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North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

K. Miles
Chief Executive.

To: All Members of the Council
and Chief Officers

NOTE: PLEASE NOTE THAT PRAYERS WILL BE SAID AT 6.25 P.M. PRIOR TO THE COUNCIL MEETING FOR ANY MEMBER WHO WISHES TO ATTEND

COUNCIL MEETING

YOU ARE HEREBY SUMMONED to attend a meeting of **NORTH DEVON COUNCIL** to be held in the Crematorium Meeting Room - North Devon Crematorium on **WEDNESDAY, 23RD NOVEMBER, 2022 at 6.30 pm.**

A handwritten signature in black ink, appearing to read 'K. Miles', is written over a light grey horizontal line.

Chief Executive

AGENDA

12. Questions by Members (Pages 5 - 6)
Questions to the Leader or the Chair of a Committee submitted under Part 4, Council Procedure Rules, paragraph 10.4 of the Constitution.

If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253

15.11.22

GUIDANCE NOTES FOR RULES OF DEBATE AT MEETINGS OF COUNCIL

Part 4, Council Procedure Rules of the Constitution

The basics

At a meeting of Full Council, Members shall stand when speaking unless unable to do so and shall address the Chair.

While a Member is speaking, other Members shall remain seated unless rising for a point of order, a point of information or in personal explanation.

No speeches may be made after the mover had moved a proposal and explained the purpose of it until the motion has been seconded.

Unless notice of motion has already been given, the Chair may require it to be written down and handed to him before it is discussed.

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

Speeches must be directed to the question under discussion or to be personal explanation or point of order.

A speech by the mover of a motion may not exceed 5 minutes without the consent of the Chair.

Speeches by other Members may not exceed 3 minutes without the consent of the Chair, unless when the Council's annual budget is under discussion, the leader of each political group on the Council may speak for up to 5 minutes or such longer period as the Chair shall allow.

The rules of Question Time

At a meeting of the Council, other than the Annual meeting, a Member of the Council may ask the Leader or the chair of a committee any question without notice upon an item of the report of a committee when that item is being received or under consideration by the Council.



North Devon Council protocol on recording/filming at Council meetings

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

Notes for guidance:

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

North Devon Council offices at Brynsworthy, the full address is:
Brynsworthy Environment Centre (BEC), Roundswell,
Barnstaple, Devon, EX31 3NP.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.



NORTH DEVON COUNCIL

COUNCIL: 23 NOVEMBER 2022

QUESTIONS TO THE LEADER OR THE CHAIR OF A COMMITTEE SUBMITTED UNDER PART 4 COUNCIL PROCEDURE RULES, PARAGRAPH 10.4 OF THE CONSTITUTION

Question for the Leader from Councillor Ley

“Out of common courtesy, I request to be informed of the outcome of an issue which arose in April 2020 when I received a complaint, made by a Council employee, alleging a serious breach of the members code of conduct.

This was referred to a firm of external specialist solicitors, who conducted their investigation in October 2020, subsequently issuing a draft report in early May 2021, which concluded that there had been no breach of the members code of conduct.

Thinking this was the end of the matter, the complainant then came back with a further 20 questions which I was requested to respond to.

Since doing so on 31-5-21, I have been kept completely in the dark, why?”

Councillor Worden, Leader’s response

“This Code of Conduct investigation was carried out by an independent third party firm of solicitors and co-ordinated by the previous Monitoring Officer. On review of the file associated with this investigation it has been discovered that Councillor Ley is indeed correct that the report concluding the investigation was not sent to him, or notification of the outcome provided, as it ought to have been. From a review of the file it is apparent that this was an omission and one which the current Monitoring Officer is happy to rectify and, indeed, has done and Cllr Ley is now in receipt of the final report. The Monitoring Officer is content to discuss the conclusions of the report with Councillor Ley and address any questions he may have although, since this is a confidential report, it is better that this is done outside of a public meeting.”

Question for the Leader from Councillor Pearson

“We live in a beautiful environment but it is blighted in places by fly-tipping and littering. I and others have asked that we deploy a mobile camera in known hot-spots in order to support and improve enforcement. There have also been requests for in-vehicle cameras to provide evidence to support enforcement actions.

I would like to know why these requests have not been fulfilled and whether it is in fact policy not to support enforcement with the available technology.”

Councillor Worden, Leader’s response

“Councillor Pearson is correct that we do live in a beautiful environment that needs to be protected. As Councillor Pearson knows, the Council does take fly-tipping very seriously and is active in investigating and prosecuting those people that commit those offences. The last successful prosecution was only a few weeks ago resulting in a total liability on the offender of just short of £1000. In investigating those crimes, the Council uses a range of investigative techniques and has considered the use of CCTV and mobile cameras. The use of surveillance techniques is heavily regulated especially if the surveillance through a mobile camera is covert in nature. There are also data protection issues to consider before employing such devices. The council is currently evaluating particular cameras and ascertaining how they may be deployed within the strict legislative framework that exists. The council has also received grant funding as part of the Safer Streets project for a mobile camera which will be available to be used within the scope of the project. That may cover flytipping offences within the geographical area of the project as long as the use comes within the scope of the project and the current authorisations issued for the CCTV system. The procurement of that camera is underway at present.”