

TORRIDGE DISTRICT COUNCILFULL COUNCIL MEETINGCaddsdow Business Support Centre - BidefordMonday, 5 September 2022 - 6.30 pm

PRESENT

Councillor D Bushby (Chair)
Councillor P Christie (Vice-Chair)

Councillors R Boughton, C Bright, M Brown, R Clarke, C Cottle-Hunkin, R Craigie, L Ford, J Gubb, P Hackett, P Hames, S Harding, C Hawkins, R Hicks, C Hodson, D Hurley, K James, D Jones, S Langford, N Laws, C Leather, R Lock, J Manley, D McGeough, P Pennington and C Woodhouse

ALSO PRESENT

S Hearse	- Chief Executive
S Dorey	- Head of Legal & Governance (Monitoring Officer)
S Kearney	- Head of Communities & Place
D Heyes	- Finance Manager (Section 151 Officer)
J Williams	- Public Health & Housing Manager
T Vanstone	- Senior Electoral & Democratic Services Officer (Interim Deputy Monitoring Officer)
K Brown	- Democratic Services Officer
S Cawsey	- Democratic Services Officer

46. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: D Brenton, A Dart, K Hepple, A Inch, J McKenzie, S Newton and P Watson.

47. COUNCIL MINUTES

It was proposed by Councillor C Leather, seconded by Councillor R Lock and -

Resolved:

That the minutes of the meeting held on 18 July 2022 be confirmed as a correct record.

(Vote: For – 22, Abstentions - 3)

It was proposed by Councillor C Leather, seconded by Councillor R Clarke and –

Resolved:

That the minutes of the Extraordinary meeting held on 8 August 2022 be confirmed as a correct record.

(Vote: For – 17, Abstentions – 8)

Councillor Ford joined the meeting at 6.35pm.

48. ACTION LIST

The Action List was reviewed.

Councillor Hames expressed concern that no response had yet been received from the NHS. The Chief Executive agreed to look into this matter.

49. PUBLIC CONTRIBUTIONS

Mr Simon Friend BSc BD MRICS of Red Earth Developments Ltd addressed the meeting in relation to the proposed development of Brunswick Wharf and outlined his concerns with the details as set out in the report.

A key concern expressed by Mr Friend was the late imposition of the conditionality on the use of the Land Release Fund (LRF) funding. With no details of the conditionality having yet been received this, he stated, was delaying the start of works on the site.

Mr Friend recognised Torridge District Council's concerns regarding the potential repayment of the grant should the funding criteria not be met. He advised that Red Earth were committed to developing the site and they had no intention to sell the site following completion of works to the Quay Wall.

50. 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.

51. AGREEMENT OF AGENDA ITEMS PART I AND II

There were no Part II items.

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

The Chair congratulated Councillor Jones who had recently qualified as a Solicitor.

53. TO ANSWER QUESTIONS SUBMITTED UNDER PROCEDURAL RULE A9

There were no questions submitted under Procedural Rule A9.

54. UPDATE OF THE COUNCIL'S MEDIUM TERM FINANCIAL STRATEGY

(MTFS)

The purpose of the report, presented by the Finance Manager (S151 Officer), was to update Members on the Council's Medium Term Financial Strategy, reflecting emerging financial pressures and the work of the Member Budget Working Group (MBWG) to address the Council's current financial position.

A detailed slide presentation, delivered by the Finance Manager (S151 Officer), highlighted the salient points in the report.

Councillor Hodson commented on the difficult times and decisions that are faced by Torridge District Council and that the Finance Manager (S151 Officer) had made this clear to Members.

It was proposed by Councillor Hodson seconded by Councillor James and –

Resolved:

- That the re-purposing of reserves as outlined in section 5 of the report be approved.
- That the allocation of the increased surplus of £549k arising from Quarter 4 2021/22 to the Transition in Government Funding Reserve, as detailed in Section 7 of the report be approved.
- That the Member Budget report to find additional recurrent savings of £250k per annum and find cash realising savings of £350k; and to report back to Full Council on 12/12/2022 with an update be approved.

Members noted the contents of the report.

(Vote: For – 17, Against – 2, Abstentions – 6)

Councillor Ford had briefly left the room during the presentation therefore did not take part in the vote.

55. REPORT BACK TO MEMBERS TO REDUCE TORRIDGE'S FINANCIAL DEFICIT

Councillor Hodson presented the report of the Member Budget Working Group, the purpose of which was to update Members with the proposals of the Working Group to reduce Torridge Council's financial deficit.

A slide presentation, delivered by Councillor Hodson, highlighted the background and remit of the group, areas that were reviewed, proposed savings/additional income and the difficulties still faced, not only by the group but Torridge District Council as a whole.

It was agreed that Leisure Services would not be debated at the group meetings until after Active Torridge had reported back to Full Council in October 2022.

Councillor Hodson expanded on the reasons for the removal of the Discretionary Rate Relief.

A discussion followed where various comments/questions were addressed.

Councillor Pennington asked if there was a possibility of reduced income from Business Rates if businesses were to close this winter. The Finance Manager (S151 Officer) advised that Business Rates would still be applicable and would become the responsibility of the owner of the premises.

Councillor Hicks expressed his opposition to the removal of the Discretionary Rate Relief for Village Halls. The Finance Manager (S151 Officer) advised of alternative ways Village Halls could make up the 20% they would lose from Torridge District Council and monies they had received during the Covid pandemic.

Councillor Christie advised he would like to see TDC support the Foodbanks on a corporate level and asked for an amendment to the recommendations. The additional recommendation to state foodbanks to be covered by alternative equivalent funding delivered by the Council, Councillor Hodson supported the additional recommendation.

In response to a query from Councillor Jones, the Head of Communities & Place provided additional information on the charges for Northam Burrows and the car parks in Westward Ho!.

Councillor Hodson advised that the Member Budget Working Group would continue to examine all avenues for increased savings and invited any suggestions or ideas from other Members to be directed to either herself, the Chair, the Leader, or Group Leaders. A further report from the Member Budget Working Group would be presented at Full Council on 12th December 2022.

The Head of Communities & Place advised, following a query from Councillor Hames, that a parking machine at Northam Pool and Bonehill car park would not be necessary as payments could be made via an app.

It was proposed by Councillor Hodson seconded by Councillor Christie and –

Resolved:

1. That the car parking charges as detailed in 3.1 of the report be approved.
2. That the increase in charges for vehicular access to Northam Burrows as detailed in 3.2 of the report be approved.
3. That Members grants be reduced to £1k per elected members - £36k in total – be approved.
4. That the following changes to discretionary rate relief policy be agreed:

- To remove discretionary rate relief for all Village Halls
 - To phase out discretionary relief for all other recipients by 5% per annum
5. That the increase to the garden waste charge to £52 from 1st April 2023 be approved.
 6. That additional Council Tax premiums: for Empty Homes (100% premium after empty for one year), 100% premium on second homes be agreed.
 7. That foodbanks within the Torridge District Council area are covered by alternative equivalent funding delivered by Torridge District Council.

(Vote: For – 19, Against – 4, Abstentions – 3)

56. UPDATES TO THE 2022/23 TREASURY MANAGEMENT POLICY

The Finance Manager (S151 Officer) presented the report and explained the purpose of the report was to update the Treasury Management Policy for the recommendations from the Member Budget Working Group.

A discussion followed with comments and questions addressed.

Following concern from Councillors regarding the lack of green and ethical investments, the Finance Manager (S151 Officer) advised none currently meet the Council's Treasury Management Policy criteria. However, it was agreed investigations into these investments would continue. Previously there had been one with Barclays, but this had fallen below the Council's requirements.

Further information was provided, by the Finance Manager (S151 Officer), on Peer-to-Peer lending following apprehension from Councillors.

It was decided that the recommendations in the report be voted on separately.

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

Resolved:

- That the Treasury Management Policy for 2022/23 be updated to increase counterparty limits to £10m per institutions and £5m per deal.

(Vote: For – 24, Abstentions – 2)

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

Resolved:

- That the Treasury Management Policy for 2022/23 be updated to authorise the use of Peer-to-Peer lending up to a total of £1m, with a maximum deal size of £250K.

(Vote: For – 16, Against – 7, Abstentions – 3)

Councillor Hackett joined the meeting at 7.35pm.

57. ANNUAL REPORT ON TREASURY MANAGEMENT 2021-22

The Finance Manager (S151 Officer) presented the report, the purpose of which was to report on the treasury management activity in the year and actual prudential indicators for 2021/22.

The key highlights in the report were emphasised.

The Treasury Management Report for 2021/22 and the actual Prudential Indicators for 2021/22 were noted.

58. BRUNSWICK WHARF LAND RELEASE FUND

The purpose of the report, presented by the Head of Communities & Place, was to inform Members of the details of conditionality that Department for Levelling Up, Housing and Communities (DLUHC) require in relation to the spend of the Land Release Fund award to Torridge District Council for Quay wall works at Brunswick Wharf, and to agree the basis on which the funding should be released to Red Earth.

A discussion then took place with comments and questions addressed.

Following a query from Cllr Christie the Head of Communities & Place advised that since the draft report had been written a scheme design specification had been agreed which meets the contractual obligations.

The Head of Communities & Place clarified why this item had been included on the agenda. Principles of the agreement needed to be established and the risks to the Authority could not be ignored. Should the site be used for anything other than housing, the Government agencies could approach Torridge District Council for repayment of the grant.

The Head of Legal & Governance (Monitoring Officer) re-iterated what the Head of Communities & Place had already advised and added that the grant had come forward post contracts being negotiated. It was emphasised that works starting on the site would not be delayed because the details of the conditionality had not yet been received. Until the details of the conditionality had been received from the Government agencies and confirmation given that TDC would not be liable, the grant would not be drawn down.

Councillor McGeough called for a recorded vote. This was not supported by five other Members at the meeting therefore no recorded vote was taken.

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

Resolved:

That before entering into a Grant Agreement with Red Earth for the use of the £797,000 LRF grant, the conditionality required by DLUHC and the One Public Estate team be put in place and the Council's position in relation to grant claw back be protected prior to drawing down the grant.

(Vote: For – 24, Abstentions – 3)

59. ANNUAL REPORT - EXTERNAL OVERVIEW & SCRUTINY

Councillor Manley, Chair of External Overview & Scrutiny Committee, presented the Annual Report of the Committee, highlighting key elements of the report stating the overview of the work conducted was around quality of life.

Councillor Manley thanked the team for all their support which had helped her grow in confidence within the role of Chair of External Overview & Scrutiny Committee.

Members noted the report.

60. PETITIONS

There were no petitions.

61. NOTICES OF MOTION

(a) Written Notice of Motion from Councillor Ford

It is not compulsory for TDC Members to have DBS checks and in light of recent convictions of Councillors from other Authorities, I propose that TDC approach Devon wide Councils in relation to their DBS Policy and with a view to the possibility of joint working to see if we could firm up our Policy on DBS checks for Members.

A short discussion took place.

Councillor Ford presented his Notice of Motion.

It was proposed by Councillor Ford, seconded by Councillor Woodhouse that a recorded vote be taken. In accordance with the Constitution five or more Members supported a recorded vote, therefore the motion was carried.

Councillor James advised when speaking with other Local Authorities he would question their policies.

If Members would like a DBS check, they can contact Officers for this to be carried out.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
BOUGHTON, R	X		
BRENTON, D G			
BRIGHT, C	X		
BROWN, M	X		
BUSHBY, D	X		
CHRISTIE, P S	X		
CLARKE, M	X		
COTTLE-HUNKIN C	X		
CRAIGIE, R	X		
DART, A L	X		
FORD, L	X		
GUBB, J	X		
HACKETT, P J W	X		
HAMES, P	X		
HARDING, S	X		
HAWKINS, C	X		
HEPPLE, K			
HICKS, R H	X		
HODSON, C	X		
HURLEY, D	X		
HUTCHINGS, J			
INCH, A T			
JAMES, K J	X		
JONES, D	X		
LANGFORD, S	X		
LAWS, N	X		
LEATHER, C	X		
LOCK, R A	X		
McGEOUGH, D A D	X		
McKENZIE, J			
MANLEY, J	X		
NEWTON, S			
PENNINGTON, P W	X		
WATSON, P			
WISEMAN, R			
WOODHOUSE, C	X		

(Vote: For - Unanimous) Motion carried.

(b) Written Notice of Motion from Councillor Christie

As a “Statutory consultee” over all large planning applications South West Water currently states it meets the Government’s “duty to connect” to new house. This duty only covers connections to mains sewerage and ignores the impact on discharges of untreated sewage that have become an ever commoner issue with SWW – and which are clearly linked to the ever greater amounts of sewage being generated by these new houses/inhabitants.

I therefore propose, in line with our recently passed “Motion for the Ocean” that –

1. TDC Officers obtain figures from SWW as to emergency sewage releases in the Torridge district, including coastal areas, over the last 5 years.
2. TDC ask SWW what is the current carrying capacity for the Cornborough sewage treatment plant.
3. TDC ask that SWW as a “Statutory consultee” produce impact statements for large planning applications identifying expected flow rates of sewage and how these might impact on possible emergency sewage releases that could follow the building-out of such applications.

Councillor Christie presented his Notice of Motion.

Following a suggested amendment to the Notice of Motion it was confirmed by the Chair that no amendments can be made to Notice’s of Motions.

It was proposed by Councillor Christie, seconded by Councillor Ford.

(Vote: For – 26, Against – 1)

Motion carried.

62. PART II - (CLOSED SESSION)

There are no Part II items

The meeting commenced at 6.30 pm and closed at 8.13 pm