

NORTH DEVON COUNCIL

Minutes of a meeting of Council held at Barum Room - Brynsworthy on Thursday, 18th May, 2023 at 2.30 pm

PRESENT: Members:

Councillor Hunt (Chair)

Councillors Bell, Biederman, Bishop, Bulled, Bushell, Cann, Clayton, Crabb, Davies, Haworth-Booth, Jones, Jusef, Knight, Lane, Leaver, Leaver, Lethaby, Lovering, Maddocks, Maskell, Milton, Norman, Orange, Patrinos, Prowse, Quinn, Roome, L. Spear, Topps, Turton, Walker, Whitehead, Wilkinson, Williams, Wilson, Worden and York

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Senior Solicitor and Monitoring Officer and Head of Governance

1. ELECTION OF CHAIR OF COUNCIL FOR 2023/24

Councillor Hunt, Chair of Council addressed Council and summarised the events that had taken place over the past 12 months including: the planting of trees at care homes, schools and woodlands as part of the Queens Platinum Jubilee Green Canopy which had been successful; attendance at a number of civic events; her own civic service that had taken place in February 2023 and raised funds for the Francis Chichester charity; and the passing of the Queen and Coronation of King Charles which had taken place on 6 May 2023. She thanked her Vice Chair Joe Tucker for his support. She also thanked the Chair's secretary, the Senior Corporate and Community Services Officer, Corporate and Community Services team, Director of Resources and Chief Executive for their help and support. She also thanked her chaplain Dick Chamings who was unfortunately not able to attend.

The Chief Executive called for nominations for the election of Chair of Council for 2023/24.

It was moved by Councillor Walker and seconded by Councillor Roome "that Councillor Hunt be appointed Chair of the Council for the 2023/24 municipal year".

RESOLVED that Councillor Hunt be appointed Chair of the Council for the 2023/24 municipal year.

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

2. ELECTION OF VICE-CHAIR OF COUNCIL FOR 2023/24

The Chair called for nominations for the election of Vice Chair of the Council for 2023/24.

It was moved by Councillor York and seconded by Councillor Topps “that Councillor Walker be appointed Vice Chair of the Council for 2023/24 municipal year”.

RESOLVED that Councillor Walker be appointed Vice Chair of the Council for 2023/24 municipal year.

Councillor Walker took the Declaration of Acceptance of Office and gave a speech of thanks for being elected. The Chair presented the chain of office to the Vice Chair.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Denton, R. Knight, Renshaw and Stevenson.

4. DECLARATIONS OF INTEREST

There were no declarations of interest received.

5. APPOINTMENT OF LEADER OF THE COUNCIL FOR 2023/24

It was moved by Councillor Worden and seconded by Councillor Prowse “that Councillor Roome be appointed Leader of the Council for the 2023/24 municipal year”.

Councillor Worden thanked Councillor for their support over the past four years when he was Leader of the Council. He had really enjoyed the role.

Councillor Prowse advised Council that the North Devon Independent Group was a broad group who were prepared to work together as a group and that their main aim was to promote North Devon and work with the new administration. He had really enjoyed his role as Deputy Leader of the Council over the past four years and working with Councillor Worden.

RESOLVED that Councillor Roome be appointed Leader of the Council for the 2023/24 municipal year.

Councillor Roome thanked Council for appointing him as Leader of the Council for the next 12 months and for putting their trust in him. He was looking forward to working with all Councillors and was happy that the political groups would be working together for the benefit for the communities of North Devon. The next stage would be to set the corporate priorities for the Council which he encouraged all Councillors to be involved with. He advised that his door was always open to everyone.

6. APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL FOR 2023/24

It was moved by Councillor Roome and seconded by Councillor D. Knight “that Councillor Worden be appointed Deputy Leader of the Council for the 2023/24 municipal year”.

RESOLVED that Councillor Worden be appointed Deputy Leader of the Council for the 2023/24 municipal year.

7. APPOINTMENT OF COMMITTEES

Council considered a report by the Chief Executive (circulated previously and tabled as supplementary documents) regarding the appointment of committees for 2023/24.

The Chief Executive outlined the report. He advised that following discussions with Group Leaders, the number of seats on the Policy Development Committee had increased to 12 and to 13 on the Strategy and Resources Committee. Table 1 reflected the agreement reached with Group Leaders as to how political balance on committee should operate for the forthcoming year. Members and appointed substitutes of Committees that had quasi-judicial roles such as Planning and Licensing and Community Safety Committee would be required to undertake mandatory and continual training. The terms of reference for the Governance Committee was subject to a slight amendment which would be considered later on the agenda. Clarification was being sought as to whether an appointment was required to the Local Government Association South West Branch and that if an appointment was required, a separate report would be brought to Council for consideration.

Councillor York wished it be recorded in the minutes that the reason for some shortfall in members of the Liberal Democrat group not being appointed to committees maybe due to timetable of committee meetings being approved by the previous Council administration.

(a) **Appointment of Committees and Joint Committees**

It was moved by Councillor Hunt and seconded by Councillor Lane "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 2023/24 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 2023/24 municipal year with the terms of reference set out in the Council's constitution.

(b) **Appointment of Councillors to Committees and Joint Committees**

Council noted that Table 3 contained an error for the membership of the North Devon Crematorium Joint Committee and that Councillor Cann should replace Councillor Hunt.

Councillor Prowse nominated Councillor Haworth-Booth to the Governance Committee and Councillor Biederman to the Planning Committee Reserve list for substitutions.

It was moved by Councillor Hunt and seconded by Councillor Lane “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 at the meeting subject to Councillor Cann replacing Councillor Hunt on the North Devon Crematorium Joint Committee, Councillor Haworth-Booth being appointed to the Governance Committee and Councillor Biederman being appointed to the Planning Committee Reserve list for substitutions.”

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 at the meeting subject to Councillor Cann replacing Councillor Hunt on the North Devon Crematorium Joint Committee, Councillor Haworth-Booth being appointed to the Governance Committee and Councillor Biederman being appointed to the Planning Committee Reserve list for substitutions.

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

It was moved by Councillor Hunt and seconded by Councillor Lane “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 2023/24 municipal year”.

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 2023/24 municipal year.

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

Councillor Roome advised that there was only one position on the Local Government Association Coastal Issues Group, therefore it was recommended that Councillor Wilkinson be appointed and that Councillor Renshaw be appointed as a substitute Member.

It was moved by Councillor Hunt and seconded by Councillor Lane “that the Council appoints Members to the Local

Government Association and South West Regional Chamber for the period 2023/24 as set out in Table 5 circulated at the meeting subject to the appointments to the Local Government Association Coastal Issues Group being Councillor Wilkinson and that Councillor Renshaw be appointed as a substitute Member 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 2023/24 as set out in Table 5 circulated at the meeting subject to the appointments to the Local Government Association Coastal Issues Group being Councillor Wilkinson and that Councillor Renshaw be appointed as a substitute Member and that these appointments be approved duties.

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

It was moved by Councillor Hunt and seconded by Councillor Lane “that alternative arrangements be made for the appointment of Members to the Appointments Committee in accordance with the powers set out in 3 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 Councillors Crabb, Prowse and Roome 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 3 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 Councillors Crabb, Prowse and Roome be appointed to the Committee.

(f) **Appointment of Members to the Joint Planning Policy Committee**

It was moved by Councillor Hunt and seconded by Councillor Lane “that alternative arrangements be made for the appointment of Members to the Joint Planning Policy Committee in accordance with the powers set out in 3 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 Joint

Planning Policy Committee be not politically balanced and that Councillors Bell, Crabb, D. Knight, Lane, Prowse, Roome and Worden be appointed to the Committee.”

RESOLVED that alternative arrangements be made for the appointment of Members to the Joint Planning Policy Committee in accordance with the powers set out in 3 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 Joint Planning Policy Committee be not politically balanced and that Councillors Bell, Crabb, D. Knight, Lane, Prowse, Roome and Worden be appointed to the Committee.

8. APPOINTMENT OF LEAD MEMBERS

The Chief Executive outlined the role of a Lead Member. He advised that where Councils had an Executive model such as Devon County Council, Portfolio Holders were appointed who had delegated powers to take decisions. As the Council operated a committee model, Lead Members could not be given delegated powers, however they could be appointed to take the lead on a service area.

It was moved by Councillor Roome and seconded by Councillor C. Leaver “that the following Lead Members be appointed:

Climate and Biodiversity – Councillor R. Knight
Commercialisation and Resources – Councillor Walker
Coastal Communities – Councillor Wilkinson
Regeneration, Economic Development and Planning – Councillor Prowse
Housing – Councillor Bell
Waste and Recycling – Councillor D. Knight”

RESOLVED that the following Lead Members be appointed:

Climate and Biodiversity – Councillor R. Knight
Commercialisation and Resources – Councillor Walker
Coastal Communities – Councillor Wilkinson
Regeneration, Economic Development and Planning – Councillor Prowse
Housing – Councillor Bell
Waste and Recycling – Councillor D. Knight

9. APPOINTMENTS TO OUTSIDE BODIES

Council considered a report by the Head of Governance (circulated previously and tabled as a supplementary document) regarding appointments to Outside Bodies.

The Head of Governance advised that in relation to recommendation 2.2 of the report the nominations received for the appointments to North Devon+ were

Councillors Prowse and Roome and to One Ilfracombe was Councillor Roome. In relation to recommendation 2.4 of the report, nominations had been put forward by Group Leaders to appoint to the Devon Rail Forum and the Ilfracombe and District Business Tourism Association therefore it was recommended that appointments be made to both of these organisations as detailed in the supplementary document.

It was moved by Councillor Roome and seconded by Councillor Leaver “that the recommendations be adopted subject to recommendation 2.2 being amended to include the appointments of Councillors Prowse and Roome to North Devon+ and Councillor Roome to One Ilfracombe and recommendation 2.4 being amended to continue to re-appoint Members to the Devon Rail Forum and the Ilfracombe and District Business Tourism Association.”

RESOLVED

- (a) That Members of Council be appointed to the Outside Bodies listed in supplementary document Appendix A of the report for the life of Council and that attendance at meetings be an approved duty.
- (b) That Members of the Council who would be required to act as Directors of the companies for the life of Council be appointed as follows:
 - i. North Devon + - Councillors Prowse and Roome
 - ii. One Ilfracombe – Councillor Roome
- (c) That all appointees to Outside Bodies be required to report back to Council at appropriate levels, usually annually.
- (d) That Council continue to re-appoint Members to the following organisations:
 - i. Devon Rail Forum
 - ii. Ilfracombe and District Business Tourism Association

10. PLANNING CODE OF CONDUCT AND REVIEW OF THE SCHEME OF DELEGATIONS

Council considered a report by the Senior Solicitor and Monitoring Officer (circulated previously) regarding the Planning Code of Conduct and Review of the Scheme of Delegations.

It was moved by Councillor Roome and seconded by Councillor Worden that the recommendations in the report be adopted.

RESOLVED:

- (a) That the Scheme of Delegations for the discharge of functions for the year 2023/24 as set out in Part 3 of the Constitution be adopted with the amendments as provided in Appendices 1 and 2 to this report.

- (b) That the revised Planning Code of Conduct as provided in Appendix 3 to this report be included in the Constitution in Part 5 and that this replaces the current Planning Code of Conduct as published on the Council's website.

11. APPOINTMENT OF INDEPENDENT PERSON

Council considered a report by the Senior Solicitor and Monitoring Officer (circulated previously) regarding the appointment of an independent person.

It was moved by Councillor Worden and seconded by Councillor Roome that the recommendation in the report be adopted.

RESOLVED that Rob Jeanes continue to be appointed as Independent Person with effect from 18th May 2023 for a four year term.

12. ASSISTANTS FOR POLITICAL GROUPS

Council considered a report by the Chief Executive (circulated previously) regarding Assistants for Political Groups.

Councillor Roome advised that the Liberal Democrat group would not be considering appointment of an assistant at this time.

It was moved by Councillor Roome and seconded by Councillor Prowse "that the report be noted".

RESOLVED that the report be noted.

Chair

The meeting ended at 3.23 pm

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