

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the COUNCIL held on 6 September 2023 at 6.00 pm

Present Councillors

F W Letch (Chairman)
C Adcock, M Binks, N Bradshaw, D Broom, E Buczkowski, J
Buczkowski, J Cairney, S Chenore, S Clist, Mrs F J Colthorpe, C
Connor, L Cruwys, G Czapiewski, G Duchesne, M Farrell, B Fish, M
Fletcher, C Harrower, B Holdman, M Jenkins, S Keable, L Knight, N
Letch, J Lock, S Penny, J Poynton, R Roberts, S Robinson, L Taylor,
H Tuffin, N Woollatt and D Wulff

Apologies Councillors

G Cochran, J Frost, R Gilmour, L G J Kennedy, G Westcott and
J Wright

Present Officers:

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief
Executive & S151 Officer), Maria De Leburne (District Solicitor &
Monitoring Officer), Dean Emery (Corporate Manager for Income,
Benefits and Recovery), Andrew Seaman (Democratic Services
Manager) and Angie Howell (Democratic Services Officer)

29 APOLOGIES (00:08:13)

Apologies were received from Cllr G Cochran, J Frost, R Gilmour, L Kennedy, G Westcott
and J Wright.

Cllrs A Cuddy, J Downes and A Glover attended via Teams

30 PUBLIC QUESTION TIME (00:08:33)

Sue Griggs

1. I am a resident of St Andrew Street & have watched the progression of the project there. I have said before that as a development company associated with MDDC right in the town centre it should be an exemplary run & managed site, setting an example to others & it really hasn't been at all. There were problems at the site even before the pandemic. Other building sites got back working much more quickly than the St George's site. Why didn't it? Residents are deeply disappointed & very worried about what will become of the site with good cause, we have seen u-turns before. Residents & the community need assurances that if this development does become housing for the 60yrs & over then it stays that way. What is your fall back or back up plan if plan A fails? I would urge all those voting this evening to not agree to the recommendation until you have a robust fall back or plan B that you can agree on.
2. Why isn't this being fully scrutinised? The chair of scrutiny said that there would be no repeat of this happening again. How can this be ensured unless we fully understand how it all went so wrong when the expectations of the project were so high & both councillors & officers confident at the time of conception it would succeed? Perhaps a scrutiny committee from another county could be asked to scrutinise. MDDC should not be marking its own homework.
3. A member of cabinet said that the decision to set up a Property Development Company was made by councillors not officers. Councillors set the strategic direction & officers are responsible for the management of the council & will ensure the implementation of agreed policies, supporting & advising councillors. I recall officers explaining how the property Development Co. could work, the pitfalls and I don't remember there being any

major worries, it all seemed to be regarded as a very good plan & would be very beneficial to the council. Did officers at the time of its concept or at any time afterwards advise not to go forward with plans to create a Property Development Company?

4. It appears there have been no sales at St George's Court, although we were told that there were 2 reserved at one time & there was considerable interest. Who and why was the decision made not to use a local estate agency? Tiverton has 6 reputable agencies all with local knowledge & a data base of possible applicants. MDDC have a policy to support local businesses surely this contract to market & sell should've come to local agents?
5. What measures were put in place to safeguard the money put in by MDDC?

The Chairman explained that a written answer would be provided.

Danielle Furmiger

Concern was raised as to whether St George's Court was appropriate housing for those over 60 and whether this housing would meet their needs. It was highlighted that this site had slopes and hills within the surrounding area as well as how emergency services would access these sites. Risks to children was also raised as it was felt that the wall to the river was low. It was also asked if the Council could confirm that the risks of this site had been fully considered and that mitigation plans would be in place. In addition it was asked where could the public access these within the housing policy.

The Chairman explained that a written answer would be provided.

Paul Elstone

Question 1

In response to a public question at the Cabinet Meeting of the 29 August 2023, it was said that the impaired value of the outstanding loan to 3 Rivers for St George's Court was £8.65 million. It is known the land at Knowle Lane Cullompton cost £2.75 million. Given the outstanding 3 Rivers loan amount is £21.3 million, can the rest of this amount be fully explained?

Question 2

The Cabinet Member for Finance, at Cabinet meeting on the 16 August 2023 said: "I want to be really clear about this, every decision to lend money for a particular project was always made by Councillors, and in particular by the Leader and the Cabinet at the time. Many, if not all those, responsible for those poor decisions are no longer part of this Council – perhaps that is telling enough". These words are not shown in the minutes of the meeting but are on the sound recording.

It should not be forgotten that leading members of this current Cabinet were part of the Cabinet during 2019 and 2020 and were very much involved in the approval of loans for 3 Rivers projects. It should also not be forgotten that these very poor decisions, leading to massive financial losses, were based on information given to Elected Members by others. Given that several of the same people are in fact still actively involved, how can the residents of Mid Devon have any confidence in the information being provided to Council Members now, or in the quality of decision making by this new Cabinet and that further substantial debt, or ongoing liabilities, will not be incurred by the residents of Mid Devon?

The Chairman explained that a written answer would be provided.

Roger Davey

Concern and frustration was expressed over the St George's Court site with the following questions asked:

Question 1

Why was this multi million pound contract awarded to EBC without going out to tender?

In response, the Cabinet Member for Finance explained that 3 Rivers Development Ltd was not restricted to the same tendering process and regime that would apply to the Council. How this contract was awarded to 3 Rivers Development Ltd was a matter of public record and noted that this question had been answered on a previous occasion.

Question 2

How much of the losses on this site does the council expect to recoup from the sale of St George's Court to their housing department?

In response, the Cabinet Member for Finance explained that the potential sale and purchase was a live negotiation which would be subject to commercial valuations, more than one, for the precise amount is unknown and so an exact amount could not be provided. However sensible estimates had been provided as part of the decision making process undertaken by Cabinet at its meeting held on 29 August 2023.

Question 3

Will the council give an absolute assurance to council tenants in the older age group that they will not be forced to leave their homes in order to free up larger properties for people on the waiting list?

In response, the Cabinet Member for Housing and Property Services assured that tenants in the older age group that they would not be forced to leave their homes in order to free up larger properties for people on the waiting list.

Question 4

Will adaptations to St George's Court be necessary for older residents and if so what is the estimated cost per unit?

In response, the Cabinet Member for Housing and Property Services explained that a number of bathroom adaptations would be required, with an estimated sum presented to the Cabinet on the 29 August 2023. It was assumed that additional expenses would form part of the negotiations between the two parties.

Barry Warren

On Page 72 of your papers are the minutes of the Cabinet discussion about the potential closure of 3 Rivers. You will also see the response of the S151 Officer when asked whether the confidential reports might be published publicly in the future - the Deputy Chief Executive (S151) explained that currently reports were live commercial reports that needed to be kept confidential.

Question 1

The day after that Cabinet meeting, the S151 Officer was interviewed about the closure of 3 Rivers by an online news blog, called Room 151, read by Council Finance Officers.

They published an Item titled "Mid Devon to close property company due to challenging housing market" and quoted this Council's S151 Officer as saying: "The council anticipates getting a significant amount of the money back once the assets have been sold. It is unlikely that we will get all of the loan back, however, we anticipate getting two-thirds back."

Given that the current 3 Rivers outstanding loan is £21 million, this means he anticipates a loss to the Council of around £7million.

Members of the public had previously tried to obtain an estimate of potential Council losses but were always being told such figures were commercially sensitive.

Is it right that an Officer should reveal confidential, and commercially sensitive, information to an online news source, when it is withheld from the Mid Devon public?

Question 2

Is it right that the Mid Devon public have to get the information about the size of the potential Council losses from the Internet rather than direct from their elected Members?

The Chairman explained that a written answer would be provided.

Sophia Beard

Would the Council confirm that the housing needs consultation process has not included any consultation with the residents of St Andrew's Street, Ham Place or Angel Hill over the rumoured change of the status of the development of St George's Court of that of private ownership to dwellings of social housing?

Would the Council here tonight confirm their intention to commit to a public consultation on the issue of the change of status of the development and with whom with those people the development would affect?

Would the Chairman of the Scrutiny Committee assure the public that the investigation into the decisions that led to this current situation would be fully transparent with all information made available to the public?

Would the Chairman of the Scrutiny Committee also confirm that whilst the investigation is not in itself to find blame. If or when blame is found that appropriate and strong action would be taken?

If St George's Court gets used for social housing, would the Council screen the tenants, not just on their needs but also on their individual suitability for the site?

Would there be any provisions made for the safety of pedestrians on St Andrew's Street North, as vehicles accelerate up a steep slope towards a pavement where children play?

Would the Council prioritise the wellbeing of the existing social tenants who are already dealing with significant issues in respect of waste storage, collection and rats?

Would the Council accelerate discussions in respect of the parking provision and revisit the issue of residents parking, whether there are grounds to declare that St George's Court, St Andrew's Street North and South, Tumbling Fields, Little Silver are an area?

Would the Council provide indemnity in the event of any flooding to cover the impact a flooding event would have on the households affected by rising premiums?

Can the Council outline how it proposes to consult with residents both now and in the future to address the issues and concerns being collectively raised here in respect of the impacts St George's Court is already having on the surrounding community?

The Chairman explained that a written answer would be provided.

Tim Bridger

Question 1

Item 1 – apologies – I note that this Council has once again accepted apologies from Cllr Frost. Cllr Frost is yet to attend a single meeting or carry out any duties as a Cllr. Could the

Leader please clarify when Cllr Frost will be standing down and an election taking place for someone willing to undertake the role.

Question 2

Motion 597 - could the Council clarify where – if anywhere – on land owned by Mid Devon animals are being offered as prizes? Could we suggest that if the Council wants to take a stand against animal cruelty, it takes steps to prevent the use of MDDC land for the Boxing Day Hunt and to enforce the regulations regarding public drinking in restricted areas, public collection without a licence, dog and horse fouling, drunk and disorderly behaviour by supporters, and unauthorised horse and traffic movement in the Town Centre Pedestrian Zone.

Question 3

Item 8 – Reports of Cabinet 6th June, Scrutiny 14 & 24 August, Audit Committee 27 August – on 6 June the s151 Officer presented the Revenue and Capital Outturn 2022/23 that stated a positive overall financial position for the Council, despite a 4.1 million impairment for 3Rivers, and concluded that the 3RL position should remain funded going forward. 6 weeks later following an external report the s151 Officer told the Trade Press that the total estimated loss was over £7million. These two positions cannot be reconciled. Can officer please confirm why they were more open with a trade publication than with the public of Mid Devon.

Question 4

In regards to the HRA (Housing Revenue Account) valuation of St George's Court, would there be an open process to show how it would be valued, including having registered and successful social housing providers bid for the site?

The Chairman explained that a written answer would be provided.

Steve Bush

Cabinet have stated that there is no need to refer decisions about Affordable Home purchase to the Homes PDG as there is already an agreed policy in place.

I am unable to find any MDDC Housing Policy that shows that full consideration has been given requesting over 60's to redeploy to smaller size accommodation to free up larger properties for families or that any risk and mitigation plans have been developed for such a move.

Our concern is that these properties as they have been developed are entirely unsuitable for elderly residents, and would require considerable adaption to make them so. There are no ground floor properties due to the risk of flooding, for example. The site is extremely uneven and the entrance to it is on a severe slope. Where would aids such as mobility scooters be stored? How would tenants be evacuated in the event of a flood or fire? Are there lifts? Are those lifts large enough for an Ambulance Service gurney?

I am certainly not opposed to the reallocation of these properties to social housing, indeed I have been calling for that over many years. But they are surely more suitable for young couples or single tenants who are, for example, key workers in public services such as the NHS or education, and not for elderly tenants. Those who cannot afford the sky high private rental sector or large deposit on a mortgage.

Can the Council confirm that such a MDDC Housing Policy exists, including risk and mitigation measures and if so, where can this policy be found?

The Chairman explained that a written answer would be provided.

Nick Quinn

These questions were read out by the Chairman, on behalf of the resident.

The minutes and some of the reports presented to this meeting of Cabinet have been attached as a Supplementary Agenda. However, the Large Sites Options Appraisal Report has not been attached.

Question 1

Why has the Cabinet approved the purchase of St George's Court, without setting a maximum amount for this, even confidentially, effectively issuing an open cheque?

In response, the Cabinet Member for Finance explained that it was not for Cabinet to set a specific budgetary envelope for a financial transaction, between the HRA and 3 Rivers Property Development Ltd, this would be an arm's length negotiation that would require external valuations in order to assist both parties in their deliberation.

Question 2

The purchase price of St George's Court will be many millions of pounds. Doesn't a purchase for such a large amount as this, require proper approval by Full Council?

In response, the Cabinet Member for Finance explained that Full Council had already agreed a budget for the HRA- the 500 unit development programme- therefore the basis that the Post Hill development was no longer financially viable the agreed budget had been wired to a currently available and better value for money opportunity.

Question 3

How will the cost of this purchase be funded?

In response, the Cabinet Member for Finance explained that the HRA would fund this acquisition through reserves, money retained from the right to buy receipts which were time limited and the remainder from borrowing at preferential rates from the Government's public works loan board.

Deborah Worth

It was raised that residents surrounding St George's Court have had a challenging time.

It was asked whether this Council would, once everything had been reviewed, be honest and admit the faults and if needs be, make a public apology to the whole of Mid Devon that funded this absolute disaster.

In regards to St George's court having potentially disabled and elderly tenants, the accessibility to the site and the risk of potential accidents. It was asked if the Council would apologise should an accident occur.

The Chairman explained that a written answer would be provided.

Reuben Beard

The following questions – in relation to 3 Rivers Development Ltd - were read out by the Cabinet Member for Finance, on behalf of the resident.

How much each property cost to build?

Where is the complete breakdown of money spent?

Have the bills already been paid for 3 Rivers Development Ltd or are they in arrears?

How much money raised from council tax went on this build?

Will the local people who pay council tax & have funded this project, get first refusal to rent these properties?

Who will be responsible for maintenance & upkeep of the project?

Will the residents of St George's be getting own parking spaces?

If so can the residents of St Andrew Street also look forward to residents parking?

In response, the Cabinet Member of Finance explained that because of the commercial sensitivity, answers could not be provided to some of the questions asked, however it could be confirmed that 3 Rivers Development Ltd paid all of its suppliers within 30 days as is common place within the industry. No money from council tax had currently been used to support this build, however, it was likely that the company would incur losses that would need to be funded by the Council.

The Cabinet on the 29 August 2023 resolved to, subject to a valuation and negotiation to allow the HRA to consider the purchase of all units at St George's Court. If this purchase was completed the HRA would take over all associated maintenance, upkeep and ownership of all parking spaces on the site and it would managed by the local lettings policy.

Note: The Chairman was interrupted and disrespected during public question time and any questions/statements that were personal attacks on members or officers, scurrilous or otherwise, will not appear in these minutes.

31 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:46:37)**

Members were reminded of the need to make declarations where appropriate.

32 **MINUTES (00:46:44)**

The minutes of the previous meeting, held on 19 July 2023, were approved as a correct record and **SIGNED** by the Chairman.

33 **CHAIRMAN'S ANNOUNCEMENTS (00:48:17)**

Since the last Full Council, the Chairman attended the Mid Devon Show as well as the Burma Star Parade in Tiverton.

The Chairman raised that Mid Devon's Civic Service was due to take place on the 8 October at 3pm at the Parish Church in Crediton.

34 **PETITIONS (00:50:06)**

No petitions were presented.

35 **NOTICES OF MOTIONS (00:50:12)**

1. **Motion 596 (Councillor R Gilmour – 10 July 2023)**

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

- 1) Mid Devon District Council call on Devon County Council to fulfil their statutory obligations under Section 41 of the 1980 Highways Act, that requires them to maintain Devon's roads and to keep them safe. Further, to explain the financial position regarding the funds promised by HMG, and received to date, the proposed remedial actions for the roads in Mid Devon District Council to be undertaken before this winter and the spending/budget allocations between 2022/3 - 2025/6.
- 2) Mid Devon District Council agrees to establish an on-line petition to include the following:

Our roads in Mid Devon have become dangerous and a liability to drivers, passengers, other road users and pedestrians. Now, we the electorate of Mid Devon District Council are calling on Devon County Council to fix our dangerous roads and if they do not have sufficient funding to demand this from Central Government.

The **MOTION** was **MOVED** by Cllr S Robinson and Seconded by Cllr G Duchesne

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

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

2. Motion 597 (Councillor L Kennedy – 10 July 2023)

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

In the interests of animal welfare this council prohibits the use of animals as prizes in any form of competition, games of chance or tests of skill of any kind at events commercial or private, promotions or gatherings organised or not on any land owned or controlled by Mid Devon District Council.

The **MOTION** was **MOVED** by Cllr L Taylor and Seconded by Cllr B Fish

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:

- This affirmed the principle that animals should not be used as prizes.
- This was received via a lobbying letter and that officers were not aware of reports or complaints on this matter and that it was believed that this was not a local issue. In addition, it was raised that this practice was already not encouraged. It was highlighted that a lack of legislation on this topic meant that lobbying the local MP was more appropriate.

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

Note: Cllr N Woollatt voted against.

36 CABINET - REPORT OF THE MEETING HELD ON 6 JUNE 2023 (00:55:35)

The Leader presented the report of the meeting of the Cabinet held on 6 June 2023.

1. Annual Treasury Management Review 2022/23 (minute 5)

The Leader **MOVED**, seconded by Cllr J Buczkowski

THAT the recommendations of the Cabinet as set out in Minute 5 be **ADOPTED**

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

Reason for the Decision – So that the treasury indicators could be approved and the Cabinet were kept updated on the treasury activities for 2022/23.

37 CABINET - REPORT OF THE MEETING HELD ON 4 JULY 2023 (00:57:23)

The Leader presented the report of the meeting of the Cabinet held on 4 July 2023

38 **CABINET - REPORT OF THE MEETING HELD ON 1 AUGUST 2023 (00:57:55)**

The Leader presented the report of the meeting of the Cabinet held on 1 August 2023.

1. Care Leavers Council Tax Exemption (minute 24)

The Leader **MOVED**, seconded by Cllr J Lock

THAT the recommendations of the Cabinet as set out in Minute 24 be **ADOPTED**

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

Reason for the Decision – Helps Mid Devon to support customers and vulnerable households, bringing the Council and community closer together by working in partnership with other councils.

39 **CABINET - REPORT OF THE MEETING HELD ON 16 AUGUST 2023 (00:59:57)**

The Leader presented the report of the meeting of the Cabinet held on 16 August 2023.

1. 3 Rivers Options Appraisal Report (minute 30)

The Leader **MOVED**, seconded by Cllr S Keable

THAT the recommendations of the Cabinet as set out in Minute 30 be **ADOPTED**

Cllr N Woollatt **MOVED a written AMENDMENT**, seconded by Cllr J Lock that the following be added to recommendation 1 with minute 30:

And that regular updates on progress with matters relating to that soft closure be made to Cabinet meetings in order that all members can monitor and be reassured that matters are progressing in an appropriate and timely way.

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

Note: Cllr Mrs F J Colthorpe Abstained from voting.

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

“That the vote in respect of this **AMENDED MOTION** shall be by Roll Call”

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

Those voting **FOR** the **AMENDED MOTION**: Cllrs: C Adcock, M Binks, N Bradshaw, D Broom, E Buczkowski, J Buczkowski, J Cairney, S Chenore, S Clist, Mrs F J Colthorpe, C Connor, L Cruwys, G Czapiewski, G Duchesne, M Farrell, B Fish, M Fletcher, C Harrower, B Holdman, M Jenkins, S Keable, L Knight, F Letch, N Letch, J Lock, S Penny, J Poynton, R Roberts, S Robinson, L Taylor, H Tuffin, N Woollatt, D Wulff

Those voting **AGAINST** the **AMENDED MOTION**: None

Those **ABSTAINING** from the voting: None

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

Reason for the Decision – The Company, at its inception, was set up to help partially fund and link to a number of key strategic objectives in the Corporate Plan. However, 6 years later the Council now needs to make a fundamental decision which will enable it to concentrate on the delivery of a new Corporate Plan.

40 CABINET - REPORT OF THE MEETING HELD ON 29 AUGUST 2023 (01:13:19)

The Leader presented the report of the meeting of the Cabinet held on 29 August 2023.

1. Qtr 1. Budget Monitoring (minute 37)

The Leader **MOVED**, seconded by Cllr J Buczkowski

THAT the recommendations of the Cabinet as set out in Minute 37 be **ADOPTED**

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

Reason for the Decision – The financial resources of the Council impact directly on its ability to deliver the Corporate Plan prioritising the use of available resources in 2023/24. The Monitoring Report indicates how the Council's resources have been used to support the delivery of budgetary decisions.

41 SCRUTINY COMMITTEE - REPORT OF THE MEETING HELD ON 19 JUNE 2023 (01:15:41)

Cllr S Robinson of the Scrutiny Committee presented the report of the meeting held on 19 June 2023.

42 SCRUTINY COMMITTEE - REPORT OF THE MEETING HELD ON 17 JULY 2023 (01:16:18)

Cllr S Robinson of the Scrutiny Committee presented the report of the meeting held on 17 July 2023.

43 SCRUTINY COMMITTEE - REPORT OF THE MEETING HELD ON 14 AUGUST 2023 (01:16:40)

Cllr S Robinson of the Scrutiny Committee presented the report of the meeting held on 14 August 2023.

44 SCRUTINY COMMITTEE - REPORT OF THE MEETING HELD ON 24 AUGUST 2023 (01:17:07)

Cllr S Robinson of the Scrutiny Committee presented the report of the meeting held on 24 August 2023.

45 AUDIT COMMITTEE - REPORT OF THE MEETING HELD ON 27 JUNE 2023 (01:17:24)

The Vice Chairman of the Audit Committee presented the report of the meeting held on 27 June 2023.

46 AUDIT COMMITTEE - REPORT OF THE MEETING HELD ON 22 AUGUST 2023 (01:18:15)

The Vice Chairman of the Audit Committee presented the report of the meeting held on 22 August 2023.

47 ENVIRONMENT POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 20 JUNE 2023 (01:18:49)

The Chairman of the Environment Policy Development Group presented the report of the meeting held on 20 June 2023.

48 ENVIRONMENT POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 15 AUGUST 2023 (01:19:29)

The Chairman of the Environment Policy Development Group presented the report of the meeting held on 15 August 2023.

49 HOMES POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 13 JUNE 2023 (01:20:26)

The Chairman of the Homes Policy Development Group presented the report of the meeting held on 13 June 2023.

50 HOMES POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 8 AUGUST 2023 (01:21:12)

The Chairman of the Homes Policy Development Group presented the report of the meeting held on 8 August 2023.

51 COMMUNITY POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 27 JUNE 2023 (01:21:50)

The Chairman of the Community Policy Development Group presented the report of the meeting held on 27 June 2023.

52 COMMUNITY POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 22 AUGUST 2023 (01:22:27)

The Chairman of the Community Policy Development Group presented the report of the meeting held on 22 August 2023.

53 ECONOMY POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 8 JUNE 2023 (01:23:10)

The Vice Chairman of the Economy Policy Development Group presented the report of the meeting held on 8 June 2023.

54 ECONOMY POLICY DEVELOPMENT GROUP - REPORT OF THE MEETING HELD ON 3 AUGUST 2023 (01:23:43)

The Vice Chairman of the Economy Policy Development Group presented the report of the meeting held on 3 August 2023.

Cllr N Letch noted that she was in attendance of this meeting.

55 PLANNING COMMITTEE - REPORT OF THE MEETING HELD ON 14 JUNE 2023 (01:24:33)

The Chairman of the Planning Committee presented the report of the meeting held on 14 June 2023.

56 **PLANNING COMMITTEE - REPORT OF THE MEETING HELD ON 12 JULY 2023
(01:25:05)**

The Chairman of the Planning Committee presented the report of the meeting held on 12 July 2023.

57 **PLANNING COMMITTEE - REPORT OF THE MEETING HELD ON 30 AUGUST 2023
(01:25:27)**

The Chairman of the Planning Committee presented the report of the meeting held on 30 August 2023.

58 **STANDARDS COMMITTEE - REPORT OF THE MEETING HELD ON 21 JUNE 2023
(01:25:56)**

The Vice Chairman of the Standards Committee presented the report of the meeting of the Standards Committee held on 21 June 2023.

1. Task and Finish Group (Council Procedure Rules Review) (minute 10)

Cllr S Robinson **MOVED**, seconded by Cllr N Woollatt

THAT the recommendations of the Standards Committee as set out in Minute 10 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 to update a review the Constitution when necessary.

59 **QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 13 (01:39:33)**

The following written questions were submitted by Cllr Woollatt and answered by the Leader of the Council:

Question 1.

On February 22 2023 in response to Motion 591 this Council resolved to change from the Cabinet system of governance to a modernised Committee system to be implemented from the Annual Meeting of 2024.

The necessary changes to the Constitution will need to be agreed prior to that by the Standards Committee and recommended by them to Full Council. There are now only two Standards meetings scheduled that this could take place at (18 October and 7 February 2024).

What actions have so far been undertaken by officers on the work and preparations that they need to make to implement Motion 591?

Answer

On the 22 February at Full Council the District Solicitor and Monitoring Officer stated that if members indicate to go to a Committee System we would take this Motion as a steer to go away and start preparing the governance framework for this type of system and that it would need to be brought back to Full Council for a final decision at some point in the future.

On 14 August the District Solicitor and Monitoring Officer stated in Scrutiny Committee that she would be bringing a briefing note/update report to Full Council to the next Full Council (1 November 2023) and suggested that this come to Scrutiny in December 2023. Scrutiny Committee agreed that this would be added to their Work Plan in December 2023.

Question 2.

Which of the two scheduled Standards Committee meetings is it planned to present the necessary Constitutional changes for the committee to consider and agree their recommendation to Council? Or if it is intended to schedule an additional meeting for this purpose which date is that to be scheduled in for?

Answer

Therefore the Motion can go before the 7 February 2024 Standards Committee.

Question 3.

The recent advert for a new member services manager included the following statement: "Our Executive structure includes policy development groups as well as a traditional scrutiny committee and a variety of working groups. One key element of the role will be to work with senior Councillors and Leadership Team to further develop the effectiveness of these bodies in identifying future policy as well as delivering on our existing corporate priorities."

Why did the job advert make reference to 'developing the effectiveness' of PDGs and not make any reference to the impending change of governance which Council had resolved to be implemented from the 2024 Annual Meeting?

Answer

The Job Description is based on the current structure at MDDC. At this time the Council still operates under a cabinet system and therefore it was appropriate to advertise the role based on existing practices.

A supplemental statement was raised which highlighted that the Council should be working towards a change in Governance and that this was not included in the job advert, this raised concern as it was felt that it appeared that the Council was not moving to a committee system.

60 SPECIAL URGENCY DECISIONS (01:43:45)

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.

61 QUESTIONS TO CABINET MEMBERS (01:43:49)

Cllr B Fish asked the Cabinet Member for Housing and Property Services if there were any mitigation measures in place in relation to Reinforced Autoclaved Aerated Concrete (RAAC) if present within any of the Council's municipal and residential buildings.

The Cabinet Member for Housing and Property Services explained that no communications had been received from Government, in addition the Council had reached out to the relevant people on a risk based approach which included looking at the age of properties. Survey work had not identified RAAC. Buildings built in a particular era would be investigated.

Cllr B Holdman asked what assurance could be given that St George's Court would be used for those over 60 and not for mixed purposes. In addition it was asked what the scale would be for retro fitting the site. In addition, it was asked if mobility scooter charging points would be installed at the site.

The Cabinet Member for Housing and Property Services explained that the HRA could agree to purchase the site subject to valuations, a local lettings plan would be created to ensure that desired aims were met. Mid Devon Housing (MDH) would be required to publish information to any agreed local lettings plan and then advertise homes for rent and this would have to be specified on the adverts. In terms of adaptations these would be discussed at the appropriate time.

It was also added that mobility scooter charging points would be considered as a provision and add that the site already had Electric Vehicle (EV) charging points.

Cllr S Robinson raised concern over the size of the lifts at St George's Court and their appropriateness. In addition, with the steepness of the slope there should be handrails.

To which the Cabinet Member for Housing and Property Services gave reassurance that these comments would be considered.

62 MEMBERS BUSINESS (01:53:50)

Cllr N Woollatt gave notice of a future question which would relate to the use of single use plastic cups and why these were still being used for meetings.

Cllrs expressed their concern over the behaviour of particular members of the public and their attitude towards officers that work at the Council.

(The meeting ended at 8.00 pm)

CHAIRMAN