

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 6 July 2022 at 6.00 pm

Present

Councillors

R F Radford (Chairman)
G Barnell, J Bartlett, E J Berry, W Burke,
R J Chesterton, S J Clist, 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, P J Heal,
B Holdman, D J Knowles, F W Letch,
B A Moore, Miss J Norton, S J Penny,
S Pugh, Mrs E J Slade, C R Slade,
R L Stanley, L D Taylor, B G J Warren and
J Wright

Apologies

Councillors

J Cairney, Mrs E J Lloyd, D F Pugsley,
Mrs M E Squires, A White, Mrs N Woollatt
and A Wyer

Also in attendance

Councillor:

Mrs F J Colthorpe

13 Apologies (00-05-34)

Apologies were received from Councillors: J Cairney, Mrs E Lloyd, D F Pugsley, Mrs M E Squires, A White, Mrs N Woollatt and A Wyer.

14 Public Question Time (00-06-05)

There were no questions from members of public attending the meeting.

15 Declarations of Interest under the Code of Conduct (00-06-18)

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

16 Minutes (00-06-30)

The minutes of the annual meeting held on 11 May 2022 were agreed as a correct record and signed by the Chairman.

The minutes of the extraordinary meeting held on 11 May 2022 were agreed as a correct record and signed by the Chairman.

17 Chairman's Announcements (00-07-56)

The Chairman had the following announcements to make:

- He had met with Honorary Alderman Mrs Eileen Andrews and presented her with the Honorary Alderman Scroll. She had been delighted to receive the honour.
- The Vice Chairman had attended two jubilee events on his behalf, representing the Council at Exeter Cathedral and at Taunton Minster.
- He had attended the High Sheriff's garden party on Sunday 26 June to support his various charities.
- He would be attending the Lammas Fair in Exeter the following day.

18 Petitions (00-09-47)

There were no petitions presented.

19 Notices of Motions (00-09-55)

No Notices of Motion had been received.

20 Cabinet - Report of the meeting held on 17 May 2022 (00-10-26)

The Leader presented the report of the meeting of the Cabinet held on 17 May 2022.

21 Cabinet - Report of the meeting held on 28 June 2022 (00-11-02)

The Leader presented the report of the meeting of the Cabinet held on 28 June 2022.

1. Annual Treasury Management Report (Minute 18)

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

THAT the recommendations of the Cabinet as set out in Minute 18 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 Annual Treasury Management Report to be approved by Council in line with CIPFA guidance.

22 Scrutiny Committee - Report of the meeting held on 30 May 2022 (00-12-54)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 30 May 2022.

23 Audit Committee - Report of the meeting held on 7 June 2022 (00-14-32)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 7 June 2022.

24 Environment Policy Development Group - Report of the meeting held on 24 May 2022 (00-15-11)

The Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 24 May 2022.

25 **Homes Policy Development Group - Report of the meeting held on 31 May 2022 (00-15-54)**

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Group held on 31 May 2022.

26 **Economy Policy Development Group - Report of the meeting held on 26 May 2022 (00-16-46)**

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 26 May 2022.

27 **Community Policy Development Group - Report of the meeting held on 7 June 2022 (00-17-31)**

The Vice Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 7 June 2022.

28 **Planning Committee - Report of the Meeting held on 18 May 2022 (00-18-22)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 18 May 2022.

29 **Planning Committee - Report of the meeting held on 29 June 2022 (00-19-03)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 29 June 2022.

30 **Community Governance Review (00-20-10)**

The Council had before it a *report of the Returning Officer (Director of Business Improvement and Operations) in respect of the recommended proposals for consideration for the second consultation stage and seeking approval of a modified Terms of Reference for the Committee.

The officer outlined the contents of the report explaining the process of the review to date, the outcome of the initial consultation, the recommendations that had been proposed by the Electoral Review Committee and the request to amend the Terms of Reference of the Committee to allow it to consider the possibility of merging some parish councils which had been highlighted during the first consultation.

The Chairman of the Electoral Review Committee emphasised that the recommendations within the report would form part of the second public consultation process.

Councillor L D Taylor **MOVED**, seconded by Councillor C R Slade that:

A second public consultation take place on the review of parish boundaries as proposed in appendices 1a and 1b of the report subject to:

- a) The detail of submission 33 [Mid Devon District Council CGR First Stage Consultation](#) submitted by Hittisleigh Parish Council be agreed.
- b) The following options for Halberton, Willand and Uffculme form part of the stage 2 public consultation:
- Option 1** – Lucombe Park move from Halberton to Uffculme and the Mid Devon Business Park move from Halberton to Willand.
- Option 2** – Option 1 (as set out above) together with the area north east of Bridwell Avenue be moved from Halberton to Uffculme.
- Option 3** – Options 1 and 2 (as set out above) together with Hitchcocks and Langlands Business Parks moving from Halberton to Uffculme.
- c) The number of Parish Councillors remain as set out in appendix 2 subject to the following amendments which would form part of the stage 2 public consultation:
- i) Bradninch (Rural Ward) be reduced to 1 from 2
 - ii) Bradninch (Town Ward) be increased from 10 to 11
 - iii) Burlescombe be reduced from 9 to 7
 - iv) Cheriton Fitzpaine be reduced from 9 to 8
 - v) Colebrooke be reduced from 9 to 7
 - vi) Coplestone be increased from 7 to 9
 - vii) Crediton Hamlets (Yeoford Ward) be increased from 5 to 7
 - viii) Silverton (North Ward) be reduced from 2 to 1
 - ix) Silverton (Village Ward) be increased from 9 to 10
 - x) Willand be increased from 11 to 12
- d) The modified Terms of Reference be approved relating for the purpose of consideration of any submissions received arising from the second consultation period as set out in appendix 3.

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

Reason for the decision – Council approval is required for the second round of public consultation and any amendment to the Terms of Reference of the Electoral Review Committee.

Note: * Report previously circulated, copy attached to minutes

31 **Questions in accordance with Procedure Rule 13 (00-25-13)**

There were no questions submitted under Procedure Rule 13.2.

32 **Special Urgency Decisions (00-25-20)**

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.

33 **Outside Body Appointment (00-25-27)**

The Council were requested to consider appointing 2 members to the Tiverton Town Centre CCTV System Working Group.

The Leader **MOVED**, seconded by Councillor C R Slade that Councillor D J Knowles be nominated for the role.

Councillor D J Knowles **MOVED**, seconded by Councillor W Burke that Councillor Mrs C P Daw be nominated for the role.

Councillor L D Taylor **MOVED**, seconded by Councillor J M Downes that Councillor L J Cruwys be nominated for the role.

Upon a vote being taken, it was:

RESOLVED that Councillors: Mrs C P Daw and D J Knowles be appointed to the Tiverton Town Centre CCTV System Working Group.

34 **Questions to Cabinet Members (00-33-11)**

Councillor J M Downes addressing the Leader asked how and when the Member Services Manager would be replaced.

The Leader responded stating that other team members would continue the work in the short term and that a replacement appointment would be made.

Councillor F W Letch addressing the Cabinet Member for Housing and Property Services referred to an empty council property in Crediton which had been vacated in November and was still empty. He had spoken to officers who had explained the current staff shortage and the number of voids that required attention.

The Cabinet Member responded that an email had been sent to Members that morning outlining a proposed review of the process around voids, he would add this property to his list along with other information received from Members and that this would form the basis for the review.

Councillor F W Letch then addressed the Cabinet Member for the Environment and Climate Change stating that the bottle bank at Tesco in Crediton had been removed and that the one at Morrisons was becoming over full and asked who was responsible for the recycling at Morrisons.

The Cabinet Member stated that he was aware that Tesco had discontinued its bottle bank, the Council was responsible for the recycling banks at Morrisons and the situation was being monitored, additional receptacles had now been added to the site.

Councillor Letch followed this up with another question to the Cabinet Member with regard to weeds on pavements in Crediton and asked who was responsible and what services did the Council's street-scene service provide?

The Cabinet Member stated that the street-scene service dealt with litter, fly tipping and public open space. Pavements (and weeds) were the responsibility of the Highway Authority.

Cllr B G J Warren addressing the Leader asked - Are you aware that Transparency International UK wrote a report entitled 'Corruption in UK Local Government – The Mounting Risks.

On Page 43 of the report is a paragraph which reads: Council leaders have considerable patronage power, which can facilitate corruption. They are able to appoint the members of their Cabinet and award chairmanships – all roles which bring financial gain for the recipients in the form of 'special responsibility allowances'. This may lead to situations where councillors are unwilling to challenge a leader because they fear losing one of these roles, or where they feel obliged to provide informal favours, such as offering information or turning a blind eye to misconduct.

Since the 2019 election two additional Cabinet posts have been created, seven Cabinet members have been removed from their portfolios and replaced by other members and two changes of Chairman of Scrutiny Committee have been instigated.

What assurance can the Leader give to the residents who are administered by Mid Devon District Council that there is no risk of potential corruption as identified in the report.

The Leader responded stating that this did not apply to Mid Devon District Council, the selection of Cabinet Members had been based on availability and suitability for the post. Cabinet responsibilities had been selected on the best possible talent at his disposal and that the Leader did not have any control of the election of committee chairmen or the Chairman of the Scrutiny Committee.

Councillor B G J Warren addressing the Cabinet Member for Planning and Economic Regeneration stated that: On 5 June 2022 I sent you an email with an accompanying document concerning a Planning Officer response to an outside body which contained responses which were not fully open and transparent. In the document I asked 7 questions to clarify certain matters.

I received no written acknowledgement from you although when we met a few days later I asked if you had received it and you confirmed that you had and had passed it to an officer.

I am aware that an officer is looking into it as the officer has told me but I have not received any answers to date which is now a month later.

I sent you a polite reminder and further information on 25 June 2022 and asked for an acknowledgement of receipt but to date have received none.

Is there an arrangement between certain Cabinet Members and Officers not to respond to questions raised by certain members?

When am I going to get an answer to my questions of 5 June 2022 please?

The Cabinet Member responded stating that he had been chasing this up, but he had been ill with Covid and meetings had had to be postponed, he would now continue to follow this up.

Councillor G Barnell addressing the Cabinet Member for Housing and Property Services requested that Members should have a briefing on homes for those from Ukraine, staffing issues and support for host families, there were issues in that some host families were unable to continue providing accommodation and the likely impact of this on Council resources, could a briefing be arranged?

The Cabinet Member responded stating that he would follow this up with officers.

Councillor L J Cruwys addressing the Leader referred to the recent parliamentary by-election and the way in which the event had been superbly run and asked that the Council's appreciation be shared with the Returning Officer and her team.

The Leader stated that it had been a magnificent effort and he would be happy to speak with the Returning Officer.

35 Members Business (00-52-21)

The Leader paid tribute to the Member Services Manager who would be leaving the authority at the end of the week.

(The meeting ended at 6.56 pm)

CHAIRMAN