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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 1 July 2021 at 6.00 pm

Present

Councillors

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

Apologies

Councillors

Mrs E M Andrews, C J Eginton, S J Penny,
Mrs E J Slade and Ms E J Wainwright

12 **Ceremonial Procedures**

The Chairman of the Council presented the past Chairman, Councillor L J Cruwys with his past Chairman's badge.

The Chairman received his chains of office from the past Chairman and presented the Vice Chairman's badge to Councillor R J Dolley.

13 **Apologies**

Apologies were received from Councillors: Mrs E M Andrews, C J Eginton, S Penny, Mrs E J Slade and Miss E Wainwright.

14 **Public Question Time**

Caroline Romijn referring to Motion 573 stated:

On behalf of "Sustainable Crediton" I welcome the Motion proposing that the Council should support the Climate & Ecological Emergency Bill, and hope that this can be agreed speedily and without weeks or months of consideration and delay. It's a critically important bill, if we are to make progress in tackling the climate crisis.

I understand that you plan to refer this motion to the Environment Policy Development Group instead of discussing it this evening and it will then come back to the full council for approval. Please can you tell us what the timescale on this will be, as it's self-evidently a matter of urgency? Is it correct that the next full Council

meeting is not until Wednesday 25th August, 8 weeks away? Will you at least be able to ensure that the full council debate on the Motion is held on that date?

The Cabinet Member for the Environment and Climate Change responded stating that it was his intention to move that the motion be discussed at this meeting.

Hannah Thomas again referring to Motion 573 asked what actions had been taken in the last two years since the climate emergency had been declared.

The Cabinet Member for the Environment and Climate Change responded stating that a lot had been done and included the following examples: information clearly available on the website, the proposed launch of a specific climate change website, the installation of electric charging points on council owned property, actions to reduce the carbon footprint, the employment of a specialist officer who had already started working on plans for the future. He requested that Ms Thomas follow the website, watch out for press releases and contact him directly if she wanted further information.

Honorary Alderman David Nation referring to Motion 573 stated:

Even locally we are experiencing dramatic changes in weather conditions resulting from our abuse of the planet and the resulting climate change and all over the world extreme events are increasingly leading to loss of life. I am delighted to see the indication this Motion provides that the controlling Conservative group is willing to work with others to begin to address the problems. Will the council please consider without delay the need to require developers to incorporate PV cells, heat pumps and other appropriate energy saving features in all new dwellings to benefit householders' pockets as well as the environment?

The Cabinet Member for Planning and Economic Regeneration in response stated: that work had commenced on the new Local Plan for Mid Devon which included policies referring to the impact of climate change including specific policies for development which required the move towards net zero carbon. While it was expected that the new Local Plan would not be adopted until 2025, the Council had approved the preparation of an interim policy statement on planning for the climate emergency. The Government had confirmed that building regulations would be updated whereby all new homes must produce 31% lower carbon emissions compared to current levels which was the first part of the future homes standard, which proposed that new homes would have carbon emissions 75-80% lower than those built to current building regulations. The full standard was due to be met in 2025 by the use of fabric efficiency, heat pumps, solar panels and other technologies.

Honorary Alderman David Nation referring to Motion 574 stated: Will the mover of this Motion please advise what problems have arisen from the present rules that have prompted the need to consider changing them? Does he recognise that any changes that might be recommended which reduce the ability of all members to seek to have issues of importance to them debated at the appropriate committee, will further diminish the power and influence of individual members even beyond the limitations imposed by the present Cabinet structure? Which many of you know I don't agree with.

The Cabinet Member for Finance responded stating that he would defer his answer until the item was discussed.

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

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

16 **Minutes**

The minutes of the meeting held on 28 April 2021 were agreed as a correct record and signed by the Chairman.

The minutes of the annual meeting held on 28 April 2021 were agreed as a correct record and signed by the Chairman.

17 **Chairman's Announcements**

The Chairman had the following announcements to make:

- He welcomed the newly elected members to the meeting.
- He thanked the staff of Lords Meadow Leisure Centre for hosting the meeting in Crediton and the Member Services Team for putting the meeting in place.

18 **Petitions**

There were no petitions presented.

19 **Notices of Motions**

(1) MOTION 573 – (COUNCILLORS MISS E WAINWRIGHT and C R SLADE– 11 MAY 2021)

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

Motion to Support the Climate and Ecological Emergency Bill

Preamble

The impacts of climate change are being felt in the UK and around the world. Global temperatures have increased by 1 degree Celsius from pre-industrial levels. Atmospheric carbon dioxide levels are above 400 parts per million (ppm) and continue to rise. This far exceeds the 350 ppm deemed to be a safe level for humanity.

Without more significant and sustained action, the world is set to exceed the Paris Agreement's 1.5°C limit between 2030 and 2040. The current UK target of net zero by 2050 is therefore not satisfactory. We are not set to meet our future targets and the targets themselves do not properly account for our consumption emissions.

The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. This is described by the Intergovernmental Panel on Climate Change's Special Report on Global Warming of 1.5°C published in October 2018. According to the IPCC, limiting

heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities. The costs of failing to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities. And in the year that the UK co-hosts COP26, our responsibility to show bold global leadership on climate and nature could not be greater.

Council notes that

1. This council has signed up to the Devon Climate Declaration.
2. There is a Bill before Parliament -- the Climate and Ecological Emergency Bill (published as the “Climate and Ecology Bill”) -- according to which the Government must develop an emergency strategy that:
 - a.requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees Celsius above pre-industrial temperatures;
 - b.ensures that all the UK’s consumption emissions are accounted for;
 - c.includes emissions from aviation and shipping;
 - d.protects and restores biodiverse habitats along overseas supply chains;
 - e.restores and regenerates the UK’s depleted soils, wildlife habitats and species populations to healthy and robust states, maximising their capacity to absorb CO₂ and their resistance to climate heating;
 - f. sets up an independent Citizens’ Assembly, representative of the UK’s population, to engage with Parliament and Government and help develop the emergency strategy.

This Council therefore resolves to:

1. Support the Climate and Ecological Emergency Bill
2. Inform the local media of this decision;
3. Write to local MPs, asking them to support or thanking them for supporting the Bill; and
4. Write to the [CEE Bill Alliance](#), the organisers of the campaign for the Bill, expressing its support.

The **MOTION** was **MOVED** by Councillor Miss J Norton and seconded by Councillor C R Slade and they both requested that the motion be discussed at this meeting – this was supported.

Consideration was given to:

- The timing of Climate and Ecological Emergency Bill through Parliament and the need to encourage MP’s to support the Bill at the second reading
- The contents of the Bill which related to the Devon Climate Plan and provided tools and levers to act further locally
- The fact that contents of the Bill had already been supported by neighbouring local authorities

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

(2) MOTION 574 – (COUNCILLOR B A MOORE – 8 JUNE 2021)

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

That this Council resolves to ask the Standards Committee to convene a working group to review the procedural rules relating to Scrutiny, Audit and the Policy Development Groups (Part 4 Section 5 of the Constitution). The purpose of the review is to make recommendations on those procedural rules, with particular regard to ensuring that items included on meeting agendas, notably at short notice, including duplication, are democratically determined by Members of that committee.

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 **NOT MOVED**.

20 Cabinet - Report of the meeting held on 13 May 2021

The Leader presented the report of the meeting of the Cabinet held on 13 May 2021.

21 Cabinet - Report of the meeting held on 8 June 2021

The Leader presented the report of the meeting of the Cabinet held on 8 June 2021.

1. Joint Strategy for Strategic Planning (Minute 21)

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendations of the Cabinet as set out in Minute 21 be **ADOPTED**

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

Reason for the Decision – There is a need for neighbouring authorities to work together on strategic planning matters as established by the 2011 Localism Act and the NPPF as part of the duty to cooperate with other local authorities to seek to address strategic planning matters.

2. Cullompton Neighbourhood Plan Adoption (Minute 22)

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendations of the Cabinet as set out in Minute 22 be **ADOPTED**

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

Reason for the Decision – The Cullompton Neighbourhood plans requires adoption by Council following the positive result of the referendum.

22 Scrutiny Committee - Report of the meeting held on 21 June 2021

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 21 June 2021.

23 Planning Committee - Report of the meeting held on 26 May 2021

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 26 May 2021.

24 Planning Committee - Report of the meeting held on 16 June 2021

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 16 June 2021.

25 Planning Committee - Report of the meeting held on 23 June 2021

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 23 June 2021.

26 Questions in accordance with Procedure Rule 13

There were no questions submitted under Procedure Rule 13.2.

27 Allocation of seats and appointment of Committees, Policy Development Groups, certain Working Groups and other Council Bodies

Arising thereon:-

Appointment of Committees, Policy Development Groups, certain Working Groups and other Council Bodies

The following recommendation had been put before the council

- 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 and Policy Development Groups, 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, Policy Development Groups, 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;
- (e) that the appointments to seats remaining to be filled by ungrouped Members shall be made at this meeting

Councillor R M Deed **MOVED** an **AMENDMENT**, seconded by Councillor C R Slade:

That Councillor David Pugsley takes one of the Independent Group seats on the Economy Policy Development Group and that his proposed seat (as indicated in the summons) on the Audit Committee is given to the Independent Group as attached.

Upon a vote being take the AMENDMENT was declared to have been CARRIED and the following APPROVED:

- a) **That the Council approves the allocation of seats on Committees and other Council Bodies as shown in the Schedule** *subject to Councillor David Pugsley taking one of the Independent Group seats on the Economy Policy Development Group and that his proposed seat (as indicated in the summons) on the Audit Committee is given to the Independent Group.*
- (b) that Members be appointed to Committees and Policy Development Groups, 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, Policy Development Groups, 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;
- (e) that the appointments to seats remaining to be filled by ungrouped Members shall be made at this meeting.

28 **Appointment of Monitoring Officer**

The Council had before it a *report of the Chief Executive with regard to the interim appointment of an interim Monitoring Officer from 30 June 2021 and a permanent appointment to commence later in 2021.

The Chairman **MOVED** that:

- 1 Maria de Leiburne be appointed as an interim Monitoring Officer from 1 July 2021 until the new permanent Monitoring Officer commences employment later in the year; and
- 2 Karen Trickey be appointed as the Monitoring Officer on a permanent basis from the commencement of her employment in 2021.

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

Note: * Report previously circulated, copy attached to minutes.

29 **Budget Provision for Decarbonisation Grant**

The Council had before it a * report of the Deputy Chief Executive (S151) seeking approval from council to facilitate the expenditure of grant monies that have been secured as part of the Public Sector Decarbonisation Scheme. The report sought approval to increase planned budget expenditure by the amount secured in grant funds.

Councillor B A Moore **MOVED**, seconded by Councillor C R Slade that:
The changes to the annual budget in 2021/22 be agreed in order to reflect the additional expenditure of £349k now required to implement the PSDS scheme.
Upon a vote being taken, the motion was declared to have been **CARRIED**.

Note: *Report previously circulated, copy attached to minutes.

30 **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.

31 **Questions to Cabinet Members**

Councillor F W Letch addressing the Cabinet Member for Housing and Property Services stated that on the Devon Homes Choice advert published this week, 2 properties in Crediton were available, one in Butt Parks and one in Barnfield. The Barnfield property had been empty since October 2020 and the Butt Parks property from February/March this year. He asked that the Cabinet Member look into the issue of voids as the KPI for voids no longer appeared in performance data. Prolonged voids provided a loss of rent and council tax for the authority.

He also asked the Cabinet Member whether the Conservative Group were still the official opposition following the recent by-elections and the fact that there were now 5 out of 8 Conservative members on the Cabinet.

The Cabinet Member responded stating that with regard to the void properties, when officers visited one of the properties, there was a lot of work to be undertaken which included moving 36 tonnes of rubbish from the site at a cost of £35k. He would look into the matter further and provide the councillor with a written response.

With regard to the second question, the Cabinet Member stated that the Conservative Group still did not have a majority of members in the council and therefore they may now not be in opposition.

Councillor B Holdman addressing the Cabinet Member for Planning and Economic Regeneration stated that the council were still without a tree officer, Bicton College had trainee tree officers and some local authorities have more than one tree officer. The district had an issue with Tree Preservation Orders and required the support of a tree officer, was there any update that the Cabinet Member could provide?

The Cabinet Member in response stated that he did not have any new information, the authority were using a consultant at the present time. The idea of sharing an officer with another authority had been considered, however nothing had come forward to date. He requested that the councillor provide him with a list of issues and that he would look into them.

Councillor J Cairney addressing the Cabinet Member for Housing and Property Services and referring to the political balance of the council stated that if you don't have an opposition there was no democracy – there was a need for someone to be responsible.

Addressing the Cabinet Member for Community Well –Being, he also raised the issue of officers not being able to park at Lords Meadow Leisure Centre and that they had to park further afield and walk to work, he felt that this was unfair especially on dark winter nights. The Cabinet Member stated he would look into the matter.

The Cabinet Member for Housing and Property Services in response to the first question stated that the Conservative Group did not have a majority, they only had 20 out of 42 members.

32 Members Business

The Chairman stated that it was good to see Councillor Coren in attendance.

Councillor R L Stanley invited members to attend a site visit and presentation at St Georges View, Tiverton on Tuesday 20 July at 5pm.

Councillor A Wilce requested that a written response be provided to Honorary Alderman Nation's question in public question time and that the response be added to the minutes of the meeting.

Councillor S J Clist referring to grant monies and specifically referring to £650k stated that the previous Cabinet administration were unaware of the grant and that on looking into the matter had found that the monies had been available in the system for 3 to 4 years – the previous administration did not make the decision to return the money to central Government.

Councillor S J Clist also congratulated officers and the current administration on the proposed modular buildings – he had seen them in person in other countries and found that they had worked well in extreme temperatures. He hoped that officers

would look into the matter of homelessness pods and the possibility of a Mid Devon crematorium.

(The meeting ended at 7.08 pm)

CHAIRMAN

Question: Honorary Alderman- David Nation

Motion 574

Will the mover of this Motion please advise what problems have arisen from the present rules that have prompted the need to consider changing them? Does he recognise that any changes that might be recommended which reduce the ability of all members to seek to have issues of importance to them debated at the appropriate committee, will further diminish the power and influence of individual members even beyond the limitations imposed by the present Cabinet structure?

Response:

Primary legislation sets out strong Member rights regarding raising agenda items, provisions that transcend all forms of Governance model. Within that framework, I would not presume to predict what recommendation the Standards Committee might eventually propose through active democratic debate and agreement. Any Constitutional change would require further debate and agreement at Full Council. The intent of the Motion is open and constructive: not to solve a particular problem but to improve the process for setting agendas and to consider how this might be done with greater open, active and democratic engagement of all relevant Committee Members.

Councillor Andrew Moore

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