

ANNUAL COUNCIL

MONDAY, 14 MAY 2018

Present:

Councillors Barker, Bullivant, Christophers, Clarence, Clemens, Colclough, Connett, Cook, Cox, Dennis, Dewhurst, Eden, Evans, Ford, Fusco, Golder, Goodey, Gribble, Haines, Hayes, Hockin, J Hook (was Brodie), G Hook, Jeffery, Jones, Keeling, Kerswell, Mayne, Morgan, Nutley, Parker, Peart, Pilkington, Prowse, Rollason, Russell, Smith, Thorne and Winsor

Apologies:

Councillors Austen, Bromell, Hocking, Lake, Matthews, Orme and Wrigley

Officers in Attendance:

Phil Shears, Managing Director
Neil Aggett, Democratic Services Manager & Monitoring Officer
Trish Corns, Democratic Services Officer
Sarah Selway, Democratic Services Manager (Exeter City Council)

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1. RETIRING CHAIRMAN'S ANNOUNCEMENTS AND PRESENTATIONS

The retiring Chairman, Councillor Golder reflected on his year of office and the honour it had been to serve as the Council's Chairman. He thanked his mother and escort Mrs Golder for supporting him through his year as Chairman and at the civic events they had attended on behalf of the Council. He thanked the Vice Chairman, Councillor Dennis and his consort Mrs Dennis for their support in attending events at times when he was not able to.

Councillor Golder paid tribute to the many volunteers and representatives of organisations he had met over the past year and thanked all who served the local community for their dedication, hard work and time. £700.31 had been raised for his charity, the Devon Memory Cafe Consortium.

Councillor Golder also thanked his secretary for her assistance and support, and all staff at the Council for their dedication, advice and assistance during the past year.

2. ELECTION OF CHAIRMAN OF THE COUNCIL

The retiring Chairman invited nominations for a successor.

The Leader of the Council, Councillor Christophers proposed that Councillor Kerswell be elected Chairman of the Council for the 2018/19 municipal year. Councillor G Hook, the Leader of the opposition, seconded the nomination. There were no other nominations.

Resolved

Annual Council (14.5.2018)

That Councillor Kerswell be elected Chairman of the Council for the 2018/19 municipal year.

The Leader of the Council, Councillor Christophers on behalf of the Council, thanked the retiring Chairman for his work over the year. The Leader of the opposition, Councillor G Hook also thanked Councillor Golder, and congratulated the new Chairman on her election.

The retiring Chairman handed over the chain of office to Councillor Kerswell who then read and signed the Declaration of Acceptance of Office.

The Chairman thanked fellow Members for electing her to the position of Chairman of the Council and was honoured and privileged to have been entrusted with the responsibility. Her escort would be Mr Victor Boorman.

The Chairman thanked the retiring Chairman, and his escort, Mrs Golder for representing the Council during the past year, and the retiring Vice Chairman and escort for representing the Council when the retiring Chairman was unable to do so. She handed Councillor Golder his Past Chairman's Badge. The retiring escort passed the escort's badge to Mr Boorman.

3. ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

The Chairman invited nominations for Vice-Chairman of the Council.

Councillor Hook, Leader of the Opposition proposed that Councillor Keeling be elected Chairman of the Council for the 2018/2019 municipal year. The Leader of the Council, Councillor Christophers seconded the motion.

There were no other nominations.

Resolved

That Councillor Keeling be elected Vice-Chairman of the Council for the 2018/19 municipal year.

Councillor Keeling thanked Members for electing him to the position of Vice-Chairman of the Council. He would support Councillor Kerswell in any way that he could and was looking forward to representing the Council and the community to the best of his ability.

The retiring Vice Chairman handed over the chain of office to Councillor Keeling, who then read and signed the Declaration of Acceptance of Office.

4. MINUTES

The minutes of the meeting held on 25 April 2018 were approved as a correct record of the meeting and were signed by the Chairman, with the amendment that Councillor J Hook be shown as present.

5. CHAIRMAN'S ANNOUNCEMENT

The Chairman announced that her Chaplain would be The Reverend Kevin Hook. Her charities would be the Dartmoor Pony Heritage Trust and Moorland Community Care Group.

6. DECLARATION OF INTERESTS

There were no declarations of interest.

7. EXECUTIVE 2018/19

The Leader advised the Executive appointments and Portfolio Holder assignments for the 2018/19 municipal year, are as follows:

- Councillor Christophers (Leader) – Strategic Direction
- Councillor Clemens (Deputy Leader) – Planning & Housing
- Councillor Bullivant– Recreation & Leisure
- Councillor Barker – Corporate Resources
- Councillor Golder – Economy & Development
- Councillor Goodey – Community Neighbourhoods
- Councillor Lake – Environment Services
- Councillor Russell – Health & Wellbeing

8. PUBLIC QUESTIONS UNDER COUNCIL PROCEDURE RULE 4.5 (J)

There were no public questions.

9. COUNCILLOR QUESTIONS UNDER COUNCIL PROCEDURE RULE 4.5 (K)

The following question was asked by Cllr Connett:

To maintain the reputation of the council for good governance and transparency, should the procedure at the start of Planning Committee meetings be amended so councillors are able to disclose any gifts received alongside any interests they should declare with regard to planning applications and matters on the agenda?

The answer was given by the Portfolio Holder for Planning & Housing as follows:

Personal experience would suggest that not many gifts are offered to councillors.

A look at the public register of members interests also suggest members do not receive many gifts or hospitality, with the majority having no entries. However, as part of the Council's openness and transparency members are required to register gifts over £50. Our code reads

“(iii) any individual gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.”

This is not a national requirement but a local choice Teignbridge has decided to include it in its Code of Conduct to promote good governance and transparency. The requirement is included in Appendix B of the Teignbridge Code.

The code goes on to say

“12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.

13. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. “

I believe this covers the situation like any other decision members make about interest they may have.

Councillor Connect asked if the matter could be referred to the Standards Committee.

Councillor Clemens answered that the Standards Committee was currently reviewing the Council's Code of Conduct and the item could be referred there.

10. NOTICES OF MOTION UNDER COUNCIL PROCEDURE RULE 4.5(L)

There were no Notices of Motion.

11. COMMITTEE APPOINTMENTS AND POLITICAL BALANCE - LOCAL GOVERNMENT AND HOUSING ACT 1989.

The Chairman referred to the report circulated with the agenda. The Committee appointments and political balance figures had been updated following the move from the Liberal Democrat Group to the Independent Group by one Councillor. This was circulated at the meeting along with a revised committee membership list detailing vacancies.

It was proposed by the Leader of the Council, Councillor Christophers that the revised Committee appointments and political balance as circulated at the meeting be approved. This was seconded and unanimously

Resolved

- (a) That the allocation of seats for the committee places be approved as set out in Table A of the report circulated at the meeting, and that

Annual Council (14.5.2018)

appointments and substitute Members be approved as advised by the Group Leaders.

- (b) That the Chairmen and Vice Chairmen for the Planning, and Overview and Scrutiny Committees be appointed as follows, and that Chairman and Vice Chairman of the remaining Committees be appointed at the first meeting of the Committees.

Chairman of Overview and Scrutiny Committee 2018-19

It was proposed by Councillor Colclough and seconded by Councillor Dennis that Councillor Haines be elected.

It was proposed by Councillor Dewhirst and seconded by Councillor Cox that Councillor Hook be elected.

Votes were taken as follows: Councillor Haines 15, Councillor Hook 9.

Resolved

That Councillor Haines be elected Chairman of the Overview and Scrutiny Committee for the 2018-19 Municipal Year.

Vice Chairman of Overview and Scrutiny Committee 2018-19

It was proposed by Councillor Clarence and seconded by Councillor Winsor that Councillor Ford be elected.

There were no other nominations.

Resolved

That Councillor Ford be elected Vice Chairman of the Overview and Scrutiny Committee for the 2018-19 Municipal Year.

Chairman of the Planning Committee 2018-19

It was proposed by Councillor Clarence and seconded by Councillor Prowse that Councillor Smith be elected.

There were no other nominations.

Resolved

That Councillor Smith be elected Chairman of the Planning Committee for the 2018-19 Municipal Year.

Vice Chairman of the Planning Committee 2018-19

It was proposed by Councillor Smith and seconded by Councillor Fusco that Councillor Clarence be elected.

There were no other nominations.

Resolved

That Councillor Clarence be elected Vice Chairman of the Planning Committee for the 2018-19 Municipal Year.

12. UPDATE ON STANDARDS MATTERS INCLUDING NATIONAL CONSULTATION BY THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

The Chairman of the Standards Committee, Councillor Prowse advised of the work undertaken by the cross party working that had been established to consider a response to the Local Government Ethical Standards: Stakeholder Consultation and the review the Teignbridge Code of Conduct. The review was progressing and would be brought to Council on 4 June 2018.

Members discussed what response should be given to question f on sanctions for councillor misconduct; whistleblowing arrangements; and the intimidation of Councillors.

Resolved

That the response to the Local Government Ethical Standards: Stakeholder Consultation be agreed and the Monitoring Officer be authorised to respond subject to the following additions:-

- Question 'f' - Sanctions – response - 'No'
- Question 'h' – Intimidation of local councillors – response - more work was required by the Government and organisations such as the Local Government Association to establish the nature and type of intimidation that councillors were subject to including social media and what could be done to address this.

The progress of the review of the Teignbridge Code of Conduct was noted.

13. COMMON SEAL OF THE COUNCIL

Resolved

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

AVRIL KERSWELL
Chairman

