

NORTH DEVON COUNCIL

Minutes of a meeting of NORTH DEVON COUNCIL held at Virtual - Online meeting on Wednesday, 7th April, 2021 at 7.35 pm

PRESENT: Members:

Councillor Hunt (Chair)

Councillors Biederman, Barker, Bulled, Bushell, Campbell, Cann, Chesters, Crabb, Davis, Davies, Fowler, Gubb, Henderson, Jenkins, Knight, Lane, Leaver, Lovering, Lofthouse, Ley, Luggar, Mack, Mackie, Orange, Patinos, Pearson, Phillips, Prowse, Roome, Saxby, D. Spear, L. Spear, Topham, Topps, Tucker, Turton, Walker, Wilkinson, Worden, Yabsley and York

Officers:

Chief Executive, Head of Resources and Senior Solicitor/Monitoring Officer

1. ELECTION OF CHAIR OF COUNCIL FOR 2021/22

Councillor Biederman, Chair of Council addressed Council and summarised his role over the past two years. His role had changed over the past 12 months due to Covid 19. He expressed his amazement of how everyone had come together to support their communities. He thanked the Chief Executive and staff for their level of work during the pandemic to continue to offer services to residents. It had been a privilege and honour. He thanked Councillor Hunt for her support and had accompanied him to some events. He thanked his wife and his children for being his consorts and attending events. He also thanked the Chair's secretary and the Corporate and Community Services team for their support in his role as Chair and particularly in helping to arrange his Civic Service in September 2019.

Councillor Worden thanked Councillor Biederman on behalf of Council for all he had achieved over the past two years. He was an ambassador for the Council and Chaired meetings of Council well particularly during through very difficult times over the past 12 months.

Councillors Yabsley, Prowse and Pearson echoed Councillor Worden's comments.

The Chair called for nominations.

It was moved by Councillor Biederman and seconded by Councillor Worden "that Councillor Hunt be appointed Chair of Council for the 2021/22 municipal year".

RESOLVED that Councillor Hunt be appointed Chair of Council for the 2021/22 municipal year.

Councillor Hunt took the Declaration of Acceptance of Office and gave a speech of thanks for being elected. She thanked the Senior Corporate and Community Services Officer and for Council's support with her voluntary work at the Northern Devon Foodbank. She highlighted the need to help members of the communities who had been shielding for the past 12 months who may need extra support to help them back into their communities.

2. ELECTION OF VICE-CHAIR OF COUNCIL FOR 2021/22

The Chair called for nominations for the election of Vice Chair of the Council for 2021/22.

It was moved by Councillor Worden and seconded by Councillor Leaver "that Councillor Tucker be appointed Vice Chair of Council for the 2021/22 municipal year."

RESOLVED that Councillor Tucker be appointed Vice Chair of Council for the 2021/22 municipal year.

Councillor Tucker took the Declaration of Acceptance of Office and gave a speech of thanks for being elected.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

4. DECLARATIONS OF INTEREST

The following declarations of interest was announced:

Councillor Lofthouse – Item 9 personal interest as an owner of an electric vehicle

5. APPOINTMENT OF LEADER OF THE COUNCIL FOR 2021/22

It was moved by Councillor York and seconded by Councillor Prowse "that Councillor Worden be appointed Leader of the Council for the 2021/22 municipal year".

RESOLVED that Councillor Worden be appointed Leader of the Council for the 2021/22 municipal year.

Councillor Worden thanked Council for re-appointing him as Leader of the Council for the next 12 months.

6. APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL FOR 2021/22

It was moved by Councillor Worden and seconded by Councillor Tucker “that Councillor Prowse be appointed Deputy Leader of the Council for the 2021/22 municipal year”.

RESOLVED that Councillor Prowse be appointed Deputy Leader of the Council for the 2021/22 municipal year.

Councillor Prowse thanked Council for his re-appointment as Deputy Leader of the Council for the next 12 months.

7. APPOINTMENT OF COMMITTEES

Council considered a report by the Chief Executive (circulated previously and tabled as a supplementary document) regarding the appointment of committees for 2021/22.

The Chief Executive recommended that in terms of voting, items 8(a), 8(b) and 8(c) should be taken together.

(a) Appointment of Committees and Joint Committees

It was moved by Councillor Prowse and seconded by Councillor Luggar “that the Council appoints Committees and Joint Committees each with the total number of voting Members and Group allocations as shown in Tables 1 and 2 for the 2021/22 municipal year with the terms of reference set out in the Council’s constitution.”

RESOLVED that the Council appoints Committees and Joint Committees each with the total number of voting Members and Group allocations as shown in Tables 1 and 2 for the 2021/22 municipal year with the terms of reference set out in the Council’s constitution.

(b) Appointment of Councillors to Committees and Joint Committees

Councillor Yabsley, Leader of the Conservative Group advised that Councillor Bulled would be appointed as a Planning Committee reserve for substitutions.

Councillor Worden, Leader of the Liberal Democrat Group advised that Councillor Phillips would replace Councillor Lofthouse on the Planning Committee reserve list for substitutions and that Councillor Hunt would be appointed to the Licensing and Community Safety Committee.

It was moved by Councillor Prowse and seconded by Councillor Luggar “that, as required by section 16(1) of the Local Government and Housing Act 1989, Members be appointed to Committees and Joint 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 as determined at (a) above, as set out for the time being in Table 3 circulated and amended at the meeting.”

RESOLVED that, as required by section 16(1) of the Local Government and Housing Act 1989, Members be appointed to Committees and Joint 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 as determined at (a) above, as set out for the time being in Table 3 circulated and amended at the meeting.

(c) **Appointment of Chairs and Vice-Chairs to Committees and Joint Committees**

It was moved by Councillor Prowse and seconded by Councillor Luggar “that the Council appoints Chairs and Vice-Chairs to the Committees and Joint Committees as set out in Table 4 circulated at the meeting for the 2021/22 municipal year subject to the following appointments:

Councillor Ley – Chair of Planning Committee
Councillor Mackie – Vice Chair of Planning Committee
Councillor Campbell – Vice Chair of Policy Development Committee”

RESOLVED that the Council appoints Chairs and Vice-Chairs to the Committees and Joint Committees as set out in Table 4 circulated at the meeting for the 2021/22 municipal year subject to the following appointments:

Councillor Ley – Chair of Planning Committee
Councillor Mackie – Vice Chair of Planning Committee
Councillor Campbell – Vice Chair of Policy Development Committee

(d) **Appointments to the Local Government Association and South West Regional Chamber**

It was moved by Councillor Worden and seconded by Councillor Roome “that the Council appoints Members to the Local Government Association and South West Regional Chamber for the period 2021/22 as set out in Table 5 circulated at the meeting and that these appointments be approved duties.”

RESOLVED that the Council appoints Members to the Local Government Association and South West Regional Chamber for the period 2021/22 as set out in Table 5 circulated at the

meeting and that these appointments be approved duties.

(e) **Appointment of Members to the Appointments Committee**

It was moved by Councillor Worden and seconded by Councillor Roome “that alternative arrangements be made for the appointment of Members to the Appointments Committee in accordance with the powers set out in Section 17 of the Local Government and Housing Act 1989 and the provisions of the Local Government (Committees and Political Groups) Regulations 1990 and that the alternative arrangements provide that the membership of the Appointments Committee be not politically balanced and that the Group Leaders be appointed to the Committee”.

RESOLVED that alternative arrangements be made for the appointment of Members to the Appointments Committee in accordance with the powers set out in Section 17 of the Local Government and Housing Act 1989 and the provisions of the Local Government (Committees and Political Groups) Regulations 1990 and that the alternative arrangements provide that the membership of the Appointments Committee be not politically balanced and that the Group Leaders be appointed to the Committee.

8. SCHEME OF MEMBERS ALLOWANCES 2021/22

Council considered a report by the Chief Executive (circulated previously) regarding the Scheme of Members Allowances for 2021/22.

The Chief Executive outlined the recommendations of the Independent Remuneration Panel which recommended an increase in the Basic Allowance in line with pay award for staff. The Panel had also been requested to consider and make a recommendation regarding the use of electric vehicles and had recommended that mileage rates for full electric cars should be made in line with the HMRC Advisory rate. To reflect that the Council was unable to hold an Annual Council meeting in 2020, an additional recommendation had been included recommending that the uplifting of allowances be backdated to the 2020/21 financial year.

It was moved by Councillor Bushell and seconded by Councillor Davies “that the recommendations be adopted subject to the consideration of the mileage payments for fully electric cars being referred to the Policy Development Committee”.

The Chief Executive advised that in relation to mileage payments for electric cars the Independent Remuneration Panel stated within its report (Appendix A) that “the Panel would like to undertake more detailed work into electric cars at the next full Review when it hoped more evidence might be found from other Council schemes, as there is very little evidence of anything other than the use of HMRC rates”. The Council have to have regard to the report of the Independent Remuneration Panel when considering setting the scheme of members allowances.

An amendment was moved by Councillor Lane and seconded by Councillor Luggar “that the recommendations be adopted subject to the mileage payments for fully electric cars be 45p per mile in line with petrol and diesel vehicles.”

The Head of Resources advised that the payment of tax was not required up to 45p per mile for use of vehicles.

The amendment was put to the vote and carried, which then became the substantive motion.

RESOLVED:

(a) That the Scheme of Members Allowances for 2021/22 as shown in Appendix B and C be adopted subject to the mileage payments for fully electric cars be 45p per mile in line with petrol and diesel vehicles;

(b) That the uplifting of allowances be backdated to the 2020/21 financial year.

9. OUTSIDE BODIES APPOINTMENT - BARNSTAPLE TOWN CENTRE MANAGEMENT TEAM

Council considered the appointment of one Member to the Barnstaple Town Centre Management Team for the life of Council, following the resignation of Councillor Leaver from the team in 2020.

It was moved by Councillor Worden and seconded by Councillor Tucker “that Councillor Hunt be appointed to the Barnstaple Town Centre Management Team for the life of Council”.

An amendment was moved by Councillor Pearson and seconded by Councillor Luggar “that Councillor Mack be appointed to the Barnstaple Town Centre Management Team for the life of Council”.

The Chief Executive advised that the Chair would not be able to take part in the vote and that the Vice Chair would need to chair the meeting during the voting.

Councillor Worden and Tucker agreed to amend their motion to take on board the amendment “that Councillor Hunt be appointed to the Barnstaple Town Centre Management Team for the life of Council and that Councillor Mack be invited to attend meetings of the Team”.

Councillor Roome declared a personal interest as a Barnstaple Town Councillor appointed to the Barnstaple Town Centre Management Team.

The Vice Chair took the Chair.

RESOLVED that Councillor Hunt be appointed to the Barnstaple Town Centre Management Team for the life of Council and that Councillor Mack be invited to attend meetings of the Team.

10. TO DETERMINE THE SCHEME OF DELEGATIONS FOR FULL COUNCIL FUNCTIONS FOR THE YEAR 2021/22

The Senior Solicitor/Monitoring Officer advised that the Head of Place and Monitoring Officer had delegated authority to issue or serve notices for planning breaches, but neither had the power to withdraw notices for planning breaches. He recommended that a minor amendment be made to the Scheme of Delegations to give both the Head of Place and Monitoring Officer delegated power to withdraw notices for planning breaches.

It was moved by Councillor Worden and seconded by Councillor Lofthouse that “the Scheme of Delegations (as amended) for the discharge of functions for the year 2021/22 as set out in Part 3 of the Constitution be adopted subject to the scheme of delegations being amended to give both the Head of Place and Monitoring Officer delegated power to withdraw notices for planning breaches”.

RESOLVED the Scheme of Delegations (as amended) for the discharge of functions for the year 2021/22 as set out in Part 3 of the Constitution be adopted subject to the scheme of delegations being amended to give both the Head of Place and Monitoring Officer delegated power to withdraw notices for planning breaches.

Chair

The meeting ended at 9.11 pm

NOTE: These minutes will be confirmed as a correct record at the next meeting of Council.