

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 23 February 2022 at 6.00 pm

Present

Councillors

R F Radford (Chairman)
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,
C J Eginton, R Evans, Mrs S Griggs,
D J Knowles, F W Letch, Mrs E J Lloyd,
B A Moore, S J Penny, D F Pugsley,
C R Slade, Mrs M E Squires, R L Stanley,
L D Taylor, B G J Warren, A White, A Wilce
and A Wyer

Apologies

Councillors

G Barnell, B Holdman, Miss J Norton,
Mrs N Woollatt and J Wright

114 Apologies (00-08-03)

Apologies were received from Councillors: G Barnell, B Holdman, Miss J Norton Mrs N Woollatt and J Wright.

115 Public Question Time (00-08-24)

There were no questions from members of the public present.

116 Declarations of Interest under the Code of Conduct (00-08-42)

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

117 Minutes (00-08-54)

The minutes of the meeting held on 15 December 2021 were agreed as a correct record and signed by the Chairman.

118 Chairman's Announcements (00-09-20)

The Chairman had the following announcements to make:

- He had not attended any civic events since the previous meeting.
- He paid tribute to Councillor Mrs Andrews who had recently resigned stating that she was well respected, well liked and would be missed.

119 **Petitions (00-10-46)**

There were no petitions presented.

120 **Notices of Motions**

1. **MOTION 578 (COUNCILLOR MRS E LLOYD – 9 FEBRUARY 2022)**

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

Mid Devon District Council:

(i) recognises that the cost of living is going up for many people, including through an increase in the cost of energy, and that the Council has a role to play in supporting the current and future resilience of its communities;

(ii) acknowledges the efforts that this council is making to reduce greenhouse gas emissions and promote renewable energy;

(iii) recognises that councils can play a central role in creating sustainable communities, particularly through the provision of locally generated renewable electricity;

(iv) further recognises

- that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,
- that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, and
- that revenues received by councils that became local renewable electricity providers could be used to help fund local greenhouse gas emissions reduction measures and to help improve local services and facilities;

(v) accordingly resolves to support the Local Electricity Bill which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply; and

(vi) further resolves to

- inform the local media of this decision,
- write to local MPs, asking them to support the Bill, and
- write to the organisers of the campaign for the Bill, Power for People, (at 8 Delancey Passage, Camden, London NW1 7NN or info@powerforpeople.org.uk) expressing its support.

The **MOTION** was **MOVED** by Councillor Mrs E Lloyd and seconded by Councillor B G J Warren

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that this Motion be dealt with at this meeting.

Consideration was given to:

- How the Council could support the community and other Local Authorities to generate and sell energy locally
- A report would be coming to the Environment Policy Development Group in March regarding the electrical distribution network capacity for increased renewable energy

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

121 **Cabinet - Report of the meeting held on 4 January 2022 (00-15-42)**

The Leader presented the report of the meeting of the Cabinet held on 4 January 2022

1. **The Cullompton Conservation Area Management Plan (Minute 121)**

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

THAT the recommendations of the Cabinet as set out in Minute 121 be **ADOPTED**.

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

Reason for the Decision – there is a need for the Conservation Area Management Plan to be adopted

2. **Tax Base Calculation (Minute 123)**

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

THAT the recommendations of the Cabinet as set out in Minute 123 be **ADOPTED**.

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

Reason for the Decision – Mid Devon District Council is a Statutory Billing Authority and must set its Council Tax each year

122 **Cabinet - Report of the meeting held on 1 February 2022 (00-18-40)**

The Leader presented the report of the meeting of the Cabinet held on 1 February 2022

(1) National Non-Domestic Rates (Minute 141)

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

THAT the recommendations of the Cabinet as set out in Minute 141 be **ADOPTED**.

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

Reason for the Decision – This is a statutory function and is a legal requirement. The Council must set its budget annually on the tax base and the NNDR1 projected values.

(2) Capital Strategy (Minute 143)

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

THAT the recommendation of the Cabinet as set out in Minute 143 be **ADOPTED**.

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

Reason for Decision – The strategy sets out the use of capital for priorities within the Corporate Plan

(3) Treasury Management Strategy (Minute 144)

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

THAT the recommendation of the Cabinet as set out in Minute 144 be **ADOPTED**.

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

Reason for Decision – Council approves the Treasury Management Strategy in line with CIPFA guidance

(4) Capital Programme (Minute 145)

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

THAT the recommendation of the Cabinet as set out in Minute 145 be **ADOPTED**.

The Chairman **MOVED** in accordance with Procedure Rule 19.7:

“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**: Councillors: J Bartlett, 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, C J Eginton, R B Evans, Mrs S Griggs, P J Heal, D J Knowles, B A Moore, S Pugh, D F Pugsley, R F Radford, C R Slade, Mrs E J Slade, Mrs M E Squires and R L Stanley.

Those voting **AGAINST** the **MOTION**: Councillors: L J Cruwys, F W Letch, Mrs E Lloyd, L D Taylor, A Wilce and A Wyer.

Those **ABSTAINING** from voting: Councillors: J Cairney, S J Clist, R J Dolley, J M Downes, S J Penny, B G J Warren and A White.

The **MOTION** was declared to have been **CARRIED**.

Reason for Decision – There is a need for the Council to set the Capital Programme.

(5) Budget (Minute 146)

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

THAT the recommendations of the Cabinet as set out in Minute 146 be **ADOPTED**.

The Chairman **MOVED** in accordance with Procedure Rule 19.7:

“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**: Councillors: J Bartlett, 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, C J Eginton, R B Evans, Mrs S Griggs, P J Heal, D J Knowles, B A Moore, S J Penny, S Pugh, D F Pugsley, R F Radford, C R Slade, Mrs E J Slade, Mrs M E Squires and R L Stanley.

Those voting **AGAINST** the **MOTION**: Councillors: J Cairney, S J Clist, L J Cruwys, F W Letch, Mrs E Lloyd, L D Taylor and A Wyer.

Those **ABSTAINING** from voting: Councillors: R J Dolley, J M Downes, B G J Warren, A White and A Wilce.

The **MOTION** was declared to have been **CARRIED**.

Reason for Decision – There is a need for the Council to set a balanced budget.

(6) Policy Framework (Minute 147)

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

THAT the recommendation of the Cabinet as set out in Minute 147 be **ADOPTED**.

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

Reason for Decision – the Constitution states that the Policy Framework must be approved annually by Council.

(7) Pay Policy (Minute 148)

The Leader **MOVED**, seconded by Councillor Mrs C P Daw:

THAT the recommendation of the Cabinet as set out in Minute 148 be **ADOPTED**.

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

Reason for Decision – there is a need for Council to agree the pay policy annually, therefore complying with legislative requirements.

8) Establishment (Minute 149)

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

THAT the recommendation of the Cabinet as set out in Minute 149 be **ADOPTED**.

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

Reason for Decision – the Council receive a report on the Establishment on an annual basis.

123 Council Tax Resolution 2022/2023 (00-31-04)

The Council had before it a *report of the Deputy Chief Executive setting the Council Tax for 2022/23.

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

“**THAT** the Council Tax for 2022/23 be increased by 2.34% being £218.84 (in accordance with the revised referendum limit ability of 2% or £5 per Band D property)”

With regard to the draft Council Tax resolution in respect of the year 2022/23:

The Chairman then **MOVED** in accordance with Procedure Rule 19.7:

“**THAT** the vote in respect of this item shall be by Roll Call”

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

Those voting **FOR** the **MOTION**: Councillors: J Bartlett, E J Berry, W Burke, J Cairney, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, R M Deed, J M Downes, C J Eginton, R Evans, Mrs S Griggs, P J Heal, D J Knowles, F W Letch, Mrs E Lloyd, B A Moore, S J Penny, S Pugh, D F Pugsley, R F Radford, C R Slade, Mrs E J Slade, Mrs M E Squires, R L Stanley, B G J Warren and A Wilce.

Those **ABSTAINING** from voting: Councillors: S J Clist, L J Cruwys, R J Dolley, L D Taylor, A White and A Wyer

The **MOTION** was declared to have been **CARRIED** and it was accordingly:-

RESOLVED that the recommendations within the report be approved.

Reason for Decision - there is a need for the Council to set the Council Tax for 2022/23

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

124 **Scrutiny Committee - report of the meeting held on 13 December 2021 (00-37-26)**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 13 December 2021.

125 **Scrutiny Committee - Report of the meeting held on 17 January 2022 (00-37-58)**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 17 January 2022.

126 **Scrutiny Committee - Report of the meeting held on 14 February 2022 (00-38-37)**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 14 February 2022.

127 **Audit Committee - Report of the meeting held on 25 January 2022**

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 25 January 2022.

1. **Arrangements for the Appointment of External Auditors from 2023/2024 (Minute 62)**

The Chairman of the Committee **MOVED** seconded by Councillor B A Moore:

THAT the recommendation of the Audit Committee as set out in Minute 62 be **ADOPTED**.

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

Reason for the Decision – to comply with the Local Audit and Accountability Act 2014

(2) Review and Revision of the Financial Regulations (Minute 63)

The Chairman of the Audit Committee **MOVED** seconded by Councillor B A Moore:

THAT the recommendation of the Audit Committee as set out in Minute 63 be **ADOPTED**.

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

Reason for the Decision – There is a need for the Council to approve the Financial Regulations.

128 **Environment Policy Development Group - Report of the meeting held on 11 January 2022 (00-42-45)**

The Vice Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 11 January 2022.

129 Homes Policy Development Group - report of the meeting held on 18 January 2022 (00-43-30)

The Chairman of the Homes Policy Development Group presented the report of the meeting held on 18 January 2022.

130 Economy Policy Development Group - Report of the meeting held on 13 January 2022 (00-44-33)

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 13 January 2022.

131 Community Policy Development Group - Report of the meeting held on 25 January 2022 (00-46-36)

The Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 25 January 2022.

132 Planning Committee - Report of the meeting held on 5 January 2022 (00-48-19)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 5 January 2022.

133 Planning Committee - Report of the meeting held on 19 January 2022 (00-49-00)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 19 January 2022.

134 Planning Committee - Report of the meeting held on 2 February 2022 (00-49-30)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 2 February 2022.

135 Standards Committee - Report of the meeting held on 9 February 2022 (00-50-18)

The Chairman of the Standards Committee presented the report of the meeting of the Committee held on 9 February 2022.

136 Questions in accordance with Procedure Rule 13 (00-51-10)

There were no questions submitted under Procedure Rule 13.2.

137 Appointment to Committees and other Internal Bodies (00-51-22)

The Council had before it a *table setting out the proposed allocation of seats on Committees.

Arising thereon:-

Appointment of Committees and Policy Development Groups,

The District Solicitor/Monitoring Officer informed the meeting that due to the changes within political groups there had been a need to redistribute the percentage of seats across the Council. Following discussions with Group Leaders, 3 seats were left to be filled, to give one additional seat to the Conservative Group and two additional seats to the Non-Aligned Group.

The Group Leaders were invited to address the meeting.

Consideration was given to the allocation of the seats by percentage

Councillor R B Evans **MOVED**, seconded by Councillor R J Chesterton that:

- (a) The Council approve the allocation of seats on Committees as shown on the schedule, with the seat on the Scrutiny Committee to be taken by the Conservative Group and the two remaining seats on the Homes Policy Development Group and the Community Policy Group be taken by the Non Aligned Group.

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

Notes:

- i) Councillor S J Clist requested that his vote against the decision be recorded;
- ii) Councillors J Cairney, J M Downes and L D Taylor requested that their abstention from voting be recorded.

The Leader **MOVED**, seconded by Councillor R J Dolley that:

- (b) 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.

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

Note: Councillors S J Clist and L J Cruwys requested that their abstention from voting be recorded.

*Table previously circulated, copy attached to minutes.

138 **Special Urgency Decisions (1-17-18)**

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

139 Questions to Cabinet Members (1-17-28)

Councillor B A Moore informed the meeting that he had received some questions from Councillor G Barnell who was unable to attend the meeting, he would provide a written response to the Member.

Councillor J M Downes addressing the Leader asked that a card and flowers be sent to Mrs Eileen Andrews. The Leader responded stating that he agreed and that it would be progressed.

Councillor A White addressing the Cabinet Member for Environment and Climate Change stated that the residents of Upper Yeo were perplexed to read an article in Devon Live in that the Mid Devon Conservatives had called for the 3 weekly bin collection ideas to be scrapped – did the Cabinet Member agree?

The Cabinet Member responded stating that this was old news, when things were very different in the Council, there had been some Conservatives against the idea, but that was then and this is now. An in-depth trial had taken place and the matter had been discussed by the Environment Policy Development Group and the recommendation ratified by the Cabinet. Therefore he didn't agree and that the project would be moving forward subject to the details of the resolution of the Cabinet.

Councillor A White addressing the Cabinet Member for Housing and Property Services stated that the residents of Upper Yeo were perplexed to find a petition to stop MDDC reducing the refuse collection service, this petition called on MDDC to rule out changes to the frequency of refuse collections, did Councillor Evans agree with the petition of the Mid Devon Conservative Group and if not why had he changed his mind?

The Cabinet Member responded asking the Member to look at the date of the petition. The petition had not explained the benefits and finances of the scheme, all that was now understood and the trial had taken place.

Councillor A White addressing the Cabinet Member for Planning and Economic Regeneration highlighted a press release stating that Councillor Chesterton was against the change to waste collection frequency, was the Councillor still seeking support?

The Cabinet Member responded stating that he did vote against the trial and voiced concerns at the Cabinet meeting, but that the information and data was now available, he had made his thoughts known that he would like a weekly recycling collection in the long run.

Councillor A White addressing the Cabinet Member for Finance stated that residents of Upper Yeo were concerned to see potential reports that leisure centres would be closing in Mid Devon and could he rule out closing any leisure centres in the future and if not which one would he be closing?

The Cabinet Member responded stating that this was not within his portfolio, but that he was a regular user of the leisure centres and would encourage all members to attend.

The Cabinet Member for Community Well-Being stated that there had been no indication of this at recent meetings he had held with the Leisure Centre Manager.

Councillor S J Clist addressing the Cabinet Member for Housing and Property Services asked whether now was the right time to increase council house rent by CPI plus 1% thus 4.1%?

The Cabinet Member stated that the Council had just voted for this, therefore his answer was yes.

140 **Members Business (1-25-06)**

Five members separately raised questions or provided statements, between them covering the State of the District Debate and encouraging attendance, the Chairman's Civic Service to be held in Hemyock and requesting that the Chairman return to Cruwys Morchard the following year, whether Mrs Andrews should be given the honour of Honorary Alderman, respect for officers and one his political group matters, the latter of which the Chairman ruled was not within the scope of Members Business.

(The meeting ended at 7.34 pm)

CHAIRMAN