

FULL COUNCIL

22 FEBRUARY 2021

Present:

Cllrs Austen, Bradford, Bullivant, Clarence, Colclough, Connett, D Cox, H Cox, Daws, Dewhirst, Eden, Evans, Foden, Goodman-Bradbury, Gribble, Haines, Hayes, Hocking, G Hook, J Hook, Jeffery, Jeffries, Jenks, Keeling, Kerswell, MacGregor, Morgan, Mullone, Nutley, Nuttall, Orme, Parker-Khan, Parker (Vice-Chair), Patch, Peart, J Petherick (Chair), L Petherick, Purser, Rollason, Russell, Swain, Taylor, Thorne, Tume and Wrigley

Apologies:

Cllrs Cook and Phipps

Officers in Attendance:

Trish Corns, Democratic Services Officer
Martin Flitcroft, Chief Finance Officer & Head of Corporate Services
Christopher Morgan, Trainee Democratic Services Officer
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer
Phil Shears, Managing Director
Beth Tipton, Administrative Assistant
Paul Woodhead, Solicitor & Deputy Monitoring Officer

12. MINUTES

The minutes of the meeting on 14 January 2021 were approved as a correct record and would be signed at a later date.

13. ANNOUNCEMENTS

The Chair announced that the Council had made a successful bid application to the Department of Business, Energy and Industrial Strategy (BEIS) for Local Authority Delivery Green Homes Grants and been awarded £1,147,500 to provide 100 air source heat pumps to householders in Teignbridge targeting fuel poor homes.

14. DECLARATIONS OF INTEREST

Cllr Bullivant declared an interest in regards to minute no. 24 as such would not be voting.

Cllrs Dewhirst and Haines declared an interest in regards to minute no.26 due to being personal friends of Cllr Cook and would not be voting.

15. PUBLIC QUESTIONS

Public questions and responses are attached to minutes.

The relevant Executive Member responded to the supplementary questions arising therefrom. See the [live stream of this meeting](#).

In response to a supplementary question in relation to Dunchideock Parish Council, the answer was provided by the Executive Member for Corporate Services in writing after the meeting [see *below*]:-

The District Council does not have a responsibility to oversee and manage the day to day affairs of any town and parish council. There are separate regulations that govern these bodies including any necessary audit requirements. I would refer you to DALC/NALC for any further concerns or how they may oversee this matter.

16. COUNCILLOR QUESTIONS

Member's questions and responses are attached to minutes.

The relevant Executive Member responded to the supplementary questions arising therefrom. See the [live stream of this meeting](#).

17. FINAL FINANCIAL PLAN PROPOSALS 2021/22 TO 2023/24

The Executive Member for Corporate Resources proposed the recommendation with an amendment that members do not receive this year's cost of living increase for Members Allowance for 2021/22 and that this be frozen until April 2022, this was seconded by the Leader.

In presenting the budget, the Executive Member for Corporate Resources thanked officers for their preparation of the budget and the Overview and Scrutiny Committees for their work and input into the budget proposals.

The Leader of the Opposition (Cllr Bullivant) outlined his comments on an alternative budget and stated that they would be abstaining from voting on the budget.

The Leader stated that the Council faced budget challenges in the coming year and this budget supported the administrations priorities of Housing, Jobs and Climate Change.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the vote was recorded (see voting report).

RESOLVED that:-

- (1) The Teignbridge band D council tax for 2021/22 be increased by 2.85% or £5 to £180.17 per annum;
- (2) General reserves be increased to 13.0% of the net revenue budget for 2021/22 or just under £2.0 million;
- (3) £100,000 of the general reserve balance in any one year continues to be available to the Executive to meet unexpected expenditure in addition to the agreed revenue budget;
- (1) All other decisions with regard to budgetary change will be approved by reference to virement rules in the financial instructions;
- (2) The summary revenue budget for 2021/22 be £15.3 million as shown at appendix 4. In particular the revenue budget includes:
 - Assumptions of a 1.5% pay from 1 April 2021
 - Revenue contributions to fund capital are suspended in the medium term to protect the revenue budget
 - Rural aid is suspended in 2020/21 and 2021/22
 - The councillors community fund grant is maintained at £1,000 each;
- (3) Fees and charges be approved as shown summarised at appendix 6. This includes an increase in parking income of £94,000 from last years base budget;
- (4) The capital programme as shown at appendix 7 be approved. In particular this includes:
 - Increasing jobs and homes through continuing support for housing whilst backing business and encouraging community-led planning. Work has begun on the Teignbridge 100 affordable housing project at two sites in Newton Abbot. A rented programme across urban and rural sites will be delivered over the next 3 years.
 - Increased investment for climate change projects, including grant bids for low carbon heating and energy system improvements at leisure sites and further provisions the Carbon Action Plan.
 - Infrastructure delivery plan investment contributing to improving education, transport links, sports and open spaces Regeneration investment, including two hotels in Teignmouth and Newton Abbot funded mainly from prudential borrowing. The Council recently received an in-principle funding offer from the Government Future High Street Fund for grant of £9.2 million aimed at improving town centres. This will have a positive impact on Newton Abbot and the wider Teignbridge economy. Cofunding includes CIL, grant from other sources and prudential borrowing. There is also a provision for employment site investment to be funded through prudential borrowing. The Future High Street and employment site projects are indicative at this stage. Business cases will be brought to members for consideration once they are finalised;
- (5) The prudential indicators be noted and the prudential limits approved all as set out in appendix 10;

- (9) The updated treasury management strategy statement and authorised lending list as set out in appendix 11 is approved together with the capital strategy in appendix 11a;
- (10) Each scheme will be considered on its merits as explained at the end of appendix 11 to decide the calculation of minimum revenue provision for capital expenditure in 2021/22;
- (12) The treasury management mid year review for 2020/21 as taken to Executive on 11 February and shown in appendix 12 is noted;
- (13) The council tax resolutions as recommended in appendix 15 be approved; and
- (14) Members Allowance will be frozen until April 2022.

18. CONSTITUTION

The Leader advised Members of the Constitution Working Group meeting which Cllr Patch attended and spoke on the matters mentioned in his Notice of Motion put to this meeting.

The Leader stated that he believed the November 2020 updated Constitution reflected the resolution taken by Council on September 2019. He proposed that the Council establish a new committee to have oversight of constitution, procedural matters, members training and development and reports from the Independent Remuneration Panel. The terms of reference and membership details, along with any other relevant matters to be reported to Council in due course.

This was seconded by Cllr Bullivant.

Cllr D Cox voiced support as the previous constitution was out of date.

RESOLVED that a new committee be established to have oversight of the Council's constitution, procedural arrangements, councillor training and development, reports from the councillor's Independent Remuneration Panel. Terms of reference and membership details, along with any other relevant matters to be reported to a future meeting of the Council.

19. NOTICES OF MOTION

Cllr Eden presented her Notice of Motion on Standards Committee process changes. The Notice of Motion was referred, without discussion, to the Executive for consideration.

Cllr G Hook presented his Notice of Motion to acknowledge the work that the voluntary and charitable sector do particularly but not exclusively during the

current Coronavirus pandemic. The Notice of Motion was referred, without discussion, to the Executive for consideration.

Cllr Patch presented his Notice of Motion regarding the Constitution. The Notice of Motion was referred, without discussion, to the Executive for consideration.

20. RECOMMENDATION FROM EXECUTIVE - TEIGNMOUTH PUBLIC SPACES PROTECTION ORDER (PSPO)

It was proposed by the Executive Member for Homes and Communities and seconded by Cllr L Petherick that the recommendation be approved.

Local Ward Members supported the Public Spaces Protection Order (PSPO) to help address Anti-Social Behaviour in Teignmouth.

A roll call was taken (see voting report).

RESOLVED that the Council:-

- (1) On being satisfied that the statutory grounds for making the Order have been established as detailed in the Report, the Public Protection Spaces Order be made; and
- (2) Delegated authority is given to the Head of Community Services and Improvement to:
 - (a) appoint authorised persons for the purpose of giving direction under the Order; and
 - (b) (in consultation with the Solicitor to the Council and the Executive Member for Homes and Communities) make such minor amendments to the draft Order as they considers appropriate, before the Order is sealed.

21. RECOMMENDATION FROM EXECUTIVE - NOTICE OF MOTION - EQUALITY OF REPRESENTATION

It was proposed by the Executive Member for Economy and Jobs and seconded by Cllr Morgan that the recommendation be approved.

The Executive Member for Economy and Jobs in presenting this recommendation stated that there had been huge amount of support for this proposal and she read out a letter of support from Social and Environmental Action Round Chudleigh (SEARCH).

Cllr L Petherick proposed an amendment to recommendation Motion 7 (2), to add that if an organisation did not have an Equalities Policy it would affect their application. This was agreed to be added by the proposer and seconder.

A roll call was taken and the vote was unanimous.

RESOLVED that the Council:-

Motion No (1)

- (1) Equalities training for members is arranged through Democratic Services and members are encouraged to attend by Group Leaders;
- (2) That the Committee report template is amended to include "Equalities Considerations" and whether a Business Impact Assessment is required; and
- (3) The Council's Equalities Policy, which expires in 2020, is reviewed and considered by O&S and Executive and included in 2021 Forward Plan;

Motion Nos (2) and (4)

The Leader of the Council write to the Secretary of State for Education urging him to:

- (4) Review the primary school, GCSE and A Level national curriculum with a view to ensuring that the historical record of the British Empire is treated in a way which fully takes account of slavery, the actions and views of historical figures and other oppressive experiences of BAME people, many of whose descendants are now part of our community.
- (5) Show compassion and understanding by starting a national debate led by the BAME community, which seeks to define racism, the impacts of it in today's society - and demonstrate how we can all help people of colour feel fully included and welcomed in the UK (this could be part of the current government review)
- (6) Identify a Cabinet minister champion for the BAME community;

Motion No (3)

- (7) Councillors to promote the pilot educational project being undertaken in partnership with Teignmouth Community School by raising awareness of the project through their formal and informal networks and encouraging other schools in the District to utilise the curriculum resources developed through the project and/or undertake similar projects in local schools.

Motion No (5)

- (8) Following completion of the Equalities Impact assessment on the recovery plan, members of Audit Scrutiny Committee to review and determine if there are any areas of weakness. Comments to then be sought from external registered groups representing the interests of that group;

Motion No (6)

- (9) Recommend that the Council encourages local historic societies to identify street names of particular historic significance and develop signage to explain the history behind the street's name.
- (10) Review the street naming and numbering procedure to reflect the recent LGA advice note relating to requests from the public to change the public realm.

Motion No (7)

- (11) An additional 2 questions should be included in the Councillors Community Fund form:
1. *How does your organisation or project meet the needs of (tick all or any that apply)*
Older people (over 65yrs)
Young people (under 18yrs)
People with disabilities
Members of the LGBT community
Pregnant Women
Black, Asian and Minority Ethnic (BAME) people
- Please add any further comments here*
2. *Do you have an Equalities Policy Yes / No (this will not affect your application if you do not have one)*
If Yes please upload a copy

22. RECOMMENDATION FROM EXECUTIVE NOTICE OF MOTION - RETENTION OF THE £20 UNIVERSAL CREDIT UPLIFT

It was proposed by the Leader and seconded by Cllr D Cox that the recommendation be approved.

Cllr D Cox commented that that by doing this, it would help keep families afloat and strengthen the social security system so it provided the public service that residents could all turn to when they hit hard times. In retaining the £20 Universal Credit uplift it would support the wider economic recovery and cutting support for those on the lowest incomes would reduce demand in the economy at a time when the county was trying to secure a recovery.

A roll call was taken and the vote was unanimous.

RESOLVED that the Leader of the Council be instructed to write to the Chancellor of the Exchequer and the Members of Parliament serving Teignbridge to call for the retention of the £20 Universal credit uplift.

23. RECOMMENDATION FROM STRATA JOINT EXECUTIVE - STRATA BUSINESS PLAN

It was proposed by the Executive Member for Homes and Communities and seconded by the Executive Member for Sport, Culture and Recreation that the recommendation be approved.

A roll call was taken (see voting report).

RECOMMENDED that East Devon District Council, Exeter City Council and Teignbridge District Council approve the Strata Business Plan 2020/21 and beyond including:-

- (1) The 21/22 Proposed Savings;

- (2) Hardware budgets being returned to East Devon District Council and Teignbridge District Council;
- (3) Appointment of a Data Analyst post;
- (4) Benchmarking to be undertaken by SOCITM; and
- (5) The mechanism for work prioritisation.

24. MEMBERS ALLOWANCES

Cllr Bullivant declared an interest and did not vote on this item.

The Executive Member for Corporate Resources introduced the report of the Independent Remuneration Panel and proposed the recommendations, this was seconded by the Leader.

Cllr Patch proposed an amendment that the overall budget for SRA should not be increased to fund the Special Responsibility Allowance (SRA) for the additional posts. In order for the budget not to increase all SRAs be adjusted on a pro rata basis to fund the new additional SRA's, this was seconded by Cllr Daws.

A roll call was taken on the amendment (see voting report), the amendment was lost.

On a further roll call (see voting report), it was:-

RESOLVED that the following changes to the Members' Allowances Scheme to take effect from 3 September 2020 be approved:-

- (1) The Special Responsibility Allowance for the Chairs of Overview and Scrutiny Committee be a multiplier of 1.1 and Vice Chairs of Overview & Scrutiny Committees be a multiplier of 0.3;
- (2) The Special Responsibility Allowance for the Chair of Licensing and Regulatory Committee be a multiplier of 0.75 and the Vice Chair of Licensing and Regulatory Committee be a multiplier of 0.40; and
- (3) The Special Responsibility Allowance for the voting Executive Member without portfolio be a multiplier of 1.1.

25. COMMITTEE SEATS AND POLITICAL BALANCE

It was proposed by the Leader and seconded by the Executive Member for Sport, Culture and Recreation that the committee seat allocation as set out in the agenda be approved.

The Managing Director had been advised that Cllr Jenks was no longer a Planning Committee Member and Cllr Parker was a member of Overview and Scrutiny Committee (1).

Cllr Haines commented on the percentages and that in the past a single Independent member would be on Overview & Scrutiny Committee rather than Planning Committee and this could create a precedent in the future if there were any other single Independent members.

A roll call was taken (see voting report).

RESOLVED that the committee seat allocation be as follows:-

Committee	Total Seats	Lib Dem		Con		Ind		NSN		No Group	
Overview & Scrutiny (1)	13	6.36	7	3.32	3	2.21	2	0.83	1	0.26	0
Overview & Scrutiny (2)	13	6.36	7	3.32	3	2.21	2	0.83	1	0.26	0
Planning	17	8.32	8	4.34	4	2.89	3	1.09	1	0.34	1
Licensing & Regulatory	11	5.38	5	2.81	3	1.87	2	0.70	1	0.22	0
Audit Scrutiny	8	3.91	4	2.04	2	1.36	1	0.51	1	0.12	0
Standards	6	2.94	3	1.53	2	1.02	1	0.38	0	0.16	0
Strata Scrutiny	3	1.47	1	0.77	1	0.51	1	0.19	0	0.06	0
Total	71		35		18		12		5		1

26. WAIVER OF SIX MONTH COUNCILLOR ATTENDANCE RULE

The Chair expressed his support and empathy for Cllr S Cook and wished her well.

Cllr L Petherick proposed the recommendation, this was seconded by Cllr Rollason.

Members wished Cllr Cook a speedy recovery.

A roll call was taken (see voting report).

RESOLVED that the request to extend Cllr Cook's period of office beyond the six month period of non-attendance provided for within section 85(1) of the Local Government Act 1972 on the grounds of ill health for a period of three months to expire on 30 June 2021 be approved.

Voting Report

The meeting started at 10.00 am and finished at 2.50 pm.

Chair