

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 15 December 2021 at 6.00 pm

Present

Councillors

R F Radford (Chairman)
W Burke, R J Chesterton, Mrs C Collis,
D R Coren, L J Cruwys, N V Davey,
Mrs C P Daw, R M Deed, R J Dolley (Vice
Chairman), J M Downes, C J Eginton,
R Evans, Mrs S Griggs, B Holdman,
D J Knowles, F W Letch, Mrs E J Lloyd,
B A Moore, Miss J Norton, S J Penny,
D F Pugsley, C R Slade, Mrs M E Squires,
L D Taylor, B G J Warren, A White, A Wilce
and A Wyer

Apologies

Councillors

Mrs E M Andrews, G Barnell, E J Berry,
J Cairney and J Wright

In attendance

Via Zoom

Councillors

S J Clist, Mrs F J Colthorpe, S Pugh, R L
Stanley and Mrs N Woollatt

89 **Apologies (00-08-06)**

Apologies were received from Councillors: Mrs E M Andrews, G Barnell, E J Berry, J Cairney and J Wright.

90 **Public Question Time (00-08-32)**

The Chairman read a statement on behalf of Mr Quinn concerning the Audit Committee report of 16 November 2021:

The minutes record that two reports were presented to this meeting of the Audit Committee. Each gave a different figure for the total interest paid by 3 Rivers to the Council in the financial year 2020/21.

In the 3 Rivers Business Plan Report (at minute 44), the corrected table, issued to the meeting, gave the total amount of interest received as £474,400.

But the report on the Annual Statement of Accounts 2020/21 (at minute 48) gave the total amount of interest received as £496,000.

The two figures are different by more than £21,000.

My question is: which of these figures is correct?

The Deputy Chief Executive (S151) responded stating that he could confirm that both of those figures were correct at the time that they were presented to those committees. The £474,400 shown in the recent Cabinet papers in November was the most current and therefore the correct figure and had adjusted the previous reported figure of £496,000. The reason for the difference is that there was a revised interest calculation applied to one of the parcels of land on one of the development projects being delivered by 3 Rivers, this has now been adjusted for.

91 **Declarations of Interest under the Code of Conduct (00-11-31)**

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

Councillor R L Stanley asked for his interest as a director of 3 Rivers regarding the Public Question (above) to be noted.

92 **Minutes (00-12-39)**

The minutes of the meeting held on 27 October 2021 were agreed as a correct record and signed by the Chairman.

93 **Chairman's Announcements (00-13-08)**

The Chairman had the following announcements to make:

- He had attended the Armistice Service on 11 November in Phoenix Lane on behalf of the Council
- He had also attended the Remembrance Service in Tiverton on Sunday 14 November and laid a wreath on behalf of the Council
- The Vice Chairman had attended the Teignbridge Civic Service on his behalf.

94 **Petitions (00-14-03)**

There were no petitions presented.

95 **Notices of Motions (00-14-14)**

1. **MOTION 577 (COUNCILLOR A WILCE – 16 NOVEMBER 2021)**

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

A Motion to improve public accountability and to address the inequality of rights of Members of the Council, when compared to members of the public.

This Council resolves that:

When an enquiry is made by a Member at any formal meeting (verbally, or in writing) and a substantive answer is not given at that meeting, a written response shall be sent to the enquiring member within 10 days.

Wherever possible, any written questions submitted in the absence of the Member shall be submitted in advance of the meeting, but a failure to do so will not invalidate that enquiry.

A copy of the question(s) and answer(s) will be circulated to members of the committee (or Full Council) and will also be attached to the minutes.

The **MOTION** was **MOVED** by Councillor A Wilce and seconded by Councillor B G J Warren.

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that the **MOTION STAND REFERRED** to the Standards Committee for consideration.

96 **Cabinet - Report of the meeting held on 26 October 2021 (00-15-23)**

The Leader presented the report of the meeting of the Cabinet held on 26 October 2021.

97 **Cabinet - Report of the meeting held on 30 November 2021 (00-16-09)**

The Leader presented the report of the meeting of the Cabinet held on 30 November 2021.

1. **Staff Recognition and Wellbeing Appreciation (Minute 100)**

The Leader **MOVED**, seconded by Councillor B A Moore:

THAT the recommendations of the Cabinet as set out in Minute 100 be **APPROVED**

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

Reason for the Decision – Due to the impact of the pandemic, there was a need to show appreciation of the issues that officers have faced and mitigate any risk to the organisation with regard to staffing, recruitment and retention.

2. **Phase 3 Public Sector Decarbonisation bid and delegation of authority (Minute 101)**

The Leader **MOVED**, seconded by Councillor C R Slade:

THAT the recommendations of the Cabinet as set out in Minute 101 be **APPROVED**

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

Reason for the Decision – To approve this latest opportunity for funding which would allow the various projects to be undertaken.

3. **Mid Year – Treasury Management Update (Minute 106)**

The Leader **MOVED**, seconded by Councillor R B Evans:

THAT the recommendations of the Cabinet as set out in Minute 106 be **APPROVED**

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

Reason for the Decision – Approval of the treasury management is in line with CIPFA guidance

4. Schedule of meetings for 2022/23 (Minute 109)

The Leader **MOVED**, seconded by Councillor D J Knowles:

THAT the recommendation of the Cabinet as set out in Minute 109 be **APPROVED**

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

Reason for the Decision – there was a need for Council to approve the schedule of meetings.

98 Scrutiny Committee - Report of the meeting held on 8 November 2021 (00-23-41)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 8 November 2021.

99 Audit Committee - Report of the meeting held on 16 November 2021 (00-24-43)

The Vice Chairman of the Audit Committee presented the report of the meeting of the Committee held on 16 November 2021.

100 Environment Policy Development Group - Report of the meeting held on 2 November 2021 (00-25-33)

Councillor B G J Warren presented the report of the meeting of the Group held on 2 November 2021.

101 Homes Policy Development Group - Report of the meeting held on 9 November 2021 (00-26-21)

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Group held on 9 November 2021.

102 Economy Policy Development Group - Report of the meeting held on 4 November 2021 (00-27-26)

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 4 November 2021.

103 **Community Policy Development Group - Report of the meeting held on 16 November 2021 (00-28-05)**

The Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 16 November 2021.

104 **Planning Committee - Report of the meeting held on 3 November 2021 (00-29-00)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 3 November 2021.

105 **Planning Committee - Report of the meeting held on 1 December 2021 (00-30-05)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 1 December 2021.

106 **Licensing Committee - report of the meeting held on 3 December 2021 (00-31-09)**

The Vice Chairman of the Licensing Committee presented the report of the meeting of the Committee held on 3 December 2021.

1. **Statement of Principles under the Gambling Act 2005 (Minute 13)**

The Vice Chairman of the Licensing Committee **MOVED**, seconded by Councillor D R Coren:

THAT the recommendation of the Committee as set out in Minute 13 (subject to amendments as set out in the minute) be **APPROVED**

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

Reason for the Decision – A Review of the Statement of Principles was required to set out how the Council would carry out its duties under the Gambling Act.

107 **Regulatory Committee - Report of the meeting held on 3 December 2021 (00-34-26)**

The Vice Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 3 December 2021.

108 **Electoral Review Committee - Report of the meeting held on 9 November 2021 (00-35-01)**

The Vice Chairman of the Electoral Review Committee presented the report of the meeting of the Committee held on 9 November 2021.

1. Terms of Reference (Minute 5)

The Vice Chairman of the Electoral Review Committee **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendations of the Committee as set out in Minute 5 be **APPROVED**

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

Reason for the Decision – Section 81 of the Local Government and Public Involvement in Health Act 2007 provides that it is for the Council to decide the terms of reference of any community governance review.

109 Questions in accordance with Procedure Rule 13 (00-36-06)

There were no questions submitted under Procedure Rule 13.2.

110 Independent Remuneration Panel Report (00-36-18)

The Council had before it a report of the District Solicitor setting out the recommended Members' Scheme of Allowances for 1 April 2022 to 31 March 2023.

The District Solicitor outlined the contents of the report of the Independent Remuneration Panel updating the existing allowances scheme and the inclusion of a new parental leave policy to be included within the scheme.

The Chairman **MOVED** that: the Members Allowances Scheme as set out in Appendix 2 in the report be adopted for the period 1 April 2022 to 31 March 2023.

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

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

111 Special Urgency Decisions (00-37-43)

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

112 Questions to Cabinet Members (00-38-03)

Councillor B Holdman addressing the Cabinet Member for Finance raised issues with regard to parking meters not working within the car parks in Tiverton, although some of the issues had been addressed, there were still 2 or 3 meters that were not working properly.

The Cabinet Member stated that he thought the issues had been resolved, however he requested details and stated that he would report back to the member.

Councillor B Holdman addressing the Cabinet Member for Community Well-Being asked for an update on the reopening of Tiverton Police Station to the public.

The Cabinet Member stated that renovation was taking place and he thought it would hopefully be opened in January.

Councillor F W Letch addressing the Cabinet Member for Planning and Economic Regeneration referred to planning application 21/01379/FULL and the fact that a decision had been made by a planning officer without any consultation with the Town Council or the Ward members. He asked if the Cabinet Member could investigate the matter of how the decision was made without any consultation and that a written response be supplied so that it could be circulated to the Town council and local residents.

The Cabinet Member stated that he had spoken to officers and could confirm that correspondence was sent to the Town Council on 14 July 2021, however something had gone wrong, he would investigate the matter with the Director of Place and respond to the member in writing.

Councillor A Wilce addressing the Cabinet Member for Finance stated that: We have seen different sets of figures presented at different meetings. Scrutiny was given inaccurate information upon which to base their scrutiny of the 3 Rivers Business Case. Audit Committee were given altogether different figures as the basis for their discussions. When the matter went to Cabinet, Scrutiny and Audit recommendations were taken together - despite those committees having considered different figures.

The table given to Audit was not merely a correction of the table given to Scrutiny, but a wholly new table. Despite the column headings being the same, the new table contained 21 changes and put the Total Borrowing Figure at only £11.23 Million - that is more than £9.5 Million less than reality.

It is not enough to say that the figures will be audited, Members and the public need to be given confidence back in our accounting and reporting. And, just because Cabinet eventually signed off on a - hopefully correct - set of figures in the end, doesn't mean that everything is well.

The attitude of many towards the Council's commitment to 3 Rivers, and the inconsistency in the 2020/21 Interest Received figures, has resulted in a member of the public questioning the accuracy of MDDC accounting, which Scrutiny has not been able to resolve, and which do not appear to be being addressed elsewhere.

Members cannot make proper decisions if they are not presented with proper information.

So, my question to you is: What will be done to ensure that both Members and the public can have full confidence in the figures being presented to us, regarding 3RDL, going forward?

The Cabinet Member stated that he would respond in writing, however the difference in figures was explainable, the figures were background figures and that it was the Business Plan that was being considered.

113 Members' Business (00-47-26)

Councillor J M Downes referred to the reopening of the Okehampton rail service, and the 2 hourly service calling at Crediton, he wanted to congratulate all those involved in the project, the speedy use of the funding and the reopening of the station that had taken place within a year.

Councillor A Wilce referred to his recent meeting with the local police Superintendent and questioned whether Tiverton Police Station would be open to the public during the day and requested that the Cabinet Member for Community Well-Being seek clarification.

(The meeting ended at 6.52 pm)

CHAIRMAN