

MINUTES of a **MEETING** of the **COUNCIL** held on 19 February 2025 at 6.00 pm

Present

Councillors

F W Letch (Chair)
G Czapiewski (Vice-Chair), C Adcock,
D Broom, E Buczkowski, J Buczkowski,
J Cairney, S J Clist, L J Cruwys, C Connor,
F J Colthorpe, J M Downes, M Farrell,
B Fish, M Fletcher, R Gilmour, A Glover,
C Harrower, B Holdman, M Jenkins,
S Keable, L Knight, N Letch, J Lock,
J Poynton, R Roberts, A Stirling, L Taylor,
H Tuffin, G Westcott, A White, and D Wulff

Apologies

Councillors

M D Binks, N Bradshaw, S Chenore, G Cochran, A Cuddy,
G Duchesne, S Robinson, N Woollatt and J Wright

Also Present

Officers:

Andrew Jarrett (Deputy Chief Executive (S151)), Maria De
Leiburne (Director of Legal, People & Governance
(Monitoring Officer)), Dean Emery (Head of Revenues,
Benefits & Leisure), Paul Deal (Head of Finance, Property
& Climate Resilience), Jan Moreland (Finance Business
Partner), Laura Woon (Democratic Services Manager) and
Sarah Lees (Democratic Services Officer)

**Councillor
Online**

L G J Kennedy

272 APOLOGIES

Apologies were received from Councillors: N Bradshaw, M Binks, G Cochran, S
Chenore, A Cuddy, G DuChesne, S Robinson, N Woollatt and J Wright.

273 PUBLIC QUESTION TIME

Nick Quinn

Agenda Item 8

The Cabinet meeting on 10th December, being reported to you tonight, considered
an officer report on an historical Housing Rents 'error' and Cabinet agreed the

actions that officers had set out in the report.

Just to be clear - the mistake, which set the rent too high for 1200 Council properties, was made in 2002 and the Council had been overcharging the Tenants of these properties for the last 23 years.

If a Tenant owes the Council, you say "Pay up, or we will evict you".

Now the Council owes the Tenants and you should be paying up.

Instead, Officers spent £10,000 on a high priced lawyer and 'advised' the Cabinet that the Council could get away without paying Tenants all their money back, by limiting any repayment to 6 years only.

Cabinet agreed to this, but it is not fair.

It was the Council's mistake and Tenants should not be penalised.

Questions are already being asked about the morality of limiting repayments and the 'legal advice' are being queried as well - since the legislation only limits the time the Tenants can come after the Council for the money they are owed - it does not limit Council repayments.

Cambridge City and East Suffolk Councils both had similar issues, got legal advice, and agreed to repay their Tenants what was owed for the whole period.

Probably you all represent Council Tenants. They may ask you: "What are you doing to get the Council to pay the money they owe me?"

Question 1:

Will you please do the right thing, and overturn the Cabinet decision - by formally agreeing that this Council will make a full repayment of all debts owed to Tenants as the result of this mistake?

The Chair explained that as the questions had not been provided in writing in the required period in advance of the meeting that a written response would be provided in 10 working days.

Barry Warren

Mr Chairman may I take this opportunity to bring certain matters to the attention of members which were of concern to me and others as to certain behaviours within this administration.

At a recent Committee meeting I had submitted questions in advance and in response to one question the Chair read from a prepared script. In that response were the words; "We can confirm that all over charged tenancies have now been corrected, so your initial statement is factually incorrect"

My opening statement was factual having been prepared from detail given in officer reports, a letter sent to tenants and information shown on the MDDC website. The morning after the meeting the website still displayed the words which supported my

information, but if you look now you would see that it had been updated to correspond with the response read out to me.

Question 1:

Why are Committee Chairs providing responses to questions without checking their facts?

At another recent meeting I raised a number of concerns about an Officer report concerning Freedom of Information (FOI) practices. I could not cover all my concerns in three minutes and so I circulated all Members of the Committee with a detailed brief.

This week the same Committee had another report on the same subject and last Thursday I sent another briefing paper, with a copy spreadsheet, to all Members of the Committee raising questions and concerns. The following day I noted the FOI performance spreadsheets had been renamed and the spreadsheet which I had copied to Members had been removed from public view completely.

That spreadsheet was put back onto the website last Monday. It had been renamed, with numerous alterations to dates and other information and included new additional entries. Both of these spreadsheets, the original and now the revised version, have been published as an accurate representation of how FOI requests were dealt with by MDDC – but they cannot both be right.

Question 2:

How can the public have confidence in any performance figures published by this administration when the information can be removed, altered and republished after public questions had been asked?

The Chair explained that as the questions had not been provided in writing in the required period in advance of the meeting that a written response would be provided in 10 working days.

Paul Elstone

If Council Members approve the Council Tax rise this evening it will be yet another year where it was at the maximum of 3% and not the 2.99% as the motion states and without the requirement for a referendum.

There are 164 District Local Authorities in England. Publicly available data reveals this Council has the 21st highest Council Tax charge, or 143 District Councils or 87% ask their residents to pay lower Council Tax than the residents of Mid Devon.

Question 1:

How can this position be justified to the already not very well-off residents of Mid Devon, especially when this Council was repeatedly reporting “mistakes” resulting massive losses of public funds?

Question 2:

In business - senior management salaries are based on company size and performance. Yet in this Council it seems the reverse is true.

Using Statement of Account data, the combined Council Tax and Non-Domestic Tax revenue for North Devon District Council in 2023/2024 was £16.4 million pounds.

For Mid Devon it was £13.5 million pounds.

North Devon's Public Works Loan Board (PWLB) debt is just £1.7 million pounds. Mid Devon's same PWLB debt was over £31 million pounds.

There was just one (1) Senior Officer in North Devon costing over £100,000 pounds per year yet in Mid Devon there were four.

In North Devon there are just ten officers shown as having salaries in excess of £55,000 pounds yet in Mid Devon there are nearly twice as many at eighteen.

Mid Devon's Member Allowances were £6,000, but North Devon Members get £340 less.

Given the significant differences in Council size, revenue and financial performance how could Mid Devon high salary payments be justified to the residents of Mid Devon?

Question 3:

High salaries and allowances should equate to high levels of performance – instead there have been repeat examples of poor governance and decision making, resulting in massive financial loss.

Massive losses involving 3 Rivers, far in excess of the £3.3 million pounds reported more like £7 million. A figure that had increased by at least £250,000 in the last two weeks alone.

A loss on the Post Hill land sale of over £1.4 million pounds.

What should be a real loss in social housing rent revenue calculated at in excess of £6 million pounds – Money of the day?

Grossly excessive prices paid for the ZED PODS developments.

In the real business world, a catalogue of mistakes would come with serious consequences and top down.

Instead, we see expanded role responsibilities, greatly enhanced salaries at over 30 percent, and hear routine “backslapping” by this administration.

How can this whole situation be justified to the residents of Mid Devon?

The Chair explained that as the questions had not been provided in writing in the required period in advance of the meeting that a written response would be provided in 10 working days.

274 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

Members were reminded of the need to make declarations of interest where appropriate.

Cllr A Stirling referred to the 2025/26 Budget report and confirmed that he had a membership for Mid Devon Leisure.

275 **PREVIOUS MINUTES OF THE MEETINGS HELD ON 18 DECEMBER 2024 AND 8 JANUARY 2025**

The minutes of the meeting held on 18 December 2024 and 8 January 2025 were **AGREED** as a correct record and signed by the Chair.

276 **CHAIR'S ANNOUNCEMENTS**

The Chair had the following announcements to make:

- He enjoyed being Chair of the Council.
- He was very grateful for all the support at the current time.

277 **PETITIONS**

None received.

278 **NOTICES OF MOTIONS**

None received.

279 **CABINET REPORTS- MINUTES OF THE MEETINGS HELD BETWEEN 10 DECEMBER 2024, 7 JANUARY AND 4 FEBRUARY**

The Leader presented the reports of the meetings of the Cabinet held on 10 December 2024, 7 January 2025 and 4 February 2025.

The Leader outlined the following:

- It was disappointing that the housing rent error had come to light and he sympathised with all those that had been impacted.
- He acknowledged the points that were raised by the member of public and where necessary the officer would look into those.
- He thanked officers for their hard work and expertise which ensured that business rates continued to be managed effectively, despite the complexity and frequent changes imposed by Central Government.
- Since 2013 business rates had become an ever more intricate system and today's report reflected another set of changes outside of the Council's control.

- The Government had made a number of adjustments to the Business Rates that would, in some cases, materially alter the amount of rates due from businesses. Changes to some reliefs were 'unfunded' and others funded by Government via s31, an example of this would be Retail, Hospitality and Leisure Relief.
- The key changes taking effect from April 2025 included:
 - A reduction in Retail, Hospitality and Leisure Relief, which would drop from 75% to 40%. This meant businesses in those sectors would see an increase in the amount they were required to pay.
 - Private schools would no longer qualify for Charity Relief, following changes to primary legislation.
 - The restriction preventing councils from awarding discretionary relief more than six months after the end of the financial year had been removed, giving the Council more flexibility but without new funding to give additional relief.
- Those changes could have a significant impact on some businesses, and for those that were affected, the Council would be in contact when annual bills were issued in March 2025.
- These were national decisions not local ones, the government sets the rate, dictates the reliefs and decides how much funding councils received in compensation. The Council's responsibility was to administer the system as fairly and effectively as possible.
- He was pleased to announce this Council would offer open surgeries to help and support those businesses in Mid Devon from these Central Government changes.

1. **Business Rate Tax Base** (Minute 130)

The Leader **MOVED** and seconded by Cllr J Buczkowski:

That the recommendation of Cabinet as set out in minute 130 be **APPROVED**.

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

The Leader outlined the following:

- This was one of the most important decisions this Council would make each year, the approval of its budget for 2025/26.
- The budget was the result of months of hard work, scrutiny and collaboration, and he thanked Officers for the dedication and professionalism throughout this process. In particular, the Deputy Chief Executive (S151) Officer and Head of Finance, Property and Climate Resilience and all of their staff, whose expertise and leadership in finance had been invaluable.
- He also thanked Cabinet Members and the Cabinet Member for Governance, Finance and Risk in particular for their collective contributions despite ongoing budgetary constraints in their own portfolio areas and to all Councillors across the political spectrum including Policy Development Groups (PDG) who had made valid contributions and taken part in meaningful debate. This budget was a testament to the fiscal responsibility of this administration.
- The financial pressures facing local government and the delivery of a fully balanced budget, one that protects vital services, strengthens financial resilience and continued investment in our communities.

- We know Councils across the Country were struggling, years of underfunding, short term financial settlements and increasing service demands had placed immense pressure on local government. But this Council was taking control of it's future, making tough but fair decisions providing assurance that it would continue to deliver for our residents.
- The Council had set aside £2.225 million into earmarked reserves, strengthening the financial position and increased resilience for future challenges.
- An additional £100,000 to help tackle climate change and assurance of proper oversight of development support for young people. Expansion of the apprenticeship scheme creating more opportunities for local young people. The continued investment in affordable housing, ensuring the social housing programme remained on track. The provision of high quality affordable homes.
- Increase in leisure memberships and recycling rates had helped generate additional revenue protection for key frontline services.
- Despite significant financial pressures, the Council had avoided the severe cuts seen in many other Councils and the capital budget also included a fully funded provision for the Cullompton Town Centre Relief Road, a project that had been promised for many years and would finally be delivered under this administration.
- This was a budget that balanced financial prudence with ambition, an assurance to continue to improve services, support communities and prepare for the future. However, the financial outlook remained challenging.
- The government's decision to cut the Rural Services Delivery Grant and Services Grant had left Mid Devon with an 18% reduction in real terms funding, yet the Council was expected to carry on delivering essential services at the same time.
- Devolution and reorganisation were being pitched as a solution to the local government crisis, but the reality was they did not solve the underlying issue of underfunding.
- Instead, it was seeing higher precepts at Town and Parish levels as local Councils were forced to pick up services previously funded by Central Government.
- This Council strived to keep costs low for residents, but it must also ensure that the Council remained financially sustainable.
- This budget included a modest £6.96 increase, 2.99% in Mid Devon's share of Council Tax with the band D charged £239.12, and this was below inflation.

2. **Capital Strategy and 2025/2026- 2029-2030 Capital Programme** (Minute 131)

The Leader **MOVED**:

That the recommendation of Cabinet as set out in minute 131 be **APPROVED**.

The Chair **MOVED** in accordance with Procedure Rule 16.7:

“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**: C Adcock, D Broom, E Buczkowski, J Buczkowski, J Cairney, S J Clist, F J Colthorpe, C Connor, L Cruwys, G Czapiewski, J M Downes, M Farrell, B Fish, M Fletcher, R Gilmour, A Glover, C Harrower, B Holdman, M Jenkins, S Keable, L Knight, F Letch, N Letch, J Lock, J Poynton, R Roberts, A Stirling, L Taylor, H Tuffin, G Westcott, A White and D Wulff

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

3. Treasury Management Strategy

The Leader **MOVED** and seconded by Cllr J Buczkowski:

That the recommendation of Cabinet as set out in minute 131 be **APPROVED**.

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

4. 2025/2026 Revenue Budget

The Leader **MOVED**:

That the recommendation of Cabinet as set out in minute 131 be **APPROVED**.

The Chair **MOVED** in accordance with Procedure Rule 16.7:

“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**: C Adcock, D Broom, E Buczkowski, J Buczkowski, J Cairney, S J Clist, F J Colthorpe, C Connor, L Cruwys, G Czapiewski, J M Downes, M Farrell, B Fish, M Fletcher, R Gilmour, A Glover, C Harrower, B Holdman, M Jenkins, S Keable, L Knight, F Letch, N Letch, J Lock, J Poynton, R Roberts, A Stirling, L Taylor, H Tuffin, G Westcott, A White and D Wulff

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

Note:* Report previously circulated

280 SCRUTINY COMMITTEE- REPORTS OF THE MINUTES HELD ON THE 16 DECEMBER 2024 AND 13 JANUARY 2025

The Vice-Chair of the Scrutiny Committee presented the report of the meetings held on 16 December 2024 and 13 January 2025.

281 AUDIT COMMITTEE- REPORTS OF THE MINUTES HELD ON THE 21 JANUARY 2025

The Chair of the meeting of the Audit Committee presented the report of the meetings held on 21 January 2025.

282 HOMES POLICY DEVELOPMENT GROUP- REPORTS OF THE MINUTES OF THE MEETING HELD ON 28 JANUARY 2025

The Vice-Chair of the Homes Policy Development Group presented the report of the meeting held on 28 January 2025.

283 STANDARDS COMMITTEE- REPORTS OF THE MINUTES OF THE MEETING HELD ON THE 5 FEBRUARY 2025

The Chair of the Standards Committee presented the report of the meeting held on 5 February 2025.

1. Government Consultation- Strengthening the Standards and Conduct Framework for Local Authorities in England.

The Chair of the Standards Committee **MOVED**, seconded by Cllr M Fletcher:

That the recommendation of the Standards Committee set out in Minute 30 be **ADOPTED**.

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

Note:* Report previously circulated

284 2025/2026 COUNCIL TAX RESOLUTION

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

- The extensive collaborative process over the past year, one that had required careful planning, rigorous scrutiny and a shared commitment to delivering a budget that was both balanced and responsible.
- Throughout the process, Members had worked constructively to deliver the best possible outcomes for the residents of Mid Devon through Policy Development Groups (PDGs), Cabinet and Scrutiny Committee.
- They had worked together to identify proposals that allowed the Council to set this budget largely without significant impact on frontline services.
- This was no small feat given the financial pressures faced by Councils across the country. It was a remarkable achievement and one that reflected the fiscal responsibility this administration had restored to this Council.
- He thanked Members from all groups for their active engagement throughout this process. The way that Members had worked together, constructively, collaboratively, with open discussion, robust challenge and a shared commitment to doing what was right for our residents and communities was exactly how local government should work.
- He thanked the finance team and officers across all service areas for their hard work, expertise and dedication. In particular, his gratitude went to the Deputy Chief Executive (S151) Officer, Head of Finance, Property and Climate

Resilience and Head of Revenue, Benefits and Leisure. Their leadership and diligence had been instrumental in ensuring we reached this point.

- The financial reports approved by Cabinet earlier this month, including those ratified earlier this evening, form the basis of the 2025/26 budget.
- The Council Tax requirement for the Council as the billing authority was also our responsibility. Ensuring that Council Tax was set correctly and aligned with the referendum criteria and that it was collected on behalf of Devon County Council, the Police and Crime Commissioner, the Fire and Rescue Authority and Town and Parish Councils.
- The report before Council set out in Appendix A, contained the formal resolution that the Council was legally required to approve.
- It detailed the Council Tax charges across all 8 bands of parish level and the statutory report from the Section 151 officer which provided assurance on the robustness of the budget and the adequacy of our reserves.

The Deputy Chief Executive (S151) Officer highlighted the following:

- This was a statutory report reflecting a process of many months of collaborative work.
- The robustness of the estimates and the adequacy of reserves were self-explanatory. The estimates had been set in a very robust and challenging manner.
- The review of reserve levels were monitored on a regular basis and clearly made sure this Council maintained healthy levels of reserves to weather any financial and operational storms.
- That the Council's funding position and strategic position had probably never been more uncertain at this time of year.
- Regular updates would be provided to Members on how that would impact the Council's financial position.

Cllr J Buczkowski **MOVED** and seconded by Cllr S Clist:

“To approve the formal Council Tax Resolution as laid out in Appendix 1, subject to the approval by each Precepting Authority of its own Precepts as included within this report”

“That the views and recommendations of the Deputy Chief Executive (Section 151 Officer) on the Robustness of the Estimates used within the 2025/26 Budget and that the levels of reserves held had been assessed as Adequate as outlined within Section 4 of this report be **NOTED**”

The Chair **MOVED** in accordance with Procedure Rule 16.7:

“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**: C Adcock, D Broom, E Buczkowski, J Buczkowski, J Cairney, S J Clist, F J Colthorpe, C Connor, L Cruwys, G Czapiewski, J M Downes, M Farrell, B Fish, M Fletcher, R Gilmour, A Glover, C Harrower, B Holdman, M Jenkins, S Keable, L Knight, F Letch, N Letch, J Lock, J Poynton, R Roberts, A Stirling, L Taylor, H Tuffin, G Westcott, A White and D Wulff

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

Note:* Report previously circulated

285 **APPOINTMENT TO OUTSIDE BODIES**

The following appointment to an Outside Body was **AGREED**.

Cllr C Harrower to be appointed as the Council's representative on the Armed Forces Partnership.

Cllr G Czapiewski **MOVED** seconded by Cllr J Lock:

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

286 **TEAM DEVON LOCAL GOVERNMENT JOINT COMMITTEE**

The Council had before it a background report to **NOTE** and agree the nomination of the Leader of the Council to be the Council's representative on the Team Devon Joint Committee.

The Chair **MOVED** that:

"The Council had before it a background report to **NOTE** and **AGREE** the nomination of the Leader of the Council to be the Council's representative on the Team Devon Joint Committee"

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

287 **QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 11**

To deal with any questions raised pursuant to Procedure Rule 11 not already dealt with during the relevant Committee reports.

There were no questions.

288 **SPECIAL URGENCY DECISIONS**

With regard to any decisions taken under Rule 16 (of the Constitution) Special Urgency taken since the last meeting.

The Chair informed the meeting that no such decisions had been taken in that period.

289 **QUESTIONS TO CABINET MEMBERS**

Cllr A White asked the Leader the following questions:

- To give an update on unitary conversation in Devon as far as he was able to.
- Was the Leader able to commit to include unitary status and a plan for the future of this Council at future Council meetings?

The Leader outlined the following:

- On the 8th of January an Extraordinary meeting of this Council was called where a discussion was had about local government reorganisation. At that meeting it was agreed to ask the Government to continue with the planned County Council elections on the 1st of May amongst other recommendations. The Government agreed that the elections for Devon County Council should go ahead.
- This Council and all of those in Devon, including County, Unitary, City and Districts, to submit an initial proposal for local government reorganisation to a single tier unitary authority by the 21 of March 2025. This would be followed by a full proposal on the 28 of November 2025.
- He was working with all leaders across Devon to put together a proposal.
- Whilst we might not all agree on a final joint proposal, he was confident that Mid Devon along with many other Councils in Devon would agree a proposal that he would bring to this Council for agreement before submission cut off on the 21st of March.
- He asked the Chair to call an Extraordinary meeting of the Council for the 12th of March, this would allow time for officers to work on our initial proposal. He also asked the Chair to use his discretion to allow Public Question Time at this important single item meeting.
- In response to the second question from Cllr White, about it being an ongoing item, he was certain that it would be the case as he thought it would be occupying much of the Council's business for the next three years.
- With lots of Town and Parish Councils perhaps not appreciating what the full impact to them could be under a single unitary council, for example, would it mean more responsibility? What would happen with things like swimming pools? At this current time as a Council we do not have the answers to these questions.
- He would like to call the State of the District debate on the local government reorganisation as he thought that it would benefit Town and Parish Councils being involved. However, due to the County Council elections due to take place on the 1st of May a pre-election period would soon be entered into making holding the State of the District Debate before the County Council election inappropriate, as many Members would be campaigning on all sides of political aspirations on local government reorganisation. The State of the District Debate would therefore take place after the 1 May 2025 and it would be open to Town and Parish Councils for an information session.

290 MEMBERS BUSINESS

The Chair informed the meeting that there were no Members Business.

(The meeting ended at 18.59pm)

CHAIR