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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 24 February 2021 at 6.00 pm

Present Councillors

R F Radford (Vice Chairman in the Chair),
G Barnell, E J Berry, W Burke, J Cairney,
R J Chesterton, S J Clist, Mrs C Collis,
Mrs F J Colthorpe, D R Coren, N V Davey,
Mrs C P Daw, R M Deed, R J Dolley,
J M Downes, C J Eginton, R Evans,
Mrs S Griggs, B Holdman, T G Hughes,
D J Knowles, F W Letch, B A Moore,
Miss J Norton, D F Pugsley, C R Slade,
Mrs M E Squires, R L Stanley, L D Taylor,
Ms E J Wainwright, B G J Warren, A White,
A Wilce, Mrs N Woollatt and J Wright

Apologies Councillors

Mrs E M Andrews, L J Cruwys, S J Penny
and A Wyer

131 **Apologies (00-09-36)**

Apologies were received from: Councillors: Mrs E M Andrews, L J Cruwys, S J Penny and A Wyer.

132 **Protocol for Remote Meetings (00-09-36)**

The protocol for remote meetings was **NOTED**.

133 **Public Question Time (00-09-55)**

Honorary Alderman David Nation raised questions with regard to Items 11 (Reports) and 15 (Governance Working Group update) on the agenda stating that: You have before you this evening, minutes of the Scrutiny Committee, where they asked the Chairman of the Governance Working Group for an update on their work. I hope that you have seen the written replies since provided by Cllr Moore for which I thank him to the questions that I put at that meeting. To say that I am unimpressed by the replies would be an understatement but there is clearly no point in repeating those questions.

I am surprised that the Scrutiny Committee did not formally object that all 6 meetings of the Working Group had been held in secret with even some councillors being barred from them. I see that tonight you have another brief update from the Working Group Chair and I will go straight to the point with my question:

Will the Chair of the Governance Working Group confirm whether the option preferred by the Working Group to date would enable the full council to overturn a

decision of the Cabinet if they did not agree with it? I know there are other concerns with people about your present system of governance but this is my primary concern.

If the Working Group and Council cannot devise a way of addressing it I know there will be thousands of residents in Mid Devon who will not be satisfied with the outcome.

Councillor Moore advised he would take the question at the relevant point in the agenda.

Mr Gerald Conyngham referring to Motion 564 stated that he lived in Crediton and last year I asked a question about welcoming more Syrian refugees to Mid Devon and the council responded favourably and agreed to take more when the programme restarted, showing their commitment to inclusivity as far as refugees are concerned.

Today I am here in relation to Motion 564 about equality, diversity and inclusivity across all sections of the community in Mid Devon (especially those who are less involved). I welcome this motion as do many of my fellow residents in Crediton. By passing it, the Council will be making a public statement to show its commitment to engaging with these values. A lot of good work is already going on. This needs to be built on and developed since there are many areas where these values are not being fully implemented. This is not just about issues of structure and governance but about underlying attitudes:- the way we respect and listen to each other, and being prepared to learn from each other, even those of a different political persuasion.

In the work I have been involved in as part of Crediton Neighbourhood Plan Steering Group, I have learned that people want a different form of politics in which, whatever their background, their views are given due consideration and respect. This is especially important as we seek to involve people in the run up to 2030 when the Council is committed to being carbon neutral.

Will the council pass this motion to show their commitment to these principles and to taking the appropriate action?

The Chairman indicated that a written response would be provided.

134 Declarations of Interest under the Code of Conduct (00-15-00)

Members were reminded of the need to declare any interests when appropriate.

Councillor R L Stanley declared a disclosable pecuniary interest in the following items as a remunerated Director of 3 Rivers Developments Limited:

- Item (9) – Cabinet Reports – 4 February 2021 – Minute 311 – Budget; Minute 312 (Capital Programme); 18 February 2021 – Minute 330 (Treasury Management Strategy) and Minute 331 (Capital Strategy)

He also stated that he would leave the meeting during those items and not take part in any debate or vote thereon.

135 **Minutes (00-15-54)**

The minutes of the meeting held on 6 January 2010 were agreed as a correct record.

136 **Chairman's Announcements (00-16-38)**

The Vice Chairman indicated that he would be chairing the meeting in the absence of the Chairman who was unable to be in attendance.

137 **Petitions (00-17-22)**

There were no petitions presented.

138 **Notices of Motions (00-17-35)**

(1) Motion 564 – (Councillors Miss E Wainwright and Miss J Norton)

The following motion (1-3 and 5-7) had been referred to the Standards Committee for consideration and report

Council resolves to:

1. Practice equality, fairness and inclusion, and to play its part in creating an equal society for all. There is no place for sexism, racism, bigotry, discrimination or intolerance of any form in our society.
2. Acknowledge that language is a powerful tool for change and inspiration, as well as ignorance, oppression and damaged relationships, and should be used thoughtfully and respectfully. Many people who do not have a voice in the public domain have to suffer the consequences of inaccurate or insulting language.
3. Review and, if needed, update member training, to equip all members with the language and tools needed to actively promote diversity and inclusivity.
5. Ask that the Chairs of the Equality Forum and Community PDG identify and discuss approaches to reaching hard-to-reach communities in Mid Devon.
6. Show leadership by creating a diversity and inclusion strategy, and seek input from residents and local organisations that have expertise, to ensure the council is inclusive towards diverse and hard-to-reach communities in its recruitment, member representation and service provision. As part of this, review and update the MDCC equalities policy.
7. Explore further opportunities to increase inclusivity, diversity and representation in Mid Devon District Council, including but not limited to amongst women, minority ethnic communities, young people, and carers.

(1) The Fawcett Society and Local Government Information Unit report, 'Does Local Government Work for Women?' found that structural and cultural barriers hold back women's participation in local government. The practices and protocols of local

government create unnecessary barriers to participation particularly for women with caring responsibilities. <https://www.fawcettsociety.org.uk/does-local-government-work-for-women-final-report-of-the-local-government-commission>

The Standards Committee at its meeting on 3 February 2021 considered the Motion and following discussion **RECOMMENDED** to Council

- a) Motion 564 (1-3 and 5-7) be supported; and
- b) In addition, that point (3) of the motion should include members and officers and the review should include all Council conventions and that in relation to point (5) the Equality Forum and the Community Policy Development Group should be consulted as a whole and not just the Chairs.

In accordance with Procedure Rule 16.5, Councillor Miss E Wainwright sought consent of the Council (which was agreed) to amend her motion to read:

This Council affirms its role in helping to create an equal and inclusive society for all, and recognises that sexism, racism, bigotry, discrimination, intolerance and bad behaviours in any form play no part in this. This Council also acknowledges that language is a powerful tool for change, inclusion and inspiration, as well as a cause of ignorance and damaged relationships -- it should be used thoughtfully and respectfully, and language and behaviour should be challenged where it is not respectful or conducive to good outcomes for the Council and its residents.

In order that the Council can play its part locally in building a more understanding and inclusive society, it resolves:

1. To review all our relevant policies and conventions, and identify any additional Member and Officer training needs, so as to actively promote diversity, engagement and inclusivity.
2. That the Equality Forum and Community Policy Development Group be tasked with exploring opportunities to increase inclusivity, engagement and representation at Mid Devon District Council, including by identifying hard to reach or underrepresented communities, and considering how best to engage with them.
3. To review and update the MDDC equalities policy and create a diversity and inclusion strategy, seeking input from residents and local organisations that have expertise where necessary, so as to ensure the council is more socially inclusive in its recruitment, member representation and service provision.
4. That the Scrutiny committee be tasked to consider and make any recommendations to the council regarding the findings of the Fawcett Society/LGiU report: 'Does Local Government Work for Women?' (see footnote 1).

(1) The Fawcett Society and Local Government Information Unit report, 'Does Local Government Work for Women?' found that structural and cultural barriers hold back women's participation in local government. The practices and protocols of local government create unnecessary barriers to participation particularly for women with caring responsibilities. <https://www.fawcettsociety.org.uk/does-local-government-work-for-women-final-report-of-the-local-government-commission>

Consideration was given to:

- How the mover and seconder of the motion had reflected on previous discussions and taken consideration of the recommendation from the Standards Committee
- How Local Government was an important engagement tool and that language was a powerful tool for change, inclusion and inspiration
- The Scrutiny Committee had already added paragraph 4 of the Motion to its work programme
- Support for the motion
- Continued training for members and the need for local people to be involved in local politics
- The number of women already on the Council and the wording around how language was used
- Those who had received equality training
- Whether the motion was specific enough
- The need to affirm commitment to equality

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(2) Motion 566 – (Councillors: G Barnell and S J Clist – 17 December 2020)

The following motion had been referred to the Cabinet for consideration and report:

This Council agrees to commission, as a matter of urgency, a plan based on evidence of local housing need for the delivery of affordable rented and social rented housing across Mid Devon. This plan should make best use of the Government's Affordable Housing programme 2021/26 and be presented to Council by June 2021.

The Cabinet at its meeting on 4 February 2021 considered the Motion and following discussion **RECOMMENDED** to Council that Motion 566 **not be supported** as the timeline proposed within the motion was not achievable, there were already strands of work taking place with a planned programme already set out.

Councillor G Barnell sought consent of the Council to amend his Motion in accordance with Procedure Rule 16.5 by altering the date of a plan to be presented to Council.

Upon a vote being taking, the request to amend the Motion was not supported.

Consideration was given to:

- The lack of social rented housing in the district
- Funding being made available for other ventures but not for important issues of social housing
- Funding returned to central Government
- The fact that there was a plan in place which needed to be evidenced by a Housing Needs Strategy

- The impact of the Right to Buy Scheme and that social rented housing could still be lost under that scheme

Following discussion and upon a vote being taken, the **MOTION** was declared to have **FAILED**.

(3) MOTION 568 - (COUNCILLOR A WILCE – 8 FEBRUARY 2021)

The Council had before it a **MOTION** submitted for the first time:

That, to prevent further ambiguity by making the wording more concise, this Council resolves to amend Rule 14.4 (Automatic reference to Committee) by removing the reference to '**Council**' and replace it with '**Chairman**' and to insert after 'report' '**unless an alternative proposition is put forward and is accepted**'

So as to read:

14.4 Automatic Reference to Committee

If the subject matter of any Motion, of which notice has been duly given, comes within the province of the Cabinet or any Committee or Committees it shall, upon being formally moved and seconded, shall stand referred, without the mover or seconder of the Motion speaking on the substance of the Motion and without any other discussion, to the Cabinet or such Committee or Committees, or to such other Committee or Committees as the **Chairman** may determine, for consideration and report, **unless an alternative proposition is put forward and is accepted**; and that the mover (or in his absence, the seconder) of the Motion should be invited to the Meeting of the Cabinet, Committee or Committees to amplify the Motion, but without any right to vote except as a Member of such Committee. Provided that the Chairman may, if he considers it convenient and conducive to the despatch of business allow the Motion to be dealt with at the meeting, at which it is brought forward.

The **MOTION** was **MOVED** by Councillor A Wilce and seconded by Councillor B G J Warren

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that the matter be discussed at this meeting.

The Head of Legal (Monitoring Officer) highlighted Procedure Rule 25.2 with regard to any changes to Council procedure rules.

Councillor A Wilce **MOVED**, seconded by Councillor B G J Warren that Procedure Rule 25.2 be suspended to allow further discussion to take place on the matter proposed.

Upon a vote being taken, the suspension of Procedure Rule 25.2 was **CARRIED**.

Following discussion the **MOTION** was declared to have been **CARRIED**.

(4) MOTION 569 - (COUNCILLOR A WILCE – 8 FEBRUARY 2021)

The Council had before it a **MOTION** submitted for the first time:

That this Council resolves to ask the Standards Committee to review Rule 14.4 (Automatic Reference to Committee) and to recommend whether this Council should either:

- a) completely remove rule 14.4 or
- b) amend the rule to re-enable the Member putting a Motion forward, and the Member Seconding that Motion, to speak to that Motion (and for any further discussion to take place on that Motion that the Chairman may see fit), before that Motion shall stand referred to a Committee or
- c) make no changes

The **MOTION** was **MOVED** by Councillor A Wilce and seconded by Councillor B G J Warren:

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that the matter be discussed at this meeting.

Following discussion the **MOTION** was declared to have been **CARRIED**.

(5) MOTION 570 - (COUNCILLOR A WILCE – 8 FEBRUARY 2021)

The Council had before it a **MOTION** submitted for the first time:

That, to improve local planning consultation processes and to regularise current Planning Committee practises, this Council resolves to amend Rule 27.5 as follows:

After (Appendix J to the Constitution), is inserted: in addition, the Chair will also permit the following to speak for no more than 3 minutes, without prior notice being required:

1 Adjacent Ward Members

2 Any Member having previously submitted a comment to that application that permission to speak being limited solely to the raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.

So as to read:

27.5 Any Councillor may attend any meeting of a committee of the Council and may speak on any agenda item for that meeting. However, in relation to the Planning Committee, the right to speak on a planning application, enforcement item, or other report relating to a particular ward of the Council shall be limited to the rights of a Ward Member to speak as set out in paragraphs 9.2 and 9.3 of the Protocol of Good Practice for Councillors Dealing in Planning Matters (Appendix J to the Constitution); *in addition, the Chairman will also permit the following to speak for no more than 3 minutes, without prior notice being required:*

1 Adjacent Ward members

2 Any Member having previously submitted a comment to that Application that permission to speak being limited solely to the raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.

The **MOTION** was **MOVED** by Councillor A Wilce and seconded by Councillor R M Deed:

In accordance with Procedure Rule 14.4, the Chairman of the Council ruled that the **MOTION STAND REFERRED** to the Standards Committee for consideration.

Note: Councillor J Wright left the meeting at this point.

139 **Cabinet - Report of the meeting held on 7 January 2021 (1-51-03)**

The Leader presented the report of the meeting of the Cabinet held on 7 January 2021

1. **Use of CCTV Policy and Guidance (Minute 284)**

The Leader **MOVED** seconded by Councillor C R Slade:

THAT the recommendations of the Cabinet as set out in Minute 284 be **ADOPTED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Reason for the Decision – as this was a new policy, it must be agreed by Council and added to the Policy Framework.

140 **Cabinet - Report of the meeting held on 4 February 2021 (1-56-00)**

The Leader presented the report of the meeting of the Cabinet held on 4 February 2021

(1) Tax Base Calculation (Minute 308)

The Leader **MOVED** seconded by Councillor B A Moore:

THAT the recommendations of the Cabinet as set out in Minute 308 be **ADOPTED (subject to a correction to the number of properties to read 28,594,38)**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Reason for the Decision – Mid Devon District Council is a Statutory Billing Authority and must set its Council Tax each year

(2) National Non-Domestic Rates (Minute 309)

The Leader **MOVED** seconded by Councillor B A Moore:

THAT the recommendations of the Cabinet as set out in Minute 309 be **ADOPTED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Reason for the Decision – This is a statutory function and is a legal requirement. The Council must set its budget annually on the tax base and the NNDR1 projected values.

(3) Budget (Minute 311)

(a) The Leader **MOVED** seconded by Councillor B A Moore:

THAT the recommendations of the Cabinet as set out in Minute 311 (1, 3, 5, 6 and 7) be **ADOPTED**.

The Council had before it questions* referring to Minute 311 submitted by Councillor a Wilce in accordance with Procedure Rule 13.2, together with a response the Cabinet Member for Planning and Economic Regeneration.

Councillor Wilce in accordance with Procedure Rule 13.7 asked a supplementary question: he had received a response from the Cabinet Member for Planning and Economic Regeneration but would like a response from the Cabinet Member for Finance. The Cabinet Member for Finance stated that he would provide a written response.

Consideration was given to:

- How the budget had been considered previously by the Policy Development Groups, the Cabinet and the Scrutiny Committee
- Concern with regard to the budget gap in the future and the need for a strategic discussion to take place which involved the taxpayer
- The use of the temporary transfer from the New Homes Bonus earmarked reserve
- Concerns with regard to the cutting of grants
- The use of reserves and the impact of the pandemic on financial matters

The Chairman **MOVED** in accordance with Procedure Rule 19.7:

“THAT the vote in respect of the **MOTION** shall be by Roll Call”

A roll call of Members present at the meeting was then taken.

Those voting **FOR** the **MOTION**: Councillors: G Barnell, E J Berry, W Burke, J Cairney, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, R M Deed, R J Dolley, J M Downes, C J Eginton, R Evans, Mrs S Griggs, T G Hughes, D J Knowles, F W Letch, B A Moore, D F Pugsley, R F Radford, C Slade, Mrs M E Squires, L D Taylor, Miss E Wainwright, B G J Warren, A Wilce and Mrs N Woollatt.

Those voting **AGAINST** the **MOTION**: Councillors: S J Clist and A White.

Those **ABSTAINING** from voting: Councillors: B Holdman and Miss J Norton.

The **MOTION** was declared to have been **CARRIED**.

(b) The Leader **MOVED** seconded by Councillor B A Moore:

THAT the recommendations of the Cabinet as set out in Minute 311 (2 and 4) be **ADOPTED**.

The Chairman **MOVED** in accordance with Procedure Rule 19.7:

“THAT the vote in respect of the **MOTION** shall be by Roll Call”

A roll call of Members present at the meeting was then taken.

Those voting **FOR** the **MOTION**: Councillors: E J Berry, W Burke, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, R M Deed, R J Dolley, C J Eginton, R Evans, Mrs S Griggs, T G Hughes, D J Knowles, B A Moore, D F Pugsley, R F Radford, C R Slade, Mrs M E Squires, B G J Warren, A Wilce and Mrs N Woollatt.

Those voting **AGAINST** the **MOTION**: Councillors: G Barnell, J Cairney, S J Clist, L D Taylor and A White.

Those **ABSTAINING** from voting: Councillors: J M Downes, B Holdman, F W Letch, Miss J Norton and Miss E Wainwright

The **MOTION** was declared to have been **CARRIED**.

Reason for Decision – There is a need for the Council to set a balanced budget.

Notes:

- i) Councillor R L Stanley had declared a disclosable pecuniary interest as he was a remunerated Director of 3 Rivers Development Limited and left the meeting for the debate and the vote thereon.
- ii) Councillor T G Hughes left the meeting at the end of this item.

(4) Capital Programme (Minute 312)

The Leader **MOVED** seconded by Councillor B A Moore:

THAT recommendation (1) of the Cabinet as set out in Minute 312 be **ADOPTED**.

Consideration was given to:

- The lending amounts within the Capital Programme to 3 Rivers Developments Limited
- Whether the Capital Programme should have addressed issues such as Covid recovery, climate change and the regeneration of the town centres
- Whether the New Homes Bonus should be spend on social rented housing

The Chairman **MOVED** in accordance with Procedure Rule 19.7:

“THAT the vote in respect of this **MOTION** shall be by Roll Call”

A roll call of Members present at the meeting was then taken.

Those voting **FOR** the **MOTION**: Councillors: E J Berry, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, R M Deed, C J Eginton, R Evans, Mrs S Griggs, D J Knowles, B A Moore, D F Pugsley, R F Radford, C R Slade, Mrs M E Squires and Mrs N Woollatt.

Those voting **AGAINST** the **MOTION**: G Barnell, J Cairney, S J Clist, J M Downes, B Holdman, L D Taylor and A White.

Those **ABSTAINING** from voting: Councillors: W Burke, R J Dolley, F W Letch, Miss J Norton, Miss E Wainwright, B G J Warren and A Wilce.

The **MOTION** was declared to have been **CARRIED**.

The Leader **MOVED** seconded by Councillor B A Moore:

THAT recommendation (2) of the Cabinet as set out in Minute 312 be **ADOPTED**.

The Chairman **MOVED** in accordance with Procedure Rule 19.7:

“THAT the vote in respect of this **MOTION** shall be by Roll Call”

A roll call of Members present at the meeting was then taken.

Those voting **FOR** the **MOTION**: Councillors: E J Berry, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, R M Deed, C J Eginton, R Evans, Mrs S Griggs, D J Knowles, B A Moore, D F Pugsley, R F Radford, C R Slade, Mrs M E Squires and Mrs N Woollatt.

Those voting **AGAINST** the **MOTION**: G Barnell, J Cairney, S J Clist, J M Downes, L D Taylor and A White.

Those **ABSTAINING** from voting: Councillors: W Burke, R J Dolley B Holdman, F W Letch, Miss J Norton, Miss E Wainwright, B G J Warren and A Wilce.

The **MOTION** was declared to have been **CARRIED**.

Reason for Decision – There is a need for the Council to set the Capital Programme.

Note: Councillor R L Stanley had declared a disclosable pecuniary interest as he was a remunerated Director of 3 Rivers Development Limited and remained out of the meeting for the debate and the vote thereon.

(5) Tax Strategy and Policy (Minute 313)

The Leader **MOVED**, seconded by Councillor B A Moore:

THAT the recommendation of the Cabinet as set out in Minute 313 be **ADOPTED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Reason for Decision – this is a new policy and therefore needs approval of the Council to be added to the Policy Framework.

(6) Policy Framework (Minute 314)

The Leader **MOVED**, seconded by Councillor R B Evans:

THAT the recommendation of the Cabinet as set out in Minute 314 be **ADOPTED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Reason for Decision – the Constitution states that the Policy Framework must be approved annually by Council.

(7) Pay Policy (Minute 315)

The Leader **MOVED**, seconded by Councillor Mrs N Woollatt:

THAT the recommendation of the Cabinet as set out in Minute 315 be **ADOPTED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

(8) Establishment (Minute 316)

The Leader **MOVED**, seconded by Councillor C R Slade:

THAT the recommendation of the Cabinet as set out in Minute 316 be **ADOPTED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

141 Cabinet - Report of the Meeting held on 18 February 2021 (3-09-47)

The Leader presented the report of the meeting of the Cabinet held on 18 February 2021.

(1) Treasury Management Strategy and Annual Investment Strategy (Minute 330)

The Leader **MOVED**, seconded by Councillor B A Moore:

THAT the recommendation of the Cabinet as set out in Minute 330 be **ADOPTED**.

Consideration was given to:

- The borrowing and lending figures outlined within the report
- The risks associated with lending to 3 Rivers Developments Limited and whether a request be made to the Audit Committee for further examination of risk associated with the lending of funds.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Reason for Decision – there is a need for the Council to approve the Treasury Management Strategy and Annual Investment Strategy for 2021/22 in line with CIPFA guidance

Note: Councillor R L Stanley had declared a disclosable pecuniary interest as he was a remunerated Director of 3 Rivers Development Limited and left the meeting for the debate and the vote thereon.

(2) Capital Strategy (Minute 331)

The Leader **MOVED**, seconded by Councillor B A Moore:

THAT the recommendation of the Cabinet as set out in Minute 331 be **ADOPTED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Reason for Decision – there is a need for the Council to approve the Capital Strategy.

Notes: Councillor R L Stanley had declared a disclosable pecuniary interest as he was a remunerated Director of 3 Rivers Development Limited and remained out the meeting for the debate and the vote thereon.

142 **Council Tax Resolution 2021/2022 (3-22-40)**

The Chairman **MOVED**,

“THAT the Council Tax for 2021/22 be increased by 2.39% being £213.84 (in accordance with the revised referendum limit ability of 2% or £5 per Band D property)”

With regard to the draft Council Tax resolution in respect of the year 2021/22:

The Chairman then **MOVED** in accordance with Procedure Rule 19.7:

“THAT the vote in respect of this item shall be by Roll Call”

A roll call of Members present at the meeting was then taken:

Those voting **FOR** the **MOTION**: Councillors: E J Berry, W Burke, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, R M Deed, C J Eginton, R Evans, Mrs S Griggs, D J Knowles, B A Moore, D F Pugsley, R F Radford, C R Slade, Mrs M E Squires, R L Stanley, Miss E Wainwright, B G J Warren, A Wilce and Mrs N Woollatt.

Those voting **AGAINST** the **MOTION**: Councillors: G Barnell, S J Clist, L D Taylor and A White.

Those **ABSTAINING** from voting: Councillors: J Cairney, R J Dolley, J M Downes, B Holdman, F W Letch, and Miss J Norton.

The **MOTION** was declared to have been **CARRIED** and it was accordingly:-

RESOLVED that the recommendations within the report be approved.

Reason for Decision - there is a need for the Council to set the Council Tax for 2021/22

Note: *Report previously circulated, copy attached to the minutes.

143 Scrutiny Committee - Report of the Meeting held on 18 January (3-26-07)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 18 January 2021.

144 Scrutiny Committee - Report of the meeting held on 15 February 2021 (3-27-20)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 18 February 2021.

145 Audit Committee - Report of the meeting held on 26 January 2021 (3-28-50)

In the absence of the Chairman and Vice Chairman of the Audit Committee Councillor A White presented the report of the meeting of the Committee held on 26 January 2021.

146 Environment Policy Development Group - Report of the meeting held on 12 January 2021 (3-29-37)

The Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 12 January 2021.

147 Homes Policy Development Group - Report of the meeting held on 19 January 2021 (3-30-25)

The Chairman of the Homes Policy Development Group presented the report of the meeting held on 19 January 2021.

148 Economy Policy Development Group - Report of the meeting held on 14 January 2021 (3-31-44)

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 14 January 2021.

149 Community Policy Development Group - Report of the meeting held on 26 January 2021 (3-32-20)

The Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 26 January 2021.

150 Planning Committee - Report of the meeting held on 13 January 2021 (3-33-14)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 13 January 2021.

151 Planning Committee - Report of the meeting held on 10 February 2021 (3-33-58)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 10 February 2021.

152 Standards Committee - Report of the meeting held on 3 February 2021 (3-35-03)

The Chairman of the Standards Committee presented the report of the meeting of the Committee held on 3 February 2021.

153 Questions in accordance with Procedure Rule 13 (3-35-50)

There were no questions submitted under Procedure Rule 13.2.

154 Leader's update to Council (3-36-06)

The Council had before it and **NOTED** a * report of the Operations Manager for Performance, Governance and Data Security providing members with an update on performance against the Corporate Plan and local service targets for 202/21.

The Leader outlined the contents of the report highlighting the following headlines:

- Climate Change – he reported on the receipt of granting funding for the decarbonisation programme.
- The number of new council homes had not been as many as hoped
- The economy and the impact of the pandemic on the rate of income
- Community – through Government grants, the substantial programme of grant payments to individuals and local businesses
- Corporate – the review of the Local Plan, the 100% responses for FOI requests within due dates and the fact that the collection rates for Council Tax and Business rates were down due to the pandemic

Consideration was given to the lack of information within the report on social rented housing.

The Leader then drew attention to the sterling work of all officers during the pandemic, many of whom went unrecognised and who had delivered in unique circumstances and in unprecedented conditions. He then highlighted the following:

- Dean Emery and team for all the grant payments to business
- Christine Bennett for her valued welfare support during the pandemic
- John Bodley-Scott for his work with regard to the shielding hub
- Jeremy Pritchard for his work during the pandemic with regard to track, trace and testing and the work taking place with Devon County Council and Public Health
- Tim Powell for his work on corporate projects and for securing grant funding for the decarbonisation of corporate assets

- Helen Duke for her work with regard to the apprenticeship scheme and the recent award presented to the Council
- Simon Newcombe for his recent qualification
- The Member Services Team for their support for remote meetings and the additional work that this has meant.

He added that the Council's work over the last year had been dramatically different to the previous year but that the Council had continued to support the people of Mid Devon.

Note: *Report previously circulated, copy attached to minutes.

155 **Special Urgency Decisions (3-50-30)**

With regard to any decisions taken under Rule 16 (of the Constitution) Special Urgency taken since the last meeting. The Chairman informed the meeting that no such decisions had been taken in that period

156 **Governance Working Group Update (3-50-50)**

The Council had before it a *briefing paper from the Chairman of the Governance Working Group.

Councillor B A Moore outlined the contents of the paper highlighting the work that had taken place to date and the work that was due to take place at the next meeting which included obtaining a consensus among members for a way forward

He addressed the question raised in public question time stating that he was disappointed that Honorary Alderman Nation had not been impressed with his responses to questions raised at the Scrutiny Committee on 15 February. The working group had considered with other council bodies how to override the decisions of the Cabinet but that would be unlawful. Consideration was being given to improving the Cabinet system and that guidance was awaited on a solution. The focus should be on attitude, behaviour and approach, rather than the fundamental approach of governance.

Consideration was given to:

- The ability for all members to attend the next meeting of the working group
- Public perception of how the work of the working group had taken place
- Whether sufficient external consultation had taken place
- The membership of the working group
- The concept of overview and scrutiny committees rather than policy development groups and whether that would address the concerns raised
- Whether further engagement with members was required before consideration of any recommendation

Note *Briefing paper previously circulated, copy attached to minutes.

157 Questions to Cabinet Members (4-04-36)

Councillor Wilce addressing the Leader stated that earlier in the evening the Leader had addressed the Single Equalities Scheme as if it was something extraordinary that had taken place, was he aware that the Single Equalities Scheme only set out what the legal obligations of the council were and that more could be done.

The Leader responded stating that 9 separate pieces of legislation had been reviewed and that he did take the point that within Motion 564 there were things that we need to sign up to. As far as Mid Devon was concerned, he was very keen to know if and when members did not keep to the spirit of all of that legislation and that he would wish to know if any member was treated badly by members of the public and that they would bring that to the attention of the appropriate authorities.

Councillor White addressing the Leader stated that in light of many Cabinet members having signed a petition against 3 weekly waste collection could he confirm whether 3 weekly bin collections would take place?

The Leader responded stating that discussion would take place and that decisions would be made.

Councillor White addressing the Cabinet Member for Finance asked about the unpalatable decisions that would need to be made for future budget setting and would he be able to tell the Council what those were.

The Cabinet Member stated that any discussions and decisions would have to be handled carefully and that he felt it inappropriate to discuss this at this point.

Councillor Barnell addressing the Cabinet Member for Finance asked what were his plans for a strategic discussion on future budgets and how would he engage with the taxpayer.

The Cabinet Member responded by stating that work had already started to take place and consideration was taking place with regard to different approaches to the budget and a proposal for a way forward would be presented to members.

158 Members Business (4-13-27)

Councillor Dolley raised the following issues:

- A new retail outlet would be opening in Tiverton the following day
- The Sustainable Hub for Tiverton and where it would be based.

(The meeting ended at 10.27 pm)

CHAIRMAN

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WRITTEN QUESTIONS – FULL COUNCIL – 24 FEBRUARY 2021

1. MINUTE 311 – CABINET – 4 FEBRUARY 2021

Questions submitted by Councillor A Wilce and the response of the Cabinet Member for Planning and Economic Regeneration

I am led to understand that the costs of the Cullompton Town Centre Relief Road project have increased by a further £5M, this additional cost falling to this Council.

With the Council's current financial situation, needing to rob Peter to pay Paul in order to balance the budget, and

1. the reduction in expected s106 contributions as a result of the Planning Inspectorate's decision,
2. the commitment to lend almost £70M to 3RDL,
3. the possibility of breaching HIF loan conditions,
4. the scrapping of the New Homes Bonus
5. the scrapping of the Community Infrastructure Levy and
6. the unknown financial effect of COVID on housebuilding and the housing market

Is the project viable?

And, given the fact that

1. the building of the road flies in the face of the Council's climate change ambitions and
2. there is the possibility of a legal challenge on that basis (as per the Transport Action Group v HMG)

shouldn't serious consideration be given to scrapping the project and pushing instead for transport infrastructure improvements paid for by the Government, or the County Council as the Highway Authority?

RESPONSE

Planning permission was granted for the Cullompton relief road on 22nd January 2021, marking a major step forward for the project.

This Housing Infrastructure Fund project has previously been the subject of decisions by Cabinet at key stages and reports to Scrutiny and Audit Committees.

Close liaison over all aspects of the project continues with Homes England as part of the ongoing monitoring process.

The road continues to be a vital piece of infrastructure for Cullompton to improve air quality and the environment in the town centre (including enabling the £1.2m investment in the town via the Heritage Action Zone), unlock growth that is planned and hence deliver much of the Local Plan.

We also continue to work closely with Devon County Council within their role as our delivery partner. The County Council is currently reviewing next steps following the grant of planning permission including programme and costings. It is anticipated that these aspects will be updated. Officers are currently part of this review process and anticipate a further report to Cabinet to update on the project in the next few months. Any future cost revisions relating to this key infrastructure project will of course be brought back to Cabinet for consideration.

Question Submitted by Cllr Wilce re Cullompton Town Centre Relief Road

The question presents an understanding of a specific significant cost increase on the Cullompton Town Centre Relief Road project and states that additional cost will fall to this Council. It is difficult to understand why such information is so confidently stated.

DCC is currently going through an internal process of reviewing costs estimates with specialist consultants. DCC have not yet tendered the infrastructure work or dealt with the land assembly. So, any suggested costs that may have been even informally mentioned at this early stage must be seen as far from final, subject to further revision.

Of course, such infrastructure projects, like any project, face a range of variables and risks. There are several key milestones in the delivery plan. At each stage the Council will reappraise initial estimates / outcomes. As stated in my fellow-Cabinet Member's response, such decisions would be brought to Cabinet for consideration, retaining appropriate control.

It is fundamentally wrong to assert that any additional costs would simply fall to this Council's bottom line. If additional funding was required, then the Council would look at a range of available funding options as part of determining whether or how to continue. The Council always has in mind opportunities for such funding from a range of sources both to support routine project costs and as risk mitigation for possible cost increases. This project is no exception.

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