

## **FULL COUNCIL**

### **29 NOVEMBER 2022**

#### **Present:**

Councillors Bradford, Bullivant, Clarence (Vice-Chair), Colclough, Connett, D Cox, H Cox, Daws, Dewhirst, Eden, Goodman-Bradbury, Haines, Hayes, Hocking, G Hook, J Hook, Jeffries, Jenks, Keeling, Kerswell, MacGregor, Morgan, Mullone, Nuttall (Chair), Peart, J Petherick, Purser, Rollason, Russell, Swain, Taylor and Wrigley

#### **Apologies:**

Councillors Cook, Evans, Foden, Gribble, Jeffery, Khan, Nutley, Parker, Patch, L Petherick, Phipps and Thorne

#### **Officers in Attendance:**

Chris Braines, Waste & Cleansing Manager  
Trish Corns, Democratic Services Officer  
Graham Davey, Housing Enabling and Development Manager  
Martin Flitcroft, Chief Finance Officer & Head of Corporate Services  
Christopher Morgan, Trainee Democratic Services Officer  
Cathy Ruelens, Electoral Services Manager  
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer  
Phil Shears, Managing Director  
Paul Woodhead, Head of Legal Services & Monitoring Officer to the Council

## **67. MINUTES**

It was proposed by the Leader, seconded by the Executive Member for Recycling, Household Waste and Environmental Health that the minutes be approved.

**RESOLVED** that the minutes of the meeting on 26 July 2022 and the Extraordinary meeting on 6 September 2022 be approved and signed as a correct record by the Chair.

## **68. ANNOUNCEMENTS**

The Chair thanked the Vice-Chair Cllr Clarence who stood in for him while he was unwell.

The Executive Member for Homes, Communities, IT and Cost of Living Crisis announced what processes the Council had in place to address the serious health problems of mould and damp in homes.

## **69. DECLARATIONS OF INTEREST**

Cllr J Petherick declared an interest in respect of minute no.71 - report of the Independent Remuneration Panel - as his wife Cllr L Petherick was the Chair of Standards Committee and stated that he would not vote on the matter.

Cllr Bullivant declared an interest in respect of minute no.73 – the Rural England Prosperity Fund - as a Trustee of a Community Transport Association who could benefit from this prosperity fund and stated that he would not vote on the matter.

## **70. REPORT OF THE INDEPENDENT REMUNERATION PANEL**

The Leader proposed the recommendations of the Procedures Committee, he clarified that the recommendations would come into effect from May 2023 after the election and he thanked the Independent Remuneration Panel for their work on the review. This was seconded by the Executive Member for Recycling, Household Waste and Environmental Health and carried.

**RESOLVED** that:-

- 1) That the basic allowance continue to be upgraded in line with the percentage increase for LGE staff pay award for the previous year. However, for instances of a flat rate award (e.g. £1,925 each to all staff) the increase for Members Allowances be equivalent to the average percentage increase for the LGE staff pay award;
- 2) That there is no increase in the special responsibility allowance for the Leader and the Deputy Leader of the Council;
- 3) That there is no increase to the special responsibility allowances for Executive Members and the Executive Member without Portfolio;
- 4) That there be no increase in the special responsibility allowances for the Chairs and Vice Chairs of Overview and Scrutiny Committees and a the Overview and Scrutiny Committee Chairs should report to Annual Council in May 2023 on the work they have undertaken in 22/23 to enable the new Council to review the Scrutiny Structure and work of the Scrutiny committees;
- 5) The special responsibility allowances for the Chair and Deputy Chair of Council remain as the status quo and a review should be undertaken within 12 months to ascertain what Councils in Devon do in respect of this allowance and expenses;
- 6) The special responsibility allowances for the Chair and Deputy Chair of Planning remain as the status quo;
- 7) The special responsibility allowances for the Chair of Audit Scrutiny Committee remain as the status quo;

- 8) That no special responsibility allowance continue for the Vice Chair of Audit Scrutiny Committee;
- 9) That the special responsibility allowances for the Chair and Deputy Chair of Licensing and Regulatory remain as the status quo. A review of the taxi policy should be undertaken;
- 10) The special responsibility allowance for the Chair of Standards should be the same as the Chair of Audit Scrutiny Committee;
- 11) That no special responsibility allowance for the Vice Chair of Standards Committee as per the Vice Chair of Audit Scrutiny Committee;
- 12) The Independent Person(s) and independent co-opted committee persons continue to be paid £50 for a half and £100 per full day;
- 13) That the principle that any member qualifying for more than one SRA is paid the higher rate allowance only be retained;
- 14) That travel and subsistence payments for councillors be as set out in Appendix A to this report with a review to be undertake to encourage sustainable travel;
- 15) That the present dependent care provisions in the Scheme be endorsed;
- 16) That the Parental Leave policy attached at Appendix B to this report be adopted by the Council with a review of this policy to be undertaken which will look at including foster care leave, parental leave and the requirement to ensure confidentiality with regards to the legislation for the six-month rule; and
- 17) That the present list of approved duties within the scheme be adopted with the addition of a suitable clause to enable a councillor, attending a Teignbridge District Council as an observer rather than as a member of the body, to claim relevant expenses.

## **71. APPOINTMENT OF INDEPENDENT PERSON(S)**

Members had been circulated with a briefing note giving biographical details of the candidates.

The Chair proposed the recommendation, this was seconded by the Executive Member for Planning and carried.

**RESOLVED** that the appointment of

- Dr Geraldine Sharp
- Mr Jamie Hewett
- Ms Sandra Genender
- Mrs Hazel Elliott
- Mr Jonathan Back

As Independent Persons for Teignbridge District Council for an initial term of four years from the 29 November 2022 be approved.

## **72. REVIEW OF ELECTION FEES AND CHARGES**

The Leader proposed the recommendation, this was seconded by the Executive Member for Recycling, Household Waste and Environmental Health and carried.

**RESOLVED** to:-

- (1) Apply the Scale of Costs (Appendix A) to District and Parish Council elections within the Teignbridge local authority area; and
- (2) Remunerate the Returning Officer in accordance with the Scale of Costs (Appendix A).

## **73. RURAL ENGLAND PROSPERITY FUND**

The Executive Member for Economy and Jobs proposed the recommendation, this was seconded by the Executive Member for Homes, Communities, IT and Cost of Living Crisis, who proposed an amendment to recommendation (3) to include *in consultation with the Executive Member for Economy and Jobs and Executive Member for Homes, Communities, IT and Cost of Living Crisis*. This was agreed by the proposer, put to the vote and carried.

**RESOLVED** that:-

- (1) The interventions identified at Section 3 of this report for investment through Teignbridge's allocation of the Rural England Prosperity Fund be approved;
- (2) Delegated authority be given to the Head of Place and Commercial Services to submit a Rural England Prosperity Fund investment plan to Government that reflects the interventions identified at Section 3 of this report; and
- (3) Delegate authority be given to the Head of Place and Commercial Services in consultation with the Executive Member for Economy and Jobs and Executive Member for Homes, Communities, IT and Cost of Living Crisis to implement the Rural England Prosperity Fund investment plan upon it being approved by Government.

#### 74. LGV DRIVER SALARIES - MARKET FORCES

The Executive Member for Recycling, Household Waste and Environmental Health proposed the recommendation, this was seconded by the Leader.

Following debate it was proposed by Cllr Swain and second by Cllr Macgregor that the motion be put to the vote.

The recommendation was carried unanimously.

**RESOLVED** that:-

- (1) The implementation of the Council's Market forces Policy to increase LGV driver's salaries to Grade 21 from 1 December 2022 be approved;
- (2) The increases to the related posts to maintain the grade differentials as detailed in this report be approved; and
- (3) That the charge for the Garden Waste Service be increased to £55 from April 2023 to contribute towards the increased costs associated with the application of the Market Forces policy as detailed above.

#### 75. COMMITTEE SEAT ALLOCATION

It was proposed by Cllr Haines, seconded by Cllr Bullivant that the Committee Seat allocations as on the agenda be approved.

The recommendation was put to the vote and carried.

**RESOLVED** that the committee seat allocation as below be approved:-

Committee	Total Seats	Lib Dems	Cons	Inds	SDA	AV &PP Grp
Overview & Scrutiny (1)	13	6	3	2	1	1
Overview & Scrutiny (2)	13	6	3	2	1	1
Planning	17	8	4	3	1	1
Licensing & Regulatory	11	5	3	2	1	0
Audit Scrutiny	8	4	2	1	1	0
Standards	6	3	1	1	1	0
Strata Scrutiny	3	1	1	1	0	0
<b>Total</b>	<b>71</b>	<b>33</b>	<b>17</b>	<b>12</b>	<b>6</b>	<b>3</b>

**76. CLLR REPRESENTATION ON TORBAY AND SOUTH DEVON NHS FOUNDATION TRUST**

Cllr Eden stated that she would not vote on this item.

Cllr MacGregor and Russell addressed Members in respect of their interest to be appointed as the representative on the Torbay and South Devon Foundation Trust.

Cllr Morgan proposed that voting be by way of a ballot, this was seconded by Cllr G Hook put to the vote and lost.

**RESOLVED** that Cllr MacGregor be the representative on the Torbay and South Devon Foundation Trust.

**77. NOTICES OF MOTION**

Cllr Bullivant presented his Notice of Motion on a lasting memorial to the late Queen Elizabeth II and acknowledges the accession of King Charles by way of planting two trees with the funds being by way of an invitation for members to make a contribution of £50 from their Councillors Community Fund.

As two thirds did not agree to a debate the item it was referred to Executive.

**78. COUNCILLOR QUESTIONS**

Member questions and responses attached to agenda.

See the live stream

[https://www.youtube.com/embed/79YVa\\_jXHM0](https://www.youtube.com/embed/79YVa_jXHM0)

The Leader stated that he would respond to the supplementary questions in writing.

**79. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

The Chair proposed, seconded by the Executive Member for Homes, Communities, IT and Cost of Living Crisis that because of the financially sensitive information to be discussed the Council go into Part II session and exclude the press and public. This was carried.

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**80. TEIGNBRIDGE DISTRICT COUNCIL HOUSING DEVELOPMENT**

The Executive Member for Homes, Communities & Cost of Living Crisis proposed the recommendation, this was seconded by the Leader and carried.

**RESOLVED** to allocate a capital budget, subject to a business case, to progress a site (as advised in the circulated report) to the submission of a Planning Application.

The meeting started at 10.00 am and finished at 12.25 pm.

Chair