report 2025-2026

March 2026

1. Introduction

The Audit Committee is a key component of the Council's governance framework, providing independent, high-level assurance on governance, risk management and internal control. Chartered Institute of Public Finance Accountants (CIPFA) guidance emphasises that all local government bodies should adopt the principles of effective audit committees to support sound governance, internal control, financial management and reporting.

This Annual Report sets out how the Committee has discharged its responsibilities during 2025/26 with regard to the CIPFA guidance and the Council's Constitution, particularly the Audit Committee's Terms of Reference.

2. Committee Purpose and Governance

In line with CIPFA expectations, the Committee provides:

- Independent assurance on the adequacy of governance, risk and control arrangements
- Oversight of internal audit, external audit, and financial reporting including the annual governance statement

The full terms of reference are within the Council's Constitution [here](#) (Section 3.6).

3. Membership and Meetings

- **Chair:** Councillor Sally Morgan
- **Vice Chair:** Councillor Robert Steemson
- **Councillors:** Michael Jackman, Stephen Purser, Mike Ryan, Kevin Smith, and Andrew Swain (past members Bill Thorne and John Radford served part of the year)
- **Independent Member:** Paul Dodd (joined September 2025)

During 2025/26 the Committee met six times, with all meetings quorate. The Committee were pleased to welcome Paul Dodd in September 2025 as independent member, reflecting CIPFA's emphasis on independence, skills and knowledge.

4. Work of the Committee During 2025/26

4.1 Governance and Internal Control:

- Reviewed and updated Audit Assurance rating for the work of internal audit, bringing these into line with CIPFA guidance.
- Revised the Committee's terms of reference to reflect best practice, changing from Audit Scrutiny to Audit Committee in July 2025.
- Appointed the independent member following a robust recruitment exercise.
- Maintained oversight of internal and external audit plans and work.
- Received specific briefings from officers for areas of functions where internal audit had identified weaknesses and approved action plans.
- Monitored the progress against the Council's consolidated governance improvement plan.
- Reviewed and approved the Annual Governance Statement ensuring it was commensurate with the Committee's knowledge and understanding of the governance framework and results of its work.
- Reviewed and approved the Final Accounts, Treasury Management lending list and results.
- Approved the Council Tax base.
- Reviewed Exemptions and Waivers to the Council's Financial Instructions and Contract Procedure Rules.
- Received the annual Regulation of Investigatory Powers Act (RIPA) monitoring report.

4.2 Risk Management

The Committee scrutinised risk management arrangements and received the Corporate and Strategic Risk registers for review, challenging the adequacy of mitigations where required. This supports CIPFA's expectation for audit committees to maintain high-level oversight of risk management. The Committee also requested the frequency of risk reports to be increased to every meeting due to the importance of regular scrutiny.

4.3 Counter Fraud, Whistleblowing and Cyber Security

The Committee maintained oversight of the Fraud Risk Assessment which identifies fraud risks within the Council's functions and the mitigations in place to manage them. As with internal audit work, specific officers can be asked to provide briefings on areas for additional assurance, for example a specific cyber security briefing from Strata's security specialist. The results of the Council's independent assessment against the Local Government Cyber Assessment Framework were also reviewed.

The Anti Fraud and Corruption and Whistleblowing Policies are within the remit of the Committee and updates approved when required. A minor update to the Whistleblowing policy has been made to reflect the new Employment Rights Act.

4.4 Self-Assessment and Effectiveness Review

A Self-Assessment workshop, facilitated by the Devon Assurance Partnership, evaluated the Committees purpose, function, membership and effectiveness against CIPFA best practice.

Areas Covered	IA Rating
Audit Committee Purpose and Governance	Substantial
<ul style="list-style-type: none">- Terms of reference compliance with the 2022 CIPFA Position- Annual Report by the Committee	
Functions of the Committee	Substantial
<ul style="list-style-type: none">- Terms of reference compliance with the 2022 CIPFA Position	
Membership and Support	Reasonable
<ul style="list-style-type: none">- Establishing and maintaining a skills matrix- Establishment of formal training plan	
Effectiveness of the Committee	Reasonable
<ul style="list-style-type: none">- Action plan for improvement- Performance measures & Added Value	

Member training was undertaken during the year, to ensure they remained informed and current. The training was also facilitated by Devon Assurance Partnership.

Forward Plan

The Forward Plan can be seen [here](#). The committee will continue its focus on ensuring good governance is embedded, whilst mindful of the impacts of the impending Local Government Reorganisation.

Conclusion

The Audit Committee believes it has fulfilled its responsibilities in accordance with CIPFA's principles and has contributed significantly to the robustness of the Council's governance, risk management and control environment.

The input of Members, officers and the Independent Member, to the work of the Committee are much appreciated.

Councillor Sally Morgan, Chair of the Audit Committee

This page is intentionally left blank

Overview and Scrutiny Annual Report 2025 – 26



Chair's introduction

"As the following report demonstrates, the past year has been productive in supporting the council in decision making and providing the opportunity for councillors to ask questions of Executive members.

The committee has been able to increase focus on key issues and become increasingly forensic in establishing key information leading to enhanced support for decision making.

A key wish of the committee is to engage more with residents, a step towards this was achieved by taking a meeting to Teignmouth to hear the call-in decision relating to the plans for the Teignmouth Lido. This was meeting was a great success as local voices and opinions were heard and informed the basis of the recommendations to the Executive.

We are in a dynamic environment and will continue to develop the operations and working of the committee as we move forward but it is important that as the committee size was reduced at the last annual full council that all committee members attend both informal and formal meetings.

The support of our Democratic Services team has been invaluable, and I would like to extend my personal thanks for their tireless and expert advice".

**Councillor Phil Bullivant,
Chair of the Overview & Scrutiny Committee 2025- 26**

1. The Operation of the Overview and Scrutiny (O&S)

The Council has one Overview and Scrutiny Committee to discharge the duties laid out in the Local Government Act 2000. The Committee comprises of 13 Members and is subject to political proportionality and balance. The Members of the Overview and Scrutiny Committee include: Councillors Phil Bullivant (Chair), Bill Thorne (Vice Chair), David Cox, Robert Hayes, Andrew MacGregor, Jack Major, Colin Parker, Dave Rollason, Mike Ryan, Robert Steemson, Andrew Swain and Jane Taylor. Councillor Mike James was a member until his passing on 1 April 2026.

Highlights of the year include:

- 8 formal Committee meetings, open and webcast to the Public.
- 4 questions were submitted by Members of the Public at Committee meetings.
- 142 responses were received by Members of the Public to the Work Programme issue prioritisation survey.
- 4 informal pre scrutiny meetings.

Specific topics that were considered during the year included:

- Review of the Equality & Diversity Policy in response the Supreme Court decision.
- Police and Crime Commissioner – Police Update
- Annual Community Safety Partnership Review
- Voluntary Sector Annual Report
- Procurement Strategy
- The Modern 25 Programme
- Financial Plan 2026/27 (initial proposals and final)
- Unauthorised encampments
- Revision of the recycling collection service – simpler recycling reforms
- Carbon Action Plans
- NHS Health & Dentistry

It should be noted that the part-time Scrutiny Officer position in the Democratic Services Team was permanently added to the structure from April 2025 demonstrating the council's support for the scrutiny function.

Quarterly meetings have been held with the chairs of Overview & Scrutiny and Audit Committee and their deputies which are now scheduled to take place in March, June, September and December on a rolling basis. This has ensured that there is greater clarity on the roles of each committee, removed the risk of duplication and increased the understanding of each Chair.

Pre-meetings have been introduced one hour in advance of the scheduled meeting times for both the formal and informal meetings to enable the whole committee to discuss the agenda items/reports, to consider areas for questioning and to make the most effective use of the meeting time.

As a trial, a Councillors Work Document was developed to help members of the O&S Committee document their thoughts at the pre-meeting in a structured way for each Agenda item.

The structure of the Work Document includes the following areas:

- Notes in relation to the agenda item
- Relevant Questions to ask/comments to make
- Suggestions of actions, follow up or proposed recommendations to Overview & Scrutiny or Executive

Although some members had developed their own way of working, others appreciated the structure offered by this document so this would continue and be reviewed in February 2027.

Following the meeting held on 13 May 2025, those who attended were invited to provide feedback on the following areas:

- What went well?
- What could be improved?
- What impact did O&S make:
 - you as a Committee Member personally?
 - The Committee as a whole?

One example of change implemented as a result of the feedback is that the layout of the room has been changed for the formal meetings into a wide 'U' shape (including the Chair, Vice-Chair and officers at the front). This ensures that it is clear who the members of the Committee are at each meeting. The most recent Informal pre-scrutiny meeting was set out in a rectangle which worked well, encouraged open dialogue and physically signified the informal nature of the meeting.

2. Regular Agenda items at each formal Committee meeting

i) Quarterly Council Strategy Performance Reports

The Committee is keen to make timely informed recommendations on actions that could be taken to make improvements where the data evidences areas that are underperforming. The nature of the reports means that inevitably the information is retrospective which limits the influence that O&S can have. In 2025- 26 the reports were based on the 'Teignbridge 10' indicators, but the reporting is being developed in Spring 2026 for Quarter 3 in line with the new One Teignbridge Strategy.

The regular performance reporting of the Council Strategy allows Members to track and monitor the delivery of the strategy, examine in detail those areas which are not on track and learn from those which are on track.

ii) Biannual reports from Executive members

Members of the Executive report to the formal O&S Committee bi-annually on the Portfolio that they are responsible for on a rolling programme. To ensure that these reports are focussed on impact and to allow time for members of the O&S Committee to ask questions a template was produced and reports are now completed in advance and circulated with the agenda where possible, avoiding lengthy presentations.

The structure of the report includes the following areas:

- Services and legal responsibilities covered by Executive Member remit
- Strategic Plan objectives
- Service Delivery updates (inc. budget monitoring, performance information, risks, customer feedback)
- Upcoming decisions, how Overview and Scrutiny can support the delivery of the strategic plan or any other information relevant for the Overview and Scrutiny Forward Plan

All of the Executive Members attended over the year to present their reports and allow Members of the Committee to questions them and hold them to account in their Executive roles.

iii) Feedback from representatives on Outside Bodies

The Council appoints representatives to sit on Outside Bodies. Feedback from the representative(s) is scheduled across a full year cycle once per annum for most organisations and twice where meetings are more frequent (greater than 5).

The Council's representative(s) is invited to report on any meetings of the appointed outside organisation, the role the organisation(s) they represent plays in promoting and aligning with

the Council's priorities, policies and strategies, their impact and results, and advising on partnership discussions which are open and in the public domain.

To allow time for members of the O&S Committee to ask questions a template was produced and reports are now completed in advance and circulated with the agenda where possible.

The structure of the template includes the following areas:

- The purpose of the Organisation
- Attendance requirements/ meetings attended by the Member(s)
- Feedback on the Organisation
- An opportunity for the Member to exemplify how the organisation aligns to the Council's priorities and strategy.
- Additional information relevant for Overview & Scrutiny including the value that TDC brings to this organisation and/or why this organisation needs TDC:
- If the Council incurs an annual fee to enable the Council to have a representative on this organisation.
- How much is the fee (if any) and if it represents value for money for the Council.

iv) Forward Plans

The meeting agenda includes links to the Executive Forward Plan and the Overview & Scrutiny Forward Plan for Members to regularly review both plans. The Overview and Scrutiny Plan has been expanded to include a Work Programme which covers items scheduled for both the formal and Informal (Pre-Scrutiny) meetings to allow members and the public to see the full range of Scrutiny activity.

The Committee held a Work Planning Session in July 2025 to plan their work for the year and raise the key issues for the Committee. This session included reviewing the principles and purposes of work programme, reviewing Council Performance, the Risk Register and Customer Feedback data followed by specific issues raised by Executive Members, the Senior Leadership Team and Committee Members themselves.

Following the Work Planning session, an Issue Prioritisation Survey was designed and carried out in August 2025 to ask members of the public to indicate the potential areas of review suggested by Members that were most important to them. 142 responses were received. The results were presented as a report to the formal Overview & Scrutiny meeting held on 16 September 2025 and included on the Work Programme following discussion at the Informal Work Planning session held on 14 October 2025.

The exercise meant that the agreed Work Programme would continue to be focused on key issues affecting the Council and the people of Teignbridge, plus the areas where the Committee had the most impact.

3. Pre-Scrutiny Meetings (informal)

There were 4 informal pre-scrutiny meetings held between May 2025 and March 2026. These provide informal spaces for Members to discuss topics where recommendations are not required to provide assurance and information to Members and to discuss topics candidly and not in the public domain.

Topics covered during this year included:

- Teignbridge Housing Strategy at various stages as the strategy was being developed so that observations and comments could be incorporated in the next stage
- The importance of the role of Scrutiny in Local Government Reorganisation had to be balanced with a recognition that it was changing at a very fast pace as the options were being developed.
- A representative of the National Grid responded to the challenge of how prepared they are to deal with the current and potential demand for supply in Teignbridge with a presentation and opportunity to answer questions
- A mid-year 2025/26 Budget monitoring report was received for the first time.
- Work Planning is likely to be an annual topic to prioritise and schedule existing and new areas of work
- Community Infrastructure Levy (CIL) and Section 106 were presented to the Committee
- Introduction to the need for a review of the Future High Street Fund as a 'lessons learnt' for a future Executive report and will be added to the Work Plan.
- Planning: Performance and Delivery were considered and the Committee were satisfied with the improvement in performance evidenced by the data provided.

To ensure that there is a transparent record of activities of the Committee there is now a specific item on the agenda of each formal O&S meeting to receive feedback from any informal pre-scrutiny meetings held.

4. Overview & Scrutiny Training

It is now mandatory to attend training sessions that were previously optional to remain a member of this Committee.

Formal Training was delivered by the Centre for Governance and Scrutiny as follows:

- Scrutiny Essentials 4 June 2025
- Scrutiny Questioning Skills 10 June 2025
- Budget Monitoring 17 November 2025

Attendance and feedback on the sessions were reported to the Governance Committee's regular update on Member Training. In all sessions, Members rated their knowledge and confidence in the content at the start and the end of sessions, all 3 sessions led to improved knowledge and confidence as well as a better understanding of the role of scrutiny, the powers of scrutiny and how to plan questions.

This will be repeated on an annual basis to ensure that Members are able to contribute to the work of the Committee with maximum effectiveness.

The Chair attended a national CfGS (Centre for Governance and Scrutiny) workshop of Scrutiny Chairs in London in November 2025.

5. Task & Finish Groups

The Medium Term Financial Plan Review Group have continued to influence budget decisions made by the Executive and Council. The group met on 7 occasions between July 2025 and October 2025 and considered issues in a wide range of service areas including Waste and Recycling. Housing and Leisure.

The recommendations included in the report to O&S on 11 November 2025 that were subsequently included in the 2026/27 budget include:

- Approval of Council tax increases at the maximum allowed (2.99%)
- Removal of the 50% Council Tax for empty uninhabitable properties
- Support and request the acceleration of 'Invest to save' schemes for Housing to reduce the cost of providing temporary accommodation
- Support 'Invest to save' schemes in Leisure e.g. Dawlish Leisure Centre to invest to generate additional income or the alternative would be to close
- Increase discretionary fees & charges to maximise income

6. Post Decision Scrutiny and Call-ins

At a meeting of the Executive held on 10 February 2026, a decision was taken to close the Lido in Teignmouth to achieve revenue savings of £74,000 p.a.

This decision to 'not open the Lido in the Summer 2026' was called in by O&S and an additional meeting of the Committee was held on 3 March 2026. Due to unforeseen circumstances, the venue of the meeting was changed at short notice and was held in Teignmouth. This made it more convenient for some members of the public to attend which was received very positively (photograph below). Over 30 members of the public attended the meeting. The meeting followed normal procedural rules with the exception that the Committee agreed to suspend standing orders after Members of the Committee, other TDC Councillors and Members of the Executive had spoken to enable those Members of the Public present the ability to speak. 12 Members of the Public were able to speak at the meeting this was completed within the allotted time of 30 minutes. The opportunity to contribute was appreciated by all present and the meeting was praised for its openness, tone and seriousness in which the issue was discussed.

As a result of the points raised and the subsequent debate, the Chair summarised the feedback into 7 main points which were then crafted into a formal recommendation.

The Committee recommends to the Executive that:

- 1. The Executive decision to not open the Teignmouth Lido site in 2026 is reconsidered and reversed.*
- 2. The Executive works together with the local community and willing community groups to explore other solutions for how the Lido site can be operated in 2026, and details for any proposals to be submitted is given by the Executive in due course. In coming to a final decision, the Executive should consider an Equality Impact Assessment and assessment of the economic and health impact of their decision*

As a result of the call-in, Executive considered the Lido at their meeting held on 10 March 2026 and resolved amongst other recommendations to:

1. Notes the recommendation of Overview & Scrutiny to reconsider the decision not to open Teignmouth Lido in 2026.
2. Agrees to the ambition of opening Teignmouth Lido in the 2026 season, subject to any necessary maintenance and repair works to the site and the recruitment of staff.



7. Scrutiny of Partners/other organisations and holding them to account

Where relevant, contact has been made with external organisations and there has been communication in a variety of ways: by letter, in person at informal meetings or by invitation to Scrutiny meetings. These include the following organisations: Police, UKBD Rural broadband, National Grid, NHS and Education.

8. Impact

The work of the Medium-Term Financial Plan Review Group has been widely praised and recognised from across the Council. The Group represents best practice for budget scrutiny, providing a positive contribution to budget setting, extra layers of assurance for Scrutiny members and reporting its findings and recommendations in public to the Executive.

The Group's recommendations were positively received by the Executive and a number of them were built into the 2026/27 Budget. On 26th February 2026, Full Council agreed to the removal of the 50% Council Tax discount for uninhabitable properties, suggested by the Group, and a decision that would not have come to fruition without the Group's recommendations.

The Committee successfully recommended to Full Council that the revision of the Council's kerbside recycling collection service to meet the simpler recycling reforms be adopted from April 2027.

The Call-in meeting held in Teignmouth regarding Teignmouth Lido ultimately showcased the public opinion against the Executive's decision and persuaded the Executive to decide not to close the Lido for the 2026 Season.

9. Looking ahead

- The MTFP Review Group are reconvening in April 2026 to identify further savings for the next financial year.
- The June Overview & Scrutiny Committee meeting has been designated the Crime and Disorder Committee which is an annual requirement.
- The Forward Plan and Work Plan are regularly reviewed to identify areas where Scrutiny can consider, preferably in advance, relevant policies or decisions. The Committee will again hold a specific session to reset the work programme and ensure that the Public are able to contribute to this.
- The Committee will continue to work proactively to improve service delivery and hold the Executive to account, notwithstanding the future challenges that Local Government Reorganisation present to the Council and other public services.

Governance Committee Annual Report 2025/26

1. Foreword

Since being established by Full Council, the Committee with members from all parties has met regularly with an agenda to identify and suggest appropriate changes to the Council's Constitution.

Combining the Standards Committee and the Procedures Committee into the Governance Committee has allowed Members to have a wider oversight of the governance of the Council and issues that are important to Members and about Members.

As seen in Section 5, in just a few meetings, the Committee has achieved a lot over the past year, firstly to formalise its working arrangements and then to improve the transparency of its work and then its usual business.

As Chair of the Governance Committee, I wish to thank all those involved in the important work of the Committee.

Councillor Phil Bullivant, Chair of the Governance Committee

2. Introduction

This Annual Report provides an overview of the work undertaken by the Governance Committee during the 2025/26 municipal year. The Committee is responsible for advising the Council on the operation of its Constitution, Governance and decision-making arrangements, the Council's Member Development programme, on the adoption and revision of the Members' Code of Conduct and for monitoring the operation of the code.

The Committee was formally constituted following a decision by Full Council on Tuesday 29th July 2025 to merge the former Standards and Procedures Committees into the Governance Committee.

In the 2025/26 Municipal Year, the Committee met on 4 occasions:

1. 2nd July 2025 (as the Standards Committee)
2. 2nd October 2025
3. 8th January 2026
4. 23rd April 2026

3. Role and Purpose of the Governance Committee

The Governance Committee's responsibilities include:

- To review the operation of the Constitution, Standing Orders, conventions, codes, protocols, calendar of meetings and working practices.
- To make recommendations to the Council to make changes to the Constitution.

- To oversee the Council's programmes for member development and training.
- To make recommendations to the Council on its Scheme of Members' Allowances.
- To consider of maladministration and Public Interest Reports issued by the Local Government and Social Care Ombudsman.
- To act as the appropriate Committee to deal with Code of Conduct Complaints against Members to discharge the Council's duty under Section 28 of the Localism Act 2011 by:
 - Monitoring the effectiveness of the Member Code of Conduct.
 - Promoting high standards of ethical behaviour.
 - Considering allegations of misconduct and determining appropriate action.

The Committee is primarily supported by the Monitoring Officer, Legal Services and Democratic Services in carrying out its work.

4. Membership of the Committee

- Chair: Councillor Phil Bullivant
- Vice Chair: Councillor Andy Henderson
- Councillors Chris Clarence, John Nutley, Charles Nuttall and David Palethorpe.
- Independent Person(s) (not voting): Sandra Geneder, Hazel Elliott and Dr Geraldine Sharp.

The contribution of the Independent Persons continues to be invaluable in ensuring fairness, proportionality, and transparency in the Code of Conduct complaint process.

N.B. Councillor Charles Nuttall was Chair of the Committee and Councillor Phil Bullivant was Vice Chair of the Committee from 20th May to 29th July 2025. After being appointed to the Executive Committee, Councillor Nuttall relinquished the Chair and Councillor Phil Bullivant was appointed as Chair of the Committee on 29th July 2025, and Councillor Andy Henderson as Vice Chair.

5. Work of the Committee in 2025/26

During the year, the Committee:

- Reviewed the Appeal System within the Code of Conduct Complaints process.
- Confirmed of the Committee Terms of Reference.
- Determined of four Code of Conduct Complaints after independent investigation.
- Agreed a schedule of meetings and to meet quarterly.
- Approved the Arrangements under the Code of Conduct complaints procedure to accompany the Code of Conduct complaints procedure.
- Agreed to publish an Annual Report of the Governance Committee
- Agreed a regular publication of Code of Conduct complaints information to Committee meetings.
- Agreed to webcast Governance Committee meetings, improving the transparency of meetings.

- Agreed to grant dispensations to Councillors in relation to Local Government Reorganisation and Devolution.
- Reviewed the Local Government and Social Care Ombudsman Annual Letter 2024/2025
- Received regular updates on the work of the Constitution Review Working Group, publishing the notes of the Working Group to improve the transparency of the Group.
- Agreed to grant a general dispensation in relation to the Members' Allowance Scheme.
- Agreed recommendations from the Independent Remuneration Panel (IRP) and recommended these to Full Council for adoption.
- Considered the proposed reforms to the Standards Regime in England and the implications for these for the Council.
- Consideration of the introduction of a Councillor Disclosure and Barring Service (DBS) checks scheme for Members.

6. Code of Conduct Complaints and Casework

6.1 Overview

By law, the Council must make arrangements to investigate and determine allegations of breaches of the Code of Conduct. As a District Council, we also do this on behalf of Town and Parish Councils in the Teignbridge area.

In the 2025/26 Municipal Year:

- **34** complaints received about Member Conduct (this includes District, Town and Parish Councillors).
- 14 were from Members of the Public, 12 were from Elected Members, 4 from Council staff/officers, 4 were others
- **23** were resolved through no further action or were invalid complaints
- **2** were resolved through informal resolution
- **1** proceeded to formal investigation and was determined by the Governance Committee
- **8** are currently at different stages within the process to be resolved and/or determined.

4 complaints received in the 2024/25 municipal year were considered by the Governance Committee.

6.2 Themes Identified

Whilst most complaints were based on individual cases, common themes across the year included:

- Use of social media and the balance regarding Member's Freedom of Speech and Article 10 Rights.

- Civility and respect amongst Members.
- Supporting Town and Parish Councils with governance issues, which are not all directly related to the Code of Conduct.

The Monitoring Officer continues to encourage early resolution and acts to ensure fairness and appropriate decision making.

7. Training and Development

The Committee oversaw or supported:

- The adoption of the Member Development Strategy.
- Member Code of Conduct training in November 2025, attended by 20 Members.
 - Members rated the overall session 4.8/5.
 - Members rated if the overall session met their expectations 4.8/5.
 - Members understanding of the content (standards, code of conduct and interests) rose from 4.0/5 before the session to 4.7/5 after.
- Regular updates on Member Training and Briefings, including attendance at sessions and feedback on sessions are reported at each Governance Committee meeting.
- Consideration of the Councillor Digital Skills Framework, highlighting the proficiency of Councillor's digital skills and opportunities for further training.

8. Forward Plan 2026/27

Next year, the Committee intends to:

- Annual Review of the Code of Conduct Complaint Process.
- Review the Member–Officer Protocol.
- Consider the adoption of the LGA's Debate Not Hate Campaign.
- Consider any implications of the Government's proposed reforms to the Standards Regime.
- Continue to receive regular updates on Member Training and Briefing
- Continue to receive regular updates on Code of Conduct Complaints received.
- Following the winding up of the Constitution Review Working Group, take a more prominent role in reviewing the Constitution and recommending changes to Full Council.

9. Conclusion

The Committee wishes to thank Councillors, Officers, and Independent Persons for their contribution to this important area of governance.

**Teignbridge District Council
Full Council
19 May 2026
Part i**

Teignbridge Local Plan 2020-2040 – Adoption

Purpose of Report

To agree adoption of the Local Plan.

Recommendation(s)

The Council RESOLVES to:

1. Note the content of the Inspectors' Final Local Plan Report (Appendix 1).
2. Amend the Local Plan 2020-2040 in accordance with the further modifications requested in the Inspectors Report.
3. Adopt the Local Plan 2020-2040 to use as the basis for decision-making on planning applications in Teignbridge (outside of the Dartmoor National Park).

Financial Implications

These are as set out in section 5.1.

Gordon Bryant
Head of Financial Services and Audit
Email: gordon.bryant@teignbridge.gov.uk

Legal Implications

These are as set out in section 5.2.

Olaseni Sobowale, Senior Legal Officer
Email: olaseni.sobowale@teignbridge.gov.uk

Risk Assessment

These are as set out in section 5.3.

Kati Owen, Principal Strategy and Policy Officer (Planning Specialist)
Tel: 01626 215710
Email: kati.owen@teignbridge.gov.uk

Environmental/ Climate Change Implications

These are as set out in section 5.4.

Kati Owen, Principal Strategy and Policy Officer (Planning Specialist)
Tel: 01626 215710
Email: kati.owen@teignbridge.gov.uk

Report Author

Kati Owen, Principal Strategy and Policy Officer (Planning Specialist)

Tel: 01626 215710

Email: kati.owen@teignbridge.gov.uk

Executive Member

Executive Member for Planning and Building Control (Cllr Gary Taylor)

Appendices – see www.teignbridge.gov.uk/mainmodifications

1. Local Plan Inspectors' Report
2. Inspectors' Main Modifications Appendix
3. Equalities Impact Assessment
4. Inspectors' further changes to the Main Modifications
- 5a. Teignbridge Local Plan 2020-2040
- 5b. Teignbridge Local Plan 2020-2040 Appendix 1 Superseded and Extant Policies
- 5c. Teignbridge Local Plan 2020-2040 Appendix 2 Useful Terms
- 5d. Teignbridge Local Plan 2020-2040 Appendix 3 Housing Trajectory
- 5e. Teignbridge Local Plan 2020-2040 Appendix 4 Teignbridge Design Code

1. PURPOSE

1.1 The purpose of this report is to provide Full Council with the Local Plan Inspectors' Final Report on the Examination of the Teignbridge Local Plan 2020-2040. This report recommends that the Council notes the content of the Inspectors' Final Local Plan Report (Appendix 1), agrees to amend the Local Plan according to the Main Modifications (as appended to the Inspectors' Report), and agrees to adopt the Teignbridge Local Plan 2020-2040 (Appendix 5).

2. REPORT DETAIL

Overview

2.2 The Teignbridge Local Plan 2020-2040 ('the Plan') has been under preparation since 2018 and has included seven rounds of public consultation. It was submitted to the Secretary of State for Communities and Local Government on 14 March 2024, and two Government Inspectors were subsequently appointed to carry out an independent examination of the Plan. Public hearings, led by the Inspectors, were held between September and November 2024, and anyone who had previously commented on the Plan was invited to speak and register their views or concerns at these hearings. A further closed hearing session was also held on the 24 January 2025 in relation to the Design Codes.

2.3 Following the hearings, the Inspectors issued a Post-Hearing Letter which provided their initial advice in relation to the Plan. The letter stated that, with modifications, the plan was "*likely to be capable of being found legally compliant and sound*".

2.4 A series of Main Modifications to the Plan were finalised and agreed by the Planning Inspectors, to address the matters discussed at the hearing sessions. The Main Modifications did not include any significant amendments to the Local Plan that would change the meaning of the policies or proposals but were largely for clarification purposes. Full Council agreed to publish the Main Modifications for consultation at the meeting on 25 February 2025.

2.5 The Main Modifications and the accompanying Strategic Environmental Assessment (Sustainability Appraisal) and Habitats Regulation Assessment were published for consultation between 30 July to 1 October 2025 and all comments received were sent to the Planning Inspectorate on 2 October 2025 for consideration.

2.6 The Inspectors' Report on the Examination of the Teignbridge Local Plan was received on 24 March 2026. The Report finds the Plan sound and legally compliant (subject to the Modifications).

2.7 Once adopted, the Plan will form the principal basis for determining development proposals within the district (excluding areas within the Dartmoor National Park).

3. INSPECTORS' REPORT ON THE EXAMINATION OF THE TEIGNBRIDGE LOCAL PLAN

3.1 The Planning Inspectors' Report on the Examination of the Teignbridge Local Plan sets out that, subject to the Main Modifications, which are provided at Appendix 2 of this report, the Local Plan is sound and legally compliant. The only changes made to the agreed Main Modifications comprise minor editorial changes to 3 of the 400 or so modifications (see Appendix 4).

3.2 The ability to implement specific policies by virtue of time and resources required, whilst meeting prescribed determination timescales is referenced in the Inspectors' Report, although it is not considered a soundness issue. However, this highlights our need, as a council, to support applicants through the pre-application enquiry process, continue to hold agent and developer forums, to be pragmatic in our expectations and decision-making and to hold early Councillor briefings about our strategic development sites.

4. TEIGNBRIDGE LOCAL PLAN 2020-2040

4.1 The Local Plan 2020-2040 comprises a start from scratch review of the 2013-2033 Local Plan and sets high standards for new development. It will supersede the

2013-2033 Local Plan but saves allocated development sites from this plan that have not yet been built.

4.2 The 2020-2040 Plan allocates sufficient development sites to meet the Council's Objectively Assessed Need (housing need) following the Standard Method and includes a "primary residence" clause for development in our coastal communities. It sets net zero carbon standards, takes a positive approach to low carbon energy generation and storage and identifies areas of potential for wind turbine development.

4.3 The 2020-2040 Local Plan will secure between 20% and 30% of all new development as affordable homes and will require more affordable homes to be provided through social rent. The Plan includes stricter and more comprehensive policies to secure good design, including a District Wide Design Code, sets minimum parking standards (including for cycles) to prevent the problems of parking on pavements in new developments, and requires new street trees to be planted.

4.4 The Local Plan allocates sufficient land to meet our growing economic development needs, promotes sustainable and active travel, and includes more comprehensive protection for wildlife.

4.3 By adopting the Plan, the housing figure of 720 homes per year, against which we are tested (5-year land supply and Housing Delivery Test), will be saved for five years following adoption.

4.4 The success of the Plan at Examination reflects the partnership working approach that was followed during its preparation, which included close liaison with Members, through the Local Plan Working Group, with statutory bodies and neighbouring authorities, as was shown by the numerous Statements of Common Ground, and with local communities (Planning Cafes). The level of engagement, including the additional Proposed Submission Addendum consultation, added time to the preparation of the Plan, but put us in a strong position at the Examination Hearings, and the fact that the Main Modifications required to make the Plan sound

did not significantly alter the Plan or add or remove any development sites is testament of this.

5. IMPLICATIONS, RISK MANAGEMENT AND CLIMATE CHANGE IMPACT

5.1 Financial

- i. Previous reports prepared for each stage of preparation of the Local Plan have set out costs incurred and any remaining costs required by either the preparation or examination of the Plan.
- ii. All costs have now been accounted for and there are no further budget pressures or requests arising from this report.

5.2 Legal

- i. Section 19 of the Planning and Compulsory Purchase Act 2004 sets out a statutory framework for local planning authorities to prepare development plans. These plans must identify the priorities for the development and use of land in the authority's area.
- ii. Legislation requires that Plans are accompanied by Strategic Environmental Assessment and Habitats Regulation Assessment. These have been carried out at each stage of the plan making process and published for consultation alongside each version of the Plan. The Inspectors' Report considers these matters as part of the examination.
- iii. The Town and Country Planning (Local Planning) (England) Regulations 2026 came into force of 25 March 2026. These regulations replace the previous 2012 Regulations and require the Inspector's Final Report to be published on the Council's website and sent to those on the Council's database. Officers advise that these steps have been undertaken.
- iv. Section 15 of the Planning and Compulsory Purchase Act requires Local

Planning Authorities to prepare and maintain a Local Development Scheme (LDS). These should be kept up to date. The LDS was agreed at the Teignbridge Executive Committee meeting on 10 March 2026.

- v. The Inspector's Report concludes that the Plan is legally compliant and sound, subject to the main modifications, and the Council is therefore able to proceed to adoption.

5.3 Risks

- i. There are various risks associated with not having an up-to-date plan in place which include loss of local control to determine planning applications, and harsher penalties for not meeting housing-related targets. Importantly, the Council will lose the ability to plan strategically, identify appropriate funding mechanisms, and ensure the most sustainable outcomes for our communities and environments.
- ii. The adoption of the Local Plan will 'set' the Council's housing requirement at 720 homes per year for five years from the date at which the Plan is adopted. Without the Plan in place, the Council's housing requirement will be determined by the 'standard method' formula which currently requires 1,088 homes per year.

5.4 Environmental/Climate Change Impact

- i. The Local Plan 2020 to 2040 has significant potential to directly and positively influence issues relating to climate change and contribute towards meeting local and national carbon budgets aligning with the Paris Agreement. The Plan provides further clarity on the following policy areas:
 - Climate change/wind turbines/electric vehicles
 - Green infrastructure standards
 - Undeveloped Coast and European wildlife sites
 - Site specific measures.

6. CONSIDERATION OF ALTERNATIVE OPTIONS

6.1 The Main Modifications have not affected the strategic direction of the plan or made any significant changes to housing numbers or the development strategy. Therefore, the Plan as proposed for adoption reflects closely the Plan supported by Members at earlier stages.

6.2 The alternative option to the proposed recommendation is to not adopt the Local Plan. Instead, we would rely on the adopted Local Plan 2013-2033 and the emerging National Development Management Policies set out in the draft National Planning Policy Framework (NPPF). However, many of the 2013-2033 Local Plan policies are out of date and, as stated at 5.3 (ii), without the Plan in place, the Council's housing requirement will be determined by the 'standard method' formula which currently requires 1,088 homes per year, rather than the 720 homes per year as set for 5 years by the adoption of the Local Plan 2020-2040.

6.3 There are significant risks to not adopting the Plan, which include reliance on outdated policies, inability to meet our housing targets and lack of control over how new development is coordinated with infrastructure. It is therefore recommended that this is not pursued as an option.

7. CONCLUSION

7.1 The receipt of the Inspectors' Report on the Examination of the Teignbridge Local Plan and the finding of the Plan to be sound and legally compliant is a milestone to be celebrated, as only about a third of local authorities across the country have an up-to-date Local Plan. The fact that the Main Modifications required to make the Plan sound did not significantly alter the Plan or add or remove any development sites, is also testament to the partnership working approach taken to preparing the Plan, including close liaison with the Local Plan Working Group, statutory bodies, neighbouring authorities, local interest groups and members of the public.

7.2 By adopting the Plan, Teignbridge will have an up-to-date Local Plan, that will meet the social, economic and environmental needs of the district up to 2040.

**Teignbridge District Council
Full Council
19 May 2026
Part i**

Community Infrastructure Levy (CIL) Charging Schedule

Purpose of Report

To adopt the Community Infrastructure Levy Charging Schedule.

Recommendation(s)

The Council RESOLVES to:

- (1) Adopt the Teignbridge Community Infrastructure Levy (CIL) Charging Schedule as modified by the Examiner's Report to come into effect and replace the 2014 CIL Charging Schedule from 1 June 2026.
- (2) Delegate authority to the Director of Place to correct any minor errors in the charging schedule which come to light within six months of its approval.

Financial Implications

These are as set out in paragraph 23.
Gordon Bryant, Head of Financial Services
Email: gordon.bryant@teignbridge.gov.uk

Legal Implications

These are as set out in paragraph 24.
Olaseni Sobowale, Interim Head of Legal
Email: olaseni.sobowale@teignbridge.gov.uk

Risk Assessment

The overall risks of adopting a new Charging Schedule are very low, whilst the benefits are high. As set out in this report, CIL rates must be set at rates that will raise sufficient infrastructure funding, but not too high so as to make developments unviable. The new Charging Schedule achieves this. However, the CIL Inspectors Report has also reduced the overall amount of CIL likely to be collected, due to the zero rating of CIL at the Bradmore (GC13) site.

Whilst this is disappointing, CIL remains the best mechanism for collecting flexible infrastructure funding to address the demands placed on Teignbridge by new development, allowing the Council to invest in schools, parks, transport and other infrastructure that residents need. Failure to adopt this new Charging Schedule

carries the highest risk, on the basis that this charging schedule has been prepared in light of the new Local Plan and its new development allocations.

Alex Lessware, Strategic Infrastructure and Growth Officer
Email: alex.lessware@teignbridge.gov.uk

Environmental/ Climate Change Implications

Adoption and charging of CIL does not have any direct negative environmental or climate change consequences. The availability of CIL for capital projects does give Teignbridge the opportunity to invest in projects that may have either positive or negative consequences. Teignbridge is investing in a range of projects including new cycle links and countryside parks, which are primarily positive for this issue.

William Elliot, Climate Projects Officer
Email: william.elliott@teignbridge.gov.uk

Report Author

Trevor Shaw, Senior Strategy and Policy Officer,
Email: trevor.shaw@teignbridge.gov.uk

Executive Member

Cllr Gary Taylor, Portfolio Holder for Planning

Appendices

- A. Final Charging Schedule
- B. Inspectors Report
- C. Equality Impact Assessment

OVERVIEW

1. The Community Infrastructure Levy (CIL) is a charge that can be levied on most forms of development to help fund a range of infrastructure that is needed to support the future growth of our area. CIL is intended to complement and 'co-exist' alongside the current system of Section 106 planning obligations. Rates are expressed as pounds (£) per square metre. The purpose of the Teignbridge CIL Draft Charging Schedule is to set out how the levy will be charged on new developments in the area and serves to supplement the new Teignbridge Local Plan 2020-2040, taking account of policies and viability assessment evidence prepared for the plan.
2. Members previously approved consultation on the document in January 2023 at Full Council, which was subsequently undertaken over three periods:

- Initial consultation on CIL Draft Charging Schedule (23 Jan 2023 – 13 March 2023) – 221 consultation responses were received.
 - Consultation on final CIL Draft Charging Schedule (4 December 2023 – 8 January 2024) – 37 consultation responses were received.
 - Consultation on Proposed Modifications to CIL Draft Charging Schedule (13 Sept 2024 – 11 October 2024) – No responses received to final stage of consultation.
3. During this process changes were made to the Draft Charging Schedule which recognised valuable points raised by consultees. These included amongst others, adjustment of CIL Charging Zones to reflect latest value areas with three main charging zones proposed, plus two charging zones for large sites. Proposal for zero CIL (from £25m sq) on retirement housing, including age restricted open market homes within sheltered housing was incorporated into proposed modifications to the schedule.
4. The Draft Charging Schedule has been subject to examination by an independent Examiner which included a hearing session on 30 September 2025 in the Council Chamber. Following which the Examiner’s report was received on 18 December, as attached at appendix B and published on the Teignbridge CIL Examination webpage. Of close relevance, we received the Inspector’s Report for the Teignbridge Local Plan 2020-2040 on 24 March 2026. The Inspectors found that with the recommended main modifications the plan is sound and capable of adoption. The CIL is identified by the Local Plan Inspector’s Report as one mechanism expected to continue to deliver infrastructure associated with the local plan. As such, this report should be read alongside the separate report before Council relating to the adoption of the new local plan, (as per item on Full Council agenda of 19 May 2026).

REPORT DETAIL

Examiner’s Findings

5. Importantly, the Examiner’s report concludes that the draft charging schedule provides an appropriate basis for the collection of the levy in the Teignbridge area. It also further confirms that the Council has provided sufficient evidence that shows the proposed rates would not threaten delivery of the Local Plan.
6. The charging schedule has thereby been found to satisfy the drafting requirements and can proceed to be approved and brought into effect subject to the making of one modification (EM1) to replace the rate for Bradmore New Neighbourhood with £0 m². (from £70 m²) on the CIL Charging Schedule.
7. In relation to the single modification, the Examiner concluded there was a significant risk to the delivery of housing on the Bradmore site if the CIL is set at £70 and that it should be treated as a strategic site subject to nil CIL.

Furthermore, the Inspector concluded that this is not an unusual way of dealing with strategic sites where viability may be challenging and (in his view) it has the advantage of giving the Council more scope to get site specific infrastructure funded through s106 agreements (para 39 of Examiner's Report refers).

8. All other parts of the draft charging schedule, including CIL rates for residential and retail forms of development remain as per the submitted schedule, along with identified charging zones. Taking account of modification EM1, the full CIL charging schedule is attached at Appendix A.
9. For implementation purposes the charging schedule is required to stipulate an 'effective' date for when the new CIL will begin to be charged. In this context, it is proposed to set an 'effective' date of 1 June 2026. Therefore, any applications receiving planning permission on or after this date will need to comply with the new CIL requirements and be chargeable.

Development Viability

10. Viability evidence has formed a cornerstone for both the Draft Charging Schedule and Local Plan policies. The viability assessment prepared by the council's consultants, Three Dragons, has thoroughly assessed the policies in the new Local Plan that have viability implications, including the provision of affordable housing, higher future building standards, design standards, provision of custom and self-build, exception sites, biodiversity and habitats mitigation.
11. A recognised method was followed, using a typology approach regarding the likely forms of development in the area. Three broad groups of development types were defined: residential, specialist homes and non-residential.
12. Fourteen generic residential typologies were identified, ranging from a small house scheme involving 3 units to an eight-hundred-unit scheme. Nine non-residential typologies were tested involving offices, industrial/warehouse, retail and a budget/ business hotel.
13. The testing included both green field and brown field sites as appropriate for the type of development envisaged. A range of affordable housing requirements were tested with the highest amount of affordable housing assumed (70%) for rural exception sites.
14. It was clear from the viability testing that most of the residential development tested is viable and that in viability terms, the policies proposed in the new local plan do not put delivery at risk.
15. In the run-up to the CIL hearing, it was necessary to prepare large site viability evidence to test the strategic development sites, including Bradmore New Neighbourhood (GC13), Markham Village (EE1) and Peamore and West Exe (EE2).

16. This work carried on from earlier high-level testing on the sites contained in the second Viability Assessment addendum report prepared in October 2023.

Implications of the £0 sq m Bradmore rate

17. The Inspector's recommendation for a £0 sq m CIL rate for the Bradmore allocation (Charging area 3) is consequential for future CIL income. It means all planning obligations on this site, including in relation to transport, greenspace and other policy requirements, will need to be secured through a S106 agreement, because no CIL will be due. This approach can be successful subject to a coordinated approach between key stakeholders (including DCC and the developer) and suitably flexible wording of S106 obligations.
18. There will be an impact on the CIL income for Teignbridge and the relevant parishes (Newton Abbot / Islington), through the loss of a proportion of the CIL, which is estimated to have been approximately £3.5m for the area excluding the 250 homes west of Houghton Barton (20/00586/MAJ).

Future CIL Review

19. Once the new CIL Charging Schedule has been introduced it will be necessary to closely monitor implementation through continuing dialogue with the local development industry, including agent representatives. In particular, seeing that new development sites are moving forward in a timely manner to match expectations identified in the housing trajectory of the local plan. The Council will also keep its charging schedule under review to ensure the levy charges remain appropriate over time.
20. Given the conclusions of the Inspector's report concerning Bradmore, the most practical future course would be to undertake a focused single site CIL Review for Bradmore in 2028/29 which will provide more accurate evidence for costings, prior to the majority of the development scheme coming forward.
21. The evidence is clear that for sites elsewhere, including the Markham and Peamore strategic sites there is considerable CIL headroom, meaning this Charging Schedule is unlikely to require a broader review. Although it will also be necessary to comply with any forthcoming changes to the overall system of infrastructure funding at the local level flowing from government policy, such as any new Infrastructure Levy scheme.
22. Following issue of the Examiner's Report further non-material changes, including typographical errors and factual corrections may be identified in the Charging Schedule. These would not impact upon the CIL rates. As such, these are classified as correctable errors by the CIL Regulations 2010 and Regulation 26 enables the Council as the charging authority, to correct the errors once Council has approved the Charging Schedule. It is therefore recommended that delegated authority is given to the Director of Place to amend the Charging

Schedule and publish the correctable errors in a correction notice within 6 months of adoption.

Implications, Risk Management and Climate Change Impact

Financial

23. The CIL generates a substantial portion of the Council's capital budget to deliver the infrastructure necessary to support the development of the area. The CIL regulations also allow use of up to 5% for administration. Overall, this Charging Schedule will support the Council's objectives without placing additional pressure on the revenue budget. But the reduction of CIL income resulting from the £0 rate at Bradmore will impact the overall sum available for administration.

Legal

24. The primary Power for this Report is Part 11, Planning Act 2008. The Operational regime is the Community Infrastructure Levy Regulations 2010 (as amended). The intended actions of this Report sit within this Statutory framework. It is also necessary to be reasonable, viable and consistent with national guidance in the NPPF and Planning Practice Guidance (PPG). To fulfil relevant legislative requirements the charging schedule should set an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the plan area.

Risks

25. If the recommended approach is not followed there is a real risk that the whole Charging Schedule may be compromised by not being consistent with the Planning Act 2008 as amended and Community Infrastructure Regulations, guiding the proper preparation of such documents and therefore, satisfactory implementation outcomes.
26. There are various risks associated with not having an up-to-date CIL Charging Schedule. If the CIL rates were set too high developments may not be able to match policy requirements in the Teignbridge Local Plan 2020-2040. If the CIL is set too low it would prove more difficult to secure sufficient funding to deliver projects in the Teignbridge Infrastructure Delivery Plan and One Teignbridge Strategy Action Plan. Adoption of the CIL Charging Schedule will set the Council on track to help meet outstanding infrastructure delivery commitments as recognised in these documents.

Environmental/Climate Change Impact

27. The CIL charging schedule and collection of CIL itself does not have significant environmental and climate change impacts. Such issues may be evaluated and addressed when CIL-funded projects come forward to consider matters such as embodied carbon and energy consumption in-line with Local Plan policies and council objectives.

Alternative Options

28. A different option would be to forgo an updated CIL Charging Schedule, instead relying on other forms of funding for local infrastructure, such as S106 Planning Obligations. However, this would depart from the approach followed for the adopted Teignbridge Local Plan (Policy S5) and the new Local Plan (Policy GP7) which aim to deliver the infrastructure required. CIL has been successful in raising £41.8m towards strategic infrastructure projects and has thereby reduced the infrastructure funding gap in the district.

Conclusion

29. For the reasons set out in this report, it is recommended to Full Council that the CIL charging schedule be approved so that CIL charging under the new terms and levels can commence on 1 June 2026.

This page is intentionally left blank



PlanTeignbridge

Community Infrastructure Levy (CIL)

Teignbridge District Council
CIL Charging Schedule

May 2026

Community Infrastructure Levy (CIL)

Teignbridge Charging Schedule

May 2026

1. Background	3
2. CIL Rates	4
Retail	4
Residential	4
Dwellinghouses (Use Classes 'C3' and 'C4')	4
Flats and Apartment Developments	4
Open Market homes on Rural Exception Sites (Policy H7)	5
Open Market homes on Other Exceptions Sites (Policy H8)	5
Retirement Housing	5
All Other Uses:	5
Calculating the Chargeable Amount:	5
3. Charging Zone Maps	6-18

1. Background

This document sets out Teignbridge District Council's Charging Schedule for the Community Infrastructure Levy (CIL).

The CIL rates for development has been determined by viability evidence, taking account of the policies set out in the Teignbridge Local Plan 2040.

This Charging Schedule should be read alongside the regulatory requirements set out in the CIL Regulations 2010 (as amended) and any related guidance.

An examination report of December 2025 confirmed that this Charging Schedule complies with the requirements under the Planning Act 2008 (as amended) and the CIL Regulations 2010 (as amended).

Teignbridge District Council is the Charging Authority for the Teignbridge Local Plan Area. This excludes the Dartmoor National Park Authority area within Teignbridge.

CIL will be levied against retail and residential development, subject to various exceptions, as defined in the document below.

Post Examination Statement:

This charging schedule has been issued, approved and published in accordance with the CIL Regulations 2010 (as amended) and Part 11 of the Planning Act 2008 (as amended).

The date on which the CIL charging schedule was approved; (Tbc)

The date on which the charging schedule takes effect; (Tbc)

2. CIL Rates

Retail:

The CIL for retail development is as follows;

Retail outside of identified town centres: £150 m²

Retail within identified town centre: £0 m²

Small retail with sales floor area of 280m² or less in any location: £0 m²

Retail town centre Charging Zones correspond to the town centre areas identified in the Teignbridge Local Plan 2040 policies map.

The following settlements have defined town centre boundaries: Bovey Tracey, Chudleigh, Dawlish, Newton Abbot, Teignmouth.

CIL rates for Retail include shops selling 'convenience' and 'comparison' goods.

Residential

The CIL rate for residential development vary by settlement and development type, as follows:

Dwellings (Use Classes 'C3' and 'C4')

Charging Zone 1:

Newton Abbot, Kingsteignton, Kingskerswell, Chudleigh and Dawlish: £150 m²

Charging Zone 2:

Teignmouth, Bovey Tracey, Edge of Exeter and housing allocations within the villages. (Allocations are in Bishopsteignton, Broadhempston, Chudleigh Knighton, Denbury, Doddiscombsleigh, Ipplepen, Kennford, Liverton, Starcross, and Tedburn St Mary): £210 m²

Charging Zone 3:

Bradmore New Neighbourhood (GC13): £0 m²

Charging Zone 4:

Markham Village (EE1) and Peamore and West Exe (EE2): £150 m²

Charging Zone 5:

All other Rural areas including rural villages: £300 m²

Affordable Housing in any location: £0 m²

Affordable Housing is defined in Regulation 49 (Social Housing relief) of CIL Regulations 2010 (as amended). The £0 charge eases the administrative processes. The £0 rate for Affordable Housing has no bearing on the Regulatory Social Housing Relief.

Charging Zones correspond to settlement limits and/or development allocations identified in the Teignbridge Local Plan 2040 policies map and shown in the Charging Zone maps within this document.

Flats and Apartment Developments

Development of flats and/or apartments in a block of 2 or more units on 2 or more storeys (in Use Class C2, C3 or C4): £0 m²

Flats and apartments are single floor units stacked vertically in a block. This includes flats and apartments for older people including Extra Care and Sheltered Accommodation.

Open Market homes on Rural Exception Sites (Policy H7)

Open market residential homes on Rural Exception Sites (Policy H7) where a S106 is in place for provision of at least 70% affordable housing: £0 m²

Where open market units are delivered on a rural exception site for the purpose of supporting and cross subsidising the delivery of the affordable housing, open market units will be CIL zero rated providing a S106 is in place to secure sufficient affordable housing.

Open Market homes on Other Exceptions Sites (Policy H8)

Open market homes delivered on a Policy H8 Other Exception site for the purposes of providing housing for local people, in accordance with the policy and including a local connection test as a planning condition or obligation: £150 m².

Retirement Housing

Retirement Housing including age restricted open market homes within Sheltered Housing, Retirement Living, Extra Care and Care Homes developments: £0 m². Retirement housing will provide facilities not found in completely independent accommodation such as a secure main entrance, residents' lounge and access to an emergency alarm service.

Dwellings which meet the definition of retirement housing (as set out in the Policies and Guidance note) will not be required to pay CIL where a S106 (or Unilateral Undertaking) has been agreed to secure the retirement housing. This S106 should include a restriction requiring at least one resident per household to be aged 60 or over and/or registered disabled.

All Other Uses

Based on an assessment of viability, a zero (£0 m²) CIL rate for all other development is considered appropriate.

This £0 m² rate includes developments of commercial, business and service development; general industrial; storage and distribution; and hotels.

Calculating the Chargeable Amount

The Council will calculate the amount of CIL chargeable to a qualifying development utilising the formula set out the CIL Regulations. In summary the amount of CIL chargeable will be calculated as follows:

$$\frac{\text{CIL Rate} \times \text{Chargeable Floor Area (m}^2\text{)} \times \text{RICS CIL Index (Ip)}}{\text{RICS CIL Index (Ic)}}$$

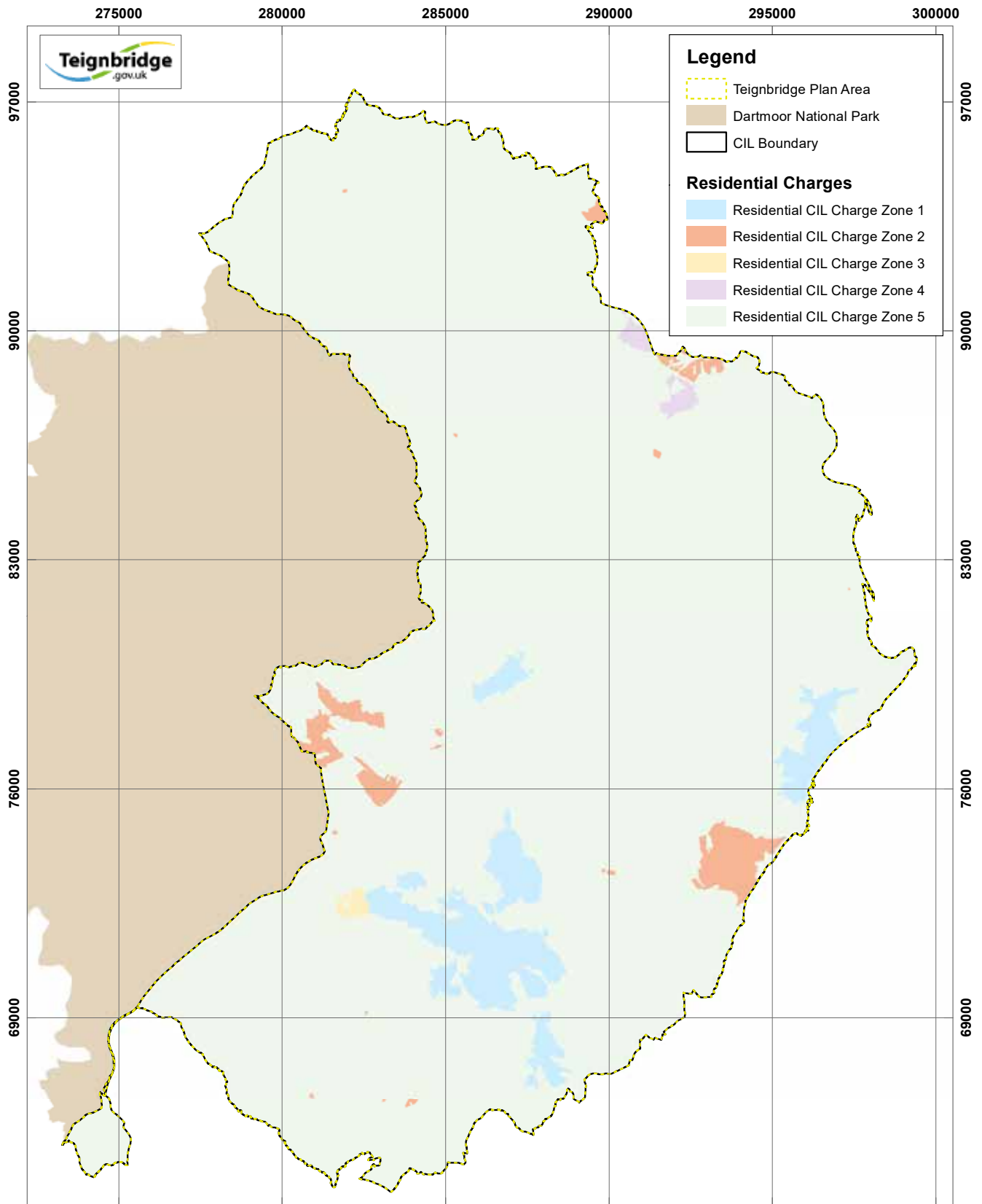
RICS CIL Index (Ic)

(Ip) = index figure for the calendar year in which planning permission was granted

(Ic) = index figure for the calendar year in which the charging schedule took effect

3. Charging Zone Maps

Charging Zones are aligned with the settlement limits and/or development allocations identified within the Teignbridge Local Plan 2040 as follows:

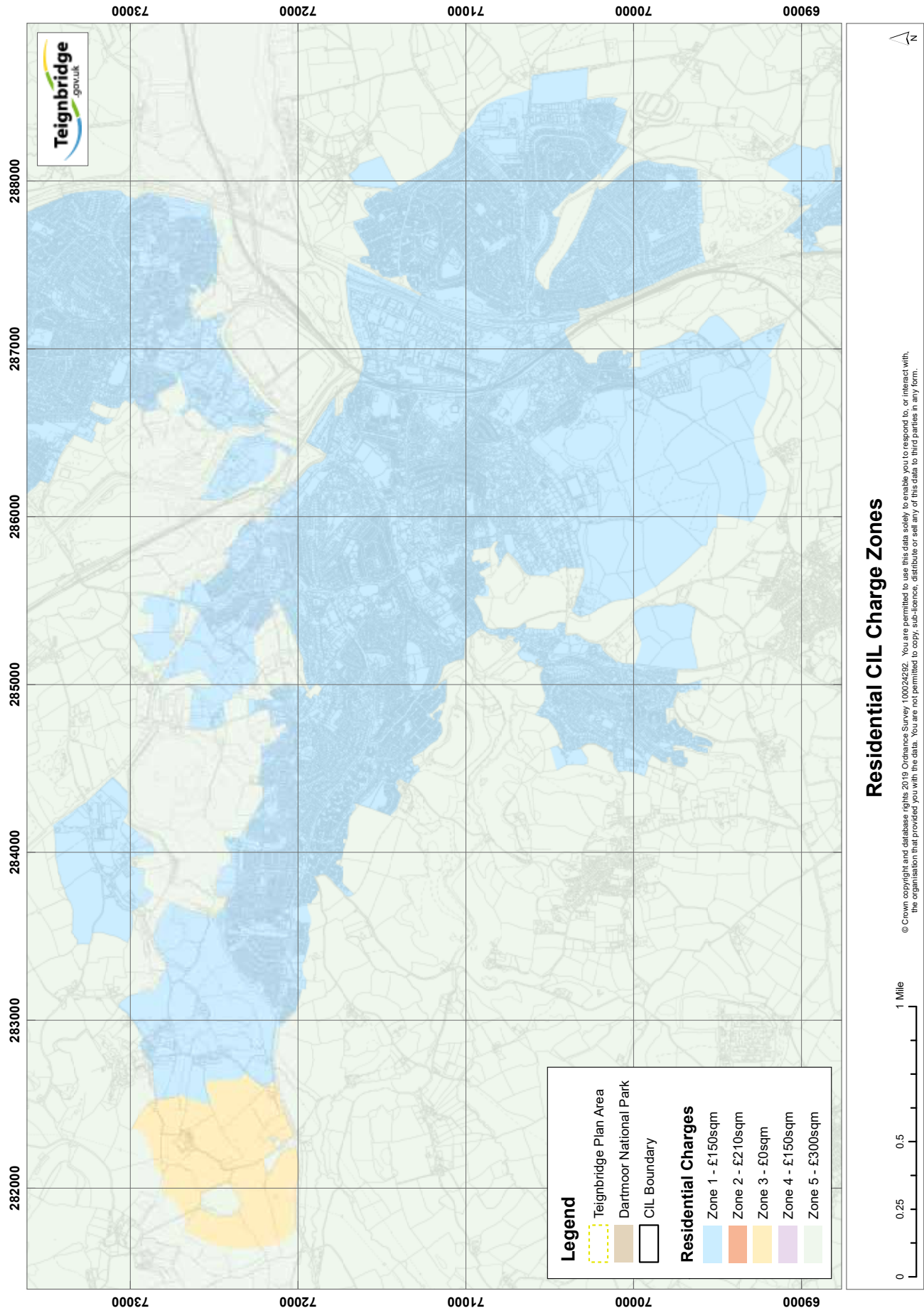


Residential CIL Charge Zones Overview

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sublicense, distribute or sell any of this data to third parties in any form.

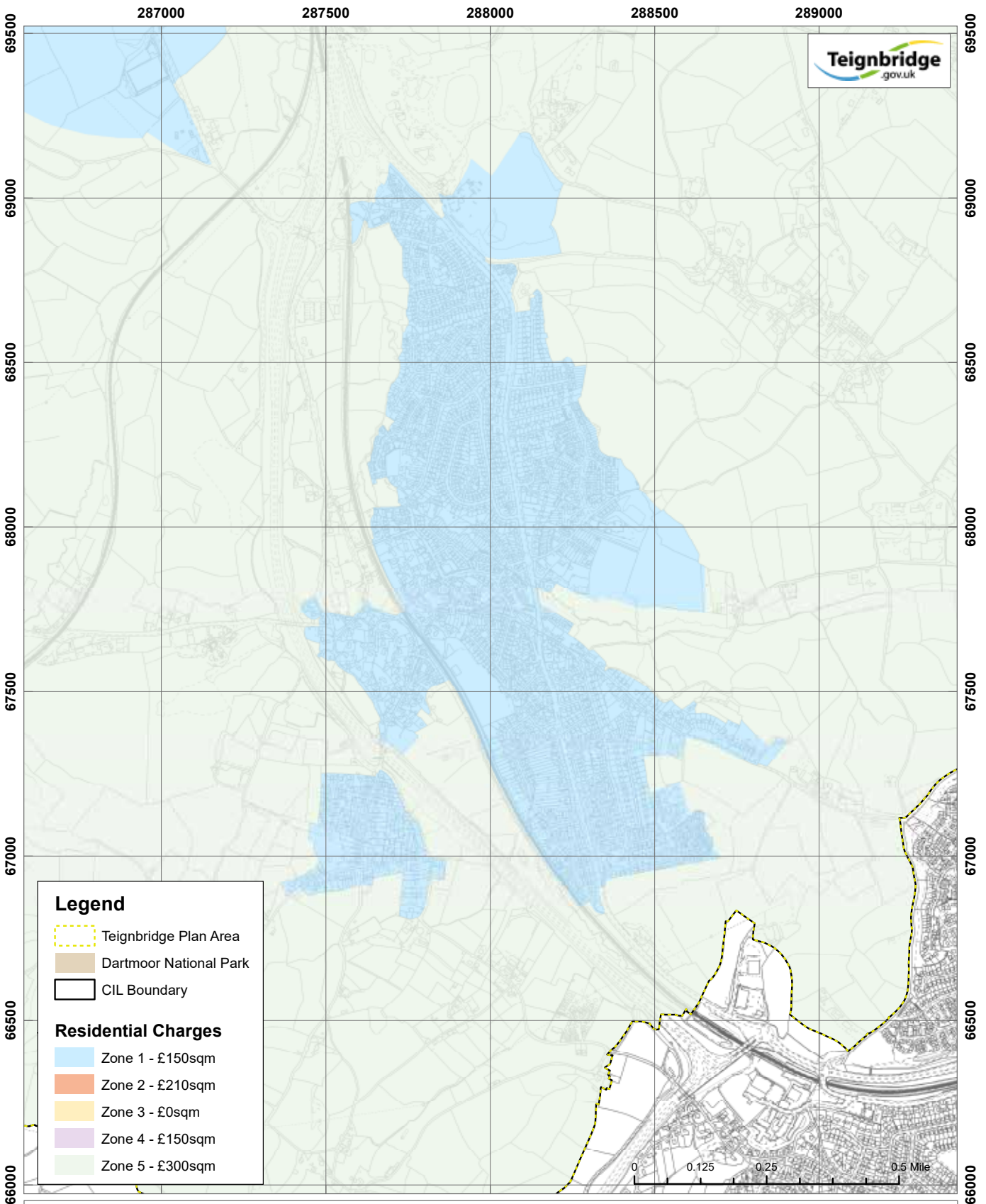
Residential Charging Zones

Newton Abbot



Residential Charging Zones

Kingskerswell



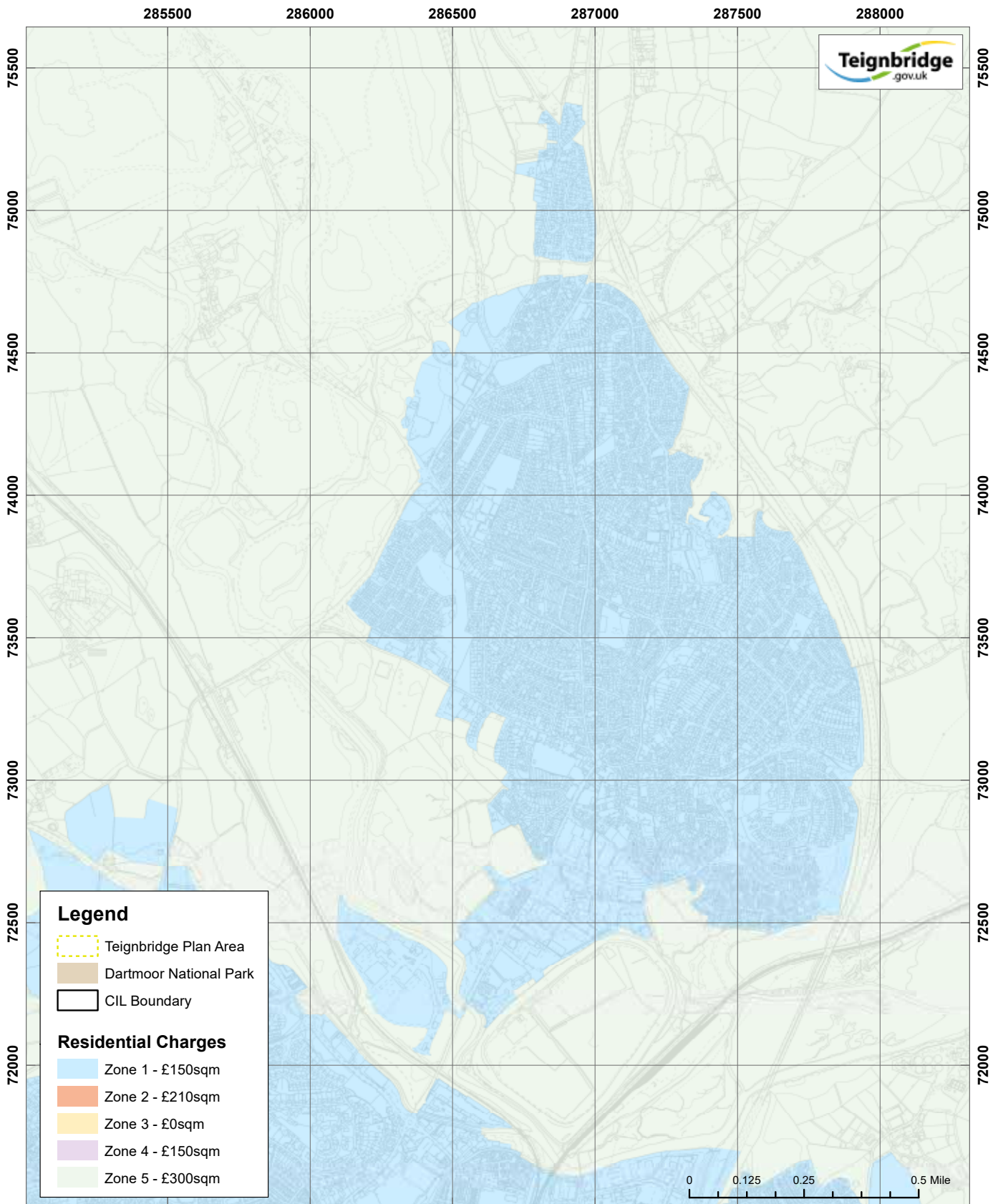
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Kingsteignton



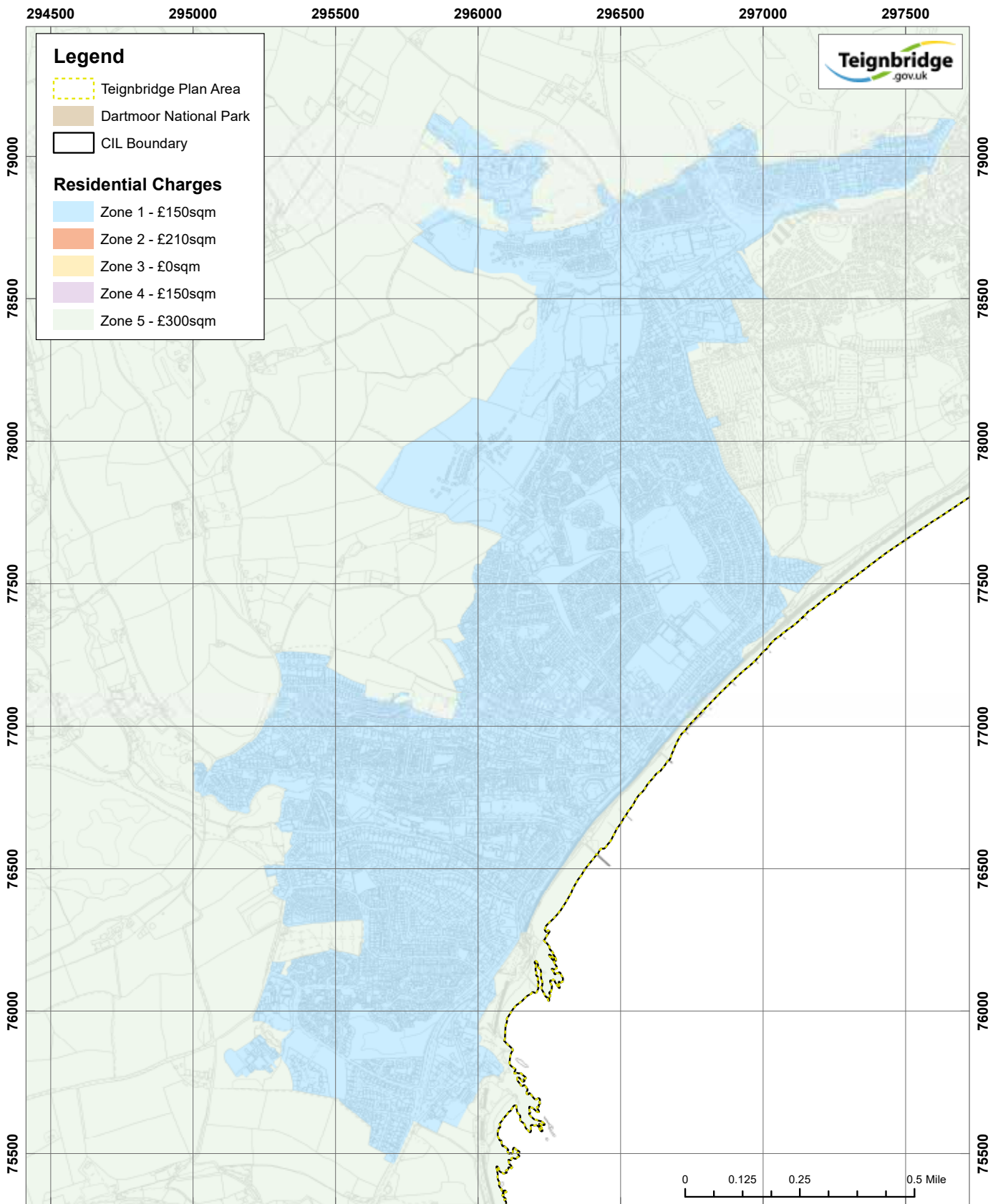
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Dawlish



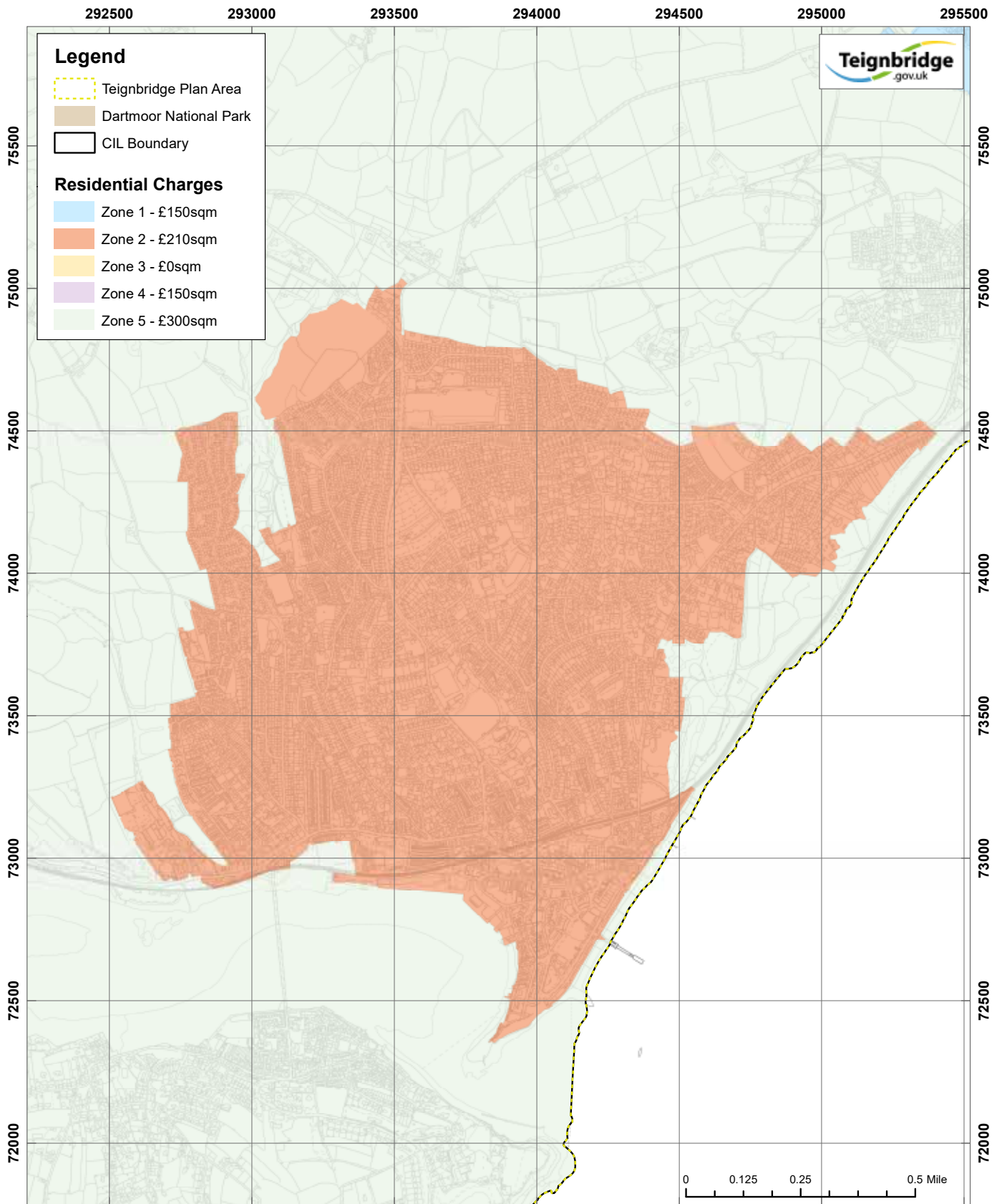
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Teignmouth



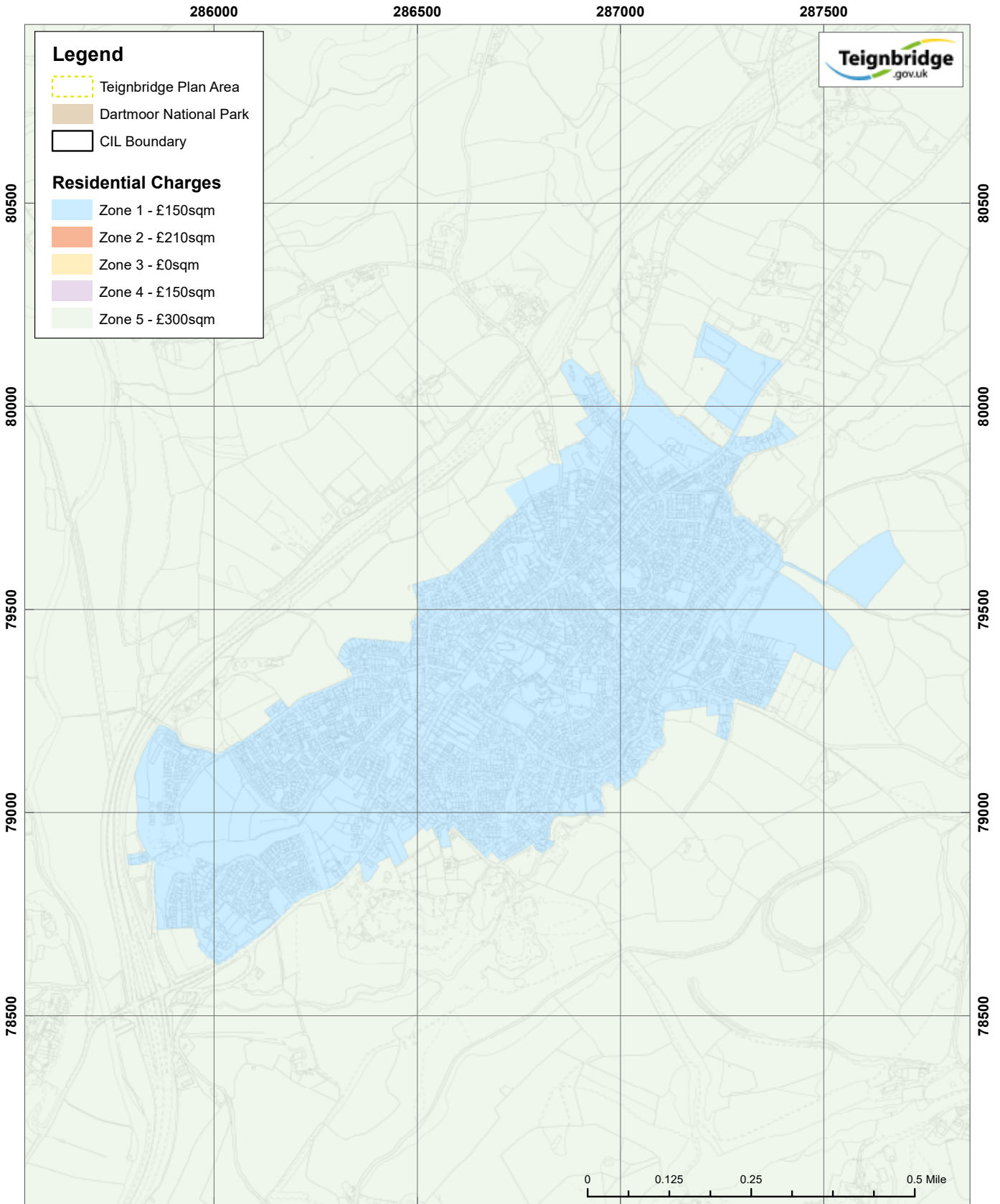
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Chudleigh



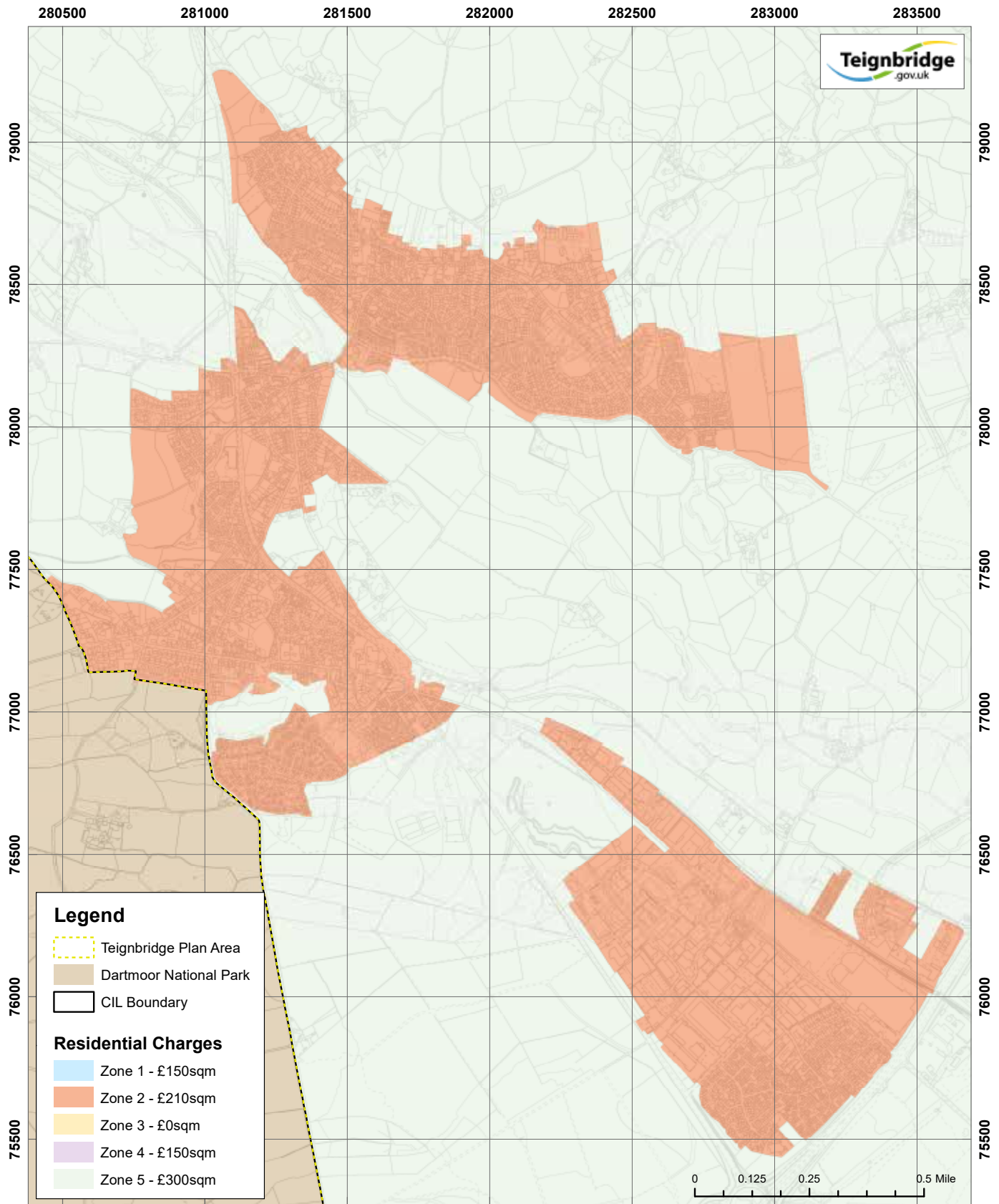
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Bovey Tracey



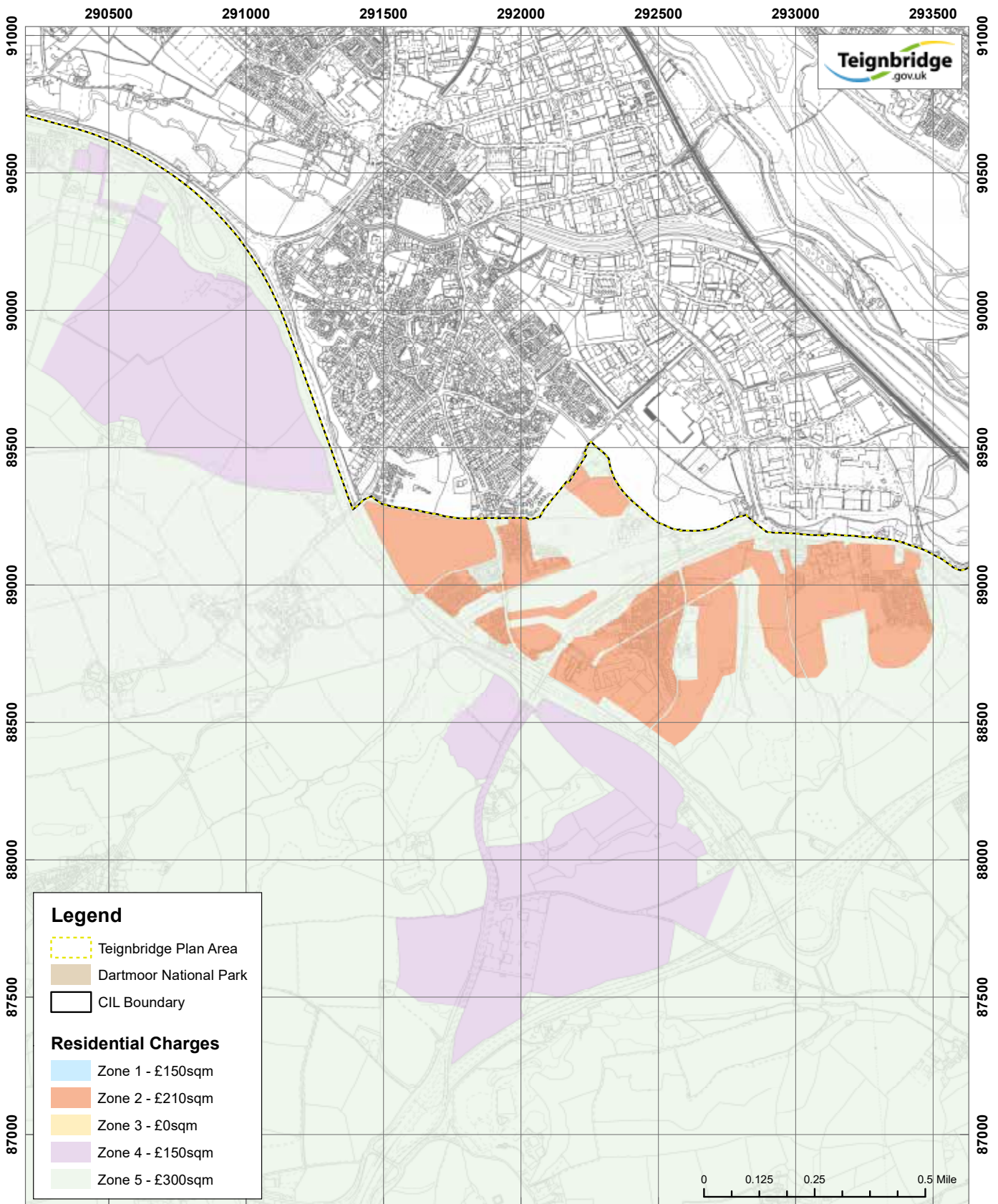
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Edge of Exeter



Legend

- Teignbridge Plan Area
- Dartmoor National Park
- CIL Boundary

Residential Charges

- Zone 1 - £150/sqm
- Zone 2 - £210/sqm
- Zone 3 - £0/sqm
- Zone 4 - £150/sqm
- Zone 5 - £300/sqm

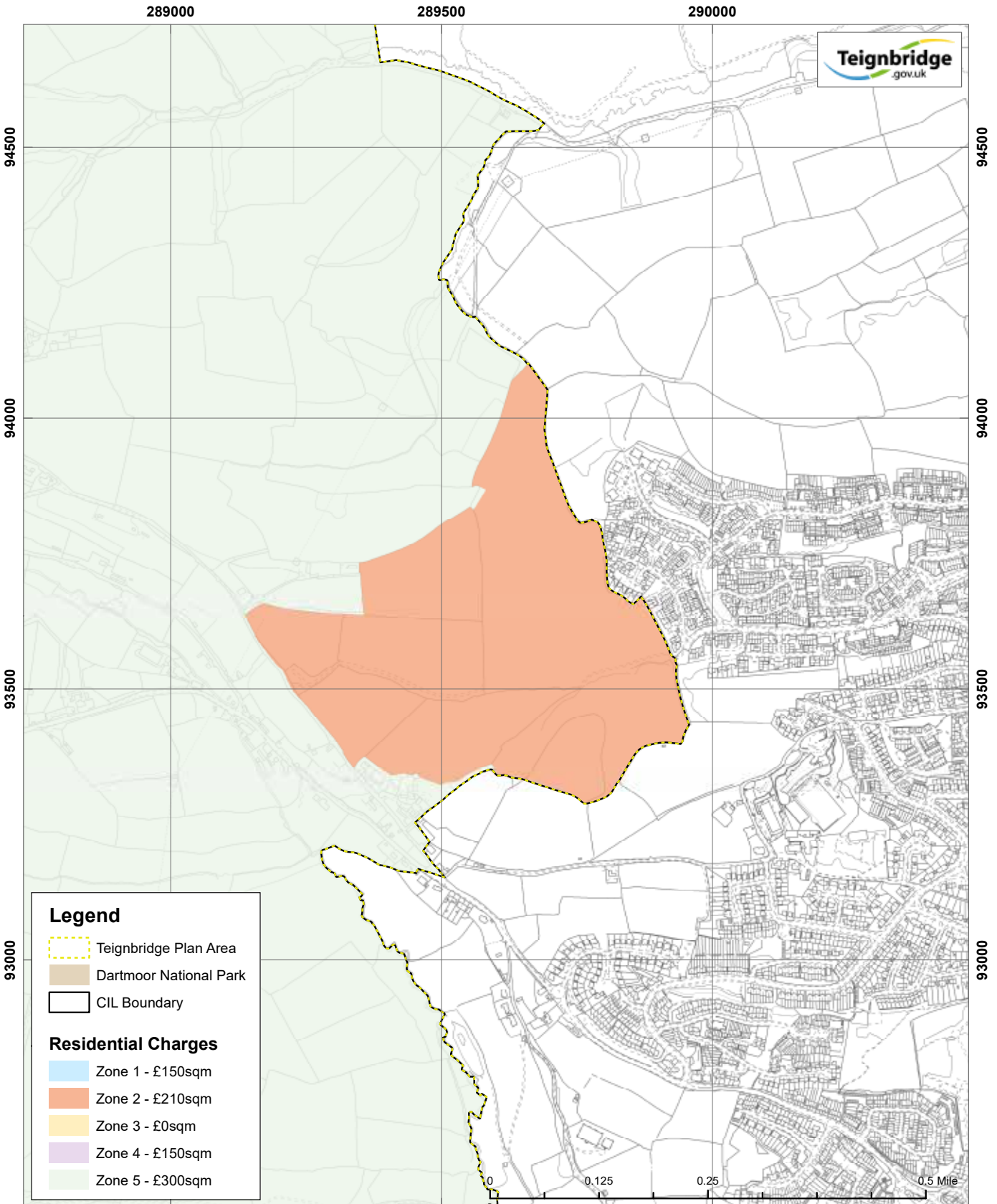
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Atwells



Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Villages



Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Residential Charging Zones

Villages



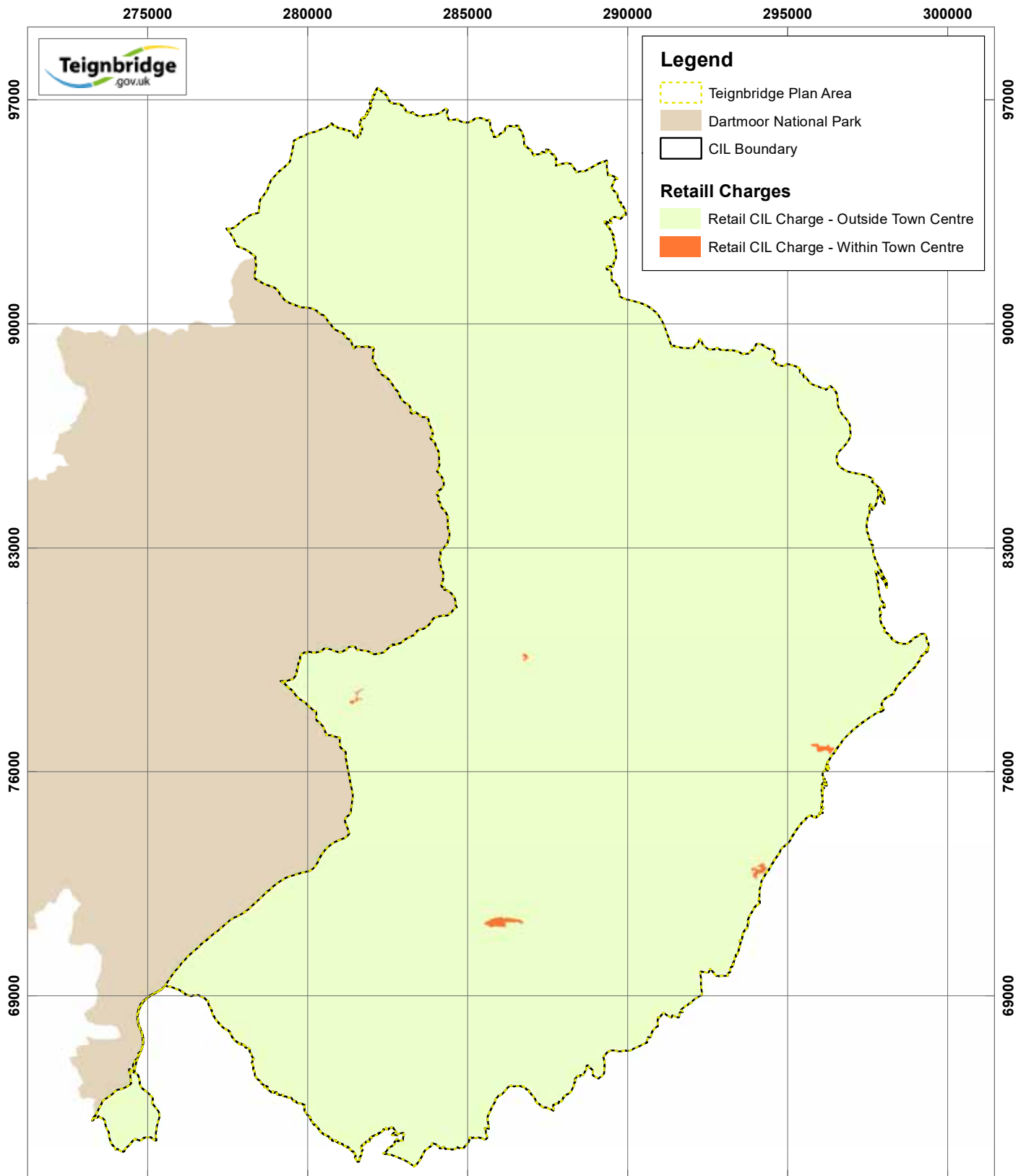
Residential CIL Charge Zones

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Retail Charging Zones

Overview



Retail CIL Charge Zones Overview

© Crown copyright and database rights 2019 Ordnance Survey 100024292. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.





Intelligent Plans
and examinations

AN EXAMINATION UNDER SECTION 212 OF THE
PLANNING ACT 2008 (AS AMENDED)

**REPORT ON THE DRAFT TEIGNBRIDGE DISTRICT
COUNCIL COMMUNITY INFRASTRUCTURE LEVY
CHARGING SCHEDULE**

Independent Examiner (appointed by the Council): Keith Holland BA (Hons)
DipTP MRTPI ARICS

Charging Schedule Submitted for Examination: 11 September 2024

Date of Report: 18 December 2025

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL
Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

Main Findings - Executive Summary

In this report I have concluded that the draft Teignbridge Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area.

The Council has provided sufficient evidence that shows that with the modification recommended the proposed rates would not threaten delivery of the Local Plan.

One modification is necessary to meet the drafting requirements. This can be summarised as follows:

- Amend the rate for Bradmore New Neighbourhood to £0 m2.

The specified modification recommended in this report does not alter the basis of the Council's overall approach or the appropriate balance achieved.

Introduction

1. I have been appointed by Teignbridge District Council, the charging authority, to examine the review of the draft Teignbridge District Council Community Infrastructure Levy (CIL) Charging Schedule. I am a chartered town planner with more than 30 years' experience inspecting and examining Development Plans and CIL Charging Schedules.
2. This report contains my assessment of the Charging Schedule in terms of compliance with the requirements in Part 11 of the Planning Act 2008 as amended (the Act') and the Community Infrastructure Regulations 2010 as amended (the Regulations')¹. Section 212(4) of the Act terms these collectively as the "drafting requirements". I have also had regard to the National Planning Policy Framework (NPPF) and the CIL section of the Planning Practice Guidance (PPG).²
3. To comply with the relevant legislation, the submitted Charging Schedule must strike what appears to the charging authority to be an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district. The PPG states³ that the examiner should establish that:

¹ The Regulations have been updated through numerous statutory instruments since 2010, most notably through the Community Infrastructure Levy (Amendment) (England)(No. 2) Regulations 2019.

² The CIL section of the PPG was substantially updated on 1 September 2019, and most recently updated 26 April 2024. At the time of completion of the examination, no further updates have been made to the CIL section of the PPG following publication of the December 2024 NPPF. For example, in relation to Development contributions, the paragraph referenced in the current PPG as 34 is now paragraph 35 (albeit the text remains unchanged).

³ See PPG Reference ID: 25-040-20190901.

- the charging authority has complied with the legislative requirements set out in the Act and the Regulations;
 - the draft charging schedule is supported by background documents containing appropriate available evidence;
 - the charging authority has undertaken an appropriate level of consultation;
 - the proposed rate or rates are informed by, and consistent with, the evidence on viability across the charging authority's area; and
 - evidence has been provided that shows the proposed rate or rates would not undermine the deliverability of the plan (see NPPF paragraph 34⁴).
4. The basis for the examination, on which a hearing session was held on 30 September 2025, is the submitted schedule of 11 September 2024 which is effectively the same as the draft November 2023 Schedule published for public consultation in December 2023 (following a previous consultation in January 2023) with minor modifications in September 2024. Following the hearing, additional written representations regarding the approach adopted by Three Dragons (who the Council commissioned to undertake viability work) were provided at my request by Chester Harcourt and Three Dragons.⁵
5. Unless otherwise stated in this report, all charges are £ per square metre (£/sq.m). There is an existing CIL in place in Teignbridge, adopted on 13 October 2014, based on five residential charging zones.⁶ The Council propose to change this and are now proposing what some might view as an unusually complicated matrix approach. There are 5 proposed charging zones for conventional dwellings. The charging zones are shown on a series of maps in the Schedule. In Zone 1 the rate is £150, in Zone 2 £210, in Zone 3 (Bradmore New Neighbourhood) £70, in Zone 4 (Markham Village, Peamore & West Exe) £150 and in Zone 5 (all other rural areas including rural villages) £300. A nil charge is proposed for flats and apartments in a block of 2 or more units on 2 or more storeys. Retirement accommodation including extra care, assisted living and residential care homes would have a nil charge. Open market homes on rural exception sites under the terms of Local Plan Policy H7 (with at least 70% affordable housing) would be nil rated, while those under Local Plan Policy H8 would be charged £150. Retail development outside of identified town centres would be subject to a £150 charge provided the floorspace is 280sq.m or more. All other development including affordable housing would be subject to a nil charge.

⁴ Paragraph 35 in the December 2024 NPPF.

⁵ View all the examination documents at: <https://www.teignbridge.gov.uk/planning-and-building-control/community-infrastructure-levy-cil/community-infrastructure-levy-cil-examination/>

⁶ View at: <https://www.teignbridge.gov.uk/planning-and-building-control/community-infrastructure-levy-cil/community-infrastructure-levy-cil/how-much-cil-do-i-pay/>

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

Has the charging authority complied with the legislative requirements set out in the Act and the Regulations, including undertaking an appropriate level of consultation?

6. Teignbridge District Council has prepared a Local Plan to extend to 2040. This Plan is still at the examination stage.⁷ The Planning Inspectorate Inspectors have informed the Council that, with modifications, the Local Plan is likely to be capable of being found sound. The emerging Local Plan provides for a minimum of 14,400 new homes between 2020 and 2040 with over 70% of these located in Newton Abbot and Kingsteignton Garden Community and on the edge of Exeter. The Plan also anticipates the provision of around 65 hectares of new employment generating floorspace concentrated in the urban parts of the district.
7. The proposed CIL Charging Schedule has been subject to three consultation stages. The first was in January 2023 when the CIL consultation was linked with the Regulation 19 Local Plan consultation. A second draft CIL Charging Schedule consultation was undertaken in December 2023 and a modifications consultation was carried out in September 2024. This examination is based on the November 2023 draft Schedule as modified in 2024.
8. The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Local Plan and the Infrastructure Delivery Plan, and is supported by an adequate financial appraisal. I also consider it compliant with the national policy and guidance contained in the NPPF and PPG respectively.

Is the draft charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

9. The Council prepared an Infrastructure Delivery Plan (IDP) dated March 2024 to inform the Local Plan examination. The IDP comprehensively identifies the infrastructure needs that are anticipated in the light of the Local Plan proposals. Sources of funding where known are detailed. The most significant funding shortfalls relate to education, flooding, health and green infrastructure. The identified sources of funding amount to just over £164,000,000 while the unidentified funding is put at a little over £239,000,000. In the light of the information provided a CIL is justified. The proposed charge is expected to make only a modest contribution towards filling the likely funding gap.

⁷ View progress on the Local Plan Examination and all relevant documents at: <https://www.teignbridge.gov.uk/planning-and-building-control/local-plan-examination/local-plan-examination-introduction/>

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

Economic viability evidence

10. The Council commissioned Three Dragons to undertake viability work to inform the Teignbridge Local Plan and to consider whether changes should be made to the CIL rates that the Council currently applies. An initial viability assessment (VA) was published in January 2023 followed by an addendum (VAA) in October 2023. The VAA sought to address some of the issues raised in the first Local Plan/CIL consultation and to take into account changes to policy and market conditions. The main changes introduced in the VAA are cost information relating to Energy and Carbon Statements, testing the three largest Local Plan allocations and updating values and costs from 4Q 2021 to 1Q 2023. The viability work included consultations with the development industry.
11. As is common in CIL viability work, Three Dragons uses a typology approach based on discussions with the Council regarding the likely forms of development in the area. Three broad groups of development types are defined – residential, specialist homes and non-residential.
12. Fourteen generic residential typologies are identified ranging from a small house scheme involving 3 units to an 800-unit scheme. The testing included both green field and brown field sites as appropriate for the type of development envisaged. Three older person typologies are tested including a 60-bed care home proposal. Nine non-residential typologies are tested involving offices, industrial/warehouse, retail and a budget/business hotel.
13. Other than for the flatted typologies, for each of the conventional residential typologies a mix of dwelling types is assumed. The mix assumed was based on land registry data for open market dwellings and on data from the Council's Housing Enabler for the affordable dwellings. A range of affordable housing requirements are tested with the highest amount of affordable housing assumed (70%) for rural exception sites.
14. Assumptions about private sector dwelling sizes are based on data from the Land Registry and Energy Performance Certificates. Construction costs for flats included non-saleable circulation and common areas. An allowance of 25% floor area is added for sheltered homes and 35% for extra care homes to allow for circulation, common and service areas.
15. In the VA, assumptions about base residential build costs were based on benchmarking by the Build Cost Information Service (BCIS) and actual tender prices over a 5-year period rebased to Q2 2022 and Devon prices using BCIS defined adjustments. The VAA notes that BCIS base build costs for 1Q 2023 are higher than the figures in the VA. This increase is taken into account in the most up-to-date viability conclusions reached by Three Dragons. Further costs to fully reflect the Part L Building Regulation 2021 requirements are added at the rate of £45/sq.m for houses and £35/sq.m for flats. Three Dragons build in an uplift of 5.4% for houses and 15.5% for flats to reflect the net zero policy requirements in the Local Plan. The implications of the various cost increases for considerations, such as

professional fees that are based on a percentage of build costs, are included in the VAA. For care homes, the VAA increases the base build cost from £1,907 to £2,071 to take account of meeting the BREEAM Excellent standard.

16. A range of other standard development costs are added to the base build costs. These include the cost of providing garages, plot costs/site infrastructure/contingency, professional fees, marketing and legal fees. Policy costs are also taken into account. These include costs relating to biodiversity net gain, EV charging points, accessibility, s106 agreements and habitats mitigation for the Exe Estuary and Dawlish Warren. The VAA updates these cost figures for garages, s106, habitats mitigation and accessibility. The cost of finance, which was assumed to be 6% in the VA, is increased to 8%. The finance cost is based on total development costs, including land purchase.
17. Developers profit assumptions are 17.5% of Gross Development Value (GDV) for market dwellings, 6% of GDV for affordable homes and 10% of GDV for First Homes.⁸ These are not out of line with assumptions frequently used in viability work.
18. The VA assesses benchmark land values (BLV) for greenfield sites, paddock land and brownfield land. The VAA increases the benchmark values for greenfield sites based on commentaries about agricultural values from Savills, Strutt and Parker, Knight Frank and Carter Jonas. The VAA values are £21,000/ha for farmland and £60,000/ha for paddock land. Brownfield site values remain unaltered at £865,000/ha for town centre sites (based on Plymouth CBD⁹ land), £523,000/ha for "standard" brownfield land and £368,000/ha for lower value brownfield land (i.e. a low value industrial site). The work by Three Dragons provides benchmark land values based on premiums of 10, 15 and 20 times greenfield existing use value and 10%, 20% and 30% over brownfield existing use value. On this basis, the VAA testing uses three benchmark values for large green field sites - £210,000/ha, £315,000/ha and 250,000/ha. For small green field sites, the BLV is based on 10 and 15 times paddock value, giving a BLV of £600,000/ha and £900,000/ha.
19. For three strategic sites (Bradmore New Neighbourhood, Markham Village and Peamore & West Exe) additional consideration has been given to benchmark values. For Bradmore, a large site in a lower value area with policy constraints and undevelopable land affected by powerlines, the VAA uses three adjusted benchmark values of £188,931/ha, £281,864/ha and £224,334/ha. Three Dragons argue that the lower benchmark value of £188,931/ha is the most applicable for Bradmore, as it is a large site in a lower value area with policy and other constraints. As the other two strategic sites do not have the same constraints, the benchmark values applied to them in £/ha are £210,000, £250,000 and £315,000. In all three

⁸ The December 2024 NPPF has removed the mandatory requirement for 25% of affordable housing to be First Homes. However, the option to deliver First Homes, both through s106 and exception sites, remains in place.

⁹ Central Business District.

cases, the implications of Suitable Alternative Natural Greenspace (SANG) requirements are included in the s106 part of the testing.

20. The residential values in the VA were derived from an analysis of over 1,000 new build records over 5 years, matched to Energy Performance Certificates. The base date was 4Q 2021. The VAA updates this evidence to match the date of the cost information using the Land Registry Price Index for Teignbridge. The index shows a change of plus 9.9% between 4Q 2021 and 1Q 2023. This change was "sense checked" by a review of 42 new builds over the summer of 2023.
21. For sheltered and extra care housing, the values in the VA were based on the Retirement Group guidance and a limited amount of sales data. The sales data indicated higher values than the Retirement Group guidance. The VA assumed a mid-point value between the two. Care homes were valued at £80,000 per bedroom. The VAA assumes that the value of housing for older people tracks the general market and states that there is no evidence of an increase in care homes values.
22. For affordable housing values, a capitalised net rent approach is used. Registered Providers of affordable housing in the area have been involved in establishing appropriate transfer values. The data shows figures for social rent, shared ownership and First Homes dwellings. Figures for both flats and terraced houses are provided. Values range from £71,000 for a social rent flat to £265,000 for a terraced First Home.
23. Based on the identified residential values, Three Dragons identified two value areas. Zone 1 - Newton Abbot, Dawlish and Chudleigh and Zone 2 - Teignmouth, Bovey Tracey, Exminster, Shaldon and the rural areas. For Zone 1, the VAA has average values that range from £191,000 for flats to £505,000 for detached houses. For Zone 2, the comparable values are £247,000 and £558,000. For affordable housing, the VAA values range from £71,000 for flats to £265,000 for First Homes in Zone 2.
24. The VAA adds a new dimension to the residential values in the area by looking specifically at values in the three strategic sites shown in the Local Plan – Bradmore, Markham and Peamore & West Exe. The Bradmore values are based on values across the west side of Newton Abbot. Markham and Peamore & West Exe logically use values of properties under construction in the southwest Exeter urban extension. The data shows that the strategic site values are a little lower than those elsewhere in the district.
25. Turning to non-residential uses, the VA tests nine typologies involving offices, industrial, warehousing, retail and hotel development. The value evidence is presented in a conventional way showing £/sq.m for net rentable floorspace and the relevant yield. The hotel value is the exception and is based on £/room capitalised value. A comprehensive range of standard development costs and assumptions are taken into account. The VA notes the difficulty of establishing benchmark values for commercial development. Three Dragons use the Teignbridge residential values as a starting point. A

20% premium over estimated use value (EUV) is applied where appropriate. The benchmark land values established range from £627,600 to £1,038,000.

26. The draft Charging Schedule is supported by detailed evidence of community infrastructure needs and development costs and values. On this basis, the evidence which has been used to inform the Charging Schedule is robust, proportionate and appropriate.

Are the proposed rates informed by and consistent with the evidence on viability across the charging authority's area?

27. For residential development, the VA tests for CIL headroom on the basis of the two value zones identified from residential sales values in Teignbridge. The testing involves the varied typologies of site used in the VA using the three identified benchmark values. Affordable housing provision ranging from none to 25% is also taken into account. Broadly speaking, for sites in Zone 1 - Newton Abbot, Dawlish and Chudleigh the results show considerable headroom for a CIL for conventional housing. In contrast, for flats and older persons housing, including sheltered and extra care housing, there is no headroom available for a CIL. The highest headroom of £900 is for a development of 70 units on a greenfield site (with lowest benchmark value) and 20% affordable housing. The lowest is £147 for an 8-dwelling scheme on a greenfield site (highest benchmark value), with both 20% and 25% affordable housing. In the vast majority of cases, the CIL headroom amounts to several hundred pounds.
28. For sites in Zone 2 - Teignmouth, Bovey Tracey, Exminster, Rural and SW Exeter, the same headroom conclusion applies with the exception of flats and sheltered housing on brownfield sites where the VA shows scope for a limited CIL in some instances. The highest headroom of £1,385 is for a 70 unit scheme on a greenfield site, with the lowest benchmark value and 30% affordable housing. Excluding flat schemes, the lowest is £485 for an 8 unit development with 30% affordable housing, with the highest benchmark value. For flats, the largest headroom is £209 for a brownfield site flat scheme of 15 units in the lowest benchmark value area with 20% affordable housing.
29. In both value zones, the evidence is that specialist housing is generally not viable except in the higher value zone, but even there the headroom is limited to £150 or less for sheltered housing.
30. In the VAA, the residential CIL headroom assessment is updated. Slightly confusingly, the data is presented on the basis of £/dwelling rather than £/sq.m. In essence, the testing shows that standard housing types to a Net Zero standard are viable with 20 and 25% affordable housing in Zone 1 and with 25 and 30% affordable housing in Zone 2. These conclusions apply to all three benchmark land values. As expected, the headroom for CIL is greatest in Zone 2 where higher values are expected. For specialist housing there is a mixed picture. Sheltered housing has limited headroom in Zone 2 with no affordable housing included. Rural exception sites have headroom

for CIL in Zone 2, even with 70% affordable housing. The local exception site in Zone 1 has headroom in Zone 1 with 25% affordable housing in the two lowest value benchmark areas.

31. The VAA also applies sensitivity testing to the strategic sites. For Bradmore, lower dwelling numbers and a revised mix of dwellings are tested as suggested by the site promoters. Peamore & West Exe is tested using a higher cost base and additional infrastructure costs. In both cases, the evidence is that there is headroom for CIL but the headroom is much more limited at Bradmore where it is dependent on low benchmark values.
32. For non-residential development, the VA notes that occupiers/owners may bring forward development to meet their specific requirements. The conclusions reached in the VA clearly cannot take such bespoke situations into account and are based on sales/rents applicable to a commercial occupier. The VA concludes that, assuming a 50% buffer, only retail development in the form of a small local store, a supermarket or an out-of-town retail comparison store would be viable with a CIL charge. For a small local store, the CIL potential with a 50% buffer is £117, for a supermarket it is £307 and for an out-of-centre retail park it is £239.
33. The VAA updates the non-residential assessment and concludes that only supermarkets and out of centre/retail park comparison stores are viable with a CIL charge. Three Dragons calculate that, with a 50% buffer, the potential CIL for a supermarket would be £149 while for an out-of-centre retail park the figure would be £181.
34. The work by Three Dragons notes the existing CIL that applies in Teignbridge. In the VA, for standard residential development Three Dragons recommend the use of the two value zones with rates of £120 in Zone 1 and £210 in Zone 2. These recommendations are qualified to the extent of a possibility of up to £160 in some parts of Zone 1 and up to £250 in Zone 2. For flatted development and all forms of older persons housing, the recommendation was for a nil rate. In making these recommendations, Three Dragons have had regard to a viability buffer of 50% and the common approach of using up to 5% of GDV as a reasonable viability indicator. In relation to Zone 1, Three Dragons take into account the need to avoid endangering the deliverability of housing in Newton Abbot, which is scheduled for a substantial amount of development.
35. In the VAA these recommendations are broadly repeated. The VAA adds an observation that in the rural areas and villages the current rate is £300 and suggests that the Council may wish to take a cautious approach for rural allocations, as these allocations are important to delivering the Local Plan objectives. For the three strategic sites, the recommendations are based on a 50% buffer. For Bradmore, a range of £54 to £78 would represent 2% or less of GDV. For Markham Village and Peamore & West Exe, the VAA records a range of £142 - £237 based on 3% to 5% of GDV. The recommendation is for a charge at the lower end of the range in the light of the scale of the s106 agreements already identified.

36. The proposals by the Council involve a somewhat complicated approach with, for example, five zones and different rates for open market houses on rural exception sites depending on whether the sites are identified under Local Plan Policy H7 or Policy H8. Having said that, the Council's proposed Charging Schedule broadly follows the recommendations made by Three Dragons.

Has evidence been provided that shows the proposed rate or rates would not undermine the deliverability of the plan (see NPPF paragraph 34¹⁰)?

37. For residential development the most significant challenges relate to the strategic sites of Peamore & West Exe/Markham and Bradmore. The most limited headroom identified by Three Dragons relates to Bradmore. For this strategic site, the least headroom (£217/dwelling) is found where the BLV is £281,864 and the number of dwellings is reduced on the basis of information from the site promoters. This BLV is based on fifteen times agricultural value. The proposed rate of £70 could undermine the deliverability of this critical site if the BLV for the land is £281,864. Three Dragons argue that the BLV for Bradmore should be £188,931 which is at the low end of the scale. If the low benchmark is applied the headroom is calculated in the VAA to be £12,559/dwelling. The difference in the benchmark figures is accounted for by the multiple of agricultural use value that is used. For the low BLV the multiple used is ten times, for the high BLV it is fifteen times.

38. Given how important Bradmore is to the delivery of the Council's housing strategy, it is considered that a more cautious approach is necessary. Relying on the lowest BLV is a risk, particularly as Three Dragons record that locally large site viability negotiations have used 12 times agricultural value as a suitable benchmark. In addition, there is a challenge to the existing use value of agricultural land used by Three Dragons. Even if the agricultural land value used by Three Dragons is accepted, the 12 times premium leaves virtually no scope for a viability buffer, assuming that the site can accommodate a little over 700 dwellings as suggested by the site promoter. With the higher number of dwellings (1,022) used by Three Dragons in the base test, the headroom identified is a little over £10,000 per dwelling. For a 100sq.m dwelling, this would provide a viability buffer well below the 50% favoured by Three Dragons in their viability assessment.

39. My conclusion is that there is a significant risk to the delivery of housing on the Bradmore site if the CIL is set at £70. Bradmore should be treated as a strategic site subject to a nil CIL. **(EM1)** This is not an unusual way of dealing with strategic sites where viability may be challenging and it has the advantage of giving the Council more scope to get site specific infrastructure funded through s106 agreements. At the hearings, I was told that the current housing market in the area is very weak with developers struggling to achieve sales even with incentives. This reinforces my view that caution is needed in relation to the Bradmore site.

¹⁰ Paragraph 35 of the December 2024 NPPF.

40. The Markham and Peamore & West Exe strategic sites are not in the same position as Bradmore. The Peamore & West Exe site has been subject to sensitivity testing using higher build and infrastructure costs. Against all benchmark values these sites show considerable CIL headroom, even allowing for a buffer of 50%. The proposed £150 CIL for these sites would not, in my judgement, undermine the delivery of housing on them.
41. For the range of other standard housing typologies, the evidence provided by Three Dragons shows that, in virtually all instances, there is considerable headroom for the proposed CIL charges allowing for a 50% buffer. For standard housing, the proposed CIL is less than 5% of GDV. Flatted developments and specialist housing, including extra care and sheltered accommodation, do not provide headroom for a CIL and the proposed nil charge is appropriate.
42. Chesters Harcourt (CH), on behalf of CG Fry and Sons Ltd, Bloor Homes and Redrow Homes correctly describes the concept of assessing the viability of development sites for CIL purposes as a simple one. In essence, the concept involves assessing whether the estimated BLV value of the land is lower than the calculated residual value. If the residual value exceeds the BLV, there is viability headroom for a CIL charge. CH argue that the Three Dragons model is fundamentally flawed because the model does not recognise that the BLV is not the same as the value of the land. CH describe the BLV as “merely a theoretical figure against which land value is then tested”. CH claim that, by not recognising that BLV is not the same as land value, the financing of the land value is wrong. CH contention is that the headroom is additional land value that will have to be paid by a developer acquiring a site and/or CIL to be paid to the Local Authority and therefore has to be financed. The argument is that by not properly accounting for the finance costs of all of the land and CIL, the Three Dragons model is fundamentally flawed.
43. I agree with Three Dragons that the CH argument appears to be that the BLV should be effectively ignored. This argument by CH flies in the face of the Governments’ viability advice that “viability assessments should be undertaken using benchmark land values derived in accordance with this guidance”.¹¹ This is what the Three Dragons model does. The argument also contradicts the approach to testing the viability of a CIL payment that has been used and tested in numerous CIL viability assessments in many different areas over a number of years. I do not consider that the Three Dragons model is fundamentally flawed for the reason given by CH.
44. In response to a representation from CH that Three Dragons’ VA work does not provide adequate detail, Three Dragons prepared additional information regarding how their figures are calculated for the Peamore & West Exe site. CH challenge these inputs on several counts, including the period over which social units would be sold, when a scheme would become cash positive, how infrastructure costs are spread over the development period, and the developer return on First Homes. I doubt the usefulness of the additional

¹¹ See PPG Reference ID: 10-014-20190509.

information provided, as present indications are that the planning of the strategic sites is at a very early stage with development unlikely to occur until 2030 or later. In the VAA, Three Dragons make the point that none of the strategic sites are sufficiently advanced to provide fully designed and costed development programmes.

45. CIL viability assessments are based on a broad test of viability using appropriate available evidence. Detailed evidence such as cash flow and other points raised by CH, that are essential when project planning a specific development, go beyond what is required in CIL viability work. Three Dragons provide a satisfactory explanation of the assumptions made for the inputs at this stage. For these reasons, I do not accept that the CH challenge to the inputs undermines the credibility of the Three Dragons' work.
46. It is not surprising that there is no substantial challenge to the proposals for non-residential development. For retail development outside identified town centres, the draft Charging Schedule sets a rate of £150. This is lower than the current rate. A nil rate applies to all other non-residential developments. Clearly the delivery of proposals for non-residential developments would not be undermined by the suggested CIL.
47. In setting the CIL charging rate, the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in Teignbridge. The Council has tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area. It may be an appropriate time to consider any revision to the charge towards the end of the decade when planning of the identified strategic sites is expected to be much more advanced.
48. I consider the viability assessment to be robust and conclude that, other than the Bradmore rate, the residential and retail rates proposed would not threaten delivery of the Local Plan. The proposed rates are justified therefore.

Overall Conclusion

49. I conclude that the draft Teignbridge Community Infrastructure Levy Charging Schedule, subject to the making of the modification set out in **EM1**, satisfies the drafting requirements and I therefore recommend that the draft Charging Schedule be approved.

Keith Holland

Examiner

Appendix

Examiner Modification (EM) recommended in order that the Charging Schedule may be approved.

Examiner Modification	Page no./ other reference	Modification
EM1	Page 39 CIL Charging Schedule	Charging Zone 3: Bradmore New Neighbourhood (GC13): Delete £70 m2 and replace with £0 m2.

This page is intentionally left blank



TEIGNBRIDGE DISTRICT COUNCIL MEMBER CONDUCT REVIEW REPORT

5th May 2026



Hoey
Ainscough
Associates



This page is intentionally blank

Contents	Page
1. Executive Summary	4
2. Introduction	7
3. Background	9
4. Review Methodology	12
5. Report and Findings	14
6. Improvements, Conclusions and Recommendations	18

1. Executive Summary

- 1.1. From 2019 onwards, concerns around the organisational culture (in particular, behaviours and the relationships between councillors, and between councillors and officers) and governance at Teignbridge District Council were identified by the Centre for Governance and Scrutiny, the Local Government Association, and the District Council's external auditors, Grant Thornton.
- 1.2. Grant Thornton's Annual Reports for each of the financial years from 2020/21, to 2023/24 identified significant weaknesses in the District Council's governance arrangements.
- 1.3. Grant Thornton made recommendations in its 2020/21 Report and the 2021/22 and 2022/23 Joint Report relating to upholding good standards in councillor behaviour and in councillor-officer relationships. The 2023/24 Report noted that underlying poor behaviour had continued with a lack of trust underpinning some of those behavioural issues. The auditors felt that the issues with relationships and trust were affecting arrangements for supporting decisions once they had been made.
- 1.4. The 2023/24 Report also found that there was insufficient progress on the implementation of the key recommendation from the previous two Reports and instances of poor behaviour from 2023/24 were noted, including a councillor swearing at the Chair at a full Council meeting and councillors talking over one another and using condescending and aggressive language. As a result, the Report made a statutory recommendation under section 24 of the Local Audit and Accountability Act 2014, which included:

“The Council should commission a suitably qualified expert to investigate the underlying causes of member behaviours which contravene the standards set out in the Council's constitution under the Members Code of conduct and the member/officer protocol; and which have impacted the Council's reputation and working culture.”
- 1.5. Wilkin Chapman Rollits, working with Hoey Ainscough Associates and Fortis Therapy and Training were commissioned by the Council in relation to the above. This is our report to the Council of our findings and recommendations, based on responses by councillors and senior staff to our questionnaire and three days of interviews with a range of members and officers.
- 1.6. In 2019, control of the Council passed from the Conservative Group to the Liberal Democrat Group. At the same time a number of local campaigners seeking to oppose a large housing development under the slogan “Newton Says No” were elected as the South Devon Alliance (SDA) Group.
- 1.7. Many interviewees felt that Newton Says No/SDA councillors were elected on a promise to disrupt and challenge, and the confrontational nature of their approach caused tension and brought a climate of defensiveness and mistrust to the District Council. This was exacerbated by the combative use of social media by the Newton Says No group prior to the 2019 election and a perception that SDA councillors sought to encourage public outrage online, primarily through voicing controversial political agendas at filmed meetings.
- 1.8. Though there is a feeling among some councillors that the mood at the District Council has started to improve since the SDA Group disbanded and became part of the Independent Group, it is evident that there is still a pervasive negative view of former

Newton Says No/SDA councillors. This is illustrated by a number of the comments we received, which asserted that some members of the Independent Group had been confrontational, abusive and disruptive.

- 1.9. However, those we interviewed also felt that the approach of the Liberal Democrat leadership had contributed to the poor relationships among councillors. For example, the previous Leader of the Council had excluded opposition groups from all Committee Chair positions.
- 1.10. Some councillors felt that the Executive had refused to engage meaningfully with Opposition Groups and had not shown respect to the Independent Group's democratic legitimacy. Those interviewed felt the Executive had too frequently taken the approach of shutting concerns down or reacting to confrontation in a manner that escalated it, including making complaints to the Monitoring Officer whenever challenged, rather than providing a reasoned and transparent response.
- 1.11. It was apparent that a culture of councillors not taking collective accountability for improving conduct at the District Council has been facilitated by inappropriate behaviour being generalised and not discussed in a more focused manner. Many councillors on both sides of the 'divide' appear so set in their view of what the root cause of the issue is that they are unable to recognise when it is their own behaviour which is being referred to.
- 1.12. The way the process for considering complaints under the councillor code of conduct has been operated previously at the District Council has not helped this problem. There had been long delays in dealing with complaints and the way some complaints had been handled had been seen as treating people differently and as a means of shutting down criticism. Trust in the Council's standards arrangements had been eroded, and councillors have been unwilling to accept the outcome of complaints as a result.
- 1.13. However, since the Grant Thornton report and the commencement of our work, significant governance improvements have been implemented through a successful and effective cross party Constitution Working Party and the personal leadership of a new Monitoring Officer. A new Leader of the Council has brought a more amicable style of working, together with a non aligned Independent councillor being appointed as the Chair of Council.
- 1.14. Improvements to the arrangements for handling complaints against councillors under the member code of conduct have been accompanied by a significant reduction in the numbers of complaints by members and staff against members.
- 1.15. Overall, member conduct and member-officer relationships at the Council continue to present challenges, although there are clear signs of improvement from a previous low point. Changes in leadership roles, meeting management, complaints handling and some areas of working across political groups have begun to rebuild confidence and reduce overtly disruptive behaviours.
- 1.16. However, these improvements are not yet consistently embedded and remain vulnerable to individual behaviours, changing circumstances and changes in key positions. There is a persistent need for shared strategic focus, improvement in the understanding of respective member and officer roles, to improve confidence in governance processes, and to reduce, if not eradicate, residual mistrust across parts of the organisation.

1.17. When we fed back our initial findings to the Council in January we made a number of recommendations. Many of these have already been acted upon or are in train but we repeat them here as an aid to mapping progress. Commentary on each recommendation appears in section 6 below.

R1 full Council to resolve that all members treat each other and Council staff and the public with politeness and courtesy in behaviour, speech and in the written word, whilst respecting the right of members to express, debate and challenge political views freely within the law;

R2 all members pledge personally to:-

- listen and respect differing views
- respect the rights of all councillors to carry out their roles
- hold themselves and fellow councillors to account
- be open
- be civil

R3 the Monitoring Officer report to the Governance Committee on the adoption by the Council of the Local Government Association's (LGA) Debate Not Hate campaign and in particular the Ending Abuse in Public Life Council Self-Assessment toolkit as a means of creating a culture of safety and respect for members within and without the Council Chamber;

R4 the Monitoring Officer and Head of Paid Service report jointly to the Governance Committee on a revised member – officer protocol to include clear guidance on:-

- Members' rights to accessing Council information;
- Member visits to officer working areas

R5 the Council identify with the Local Government Association what support it might offer to strengthen the capacity of the Executive;

R6 the Council provide further training and assistance to strengthen the capacity and capability of the Overview and Scrutiny process;

R7 that all regulatory committees be chaired by a councillor who is not a member of the ruling Group;

R8 that there be a comprehensive training programme for all members to be reviewed annually and rolled out for all new members. This would include training on the Code of conduct, the different role of members and officers, effective decision-making, chairing skills and understanding the constitution.

2. Introduction

- 2.1. Teignbridge is a local government district formed on 1 April 1974 under the Local Government Act 1972. It is located in South Devon and covers the towns of Ashburton, Bovey Tracey, Buckfastleigh, Chudleigh, Dawlish, Kingsteignton, Moretonhampstead, Newton Abbot and Teignmouth as well as many smaller villages. It contains part of the South Devon coastline, including the Dawlish Warren National Nature Reserve, and some of the inland western parts of the district lie within the Dartmoor National Park. In 2024, its population was 138,548. The District Council offices are located in Newton Abbot.
- 2.2. Since 2019, the District Council has had 47 councillors (also referred to as members in this report) representing 24 wards across the district.
- 2.3. In the May 2019 elections, three of the councillors elected were part of a campaign group known as 'Newton Says No'. The campaign group opposed development in Newton Abbott, particularly plans for development of the Wolborough Hills in the NA3 area.
- 2.4. In 2021, the Newton Says No group founded a political party, the South Devon Alliance ("SDA"). In the May 2023 elections, 9 members of the SDA were elected to the District Council and formed a political group on the Council. In November 2024, the SDA disbanded and 8 of the Councillors became part of the Independent Group, with 1 joining the Conservative Group.
- 2.5. The composition of the District Council at the time of writing is as follows:

Group	Councillors
Liberal Democrat	25
Independent	10
Conservatives	9
Not in a political group	1 Reform UK 1 Liberal Democrat 1 Unaligned independent

One seat is currently vacant.

- 2.6. Since May 2025, the Chair of the District Council has been held by a non-aligned Independent.
- 2.7. The political control of the District Council has been as follows:
- Liberal Democrat Group: 2019 – 2021
 - No overall control: 2021 – 2023
 - Liberal Democrat Group: 2023 – Present
- 2.8. The District Council operates a strong Leader/Executive model of governance. Since May 2019, there have been 4 different Leaders of the District Council, all members of the Liberal Democrat Group. The time in post of each Leader is as follows:

- May 2019 – September 2020
- September 2020 – May 2023
- May 2023 – July 2024
- July 2024 – Present

2.9. Prior to 2019, the District Council had been under Conservative control since 2011. It is acknowledged that the shift from the Conservative Administration to the Liberal Democrat Administration saw the political landscape of the District Council shift significantly. That and the election of members of the Newton Says No group in 2019 appeared to mark the start of a decline in relations among councillors and between councillors and officers at the District Council.

3. Background

- 3.1. Under the Local Government Act 1999, the District Council has a duty to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. Under section 27 of the Localism Act 2011, the District Council has a duty to promote and maintain high standards of conduct by its councillors.
- 3.2. Concerns around the organisational culture (in particular, behaviours and the relationships between councillors, and between councillors and officers) and governance at the District Council have previously been identified by the Centre for Governance and Scrutiny (“CfGS”), the Local Government Association (“LGA”), and the District Council’s external auditors, Grant Thornton.
- 3.3. In August 2022, CfGS issued a discussion paper on ‘governance, scrutiny and ethical matters’ at the District Council. It identified two key areas: relationships and ethics, and the formal systems in place at the District Council.
- 3.4. The paper suggested that the relationships between councillors were poor for a number of reasons, including:
 - Not all councillors saw themselves as being part of the District Council, and instead as being ‘insurgents’;
 - A perception that the governance shortcomings of the District Council were so severe that poor behaviour was justified;
 - A sense that the standards framework at the District Council was used as a political tool, and that the outcomes of standards hearings were politically influenced;
 - A lack of a consistent understanding across councillors of acceptable member behaviour;
 - A lack of willingness to address the issues cross-party as councillors did not recognise their collective responsibility to resolve them.
- 3.5. It was also noted that there were a number of challenges in the relationships between councillors and officers:
 - a lack of member leadership on standards and behaviours;
 - councillors, including members of the Executive, were focused too much on operational matters which had frustrated officers trying to do their day-to-day work. In turn, this had frustrated councillors who interpreted that frustration as an indication that officers wished to run the District Council;
 - councillors tended to debate and discuss the same matters repeatedly, producing confusion, and the operational focus makes it difficult for officers to act with confidence and certainty;
 - a lack of mutual respect between councillors and officers. Some councillors had little confidence in officers and were suspicious of them, occasionally questioning their competence. Some officers were exasperated by councillors’

lack of focus on strategic issues and had difficulty understanding the needs and expectations of members.

- 3.6. In relation to the District Council's formal systems, the paper highlighted that:
- there was a lack of understanding around the roles of councillors and the roles of officers in relation to strategic and operational matters;
 - the District Council's constitutional and decision-making systems exhibited weaknesses and needed more rigour and clarity. There was uncertainty among councillors as to the validity of the Constitution which exacerbated issues around clarity of roles and responsibilities;
 - access to information rules for councillors were unclear and the lack of consistency in the extent of information provided by officers in their reports contributed to increased suspicion;
 - the overview and scrutiny function undertook a lot of work, but it was not clear that it had any impact. The quality of reports was variable and there was a lack of meaningful engagement with them from councillors;
 - there was a lack of wider councillor ownership and discussion of risk.
- 3.7. In January 2024, the LGA carried out a Corporate Peer Review of the District Council. The Peer Review noted that there was tension in the relationship between the Executive and the Senior Leadership Team ("SLT") which needed to be resolved. Group Leaders and Heads of Service needed to model and uphold expected standards of behaviour.
- 3.8. The Peer Review also recognised that previous behaviours had created a culture of mistrust, resulting in a deterioration in the relationship between councillors and officers. There was a need for a space to facilitate informal councillor-officer interaction so effective and respectful joint working could become the norm. The processes leading up to decisions needed to be improved so that discussion and formulation of policies could take place before formal decisions to avoid last minute changes to reports and recommendations.
- 3.9. The District Council's external auditors are required to be satisfied that the District Council has made proper arrangements for securing economy, efficiency and effectiveness. The external auditors are Grant Thornton. Their Annual Reports for 2020/21, 2021/22, 2022/23 and 2023/24 identified significant weaknesses in the District Council's governance arrangements.
- 3.10. A key recommendation was given in the 2020/21 Report published in August 2023 and the 2021/22 and 2022/23 Joint Report published in February 2024 relating to upholding good standards in councillor behaviour and in councillor-officer relationships:
- Councillors and senior officers needed to commit to building up respect and good working relationships;
 - Group Leaders needed to make a commitment that party members would be held to account for unruly behaviour; and

- Senior leadership (both SLT and the Executive) needed to demonstrate that there was a zero tolerance to inappropriate behaviour. This included changing the organisational culture in relation to complaints.
- 3.11. The 2023/24 Report published in February 2025 noted that underlying poor behaviour had continued with a lack of trust underpinning some of those behavioural issues. The report suggested that councillors did not always understand which aspects of District Council business they had access to by law and were not always confident that declarations of interest had been made by other councillors. The auditors felt that the issues with relationships and trust were affecting arrangements for supporting decisions once they had been made.
- 3.12. The 2023/24 Report also found that there was insufficient progress on the implementation of the key recommendation from the previous two Reports and instances of poor behaviour from 2023/24, including a councillor swearing at the Chair at a Full Council meeting and councillors talking over one another and using condescending and aggressive language, were noted. As a result, the Report made a statutory recommendation under section 24 of the Local Audit and Accountability Act 2014, which included:

“The Council should commission a suitably qualified expert to investigate the underlying causes of member behaviours which contravene the standards set out in the Council’s constitution under the Members Code of conduct and the member/officer protocol; and which have impacted the Council’s reputation and working culture.”

4. Review Methodology

- 4.1. On 8 August 2025, the Democratic Services Manager (now Monitoring Officer) at the District Council appointed Wilkin Chapman Rollits (“WCR”) in conjunction with Hoey Ainscough Associates Ltd and Fortis Therapy and Training Ltd to undertake a member conduct review in accordance with the statutory recommendation. Jonathan Goolden, Paul Hoey, Natalie Ainscough, and Alexis Powell-Howard carried out the review. Emily Briggs of WCR assisted with report writing.

Personnel

- 4.2. WCR is a solicitors’ firm based in Lincolnshire and Yorkshire with a national local government legal practice. Jonathan Goolden is a regulatory and public sector solicitor. He has worked in, or for, local government for over 30 years, and has been an Independent Person and a Monitoring Officer.
- 4.3. Hoey Ainscough Associates is a consultancy firm in the local government sector focusing on supporting effective governance, particularly in relation to the local standards framework for members. Paul Hoey and Natalie Ainscough are co-founders of Hoey Ainscough. They support councils through a series of different tools, including tailored support for individual councils through training, complaint assessment and investigative work and support on governance reviews as well as advice and guidance and events designed to meet specific local, regional or national needs. As the recognised national experts on local government conduct issues, they also work in partnership with national representative bodies to support local government. They and WCR were commissioned in 2020 by the LGA to draw up a new model Code of conduct and supporting guidance and their submission on local government standards was the most-quoted submission in the 2019 report into the standards framework by the Committee on Standards in Public Life.
- 4.4. Fortis Therapy and Training is a mental health consultancy service. Alexis Powell-Howard is a BACP accredited psychotherapist and the Managing Director of Fortis. Fortis offers training on mental health, leadership and unconscious bias for businesses and organisations across all sectors, as well as therapy, mediation, coaching, supervision, and reflective practice. Alexis also developed ‘Tribe’, an innovative organisational culture change approach, for businesses and organisations across a variety of sectors. Together with Jonathan Goolden, Alexis has been a conference speaker to local government lawyers on wellbeing and behavioural support for elected members.

Methodology

- 4.5. The review was approached in phases, building on a methodology developed under the supervision of the former Standards for England which has proved successful in the past in improving governance and resolving underlying issues.

Phase 1 – Initial Preparation

- 4.6. We reviewed the CfGS paper, the LGA Peer Report, the Audit Report for 2025 and other public reports and documents related to the District Council. We also reviewed recently recorded meetings of the District Council, including the meetings of the Overview and Scrutiny Committee on 12 November 2024, 13 May 2025 and 17 June 2025, and the Full Council meetings of 25 February 2025 and 29 July 2025.

Phase 2 – Questionnaire

- 4.7. A questionnaire relating to the governance, attitudes and culture at the District Council was developed and sent to all members of the Council, 18 senior and governance officers and 13 external stakeholders.

Phase 3 – Response Analysis

- 4.8. We received 32 responses to the questionnaire from 22 councillors (from all political groups in the Council), 8 officers, one co-opted member and one Independent Person. and analysed these to identify a number of key themes.

Phase 4 – Interviews

- 4.9. We interviewed 16 councillors, 9 officers and one Independent Person. Councillors included the Chair of Council, the Chair of the Audit Committee, four members of the Executive, three Group Leaders and four Shadow Portfolio Holders. They were drawn from all political groups on the Council. Officers included the Managing Director, 6 members of staff with legal, governance and scrutiny roles and several SLT members.

Phase 5 – Analysis

- 4.10. We analysed the information shared with us in the interviews to identify a number of key themes which we presented in person to members and senior officers at a briefing held on 15 January 2026.

5. Report and Findings

- 5.1. As we stated in our presentation to members, our findings are derived from what councillors and officers told us, together with our reflections on those comments.

Councillor relationships

- 5.2. It is clear that May 2019 was a key turning point in the relationships between councillors at the Council. Some members commented in interviews that prior to 2019, the District Council was a more enjoyable place, with debate being constructive and respectful.
- 5.3. There was a consistent feeling among the majority of the councillors interviewed that, since 2019, the Council had been a toxic environment for a number of years, and the 'other side' was the one being obstructive and causing the problems. It is clear that there have been conduct issues across the chamber, with some of the comments received highlighting that there has been a lack of respect between political groups.
- 5.4. Many interviewees felt that Newton Says No/SDA councillors were elected on a promise to disrupt and challenge, and the confrontational nature of their approach caused tension and brought a climate of defensiveness and mistrust in the Council. This perception was exacerbated by the combative use of social media by the Newton Says No group prior to the 2019 election and a feeling that SDA councillors sought to encourage public outrage online, primarily through voicing controversial political agendas at filmed meetings.
- 5.5. Many members were of the view that the Newton Says No/SDA councillors did not really understand how the District Council worked. Their conduct was said to have put those chairing Council meetings in difficult positions on a number of occasions. An example of this is an incident at a full Council meeting in September 2021 where a councillor used their speaking slot in the councillor questions portion of the agenda to accuse the District Council of conspiracy to defraud Teignbridge residents in relation to a controversial planning development. When the Chair asked if the councillor was going to ask a question, the councillor stood up, approached the front of the room continuing their speech and ignoring the Chair's requests for them to sit down. This led to another councillor attempting to physically remove them.
- 5.6. A further example occurred at a full Council meeting in July 2024, where a number of members sought to use points of order to undermine the Chair's attempts to curtail the use of public questions to give prolonged gender critical speeches which included inflammatory language. Councillors suggested that the Chair was preventing free speech but failed to recognise that:
- freedom of expression is a qualified right;
 - public questions are intended to allow for supplementary questions to be asked, not for long speeches and statements to be made, and the Chair was enforcing that; and
 - speakers could have raised questions on the issue of single sex spaces without engaging in a disrespectful characterisation of LGBTQ+ persons and were given multiple chances to do so by the Chair before being shut down.
- 5.7. Both officers and members felt that many councillors tended to focus on hyperlocal issues and lose sight of the district wide context and priorities.

- 5.8. Though there is a feeling among some councillors that the mood at the District Council has started to improve since the SDA Group formally disbanded and became part of the Independent Group, it is evident that there is still a pervasive negative view of former Newton Says No/SDA councillors. This is illustrated by a number of the comments we received, which asserted that some members of the Independent Group had been confrontational, abusive and disruptive.
- 5.9. However, those we interviewed also felt that the approach of the Liberal Democrat leadership had contributed to the poor relationships among councillors. The previous Leader of the Council had excluded opposition groups from all Committee Chair positions (including the Chair and Vice Chair positions of the Overview and Scrutiny Committee which remained under the control of the Liberal Democrat Group).
- 5.10. Some councillors felt that the Executive had refused to engage meaningfully with Opposition Groups and had not shown respect to the Independent Group's democratic legitimacy. Those interviewed felt the Executive had too frequently taken the approach of shutting concerns down or reacting to confrontation in a manner that escalated it, including making complaints to the Monitoring Officer whenever challenged, rather than providing a reasoned and transparent response. This had entrenched the former SDA councillors' sense of 'us vs them', and, in a wider political climate of increasing scepticism towards the main political parties and the growing effectiveness of outrage politics in engaging public support, encouraged them to further their combative approach.
- 5.11. We considered that *"Interpersonal conflicts are shaped by how individuals interpret the intentions and behaviour of others, rather than by the objective circumstances of the situation"* to quote Dhami, M. K. & Olsson, H. (2023) - Evolution of the interpersonal conflict paradigm - Judgment and Decision Making. As one councillor commented in interview, there was a need for members to learn to be *"hard on the issue, soft on the person"*.
- 5.12. Overall, it was apparent that a culture of councillors not taking collective accountability for improving conduct at the District Council has been facilitated by inappropriate behaviour being generalised and not discussed in a more focused manner. Many councillors appear so set in their view of what the root cause of the issue is that they are unable to recognise when it is their own behaviour which is being referred to. A number of the comments received noted that generic statements which, for example, talk of conduct "across the chamber", did not foster accountability among those engaging in the conduct.

Arrangements for considering councillor code of conduct complaints

- 5.13. The way the process for considering complaints under the councillor code of conduct has been operated previously at the District Council has not helped this problem. Trust in the Council's arrangements for determining standards complaints had been eroded. Councillors have been unwilling to accept the outcome of complaints as a result. Interviewees told us that they felt complaints had been treated differently according to the Group of the subject member or complainant and that there had been a considerable backlog of complaints.
- 5.14. In December 2022, the Local Government and Social Care Ombudsman upheld a complaint made by a leading member of the SDA Group about the manner in which the Council had handled a code of conduct complaint against him. The Ombudsman found that the Council:-

- initiated an investigation without a complaint in writing in breach of requirements in section 28 of the Localism Act 2011;
- did not provide adequate information to the councillor on alleged breaches of the code of conduct;
- conflated allegations against the councillor with a third party;
- failed to record consultations with the Independent Person;
- introduced new allegations into the investigation;
- failed to respond to the councillor's concerns about the process;

and that the investigation failed to evidence a balancing exercise had taken place between the need to protect officers from critical comments and the councillor's enhanced rights to freedom of expression under Article 10 of the European Convention on Human Rights.

- 5.15. The Ombudsman recommended that the Council apologise to the councillor, rescind its decision to breach him and revise its code of conduct complaint procedures. Whilst the Ombudsman was satisfied with the Council's response in December 2023, a number of former SDA members expressed the view to us that the Council had been reluctant to accept the outcome of the Ombudsman complaint and this had impacted on their level of confidence in the overall process.
- 5.16. However, we were told that the backlog in standards complaints had been cleared, and matters had improved considerably in recent months with much more effective processing and determination of complaints.
- 5.17. The present Monitoring Officer has indicated that 61 complaints were received from June 2024 – June 2025, of which 30 were from members and 3 from officers. From May 2025 to May 2026, 32 complaints were received, a reduction of almost half, especially as these include complaints against town and parish councillors. Of these, 10 complaints were made by members and 4 by officers.
- 5.18. One of the Council's Independent Persons commented to the present Monitoring Officer that they had been involved in fewer complaints since October 2025 and that their attendance at Governance Committee meetings and face to face training on the code of conduct had demonstrated to them that there was now a willingness to understand the code and address the outcome of independent investigations seriously.
- 5.19. Ultimately underscoring the relationships between councillors of different Groups is a serious lack of trust. The Liberal Democrats do not trust a number of Independents to engage in good faith and a number of Independents do not trust that the Liberal Democrats will listen to them and be transparent. Both factions express that they wish to do their best for the District, but neither believe that the other wants the same. The lack of strategic focus of the Council has perhaps contributed to this, as councillors have become overly focused on very localised issues and debates on controversial topics of limited relevance to the District Council as a whole.

Councillor - officer relationships

- 5.20. Interviewees felt relationships between councillors and officers were distant and the working relationship had not been functioning in an effective way. There was lack of mutual support and respect, which had led to frustration and eroded trust. Comments received acknowledged that there was likely a feeling from both councillors and officers that they were not being supported by one another adequately.

- 5.21. The previous Liberal Democrat leadership was considered to have had a poor relationship with some officers, particularly the Senior Leadership Team. One officer said that a previous Leader “kneecapped” officers, and another bullied and harassed them. Other councillors have also had a poor relationship with officers. One officer said that an Opposition Group councillor threatened an officer, and others intimidated planning officers.
- 5.22. Though interviewees acknowledged that the current Leader had improved relationships, some councillors and officers still held a negative perception of one another. For example, one councillor felt that all councillors were tarred with the same brush by senior officers and another suggested that some officers had a stereotypical view of councillors and did not treat them as individuals. These feelings were not helped by the exclusion of councillors from Council offices for a period of time, which, while done for understandable reasons, had not been properly explained and had caused a number of members to feel as though they were being punished for the conduct of one councillor. On the other hand, officers reported feeling undervalued and unappreciated by councillors, and that the thanks they do receive did not feel genuine.
- 5.23. Negative perceptions had been further exacerbated by communication issues between officers and councillors. Councillors felt that officers were withholding information from them and trying to prevent their involvement in the decision-making process. Comments received referred to inconsistency in the responses and information received from officers, and a feeling that officers did not seek contributions from councillors nor properly consider them when formulating policies.
- 5.24. On the other hand, some interviewees noted that officers were cautious in their communications with councillors as a result of the conduct of some members. There were comments received which suggested that some councillors have created a wall between members and officers through their conduct on social media and in public, causing officers to worry about being publicly discredited or undermined by councillors.
- 5.25. Officers interviewed also felt that a lack of engagement by councillors, including the Executive, left them in a difficult position and that the lack of strategic focus of the Executive had made it hard for officers to carry out their roles confidently. Officers noted that not all councillors read committee or meeting reports ahead of time. They felt that they risked being undermined by members in Council meetings. Officers also noted that they had been accused of trying to create an ‘officer led’ Council by some members. They felt this was unfair as councillors left voids for officers to fill – particularly by the Executive which was perceived as having failed to provide clear and consistent strategic direction.
- 5.26. Ultimately, there appears to be a lack of understanding of the respective roles of officers and councillors, particularly in relation to the difference between operational and strategic matters. This is driving perceptions which prevent reconciliation in the working relationship.

6. Improvements, conclusions and recommendations

Initial feedback

- 6.1. We gave initial feedback to all members and senior officers in a presentation in January 2026.
- 6.2. We noted that whilst almost all those responding to the questionnaire said they were proud to be part of the Council, over half disagreed or strongly disagreed with the statement “councillors treat each other with respect and courtesy”.
- 6.3. We said that those interviewed had told us that:-
 - there had been a period of highly adversarial, disruptive and sometimes abusive behaviour, especially in Council meetings
 - disruptive tactics by newer members had created a climate of suspicion and defensiveness
 - there had been a lack of trust between senior officers and members
 - lack of clear vision from members was a barrier to effective Council operation
 - the councillor code of conduct complaints system had been dysfunctional
 - both officers and members highlighted poor communication
 - newer members were perceived to lack understanding of local government processes
 - Executive leadership fell upon a small number of active members
- 6.4. However, we also reported that:-
 - those interviewed recognised that the Council’s culture had begun to improve
 - code of conduct complaint handling and outcomes had improved
 - cross party work in governance had been positive
 - more information was shared in advance of decisions
 - the new Head of Democratic Services (now Monitoring Officer) had brought a widely praised fresh and inclusive approach
 - good progress had been made on a governance improvement plan
 - a member development strategy had been adopted
 - guidance and training had been provided on chairing Council meetings and conducting scrutiny
- 6.5. We observed that members had a hyper local focus which could lead them to be so passionate about a single issue that district wide context and priorities could be overlooked. We felt that there had been an intolerance of the views of others and that disagreement had been expressed as personal conflict. Whilst improvement was tangible it was not yet embedded.
- 6.6. We identified a number of key recommendations as follows:-
 - (a) full Council to consider a motion calling on all members to treat each other and Council staff with politeness and courtesy in behaviour, speech and in the written word, whilst respecting the right of members to express, debate and challenge political views freely within the law;
 - (b) all members pledge personally to:-
 - listen and respect differing views

- respect the rights of all councillors to carry out their roles
 - hold themselves and fellow councillors to account
 - be open
 - be civil
- (c) the Monitoring Officer report to the Governance Committee on the adoption by the Council of the LGA's Debate Not Hate campaign and in particular the Ending Abuse in Public Life Council Self-Assessment toolkit as a means of creating a culture of safety and respect for members within and without the Council Chamber;
- (d) the Monitoring Officer and Head of Paid Service report jointly to the Governance Committee on a revised member – officer protocol to include clear guidance on:-
- Members' rights to accessing Council information;
 - Member visits to officer working areas
- (e) the Council identify with the LGA and CfGS what further support those bodies might offer to strengthen the capacity of both executive members and Overview & Scrutiny
- 6.7. In addition, we discussed with the Monitoring Officer our views that the following additional recommendations were appropriate:-
- (a) that there be a comprehensive training programme for all members to be reviewed annually and rolled out for all new members. This would include training on the code of conduct, the different role of members and officers, effective decision-making, chairing skills and understanding the constitution;
- (b) that all regulatory committees be chaired by a councillor who is not a member of the ruling Group.

Improvements and progress

- 6.8. We have been heartened to hear from the Monitoring Officer of a number of areas of improvement and progress.
- 6.9. There has been a marked reduction in the numbers of code of conduct complaints. The historic backlog of complaints has been cleared. There appears to be greater confidence in, and trust of the standards process.
- 6.10. A cross party Constitution Working Group, chaired by CfGS has met on 18 occasions from October 2024 to April 2026 and has reviewed:-
- questions at full Council
 - notices of motion
 - extraordinary meetings
 - decision making processes
 - scrutiny process
 - member decisions
 - declaring interests, gifts and hospitality
 - language of the constitution
 - role of political groups
 - councillor role profiles
 - planning site visits

- Petitions
 - Shadow executive protocol
 - Amendments to motions
 - Public engagement and participation
 - Overview and scrutiny call in process
 - Member – officer protocol
 - Access to information
- 6.11. Not only has the Working Party successfully addressed many areas of governance of the Council, it was cited by many parties as an exemplar of effective and constructive collaboration between members of opposing political groups.
- 6.12. There has been significant progress in implementing a governance action plan, including:-
- Decision making guide and updated guide to writing committee reports (December 2025)
 - One Teignbridge Action Plan (Council strategy) adopted by full Council on 23rd October 2025
 - Town and Parish Council Charter approved by the Executive on 2nd December 2025
- 6.13. A member development strategy has been adopted. A new call in procedure, revised Council Procedure Rules and a member – officer protocol are due to be adopted in May 2026. The member – office protocol will include clear expectations on member visits to officers’ working areas. Training for members on rules of debate for Council meetings is also due to take place in May. Training is due to be provided in July to all Committee Chairs and the Chair and Vice Chair of Council on the effective conduct of meetings.
- 6.14. The Monitoring Officer intends to include in revised Access to Information Procedure Rules in the Constitution a clear indication of how members may access information already published by the Council and the exercise by councillors of their rights to information such as by the “need to know” right.
- 6.15. Of the key recommendations we made in the presentation to members in January 2026, it is apparent that those relating to a member – officer protocol and access to information have already been implemented. Nonetheless, we repeat them in this report for ease of reference and completeness.
- 6.16. Given the significant work completed by the Constitution Working Party (which includes improvement of the Overview and Scrutiny process), we no longer consider that external assistance from CfGS is necessary and note that the Monitoring Officer intends to undertake such further work internally.

Conclusions

- 6.17. Overall, the review finds that member conduct and member-officer relationships at the Council continue to present challenges, although there are clear signs of improvement from a previous low point. Changes in leadership roles, meeting management, complaints handling and some areas of cross-party working have begun to rebuild confidence and reduce overtly disruptive behaviours.

- 6.18. However, these improvements are not yet consistently embedded and remain vulnerable to individual behaviours and changing circumstances. There are persistent needs for shared strategic focus, improvement in the understanding of respective member and officer roles, to improve confidence in governance processes, and to reduce, if not eradicate, residual mistrust across parts of the organisation.
- 6.19. The recommendations that follow are therefore intended to build on recent progress, address these underlying needs, and support the development of a more stable, respectful and effective governance culture that is sustainable over time.

Recommendations

6.20. We make the following recommendations to the Council: -

R1 full Council to resolve that all members to treat each other, Council staff and the public with politeness and courtesy in behaviour, speech and in the written word, whilst respecting the right of members to express, debate and challenge political views freely within the law;

R2 all members pledge personally to:-

- listen and respect differing views
Actively listen to others and acknowledge differing political, professional or personal perspectives. Express disagreement constructively and without dismissiveness.
- respect the rights of all councillors to carry out their roles and the roles of officers
Uphold the legitimate roles, responsibilities and democratic mandates of all councillors, irrespective of political affiliation or position, and refrain from any conduct that undermines another councillor's ability to discharge their duties. This includes respecting the authority of the chair, engaging appropriately with officers in line with respective roles, and supporting a culture where poor behaviour is constructively and appropriately challenged.
- hold themselves and fellow councillors to account
Take responsibility for own conduct and decisions and raise concerns about behaviour or actions that fall below agreed standards in an appropriate, proportionate and professional manner.
- be open
Communicate honestly and transparently, sharing information where appropriate and providing clear reasons for decisions, constraints or changes.
- be civil
Treat others with courtesy, respect and professionalism at all times, including during disagreement or challenge, and avoid language or behaviour that could reasonably be perceived as disrespectful, bullying or intimidating.

R3 the Monitoring Officer report to the Governance Committee on the adoption by the Council of the Local Government Association's Debate Not Hate campaign and in particular the Ending Abuse in Public Life Council Self-Assessment toolkit as a means of creating a culture of safety and respect for members within and without the Council Chamber.

We make the above three recommendations in order for councillors collectively and individually to commit to high standards of conduct and for the Council as an organisation to take steps to support and protect members from abusive behaviour.

R4 the Monitoring Officer and Head of Paid Service report jointly to the Governance Committee on a revised member – officer protocol to include clear guidance on:-

- Members' rights to accessing Council information;
- Member visits to officer working areas

We make the above recommendation to provide clarity on expected standards of conduct by councillors towards staff, staff conduct towards councillors and the rights of councillors to obtain and scrutinise Council information.

R5 the Council identify with the Local Government Association what support it might offer to strengthen the capacity of the Executive;

R6 the Council provide further training and assistance to strengthen the capacity and capability of the Overview and Scrutiny process;

R7 that all regulatory committees be chaired by a councillor who is not a member of the ruling Group.

We make the above three recommendations to assist the Council in achieving strong governance through clear Executive leadership which is subject to effective scrutiny with councillors not in the ruling political group able to play a meaningful role in the discharge of the Council's functions.

R8 that there be a comprehensive training programme for all members to be reviewed annually and rolled out for all new members. This would include training on the code of conduct, the different role of members and officers, effective decision-making, chairing skills and understanding the constitution.

We make the above recommendation to cement recognition of good governance in the Council where debate and decision making is "hard on the issue, soft on the person".

Wilkin Chapman Rollits
Cartergate House
26 Chantry Lane
Grimsby
DN31 2LJ

Hoey Ainscough Associates
Ltd
179 Castle Street
Edgeley
Stockport, SK3 9J

Fortis Therapy and Training
Ltd
Gordon House
18 Dudley Street
Grimsby
DN31 2AB

5th May 2026