

MINUTES of a **MEETING** of the **COUNCIL** held on 20 December 2023 at 6.00 pm

**Present
Councillors**

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

**Apologies
Councillor(s)**

M D Binks, J Frost, C Harrower, L G J Kennedy,
S J Penny, S Robinson and N Woollatt

**Also Present
Officer(s):**

Andrew Jarrett (Deputy Chief Executive (S151), Maria De
Leiburne (District Solicitor and Monitoring Officer), Richard
Marsh (Director of Place), Laura Woon (Democratic
Services Manager) and David Parker (Democratic Services
& Policy Research Officer)

**Councillors
Online**

N Bradshaw, S Chenore, A Cuddy and M Farrell

93 APOLOGIES

Apologies were received from Councillors: M Binks, J Frost, C Harrower, L Kennedy,
S Penny, S Robinson and N Woollatt

94 PUBLIC QUESTION TIME

Paul Elstone

My first two questions relate to Agenda Item 11 - Member Allowances

Question 1:

It is noted that the recommendation is to increase member allowances by 6.4% to
£6,387

1. A recent BBC Report reveals that this Councils Member allowances are already the highest amongst LA's in Devon.
2. That despite Torridge District Council not increasing member allowances for several years they have recently voted for a rise of just 3.9% to £5,538 or £849 a year less than this Councils proposal.
3. That it is being proposed that members reduce much needed Grant Funding by around 20% in real terms.

When voting on this recommendation will each member consider these points?

Question 2

Will this matter be decided by a recorded vote?

Question 3

A scurrilous allegation was made against certain members of the General Public at the Scrutiny Committee Meeting of the 18th December 2023. An allegation that stated that they have cost MDDC Council Taxpayers a significant sum of money. This given the requirement to have the Devon Audit Partnership investigate unsubstantiated allegations of either fraud or malpractice.

If the 3 Rivers Working Group had conducted their investigation with the rigor both required and expected, they would have known the full truth.

It is a matter of fact that it was a long-standing Council Leader who called for the DAP investigation and while he was in position. Even detailing the scope of the investigation.

It is also a fact that the Interim Council Leader was asked if he agreed to withdraw the requirement for an investigation but declined to do so.

It is also a fact that the very person whose actions would have formed a key part of the investigation set the terms of reference. Terms of reference which were nothing like the original requirement.

It is also known that DAP only considered it was necessary for them to undertake a quick investigation. It seems as an appeasement to the Council Leaders concerns.

It is also a fact that members of the public were constrained in providing the information and evidence they wished to do given time limits imposed amongst other things.

Given the seriousness of these matters and which cannot be understated will the Council Leader now implement a rigorous investigation and so the full truth can be known ?

95 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

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

None were declared under this item.

96 MINUTES

The minutes of the meeting held on 1 November and 29 November 2023 were agreed as a correct record and signed by the Chairman

97 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had the following announcements to make:

Global leaders recently met for the COP28 conference in Dubai to tackle the climate crisis and you may have followed some of it in the media.

Britain's New Zero targets are being taken very seriously in Devon and by Mid Devon District Council. The Council had declared a Climate Emergency, our targets are to achieve net zero by 2023. Mid Devon District Council work towards that with other local authorities across England and through the Devon Carbon plan.

Mid Devon District Council Climate change and sustainability Officers reports progress against the Climate action plan and review all aspects of the corporate services to reduce carbon footprint. Work through the net zero advisory group and community partnership efforts to demonstrate how carbon saving does not have to "cost the earth". In fact Mid Devon District Council can turn the crisis into an opportunity for green investment and essential for health and wellbeing of the future life for the Council.

98 PETITIONS

There were no petitions presented.

99 NOTICES OF MOTIONS

Motion 600 (Cllr James Buczkowski- 23rd October 2023)

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

Motion on the Poverty Premium

This council notes that:

- Lower income households are affected by the 'poverty premium' by being forced to pay more than those on higher incomes to use essential services such as energy, credit and insurance.
- Expert assessment indicates 23% of Households in the Tiverton and Honiton Constituency and 20% of Households in the Central Devon Constituency are being penalised by this - costing local residents in the two constituencies £7.2 million a year to simply do the same basic things as those on higher incomes.
- On average the poverty premium costs those households affected around £400 a year: equivalent to three weeks of food bills for a family of four.

- Lack of government action to properly regulate the commercial practices of national and international companies is the primary cause of these costs.
- Access to local banking and insurance services has significantly worsened in recent times.

This council:

- Opposes this as a penalty for lower income households which exacerbates the difficulties of those managing on low incomes.
- Condemns the government for doing too little to tackle the poverty premium.
- Believes that tackling the poverty premium is an essential part of levelling up.
- Calls upon the Government to act urgently to address these additional costs to our lowest income residents.

Therefore, the council resolves to:

- Endorse the Fair By Design Roadmap for tackling the Poverty Premium (Attached)
- Instruct the Leader of the Council to write to the relevant government minister demanding:
- Urgent action to tackle all forms of poverty premium including those imposed by energy suppliers, insurers, credit sources, banks and other bodies.
- A broadening of the Financial Conduct Authority regulation of credit costs to cover those not currently covered.
- A partnership between the relevant regulators to tackle all forms of poverty premium.
- Beyond immediate action, an inquiry into the scourge of the poverty premium and a strategy to prevent recurrence.

Take action locally by:

- Taking a lead on creating a Vulnerable Citizens Strategy, which should include making sure people on low incomes don't end up paying more for their essential services and products.
- Investigating local mechanisms for reducing the poverty premium caused by financial services, for example working with ATM providers and exploring local alternative Insurance, credit and banking options including the merits of a community mutual bank.
- Working with other local agencies, community groups and charities to promote take up of available benefits and grants.
- Encouraging local business to commit to Poverty Premium Proofing.
- Working with social and private landlords in Mid Devon to ensure every tenant is automatically placed on the cheapest energy tariff for their needs, minimising the cost of moving into a social housing home and that tenants are provided poverty premium avoidance advice and support.

- Working with other local employers to support low-income employees to avoid the Poverty Premium.
- Working across the Council to identify further measures it can take.

(In accordance with Procedure Rule 14.4, the Chairman of the Council has decided that this Motion (if moved and seconded) be dealt with at this meeting.)

The **MOTION** was **MOVED** by Councillor J Buczkowski seconded by Councillor R Gilmour.

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

Those **ABSTAINING** from voting: Councillors P Colthorpe and R Roberts.

Motion 601 (Cllr Mark Jenkins- 6th November 2023)

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

Motion: Conflict in Gaza: call for a ceasefire and community safety for religious and ethnic minorities in Mid Devon.

This Council

- Expresses deep sympathy for all those affected by the conflict in Israel and Palestine. To those in the Mid Devon area who have been affected by this conflict we offer our support in this difficult time.
- Calls on the UK government to do everything possible to encourage an immediate further release of all hostages and an immediate ceasefire to allow more medical aid and essential supplies into Gaza; and the possibility of a peaceful long term resolution.
- Believes Muslims, Jews and people of all faiths and none should feel safe and supported throughout the world and condemns the increase in antisemitic and Islamophobic violence and abuse in the UK.
- Condemns the use of all dehumanising language and calls on our communities to treat each other with respect and refrain from inflammatory terms to describe either the Palestinian or Israeli populations, especially in a time of crisis.

The Council resolves to fly the UN flag as a symbol of peace outside Phoenix House until a ceasefire is agreed.

(In accordance with Procedure Rule 14.4, the Chairman of the Council has decided that this Motion (if moved and seconded) be dealt with at this meeting.)

Consideration was given to:

- Remove from the motion, the Council resolves to fly the UN flag as a symbol of peace outside Phoenix House until a ceasefire is agreed.
- In addition to Palestinians in Gaza what about the Ukraine Citizens under legal occupation of Purton Russian, Muslims in China or women in Afghanistan. The world is not a safe or fair place and sympathise with those in difficulties and residents of our District deserve our undivided attention and support first.
- To add to the pressure for a ceasefire and in order humanitarian can meet and encourage political conversation and lead to lasting sensations of hostilities, motions like this had been to other councils.
- The motion conflicts and should not discriminate on faith, race or disability.

Cllr M Jenkins **MOVED** an **AMENDMENT** seconded by Cllr J Lock that:

To remove from the motion, the Council resolves to fly the UN flag as a symbol of peace outside Phoenix House until a ceasefire is agreed.

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

Those **AGAINST** from voting: Councillors L Cruwys and R Roberts.

Those **ABSTAINING** from voting: Councillors P Colthorpe.

Cllr N Letch **MOVED** an **AMENDMENT** seconded by Cllr Poynton that:

At the beginning of motion to have the council condensed their atrocity committed by Hamas in Israel.

Upon a vote being taken, the **AMENDMENT** was declared to have **FAILED**

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

Those **AGAINST** from voting: Councillors N Letch and J Poynton.

Those **ABSTAINING** from voting: Cllr L Cruwys, Cllr P Colthorpe.

100 **CABINET REPORT OF THE MEETING HELD ON 14 NOVEMBER 2023**

The Leader of the Council presented the report of the meeting of the Cabinet held on 14 November 2023.

This covers minute numbers 61 to 75

At minute number 67 there is a **RECOMMENDATION** to full Council:

Minute 67: **RECOMMENDED** to Full Council

Minute 68: **RECOMMENDED** to Full Council

Minute 74: **RECOMMENDED** to Full Council

The recommendations are included on agenda items 9, 10 and 12 and will be covered at those items.

101 SCRUTINY COMMITTEE- REPORT OF THE MEETING HELD ON THE 30 OCTOBER 2023

The Chairman of the Scrutiny Committee presented the report of the meeting of the Scrutiny Committee held on 30 October 2023.

102 AUDIT COMMITTEE- REPORT OF THE MEETING HELD ON 5 DECEMBER 2023

The Vice Chairman of the Audit Committee presented the report of the meeting of the Audit Committee held on 5 December 2023.

103 COMMUNITY POLICY DEVELOPMENT GROUP- REPORT OF THE MEETING HELD ON 28 NOVEMBER AND 5 DECEMBER 2023

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Homes Policy Development Group held on 28 November and 5 December 2023.

104 ENVIRONMENT POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 16 NOVEMBER 2023

The Chairman of the Environment Policy Development Group presented the report of the meeting held on 16 November 2023.

105 HOMES POLICY DEVELOPMENT GROUP- REPORT OF THE MEETING HELD ON 21 NOVEMBER 2023

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Homes Policy Development Group held on 21 November 2023.

106 ECONOMY POLICY- REPORT OF THE MEETING HELD ON PDG 16 NOVEMBER 2023

The Chairman of the Environment Policy Development Group presented the report of the meeting held on 16 November 2023.

107 PLANNING COMMITTEE- REPORT OF THE MEETING HELD ON 8 NOVEMBER AND 22 NOVEMBER 2023

The Chairman of the Planning Committee presented the report of the meeting held on 8 November and 22 November 2023.

108 LICENSING COMMITTEE- REPORT OF THE MEETING HELD ON 1 DECEMBER 2023

The Chairman of the Licensing Committee presented the report of the meeting held 1 December 2023.

109 **REGULATIONS COMMITTEE REPORT OF THE MEETING HELD 1 DECEMBER 2023**

The Chairman of the Regulation Committee presented the report of the meeting held on 1 December 2023.

110 **STANDARD COMMITTEES REPORTS ON THE MEETING HELD ON 18 OCTOBER 2023**

The Chairman of the Standards Committee presented the report of the meeting held on 18 October 2023

This covers minute numbers 13 - 23.

Minute 19: **RECOMMENDED** to Full Council that: G of the Task and Finish Group on Council Procedure Rules not be supported.

Minute 20: **RECOMMENDED** to Full Council that Motion 577:

(i) Be amended to read as follows:

‘When an enquiry, to which an answer is required, is made by a Member at a formal meeting and an answer cannot be given at that meeting, a written response shall be sent to the enquiring Member within 10 days. A copy of the question(s) and answer(s) will be circulated to members of the committee (or Full Council) and will also be attached to the minutes.

(ii) The Motion, as amended, be supported.

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

111 **TREASURY MANAGEMENT STRATEGY MID-YEAR REVIEW REPORT 2023/24**

The Cabinet Member for Finance outlined the contents of the report with particular reference to the following:

- Changes in the Regulations required more regular reports to be presented to the decision makers of local authorities.
- Higher returns had been achieved due to an increase in interest rates and a slippage on the Capital Programme.
- No additional borrowing had been required.
- An economic summary had been provided, showing the deposits held at the end of the quarter and the yields being achieved.
- The report confirmed that the lending criteria remained appropriate.

The report was presented to Cabinet on the 14 November 2023 and had made the recommendation to Full Council.

THAT the recommendation of the Cabinet as set out in Minute 67 to be **APPROVED**

A) That a continuation of the current policy outlined at paragraphs 4.0 – 4.5 be approved; and

b) The changes to the Capital Financing Requirement, Operational Boundaries and Authorised Limits for the current year at paragraphs 5.4 – 5.5 be approved.

Cllr J Buczkowski **MOVED**, seconded by The Leader of the Council Cllr L Taylor

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

112 TAX BASE CALCULATION 2024/25

The Cabinet Member for Finance outlined the contents of the report with particular reference to the following:

- It was reiterated that each year the Council had to set its Council Tax Base against which all Town and Parish Council's could set their precepts.
- Within the calculation were the actual numbers of properties within the district, the number of properties falling within the Council Tax Reduction Scheme, the forecast growth in properties and the likely level of collection, all of which are converted into an average amount for a Band D property.
- For 2024/25 there was projected to be 30,222.10 Band D properties which was growth of 389 on the current year and the Council expected to collect 97.5% of the precept which was up from 96.5% in 23/24.

The report was presented to Cabinet on the 14 November 2023 and had made the recommendation to Full Council.

THAT the recommendation of the Cabinet as set out in Minute 68 to be **APPROVED**

a) That the calculation of the Council's Tax Base for 2024/25 be approved in accordance with The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 at 30,222.1 an increase of circa 389.12 Band D equivalent properties from the previous financial year.

b) That the current collection rate of 96.5% be increased to 97.5% detailed in Section 2.

Consideration was given to:

- Clarification in regards to the tax base band D property and when the model was proposed things were different. Mid Devon District Council had limited powers to make adjustments for those living in poverty.
- Clarification on dates and charges against empty properties.

Cllr J Buczkowski **MOVED**, seconded by Cllr J Lock

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

113 **MEMBER ALLOWANCE- INDEPENDENT REMUNERATION PANEL REPORT**

The Council had before it a report of the District Solicitor and Monitoring Officer setting out the recommended Members' Scheme of Allowances for 1 April 2024 to 31 March 2025.

The District Solicitor outlined the contents of the report of the Independent Remuneration Panel.

Considerations was given to:

- Mid Devon District Council receive one of the highest allowances amongst peer authorities.
- A fundamental review after a full year of office from members and understanding of the workloads.
- The different values of the allowances to all members.
- Peer authorities and their scheme of allowances for members and their Special Responsibilities allowances being considerably more.
- The cost of living crisis and the pressures on residents.
- The importance of the report being from an independent panel from the Council.
- The feedback from members provided as part of the review from the Independent Remuneration Panel.
- The next report will cover three years passed the election cycle.

Cllr J Buczkowski **MOVED** an **AMENDMENT**, Seconded by Cllr F Letch that:

“No increases are made for 24/25, so there is essentially a freeze on all allowances and the retrospective for 24/25 again is frozen as was in the original proposal.”

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

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

114 **SCHEDULE OF MEETINGS**

The Council had before it the * Schedule of Meetings for 2024/2025.

The report was presented to Cabinet on the 14 November 2023 and had made the accordance recommendation to Full Council.

THAT the recommendation of the Cabinet as set out in Minute 74 to be **APPROVED**

Cllr J Buczkowski **MOVED**, seconded by Cllr J Lock

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

115 **QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 13**

There were no questions submitted under Procedure Rule 13.2.

116 **SPECIAL URGENCY DECISIONS**

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.

117 **QUESTIONS TO CABINET MEMBERS**

With regard to questions to Cabinet Members

The Chairman informed the meeting that no were no questions.

118 **MEMBERS BUSINESS**

Councillor J Lock highlighted to members that she attended Corporate Parenting Board and raised the subject of Staying close grant that has been rewarded to Devon by the Government that will look at accommodation and support for care leavers.

Councillor N Bradshaw in the East of the District the Blackdown Hills of the Area for Outstanding National Beauty has become a National Landscapes and will be a review within the management plan over the next 6 to 9 months any contributions welcomed.

(The meeting ended at Time Not Specified)

CHAIRMAN