

267. ACTION LIST

The Action List was reviewed.

Minute No 252 – An email had been received from Councillor Pennington which will be circulated to all Members. Action now complete.

268. PUBLIC CONTRIBUTIONS

There were no public contributions.

269. DECLARATIONS OF INTEREST

Members were reminded that declarations of interest should be made as and when the specific agenda item to which they related was under discussion.

270. AGREEMENT OF AGENDA ITEMS PART I AND II

It was proposed by Councillor Bushby, seconded by Councillor James and -

Resolved: That the agenda as circulated be agreed.

(Vote: For – Unanimous)

271. TO CONSIDER CORRESPONDENCE OR OTHER BUSINESS ESPECIALLY BROUGHT FORWARD BY THE DIRECTION OF THE CHAIR

The following matters were raised by the Chair:

Christmas Raffle – any Member wishing to contribute please contact Councillor Hodson.

The Chair thanked all members of staff for the tremendous work they had carried out in difficult circumstances during the year.

272. TO ANSWER QUESTIONS SUBMITTED UNDER PROCEDURAL RULE A9

Questions had been submitted by Councillors Ford and Christie under Procedural Rule A9.

In accordance with the Constitution a written answer to each of the questions had been circulated to Members.

Question from Councillor Ford

Is the Council aware of the concept of “wilful blindness”? Can clarity be given on the definition of “wilful blindness”. Should Senior Public Servants be guilty of this, it could have serious consequences.

Answer

This is a question directed to Council, which comprises the 36 Elected members therefore officers have not at this stage prepared an answer.

The Chair read to Members the question submitted by Councillor Ford. The question and response were noted.

Question from Councillor Christie

- a) Have quotes been sought for the work needed to strengthen the riverbank wall at Brunswick Wharf and if so what are they?
- b) In the event that the recently won government grant is not enough to cover the work who will pay the additional cost?

Answer

- a) Members will be aware that this area of work is the responsibility of the developer Red Earth therefore Cllr Christie could if wish direct his question to the developer.
- b) That again is a matter for the developer to consider as the Council has no requirement to cover any additional costs should they arise.

The Chair read to Members the question submitted by Councillor Christie.

Following a supplementary question asked by Councillor Christie in relation to the Grant funding, the Head of Communities & Place explained that the only monies to be drawn down would be what the Developer had spent.

The question and response were noted.

273. MID-YEAR REVIEW OF TREASURY MANAGEMENT

The Finance Manager & S151 Officer presented the report, the purpose of which was to report the Treasury Management activity in the year to date.

Following a brief discussion Members noted the report.

274. COUNCIL TAX BASE 2022/23

The purpose of the report, presented by the Finance Manager & Section 151 Officer, was for approval to set the Council Tax baseline for 2022/23.

It was proposed by Councillor Hodson, seconded by Councillor Manley and –

Resolved:

That the Council Tax Base for 2022/23 be agreed.

(Vote: For 28, Abstention 1) - Councillor Ford abstained from voting as he had left the room during the presentation.

275. LOCALISATION OF COUNCIL TAX SUPPORT

The report was presented by the Head of Legal and Governance who explained the reasons as to why Members were being asked to roll over the scheme to 2022/23. The Revenue & Benefits Team have had a significant amount of additional work this year. They have paid out £51m in Business Support Grants, in addition they have had the Test and Trace scheme and an increase in the number of people applying for Universal Credit. All these factors impact on the benefit system.

It was proposed by Councillor Bushby, seconded by Councillor Newton and –

Resolved:

- That the 2021/22 Scheme and Exceptional Hardship Scheme be rolled over to 2022/23.
- That the Working Group reconvene with a view to working towards and introducing an income banded scheme which would be developed and presented to Council in 2022. This will be dependent on the continuing impact of the Coronavirus pandemic and resource permitting.

(Vote: For 28, Abstentions 1)

276. GROUNDS MAINTENANCE - CAPITAL

The Finance Manager and S151 Officer presented the report, the purpose of which was for Members to approve the addition to the Council's capital programme vehicles and equipment pertaining to bringing back in house the grounds maintenance function.

During the discussion Councillor Hames proposed the following amendments to the wording in the report and to add them as recommendations:

Under the heading Climate Change –

First paragraph to change the word “may” to “will”

Second paragraph – to add “where possible give priority to battery powered machines”.

It was proposed by Councillor Hames, seconded by Councillor Cottle-Hunkin and –

Resolved:

That the above amendments be agreed.

(Vote: For 26, Against 2, Abstentions 1)

It was proposed by Councillor Bushby, seconded by Councillor Inch and –

Resolved:

That £173k is added to the Council's approved capital programme for Grounds Maintenance and vehicles as detailed in the report.

That the above amendments to the report be agreed.

(Vote: For – Unanimous)

277. ACTIVE TORRIDGE - STRATEGY AIMS

Members noted the report presented by the Chief Executive, which outlined the Strategic Aims of Active Torridge in pursuance of the Strategic Objectives as set out by Torridge District Council on 1 November 2021.

278. PETITIONS

There were no petitions.

279. NOTICES OF MOTION

There were no notices of motion.

(a) Written Notice of Motion from Councillor Ford

“Regarding minutes of any meeting where appropriate and where it can be confirmed, a Councillor who is not happy with the draft minutes should be able to speak to the person who took the minutes and raise with them in a civilised and courtesy manner their concerns and for salient omissions to be included in the final version”.

Councillor Ford presented his Notice of Motion and referred to his comments made under Agenda item 2 when he expressed his dissatisfaction with the accuracy of the minutes. He said he had spoken to the Officer concerned in a courtesy manner and had asked for the minutes be amended. The Head of Legal & Governance had confirmed to Councillor Ford that minutes of Committee meetings are not verbatim. Councillor Ford said he was aware of this and questioned why Officers did not want accurate minutes.

Following comments from Members who asked what they would be voting for as the above was just a statement, the Chief Executive explained Councillor Ford was asking for the opportunity to speak to

Democratic Services after the draft minutes have been sent out and for amendments to be made in advance of the minutes being formally approved at the next meeting.

Councillor Christie said he believed that Councillors should speak to the Chair as it is the chair who signs off the draft minutes.

It was proposed by Councillor Ford, seconded by Councillor Hawkins that the Notice of Motion be agreed.

(Vote: For 3, Against 21, Abstentions 5)

The motion was lost.

Any concerns with minutes in the future to go through the Chair.

Councillor Ford left the meeting at 19.15.

(b) Written Notice of Motion from Councillor Bushby

“We are all aware of the extreme pressures currently being put on our emergency services which effects the communities and residents of Torridge. I therefore propose that Torridge District Council writes to South Western Ambulance Service, the MP for Torridge and West Devon and the Secretary of State for Health and Social Care to express our concerns on the delay in response times from 999 calls and the potential impact this has on the health and wellbeing of our residents”.

Councillor Bushby presented his Notice of Motion and gave details of two occasions recently when he had the need to dial 999. On both occasions he got an automated message and was then compelled to ring the police. The police arrived within four minutes and an ambulance was then sent. There were concerns with regard to critical timescales for stroke victims.

Councillor Bushby stated it is not a direct criticism of the ambulance service, but clearly there is an issue that needs addressing.

Members gave examples of times when they also had to dial 999 and had received the same response, having to wait on some occasions hours for an ambulance to arrive.

Councillor Newton recommended that local context is included in the letter and to use local response times.

It was proposed by Councillor Bushby, seconded by Councillor Christie and –

Resolved:

That the Notice of Motion be agreed and for local context to be included in the letter.

(Vote: For – Unanimous)

(c) Written Notice of Motion from Councillor Brenton

“Notice says that TDC produces a report to go to O&S External with answers to the following questions:-

- 1) How many incidents of permitted surcharging of sewage into Torridge River have taken place in the last 12 months?
- 2) What has been the response of the E.A?
- 3) What has been the bathing water qualities for the last 12 months?
- 4) What are the stats for shellfish qualities?”

At the request, and in the absence of Councillor Brenton, Councillor Bushby proposed that the Notice of Motion be deferred until the next meeting. Councillor Christie seconded the motion to defer.

(Vote: For – Unanimous)

280. EXCLUSION OF PUBLIC

It was proposed by Councillor Bushby, seconded by Councillor Newton and -

Resolved:

That under Section 100(a)(4) of the Local Government Act (as amended) the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information by virtue of Paragraph 3 of Part 1 and Paragraph 10 of Part 2 of Schedule 12A of the Local Government Act 1972.

(Vote: For – Unanimous)

281. PART II - (CLOSED SESSION)

282. LEISURE MANAGEMENT UPDATE - 5 YEAR BUSINESS PLAN

The Finance Manager & S151 Officer gave a slide presentation updating Members on the 5 year Business Plan and financial costs pertaining to the delivery of leisure services via a Local Authority Owner Trading Company (LATC).

Following discussion, it was proposed by Councillor James, seconded by Councillor Cottle-Hunkin and –

Resolved:

That the recommendations set out in the report be approved.

(Vote: For 23, Abstentions 5)

283. LEISURE MANAGEMENT UPDATE - LEISURE SERVICES SPECIFICATION

The Head of Legal and Governance presented the report, the purpose of which was to obtain a decision from Members regarding the Services Specification an Leisure Contract regarding the delivery of leisure services between TDC and a Local Authority Owned Trading Company (LATC).

It was proposed by Councillor James, seconded by Councillor Jones and –

Resolved:

- That the recommendations as set out in the report be approved.
- That the recommendations in the S151 Officers report for Active Torridge be noted and to report back to Full Council with wider options in September 2022.

(Vote: For – Unanimous)

Councillors Cottle-Hunkin and Hames left the meeting at 20.15.

284. BIDEFORD BUSINESS PARK LAND AQUISITION

The report, presented by the Property Manager, updated Members on the progress with the acquisition of land at Bideford Business Park and the status of the opportunity to acquire additional land for future development on the site and the implications for the project. The report also sought Member approval for the variation in the original requirement for a BREEAM rating for the project in favour of more relevant carbon reduction measures.

Councillor Hicks addressed the meeting giving his support for the project and highlighting the importance of approving the recommendations outlined in the report.

The following additional recommendation was proposed by Councillor Christie, seconded by Councillor Clarke and –

Resolved:

“That we instruct our Officers to go back to the County Council and ask that some of the monies being collected for the Heywood Road roundabout scheme be switched to pay for necessary roadworks at the new Environment Centre”.

(Vote: For 23, Against 1, Abstentions 2)

It was proposed by Councillor Hicks, seconded by Councillor Leather and -

Resolved:

That the recommendations as set out in the report and the additional recommendation detailed above, be approved.

(Vote: For – Unanimous)

LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

It was proposed by Councillor Bushby, seconded by Councillor Newton and -

Resolved:

That the press and public be readmitted.

(Vote: For – Unanimous)

The meeting commenced at 6.30pm and closed at 8.40pm