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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 14 December 2022 at 6.00 pm

Present

Councillors

R F Radford (Chairman)
J Bartlett, E J Berry, J Buczkowski, W Burke, R J Chesterton,
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,
P J Heal, B Holdman, D J Knowles, F W Letch, Mrs E J Lloyd,
Miss J Norton, S J Penny, S Pugh, Mrs E J Slade, C R Slade,
Mrs M E Squires, L D Taylor, B G J Warren and A White

Apologies

Councillors

J Cairney, B A Moore, D F Pugsley, R L Stanley, Mrs N Woollatt,
J Wright and A Wyr

94 **Apologies**

Apologies were received from Councillors J Cairney, B A Moore, D F Pugsley, R L Stanley, Mrs N Woollatt, J Wright and A Wyr.

95 **Public Question Time**

Ian Johnson asked:

1. It was unfortunate that there was a small error in the number of Conservation Areas in the Parish in the published Plan. This was a typographical error and is easily corrected. Can it be confirmed that this has no impact of the Adoption of The Plan and does not affect the implementation of its policies, not as reported in the Cabinet minutes?
2. On a member's comment at the Cabinet meeting that the publicity could have been better, please confirm that this was about MDDC's communications, not those generated by The Plan Team, noting that we put in huge efforts, spent £1,000s on our Communications Plan, and used many local networks to get the message out?
3. The Referendum turnout may have been small, but that is always the way with local polls that are not coincident with other polls, such as district and county ones. Cullompton and others had the advantage of their Referendums in 2021 being at the same time as District elections last year, all postponed by the pandemic. Can the Council confirm that that factor was not taken into account when the comments about turnout were made?

Finally, we wish to record our thanks to the Forward Planning Team for their guidance and support throughout the four years.

In response to the questions asked the Portfolio Holder for Planning and Economic Regeneration stated:

Answer to question 1:

It is noted that this was a small error and it does not detract from the achievement of the Neighbourhood Plan group in achieving this significant milestone. The factual error does not affect the policies of the Neighbourhood Plan or the adoption of the plan, and where the Neighbourhood Plan Policy T5: 'Design of Development' refers to 'conservation areas' this will apply to all 9 conservation areas in the parish.

Answer to question 2:

I believe that it may have been a reference to Mid Devon District Council's communications, but I can confirm that the Local Authority is restricted in terms of what it is allowed and able to do in terms of supporting communications around neighbourhood plans. In this case, as with other neighbourhood plans, Mid Devon District Council did undertake considerable communications to support the process – including issue press releases and contacting people who had previously made representations about the plan at the submission stage. Mid Devon District Council is aware of the considerable efforts of the Tiverton Neighbourhood Plan Team in terms of supporting communication activity throughout the lifetime of the project.

Answer to question 3:

I agree that the referendum turnouts for the neighbourhood plans are often lower than for other types of election or where other elections do not take place at the same time. The turnout – 12.3% - is also not significantly different from other referendums elsewhere in the country in the recent past – for example, I know that recent neighbourhood plan referendums in Henley, Oxfordshire and Harleston, Norfolk achieved 15.3% and 16.4% turnout respectively. I would therefore reiterate and acknowledge the significant achievement of the Neighbourhood Plan Team in reaching the milestone of adoption of the plan.

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

None declared, Members were reminded of the need to declare any interests when appropriate.

97 **Minutes**

The minutes of the Full Council meeting held on 26 October 2022 and the minutes of the Extraordinary Council Meeting held on 1 December 2022 were agreed as a correct record and **SIGNED** by the Chairman.

98 **Chairman's Announcements**

The Chairman had attended the Armistice Day service and Remembrance Sunday Service in Tiverton.

The Chairman encouraged Members to complete the Member Induction Survey.

99 **Petitions**

There were no petitions presented.

100 Notices of Motions

There were none.

101 CABINET - REPORT OF THE MEETING HELD ON 1 NOVEMBER 2022

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

102 CABINET - REPORT OF THE MEETING HELD ON 29 NOVEMBER 2022

The Leader presented the report of the meeting of the Cabinet held on 29 November 2022.

1. Mid Year Treasury Management Report (minute 92)

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

THAT the recommendations of the Cabinet as set out in Minute 92 be **ADOPTED**

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

Reason for the Decision – As stated in the report.

2. NW Cullompton Masterplan SPD (Minute 93)

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

THAT the recommendations of the Cabinet as set out in Minute 93 be **ADOPTED**

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

Reason for the Decision – As stated in the report.

3. Tiverton Neighbourhood Plan – Decision To Adopt (subject to referendum result) (Minute 94)

The Leader **MOVED**, seconded by Councillor L Cruwys

- Those that were part of the Neighbourhood Plan Team were thanked for their contributions to this project.

THAT the recommendations of the Cabinet as set out in Minute 94 be **ADOPTED**

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

Reason for the Decision – As stated in the report.

4. HRA CCTV Policy (Minute 98)

The Leader **MOVED**, seconded by Councillor C Daw

THAT the recommendations of the Cabinet as set out in Minute 98 be **ADOPTED**

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

Reason for the Decision – As stated in the report.

103 **SCRUTINY COMMITTEE - REPORT OF THE MEETING HELD ON 21 NOVEMBER 2022**

The Vice Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 21 November 2022.

104 **SCRUTINY COMMITTEE - REPORT OF THE MEETING HELD ON 12 DECEMBER 2022**

The Vice Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 12 December 2022.

105 **AUDIT COMMITTEE - REPORT OF THE MEETING HELD ON 22 NOVEMBER 2022**

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 22 November 2022.

106 **ENVIRONMENT PDG - REPORT OF THE MEETING HELD ON 8 NOVEMBER 2022**

The Vice Chairman of the Environment Policy Development Group presented the report of the meeting of the Committee held on 8 November 2022.

107 **HOMES PDG - REPORT OF THE MEETING HELD ON 15 NOVEMBER 2022**

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Committee held on 15 November 2022.

108 **COMMUNITY PDG - REPORT OF THE MEETING HELD ON 22 NOVEMBER 2022**

The Chairman of the Community Policy Development Group presented the report of the meeting of the Committee held on 22 November 2022.

109 **ECONOMY PDG - REPORT OF THE MEETING HELD ON 10 NOVEMBER 2022**

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Committee held on 10 November 2022.

It was raised – in regards to minute 25 - that a member of the public was in attendance during this meeting.

110 PLANNING COMMITTEE - REPORT OF THE MEETING HELD ON 2 NOVEMBER 2022

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

111 PLANNING COMMITTEE - REPORT OF THE MEETING HELD ON 30 NOVEMBER 2022

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 30 November 2022.

112 Members Allowances and the Recommendations from the Independent Remuneration Panel

The Council had before it a report of the District Solicitor and Monitoring Officer setting out the recommended Members' Scheme of Allowances for 1 April 2023 to 31 March 2024.

The Leader of the Council explained that Member allowances should be in line with the percentage increase awarded under Local Government Services Pay Agreement and felt that the increase should be an average of the percentage increases that officers received which would be 6.66%. That there was a need for Member allowances not to fall below the average of other districts' Member allowances in Devon.

Councillor R Deed **MOVED** an **AMENDMENT**, seconded by Councillor C Eginton that:

Increase the Basic Allowance by 6.66 % (being a figure between the average staff increase of between 6.5% and 7.0%) from the current Basic Allowance of £5,494.68 to £5,857. or in cash terms that is an additional £362. p.a. that was equivalent to £1.00 per day.

The following was discussed:

- Constituents were experiencing a cost of living crisis and if Member allowances were increased this would send the wrong message to the public.
- The Council had previously agreed to increase Member allowances in line with officer pay and that it was the percentage that needed to be determined due to a scaled increase in officer pay.
- Teignbridge District Council had agreed a new Member allowance.
- That this decision should be deferred.
- There might be a need to cut services and increase tax and so should take the lowest figure recommended.
- It was clarified that this was a Council decision and that the decision could be deferred.
- Thanks was given to the Independent Remuneration Panel for their work.
- There was disappointment that only 4 Members had responded.

- That the allowance was optional for Members and that the recommendation should be agreed.
- New Members in the next administration would need to feel there was a reward.

Following the debate, Councillor A White **MOVED** in accordance with Procedure Rule 19.4: that the vote in respect of this **AMENDMENT** shall be by Roll Call. A roll call of Members present at the meeting was then taken.

Those voting **FOR** the **AMENDMENT**: Councillors J Bartlett, W Burke, RJ Chesterton, C A Collis, F J Colthorpe, C P Daw, R M Deed, C J Eginton, D J Knowles, S J Penny, S E Pugh, C Slade, E J Slade, M E Squires

Those voting **AGAINST** the **AMENDMENT**: Councillors J Buczkowski, D R Coren, L Cruwys, R J Dolley, J M Downes, R Evans, S Griggs, P J Heal, B Holdman, F W Letch, E J Lloyd, J Norton, L D Taylor, B G J Warren, A White

Those **ABSTAINING** from voting: Councillors E J Berry, N V Davey, R F Radford

The **AMENDMENT** was declared to have **FAILED**.

Councillor R Evans **MOVED** the **RECOMMENDATION**, seconded by Councillor B Warren that:

That the Members' Allowances Scheme in Appendix 2 be adopted for the period 1 April 2023 to 31 March 2024.

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

It was **PROPOSED** by Councillor J Buczkowski, seconded by Councillor L Taylor that:

No changes be made to the current Member Allowance scheme for the current financial year and for the financial year of 2023/24.

Councillor R Deed **MOVED** an **AMENDMENT**, seconded by Councillor C Eginton that:

This item be deferred to the next Full Council Meeting due to take place on the 22 February 2023.

The following was discussed:

- There was confusion with the report and its interpretation and that this should be deferred.
- It was clarified that it would not be the case that Member Allowances would stop.

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

Note: Councillors F Letch requested that their abstention from voting be recorded.

113 Questions in accordance with Procedure Rule 13

There were no questions submitted under Procedure Rule 13.

114 **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.

115 **Questions to Cabinet Members**

- Councillor F Letch asked whether a Scrutiny Committee was needed as Members had requested items to be added to Scrutiny agenda but were refused, which was against the Constitution.

The Leader of the Council stated that there was a need for the Scrutiny Committee and that this should be discussed with officers.

- Cllr L Taylor asked if it was appropriate for the Leader to also be the Portfolio Holder for Finance.

Cllr R Deed explained that it was not his intention to take on the portfolio and that there was only 5 months till the end of the municipal year. That the appointment of a new Cabinet Member in this position required training, it was also considered that the Leader had experience and knowledge in banking and it was felt that it was an appropriate solution at this moment in time.

- Cllr S Pugh wanted to know how successful the recent PDG meetings were in regards to the 2023/24 budget.

Councillor R Deed stated there had been a meeting with the PDG Chairmen and Vice-Chairmen which concluded that the recent PDG meetings were very successful. The PDGs would continue budget discussions in January 2023.

The Deputy Chief Executive added that the updated financial gap was circa £1m and that they were waiting for business rate metrics. The total income generation from new fees and charges would be circa £850,000. Savings would be discussed during the next PDG meetings.

- The Portfolio Holder for Environment and Climate Change received a written question from Councillor A Moore, which asked if the Cabinet Member felt charges were valid on a leaflet that had been distributed privately, which contained information that related to the 3 weekly residual waste collection.

Councillor C Slade explained that evidence contrary to the leaflet had shown that the system was working and that street scene had improved. The council had not received money to improve bin services and had not cut services.

- Councillor A White asked if the Leader would be sacking the rest of the Cabinet. In addition, an explanation was sought after, regarding the recent high turnover of Cabinet Members.

Councillor R Deed explained that he would not sack the rest of the Cabinet and that as Leader he had chosen the best available talents for Cabinet. A number of Members were not available at the time Cabinet were chosen but chose the appropriate people, the Leader was content with current Cabinet Members.

116 **Members Business**

Councillor R Evans thanked officers for their hard work and reminded Members that the Council had received funds for modular builds and that this was good for the Council.

Councillor R Dolley emphasised that there was a need to get these modular builds built.

Councillor C Eginton highlighted to Members the importance of keeping their Register of Interests updated.

Councillor R Deed stated that Cabinet had no intention of the 23/24 budget considerations leading to officer redundancies.

(The meeting ended at 7.45 pm)

CHAIRMAN