



**THE ANNUAL MEETING** of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Wednesday, 22 May 2024 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, 17 July 2024 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.

**The meeting will be Hybrid and an audio recording made and published on the website after the meeting.**

**[CLICK HERE TO JOIN THE MEETING](#)**

Meeting ID: 330 806 044 481

Passcode: UTJFC7

**STEPHEN WALFORD**

Chief Executive

14 May 2024

## AGENDA

1 **Chairman of the Council**

To elect the Chairman of the Council for the year 2024/25.

2 **Chairman's Address**

The Chairman to address the Council.

3 **Apologies**

To receive any apologies for absence.

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

To record any interests on agenda matters.

5 **Minutes** (*Pages 5 - 24*)

To consider whether to approve the minutes as a correct record of the meeting held on 24 April 2024.

6 **Vice Chairman of Council**

To elect the Vice Chairman of the Council for the year 2024/25.

7 **Chairman of the Scrutiny Committee**

To elect the Chairman of the Scrutiny Committee for 2024/25.

8 **Appointment of Committees, Sub Committees, Working Groups and other Internal Bodies** (*To Follow*)

It is recommended:

(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.

9 **Appointment to Outside Bodies** *(Pages 25 - 26)*

To consider the list of appointments to outside bodies and seek representatives to the positions available.

10 **Scheme of Delegation**

To agree the existing scheme of delegations as set out in Part 3 of the Constitution. (The Scheme of Delegation sets out the levels of decision making within the Council, outlining those to be made by Council, the Cabinet, individual Cabinet Members, those Committees with regulatory functions and officers)

11 **Programme of Meetings**

To approve the programme of ordinary meetings of the Council for the year 2024/25:

17<sup>th</sup> July 2024  
4<sup>th</sup> September 2024  
30<sup>th</sup> October 2024  
18<sup>th</sup> December 2024  
19<sup>th</sup> February 2025  
23<sup>rd</sup> April 2025

12 **The Leader of the Council update**

To receive an update from the Leader of the Council.

## **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 Teams.

If you want to ask a question or speak, email your full name to [Committee@middevon.gov.uk](mailto: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 Democratic 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 Laura Woon on: [lwoon@middevon.gov.uk](mailto:lwoon@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

**MINUTES** of a **MEETING** of the **COUNCIL** held on 24 April 2024 at 6.00 pm

**Present**

**Councillors**

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

**Apologies**

**Councillor(s)**

B Fish, R Gilmour, M Jenkins and N Woollatt.

**Also Present**

**Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Maria De Leiburne (Director of Legal, HR & Governance (Monitoring Officer)), Richard Marsh (Director of Place & Economy), David Parker (Democratic Services & Policy Research Officer), Stephen Walford (Chief Executive) and Laura Woon (Democratic Services Manager) and David Parker (Democratic Services & Policy Research Officer),

**Councillors**

**Online**

N Bradshaw, S Chenore

**143 APOLOGIES**

Apologies were received from Councillors: B Fish, R Gilmour, M Jenkins and N Woollatt

**144 PUBLIC QUESTION TIME**

**Barry Warren**

The minutes of the Standards meeting did not become available to the public until some 5 weeks after the meeting and they have only appeared as a supplement to the Council Agenda. They were still not on the website under the Standards Committee at the time of preparing these questions for submission.

**Question 1:**

What is the reason for this extended delay please?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

Although we try to publish the draft minutes to the website quickly as possible, due to other work commitments this was the earliest it was able to be published.

On page 7 of the draft Standards minutes as published with the Supplementary Agenda at minute 29 Councillor A Glover is shown as being elected as the Vice Chairman when she was already the Chairman.

**Question 2:**

This appears to be an error. When and how will it be corrected?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

The published draft minutes to the Standards committee at minute 29 had been corrected and those minutes would be agreed at the next Standards Committee meeting in June.

**Question 3:**

The questions I asked are shown in the minutes but I can find no public record of the answers I was given. Why is this please?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

The public questions and answers document had been published alongside the draft minutes of the Committee.

**Question 4:**

Is it because I had asked who had recommended committee make a decision which was considered illegal - the Leader told me, in the written response, that this was considered to be irrelevant?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

It was stated as irrelevant as proposed changes were put forward.

My other questions related to Scrutiny Committee Meeting of the 18th March 2024. There is no audio published for this meeting yet the minutes have been approved at the meeting held on the 15th April 2024. There is no audio link as yet to that meeting either, nor are there minutes.

**Question 5:**

Why has the audio link for the Scrutiny meeting of 18th of March still not been made available please?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

With the new Audio Visual system installed the recording had to be converted to a suitable format in order to publish via sound cloud to become available online. The IT department were currently working through the outstanding recordings, but were currently short staffed.

**Continued from Barry Warren:**

Although minutes are not verbatim they should surely be factually correct. The minutes show that the Cabinet Member for Planning and Economic Regeneration advised that the Council were looking to have 2 Planning Enforcement Officers. If the audio recording were publicly available one could hear that when the Chair raised the point that the Council would have 2 Enforcement Officers the Cabinet Member said "There will be three Enforcement Officers". The Chair of Scrutiny responded, "Great. So we can firmly put it on the record – three enforcement officers. Thank you, Scrutiny Committee. The current Conservative MP for Bridgwater can shut up too. Well done, Steve. Thank you very much." But the words of the Chair "Three Enforcement Officers" have not been "Firmly put on Record".

**Question 6:**

If not verbatim - how is it proposed to properly record the true facts in the public minutes?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

Minutes of meetings were to record the main issues discussed and resolutions made by the Council. The audio recordings were available to provide the full meeting as the minutes were not verbatim.

**Supplementary question:**

Why do the Scrutiny Committee minute's state 2 enforcement officers and not the 3 as per the recording?

**Nick Quinn**

If any Cabinet or Committee meeting cannot be attended 'live', it is currently very difficult, afterwards, to find out what happened. The Council has spent tens of thousands of pounds on a new audio/visual system for Council meetings, but there is a depressing lack of publication of the Audio Recordings of these meetings (and the minutes are quite often delayed as well).

**Question 1:**

Since the 5th March 2024 only five meetings have had Audio Recordings published; when will the Audio Recordings of all the other meetings be published?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

With the new Audio Visual system installed the recording had to be converted to a suitable format in order to publish via sound cloud to become available online. The IT department were currently working through the outstanding recordings, but were currently short staffed.

**Question 2:**

The minutes contain a condensed written record of the meeting, which should accurately convey the significant content of the meeting. How can the accuracy of the minutes be confirmed unless the Audio Recording of that meeting has been published?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

We currently have a delay in uploading the recordings to the website, we can ensure this will be resolved shortly.

**Question 3:**

I am sure that every Member is heartily sick of the Public raising the subject of 3 Rivers, but please will every Member of this Council take the time to read the "Grant Thornton Interim Auditor's Annual Report for 2022/23", that was presented to the Audit Committee on 26 March 2024?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):**

The Chairman acknowledged Mr Quinn's reference to the report received by the Audit Committee and thanked him for highlighting it.

**Paul Elstone:**

**Question 1:**

At the Audit Committee Meeting of the 26<sup>th</sup> March, I asked the following question.

Why were the full reasons behind 3 Rivers paying nearly twice as much above the land market valuation and for the "pig in the poke" Bampton site not investigated?

I received the following written response from the Cabinet Member for Finance

*"The purchase of the land was a commercial undertaking in the commercial market. The council were not involved in the transaction".*

*"We would welcome and ask you to reflect on how you are choosing to describe this development as it would seem a deliberate attempt to belittle this project and potentially do reputational damage which may undermine future sales revenue".*

Both these statements warrant a response.

Firstly, that during the time of the Bampton land purchase discussions, the Councils S151 Officer was a Director of 3 Rivers, despite an audit report months previously saying he should stand down, That the Councils Chief Executive was the sole functioning Council shareholder representative of 3 Rivers.

Secondly, it is not a deliberate attempt to belittle this project. It is a further attempt to reveal why I and others consider there has been a Dereliction of Duty by those involved.

To be clear, I can tell Full Council that Cabinet sent an email, in May 2020, to the Chief Executive stating that they were

Quote - *"Unanimous that the Bampton Site should not be purchased. As we have said before, anyone looking at this site would come to the conclusion that it is a pig in a poke "*. Unquote

The current Council Leader plus others in the room were party to this email and can confirm its content.

Given this clear instruction from Cabinet, why did these Council Officers allow the Bampton Site planning application and development preparations to continue



unconstrained and at significant cost then allow the site to be purchased at well in excess of its land value?

**Question 2:**

Why was this important evidence not presented to the 3 Rivers Working Group as part of their investigation?

**Question 3:**

Given the gravity of the situation and with further and I believe damning evidence available and evidence in which the Council Leader was in some way involved, will he now agree to implement a full investigation into the Bampton site land purchase?

**Tim Bridger:**

The question relates to public question time. The Leader is adamant that the Council was the most open and transparent on record. Yet if the public questions that had been asked over the last six to seven months about 3 Rivers that had been answered, there would have not been the need for the 3 Rivers report by the Scrutiny Committee. Every time a direct question had been asked from members of the public about 3 Rivers the responses had been evasive, non-existent or absolutely nonsense. The amount of public money that had been wasted on the project and well informed, qualified people that had asked direct questions and had not received the answers they should.

The Grant Thornton audit had been the closest the Council would get in audit terms to a massive slap in terms of how the project had been handled by the Council and the clear up from the project. We as a Council are going to be saddled with the cost in perpetuity virtually as there will be no way of making the money back.

I would like to counter the claim of the Leader of open and transparency because if they were they would start by legitimately openly answering publics question and not seeking to hide behind evasive answers.

**Question 2:**

Rubbish collections in regards to the 321 project, this had been a disaster in communal areas due to the amount of black sacks that have been left. Statistic illiterate reasons that had been put around to justify, including claims that somehow collection rates had improved and there had not been a long enough time frame. The Council could be thinking about after investing the money in the policy under the previous administration, this administration could commit to the return of two weekly collections, if habits had changed this would not impact the overall recycling rates and reduce the overflow on rubbish sacks in communal areas.

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

None were declared under this item.

#### 146 **MINUTES**

The minutes of the meeting held on the 21<sup>st</sup> of February were agreed as a correct record and signed by the Chairman.

#### 147 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

- In March he attended an assembly at Cullompton Community College and visited the Young Carers Action Day Webinar.
- In April he had attended the celebration of the Mid Devon District Council 50<sup>th</sup> anniversary and thanked the officers for the memorabilia that was presented from over the years.
- The opening of 'The Flock that Rock' Swan Trail and he had visited the Canal to celebrate the 50<sup>th</sup> Canal Barge company.
- He attended a funeral and paid his respects on behalf of the Council to Honorary Alderman Eileen Andrews.
- He had attended the Friends of Tiverton Hospital Annual General Meeting and was the first Chairman to attend.
- He had attended Devon County Council's Civic Service in Exeter.

#### 148 **PETITIONS**

There were no petitions presented.

#### 149 **NOTICES OF MOTIONS**

There were no motions received.

#### 150 **CABINET- REPORT OF THE MEETING HELD ON 5 MARCH 2024**

The Leader presented the report of the meeting of the Cabinet held on 5 March 2024.

1. Customer Care Policy ( Minute 126)

The Leader **MOVED** seconded by Cllr S Keable

That the recommendations of the Cabinet as set out in minute 126 be **ADOPTED**.

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

#### 151 **CABINET- REPORT OF THE MEETING HELD ON 2 APRIL 2024**

The Leader presented the report of the meeting of the Cabinet held on 2 April 2024.

1. Silverton Neighbourhood Plan ( Minute 134)

The Leader **MOVED** seconded by Cllr J Wright.

That the recommendations of the Cabinet as set out in minute 134 be **ADOPTED**.

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

Reason for the Decision- There was a need for the Council to 'make' (adopt) the Silverton Neighbourhood Plan, following its local referendum, under Section 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended) and to publish a statement setting out the decision and the reasons for making this decision under the Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

2. The Devon Serious Violence Strategy ( Minute 143)

The Leader **MOVED** seconded by Cllr S Clist.

That the recommendations of the Cabinet as set out in minute 143 be **ADOPTED**.

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

152 **SCRUTINY - REPORT OF THE MEETING HELD ON 19 FEBRUARY 2024 AND 18 MARCH 2024**

The Vice- Chairman of the Scrutiny Committee presented the report of the meeting held on 19 February and 18 March 2024.

153 **AUDIT COMMITTEE - REPORT OF THE MEETING HELD ON 26 MARCH 2024**

The Chairman of the Audit Committee presented the report of the meeting held on 26 March 2024.

154 **ECONOMY POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON THE 7 MARCH 2024**

The Chairman of the Economy Policy Development Group presented the report of the meeting held on 7 March 2024.

155 **COMMUNITY POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 26 MARCH 2024**

The Chairman of the Community Policy Development Group presented the report of the meeting held on 26 March 2024.

156 **ENVIRONMENT POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 12 MARCH 2024**

The Chairman of the Environment Policy Development Group presented the report of the meeting held on 12 March 2024.

**157 HOMES POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 19 MARCH 2024**

The Chairman of the Homes Policy Development Group presented the report of the meeting held on 19 March 2024.

**158 PLANNING COMMITTEE- REPORT OF THE MEETING HELD ON 13TH MARCH 2024**

The Chairman of the Planning Committee presented the report of the meeting held on 13 March 2024.

**159 REPORTS OF THE STANDARDS COMMITTEE MEETING ON THE 13TH MARCH 2024**

The Chairman of the Standards Committee presented the report of the meeting held on 13 March 2024.

This covered minute number 31

At minute number 31 **RECOMMENDATION** to full Council:

- That the Constitution be amended as per the list within Appendix 1.
- That delegated authority is provided to the Director of Legal, HR & Governance (Monitoring Officer) to amend the Constitution as per Appendix 1 and any other amendments required to reflect the changes.

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

(Proposed by Cllr A Glover seconded by the Leader of the Council)

The Leader of the Council highlighted the following:

- At the Standards meeting, many aspects of the Constitution were discussed as the Council looked to continued to improve the processes and to make the running of meetings better but also to ensure public participation.
- I was heartened in advance of that meeting to receive communications from members of the public over concerns at some of those proposed changes.
- The difference was that this administration listened to those concerns and made changes to those proposed changes, and it was those changes you would be voting on tonight.
- Constitutional changes needed to happen with ever changing dynamics and processes in the smooth functioning of Council business.
- Statements and questions from the public would still be made at all Council meetings and public questions included at Planning Committees, where we continue to be one of the only Councils in the Country to allow this.

- Most of the changes to the Constitution revolved around changes to the management structure, some wording and the requirement for questions or statements to be relevant to an agenda item – except for the case at Full Council where a question or statement could be made that was around any aspect of Council business.

He was proud of the achievements of this Council over the last 12 months. We had worked together, cross party to deliver improvements to this Council. We have held engaging debate, challenging questions and have put the Council on a sound footing as we moved forward. Coming through soon would be our new Corporate Plan which would detail our aims and objectives over the coming years and was based on our manifesto pledges and would ensure this Council sets smart targets that delivered to the residents who elected us.

As part of these proposals we had streamlined the current make up of our Policy Development Groups (PDG's) to ensure their focus was aligned to the new Corporate Plan. These would ensure proper policy setting as opposed to tick box exercises that we see now and would focus each PDG on their respective areas of expertise to deliver on our commitments. There would be efficient programming meetings and actual policy setting.

To do this, we proposed an additional PDG to help deliver on these vital policy changes and to deliver to our residents. The new proposed PDG's would be Planning, Environment & Sustainability, Homes, Economy & Assets, Community, People & Equalities, Service Delivery & Continuous Improvement.

On the supplementary paperwork and within the next month the Cabinet roles would change to reflect the new PDG's. This was not about standing still but about moving forward and allowing all Members of this Council to be involved in all elements of Council business.

These changes would see the PDG's move from bi monthly to quarterly, however the requirements of its Members and Chairs would not change with the programming panel meetings and more working groups striving towards policy setting. This was a step in the right direction for better governance and I hope you would join me in supporting these amendments.

Proposed changes to Policy Development Group **RECOMMENDATION** to full Council:

- That from the start of the municipal year there be five (5) Policy Development Groups: Planning, Environment & Sustainability; Community, People & Equalities; Homes; Economy & Assets; Service Delivery & Continuous Improvement.
- That the Constitution was amended to reflect the changes to the PDGs.
- That delegated authority is provided to the Director of Legal, HR & Governance (Monitoring Officer) to amend the Constitution as per the above and any other amendments required to reflect the new PDGs in conjunction with the Leader.

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

(Proposed by Cllr A Glover seconded by the Leader of the Council)

## 160 **ANNUAL REPORTS OF AUDIT COMMITTEE, SCRUTINY COMMITTEE AND THE POLICY DEVELOPMENT GROUPS**

The Chairmen of the Audit Committee and the Scrutiny Committee and the Chairman of the Environment, Homes, Community and Economy Policy Development Groups presented their Annual Reports\* to the Council.

Note: \*Reports previously circulated.

## 161 **SEATING ALLOCATION**

The Council had before it a table \* setting out the revised 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**:

(a) That the Council approved 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 had been allocated by the Council.

(e) That the appointments to seats remaining to be filled by ungrouped Members should be made at this meeting.

Cllr G Westcott **MOVED** an **AMENDMENT** and seconded by Cllr L Taylor to swap the ungrouped seat on the Planning Committee to the Green seat and swap their Green group seat on Economy Policy Development Group to the Ungrouped seat.

Cllr L Taylor **MOVED** that Cllr N Woollatt to take up the Ungrouped seat on the Standards Committee.

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

## 162 **SCHEDULE OF MEETINGS**

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

The Chair **MOVED** that the Schedule of meetings 2024/2025 be approved.

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

## 163 **QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 11**

There were no questions submitted under Procedure Rule 11.2.

## 164 **SPECIAL URGENCY DECISIONS**

With regard to any decisions taken under Rule 16 (of the Constitution) Special Urgency, none had been taken since the last meeting. The Chairman informed the meeting that no such decisions had been taken in that period.

## 165 **QUESTIONS TO CABINET MEMBERS**

The Chairman informed the meeting that no were no questions to Cabinet Members.

## 166 **MEMBERS BUSINESS**

There were no issues raised under this item.

(The meeting ended at 18.52)

**CHAIRMAN**

This page is intentionally left blank



Full Council April Public Questions and Answers

Name of person submitting	Questions
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 17</p> <p><b>Nick Quinn</b></p>	<p>If any Cabinet or Committee meeting cannot be attended ‘live’, it is currently very difficult, afterwards, to find out what happened. The Council has spent tens of thousands of pounds on a new audio/visual system for Council meetings, but there is a depressing lack of publication of the Audio Recordings of these meetings (and the minutes are quite often delayed as well).</p> <p><b>Question 1:</b> Since the 5th March 2024 only five meetings have had Audio Recordings published; when will the Audio Recordings of all the other meetings be published?</p> <p><b>Response from the Director of HR, Legal and Governance (Monitoring Officer):</b> With the new Audio Visual system installed the recording had to be converted to a suitable format in order to publish via sound cloud to become available online. The IT department were currently working through the outstanding recordings, but were currently short staffed.</p> <p><b>Question 2:</b> The minutes contain a condensed written record of the meeting, which should accurately convey the significant content of the meeting. How can the accuracy of the minutes be confirmed unless the Audio Recording of that meeting has been published?</p> <p><b>Response from the Director of HR, Legal and Governance (Monitoring Officer):</b> We currently have a delay in uploading the recordings to the website, we can ensure this will be resolved shortly.</p> <p><b>Question 3:</b> I am sure that every Member is heartily sick of the Public raising the subject of 3 Rivers, but please will every Member of this Council take the time to read the “Grant Thornton Interim Auditor’s Annual Report for 2022/23”, that was presented to the Audit Committee on 26 March 2024?</p>

	<p><b>Response from the Director of HR, Legal and Governance (Monitoring Officer):</b> The Chairman acknowledged Mr Quinn's reference to the report received by the Audit Committee and thanked him for highlighting it.</p>
<p>Barry Warren</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 18</p>	<p>The minutes of the Standards meeting did not become available to the public until some 5 weeks after the meeting and they have only appeared as a supplement to the Council Agenda. They were still not on the website under the Standards Committee at the time of preparing these questions for submission.</p> <p><b>Question 1:</b> What is the reason for this extended delay please?</p> <p><b>Response from the Director of HR, Legal and Governance (Monitoring Officer):</b> Although we try to publish the draft minutes to the website quickly as possible, due to other work commitments this was the earliest it was able to be published.</p> <p>On page 7 of the draft Standards minutes as published with the Supplementary Agenda at minute 29 Councillor A Glover is shown as being elected as the Vice Chairman when she was already the Chairman.</p> <p><b>Question 2:</b> This appears to be an error. When and how will it be corrected?</p> <p><b>Response from the Director of HR, Legal and Governance (Monitoring Officer):</b> The published draft minutes to the Standards committee at minute 29 had been corrected and those minutes would be agreed at the next Standards Committee meeting in June.</p> <p><b>Question 3:</b> The questions I asked are shown in the minutes but I can find no public record of the answers I was given. Why is this please?</p> <p><b>Response from the Director of HR, Legal and Governance (Monitoring Officer):</b> The public questions and answers document had been published alongside the draft minutes of the Committee.</p> <p><b>Question 4:</b> Is it because I had asked who had recommended committee make a decision which was considered illegal - the Leader told me, in the written response, that this was considered to be irrelevant?</p>

**Response from the Director of HR, Legal and Governance (Monitoring Officer):** It was stated as irrelevant as proposed changes were put forward.

My other questions related to Scrutiny Committee Meeting of the 18th March 2024. There is no audio published for this meeting yet the minutes have been approved at the meeting held on the 15th April 2024. There is no audio link as yet to that meeting either, nor are there minutes.

**Question 5:**

Why has the audio link for the Scrutiny meeting of 18th of March still not been made available please?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):** With the new Audio Visual system installed the recording had to be converted to a suitable format in order to publish via sound cloud to become available online. The IT department were currently working through the outstanding recordings, but were currently short staffed.

**Continued from Barry Warren:**

Although minutes are not verbatim they should surely be factually correct. The minutes show that the Cabinet Member for Planning and Economic Regeneration advised that the Council were looking to have 2 Planning Enforcement Officers. If the audio recording were publicly available one could hear that when the Chair raised the point that the Council would have 2 Enforcement Officers the Cabinet Member said "There will be three Enforcement Officers". The Chair of Scrutiny responded, "Great. So we can firmly put it on the record – three enforcement officers. Thank you, Scrutiny Committee. The current Conservative MP for Bridgwater can shut up too. Well done, Steve. Thank you very much." But the words of the Chair "Three Enforcement Officers" have not been "Firmly put on Record".

**Question 6:**

If not verbatim - how is it proposed to properly record the true facts in the public minutes?

**Response from the Director of HR, Legal and Governance (Monitoring Officer):** Minutes of meetings were to record the main issues discussed and resolutions made by the Council. The audio recordings were available to provide the full meeting as the minutes were not verbatim.

	<p><b>Supplementary question:</b> Why do the Scrutiny Committee minute's state 2 enforcement officers and not the 3 as per the recording?</p> <p><b>Response from the Cabinet Member for Planning, Economic and Regeneration:</b> At the meeting on the 19<sup>th</sup> February it was anticipated there would be 2 enforcement officers to be recruited alongside the current Locum Enforcement Officer. There is no establishment commitment to 3 Enforcement Officers. Although it is anticipated that there will be an initial overlap with the locum and the 2 permanent Enforcement Officers.</p>
<p><b>Paul Elstone</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 20</p>	<p><b>Question 1:</b> At the Audit Committee Meeting of the 26th March, I asked the following question.</p> <p>Why were the full reasons behind 3 Rivers paying nearly twice as much above the land market valuation and for the "pig in the poke" Bampton site not investigated?</p> <p>I received the following written response from the Cabinet Member for Finance</p> <p>"The purchase of the land was a commercial undertaking in the commercial market. The council were not involved in the transaction".</p> <p>"We would welcome and ask you to reflect on how you are choosing to describe this development as it would seem a deliberate attempt to belittle this project and potentially do reputational damage which may undermine future sales revenue".</p> <p>Both these statements warrant a response.</p> <p>Firstly, that during the time of the Bampton land purchase discussions, the Councils S151 Officer was a Director of 3 Rivers, despite an audit report months previously saying he should stand down, That the Councils Chief Executive was the sole functioning Council shareholder representative of 3 Rivers.</p> <p><b>Comment from the Leader of the Council:</b> I would remind the questioner that from the inception of the company, the Council appointed the Cabinet as the company Shareholder. The Chief Executive was made the Shareholder 'representative', a role required of an officer to deliver instructions from the Council to the company, once formally agreed by the Cabinet.</p> <p>Secondly, it is not a deliberate attempt to belittle this project. It is a further attempt to reveal why I and others consider there has been a Dereliction of Duty by those involved.</p>

**Comment from the Leader of the Council:** It is very difficult to reach any other conclusion, based on your unfortunate and repetitious way of describing this development project, that it is not deliberate in its offense.

To be clear, I can tell Full Council that Cabinet sent an email, in May 2020, to the Chief Executive stating that they were

Quote - "Unanimous that the Bampton Site should not be purchased. As we have said before, anyone looking at this site would come to the conclusion that it is a pig in a poke ". Unquote. The current Council Leader plus others in the room were party to this email and can confirm its content.

Given this clear instruction from Cabinet, why did these Council Officers allow the Bampton Site planning application and development preparations to continue unconstrained and at significant cost then allow the site to be purchased at well in excess of its land value?

**Response from the Leader of the Council:** With regard to the Company's progress at Bampton, I can confirm that the Council did put all non-live projects on pause as instructed by the cabinet whilst it commissioned an external review of its company. After the review and subsequent governance changes were implemented, the Cabinet then considered and made a number of decisions continuing support for the company in its trading activities. It is a matter of public record, that at a Cabinet meeting on the 4/3/21 the business case for the Bampton project was approved and funding was included in the company's Business Plan. Both of these decisions were resolved by Full Council.

I can only reflect on why and how you are party to a confidential email sent from a former Leader of this council almost 4 years ago, and would suggest that maybe you have not been given the whole picture before asking such questions. I would urge you to consider why that might be.

**Question 2:**

Why was this important evidence not presented to the 3 Rivers Working Group as part of their investigation?

**Response from the Leader of the Council:** I am unclear what important evidence you are referring to.

**Question 3:**

Given the gravity of the situation and with further and I believe damning evidence available and evidence in which the Council Leader was in some way involved, will he now agree to implement a full investigation into the Bampton site land purchase?

	<p><b>Response from the Leader of the Council:</b> You have already made a range of allegations over the years relating to 3 Rivers, which have been investigated by an external body who have been unable to corroborate or substantiate them. This report is a matter of public record and the managers of this body interviewed you as part of their process, with you failing to provide anything of validity.</p>
<p>Tim Bridger</p> <p>Page 22</p>	<p>The question relates to public question time. The Leader is adamant that the Council was the most open and transparent on record. Yet if the public questions that had been asked over the last six to seven months about 3 Rivers that had been answered, there would have not been the need for the 3 Rivers report by the Scrutiny Committee. Every time a direct question had been asked from members of the public about 3 Rivers the responses had been evasive, non-existent or absolutely nonsense. The amount of public money that had been wasted on the project and well informed, qualified people that had asked direct questions and had not received the answers they should.</p> <p>The Grant Thornton audit had been the closest the Council would get in audit terms to a massive slap in terms of how the project had been handled by the Council and the clear up from the project. We as a Council are going to be saddled with the cost in perpetuity virtually as there will be no way of making the money back.</p> <p>I would like to counter the claim of the Leader of open and transparency because if they were they would start by legitimately openly answering publics question and not seeking to hide behind evasive answers.</p> <p><b>Response from the Leader of the Council:</b> in reply to this statement I can confirm that the Council has answered all public questions on this subject matter, within the confines of the commercial sensitivity, that would need to be considered.</p> <p><b>Question 2:</b> Rubbish collections in regards to the 321 project, this had been a disaster in communal areas due to the amount of black sacks that have been left. Statistic illiterate reasons that had been put around to justify, including claims that somehow collection rates had improved and there had not been a long enough time frame. The Council could be thinking about after investing the money in the policy under the previous administration, this administration could commit to the return of two weekly collections, if habits had changed this would not impact the overall recycling rates and reduce the overflow on rubbish sacks in communal areas.</p> <p><b>Response from the Leader of the Council and Cabinet Member for the Environment:</b> I can confirm that our new Bin-It 123 collection scheme introduced in October 2022 has seen our recycling rate increase by nearly 5% across the District (which has resulted in the Council receiving additional remuneration for its increase in recycling</p>

and reduction in residual waste during 2023/24). Our improvement in these statistics saw us receive national recognition and we are currently in the top 10% nationally of all Councils for our recycling performance and second in Devon.

In our recent Resident Survey the services satisfaction rate has improved by 3% - now up to 74%. Moving from black sacks to wheelie bins and some use of seagull sacks has significantly reduced the negative impact on our street scene from litter emanating from split bags. All national refuse collection services have issues around communal areas, we are no exception, and it was a problem prior to the roll-out of our new service.

I can confirm that our recycling officers are working hard with residents to come up with solutions to these issues and we hope to see improvement over the coming months. Residents are welcome to request advice or a personal visit from these advisers and we encourage residents to utilise the weekly food collections as well as the fortnightly recycling collections using the appropriate containers.

Please note that Parish and Town Councillors have been invited to tour Carlu on two separate dates in May to learn more about how we deliver Waste and Recycling. Please contact Matthew Page and Darren Beer directly if you want to attend.

I have had lots of positive feedback about our new scheme, which has enabled us to significantly improve our recycling rate (we are now in the top 10% nationally) and it has managed to deliver cost savings at the same time, for one of the most important services we deliver. There is much more to do however and we will be hearing more about our Waste and Recycling departments work and future plans over the coming months.

This page is intentionally left blank



# Agenda Item 9

## Outside Body Appointments 2024/25 (tbc) Annual appointments to be made at the Annual Meeting - 22 May 2024

Outside Body	Current representative/s	Representative/s for 2024/2025	Appointment Length
Blackdown Hills National Landscape	Cllr N Bradshaw		Annual
Broadpath Landfill & Hillhead Liaison Committee	Cllr A Glover		Annual
Building Control Joint Committee	Deputy Leader and Cabinet Member for Housing & Property Services  Cabinet Member for Planning and Economic Regeneration	Deputy Leader and Cabinet Member for Housing & Property Services  Cabinet Member for Planning and Economic Regeneration	Annual
Business Forum Mid Devon	Cabinet Member for Planning and Economic Regeneration	Cabinet Member for Planning and Economic Regeneration	Annual
Culm Garden Village Delivery Board	The Leader  Cabinet Member for Planning and Economic Regeneration	The Leader  Cabinet Member for Planning and Economic Regeneration	Annual
Cullompton Town Team (2 Members)	Cllr L Knight  Cllr S Robinson		Annual
Devon Districts Forum	The Leader	The Leader	Annual

Devon Historic Buildings Trust	Cllr G DuChesne		Annual
Devon Rail Forum	Cllr J Downes		Annual
Devon & Somerset Metro Board	Cabinet Member for Planning and Economic Regeneration	Cabinet Member for Planning and Economic Regeneration	Annual
Gypsy and Traveller Forum	Cabinet Member for Planning and Economic Regeneration Cabinet Member for Housing & Property Services Cllr A Glover	Cabinet Member for Planning and Economic Regeneration Cabinet Member for Housing & Property Services	Annual
INVOLVE – Voluntary Action in Mid Devon	Cllr S Robinson		Annual
OkeRail Forum	Cllr J Downes		Annual
South West Councils	The Leader	The Leader	Annual
South West Councils Employers Panel	Cabinet Member for the Working Environment and Support Services	Cabinet Member for the Working Environment and Support Services	Annual
Team Devon	The Leader	The Leader	Annual