

MID DEVON DISTRICT COUNCIL

A MEETING of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Wednesday, 19 July 2023 at 6.00 pm

ALL MEMBERS of the **COUNCIL** are summoned to attend for the purposes of transacting the business specified in the Agenda which is set out below:

[The next meeting is scheduled to be held in Tiverton on Wednesday, 6 September 2023 at 6.00 pm]

Please Note: this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Teams. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

To join the meeting online, [click here](#)

STEPHEN WALFORD

Chief Executive

11 July 2023

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

AGENDA

1 **Apologies**

To receive any apologies for absence.

2 **Public Question Time**

To receive any questions relating to items on the agenda from members of the public and replies thereto.

3 **Declarations of Interest under the Code of Conduct**

To record any interests on agenda matters.

4 **Minutes** (*Pages 5 - 22*)

To consider whether to approve the minutes as a correct record of the meeting held on 26 April & 24 May 2023.

5 **Chairman's Announcements**

To receive any announcements which the Chairman of the Council may wish to make.

6 **Petitions**

To receive any petitions from members of the public.

7 **Notices of Motions**

1. Motion 593 (Councillor N Woollatt – 19 June 2023)

Motion: Leisure Services VAT

1. That this Council is pleased at the outcome of the legal challenge which has concluded in March that local authority leisure services are to be treated as non-business for VAT purposes and welcomes the Leisure VAT refund of almost £3M now due from HMRC.
2. The use of this significant refund should be considered carefully, and this Council should have an input on how it is dealt with. Therefore, this Council asks that a report be prepared for the appropriate Policy Development Group to consider the various issues and options available and then make recommendations to Cabinet and Council in the usual way in relation to the budget.
3. That this Council recommends to Cabinet that Mid Devon now stops collecting the VAT element included in any current pricing for Leisure Services which can now be classified as 'non-business' and reduces the price to customers by that amount.

4. That IF this Council wishes to increase Leisure Service pricing on services which are now classified as 'non-business' for VAT purposes that it should do so in an open and transparent way by conducting a review of pricing through the appropriate Policy Development Group before making recommendations to Cabinet in the usual way.

2. Motion 594 (Councillor N Woollatt – 19 June 2023)

1. That this Council does not approve of the suggestion that funds expected from the HMRC VAT refund may be used to finance the impairments of loans to 3 Rivers.
2. That this Council has concerns that utilising funds earmarked for a new waste depot to finance impairments of 3 Rivers loans will affect this Council's ability to deliver a new waste depot and lead to increased costs.
3. That this Council asks for a report to be prepared for the Audit Committee covering the impairment of loans to 3 Rivers, the impact on Council finances and planned projects and options for alternative ways to mitigate the impairments, preferably in areas which will have a lesser impact and cost to council service users.

8 Reports (Pages 23 - 42)

To receive and consider the reports, minutes and recommendations of the recent meetings as follows:

1. Cabinet
- 6 June

9 Appointment to Outside Bodies (Pages 43 - 44)

To appoint Councillors to outstanding outside bodies.

10 Questions in accordance with Procedure Rule 13

To deal with any questions raised pursuant to Procedure Rule 13 not already dealt with during the relevant Committee reports.

11 Special Urgency Decisions

To note any decisions taken under Rule 16 (of the Constitution) Special Urgency.

12 Questions to Cabinet Members

To receive answers from the Cabinet Members to questions on their portfolios from other Members.

13 **Members Business**

To receive any statements made and notice of future questions by Members.

Note: the time allowed for this item is limited to 15 minutes.

Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Member Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

If you would like a copy of the Agenda in another format (for example in large print) please contact Andrew Seaman on: aseaman@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.