

## **FULL COUNCIL**

### **3 NOVEMBER 2017**

#### Present:

Councillors Austen, Barker, Brodie, Bromell, Bullivant, Christophers, Clarence, Clemens, Colclough, Connett, Cook, Cox, Dennis (Vice-Chairman), Dewhirst, Eden, Ford, Golder (Chairman), Goodey, Haines, Hayes, Hocking, Hockin, Brodie, Hook, Keeling, Kerswell, Lake, Mayne, Morgan, Nutley, Orme, Pilkington, Prowse, Thorne and Winsor

#### Apologies:

Councillors Fusco, Gribble, Jeffery, Jones, Parker, Peart, Price, Rollason, Russell and Smith.

#### Also Present:

Neil Aggett, Democratic Services Manager & Monitoring Officer  
Andrew McKenzie, Democratic Services Officer  
Phil Shears, Head of Paid Service

#### **194. MINUTES**

The minutes of the meeting held on 25 September 2017 were signed and approved as a correct record, subject to minute 137 on page 84, the word 'advantages' be changed to 'disadvantages'.

#### **195. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman introduced the Reverend Stephen West of Bishopsteignton who would be his Chaplain for the year and advised that his Civic Service would take place on Sunday, 4 March 2018 to which all Members were warmly invited to take part in a celebration of life in Teignbridge.

He stated that his charity for the year was the Devon Memory Café Consortium which was an umbrella group supporting individual Memory Cafés; any monies raised would be ring-fenced for use by cafés within Teignbridge.

The Chairman congratulated Councillors Gordon Hook and Jackie Brodie who were to marry on Saturday, 4 November and wished them well for the future.

#### **196. DECLARATIONS OF INTEREST**

There were none.

**197. PUBLIC QUESTIONS SESSION UNDER COUNCIL PROCEDURE RULE 4.5(J) (IF ANY)**

There were none.

**198. COUNCILLOR QUESTIONS UNDER COUNCIL PROCEDURE RULE 4.5(K) (IF ANY)**

The following questions were asked by Councillor Hook:

**Question 1: Does the Council undertake safety checks on our trees? If so how frequently? If not, why not and can we? I assume suitable insurance is in place?**

*Answer given by the Leader: The Council has a tree risk inspection program and all trees are inspected on a routine basis. The frequency of inspection is dependent on the trees location and the use of the site (e.g. trees next to main roads are inspected more frequently than those in low use locations), as well as tree species and age. The frequency of inspection is risk based and accords with national best practice, as set out by the National Tree Safety Group. The inspections range from annually to every 5 years depending on circumstances, with ad hoc inspections as necessary.*

*We have appropriate insurance and, from time to time, the insurers request confirmation that the program is implemented.*

**Question 2: Can the PH for Planning confirm that members will shortly be consulted, via the Local Plan 5 year review, on housing within village envelopes. Will he agree with me that much more needs to be done to ensure these communities remain viable, and to ensure they are sustainable over the life of the Local Plan we should be proactive in finding suitable sites for house building, particularly for local residents.**

*Answer given by the Portfolio Holder for Housing & Planning: It should be noted that there is nothing to prevent the development of new homes on appropriate sites in within the settlement limits of villages (village limits), and it is not necessary for sites to be indicated in a local plan for permission to be granted. In addition, the local plan allows new affordable housing on exception sites outside but adjoining villages, to meet local needs. You may be interested to know that over the last 10 years there have been 2434 dwellings completed in rural areas (that is parishes other than Newton Abbot, Kingskerswell, Kingsteington, Teignmouth, Dawlish and Ogwell).*

*Teignbridge is in the rare/unique position of having both a Community & Neighbourhood Portfolio Holder and a dedicated Neighbourhood Planning Officer which has helped deliver rural housing opportunities based on local needs. Moving forward, this work will play a vital role in assessing the delivery of affordable local needs housing in the review of the Local Plans.*

*It should also be recalled that communities can bring forward new homes within their area via the Neighbourhood Planning process if they are concerned about the issues the Cllr Hook has raised. One neighbourhood plan has done so, allocating a site for live-work units.*

*In terms of change in village services, officers have carried out a survey of village service and facilities recently. Compared with the results of a similar survey carried out in 2011, there has been very little loss in that time.*

*The Teignbridge Local Plan review will carry out a re-survey of the existing settlement limits to ensure that they are up to date and reflect the latest changes on the ground. It is expected that a consultation document on these will be out for consultation in spring next year. The local plan review will also be considering the need for new housing, employment and other forms of development which may include additional housing and other sites in and adjoining the villages, and we would expect consultation on such matters to take place later in 2018 and after that. It would seem inappropriate to pre-judge the outcome of that work at this stage. Cllr Hook is of course welcome to make any specific suggestions of development sites which the spatial planning team can then consider in the local plan work.*

Councillor Hook thanked the Leader and Portfolio Holder for their full and helpful answers, and suggest for the second question that Parish and Town Councils be made aware of the information.

The Leader advised that it had been suggested those communities that had successfully implemented a Neighbourhood Plan could share their learning with others and this would either take place through the Teignbridge Association of Local Councils or directly through an event hosted by Teignbridge.

**199. NOTICES OF MOTION UNDER COUNCIL PROCEDURE RULE 4.5(L) (IF ANY)**

There were none.

**200. APPOINTMENTS & REMUNERATION PANEL: TERMS OF REFERENCE**

*At this juncture, the Interim Head of Paid Service and the Monitoring Officer left the meeting.*

The Leader presented the report and advised that following the departure of the former Chief Executive it was now time to confirm the management arrangements of the Council which was hoped to be formalised in the New Year. He advised that the establishment of the Appointments & Remuneration Committee was the next stage of this.

Councillor Hook as the original proposer of the motion to establish the committee was pleased to see the proposals before Council and believed it would add to the

openness and transparency of the Council's operations. Councillor Hook proposed an amendment to recommendation B, so that it read as follows:

That the Monitoring Officer be authorised to make adjustments to the Constitution to give effect to the Council decision, but that all such amendments to the constitution be approved by Full Council.

The amendment was seconded by Councillor Dewhirst.

Councillor Haines spoke in support of the amendment.

Councillor Barker sought clarification as a recommendation to authorise the change to the constitution that brings into effect the decision was required.

Councillor Connett suggested that substitute members be appointed by group leaders rather than by the council as the report currently read.

Following extensive debate, Councillors Hook and Dewhirst agreed to withdraw the amendment and it was

Resolved

- (a) That the draft Terms of Reference for the Appointments and Remuneration Committee be approved, subject to substitutes being appointed Group Leaders and not the Council;
- (b) That the Monitoring Officer be authorised to make adjustments to the Constitution to give effect to the Council decision.

*At this juncture, the Interim Head of Paid Service and the Monitoring Officer re-joined the meeting.*

The Monitoring Officer advised that he currently had delegated authority to make minor amendments to the Constitution following consultation with Group Leaders. Any major changes to the constitution that would infringe the rights of the public and Councillors were reserved for approval by all members through a meeting of the Full Council.

## **201. INDEPENDENT STANDARDS COMMITTEE MEMBER**

The Chairman of the Standards Committee introduced the report and advised that delegated authority was sought for the Monitoring Officer to appoint an Independent Committee Member for the Standards Committee.

The Monitoring Officer advised that the Council needed to appoint an Independent Committee Member. This was a member of the public who would serve on the Committee to act as an independent public check who would be bound by the Members Code of Conduct. It was possible to go through an advertisement process which would take approximately 6 weeks which could result in no one

coming forward. Monitoring Officers across Devon believed they could share these posts across authorities ensuring no delays and reduced costs for training. He stated that one such person had offered to serve on Teignbridge's Standards Committee if the Council so wished.

The differences between the Independent Member and Independent Person were significant. The Independent Person was someone the Council appointed to work in conjunction with the Monitoring Officer and was consulted over all code of conduct complaints about district, town and parish councillors. They were fully trained and made a judgement as to whether a complaint needed to be investigated further or how it should be progressed. They did not sit on the Standards Committee.

Councillor Connett believed Teignbridge should have its own Independent Standards Committee Member and indeed a second Independent Person to call on should the need arise and proposed that:

- (a) The Council begins an advertisement process to appoint an Independent Committee Member for the Teignbridge Standards Committee;
- (b) The Council agrees to the Monitoring Officer approaching neighbouring authorities to secure an interim Independent Committee member to sit on the Teignbridge Standards Committee until such time as the Council appoints its own Independent Committee Member;
- (c) The next meeting of the Standards Committee be tasked with beginning the process to appoint a second Independent Person.

Councillor Prowse seconded the proposal and, following a question from Councillor Hook, advised she would submit a progress report to the next meeting of Full Council.

Resolved

- (a) That the Council begins an advertisement process to appoint an Independent Committee Member for the Teignbridge Standards Committee;
- (b) That the Council agrees to the Monitoring Officer approaching neighbouring authorities to secure an interim Independent Committee member to sit on the Teignbridge Standards Committee until such time as the Council appoints its own Independent Committee Member;
- (c) That the next meeting of the Standards Committee be tasked with beginning the process to appoint a second Independent Person.

Councillor Dennis submitted that having been a Member of the Standards Committee since 2012 he was surprised to learn that he Chairman of the Committee did not receive a special responsibility allowance and suggested this remuneration be included when allowances were next reviewed.

**202. COMMON SEAL**

Resolved

That the Common Seal of the Council be affixed to any document or documents necessary to give effect to the resolutions passed by the Council at this meeting.

TIM GOLDER  
Chairman