

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **COUNCIL** held on 30 September 2020 at 6.00 pm

### **Present**

#### **Councillors**

L J Cruwys (Chairman)  
Mrs E M Andrews, G Barnell, E J Berry,  
W Burke, J Cairney, R J Chesterton,  
S J Clist, Mrs C Collis, Mrs F J Colthorpe,  
D R Coren, N V Davey, Mrs C P Daw,  
R M Deed, R J Dolley, J M Downes,  
C J Eginton, R Evans, B Holdman,  
T G Hughes, D J Knowles, F W Letch,  
B A Moore, Miss J Norton, D F Pugsley,  
R F Radford, C R Slade, Mrs M E Squires,  
R L Stanley, L D Taylor, Ms E J Wainwright,  
B G J Warren, A White, A Wilce,  
Mrs N Woollatt, J Wright and A Wyer

### **Apologies**

#### **Councillors**

Mrs S Griggs and S J Penny

#### 66 **Apologies**

Apologies were received from Cllr Mrs S Griggs and Cllr S Penny.

#### 67 **Protocol for Remote Meetings**

The protocol for remote meetings was noted.

#### 68 **Public Question Time (00:08:00)**

The following members of the public all asked questions in relation to item 6 on the agenda, 'Changes in the Cabinet':

Cllr David Garcia stated that he was speaking as an individual. Many of us involved in local government who are accustomed to making collective decisions are appalled at how one member cannot only remove councillors from a decision making group i.e. the Cabinet, but also change the direction the majority of councillors may wish to go.

You were elected Leader of the Council with the support of your group, the Independents, the Liberal Democrats and the Green Party. Only the Conservative group opposed you and yet you decided to turn your back on all of them by sacking the 4 Lib Dems and replacing them with the 4 Conservative members who originally opposed you and also not promoting anyone to Cabinet from your own group. So my questions are to you:

How will your new Cabinet members be of greater benefit to the Council than the 4 you sacked?

Are your actions to be seen as a move on your part to re-join the Conservative party or their group on the MDDC?

Honorary Alderman David Nation addressed his question to the Leader:

Does he realise the damage being done to the standing of the council by his dictatorial behaviour expressed in the changes to the Cabinet which prompted this special meeting? Does he see the similarity with the abuse of power manifested by the previous council, which he then condemned? Is he aware of the disapproval and suspicion the public feel when they know that this council in 18 months has made no progress in reforming governance and it has taken two FOI requests, one of which is still outstanding, to discover what has been going on in that regard?

Steve Keable stated that his questions related to 'Changes in the Cabinet' and were in 3 parts:

- 1) Please clarify the Council's Press Release (28 August) stating that: 4 Liberal Democrats are no longer part of the Cabinet, or were they singled out for sacking by voting in Cabinet 7-1 against you to abandon GESP?
- 2) In the following Council debate you stated that "GESP is dead", if so why are you, your Independent Group and the Green Party now aligned with the Conservatives, and finally
- 3) Are there plans for a 'son of GESP' for similar village and community developments and have you shared these with the Green Party?

Nigel Richardson asked.....at this particularly challenging time for all of us, why does the Council Leader, Bob Deed, consider that now is the time for confrontation rather than cooperation?

David Wulff stated .....my first question is to Cllr Evans, Leader of the Conservative Group:

At the Annual Meeting of the Council on 22nd May 2019, not only did you and the rest of the Conservative Group vote unanimously against the appointment of Cllr Deed as Leader of the Council, but you also refused the offer of places in his Cabinet. Now however you are serving under him. What happened to change your mind?

And my second question is to Cllr Deed, Leader of the Council:

Given the Conservative members voted unanimously against your appointment as Leader, and your publicly stated desire for a politically balanced Cabinet, why did you sack the four Liberal Democrats and replace them with Conservative members after the Council meeting on 26th August, and do you still consider the Cabinet to be politically balanced and reflective of the Mid Devon voters?

Honorary Alderman Paul Williams stated that as a former councillor he had felt pride at having served the people of Mid Devon for over 30 years. Is it true you only sacked Liberal Democrat Members? Is it also true that you have ambitions to be

Chairman of GESP? I would also like to know whether you meeting with the Chief Executive and Conservative Leader in August was to discuss the sacking of Liberal Democrats?

Andrew Cox stated that.....I understand from the published agenda that this meeting will discuss the recent changes in the Cabinet where all of the Liberal Democrat members were sacked by the Leader of the Council (Cllr Bob Deed, Independent).

This appears to be a gross abuse of the democratic process to retaliate against the Cabinet overwhelmingly voting to withdraw from the Greater Exeter Strategic Plan against the Leader's wishes. Particularly as the four Liberal Democrat Cabinet positions were then awarded to loyal Conservative Party members.

I would like to know if the Green Party and Independent members still support the Leader of the Council and his new Cabinet considering how he has acted?

Andy Perris stated that....the key question is why did the Leader decide only to remove the four Lib Dems from Cabinet when seven members voted to withdraw from the Greater Exeter Strategic Plan? Also why choose to install four Opposition members, several of whom are former members of the previous failed Cabinet and are tarnished by a track record of failure? Could he not have found more capable replacements from within the majority group, rather than taking political failures from the opposition?

John Squires addressed his question to Cllr Deed, Leader of the Council:

With the failure of the Greater Exeter Strategic Plan (GESP) following East Devon's withdrawal, at the meeting on 26th August the then Cabinet member Cllr Barnell put forward an amendment to continue cooperation with neighbouring authorities for joint planning considerations. This amendment failed. You also put forward your own amendment, which aims to more closely align with GESP's likely outcome of unsustainable overdevelopment of Mid Devon communities under a new guise. Your amendment was agreed.

Given that your previous Cabinet unanimously voted to recommend withdrawal from GESP, and that six members of that Cabinet also voted for Cllr Barnell's amendment, why did you sack the four Liberal Democrat members? To residents like myself, your actions appear to be an effort to purge dissenting voices from your Cabinet. This is all the more concerning due to your involvement with GESP as the former Chair, which gives the appearance of a conflict of interest in your decision making.

**69 Declarations of Interest under the Code of Conduct (00:21:00)**

There were no interests declared under this item.

**70 Chairman's Announcements (00:22:00)**

The Chairman wished to make it clear that despite being contacted by other members of the Council, he himself as Chairman of the Council had decided to call an Extraordinary Meeting under Procedure Rule 13.2 (b). He hoped that by doing this it would bring some harmony to the ensuing debate.

## 71 Changes in the Cabinet (00:23:00)

The Chairman invited the Leader of the Council to provide a report regarding recent changes to the Cabinet.

The Leader stated that:

- The District Council had come a long way since he was first elected to it in 2007. It had gone from a Committee to a Cabinet system of governance.
- A number of exciting projects had begun under the previous administration prior to the 2019 election and were on-going. Many of these required continued funding and the co-operation of partner agencies was key to this. In bringing an amendment to the decision regarding GESP he had wanted to send out a signal that Mid Devon District Council was willing to work with other local authorities for the good of all residents of Mid Devon. He had felt that this was critical to the delivery of future strategic projects within the district and that the stance taken by the Liberal Democrat Cabinet Members regarding GESP had been untenable.
- On 14<sup>th</sup> August he had met with the Chief Executive and the Leader of the Conservative Group to understand the views of the Conservative group.
- Following the vote at full Council on 26 August he had decided to replace the Liberal Democrat Cabinet Members with experienced Members from the Conservative Group. He considered that this change had in no way diminished the expertise of the Cabinet and was the best result for the Council.
- Under the present constitutional arrangements the Leader had the power to establish and change his Cabinet as he or she saw fit. There was a Governance Working Group in operation looking at alternative systems of governance and the public would be consulted on this. A recommendation would be brought before Council in Spring 2021.
- His actions had solely been carried out with the best interests of Mid Devon residents in mind.

In response to the questions asked by the Members of the public the Leader provided the following answers given in the order in which the questions had been asked:

- Certain Members of the Conservative Group had previously served on the Cabinet and as a result of their considerable expertise he had had no hesitation in appointing them to the Cabinet.
- He reiterated the point that the Leader had full control over who was in his or her Cabinet.
- It was not his intention to re-join the Conservative party having been asked to leave it some years ago and then standing as an Independent candidate which he would continue to do.
- He recognised that everybody had their own view but it had not been tenable to continue to work with the previous Liberal Democrat Members of the Cabinet.
- Progress was being made with the Governance Working Group and the public would be consulted and listened to.
- He was not seeking to be confrontational during this challenging time but instead wanted the Council to be seen as being able to work collaboratively with other local authorities.

- He stated that he did not have a vested interest in keeping GESP going as he was only elected Leader of the (Leaders) Group after the Council's decision.
- He understood the Conservative Group decision to vote against his election to the Leader role in May 2019 being entirely justified at the time given that they wanted to elect their own Leader.
- He confirmed that only Liberal Democrat Cabinet Members had been affected by his decision to change the membership due to an insurmountable difference of opinion. This had not been planned well in advance but as a result of the GESP issue.
- The Government White Paper would present issues for every single Ward Member given that it wanted the number of new houses provided to be significantly higher. Difficult decisions would need to be taken by all Members for the benefit of the whole of Mid Devon not just individual wards.
- The current system of governance was not in his opinion an 'abuse of power'. The system had been in existence for the last 12 years and the Working Group would provide sound reasons for any recommendations it would make for change.
- He had issued a press release following his decision to change the membership of the Cabinet but said that he should have perhaps been more explicit and less polite about what had happened in reference to 'sackings'.
- The future of GESP was not a matter for detailed discussion at this meeting.
- Regarding the 7:1 Cabinet vote, he explained that it had been the whole of the Liberal Democrat Group that had objected to his amendment

Cllr B Evans had also been asked several questions in Public Question Time and provided the following responses:

- The meeting he had had with the Chief Executive and the Leader on 14 August had not included a conversation about the removal of any Cabinet Members. The meeting had been called to understand the views of the Conservative Group but at that stage he could not say as he had not spoken to his Group about it.
- It was indeed correct that the Conservative Group had opposed the appointment of Cllr Deed as Leader in May 2019. They had wanted to elect the Conservative Group Leader as Leader of the Council but that vote had been lost and as a Group they had moved into the opposition position.

The Chairman then invited a representative from the 4 Liberal Democrat Members who had previously held Cabinet positions to make a statement.

Cllr L D Taylor stated that:

- He was surprised to hear it had been a predetermined vote on GESP.
- He had considered that the Cabinet should seek to be in agreement over significant decisions.
- In May 2019 Members had put their trust in the new Cabinet and it had subsequently been exciting to welcome a member of the Green Party to the Cabinet. It was agreed that discussions were not always straightforward given differing political views.

- There had been some serious concerns regarding GESP within the Liberal Democrat Group and it was concerning to hear that plans appeared to be continuing. It was also concerning that the Leader put forward his own Motion against the views of his Cabinet. Do we assume the new Cabinet is in favour of GESP?
- The 4 Cabinet Members who had been removed had enjoyed their experiences on the Cabinet and had established good working relationships with officers always with the intention of serving the people of Mid Devon.

The discussion touched upon:

- Perceived unilateral decision making and unchecked governance arrangements.
- The need for balanced representation.
- The benefits of a 'Rainbow Cabinet' and attempts to find common ground in the interests of democracy.
- The bigger issues facing us such as 'Climate Change'.
- Agreement that the system should work for the people and not the other way round.
- The need for transparency across political divides.
- Building connections and maintaining trust was vital.

Cllr L D Taylor **MOVED** seconded by Cllr A Wilce:

**THAT** Procedure Rule 14.2 be suspended to allow further discussion.

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

Following debate:

Cllr L D Taylor further **MOVED** seconded by Cllr A Wilce:

**THAT** a **MOTION** of no confidence in the Leader be approved.

The Chairman **MOVED** that in accordance with Procedure Rule 19.4:

“The vote in respect of the **MOTION** be by **ROLL CALL**”

A roll call of the Members present at the meeting was then taken.

Those voting **FOR** the **MOTION**: Councillors G Barnell, J Cairney, S J Clist, L Cruwys, J M Downes, B Holdman, F W Letch, Miss J Norton, L D Taylor, A White, A Wilce, J Wright and A Wyer.

Those voting **AGAINST** the **MOTION**: Councillors Mrs E M Andrews, E J Berry, W Burke, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, R M Deed, R J Dolley, R Evans, T G Hughes, D J Knowles, B A Moore, R F Radford, C Slade, Mrs M E Squires and R L Stanley.

Those **ABSTAINING** from voting: Councillors C J Eginton, D F Pugsley, Ms E J Wainwright, B G J Warren and Mrs N Woollatt.

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

## 72 **Revised Allocation (02:00:00)**

The Council had before it a revised allocation \* of seats reflecting the current membership of the Council.

This had been necessary as a result of Cllr D F Pugsley and Cllr A Wilce leaving the Independent Group and becoming unaffiliated and independent Members in their own individual right. The revised allocation showed that there were 5 remaining Committee seats after a percentage had been applied to the rest of the Council.

Council was informed of the following:

- Cllr A Wilce would take a seat on the Scrutiny Committee, Audit Committee, Licensing Committee and Regulatory Committee.
- Cllr D F Pugsley would take a seat on the Economy PDG.

A brief discussion took place regarding the allocation of seats to 'Other Bodies'. There appeared to be some confusion as to the seats allocated to the Green Party in relation to the Planning Working Group and the Planning Policy Advisory Group.

Therefore:

The Chairman **MOVED** that: The Tables be approved with regard to the allocation of seats on 'Committees' and that the allocation of seats on 'Other Bodies' be brought back to the next meeting of Council for further consideration.

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

Note: \* Allocation of seats previously circulated, copy attached to the minutes.

(The meeting ended at 8.14 pm)

**CHAIRMAN**