

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 19 July 2023**

#### **Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.33 pm

#### **5 Declarations of interest**

Minute 6. Public speaking.

Councillor Paul Arnott, Affects and prejudicial Non-registerable Interest, Councillor is a member of Colyton Parish Council.

Minute 14. Minutes of Cabinet held on 12 July 2023. Minute numbers 12 - 30.

Councillor Jessica Bailey, Affects Non-registerable Interest, Councillor is a member of Devon County Council.

Minute 21. Devon Districts Representation on DCC Investment and Pension Fund Committee; and Health and Adult Care Scrutiny Committee.

Councillor Jessica Bailey, Affects Non-registerable Interest, Councillor is a member of Devon County Council and sits on the DCC Investment and Pension Fund Committee.

Minute 21. Devon Districts Representation on DCC Investment and Pension Fund Committee; and Health and Adult Care Scrutiny Committee.

Councillor Marcus Hartnell, Affects Non-registerable Interest, Councillor is a member of Devon County Council and sits on the DCC Investment and Pension Fund Committee.

Minute 21. Devon Districts Representation on DCC Investment and Pension Fund Committee; and Health and Adult Care Scrutiny Committee.

Councillor Stuart Hughes, Affects Non-registerable Interest, Councillor is a member of Devon County Council.

#### **6 Public speaking**

Two members of the public had registered to speak.

Mr Jack Rowland, a former East Devon Councillor, provided the context for his question and advised that since 2010 the Council had lost approximately £51.8m in central government support. This, together with other spending restraints, made it very difficult for the Council to produce a balanced budget, as required by law. Mr Rowland urged all Councillors, and particularly those newly elected, to acquaint themselves with the projected budget deficit as shown in the Medium Term Financial Plan.

Mr Rowland advised that at the EDDC Full Council meeting on 7 December 2022 a motion was presented, and all recommendations had been agreed regarding the need for adequate immediate and longer term government funding.

Mr Rowland then asked whether the Council had registered support for the Local Government Association's 'Save Local Services' campaign, and if so, when. In addition, had the Council invited local MPs to support the Council's concerns, and if so, when and what was the outcome. It was also agreed to work with other local authorities to lobby for adequate local government funding, had this happened and if so, when and what was the outcome.

The Leader thanked Mr Rowland for his questions and advised that a written response would be provided.

The Leader left the meeting.

Mr Tim Wheeler, Vice-Chair of the newly formed Colyford Parish Council, spoke in a personal capacity and provided background information to the Council's decision in December 2022 to establish Colyford Parish Council, and the subsequent Reorganisation Order published in January 2023 which set out the assets to be transferred to Colyford Parish Council from Colyton Parish Council.

Concessions were agreed with EDDC to provide funds to cover essential start-up costs. The new Colyford Parish Council was elected in May 2023 and a new bank account set up. Colyford Parish Council has formally requested the transfer of the assets, however, the request has been refused by Colyton Parish Council, who regard the Reorganisation Order as illegal, and have subsequently started a judicial review of EDDC's decision. Without the transfer of assets and funds, Colyford Parish Council is unable to launch successfully and provide services to its local community.

Mr Wheeler had been going to request that EDDC enforce the Reorganisation Order, or, failing that, consider providing essential funds equivalent to the assets to be transferred from Colyton Parish Council until those assets are fully transferred. That afternoon, the Council had agreed to an early advance of the second tranche of the precept which provided assistance in the short term. However, Mr Wheeler asked that the Council enforce the Reorganisation Order as agreed.

The Portfolio Holder for Communications and Transparency advised that EDDC continues to provide support for Colyford Parish Council to enable it to function. However, it was difficult to make progress until the situation regarding the judicial review was clear and it was hoped that a response would be received from the courts before the end of August.

The Chair thanked Mr Wheeler for his contribution.

The Leader returned to the meeting.

## **7 Minutes of the previous meeting held on 24 May 2023**

Regarding minute number 25 (Leader's appointment to Cabinet) of the minutes of the previous meeting held on 24 May 2023, it was noted that the appointment of Councillor Matt Hall as Portfolio Holder for Economy had been omitted.

The Monitoring Officer apologised to Councillor Hall for the error and confirmed that the minutes would be corrected.

With the above correction to minute 25, the minutes of the meeting held on 24 May 2023 were agreed as a true record.

## **8 Matters of urgency**

There were no matters of urgency.

## **9 Announcements from the Chair and Leader**

The Chair had three announcements to make.

The first was to inform the Council of the sad passing of former Councillor Chris Wale. Details of the funeral arrangements had been circulated to Councillors.

Secondly, the Chair informed the Council of the sad passing of the wife of former Councillor Bernard Hughes.

Finally, the Chair advised that she and the Vice-Chair would not take part in item 13 on the agenda (Motions: Actions to provide strong, united and informed managerial and political leadership). This was to avoid any potential conflict of interest as both the Chair and the Vice-Chair had signed the recent letter to the Secretary of State. At the appropriate point in the meeting, nominations would be invited to chair the meeting for that item.

The Leader had no announcements to make.

10 **Confidential/exempt item(s)**

There were no confidential or exempt items.

11 **To answer questions asked by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5**

Eighteen questions had been received and had been responded to in writing and published prior to the meeting. The Chair asked for any supplementary questions from the relevant Councillors: Cllr Hartnell, Cllr Goodman, Cllr Bailey, Cllr Martin.

**Question 1:** Councillor Hartnell asked whether all EDDC staff visiting tenants were given training on damp and mould identification.

In response the Portfolio Holder for Sustainable Homes and Communities confirmed that most staff were given basic training. Moving forward, an education campaign to support residents was needed as maintaining properties in good repair was key to this issue and should be the main focus. The current housing stock survey would also assist with this matter.

**Question 2:** Councillor Hartnell asked the Portfolio Holder for Sustainable Homes and Communities to provide reassurance that those on the waiting list would be able to move to a suitable home as soon as possible, given that a void property in Seaton had been unoccupied since October 2022 and that this was also a district wide issue.

The Portfolio Holder replied that a consultant had been engaged to manage the voids process as the Council was well aware of the issue. Currently a large amount of work was being undertaken to address the problem and an improvement plan was being drafted to enable the housing service to move forward.

It was noted that void properties are being returned in a worse condition than usual and, in some cases, requiring a new bathroom or kitchen, as opposed to minor re-decoration. The Portfolio Holder advised that staff were working very hard to address the situation and thanks to the staff was noted.

**Question 4:** Councillor Hartnell asked the Leader why he had not formed portfolio groups to support the administration, and would the Leader agree that it would be more democratic to involve the wider membership in this way.

In response, the Leader referred Members to agenda item 13 (Motion: Actions to provide strong, united and informed managerial and political leadership) and advised that many aspects of the Council's democratic processes need to be reviewed. Setting up portfolio groups would have been impossible during the covid pandemic and the Leader expressed doubt as to whether portfolio group meetings would be well attended. A meeting of Group Leaders would be arranged shortly to explore the matter further.

**Question 5:** Councillor Goodman asked whether the Leader would wish to reconsider his written answer with regard to Cabinet key decisions as there was no evidence that Cabinet had agreed its forward plan key decisions, despite this being a requirement in the Constitution. Councillor Goodman welcomed the Monitoring Officer's review of the forward plan and requested greater clarity as to what constitutes a key decision.

The Leader responded that work was underway to review the forward plan and the definition of key decisions.

**Question 6:** Councillor Goodman asked the Portfolio Holder for Communications and Democracy when the agreed review of online petitions would take place.

The Portfolio Holder for Communications and Democracy advised that this item had been referred to the Overview Committee to progress.

**Question 7:** Councillor Goodman asked when the forthcoming tree strategy would be brought to the Council.

In response, the Portfolio Holder for Coast, Country and Environment advised that Devon County Council was shortly to finalise the tree strategy which would be circulated to all Devon District Councils to adopt.

**Question 8:** Regarding the number of disabled car parking spaces, Councillor Goodman advised that he had been questioning whether a policy was in place and if there was no policy, whether a policy could be brought to Cabinet.

The Portfolio Holder for Coast, Country and Environment advised that, although no policy was in place, car parking spaces were marked up to the required standard.

Councillor Goodman responded that, under Government guidelines, 6% of car parking spaces should be marked for disabled motorists and that the majority of the Council's car parks fell short of this figure.

The Portfolio Holder for Finance and Assets advised that Government guidelines are guidance only and that EDDC was following its own policy. It would be difficult to quantify the need for disabled employee car parking spaces in rural East Devon and disabled motorists were able to park on-street for up to two hours with the correct permit without the need to use a Council car park.

**Question 10:** Councillor Jess Bailey asked the Leader to provide details of officer meetings, including dates, times and attendees, when the enlargement of the built up area boundary for West Hill was agreed.

The Leader responded that he would provide the details requested in due course.

**Question 11:** Councillor Jess Bailey asked the Leader to commit to including a requirement for event organisers and hirers of Council owned land to publish their own safeguarding policies.

The Leader confirmed that the matter raised by Councillor Jess Bailey would be included as part of the forthcoming safeguarding review agreed at the Council meeting on 11 July 2023.

**Question 13:** Councillor Jess Bailey was of the view that it should be possible to account for the interest on S.106 funds and CIL funds accrued to town and parish councils, and held by EDDC.

The S.151 Officer advised that the Council does not account for interest on S.106 and CIL monies, but that he would discuss this further with Councillor Jess Bailey.

**Question 14:** Councillor Jess Bailey requested details of the costs arising from the introduction of voter ID and of voters being turned away at the recent election.

The Leader agreed to revert to Councillor Bailey with the costs and advised that this would be followed up by the Audit and Governance Committee, as it was important to understand the cost of elections.

**Question 16:** Councillor Martin asked why void properties were not advertised when they were ready as this would avoid frustration with the system.

The Portfolio Holder for Sustainable Homes and Communities advised that waiting to advertise properties until they were ready would add to the bottleneck in the system, due to the majority of tenants having to terminate their current tenancies. Shortlisting early meant that viewings and checks could be undertaken sooner when a property was ready and a property could then be allocated as soon as possible. Currently the focus should remain on addressing the backlog of void properties.

**Question 18:** Councillor Martin asked why the Council needs to wait for the Government guidance on The Glue Traps (Offences) Act 2022 until it takes action on Council owned land.

The Leader responded that this matter could be considered by the Overview Committee and referred Councillor Martin to the Committee.

## 12 **Reports from the Cabinet and the Council's Committees and questions on those reports**

The item was to receive and accept the minutes of Committees and to agree any recommendations contained therein.

The Chair invited the Leader and the Chairs of Committees to present their minutes.

## 13 **Minutes of Cabinet held on 7 June 2023. Minute numbers 1 - 11**

Cllr Arnott moved the above minutes and following a vote, the minutes were accepted.

14 **Minutes of Cabinet held on 12 July 2023. Minute numbers 12 - 30**

Councillor Arnott moved the above minutes.

Councillor Jess Bailey had given notice that she wished to call minute 17 of the meeting of Cabinet held on 12 July 2023 (Home Office Asylum Hotel – Hampton by Hilton, Exeter Airport).

Councillor Bailey referred to minute 17 [page 60 of the Council agenda pack] which referred to there having been limited sight of the self-audit report from the Home Office. Councillor Bailey advised that only one person within EDDC had been allowed to see the Home Office self-audit report and made the following points:

- The Cabinet minutes should reflect the fact that the Council's Safeguarding Lead was not allowed to see the Home Office report which refers to safeguarding and food.
- Despite being discussed at Cabinet, it was not widely known that there are concerns regarding the residents at the hotel.
- There was difficulty in getting the Home Office to take action.
- The Chief Executive had written to the Home Office.

Councillor Bailey asked that the Leader also write publicly to the Home Office to request that action is taken to support the residents, including the 100 children, at the hotel.

The Leader confirmed that there had been an expectation that the Home Office report would be available to more than one person in EDDC, and that the Safeguarding Lead should definitely have sight of the report. The Leader agreed that the minutes of Cabinet of 12 July 2023 should include this information and should be corrected.

The Leader further agreed to write to the Home Office again following the upcoming urgent Cabinet meeting.

With the correction to include the additional information regarding the Safeguarding Lead having sight of the Home Office report, the minutes were accepted.

The Cabinet recommendations to Council contained in the minutes were agreed as follows:

<b><u>Cabinet – 12<sup>th</sup> July 2023</u></b>	
<b>Minute 24 - Revenue and Capital Outturn Report 2022 - 2023</b>	
<b>RESOLVED</b>	<ol style="list-style-type: none"> <li>1. The outturn position for 2022/23 including the implications and proposals relating to the Balances and Reserves held by the Council.</li> <li>2. The proposed reserve transfers contained within the report and give delegated authority to the Director Finance in consultation with the Finance Portfolio for any amendments to these transfers as additional year end data becomes available.</li> </ol> <p><b>REASON:</b> To accord with the Council's financial regulations, the</p>

	<p>report presents the outturn position for the Council's approved budgets for the General Fund, Housing Revenue Account and Capital Expenditure. The financial position would align to the Council's Statement of Accounts but the position in the report was presented in a style that accorded to the budget setting and monitoring reports that members receive. Members were asked to note the variations from the budgets identified within the report and consider the final position. It was appropriate at this stage to reflect on the reserves and balances held by the Council and determine if these were the right reserves at the right levels going forward.</p>
<p><b>Minute 25 - Place &amp; Prosperity Team Resourcing</b></p>	
<p><b>RESOLVED</b></p>	<p>that additional revenue budget is secured to;</p> <p>a) make the 2 year fixed term Project Manager – Exmouth post permanent at Grade 6. Revenue cost including on-costs of an additional £74,000 per annum from 2024/25 with a pro-rata allowance for latter 3 months of 2023/24, and</p> <p>b) make the Project Officer post full time. Additional revenue cost including on-costs would be £21,000 per annum from 2024/25 with a pro-rata allowance for latter 6 months of 2023/24.</p> <p>REASON: To provide an appropriate level of resource to fulfil Service Plan objectives, Council, business, residents and others expectations in Placemaking.</p>
<p><b>Minute 27- Delivering Environment Act 2021 new duties</b></p>	
<p><b>RESOLVED</b></p>	<ol style="list-style-type: none"> <li>1. The appointment of an Ecology Officer and an Ecology Graduate Apprenticeship role to help enable the Council to meet its new duty for Biodiversity Net Gain;</li> <li>2. To provide funding for an Ecology Officer role and an Ecology Graduate Apprenticeship role to enable the delivery of the new Environment Act 2021 duties for Biodiversity Net Gain, at a budget of £47,049 per annum for the Ecology officer role and £27,344 for the Graduate Apprenticeship role. To be funded initially from the Government's new burdens payments and the Council's General Fund Revenue budget, whilst this new burdens payment is made available and thereafter by the Council's General Fund Revenue;</li> <li>3. That a letter is written to our MPs and ministers saying EDDC totally support the Biodiversity Net Gain policies within the Environment Act 2021, but are concerned on the cost implications associated in administering it. Therefore, can an</li> </ol>

	<p>urgent review and implementation of raising the fees for planning applications be carried out, to cover these extra costs, rather than the council looking at service reduction, or increased rate demands?</p> <p>REASON: To be able to meet the Environment Act 2021 duty to deliver Biodiversity Net Gain from November 2023.</p>
<b>Minute 28 - New Council Plan Process</b>	
<b>RESOLVED</b>	<p>A budget of £10,000 for this work.</p> <p>REASON: To progress the development of the new council plan with member inclusion and SMT+ support.</p>
<b>Minute 30 - Zed Pods Housing Development</b>	
<b>RESOLVED</b>	<p>To approve a capital budget of £302k (to be funded from HRA) for the PCSA and the 'indicative' scheme costs to support the delivery of this scheme.</p> <p>REASON: To meet the council's aspiration to build new, carbon neutral homes and increase its housing portfolio, following its district wide depletion due to extensive Right to Buy purchases. There had also been a change in Right to Buy legislation which now requires Local Authorities to build new homes with their receipts rather than acquire homes from the open market, as the council had historically done.</p>

15 **Minutes of the Planning Committee held on 24 April 2023. Minute numbers 118 - 124**

In the absence of the Chair and Vice-Chair of the Planning Committee, the Chair moved the above minutes and, following a vote, the minutes were accepted.

16 **Minutes of the Planning Committee meeting held on 25 April 2023. Minute numbers 125 - 135**

The Chair moved the above minutes and, following a vote, the minutes were accepted.

17 **Minutes of the Planning Committee meeting held on 13 June 2023. Minute numbers 1 - 12**

The Chair moved the above minutes and, following a vote, the minutes were accepted.

18 **Minutes of the Licensing and Enforcement Sub Committee held on**



**24 April 2023. Minute numbers 32 - 37**

The Chair of the Licensing & Enforcement Committee moved the above minutes and, following a vote, the minutes were accepted.

19 **Minutes of the Licensing and Enforcement Sub Committee held on 22 May 2023. Minute numbers 38 - 44**

The Chair of the Licensing & Enforcement Committee moved the above minutes and, following a vote, the minutes were accepted. Councillor Whibley thanked the Vice-Chair of the Licensing & Enforcement Committee, Councillor Bloxham, for chairing the Sub Committee meetings.

20 **Report on appointments to Panels, Forums and Joint Bodies and appointments to Outside Bodies 2023-24**

At the Annual Council meeting in May 2023, Councillors invited the Monitoring Officer to bring a report to full Council regarding the composition of Panels, Forums, Joint and Outside Bodies, and whether reference to "Members" included Portfolio Holders, particularly where Cabinet members were separately referred to.

The report updated Councillors on both the constitutional requirements and previous custom and practice and invited Councillors to consider whether the current arrangements should be altered. In the event that Councillors were minded to continue with the current arrangements, the report also invited the Council to agree changes to the Constitution so that the definition of "Member" in terms of appointments to Panels, Forums, Joint and Outside Bodies is clear.

Councillor Loudoun proposed two amendments to the recommendations contained in the report. This was seconded by Councillor Jackson. Following a vote, the amendments were agreed.

Councillor Goodman noted that the way the voting on appointments was undertaken at the Annual Council meeting was not in line with the Constitution. This would be amended at future meetings to ensure that voting is carried out as set down in the Constitution.

**RESOLVED:**

1. That the content of the report be noted.
2. That no changes are needed to current custom and practice.
3. That authority is delegated to the Monitoring Officer to amend the Constitution to include a definition of "Member" in terms of appointments to Panels, Forums, Joint and Outside Bodies in line with previous custom and practice.

21 **Devon Districts Representation on DCC Investment and Pension Fund Committee; and Health and Adult Care Scrutiny Committee**

Nominations were sought for District representation on the DCC Investment and Pension Fund Committee and the DCC Health and Adult Care Scrutiny Committee. Councillors noted that nomination did not guarantee an appointment to the respective Committee.

Councillor Paul Arnott nominated Councillor John Loudoun as representative on the DCC Investment and Pension Fund Committee. This was seconded by Cllr Todd Olive and, following a vote, was **RESOLVED**.

Councillor Paul Arnott nominated Councillor Tim Dumper as representative on the DCC Health and Adult Care Scrutiny Committee. This was seconded by Councillor Heath and, following a vote, was **RESOLVED**.

## 22 **Motion: Pay and display machines in Council operated car parks**

### **Motion:**

This Council recognises that it is essential for people to have the freedom to pay for goods and services however they choose. The necessity for people to budget demonstrates the importance of cash, especially to those who are vulnerable, disadvantaged or in poverty. A growing number of councils are removing pay and display parking machines and asking people to pay using an app or by phone. This is discriminatory to those who do not have smartphones, are not familiar with modern technology or rely on cash. Therefore, this Council commits to ensuring that all pay and display machines in Council operated car parks continue to accept cash payments until at least 2027.

The Chair invited Councillor Bruce as the proposer, to speak to the motion.

Councillor Bruce was of the view that there was no cost implication to the motion, and no need for an officer report. The motion was concerned with ensuring choice in methods of paying for car parking.

Councillor Hartnell seconded the motion and noted that there was now more cash usage due to budgeting for the current cost of living crisis, and therefore the Council should not change to cashless payment methods only.

Debate on the motion included the following points:

- The car parking app causes difficulty when paying for car parking.
- The motion should be referred to the Overview Committee to enable an officer report to capture work done previously on car parking charges.
- There is an urgent need for the car parking strategy to be brought forward.
- There should not be a deadline as included in the motion as this matter should be part of a wider conversation about cashless payment methods.
- There is a need for evidence to support any decision on this matter.

Councillor Arnott proposed an amendment to the motion as follows:

This Council recognises that it is essential for people to have the freedom to pay for goods and services however they choose. The necessity for people to budget demonstrates the importance of cash, especially to those who are vulnerable, disadvantaged or in poverty. A growing number of councils are removing pay and display parking machines and asking people to pay using an app or by phone. This is discriminatory to those who do not have smartphones, are not familiar with modern technology or rely on cash. In the circumstances the Council agrees to refer the matter to the Overview Committee for consideration.

The amendment was seconded by Councillor Gazzard and was agreed.

The motion, as amended, was discussed and the following points made:

- The use of cash has disadvantages and there are factors around security.
- Not everyone has a bank account and technology is not simple to use for everyone.
- 5.4m adults still use cash and the 85+ age group is highly dependent on cash.
- Access to cash is becoming more difficult with so many bank closures.

Councillor Bruce, speaking to the motion, as amended, wanted to send a clear message that East Devon is open for business and accepts cash or card payments.

A vote was taken.

### **RESOLVED:**

This Council recognises that it is essential for people to have the freedom to pay for goods and services however they choose. The necessity for people to budget demonstrates the importance of cash, especially to those who are vulnerable, disadvantaged or in poverty. A growing number of councils are removing pay and display parking machines and asking people to pay using an app or by phone. This is discriminatory to those who do not have smartphones, are not familiar with modern technology or rely on cash. In the circumstances the Council agrees to refer the matter to the Overview Committee for consideration.

23

### **Motion: Actions to provide the strong, united and informed managerial and political leadership**

As advised above, the Chair and the Vice-Chair would leave the meeting for this item.

Councillor Paul Arnott proposed that Councillor Whibley take the chair for this item. This was seconded by Councillor Levine and was **RESOLVED**.

In response to a question from Councillor Goodman, the Monitoring Officer advised that it was a matter for individual Members to decide whether or not they should leave the meeting.

Councillor Rylance and Councillor Hawkins left the meeting.

Councillor Whibley took the chair.

### **Motion:**

Council believes that the start of a four-year term with a controlling partnership of councillors with an increased mandate from the people of East Devon provides the opportunity to refresh the whole council both in terms of its priorities and the way it assembles all its resources to deal with the complex issues faced by its residents in challenging times. To that end Council commits to the following actions to provide the strong, united and informed managerial and political leadership that is required:

In the short term, to work with Local Government Association and other parts of the local government family to:

1. Undertake a skills and knowledge audit of all Cabinet Members and key councillors to ensure that they are fully equipped to undertake their roles in the challenging times in

which we find ourselves. This will lead to individual support for those members including specific mentoring and placement on appropriate courses and conferences; and

2. Work to bring together the Cabinet and Senior Management to become a unified team which, whilst respecting the different roles of officers and members, can move forward as one body in dealing with the issues faced by the council and its partners. In the first instance this would involve a facilitated Cabinet/SLT awayday and such work as may flow from that.

In the medium term, to:

3. Ask the LGA to undertake a Corporate Peer Challenge in September using leading and respected officers and members from other councils to look at the core of the council and recommend ways forward with a particular emphasis on:

i) Reviewing the member/officer protocol.

ii) Reviewing the Council's communications strategy in the light of experiences gained with Covid.

iii) Reviewing the procedural standing orders as part of a constitutional review and make all parts of the constitution become clearer, both to the public and members, and encourage more members to participate in discussions & decisions around both the development, and the scrutiny, of those strategies.

iv) Reviewing all safeguarding strategies to ensure the continued protection of our vulnerable residents.

v) Reviewing the relationships between the District Council, the County Council and town & parish councils to ensure appropriate place-based working and the joining up of the public sector and partners to deliver cost-effective and locally relevant services.

4. Ask the Centre for Governance and Scrutiny to conduct, as soon as is practicable, a review of the scrutiny processes to ensure that:

i) The Cabinet and Officers continue to cooperate in the preparation of strategies to ensure that the undoubted professionalism of our staff is supported by the undoubted skills and knowledge of all local councillors from across the political spectrum in the development of those strategies from the outset.

ii) A suite of performance indicators are put in place to ensure that service delivery can be scrutinised by both Councillors and the public and to ensure that modifications can be made to service delivery by a due process of review.

5. Ask SW Employers to undertake a review of the training and support needs of the SLT and the methodologies by which the SLT functions as a coherent team.

6. Ask the Council's S151 Officer, in conjunction with the Cabinet Member for Finance and Assets, to prepare a report outlining the likely costs to the Council of these recommendations and to ascertain any risks associated with them, both financially and reputationally.

The Chair, Councillor Whibley, invited Councillor Hayward as the proposer, to speak to the motion.

Councillor Hayward advised that the principle behind the motion had come from the recent letter sent to the Secretary of State regarding various issues in the Council. From time to time, every local authority needs additional support in order to improve and develop. There was a need for the Council to work as a team in order to move forward and additional support from the Local Government Association should be viewed as a positive step.

Councillor Olive seconded the motion.

Debate on the motion included the following points:

- The Peer Review in 2019 had included some quick win points, but why had these not been followed up by the administration?
- Financial and legal comments and an equalities impact assessment are needed, which would have been included had the motion been taken as a report to Cabinet.
- A governance review had been started previously but not completed.
- The motion cannot be supported without information on the costs involved.
- The south west area lead officer for the Local Government Association would be involved and the likely cost would be less than £10,000.
- The Council is due a Peer Review and needs to recognise that a re-set is needed due to historic problems.
- Following the previous Peer Review the administration had other priorities, including the covid pandemic.
- It is good practice to draw up processes and principles for partnership working and to seek continuous improvement and accountability.
- The proposed review of relationships with DCC and town and parish councils is welcome as these do not always run smoothly.
- There is currently one team within the Council, but the covid pandemic affected the ability to create and maintain relationships.
- The motion sought to underpin the Council, rather than undermine it.
- Should the motion be agreed, the findings should be made public and reviewed frequently.
- The motion had nothing to do with helping local residents and was a reflection of poor leadership by the administration and an attempt to undermine officers.
- The Council should wait for the outcome of the forthcoming report by Grant Thornton and efforts should be made to bring forward this report.
- The previous Peer Review was under-researched and there was a need for peer reviewers to be briefed by Members, not just officers as happened previously.
- The Grant Thornton report was not due until September.
- The Council should not make a decision on the motion without knowing the costs involved.
- The issues should have been raised by way of an officer report to Cabinet and not as a motion to full Council.
- The Council would achieve more if it works together.
- The recent Verita report had not found fault with the Council.

Cllr Hayward summed up as the proposer of the motion, and noted that it was disappointing that some Members would use the motion as an opportunity to criticise the administration. The cost of not bringing in improvements would be greater than any costs incurred as a result of the motion being agreed.

A recorded vote was requested and agreed.

The motion as set out in the agenda and above was put to the vote.

**In favour:**

Councillors Paul Arnott, Kevin Blakey, Kim Bloxham, Violet Bonetta, Chris Burhop, Olly Davey, Tim Dumper, Paula Fernley, Charlotte Fitzgerald, Steve Gazzard, Del Haggerty, Anne Hall, Matt Hall, Paul Hayward, John Heath, Nick Hookway, Sarah Jackson, Richard Jefferies, Geoff Jung, Dan Ledger, Yehudi Levine, John Loudoun, Duncan Mackinder, Todd Olive, Marianne Rixson, Andrew Toye, Susan Westerman, Dan Wilson – 28 votes in favour.

**Against:**

Councillors Brian Bailey, Ian Barlow, Colin Brown, Jenny Brown, Alasdair Bruce, Maddy Chapman, Peter Faithfull, Mike Goodman, Marcus Hartnell, Stuart Hughes, Melanie Martin, Tony McCollum, Cherry Nicholas, John O'Leary, Helen Parr, Sophie Richards, Henry Riddell – 17 votes against.

**Abstentions:**

Councillors Roy Collins, Joe Whibley – 2 abstentions.

**RESOLVED:**

Council believes that the start of a four-year term with a controlling partnership of councillors with an increased mandate from the people of East Devon provides the opportunity to refresh the whole Council both in terms of its priorities and the way it assembles all its resources to deal with the complex issues faced by its residents in challenging times. To that end council commits to the following actions to provide the strong, united and informed managerial and political leadership that is required: In the short term, to work with Local Government Association and other parts of the local government family to:

1. Undertake a skills and knowledge audit of all Cabinet Members and key councillors to ensure that they are fully equipped to undertake their roles in the challenging times in which we find ourselves. This will lead to individual support for those members including specific mentoring and placement on appropriate courses and conferences; and
2. Work to bring together the Cabinet and Senior Management to become a unified team which, whilst respecting the different roles of officers and members, can move forward as one body in dealing with the issues faced by the council and its partners. In the first instance this would involve a facilitated Cabinet/SLT awayday and such work as may flow from that.

In the medium term, to:

3. Ask the LGA to undertake a Corporate Peer Challenge in September using leading and respected officers and members from other councils to look at the core of the council and recommend ways forward with a particular emphasis on:

i) Reviewing the member/officer protocol.

ii) Reviewing the Council's communications strategy in the light of experiences gained with Covid.

iii) Reviewing the procedural standing orders as part of a constitutional review and make all parts of the constitution become clearer, both to the public and members, and encourage more members to participate in discussions & decisions around both the development, and the scrutiny, of those strategies.

iv) Reviewing all safeguarding strategies to ensure the continued protection of our vulnerable residents.

v) Reviewing the relationships between the District Council, the County Council and town & parish councils to ensure appropriate place-based working and the joining up of the public sector and partners to deliver cost-effective and locally relevant services.

4. Ask the Centre for Governance and Scrutiny to conduct, as soon as is practicable, a review of the scrutiny processes to ensure that:

i) The Cabinet and Officers continue to cooperate in the preparation of strategies to ensure that the undoubted professionalism of our staff is supported by the undoubted skills and knowledge of all local councillors from across the political spectrum in the development of those strategies from the outset.

ii) A suite of performance indicators are put in place to ensure that service delivery can be scrutinised by both Councillors and the public and to ensure that modifications can be made to service delivery by a due process of review.

5. Ask SW Employers to undertake a review of the training and support needs of the SLT and the methodologies by which the SLT functions as a coherent team.

6. Ask the Council's S151 Officer, in conjunction with the Cabinet Member for Finance and Assets, to prepare a report outlining the likely costs to the Council of these recommendations and to ascertain any risks associated with them, both financially and reputationally.

The Chair of Council returned to the meeting. Councillor Whibley stepped down from the chair.

The Chair thanked everyone for attending and closed the meeting.

## **Attendance List**

### **Councillors present:**

P Arnott	C Fitzgerald	J Loudoun
B Bailey	S Gazzard	D Mackinder
J Bailey	M Goodman	M Martin
I Barlow	D Haggerty	T McCollum
K Blakey	A Hall	C Nicholas
K Bloxham	M Hall	J O'Leary
V Bonetta	M Hartnell	T Olive
C Brown	S Hawkins	H Parr
J Brown	P Hayward	S Richards
A Bruce	J Heath	H Riddell
C Burhop	N Hookway	M Rixson
M Chapman	S Hughes	E Rylance (Chair)
R Collins	S Jackson	S Smith
O Davey	R Jefferies	A Toye
T Dumper	G Jung	S Westerman
P Faithfull	D Ledger	J Whibley

P Fernley

Y Levine

D Wilson

**Officers in attendance:**

- Simon Davey, Director of Finance
- Andrew Hopkins, Communications Consultant
- Sarah Jenkins, Democratic Services Officer
- Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)
- Anita Williams, Principal Solicitor (Deputy Monitoring Officer)

**Councillor apologies:**

- S Chamberlain
- I Chubb
- B Collins
- B Ingham
- V Johns
- J Kemp
- E Wragg

Chair .....

Date: .....