

FULL COUNCIL

28 NOVEMBER 2023

Present:

Councillors Bradford, Bullivant, Buscombe, Clarence (Chair), D Cox (Vice-Chair), Daws, Dawson, Farrand-Rogers, Gearon, Goodman-Bradbury, Hall, Hayes, Jackman, James, Jeffries, Keeling, Lake, MacGregor, Morgan, Nutley, Nuttall, Palethorpe, C Parker, P Parker, Parrott, Peart, Purser, Radford, Rogers, Rollason, Ryan, Sanders, Smith, Steemson, Swain, G Taylor, J Taylor, Thorne, Webster, Williams and Wrigley

Apologies:

Councillors Atkins, H Cox, Foden, Henderson, Hook and Mullone

Officers in Attendance:

Neil Blaney, Head of Place & Commercial Services
Trish Corns, Democratic Services Officer
William Elliott, Climate Change Officer
Kay Fice, Scrutiny Officer
Martin Flitcroft, Chief Finance Officer & Head of Corporate Services
Alex Lessware, Principal Planner Officer - Spatial Planning
Michelle Luscombe, Planning Policy Manager
Fergus Pate, Economy and Delivery Manager
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer
Phil Shears, Managing Director
Estelle Skinner, Green Infrastructure Officer,
Paul Woodhead, Head of Legal Services & Monitoring Officer to the Council

65. MINUTES

It was proposed by the Leader and seconded by Cllr MacGregor that subject to the removal on page 12 Motion 4 *As two-thirds did not agree to a debate the matter it was referred to Procedures Committee* the minutes of the meeting on 17 October 2023 be approved.

RESOLVED that the minutes of the meeting of 17 October 2023 subject to the removal on page 12 Motion 4 *'As two-thirds did not agree to a debate the matter it was referred to Procedures Committee'* be approved and were signed as a correct record by the Chair.

66. ANNOUNCEMENTS

The Leader updated Members on the position with regards to the Devon Devolution Deal, working with the Centre for Governance and Scrutiny in respect

of Governance and reviewing the Constitution; He added the Working Group had been established to support the Council Strategy work and there would be a Local Government Association Peer Challenge Review in January 2024.

The Executive Member for Corporate Resources advised of a report undertaken by Chris West a Local Government Association Finance Associate.

The Chair advised of the civic events he had attended.

67. DECLARATIONS OF INTEREST

None.

68. RECOMMENDATION FROM PROCEDURES COMMITTEE - REVERTING ONE OVERVIEW AND SCRUTINY COMMITTEE

The Executive Member for Corporate Resources proposed the recommendation, this was seconded by the Leader.

Cllr Sanders proposed an amendment of a single Overview and Scrutiny Committee of 20 members with effect from the Annual General Meeting in May 2024, this was seconded by Cllr Parrott.

The proposer and seconder of the original proposal agreed to this being the substantive motion.

Cllr MacGregor proposed an amendment that the Administration did not Chair Overview and Scrutiny Committees, this was seconded by Cllr J Taylor put to the vote and lost.

Cllr Bullivant proposed to go to one Overview and Scrutiny Committee with 26 members with effect from 1 January 2024 as per the recommendation set out in the report, this was seconded by Cllr Lake put to the vote and lost.

The substantive motion was put to the vote and carried.

RESOLVED that the Overview & Scrutiny Committees merge to form one Overview & Scrutiny Committee of 20 Members and with effect from the Annual General Meeting in May 2024.

69. ADOPTION OF THE REVISED PROCESS FOR DEALING WITH MEMBER CODE OF CONDUCT COMPLAINTS

The Chair of Standards Committee proposed the recommendation, this was seconded by the Executive Member for Corporate Resources.

Cllr J Taylor proposed an amendment that the report be deferred, this was seconded by Cllr Daws put to the vote and lost.

The substantive motion was put to the vote and carried.
RESOLVED that the revised process be approved.

70. APPOINTMENT OF THE TOWN/PARISH REPRESENTATIVE ON STANDARDS COMMITTEE

The Chair of Standards Committee proposed the recommendation, this was seconded by the Leader.

RESOLVED to approve the appointment of Cllr Lisa May from Exminster Parish Council as the Parish/Town Representative to sit on Standards Committee for a term of two years with effect from 28 November 2023.

71. ENERGY SUPPLY CONTRACT RENEWAL

The Executive Member for Corporate Resources proposed the recommendation, this was seconded by the Leader.

RESOLVED to:-

- (1) Provide the Environmental Protection Manager the authority to renew the LASER energy contracts covering the supply of gas (Framework: Y22008) and electricity (Framework: Y22009) between 01/10/2024 and 30/09/2028; and
- (2) Instruct the Climate Change Officer, in consultation with the Executive Member for Climate Change, to write to Laser urging the early introduction of the Green Basket product identified in the report to provide the option to source up to 100% of our electricity demand from renewable energy generators, in accordance with Target 3 of the Part 1 Carbon Action Plan.

72. TEIGN ESTUARY TRAIL PROJECT DELIVERY SUPPORT

The Executive Member for Planning proposed the recommendation, this was seconded by the Leader.

RESOLVED:-

- (1) To approve £1,000,000 of Community Infrastructure Levy (CIL) to support the Teign Estuary Trail project delivery;
- (2) That the £1,000,000 will consist of £50,000 towards the (Strategic) Outline Business Case and, subject to this evidencing an outcome of at least 2:1 Benefit Cost Ratio, the £100,000 for design costs and the £850,000 for land acquisition costs; and
- (3) To delegate the authority to the Head of Place & Commercial Services, in consultation with the Executive Member for Planning, to enter into a

funding agreement with Devon County Council that accords with the funding agreement requirements in paragraph 1.3 of Part II (exempt part) of this report, and to oversee the ongoing progress.

The vote was unanimous.

73. APPROVAL OF THE JOINT STRATEGY FOR EAST DEVON, EXETER, MID DEVON AND TEIGNBRIDGE

The Executive Member for Planning proposed the recommendation, this was seconded by the Leader.

RESOLVED to approve the Joint Strategy (Appendix 1) subject to this being agreed by the partner authorities, with delegated authority given to the Director of Place and Commercial Services in consultation with the Executive Member for Planning to make any amendments arising from the resolution of the other authorities provided these do not materially alter the content of the document.

74. COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE

The Executive Member for Planning proposed the recommendation, this was seconded by the Executive Member for Corporate Resources.

RESOLVED to:-

- (1) Approve the Final Draft CIL Charging Schedule (Appendix A) and the CIL Policies and Guidance (Appendix C) for a period of public consultation of at least 4 weeks;
- (2) Following consultation, submit the Final Draft CIL Charging Schedule, and associated consultation responses and evidence, for Public Examination; and
- (3) Grant delegated authority for the to the Head of Place and Commercial Services, in consultation with the Executive Member for Planning, to make minor changes to appendices A - C prior to consultation to address any editorial errors and matters of clarification.

The vote was unanimous

75. APPOINTMENT TO LOCAL GOVERNMENT ASSOCIATION SPECIAL INTEREST GROUP RURAL SERVICES NETWORK

The Leader proposed that Cllr Steemson be appointed to represent the Council on the Local Government Association Special Interest Group Rural Services Network, this was seconded by the Executive Member for Corporate Resources.

RESOLVED that Cllr Steemson be appointed to represent the Local Government Association Special Interest Group Rural Services Network.

The vote was unanimous.

76. NOTICES OF MOTION

Motion 1

Cllr Braford in Cllr Mullone absence presented the motion on the remodelling of conservation areas zones to allow green improvements.

As two-thirds of Members did not agree to a debate the matter it was referred to Procedures Committee.

Motion 2

Cllr Daws presented the motion on the Devon County Council decision to close the Mobiles Library Services.

Members debated the item and were in full support of this Notice of Motion. The Leader would write to Devon County Council asking them to reconsider their decision.

Motion 3

Cllr P Parker presented the motion on at Planning Committee enabling through the chair, questions requesting clarification of a point made during the presentation to be put to an applicant/ objector and answered by them.

The matter it was referred to Procedures Committee.

Motion 4

Cllr J Taylor presented the motion on the changing facilities at Broadmeadow Leisure Centre.

More than five members asked for a roll-call to decide if two thirds of Members present wanted to debate this matter today.

Recorded vote under Procedure Rule 4.13.5

For Cllrs Bradford, Bullivant, Daws, Dawson, Gearon, Hall, Lake, MacGregor, P Parker, Peart, Purser, Radford, Rogers, Ryan, Smith, J Taylor, webster Total 17

Against Cllrs Buscombe, Farrand-Rogers, Goodman-Bradbury, Hayes, Jackman, James, Keeling, Morgan, Nutley, Palethorpe, C Parker, Parrott, Rollason, Sanders, Swain, G Taylor, Williams, Wrigley, D Cox Total 19

Abstain Cllrs Nuttall, Steemson, Thorne, Clarence Total 4

Absent: Cllrs Atkins, H Cox, Henderson, Foden, Hook, Mullone, Jeffries,
Total 7

As two-thirds did not agree to a debate the matter it was referred to Executive.

77. COUNCILLOR QUESTIONS

Councillors Questions and responses attached to the agenda.

The meeting started at 10.00 am and finished at 1.00 pm.

Chair