

Full Council 28 April 2022

Members Questions

Questions from Cllr Macgregor

These follow from disclosure at a planning meeting on the 15th February which have caused me some concern.

At full council on 30th November 2021 I asked the following with the response given also included.

Q1) *At the recent planning committee the supporter of one application suggested the development he was supporting was critical to meeting the land supply. What is the current land supply status?*

Response from Executive Member for Planning

This information is published online each April. Our Supply at this point was 6.3 years.

At the recent planning meeting, the Business Manager used the 'Damocles' Sword' mechanism regarding 'Land Supply' as a warning to councillors against refusal of the application relating to TE3 in the Local Plan 2013-2033. In her own words, developers were already discussing the fact that we didn't have a 5year land supply and refusing the application would put that at risk, going further and announcing that in fact an appeal had been lost by the council as the Planning Inspector had preferred the evidence of the appellant, rather than the council. The business manager then said the appellant had suggested to the Planning Inspector the case that this authority had only 3.5 years Land Supply.

On asking again, for a detailed answer on our Land Supply based on the response last year, the Business Manager outlined her view on Land Supply as being 6.3 years.

In light of the Planning Inspector position, the previous answers and the most recent inconsistency, can the Planning Business Manager provide in detail the land supply, and the location of the land supply as it currently is viewed by the authority?

Response from the Executive Member for Planning

This 5 Year Housing Land Supply Position was shared with all Members of Planning Committee in advance of the February 2022 Planning Committee Meeting: [\(Public Pack\)Updates Sheet Agenda Supplement for Planning Committee, 15/02/2022 16:00 \(teignbridge.gov.uk\)](#)

At the time of writing this response, our Land supply position is as published in December 2021: [TDC Housing Land Supply 2021 December \(teignbridge.gov.uk\)](#). Our 2022 5YHLS statement will be published shortly and is expected to show our rolling position of maintaining a good supply of sites.

This already provided information includes a site by site breakdown of the sites included in our supply.

Q2. In light of a successful appellant providing evidence that was accepted by the Planning Inspector over the position taken and outlined by the Business Planning Manager, will the Executive Member commit to sense checking our position with the Planning Inspectorate to prevent this being used as a case against the authority in future?

Response from the Executive Member for Planning

We are confident in our Land supply position

We do not therefore consider that there is merit in expending additional time and energy on a confirmatory Position Statement process with PINS. This resource is best spent on progressing our Local Plan Review which, when adopted, will provide a further boost to our Land Supply position.

Q3. Bearing in mind the response received in November last year and the position taken by the Business Manager at the planning committee, in contradiction to the appellant's successful claim, will the Executive member for Planning commit to appealing the Planning Inspector decision?

Response from the Executive Member for Planning

As reported to Members previously, the Inspector's decision was about evidence presented and our December Statement has remedied this.

There is no right of Appeal against a PINS decision, and there would be no merit in a legal challenge as this was a clear question of planning balance and judgement.

Q4. Planning Committees are not merely neutral venues, although I do note the close relationship between the Executive Member for Planning and the newly elected chair (both are local town and district councillors in Dawlish and have campaigned for each other), decisions are supposedly made without fear or favour. Does the Executive Member for planning agree that constantly using intimated threats over decisions go contrary to the spirit and nature of planning decisions?

Response from the Executive Member for Planning

Decisions of Planning Committee should be made having listened to and taken account of advice from our expert professional team and their advisers. It is the duty of officers to ensure members are aware of the potential consequences of their decisions before they are made.

These are not threats intimated or otherwise. It is advice to enable members to take robust decisions in accordance with national and local policy framework and to draw to decision making bodies attention consequences of not doing so.

A motion was put forward at the full council meeting held on the 30th November 2021, (as a vote of confidence or not in the leadership of Cllr Connett). The Monitoring Officer provided the opinion in respect of that debate that the 2/3 bar (members voting for debate) must be attained in order for there to be a debate, (although this appears to be incorrect advice and only relates to motions that would normally stand adjourned pending debate at the relevant committee, not for items for the consideration by Full Council - see Q below). That vote was taken and debate was voted against by a majority of the council group including Cllr Bullivant, Cllr David Cox and Cllr Connett. Cllr Bullivant was then allowed to express his view (in an application of fairness) that Cllr Connett had a right to defend himself against the comments made in the preamble, all of which were factual.

Having voted against debate however, it seems strange therefore that this should be considered an effective method of progress by Cllr Bullivant, although I'm absolutely sure he had the best of intentions, Cllr David Cox and Cllr Connett.

Cllr Cox having also been given an opportunity to join the debate; stated Cllr Connett had a right of reply enshrined in the constitution. This is fundamentally untrue. He then suggested Cllr Connett was able to respond as a personal explanation. This is also fundamentally untrue and not even open to interpretation.

The constitution is quite clear. The person MOVING any motion has the right to reply after a debate, not the person against whom the 'no confidence' motion was framed. There is no mechanism enabling a right of reply to the subject of a confidence motion in the constitution.

4.8.9 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 his or her amendment.

And whilst I fully accept your very reasonable comment that natural justice should prevail, and allow Cllr Connett the opportunity of delivering a personal explanation, my understanding of the use of personal explanations is to respond to, or explain material misconceived events or facts in an earlier speech - i.e., as he made no speech, he had no right to a personal explanation, and as it was on response to my preamble to the motion should be considered in that light.

"4.8.13 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. The ruling of the Chairman on the admissibility of a personal explanation will be final"

Q5. *Why was Cllr Bullivant allowed to create a debate when he and Cllr's Cox and Connett had voted against one?*

Response from the Chair of Council

The constitution is silent in regards to NOM of no confidence.

The matter was dealt with as a NOM the motion for debate was lost as was the motion itself.

Q6. Why was the constitution wrongly interpreted in respect of not allowing a debate and also not applied as rigorously for the points noted in 4.8.9 and 4.8.13?

Response from the Chair of Council

The constitution is silent in regards to NOM of no confidence.

The matter was dealt with as a NOM the motion for debate was lost as was the motion itself.

Q7. Why was the debate allowed to expand to include Cllr Cox, who clearly misunderstood the content of the points 4.8.9 and 4.8.13?

Response from the Chair of Council

The constitution is silent in regards to NOM of no confidence.

The matter was dealt with as a NOM the motion for debate was lost as was the motion itself.

Q8. Cllr Connett chose to ignore the constitution and convention (in effect confirming the continuing poor judgement and dreadful bias alluded to, in my preamble to the motion). Cllr Connett did not use his opportunity provided by a personal explanation to address any material part of the earlier speech by me, but instead chose to demonstrate his tendency to attack fellow councillors who are in his view 'off message'. The needless and unnecessarily abrasive personal attacks on councillors, breaches not only the constitution, but also falls short of the Nolan Principles as outlined in the council code of conduct.

Why was he allowed to breach not only the constitution, and convention but the members code of conduct in relation to attacking other members and why did the Monitoring Officer not intervene?

Response from the Chair of Council

The constitution is silent in regards to NOM of no confidence.

The matter was dealt with as a NOM the motion for debate was lost as was the motion itself.

4.9.4 Process

Subject to the following, the Chair of Council shall refer the Notices of Motion to the appropriate meeting, (i.e. the Executive for Executive business or for non-Executive items, a committee).

In such cases the mover of the motion can outline the proposal and then it stands adjourned to the appropriate meeting.

The motion may be debated if agreed by two-thirds of the Council Members present at the meeting.

Items which relate to the Council's responsibilities can be taken at the full Council meeting unless the Constitution requires consultation with a Committee or referral to an Officer as designated in the Constitution or by law.

Q9. *Why did the Monitoring Officer not confirm the motion was a matter for consideration by full council, therefore not requiring the 2/3 bar to be met as for motions standing adjourned?*

Response from the Chair of Council

The constitution is silent in regards to NOM of no confidence.

The matter was dealt with as a NOM the motion for debate was lost as was the motion itself.

Q10. *With that in mind, and also addressing the later expressed falsehoods in the response to questions raised later in that same full council by Cllr Eden (regarding Cllr Eden as well as those outlined in Q4), is it possible to clarify*

a) what action will be taken in terms of ensuring the procedures are followed correctly in future and

b) where a falsehood has been highlighted, the measures of redress open to members and the council (for instance an unreserved apology, in public, in person to each member maligned)?

Response from the Chair of Council

The Council has the Procedures Committee which can review such matters and make any recommendations as it sees fit for Full Council to consider.

On the 11th July 2021, a Standards sub Committee was convened to hear a complaint against Cllr Patch by a person and business that had been subject to a refusal at planning committee.

During the meeting the planning officer was asked specifically about the economic benefit of the application, as well as points questioning the social and environmental benefit. The Business Planning Manager's terse response was that the business of the applicant was not the concern of the council.

That however is not true. Factually, the opening elements of the plan specifically state development should have one or more of the following benefits: Economic, Environmental or Social. The response from the BPM was the basis of my refusal, a matter of record - and partly used in the defence by the council at appeal.

Subsequent to the refusal, the focus has been on attacking councillors who refused the application, basing the attacks on the alleged conduct by Cllr Patch. This has been led particularly by Cllr Bullivant, who has made veiled references at recent council meetings, followed recently by a clear attempt to shame Cllr Patch over the cost of the complaints he has brought, partly in his robust defence of his reputation.

This appears to suggest that there is a bias being displayed against those questioning planning decisions.

Q11. *Does the leader think it is appropriate for this council to appear to be providing advantage to an individual and undermining the principle of councillors acting without fear or favour by holding a determinative hearing beyond their authority and scheduling the meeting prior to the outcome of an appeal to the planning inspector?*

Response from the Leader

The Council seeks to uphold its duty to ensure that the high standards expected of Councillors are maintained without fear of favour. Any hearings that are conducted in order to determine a complaint against a councillor are held with proper authority.

Question from Cllr Macgregor

With the excellent work undertaken by our Climate Change Officer and those assisting the drive to achieve carbon reduction and carbon neutrality, overseen by the very passionate and capable climate change prevention advocate, Cllr Jackie Hook, I am surprised that the Planning Department, far from promoting energy saving opportunities is seemingly taking a disinterested approach. Whilst Solar Panels may be permitted development in the majority of cases, it does require advice and guidance on others. Simply referring the enquirer to the planning portal to look at Government advice or submit a form which carries a cost, is far from an encouragement to homeowners to make whatever difference they can.

Whilst we are all aware of time, staff and budget pressures, the environment, like jobs and the economy are a key pillar of this administrations policy set.

Q12. *Does the leader think that it is appropriate that positive steps such as the installation of solar panels is not promoted supported and enabled more effectively to encourage home-owners to contribute to the effort to make this district carbon neutral?*

Response from the Leader

Our website provides information relating to the climate emergency and energy efficiency actions that can be taken by individuals in relation to their homes including in relation to possible sources of funding.

[Reducing Cost and Carbon in your Home and Business - Teignbridge District Council](#)

[Planning advice - Teignbridge District Council](#)

We are also further updating our validation checklist for non-major planning applications and providing additional guidance for applicants on steps they can take where planning permission is needed for works to their home to ensure carbon reductions are minimised.

Q13. *Was the Exec member for climate change kept informed of the changes in process for advice and support for home-owner enquiries about the installation of climate change mitigation and energy saving products?*

Response from the Executive Member for Climate Change

There has been no change in process for any home owner enquiries for some time. Where changes to our pre-application and duty services have been made, Members have been kept up to date including through the Members' Newsletter.

Q14. *Whilst every attempt is encouraged to help the District cover the funding gap created under the Conservative austerity agenda, in terms of fees and charges, would it not be appropriate to discount fees and charges to those fitting climate change mitigation and energy saving products as part of our combined efforts to improve our carbon footprint?*

Response from the Executive Member for Climate Change

Our fees and charges for 2022/23 have just been agreed by Full Council; any concerns around the fees and charges set would have more appropriately been discussed through that process.

As set out in response to question 1, Home owners can get advice for free from our web pages.

A Certificate of lawfulness to confirm permission would not be needed would cost £103

From April this year, A pre-application enquiry regarding the acceptability of panels that might require permission would cost £200. Charging for discretionary services is an important part of the overall funding for our statutory planning service, which includes functions like planning enforcement and applications for works to trees and listed buildings for which there are no fees payable as well as planning applications for which fees are set nationally and which do not always cover the cost of the service given. This modest extra income enable us to continue to provide an advice service that would otherwise be unsustainable.

These costs represent only a small fraction of the cost of the overall project and would be unlikely to discourage a serious project from progressing

Over the last few months there have been positive signs of the installation of fibre based broadband across various parts of the district. This has included laying cabling in new trenches, not just utilising existing utility routes. These new trenches have been installed across pavements and roads, necessitating the closure of roads around the district for on average 3-5 days. These closures have usually been enacted on days when the route would be used by the waste teams causing delays to collections or delaying the progress of waste teams at a time when these teams are under significant pressure due to headcount issues highlighted previously. It therefore begs the question.

Q15. Who authorises the road closures for this work

Response from the Leader

The Council has no control over these matters as they are the responsibility of the County Council who notify us as appropriate

Q16. What liaison with Teignbridge occurs in order to ensure service delivery interruption and delay is minimised?

Response from the Leader

Devon County Council alert Teignbridge District Council waste operations in advance through emailed S14 notices under the Road Traffic Act to enable us to manage collections accordingly.

Q17. If no liaison is forthcoming from the authorising body or indeed the contractor, what steps will be taken to implement a process in future?

Response from the Leader

The Council has no control over these matters as they are the responsibility of the County Council who notify us as appropriate

Q18. Will residents be notified so that recycling is put out at appropriate times so that it doesn't get blown about and become a pollution risk to water courses?

Response from the Leader

In the majority of cases access can be arranged for collections as normal for service vehicles so residents are not advised to change their usual collection day as standard.

On occasions where there are prolonged closures or restricted access for service vehicles alternative arrangements are made and residents informed as far as is practicable. It is often difficult to predict access/progress of works in advance so this usually needs to be reactive based on live assessments/liaison with contractors on site on the scheduled collection day.

The recent vote resolving to adopt the PSPO as recommended, with a few small changes for dog walkers included; ...” that the continuation of the Public Space Protection Order (PSPO) for Responsible Dog Ownership under ss59 to 75 of the Anti-Social Crime and Policing Act 2014 be approved, taking into account the following recommendations of the Task and Finish Group;

(1) That the lead length should be reduced to one metre and it should be a fixed type lead; and

(2) Officers increase the signage in key locations to inform the public of the controls.”

Since that decision it has become evident that stricter controls, monitoring and penalties for irresponsible dog owners should be considered. Increases in dog-fouling, attacks on wildfowl,, farm animals etc show that a significant number of issues remain unaddressed.

Q19 Will the Exec Member for Sport, Recreation & Leisure, in conjunction with the Exec colleague responsible for the environment therefore commit to considering the following extra measures?

Putting all dogs on leads at all times while in a public park that has children's play facilities?

Ensure that enforcement against those failing to clean up after their dog or not following the requirement to keep all dogs on a lead in a public place is robust and consistent with keeping public areas safe and clean?

Introduce an additional 'no-dog' zone in the area in and around the wildfowl nesting and feeding areas in Dawlish (The Lawns)?

Response from Executive Member for Sport, Recreation & Leisure

The Public Spaces Protection Order has recently been through a thorough public consultation which demonstrated support for the existing controls to remain with the minor amendments you have mentioned. This has then been through a full review by a Task and Finish Group as well as Overview and Scrutiny Committee and finally Full Council which made a decision at the previous meeting.

Members have been able to raise any concerns regarding the PSPO at any time during this process.

Officers are already in discussion with Dawlish Town Council regarding their concerns about the wildfowl nesting areas and how we can work to increase responsible dog ownership in this area.

I am sure all members support robust enforcement of the controls of the PSPO and I would encourage Councillors and members of the public to report those who are not following the rules.

In November the Executive Member for Waste, Recycling and Environmental Health was asked a number of questions in respect of the driver and loader shortages. In one question, The response stated;

"The staff resources of the service are, and have been, discussed on a monthly basis through the Executive Member/Service Manager/Head of Operations meetings."

Between June 2019 and November 2019, the focus on staffing was about reducing the cost of agency staffing, which was led by the current Leader and Deputy Leader.

Q20 What was the outcome of that review in savings?

Response from Executive Member for Waste, Recycling and Environmental Health

The impact of the CV pandemic on waste staffing levels and agency requirements meant that the planned review did not take place. As our requirements shifted significantly away from the norm it would not have been sensible for a review at that time. We have this within our work plan to pick up in the 22/23 financial year as things hopefully return to pre CV levels.

Q21 What expertise did either person carrying out the review, both Councillors, have in either managing large headcount teams and/or temporary staffing use and demand?

Response from Executive Member for Waste, Recycling and Environmental Health

Officers are employed because they have the skills, knowledge and experience commensurate to the post. They advise Executive Members as to the best course of action. In terms of the pending review this will be an exercise carried out by the Waste & Cleaning Manager, the Operations Co-ordinator and supported by our finance team. This provides a great deal of experience in managing large operational workforces.

Q22 What information was gleaned from that process in terms of the headcount and the need for agency staffing support?

Response from Executive Member for Waste, Recycling and Environmental Health

This is also not applicable at this stage as is pending the review taking place.

On 20 March 2022 the Department for Levelling Up, Housing and Communities launched £10 million of capital funding for 2022/23 to support local authorities in building new transit and permanent traveller sites, to refurbish existing permanent traveller and transit sites and provide temporary stopping places and facilities for travellers.

The window for applying for funding closes on 13th June 2022.

Q23) Has Teignbridge applied for a share of this funding?

Response from Executive Member for Planning

The Councillor will be aware of our successful direct provision of accommodation for travellers at Haldon using funding from Homes England; we are rightly proud of our work with and for our Gypsy & Traveller Community. With regard to the specific pot of funding available, whilst it is of limited scale and does have fairly tight parameters, we are working with our local partners to see whether there is a scheme that would fit the fund criteria prior to making any bid within the relevant window. Bids close beginning of June and any bid is expected to be met with 10% of the scheme cost by the Local Council(s)

Q24

Can the Exec member for Sport, Leisure and Recreation provide an update on the numbers of trees planted during the planting season just ended and the expected approximate increase in canopy cover this will equate to?

Response from Executive Member for Sport, Leisure and Recreation

As of today's date there have been a total of 5,150 whips planted in various sites across the district during the planting season, all have been matted and mulched.

The sites are... Sandringham Park, Newton Abbot, 1750. Michaels Field, Bishopsteignton, 1100. Dawlish Leisure Centre, (old golf course) 1700, and Eagle Farm, Kingsteignton, 600.

In regards to the canopy cover. This is dependent on the species of trees that are planted as they can vary in size from a large oak tree to a much smaller tree such as a roan tree.

Although not part of the question but as a further update, on a recent visit to Sandringham Park, I noted that last year's whips are now well established and many were in bud.

Q25

Many residents across the district have expressed some concern about ongoing delays in collections of waste and recycling. Can the Exec member for Waste and Recycling provide a full update on the number of vacancies, the advertising and recruitment measures in place and any other initiative he has put in place for filling the vacancies?

Response from Executive Member for Waste, Recycling and Environmental Health

There is currently 1 van driver and 4 LGV driver vacancies in the waste and cleansing team. A rolling online recruitment programme using 'Indeed' and 'Devon Jobs' is in place along with regular social media posts and adverts on vehicles. In the last month 2 internal members of staff have achieved their Class C license and filled vacancies with 2 further members of the team anticipated in the short term following support from the Council for their training.

Q26 Back in November last year, I had asked for at Full Council, an update on the replacement schedule for the Waste and Recycling fleet. Will the Exec member finally provide the answer in detail?

Response from Executive Member for Waste, Recycling and Environmental Health

The Council's fleet comprises 96 vehicles. This includes specialist waste, street cleansing and grounds maintenance units. A total of 75 of the 96 units are leased through the existing contract. Replacements for 10 of the leased waste and cleansing vehicles are scheduled for the current financial year. The remaining 65 are being extended for between 1 and 3 years depending on their current condition. Shorter extensions have been made to vehicles most likely to be viable for a switch to alternative fuel sources (including electric) in the short term as part of the anticipated phasing plan described in Q4.

Q27 *Can the Exec member Climate Change update colleagues on the progress being made on switching to Electric vehicles and whether future contract awards to third party contractors can be used to encourage those to use electric vehicles for services delivered to Teignbridge?*

Response from Executive Member for Climate Change

The Council is conducting a high level review of low carbon fleet vehicle technologies and associated infrastructure engaging specialist external support. This will consider a range of alternative fuel technologies, not necessarily restricted to electric vehicles. From the review a business case will be developed by vehicle type and usage pattern with a low carbon phasing plan linked to existing contractual arrangements and infrastructure requirements.

There are currently limited alternative options available for some of the specialist units required.

In terms of future contracts we are working to enable all contractors to consider carbon reduction and sustainability practices in their operations whilst considering other objectives such as social value. We would emphasise efficient and low emission transport across a range of technologies rather than specifying 'electric.

Q28 *Can the Leader update the council on attendance at the Health and Well-being Board meetings?*

Response from the Leader

Details of attendance at the Health & Wellbeing Board can be found via this link:<https://democracy.devon.gov.uk/mgCommitteeDetails.aspx?ID=166>

Question from Cllr Bullivant

At a time of increased pressure on families budgets our council should be prepared to assist in any way that it can. One service that is being provided in our communities comes from our local food banks. These provide an essential service to those in most need.

These facilities also face pressure on their operating budgets resulting in less money being able to support families.

One area where we can help them is to provide them with access to our waste collection services and collect their recycling and waste.

Currently they are required to use commercial waste collection services at some cost to them As these food banks are collocated in residential areas where we already collect waste and recycling it would not require any separate collections and be of very little additional cost to the council, the revenue generated from the sale of their recycled materials may well cover any additional costs.

Will the council agree to include Food Banks in our waste collection services.

Response from Executive Member for Waste, Recycling and Environmental Health

The waste arising from these organisations is categorised as commercial waste under the Controlled Waste Regulations 2012. The collection of commercial waste comingled with household waste presents several challenges to our operation.

There would be a requirement to measure and quantify the amount of material collected by weight in order to deduct it from our statutory data returns. Devon County Council have confirmed that they would not pay for the disposal of any waste collected, nor pay Recycling Credits on any materials collected for recycling. There is therefore a resource implication beyond the physical collection of the material.

Household waste collections operate under 'Domestic Rules' exemptions in relation drivers hours and related legislation. If commercial waste is collected the exemptions would no longer apply and the rounds involved would be required to comply with different rules in relation to working hours and operate using a tachograph, creating further resource implications.

Whilst we are keen to support beneficial causes wherever possible providing a service as suggested is not feasible and would set a precedent for other equally worthy causes to request equitable treatment.

Questions from Cllr Macgregor

(Q29) Following this weeks 'Leader's View' column in the Mid Devon Advertiser, does the 'leader' of the council, believe an attack on unaligned councillors to be an appropriate action, where he seemingly equates his personal opinions with those of Teignbridge District Council, bringing his position as leader of the council and Teignbridge itself into disrepute?

Response from the Leader

The Leader will respond verbally at the meeting.

Questions from Cllr Eden

Noting the announcement by Leader Alan Connett via his prominent column this past week in the Mid Devon Advertiser that there are vacancies for two independent members of our standards committee, I would like to ask him as Leader for a commitment to the following urgent improvements to the way our community is represented.

1) In line with TDC's stated commitment to diversity, does he agree with me that this council must institute a critical review and agree revised criteria for the role, recruitment and appointment of independent persons at the standards committee?

Response from the Leader

The Leader will respond verbally at the meeting.

2) Does he agree that it is a disgrace that for the past 6 years and now under Lib Dem Leadership that this council has failed to provide representation on standards of our wider community in terms of protected groups under the Equality Act 2010 and also including ethnicity, age, LGBTQIA+ status and occupation?

Response from the Leader

The Leader will respond verbally at the meeting.

3) Noting that Cllr Connett emphasised that language is important, particularly in the manner it is delivered, can we also get an assurance from the leader that the appointment of Independent persons will be in line with the criteria set out by the Localism Act 2011, and in the advice by Lord Evans of Weardale in his Local Government Ethical Standards Report 2019: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF

which states; [independent persons] ...but should also show an ability to offer impartial advice, maintain independence in a politically sensitive environment, gain the confidence of councillors, officers and the public, make decisions on an impartial basis, grounded in evidence, work constructively with the Authority and officers (It goes onto to re-iterate the advice based on evidence before them)?

Response from the Leader

The Leader will respond verbally at the meeting.

Questions from Cllr Patch

1. Whereas TDC YouTube Channel recordings of TDC Meetings remain available for viewing indefinitely, some TDC meetings made available on alternative webcast recording technologies - e.g, that for the Procedures Committee meeting on 21st July 2021 - are unavailable: the TDC webpage for the meeting says 'Sorry, Webcast expired'.

Question: will TDC take steps to ensure that video recordings of all TDC meetings are kept available for the public to view regardless of the technology initially used - starting by making the recording of the Procedures Committee meeting of 21 July 2021 available again?

Response from Executive Member for Corporate Services

The Executive Member will respond verbally at the meeting.

2. Will the Council take steps to ensure that at TDC meetings of Full Council, Executive, Committee Meetings etc., Officers supporting or providing input into Council meetings be required to declare any interests in Agenda Items at the same time, and to the full extent, as Members are required to do so?

Response from Executive Member for Corporate Services

The Executive Member will respond verbally at the meeting.

Questions from Cllr Daws

1 -Can you confirm you are in receipt of my emails of the 28th, 30th March and the 5th April? If so, can you confirm why you have chosen not to reply to them?

Response from Executive Member for Economy and Jobs

Apologies for the response delay, which is due to workload and personal circumstances and I would advise the following:

Response to all matters raised in the final email receive 5 April:

Emma Twamley has been engaged as a consultant, procured using a direct award in accordance with Teignbridge District Councils' Contract Procedure Rules. These rules state that for anything under £10,000 a minimum of 1 written quotation from a Teignbridge postcode supplier. This was followed and we determined that Emma Twamley as a consultant equated to the best value for money in terms of compatibility and local knowledge.

Democratic decisions to progress the principle of the Future High Street Fund Markets Quarter proposal were taken at Full Council on 22 April 2021 and for the budget at Full Council on 22 February 2022. Retention of the theatre had been considered, as set out in the Full Council reports. Amendments were proposed at both Full Council meetings regarding retention of the theatre and the wall between the Alexandra Cinema and Market Hall building, but these amendments were lost.

We are therefore progressing on the basis of the democratic decision and the Steering Group recommendation 'that the Council continues to engage and consult with regard to the design and considers the needs of the market and cultural hub/performance space through a new Steering Group chaired by the Portfolio Holder for Economy & Jobs, and that the council's appropriate committees are regularly updated on progress'.

Steering Group members have been invited to attend based on the deliverable skills and knowledge that they can bring to the project, as current or future users and to ensure we capture a wide range of perspectives. However, Steering Group numbers have to be limited to ensure it remains manageable.

The Steering Group work will be in addition to the planned wider stakeholder and public engagement, which has subsequently been slightly delayed, ahead of the planning application submission.

The decision on attendees is mine as Chair of the Steering Group.

2 -Can you explain why the council remit of the FHSF 'steering group' is ignoring the councils obligation to first explore fully the uses for the market hall that retain the interior of the grade 2 listed theatre?

Response from Executive Member for Economy and Jobs

The obligation is to protect the integrity and sustainability of the Grade II Listed Alexandra Cinema and Market Hall buildings and the Markets Quarter proposal echoes the original flexible design of these buildings as a public hall, corn exchange and pannier market.

There is also a requirement that the Markets Quarter project complies with the Council's financial regulations and meets the Future High Street Fund evaluation and assessment criteria.

The democratic decision was fully debated and votes undertaken on both the principle and budget for the Future High Street Fund Markets Quarter at Full Council on 22 April 2021 and 22 February 2022 respectively.

Retention of the theatre had been considered, as set out in both the respective Full Council reports.

Amendments were proposed at both Full Council meetings regarding retention of the theatre and the wall between the Alexandra Cinema and Market Hall building, but these amendments were voted on and lost.

The Steering Group recommendation 'that the Council continues to engage and consult with regard to the design and considers the needs of the market and cultural hub/performance space through a new Steering Group chaired by the Portfolio Holder for Economy & Jobs, and that the council's appropriate committees are regularly updated on progress'.

We are therefore progressing on the basis of this democratic decision and moving forward with the delivery stage.

3 -Can you outline how it can be demonstrated to be in the residents best interest to refuse input from, or simply attendance at the steering group for the FHSF by an elected Cllr who has demonstrably more real life and wider experience in cultural activities than any other member of TDC, as well as, arguably, any of the external paid consultants?

Response from Executive Member for Economy and Jobs

See response to question 1

4 -In discussions around the debate on the FHSF and retention of The Alexandra Theatre at Full Council in February 22, you stated to me that my input would be very welcome and helpful in steering the direction cultural provision for the district, and in specific, in relation to a steering group being set up for the FHSF/Market Hall development. Do you stand by those words?

Response from Executive Member for Homes and Communities

The Executive Member will respond verbally at the meeting.