

Full Council 19 February Public Questions and Answers

Name of person submitting	Questions
<p>Nick Quinn</p>	<p>Agenda Item 8 – Reports of Meetings</p> <p>The Cabinet meeting on 10th December, being reported to you tonight, considered an officer report on an historical Housing Rents ‘error’ and Cabinet agreed the actions that officers had set out in the report.</p> <p>Just to be clear - the mistake, which set the rent too high for 1200 Council properties, was made in 2002 and the Council had been overcharging the Tenants of these properties for the last 23 years.</p> <p>If a Tenant owes the Council, you say “Pay up, or we will evict you”.</p> <p>Now the Council owes the Tenants and you should be paying up.</p> <p>Instead, Officers spent £10,000 on a high priced lawyer and ‘advised’ the Cabinet that the Council could get away without paying Tenants all their money back, by limiting any repayment to 6 years only.</p> <p>Cabinet agreed to this, but it is not fair.</p> <p>It was the Council’s mistake and Tenants should not be penalised.</p> <p>Questions are already being asked about the morality of limiting repayments and the ‘legal advice’ are being queried as well - since the legislation only limits the time the Tenants can come after the Council for the money they are owed - it does not limit Council repayments.</p> <p>Cambridge City and East Suffolk Councils both had similar issues, got legal advice, and agreed to repay their Tenants what was owed for the whole period.</p> <p>Probably you all represent Council Tenants. They may ask you: “What are you doing to get the Council to pay the money they owe me?”</p>

	<p>Question 1: Will you please do the right thing, and overturn the Cabinet decision - by formally agreeing that this Council will make a full repayment of all debts owed to Tenants as the result of this mistake?</p> <p>Response from the Chair of Council:</p> <p>The Leader directly addressed some of the points raised and I can confirm that the Council stands by the decisions made by Cabinet, which have been shaped and guided by the external legal advice that has been provided.</p>
<p>Barry Warren Page 2</p>	<p>Mr Chairman may I take this opportunity to bring certain matters to the attention of members which were of concern to me and others as to certain behaviours within this administration. At a recent Committee meeting I had submitted questions in advance and in response to one question the Chair read from a prepared script. In that response were the words; <i>“We can confirm that all over charged tenancies have now been corrected, so your initial statement is factually incorrect”</i></p> <p>My opening statement was factual having been prepared from detail given in officer reports, a letter sent to tenants and information shown on the MDDC website. The morning after the meeting the website still displayed the words which supported my information, but if you look now you would see that it had been updated to correspond with the response read out to me.</p> <p>Question 1: Why are Committee Chairs providing responses to questions without checking their facts?</p> <p>Response from the Chair of Council: I am quite sure that our Chairs fact check their responses to public questions.</p> <p>At another recent meeting I raised a number of concerns about an Officer report concerning Freedom of Information (FOI) practices. I could not cover all my concerns in three minutes and so I circulated all Members of the Committee with a detailed brief.</p>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 3</p>	<p>This week the same Committee had another report on the same subject and last Thursday I sent another briefing paper, with a copy spreadsheet, to all Members of the Committee raising questions and concerns. The following day I noted the FOI performance spreadsheets had been renamed and the spreadsheet which I had copied to Members had been removed from public view completely.</p> <p>That spreadsheet was put back onto the website last Monday. It had been renamed, with numerous alterations to dates and other information and included new additional entries. Both of these spreadsheets, the original and now the revised version, have been published as an accurate representation of how FOI requests were dealt with by MDDC – but they cannot both be right.</p> <p>Question 2: How can the public have confidence in any performance figures published by this administration when the information can be removed, altered and republished after public questions had been asked?</p> <p>Response from the Chair of Council: We are going through the process of revising and improving our reporting system and processes with regard to the FOI. The issues that you have raised were answered in some public question responses made at a recent meeting of our Scrutiny Committee, so I would cross-refer you to that. We continue to attempt to improve the way we communicate with our residents and we listen and reflect on suggestions we receive. This open and transparent process of review, reflection and then improvement should further enhance the public’s confidence in this administration.</p>
<p>Paul Elstone</p>	<p>If Council Members approve the Council Tax rise this evening it will be yet another year where it was at the maximum of 3% and not the 2.99% as the motion states and without the requirement for a referendum.</p> <p>There are 164 District Local Authorities in England. Publicly available data reveals this Council has the 21st highest Council Tax charge, or 143 District Councils or 87% ask their residents to pay lower Council Tax than the residents of Mid Devon.</p> <p>Question 1: How can this position be justified to the already not very well-off residents of Mid Devon, especially when this Council was repeatedly reporting “mistakes” resulting massive losses of public funds?</p>

Response from the Chair of Council:

The 2.99% Council Tax recommended by Cabinet is below the 3.0% Referendum Limit and as shown in the Council Tax Resolution report is one of the lowest percentage increases of the organisations that make up the aggregated Council Tax bill for the Mid Devon area.

Question 2:

In business - senior management salaries are based on company size and performance. Yet in this Council it seems the reverse is true.

Using Statement of Account data, the combined Council Tax and Non-Domestic Tax revenue for North Devon District Council in 2023/2024 was £16.4 million pounds.

For Mid Devon it was £13.5 million pounds.

North Devon's Public Works Loan Board (PWLB) debt is just £1.7 million pounds. Mid Devon's same PWLB debt was over £31 million pounds.

There was just one (1) Senior Officer in North Devon costing over £100,000 pounds per year yet in Mid Devon there were four.

In North Devon there are just ten officers shown as having salaries in excess of £55,000 pounds yet in Mid Devon there are nearly twice as many at eighteen.

Mid Devon's Member Allowances were £6,000, but North Devon Members get £340 less.

Given the significant differences in Council size, revenue and financial performance how could Mid Devon high salary payments be justified to the residents of Mid Devon?

Response from the Chair of Council:

The salaries of the Council's senior management are externally assessed based on the responsibilities of the roles. The recommendations from this outside body are then considered and ultimately agreed by the Council. In order to set some context this Council, unlike many others, delivers all of its core frontline services (e.g. waste collection, leisure, grounds

maintenance, etc.) in-house, which explains a higher number of service managers. In addition, unlike North Devon the Council also has its own Council Housing stock, which requires additional senior management, has an annual running cost of circa £16m and has an associated debt of £28.4m. These facts often make direct comparisons between Councils slightly misleading on simple face value.

Question 3:

High salaries and allowances should equate to high levels of performance – instead there have been repeat examples of poor governance and decision making, resulting in massive financial loss.

Massive losses involving 3 Rivers, far in excess of the £3.3 million pounds reported more like £7 million. A figure that had increased by at least £250,000 in the last two weeks alone.

A loss on the Post Hill land sale of over £1.4 million pounds.

What should be a real loss in social housing rent revenue calculated at in excess of £6 million pounds – Money of the day?

Grossly excessive prices paid for the ZED PODS developments.

In the real business world, a catalogue of mistakes would come with serious consequences and top down.

Instead, we see expanded role responsibilities, greatly enhanced salaries at over 30 percent, and hear routine “backslapping” by this administration.

How can this whole situation be justified to the residents of Mid Devon?

Response from the Chair of Council:

The Council has routine annual and ad-hoc inspections by both external, internal auditors and other regulatory bodies. Regular reports are provided to the Audit Committee and these are generally very positive of the Council’s operational and financial performance. In fact many Councils are having significant issues getting an audit opinion on their historic accounts. Ours were agreed and approved at a meeting on the 21/1/25. This annual external audit process also includes a Value For Money Assessment, which details how the Council performs in this key corporate criteria.

Like many Councils we consciously took the decision to undertake some commercial activities to mitigate some of the well documented cuts in Central Govt. funding. This was undertaken after all the necessary formal due diligence and embedding appropriate levels of governance arrangements.

	<p>The administration is proud to be delivering accelerated levels of new Social Housing, set against this significant local and national issue. In order to deliver this step change additional funding is clearly necessary.</p>
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