

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 24 May 2023 at 6.00 pm

Present Councillors

C Adcock, M D Binks, D Broom, E Buczkowski, J Buczkowski, J Cairney, S Chenore, S J Clist, G Cochran, F J Colthorpe, C Connor, L J Cruwys, A Cuddy, G Czapiewski, J M Downes, G Duchesne, M Farrell, B Fish, M Fletcher, R Gilmour, A Glover, C Harrower, B Holdman, S Keable, L G J Kennedy, L Knight, N Letch, F W Letch, J Lock, S J Penny, J Poynton, R Roberts, S Robinson, L D Taylor, H Tuffin, G Westcott, N Woollatt, J Wright and D Wulff

Apologies Councillors

J Frost and M Jenkins

1 CHAIRMAN OF THE COUNCIL (00:11:20)

Cllr L Taylor nominated Cllr F Letch for election as Chairman of the District Council for the year 2023/2024. This nomination was seconded by Cllr S Clist. Upon a vote being taken it was then:

RESOLVED that Cllr F Letch be elected Chairman of the Mid Devon District Council for the Municipal Year 2023/2024.

In accordance with Section 83 of the Local Government Act 1972, Cllr F Letch then made a Declaration of Acceptance of Office.

2 CHAIRMAN'S ADDRESS (00:14:21)

The Chairman addressed the Council and thanked the Members for electing him as Chairman.

3 RETIREMENT OF CHAIRMAN (00:18:35)

The Chairman thanked the retiring Chairman, Mr Ray Radford and retiring Vice Chairman Mr Ron Dolley for the way in which they had carried out the duties.

4 APOLOGIES (00:19:16)

Apologies were received from Cllrs J Frost and M Jenkins.

Cllr N Bradshaw attended the meeting online.

5 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:19:32)

None were made, Councillors were reminded to do so where necessary.

6 PUBLIC QUESTION TIME (00:19:45)

Paul Elstone asked questions in relation to the appointment of a Councillor to Three Rivers Developments Ltd. It was asked whether the Council would reconsider this Delegation and perhaps agree on nominating an appropriate Member for this post directly. In addition, it was asked if Council would advise Cabinet to appoint someone with a proven financial background as well as the appointment of a second representative with project management experience.

The Chairman, responded by noting that when the Cabinet is formed these questions raised would be carefully considered.

Nick Quinn submitted questions in relation to item 5. These were read out by the Chairman, it was asked if the Council would not agree the minutes of the previous meeting and that they be revised to include the detail of the public questions and the answers given at the meeting, and then returned to the next meeting of the Council for agreement.

In response to the questions asked the District Solicitor & Monitoring Officer explained that the minutes made reference to the public questions and referred to the audio recording where they could be found. Copies of the audio recordings were stored on the Council's system and not just online.

Goff Welchman asked a question in relation to Three Rivers Developments Ltd. Mr Welchman wanted to know why Three Rivers Developments Ltd has filed late accounts with potential inaccuracies and also asked why this matter was not high on the agenda for this meeting.

The Chairman explained that this Council meeting was the Annual Meeting of Council where the administration makes a number of official appointments, with the need for the topic of Three Rivers Developments Ltd to be discussed with the Cabinet.

Tim Bridger asked which of the Committees would be tasked with investigating Three Rivers Developments Ltd and how had the competence of those appointed been discussed. In addition, it was asked, when the investigation could be questioned in case Committee Members do not have relevant skills to fulfil that role.

The Chairman explained that this should be discussed with the new Leader and Cabinet but highlighted that the findings of an investigation would likely be presented to the Audit Committee or Scrutiny Committee.

Honorary Alderman D Nation asked would the election of the Leader of the Council result in the implementation of the Council moving to a modernised committee structure by May 2024.

The Chairman explained that this issue would be addressed by the new Leader of the Council and Cabinet.

7 **MINUTES (00:34:07)**

Cllr N Woollatt **MOVED**, seconded by Cllr J Buczkowski that:

“That both those issues need to be corrected and that the minutes are deferred to the next meeting, to be corrected and agreed at the next meeting”

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

8 **VICE CHAIRMAN OF THE COUNCIL (00:37:55)**

Cllr A Glover **MOVED**, seconded by Cllr G Czapiewski that Cllr G Duchesne be appointed as Vice Chairman of the Council for the Municipal Year 2023/2024.

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

In accordance with Section 83 of the Local Government Act 1972, Cllr G Duchesne then made a Declaration of Acceptance of Office and thanked the Council for having appointing her as its Vice Chairman.

9 **LEADER OF THE COUNCIL (00:42:49)**

Cllr J Cairney nominated Cllr L Taylor for election as Leader of the Council for the four years until 2027. This nomination was seconded by Cllr Jane Lock. Upon a vote being taken it was then:-

RESOLVED that Cllr L Taylor be elected Leader of the Council until 2027.

Cllr L Taylor then made declaration of Acceptance of Office and thanked the Council for appointing him as Leader.

In regards to the public questions that related to Three Rivers Developments Ltd, the Leader responded by reassuring the public that meetings with relevant Officers would be organised and understood the concerns raised. In Addition, the Leader raised that he had started discussions with the Local Government Authority in relation to hybrid councils.

10 **CHAIRMAN OF THE SCRUTINY COMMITTEE (00:49:00)**

Cllr B Holdman nominated Cllr R Gilmour for election as Chairman of Scrutiny. The nomination was seconded by Cllr N Letch.

Upon a vote being taken, it was then:

RESOLVED that Cllr R Gilmour be elected Chairman of Scrutiny for the Municipal Year 2023/2024.

11 **AMENDMENT OF CONSTITUTION IN RELATION DEPUTY LEADER OF THE COUNCIL (00:52:46)**

The chairman **MOVED** that

“In order to maintain leadership availability at all times it is proposed that the Council agrees to amend the Constitution to allow the Leader to appoint two deputies to their Cabinet, and that the Monitoring Officer is instructed to amend the Constitution accordingly so as to reflect that any reference to ‘Deputy Leader’ is given to mean either of the members appointed to that role where two such members have been appointed.”

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

Cllr N Woollatt **MOVED** a written amendment, seconded by Cllr L Taylor that:

That if the above changes are agreed that the constitution is further amended to reflect that:

- a. if 2 deputy leaders are appointed that the total composition of the Executive remains at a maximum of 10 members
- b. should any additional Special Responsibility Allowance be applicable to the Deputy Leader role in future, that if 2 members have been appointed to that role such uplift as may be applicable to the role of deputy leader over a cabinet member be split equally between them so as not to add to the overall cost of the allowance scheme in this circumstance.

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

12 **APPOINTMENT OF COMMITTEES, SUB COMMITTEES, WORKING GROUPS AND OTHER INTERNAL BODIES (01:04:07)**

The Council had before it Tables setting out the proposed allocation of seats on Committees and other Council bodies. Arising thereon:-

Appointment of Committees and Allocation of Seats on Committees and other Council Bodies

The Chairman **MOVED** that,

- a. That the Council approve the allocation of seats on Committees and other Council Bodies as shown on the schedule;
- b. that Members be appointed to Committees in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats in (a) above;

- c. that Members also be appointed to Working Groups and other Internal Bodies in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats in (a)above;
- d. that the Chief Executive be authorised to make changes to membership of Committees, Working Groups and other Internal Bodies as may be notified to him from time to time by the relevant Political Group to which those seats have been allocated by the Council.

Cllr N Woollatt **MOVED** a written amendment, seconded by Cllr G Westcott that:

(a) That the Council approve the allocation of seats on Committees and other Council Bodies as shown on the schedule; Subject to the Green Group gifting their Standards seat to Ungrouped and Ungrouped gifting their Licensing and Regulatory seats to the Green Group.

(b) that Members be appointed to Committees in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats in (a) above;

(c) that Members also be appointed to Working Groups and other Internal Bodies in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats in (a)above;

(d) that the Chief Executive be authorised to make changes to membership of Committees, Working Groups and other Internal Bodies as may be notified to him from time to time by the relevant Political Group to which those seats have been allocated by the Council.

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

13 APPOINTMENT TO OUTSIDE BODIES (01:08:43)

The following appointments to outside bodies in accordance with the list as follows were **AGREED**:

Outside Body	Representative/s	Appointment Length
Blackdown Hills AONB Partnership	Cllr N Bradshaw	Annual
Broadpath Landfill Liaison Committee	Cllr A Glover	Annual
Building Control Joint Committee	The Leader Cabinet Member for Planning and Economic Regeneration	Annual
Business Forum Mid Devon	Cabinet Member for Planning and Economic Regeneration	Annual
Churches Housing Action Team Management Board	Cllr G Cochran	4 years until May 2027
Culm Garden Village Delivery Board	The Leader Cabinet Member for Planning and Economic Regeneration	Annual
Citizens Advice Torridge, North, Mid & West Devon	Cllr R Gilmour	4 years until May 2027
Community Safety Partnership	Cabinet Member for Community & Leisure	4 years until May 2027
Cullompton Town Team 2 Members	Cllr L Knight Cllr S Robinson	Annual
Dartmoor National Park Authority Forum 2 Members	Cllr C Connor Cllr J Downes	4 years until May 2027
Devon Armed Forces Community Well-Being Partnership	Cllr G Cochran	4 years until May 2027
Devon Authorities Strategic Waste Committee (formally known as 'Devon Authorities Waste Reduction & Recycling Committee')	Cabinet Member for the Environment & Services (plus a deputy)	4 years until May 2027

Devon Districts Forum / Devon Local Government Steering Group	Leader	Annual
Devon Historic Buildings Trust	Cllr G Duchesne	Annual
Devon Rail Forum	Cllr J Downes	Annual
LGA General LGA Assembly / Annual Conference	Leader	4 years until May 2027
Gypsy and Traveller Forum	<ol style="list-style-type: none"> 1. Cabinet Member for Planning and Economic Regeneration 2. Cabinet Member for Housing & Property Services 3. Cllr A Glover 	Annual
Heart of the South West Joint Committee	Leader	Annual
Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee	Cllr S Clist	Annual
INVOLVE – Voluntary Action in Mid Devon	Cllr S Robinson	Annual
Mid and East Devon Children's Centres Advisory Board (2 Members)	Cllr S Robinson Cllr F Letch	4 years until 2027
Mid Devon Highways and Traffic Orders Committee (hosted by DCC) (2 Members)	Cllr J Poynton Cllr J Cairney	Bi-annual
Mid Devon Locality (County) Committee (hosted by DCC) 2 Members	Cllr F Letch Cllr S Keable	4 years until May 2027
Most Sparsely Populated Councils Group (part of the RSN Rural Services Network)	Cllr G Czapiewski	4 years until May 2027
OkeRail Forum	Cllr J Downes	Annual
PCC Councillor Advocate Scheme	Cllr L Kennedy	4 years until 2027

Plastic Free Tiverton	Cllr B Fish	4 years until 2027
South West Councils	Leader	Annual
South West Councils Employers Panel	Cabinet Member for the Working Environment	Annual
Tiverton Adventure Playground Committee	Cllr B Holdman	4 years until May 2027
Tiverton & District Community Transport Association	Cabinet Member for Community & Leisure	4 years until May 2027
Tiverton Museum of Mid Devon Life	Cllr L Cruwys	4 years until May 2027
Tiverton Town Centre Partnership (3 Tiverton Town Members)	Cllr D Wulff Cllr L Cruwys Cllr A Cuddy	Annual

14 SCHEME OF DELEGATIONS (01:35:04)

The Chairman **MOVED** that the Council agree the existing scheme of delegations as set out in Part 3 of the Constitution.

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

15 PROGRAMME OF MEETINGS (01:36:01)

The Chairman **MOVED** that the following programme of ordinary meetings of the Council for the year 2023/2024 be approved:-

- 19 July 2023
- 6 September 2023
- 1 November 2023
- 20 December 2023
- 21 February 2024
- 24 April 2024

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

(The meeting ended at 7.37 pm)

CHAIRMAN