

## NOTICES OF MOTION

Date Received	No.	Member giving Notice	Text of Motion
6.7.98	274	W E Brown	<b>CENTRALISED OFFICES</b> Council agrees that a public exhibition and display be mounted, to inform the public and solicit opinions and comment.
8.7.98	275	P F Williams, W E Brown, Mrs M J Nation, A A Evans, Mrs J Palk, D L Pullen, D E C Whiteway, Miss P M Barham, W J N Perks, C J A Wheeler, N A Way, D J Nation, D G Lomax, D G Burgess	Recognising that Local Agenda 21 and Sustainability policies cannot be pursued effectively without substantial involvement of the public (including the specialist interest groups), Council now accepts the previously-rejected recommendations in Local Agenda 21 Sub-Committee minute 13 of 7/5/98.
17.7.98	276	T H C Noon	That the District Council supports the Thorverton Millennium Green Project with Grants or Loans up to 25% of the costs (to a maximum of £10K).
21.7.98	277	W E Brown	That Standing Order 23 be altered to read :- The ruling of the Chairman as to the interpretation of these Standing Orders shall not be challenged at any meeting of

			the Council. No new Standing Orders may be created without the agreement of the Council
21.7.98	278	W E Brown	That Standing Order 23 be altered to read :- The ruling of the Chairman as to the interpretation of these Standing Orders shall not be challenged at any meeting of the Council.
21.7.98	279	W E Brown	Planning Applications - Delegation Arrangements. Council resolves to ensure that in connection with the revised arrangements now approved by Planning and Transportation Committee, adequate publicity and notification will be given.
21.7.98	280	W E Brown	In the event of a major significant planning application in a local community, a Public Forum be called by officers. This would be to gather information and views from both the applicants and the community affected, as part of the consultation process.
21.7.98	281	W E Brown	Supplementary Planning Guidance - Planning Briefs. Council resolves to introduce, as soon as practicable, Supplementary Planning Guidance requiring Planning Briefs (including design concepts where appropriate) to be produced for development sites of 6 dwellings or more.
			Planning Applications - Delegation

21.7.98	282	A A Evans	Arrangements. Council resolves to ensure that in connection with the recently approved arrangements by the Planning and Transportation Committee, for consultation with Parish Councils, adequate publicity and notification will be given.
21.7.98	283	A A Evans	Supplementary Planning Guidance - Planning Briefs. Council resolves to introduce, as soon as practicable, Supplementary Planning Guidance : requiring Planning Briefs (and design concepts where appropriate) to be produced for development sites of 6 dwellings or more.
21.7.98	284	A A Evans	Public Forum on Major Planning Applications. Council resolves that, in the event of a major significant planning application in a local community, a Public Forum be called by Officers. This would be to gather information and views from both the applicants and the community affected, as part of the consultation process
22.9.98	285	W E Brown	Local Improvement Schemes. Council wishes to enlarge the scope of the forthcoming prioritisation, to include consulting Parishes and the public on considering new or additional schemes.
3.11.98	286	D E C Whiteway	This Council appeals to the Local

			Government Association, Members of Parliament, and the Local Government Minister for an amendment to the Council Tax Legislation (Section 11 Local Government Finance Act 1992) to allow local authorities where appropriate to recover the full 100% occupied rate on homes which are not the sole or main residence of the owner. Section 12 of the Local Government Finance Act gives Welsh authorities discretion as to whether to allow 50%, 25% or no reduction at all.
3.11.98	287	D G Lomax	<p><b>Health Risks associated with Radio Masts.</b></p> <p>That this Council Notes: -</p> <p>(i) allowable maximum exposure levels to radio frequency and microwave radiations in the UK are considerably (up to 100 times) higher than those in many countries;</p> <p>(ii) the Town and Country Planning (General Permitted Development) Order 1995 , part 24, Condition A2 (4)(b)(iv)(cc) allows Planning Authorities to refuse planning applications for siting of cellular phone base station masts, even though these are classed as Permitted Development;</p> <p>(iii) latest research indicates an increasing possibility of adverse health effects due to long term exposure to radio frequency and</p>

		<p>microwave radiations, especially for children; and</p> <p>(iv) planning controls in Australia and New Zealand for siting of cellular phone base station masts recommend a distance of at least 500 metres from residents, schools, nurseries, hospitals, care centres and nursing homes as being necessary together with maximum permitted emission levels of 0.01mWsq.cm.</p> <p>This Council resolves therefore to: -</p> <p>(a) actively consider adopting as a planning condition the Australian and New Zealand standards in relation to future planning applications for siting of cellular phone base station masts;</p> <p>(c) in view of the fact that it would require legislation by central government to alter current regulations concerning such developments, to seek via the Local Government Association to bring about a change in planning regulations so that such standards are adopted in the UK and seek the support of local MPs to assist the Council to achieve such a change;</p> <p>(D) as it is technically relatively simple and entirely feasible for operators to share base station mast facilities, seek the</p>
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			<p>support of central government for a change in regulations so that operators of such systems will be required to share use of such facilities thereby greatly reducing the need to have so many of these telephone masts littering our countryside.</p> <p>consultation with all local residents and agencies within a half mile radius of proposed sites for such development;</p> <p>(c) in view of the fact that it would require legislation by central government to alter current regulations concerning such developments, to seek via the Local Government Association to bring about a change in planning regulations so that such standards are adopted in the UK and seek the support of local MPs to assist the Council to achieve such a change;</p> <p>(d) as it is technically relatively simple and entirely feasible for operators to share base station mast facilities, seek the support of central government for a change in regulations so that operators of such systems will be required to share use of such facilities thereby greatly reducing the need to have so many of these telephone masts littering our countryside.</p> <p>consultation with all local residents and</p>
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			<p>agencies within a half mile radius of proposed sites for such development;</p> <p>(c) in view of the fact that it would require legislation by central government to alter current regulations concerning such developments, to seek via the Local Government Association to bring about a change in planning regulations so that such standards are adopted in the UK and seek the support of local MPs to assist the Council to achieve such a change;</p> <p>(d) as it is technically relatively simple and entirely feasible for operators to share base station mast facilities, seek the support of central government for a change in regulations so that operators of such systems will be required to share use of such facilities thereby greatly reducing the need to have so many of these telephone masts littering our countryside.</p>
			<p>(b) actively consider adopting as a planning condition a requirement for consultation with all local residents and agencies within a half mile radius of proposed sites for such development;</p> <p>(c) in view of the fact that it would require legislation by central government to alter current regulations concerning such developments, to seek via the Local Government Association to bring about a change in planning regulations so that</p>

			<p>such standards are adopted in the UK and seek the support of local MPs to assist the Council to achieve such a change;</p> <p>(d) as it is technically relatively simple and entirely feasible for operators to share base station mast facilities, seek the support of central government for a change in regulations so that operators of such systems will be required to share use of such facilities thereby greatly reducing the need to have so many of these telephone masts littering our countryside.</p>
3.11.98	288	N A Way	<p>As a partner in the Exeter Area Rail Project Working Party this Council calls on the Rail Company Wales and West to withdraw their proposal to axe services on the Exeter to Barnstaple Tarka Line</p>
4.1.99	289	D F Pugsley	<p>That, in view of Motion no. 266 which was approved by the Council on 11 November 1998, Standing Orders 16 and 17 be amended to read as follows:</p> <p><b>16. VOTING ON MOTIONS AND AMENDMENTS</b></p> <p>(1) At meetings of the Council and Committees the method of voting on motions and amendments shall be by show of hands.</p> <p>(2) At the request of no less than a quorum</p>

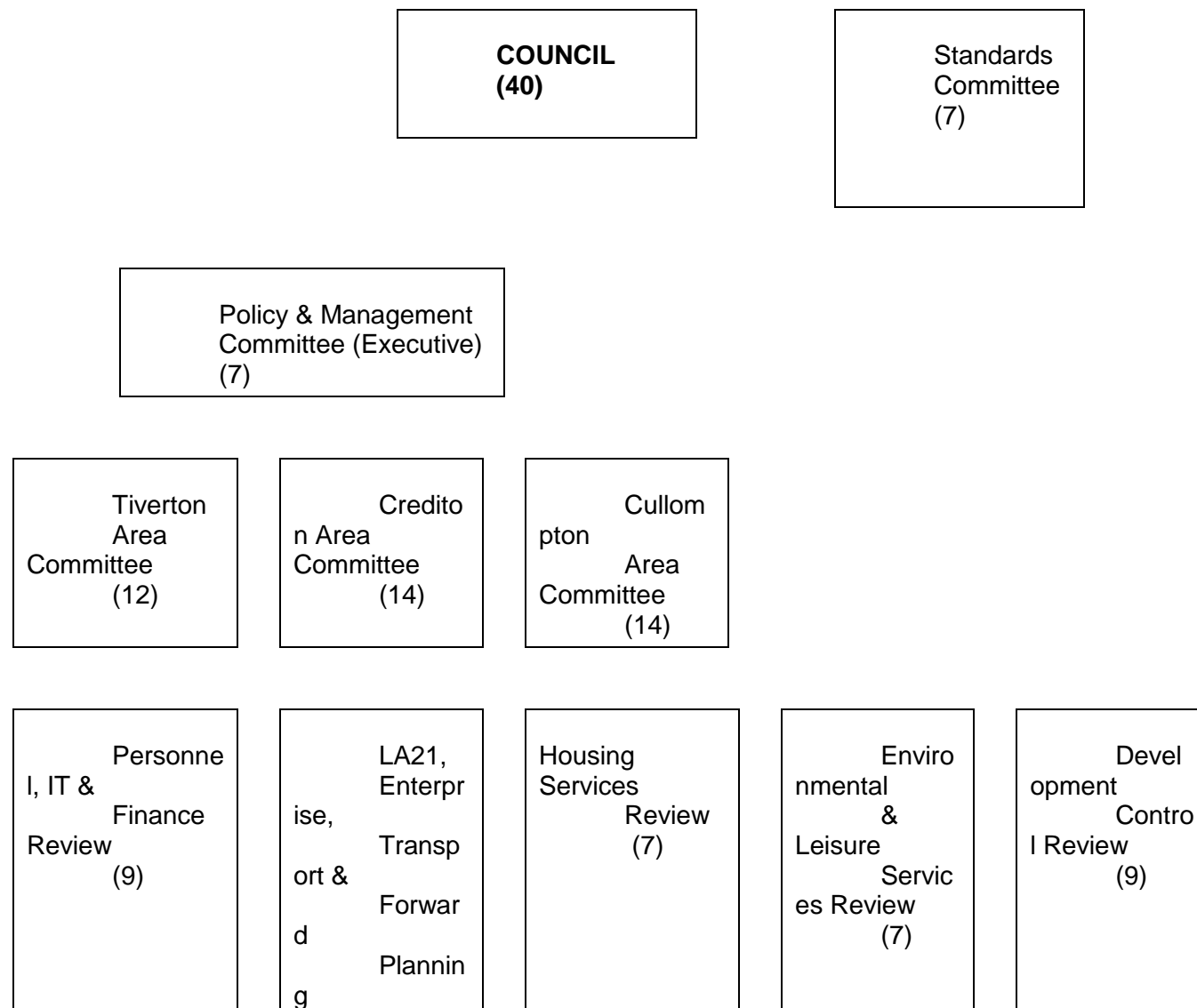


			<p>(10) the voting at Council Meetings shall be by roll call.</p> <p>(3) Where immediately after a vote is taken at a meeting of a relevant body any member of that body so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that person cast his vote for the question or against the question or whether he abstained from voting.</p> <p>(4) In this paragraph, "relevant body" means the authority, a committee or sub-committee of the authority or a relevant joint committee or sub committee of such a committee.</p> <p><b>17. VOTING IN ELECTIONS</b></p> <p>(1) The election of the Chairman and Vice Chairman of the Council shall be by ballot.</p> <p>(2) Ballot voting shall be used in such other elections as the Council or Committee may at the time determine.</p> <p>(3) Where there are more persons under consideration for election to any position (whether as officer or member) to be filled by the Council or by a Committee than there are vacancies, and of the votes given there is not a majority in favour of any person, the namesd</p>

			and of the votes given there is not a majority in favour of any person, the name(s) of the person (or persons) having the least number of votes shall be struck off the list and a fresh vote shall be taken until a majority of votes is given in favour of one person (or more than one if there are more vacancies than one).
5.1.99	290	Mrs S M Meads	As an essential step towards cutting the cost of democracy (and towards achieving the Council's stated aim of reducing the total of meetings by 50%) the Council calls upon all officers and elected members to use their best endeavours with immediate effect to reduce as far as possible the length of all Committee, Sub Committee and Working Group agendas. In particular the Management Team, Committee Clerks and all Chairmen are asked to accept only agenda items which need a decision by elected members, while members are asked to avoid seeking reports which merely record information without calling for a decision (ie reports containing only a recommendation that the report itself be noted). In implementing any decision of the Council, officers and members are recommended to consider the existing arrangements for delegation to officers and the possibility of including situation reports and updating information on the Weekly Information Sheet (WIS), or in a separate information section of each agenda. Consideration should also be given, in the

			context of the Best Value philosophy, as to whether the existing arrangements for delegation to officers are adequate, or could and should be extended.
5.1.99	291	Mrs S M Meads	

The Committee structure for the Council in the Municipal year 1999/2000 and the membership of committees will be as in the diagram below





That is to say:-

1. There will be a Policy and Management Committee exercising the executive functions of elected members which will have seven members. The Chairman of that Committee will be elected by the whole Council at the Annual Meeting; the remaining seats will be filled in accordance with the political balance rules or, if there is any default, by election by the whole Council.

2. There will be three Area Committees and all Elected Members will be members of the Area Committee covering the area in which their wards are situated. Members representing wards in the old Tiverton Borough area (12) will be members of the Tiverton Area Committee; members representing wards situated entirely or mainly east of the River Exe will be members of the Cullompton Area Committee (14) and members representing wards to the west of the River Exe will be members of the Crediton Area Committee (14). The three Area Committees will report through the Policy and Management Committee to the Council.

3. There will be five review committees to scrutinise specific areas of the Council's work:-

(a) Personnel, I T and Finance Review Committee (9 members)

(b) LA 21, Enterprise, Transport and Forward Planning Review (7 members)

(c) Housing Services Review Committee (7 members)

(d) Environmental and Leisure Services Review Committee (7 members)

(e) Development Control Review Committee (9 members)

Members of the five Review Committees will be appointed in accordance with the political balance rules; all five Review Committees will report directly to the Council.

4. No member of the Policy and Management Committee will be eligible for membership of any Review Committee; no member of any Review Committee will be eligible for membership of the Policy and Management Committee.

5. There will be a Standards Committee of 7 members reporting directly to the Council. Members of that Committee must have at least four years local government experience and will be appointed by the Council. The Standards Committee will meet as and when required, and membership of that Committee will place no embargo on membership of any other Committee of the Council.

6. The Council, the three Area Committees and all Review Committees with the exception of the Development Control Review Committee will meet four times a year on a 12/13 week cycle. The Policy and Management Committee and the Development Control Review Committee will meet monthly, to enable the former to carry out its executive functions and the latter to carry out its quasi-judicial functions.

7. The three Area Committees will be responsible for and report to the Policy and Management Committee on:-

- (a) all policy issues SPECIFIC TO THE AREA
- (b) the formation of Area Partnership Committees in conjunction with the Devon County Council, Town and Parish Councils, Health Authorities, the Police and voluntary agencies
- (c) all matters relating to health including liaison with Health Authorities and Health Trusts
- (d) public relations and consultation with the public

All Area Committees will have limited devolved budgets to enable them to carry out the above functions; the budgets will be set by the Policy and Management Committee and approved by the Council.

8. The Policy and Management Committee will be responsible for corporate planning, policy development, and the allocation of resources, including entering into Service Level Agreements on behalf of the Council. It will allocate financial resources to the Committees and report directly to the Council, which will retain the overall power to scrutinise decisions on the division of resources and budget formulation.

9. The Review Committees will scrutinise the work of the Council within their respective areas of responsibility, with the object of ensuring that best value is obtained and of maintaining a continuous review of performance, including the operation of Service Level Agreements entered into by the Policy and Management Committee.

10. All committees will have limited devolved budgets from which the expenses of carrying out their respective functions must be met, INCLUDING the costs of officers in attendance and of writing reports. The common feature of all Committees will be a very high degree of delegation to officers, with minimum repetition of decisions.

11. There will be NO standing Sub-Committees or Working Groups.

NOTE: The number of meetings in each municipal year would be:-

Council	4		
Policy and Management	12		
Area Committees		12	(3 x 4)

Review Committees 28 (4 x 4) + (1 x 12)  
Standards ?

56 + Standards

5.1.98	292	AVM D L Attlee	<p>The Council congratulates Mid Devon Leisure on their initiative in introducing their □ZEST□ card and wishes it all success. The Council wishes to build on that initiative and would like to investigate the possibility of introducing, following wide consultation, a Mid Devon Loyalty Card scheme so that the residents of Mid Devon may benefit by preferential treatment from the regular use of a wide range of goods and services from local providers.</p>
5.1.99	293	D E C Whiteway	<p>This Council:</p> <ol style="list-style-type: none"> <li>1. Welcome the proposals of the Jenkins Commission on the Electoral System which will <ol style="list-style-type: none"> <li>i. Ensure that parliament will more fairly reflect the views of the people</li> <li>ii. Mean that every vote will count</li> <li>iii. Prevent unpopular measures such as the poll tax, and</li> <li>iv. Preserve the link between MPs and geographical areas</li> </ol> </li> <li>2. Write to the Prime Minister <ol style="list-style-type: none"> <li>i. Urging him to hold a referendum on the</li> </ol> </li> </ol>

			<p>proposals during this parliament</p> <p>ii. Requesting that a proportional system be introduced for local government elections as well</p> <p>3. Write to the District's two Members of Parliament requesting their support for these reforms</p>
10.2.99	294	Mrs J Roach	<p>This Council urges H M Government to ensure that when a referendum is held, by either local or central Government, that equal financial and other resources are given to the opposing viewpoints.</p> <p>Further, that this Council writes to the two Members of Parliament who represent this area to request their support for this proposal.</p>
10.2.99	295	T H C Noon	<p>That the Council make representations to the Government, (copies to our MPs) about the basic unfairness of charging a Food Hygiene Levy of £90 equally on Village Shops and Town Supermarkets.</p>
16.2.99	296	D E C Whiteway	<p>That this Council:</p> <p>1. Expresses its concern at the stealthy introduction of genetically modified foods into the United Kingdom. It believes that</p> <p>i. There should be a five year moratorium on the sale of such foods</p>



			<p>ii. All foods containing GM material should be labelled as such</p> <p>iii. No field planting should be allowed in physical proximity to organically produced crops unless and until the organic validating bodies such as the Soil Association accept that no damage to the organic crop will result</p> <p>iv. Bodies introducing GM crops should be required to provide, through an insurance company or by means of a sum deposited with HM Treasury, an indemnity against damage caused by the escape of modified genes into the environment, and</p> <p>v. The UK Government should establish a monitoring body to control; the use of GM products and investigate any risks or reports of harm caused by GM crops.</p> <p>2. Writes to the Minister of Agriculture urging him to implement the resolution above.</p> <p>3. Writes to the District's two Members of Parliament requesting their support.</p>
19.2.99	297	T H C Noon	That the Council request that the Government require the owners of Trial Areas for Genetically Modified Crops to seek □ change of use □ Planning Permission

19.2.99	298	T H C Noon	That the Council request the Government to require that owners and users of land adjacent to areas where Genetically Modified Crops are grown should be informed fully about the growing of such Genetically Modified crops.
19.2.99	299	T H C Noon	That the Council draws the Government's attention to the fact that its guidelines for the disposal of OP products especially sheep dip are nonsense and are probably in breach of European Law
22.2.99	300	Mrs M J Nation	<p>Conscious of the commitment of this Council to the objectives of Agenda 21, which include the need to ensure fair wages and working conditions throughout the world and the importance of eradicating poverty, Council agrees that</p> <p>(i) a supply of Traidcraft tea and coffee be obtained for use during the next cycle of meetings</p> <p>(ii) a vote shall be taken at the Council meeting on 28.04.99 as to whether a regular supply of tea and coffee be obtained from this source.</p>
24.2.99	301	D E C Whiteway	<p>That this Council:</p> <p>1. Expresses its concern at the stealthy introduction of genetically modified foods into the United Kingdom.</p>

			<p>It believes that</p> <p>i. There should be a five year moratorium on the sale of such foods</p> <p>ii. Failing that, all foods containing GM material should be labelled as such and</p> <p>iii. The UK Government should establish a body to monitor and control the use of GM products</p> <p>2. Writes to the Minister of Agriculture urging him to implement the resolution above.</p> <p>3. Writes to the District's two Members of Parliament requesting their support.</p>
24.2.99	302	D E C Whiteway	<p>That this Council:</p> <p>1. Expresses its concern at the introduction of genetically modified crops into the United Kingdom.</p> <p>It believes that</p> <p>i. No field planting should be allowed in physical proximity to organically produced crops unless and until the organic validating bodies such as the Soil Association accept that no damage to the organic crop will result</p> <p>ii. Bodies introducing GM crops should be</p>

			<p>required to provide, through an insurance company or by means of a sum deposited with HM Treasury, an indemnity against damage caused by the escape of modified genes into the environment, and</p> <p>iii. The UK Government should establish a body to monitor and control the planting of GM crops.</p> <p>2. Writes to the Minister of Agriculture urging him to implement the resolution above.</p> <p>3. Writes to the District's two Members of Parliament requesting their support.</p>
20.4.99	303	D E C Whiteway	<p>This Council expresses its concern at current Government policy concerning charges levied for residential care of the elderly. It believes that this policy</p> <p>i. penalises thrift  ii. is a relic of discredited Conservative policies  iii. is fundamentally unjust</p> <p>It calls upon Her Majesty's Government to</p> <p>i. raise the limit of savings which elderly people in care may keep to the Royal Commission's suggested limit of £60,000</p> <p>ii. see that those in residential care pay only for board and lodging</p>

			<p>iii. ensure that medical care for those in residential accommodation is free</p> <p>This Council instructs the appropriate officer to write to the District's two Members of Parliament requesting their support.</p>
10.5.99	304	AVM D L Attlee	<p>1. The Council accepts that, given the requisite legislation, it will have to move by April 2000 (or shortly thereafter) to a form of local governance providing for an Executive (to be defined) and Scrutiny roles for Councillors.</p> <p>2. As an interim step towards this, the Council will, from 28 July 1999, arrange a schedule of meetings for the Policy Committee and the Service Committees, and for the sub-committees mentioned below, based on a cycle of normally not less than 8 weeks, except that P&amp;T will meet generally every 4 weeks.</p> <p>3. From 28 July 1999, the Council will introduce 2 sub-committees of P&amp;D:-</p> <p>(a) A Resources Sub Committee comprising the policy and review functions of the Personnel and Finance Sub Committees.</p> <p>(b) A Sustainability Sub Committee comprising the policy and review functions</p>

			<p>of LA 21, Enterprise and Forward Planning.</p> <p>4. All other Sub Committees and Working Groups, with the exception of the Planning Working Group, will be abolished and their work subsumed by their parent committees.</p> <p>5. A "Best Value" Committee will be established comprising 9 Members and with wide delegated authority to drive forward all aspects of "Best Value". It will meet on an ad hoc basis determined by the committee itself.</p> <p>6. A Standards Committee will be introduced with effect from 28 July 1999. It will meet only as required.</p> <p>7. The Policy Committee will determine the future format of the present DSO Boards.</p>
10.5.99	305	AVM D L Attlee	<p>In view of the increasingly close ties between this country and countries of Continental Europe and the need occasionally to take quick action to</p>

			<p>improve the economic well-being of the District, or in pursuit of his ceremonial duties, the Chairman (or his authorised representative) may be re-imbursed for travelling costs in full and for other expenditure incurred on such duties at a rate of £50 per day up to a maximum of £250 without prior authorisation from the Council. Notwithstanding this concession, the Chairman of the Council should take all reasonable steps to obtain authority in advance and for any expenditure in excess of £250.</p>
10.5.99	306	AVM D L Attlee	<p>The Council recognises the need for an open and on-going dialogue with local people and other stakeholders about the shape and style of their current local governance and, in view of the short timescale, delegates to the Best Value Sub-Committee such arrangements as the Sub-Committee judges to be necessary for public consultation. These arrangements might include a continuation of the present local forums in their existing form or some modification of them, citizens panels or juries or a combination of all these or other consultation methods. As and when such proposals are agreed, they will be publicised in WIS with the safeguard that a quorum of the Council (10 Members) may call them in for further discussion by the appropriate Committee or by the Council.</p>

5.7.99	307	T H C Noon	The District Council offers to assume the function of making routine safety inspections for all children's play equipment in Parish Council ownership.
19.7.99	308	E J T Harris	That this Council seeks EC 5b funding and or any other Regeneration Funding in order to prevent any further collapses of the main and domestic premises pipelines in the Canal and Westex Council estates, and to renovate the services to the required standard level to permit the transfer of system to the Water Authority without cost to individual householders.
19.7.99	309	E J T Harris	That this Council expresses to the North and East Devon Health Authority its strong concern at the withdrawal of four services involving General Anaesthesia from Tiverton Hospital and seeks assurance that within the proposed new hospital all services as outlined in the Business Plan will be provided within the new hospital.
20.7.99	310	W E Brown	This Council calls on HM Government to act with utmost urgency in respect of all aspects of health hazards from telecommunications and similar masts. Government is asked to ban new masts (and additions to masts), and to ensure prompt removal of existing masts to safe distances from homes, schools and hospitals.



20.7.99	311	E D Dennis	That a review of the Council House Tenancy Agreement be undertaken with a view to the introduction of a "warning" system for persistent violations of the said agreement in order to safeguard the rights and values of all Council Tenants.
20.7.99	312	N A Way	That this Council expresses deep concern about the proposed closure of Silverton Paper Mill and the possible loss of over 200 jobs, and instructs officers to continue to liaise with their counterparts in East Devon with a view to co-ordinate their efforts to safeguard present or investigate alternative employment opportunities on this important site.
18.8.99	313	D F Pugsley	That this Council will consult the electors by referendum about a directly elected Mayor for Mid Devon
31.8.99	314	Mrs J Campbell	<p>In view of the requirements of Best Value the Council agrees:</p> <p>(a) to request the Officers to prepare a report on the management requirements to support the following Committee Structure</p> <p>(i) Policy Committee  (ii) Direct Services  (iii) Support Services  (iv) Planning and Semi Judicial Functions  (v) Revise the Partnership Committee</p>

			<p>to form a Community Forum incorporating the present partnership with the County Council but including representatives of other bodies (such as Health Authority, Health Trust and Social Services, Parish Councils)</p> <p>(b) in association with Officers (including the Lead Officer of the County Council) to agree terms of reference and membership of the proposed Community Forum.</p> <p>(c) with the intention that the proposed structure be in place not later than April 2000.</p>
21.9.99	315	W E Brown	<p><u>Fundamental Service Reviews</u></p> <p>Mid Devon District Council acknowledges the urgent need to review its methods of service provision in a thoroughgoing manner, to ensure that all aspects of its services are delivered with maximum effectiveness, and by the most economical and cost-effective means possible.</p>
8.2.2000	316	W E Brown	<p><u>Planning Brief - Southfield Crediton</u></p> <p>Council asks its Planning &amp; Transportation Committee to review the Planning Brief agreed at its meeting on 10 February 1999.</p>

8.2.2000	317	W E Brown	<p><u>Planning Application - Southfield, Crediton</u></p> <p>In the light of Planning &amp; Transportation Committee's decision (P&amp;T 192, 26/1/00) to invite an application conflicting significantly with the Planning Brief approved after public consultation, Council asks its Planning &amp; Transportation Committee to ensure that any meetings between Applicants (or Agents) and members are held in public.</p>
22.2.2000	318	W E Brown	<p>Council asks its Planning and Transportation Committee to reconsider the decisions in Min 192 of 26 January - recognising the importance of not prejudicing its consideration of the resubmitted planning application at Southfield, Crediton. Council takes account of the long-standing resolution to have a Planning Brief on this site, which the application disregards. It notes the views of the Planning Consultant (appointed following P&amp;T 175 of 5 January) to the effect that the previous refusal is partly tenable at Appeal. It notes also the applicant's original submission of plans that contravened policy, and which even when submitted, were intended to be altered subsequently (p. E 3 paras 28/29, P&amp;T 16 February). It notes that the current Appeal was not lodged until almost 8 months after the Committee's refusal (p. E 4 paras 30 - 32).</p>

			Council acknowledges that its Planning procedures will be held in public contempt if a new, identical application is approved not in accordance with the requirement to take into account the representations received, thereby cancelling a notified Public Inquiry on the appeal against the previous refusal.
22.2.2000	319	W E Brown	Council resolves to make publicly available the background papers to the debate at P&T 192 of 26 January, to remove the secrecy involved in the decision to postpone a notified Planning Appeal and to invite a re-submitted planning application.
17.4.2000	320	Mrs S M Meads	The Council decides in principle that it will appoint consultants to examine the existing senior (first tier) management structure of the authority and recommend a future structure which can meet the challenges of Best Value and the modernization agenda. Initially the Chief Executive is asked to identify suitable consultants and make recommendations to the next meeting of the Policy and Development Committee, including an estimate of the costs of the exercise.
18.4.2000	321	D J Nation	Council resolves that the next meeting of the Planning and Transportation Committee which considers planning applications relating to supermarkets in Crediton shall take place in Crediton

7.8.2000	322	D F Pugsley	That this Council will consult the electors by referendum about a directly elected Mayor for Mid Devon
25.9.2000	323	D L Pullen	Mid Devon District Council will work progressively towards a better and more equitable provision of Play Areas and Equipment across the District. Environment and Leisure Committee is therefore asked to investigate arrangements aimed at assisting Parish Councils in their functions regarding Play Areas and Play Equipment
26.9.2000	324	N A Way	<p>That this Council calls on the franchising authority when negotiating with rail operators wishing to take up the Exeter to Barnstaple line franchise, will make a condition of any bid the following:</p> <p>To provide a regular interval, hourly service, operating through the greater part of the day, with all trains continuing to Exeter Central;</p> <p>The provision of two daily through trains between Barnstaple and Waterloo:</p> <p>To ensure that adequate services are provided at the intermediate stations serving rural communities along the line.</p>

2.1.2001	325	T H C Noon	That this Council reaffirms its opposition to any legislation to ban or outlaw hunting and writes to our two MPs to so inform them
2.1.2001	326	T H C Noon	That the Council's 2001-2 Budget imposes a ceiling on Councillors' attendance allowances and other expenses at the level of 1996/7 plus 10%
5.1.2001	327	Mrs J Campbell	If the Council sells the Station Road Car Park site in Cullompton for development the capital sum realised will be protected for future investment in a capital project in Cullompton and for no other purpose
24.1.2001	328	D F Pugsley	That, when the District Council consults about the future political structure of the Council, it will consult <i>all</i> the electors of the District.
31.1.01	329	D F Pugsley	That in the draft consultation document relating to future political management structures on page C.5 The District Council's Position, the words "Its preliminary view favours Option 4" should be deleted.
31.1.01	330	D F Pugsley	That in the consultation on future political management structures the consultees should be asked to express their views on the four options in order of preference: 1,2,3,4
16.2.01	331	D F Pugsley	This Council thinks that it would have been better, particularly in view of the IDeA Report paras 32-35, not to tell the public that the Council favours option 4 when it is consulting about all four options
16.2.01	332	D F Pugsley	This Council regrets that consultees are

			not being asked to express their views on the four options in order of preference: 1,2,3,4.
20.2.01	333	W E Brown	Council resolves to hold its Annual Meeting at 6.00pm on Wednesday 25 April 2001, to be followed by the Ordinary Meeting already scheduled for that day.
17.4.01	334	D F Pugsley	<p>In the light of the Political Structures Consultation Report from Marketing Means, which shows that</p> <ul style="list-style-type: none"> <li>- 43% of the sample voted for a directly elected Mayor;</li> <li>- 27% of the remainder (27% of 57% = 15.4% of the whole sample) voted "Leader is directly elected" as important (p. 22, s. 5.5.4);</li> </ul> <p>So that a total of 58% of the whole sample either voted for a directly elected Mayor or said that direct election was important:</p> <p>The Council will hold a referendum on whether the electors for Mid Devon should elect a mayor who will be in charge of local services and lead the Council</p>
17.4.01	335	W E Brown	<p><b><u>CENTRAL OFFICES AND LIBRARY</u></b>  Council wishes to obtain maximum value for money and benefit to the public, in planning and constructing its Central Offices and Library scheme. It therefore instructs Policy and Development Committee to ensure that this is achieved.</p>
2.01.02	336	T H C Noon	That the Council note the problem it has in

			carrying out its function as a Flood Prevention authority on water courses that are not the responsibility of the Environment Agency and that the Council should press the LGA to lobby for the acquisition of adequate powers to carry out this function.
18.2.02	337	Mrs J Campbell	Council resolves to hold its Annual Meeting at 7.00 pm on Wednesday 8th May 2002
19.2.02	338	W E Brown	Council reaffirms its decision to allow officers delegated authority to deal with minor amendments to planning permissions, where these are NOT MATERIAL IN PLANNING TERMS. However, it instructs its Planning & Transportation Committee to recommend guidelines covering the interpretation of the scope of this arrangement.
8.8.02	339	W E Brown	<b>Local Plan Consultations.</b> Council wishes the next stage of the First Alteration process to be handled more in line with its commitment to local consultation. In particular, reports should be sent for comment by Town/Parish Councils and by Area Committees, on a timescale enabling this to be a realistic and meaningful consultation.
8.8.02	340	W E Brown	<b>Telecommunications Masts.</b> Council requires all planning applications and prior notifications for Telecommunications Masts to be determined by Planning Committee.
8.8.02	341	W E Brown	<b>Disabled Access to Council Buildings.</b> Council requires an urgent audit of the access arrangements to all buildings used by the public, likely to remain in the



			Council's ownership or use in October 2004.
8.8.02	342	W E Brown D J Nation Mrs M J Nation D L Pullen N A Way	<p>Council recognises that the £14,500 p.a. package, put together by the Crediton Area Development Trust (Comm Serv C'tee 18/7/02, page 14.2) meets the objectives of the decision by Policy &amp; Development Committee on 14 February 2002 to discuss issues "with other organisations and groups with a view to looking at and providing innovative solutions to the way Tourist Information Services are provided in the District".</p> <p>It is therefore resolved that MDDC will:</p> <ul style="list-style-type: none"> <li>i. contribute its apportionment amounting to £7,000 p.a., subject to the other contributors meeting their contributions</li> <li>ii. contribute up to the same amount - £7,000 – during the period until 31.03.03 to avoid the closure of the TIC on 30.09.02 and enable it to remain open throughout.</li> </ul>
29.8.02	343	D F Pugsley	That this Council will set up a Planning Scrutiny Committee

26.11.02	344	AVM D L Attlee	<p>This Council supports the LGA's proposed commitment to working with its members to help councils secure continuous improvement in their services to local people. It takes the view that improvement is best delivered from within the sector and supports the principle that every council should be prepared to play its part in the improvement process either by providing support or receiving it from other councils. Council confirms that it will participate fully in the improvement agenda.</p>
26.11.02	345	AVM D L Attlee	<p>In the light of the Government programme to halve teenage pregnancies in the next ten years we request the Mid Devon Primary Care Trust to collate and publish the following information for each local and unitary authority (or district council) covered by the health authority for the years 1999, 2000 and each subsequent year as data becomes available:</p> <ol style="list-style-type: none"> <li>1. The number of facilities offering family planning services aimed at young people under the age of 20, including the number of schools and pharmacies, providing the morning-after-pill to under sixteens.</li> <li>2. The estimated cost of providing such services.</li> <li>3. The numbers and rates of teenagers attending family planning clinics by age and sex.</li> <li>4. The numbers and rates of teenagers,</li> </ol>

			<p>by age and sex, being provided with condoms through</p> <ul style="list-style-type: none"> <li>(a) family planning clinics</li> <li>(b) schools</li> </ul> <p>5. the numbers and rates of teenagers being provided with the 'morning-after-pill' at</p> <ul style="list-style-type: none"> <li>(a) clinics</li> <li>(b) pharmacies</li> <li>(c) and schools</li> </ul> <p>by age.</p> <p>6. The numbers and rates of:</p> <ul style="list-style-type: none"> <li>(a) all teenage pregnancies</li> <li>(b) and abortions</li> </ul> <p>by age at conception.</p> <p>7. The numbers and rates of sexually transmitted infections to teenagers by age and sex."</p>
15.1.03	346	T H C NOON	<p>Re Policy Statement on Flood Defence (as submitted to Community Services Committee 7/11/2002). That into the Appendix "MDDC Critical Ordinary Watercourses" be entered a column listing the numbers of properties affected by flooding since October 1999</p>
24.3.03	347	T H C Noon	<p>That the weekly litter cleansing from the Ashley Tip to Westexe South be reinstated</p> <p><b><i>[Only to go forward as a motion to Council in the event that this proposal is not agreed by Community Services Committee]</i></b></p>
24.3.03	348	T H C Noon	<p>That this Council liaise with South Hams District Council to co-ordinate opposition to G.M. crop trials in the area.</p>

14.4.03	349	D J Nation	<p><b>The Council Tax</b></p> <p>This Council notes that:</p> <ul style="list-style-type: none"> <li>• the Council Tax was introduced as a rushed replacement for the Poll Tax,</li> <li>• current Council Tax bands are based on property values from 1991,</li> <li>• the Council Tax takes no account of a persons circumstances or ability to pay,</li> <li>• the relationship between Council Tax and local Council services is not widely and clearly recognised,</li> <li>• a review of Council tax bands will take place in the next few years.</li> </ul> <p>This Council supports:</p> <ul style="list-style-type: none"> <li>• The abolition of the Council Tax</li> <li>• It's replacement with a fair alternative such as a local income tax which would take account of a person's ability to pay.</li> </ul> <p>This Council RESOLVES to call on the Office of the Deputy Prime Minister to introduce such a fair local taxation alternative as soon as possible.</p>
30.6.03	350	T H C Noon	That the Council indicate to the CMT that the guideline for Council Tax 2004-5 be limited to £148 (Band D).
30.6.03	351	E D Dennis	Members will be aware of the need to review its options in relation to the future of Area Committees. Given the lack of Public Support coupled with the cost implications, that the Council disbands all 3 Area

			Committees at the earliest opportunity. The savings achieved should be used to further enhance local service needs.
1.7.03	352	Mrs S M Meads	The Council resolves that the total expenditure on salaries for the municipal year 2004/5 shall be limited to the figure for such expenditure in the current municipal year plus whatever figure for inflation is believed to be appropriate on 31 <sup>st</sup> October 2003.”
25.7.03	353	D F Pugsley	That Licensing Committee be comprised of 15 Members in accordance with the political balance principles so that there shall be 7 Independents, 4 Conservatives, 3 Liberal Democrats, and 1 Member of the CIA.  As a result the group representation on Planning Committee will be as follows: 7 Independents, 5 Conservatives and 3 Liberal Democrats
30.9.03	354	M P Burgess	This council notes - <ul style="list-style-type: none"> <li>• The widespread public concern about possible health and environmental effects of GM foods and the well acknowledged importance of a precautionary approach to the release of Genetically Modified Organisms. This concern includes the recently received petition from Mid Devon Green Party.</li> <li>• The risks to Sites of Special Scientific Interest and the future of</li> </ul>

			<p>organic farms and food production within the District of Mid Devon area in the event of contamination from GMOs.</p> <ul style="list-style-type: none"><li>• The recent decision of Rydale Council as well as Warwickshire and Cornwall to declare their areas 'GM Free Zones', and MDDC's own position of opposition to GMOs passed in 1999.</li></ul> <p><u>This council therefore resolves to Declare the District of Mid Devon a 'GM Free Zone' in so far as it is able , by:</u></p> <p>a) In collaboration with other concerned bodies, considering each prospective GMO Marketing Consent and where appropriate writing to the Secretary of State for Environment Food and Rural Affairs(Margaret Beckett), and to the EU Commission requesting that a condition under Article 19 (3) (c) of the Deliberate Release Directive 2001/18/EC be added to such consent so as to exempt the geographical area of the District of Mid Devon from the scope of such consent –or the growing of such crops.'</p> <p>b) Requesting the government prohibit the use or sale of GM animal feeds in agriculture throughout the District of Mid</p>
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			<p>Devon so as to minimise the amount of GMO's entering the human food chain..</p> <p>c) The council further resolves that within one week from the passing of this motion, it be included on the council website.</p>
30.9.03	355	M P Burgess	<p>This Council -</p> <p>a) Is aware of the current government intention to change the law to require water companies to fluoridate wherever a health authority so requests.</p> <p>b) Recognises that the Council has duty to protect the health and human rights of all the people of the District. Considering this, it has noted that whilst conflicting conclusions have arisen from studies into the efficacy of fluoridation for improving dental health, -that there are sufficient reports about other possible health problems to cause concern.</p> <p>c) Considers that public mass medication through the nation's water taps is contrary to medical ethics (which specify that patients have the right to refuse medication) –and an entirely unnecessary violation of person's right to choose.</p> <p>d) Requests the Chief Executive to write to the Regional Director of Public Health, and the Secretary of State for Health outlining the Council's opposition to this policy.</p>
16.10.03	356	M R Lee	That this Council notes that the proposed

			<p>European Constitution being prepared by the European Convention could have significant implications for Mid Devon. The Constitution would give the European Union shared competence over home affairs, transport, energy, social policy, economic and social cohesion, consumer protection and the environment. As a result, more legislation and guidance on local government would be decided at a European rather than a national level.</p> <p>That, given that the Government has used referenda to approve other constitutional change affecting local and national government, such as to establish regional assemblies and to elect executive mayors, this Council believes the people of Mid Devon should have their say on these constitutional changes in a referendum.</p> <p>This Council therefore resolves to make a formal written submission to the Prime Minister supporting calls for a national referendum on the proposed European constitution.</p>
17.10.03	357	D F Pugsley	<ol style="list-style-type: none"> <li>1. This Council recognises the requirement for significantly more affordable housing to meet local needs.</li> <li>2. We note as a Council what we have already achieved on affordable housing.</li> <li>3. We will increase affordable housing supply and funding for affordable housing in Mid Devon through all available methods, especially</li> </ol>



			<p>partnerships and via lobbying.</p> <p>4.We shall aim to provide as many units of affordable housing each year as we lose through "Right to Buy".</p>
25.11.03	358	T H C Noon	That the Council, when consulting or negotiating with staff, treat representatives of the non unionised staff in the same way as they treat members of a Trade Union.
25.11.03	359	T H C Noon	That the Council when sending out Council tax ask householders (by ticking a box or not) whether they want to receive Council newsletters, questionnaires etc.
23.12.03	360	D J Nation N A Way D L Pullen P F Williams Mrs G E Beard	This Council resolves to endorse the aims and objectives of the Proposal contained within the report to Resources Committee 13 November 2003 for a Mid Devon Business Centre in order that appropriate bids for external funding can be progressed.
8.02.04	361	T W Snow	That in the light of the necessity for saving money for the rate payers, that we remove the need to incorporate art in any new buildings in the future
16.02.04	362	W G Dixon	<p>In order to increase the scope of Open Government and in an attempt to prevent issues being raised and subjected to a vote with insufficient background information gained prior to such a vote the following is proposed;</p> <p>At the end of Resources, Community Services and their respective Scrutiny Committees' agendas there should be an item to enable any member of that committee to identify an issue to be raised</p>

			at the NEXT meeting of their committee. The time allowed for this item to be no more than ten minutes.
17.02.04	363	D J Nation	That this Council instructs the Chief Executive to give effect to the decision of Crediton Town Council with regard to the proposed Crediton Town Square, namely the sale of the additional portion of the Market street Car Park (North) be delayed until it is known whether it is feasible to sell the two alternative areas of land identified in the town.
17.02.04	364	D J Nation	That, in recognition of the need to improve the lot of small producers in the developing world, only 'FairTrade' Tea and Coffee be purchased by the Council in future.
5.04.04	365	Mrs M E Turner	That to avoid further procrastination and additional Public frustration That this Council put into immediate effect from the date of this Council Meeting Car Park Charging for all members of Staff in Car Parks where such a charge applies to the Public. That such charges be deducted weekly/monthly from salaries. That in so doing the Council recognises this will speed up the implementation of the Green Travel Plan.
5.04.04	366	Mrs M E Turner	That this Council as of today's meeting introduce charging for Car Parking in Public Car Parks for all Councillors-as was formally the case. That in order to avoid additional paper work, official time or public expenditure this be implemented by adding the existing Car Parking Allowance to the annual Allowance and deducting charge

			monthly from said allowances.
12.05.04	367	E D Dennis	That the review of the Council's Constitution shall be based on retaining the "alternative arrangements" structure and that a group of Members (appointed according to political balance) comprising Councillors ..... be appointed to consider any necessary changes to the Constitution and to submit recommendations thereon to the full Council.
14.06.04	368	W G Dixon	<p>That this Council should anticipate a requirement for a 5% increase in expenditure in 2005/6 to fund inflation, job evaluation, and the first stage of an anticipated increase in waste/recycling costs for 2006/7.</p> <p>In order to fund such an increase this Council should seek cost efficiencies in all areas without either reducing main-line services to the public or reducing staff numbers which could impact on the delivery of such services.</p> <p>The net result to the public should be an increase in council tax no greater, in percentage terms, than the increase in state pensions for the same period.</p>
13.07.04	369	T H C Noon	That the Council Tax should rise by no more than 2.75% in 2005/06

26.07.04	370	D J Nation	<p>We believe that the current voting system acts as a barrier to participation in local democracy. Unjustified outcomes, such as entrenched one-party dominance, greatly exaggerated majorities and parties winning overall control with less than half the votes and sometimes fewer votes than their opponents, feed the belief that voting doesn't make any difference. In contrast, more representative councils would be more involving of local communities and more accountable to them.</p> <p>We note the Scottish Executive's proposal to introduce reform for local government and the Assembly's consideration of similar reforms for Wales. We therefore call on the Government to introduce a more representative voting system for local government in England.</p>
5.8.04	371	T W Snow	<p>That a feasibility report be prepared in respect of the completion of the Northern Distributor Road in Cullompton if necessary by the use of a Compulsory Purchase Order</p>
9.8.04	372	T W Snow	<p>That this council with immediate effect incorporates within any new sales of Council properties a Devon Agreement. This agreement prevents the resale of any council house to anybody who has not lived in Mid Devon Distinct Council area for 10 years. This agreement is being applied both in East Devon and Teignbridge. This can be incorporated in any transfer of stock to any new Housing Association</p>

			should any of the transferred stock be sold on.
12.8.04	373	T W Snow	That this council with immediate effect places a Devon exemption clause on the sale and also the transfer, should it take place, of its Council Houses.
12.8.04	374	T W Snow	That this Council contacts our MP to propose that in addition to the 106 agreements for affordable housing that Councils, not only this one, have the ability to place on new developments a clause whereby 50 % of the new houses MUST be sold to people within a area of, say, 15 miles of the development.
20.9.04	375	D F Pugsley	Mid Devon District Council opposes a ban on hunting
4.10.04	376	D J Slack	<p>That this Council writes to the Home Secretary and the Office of the Deputy Prime Minister expressing concern that the Police Authority and the Fire and Rescue Service are able to set their annual precepts within the Council Tax without being accountable to the public on their service costs to operational performance ratio, through any local democratic process.</p> <p>This has allowed those public services to increase their annual precepts with virtual immunity from any adverse reaction from the general public. The effects of which are to deflect any criticism on to powerless</p>

			elected members at all levels of local government.
4.10.04	377	D J Slack	<p>Following the last Resources Scrutiny meeting it was resolved to invite a police Chief Inspector to attend the next meeting of that committee. Given the apparent increasing volume of crime and anti-social behaviour in our communities I seek a widening of the Resources Scrutiny consultation process to include a representative from the Police Authority “<i>to discuss the concerns of Members</i>” and to answer specific questions:</p> <ol style="list-style-type: none"> <li>1) what increase in police numbers, and additional hours of visible policing on the streets in Mid Devon, resulted from the additional precept in 2004/2005?</li> <li>2) the whereabouts of the police in our 3 key town centres, but not excluding rural areas, after school hours, evenings and especially 'high risk' evenings/nights? Are they relocated to even higher risk areas such as Exeter and Torquay?</li> <li>3) what plans they have to reclaim our town centres for the local residents, and visitors?</li> <li>4) what partnership activity they would seek with MDDC (due the upcoming change in management of the Licensing process) to reduce the influence of drink induced anti-social behaviour?</li> <li>5) what precept plans they have for 2005/6 in terms of further increasing police</li> </ol>

			numbers, and the expected percentage increase in costs as a consequence?
9.11.04	378	D F Pugsley	After the local forums in Bow, Oakford and Burlescombe this Council believes it gives good value for money
24.11.04	379	D F Pugsley	<p>The Mid Devon District Council notes with concern the serious economic, environmental and social consequences for this District of the ban on hunting.</p> <p>The Council will use its best endeavours within its powers and resources to help those who are adversely affected by the ban.</p> <p>The Council will continue to lobby the government, and will support its two MP's in lobbying the government, to provide compensation for those whose livelihoods are affected.</p>
28.11.04	380	Mrs J Campbell	Following the CPA interim report and the awaited Pendragon report the Council appoints a group of 4 members to discuss strategy and appropriate steps to address the issues raised in these reports
29.11.04	381	D J Slack	The figures used to identify the annual Formula Funding Grant for Mid Devon, and all other organisations seeking an annual precept from the council tax payer, are based upon data obtained from the 1991 census. This despite the fact that the 2001 census figures are now available to

		<p>government which is refusing to utilise this latest available data.</p> <p>Over and above the population figures contained in the 2001 census there is the evident fact that the West Country population continues to grow as is shown by the number of houses which have been built since 2001.</p> <p>The motion is to seek unanimous agreement from this council to send a letter to the Prime Minister, the Office of the Deputy Prime Minister, the leaders of the Liberal Democrats and Conservative parties, Mrs A Browning MP, the LGA, with copies to The Devon and Cornwall Police Authority, The Devon and Cornwall Fire Service, Devon County Council, and the local media, stating that this Council deplores the under funding of the Council Tax grant from central government and seeks immediate redress through urgent government action.</p> <p>In addition this council seeks assurance that the government will redress the previous imbalance whereby northern areas of the country received greater percentage increases in the formula grant than southern areas.</p> <p>This council condemns this discrimination against the financial well being of our 70000 plus residents who wish to be</p>
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			treated with fairness and equality, without prejudice, and not to be victimised or bullied by any government.
31 January 2005	382	T H C Noon	That the Planning Department create a Register of Agricultural Dwellings and send the occupants at regular intervals (every 2 years) a questionnaire to ascertain whether the relevant planning conditions are being complied with.
11 February 2005	383	T W Snow	That we contact Devon County Council to encourage them to adopt the Quiet Lanes initiative within Mid Devon Area as started by Wilts CC for the better life style and safety of our community.
11 February 2005	384	P Madams	When the council consider the allocation of resources for the Capital Programme for 2006/07, and future years, that affordable housing be considered a top priority, in line with the Corporate Plan.
11 February 2005	385	Mrs J Campbell	<p>That this Council make urgent representations to the Devon County Council in relation to the County Councils 'proposals' for the future use of second home Council Tax money.</p> <p>That this Council within its representations make the following points.</p> <ol style="list-style-type: none"> <li>1. That the County Councils proposals have been introduced without adequate consultation with this Council as the strategic housing authority for Mid Devon.</li> <li>2. That the proposals as they are</li> </ol>

			<p>understood lack clarity and purpose</p> <p>3. The proposals appear to have been introduced in a hurry and as a result this Council will not consider supporting them until their implications are fully understood.</p>
15 February 2005	386	D J Nation	<p>THAT this Council supports the Clean Neighbourhoods and Environment Bill currently before Parliament and agrees to write to its MPs requesting them to assist its passage into legislation.</p> <p>Note: The Bill gives local councils additional powers to tackle fly-tipping, litter, graffiti, fly-posting, dog fouling, nuisance noise and abandoned cars. It has the support of all three main parties in the LGA and the NFU.</p>
15 February 2005	387	D J Nation	<p>THAT this Council:</p> <ol style="list-style-type: none"> <li>1. Notes the all Party support for the Sustainable Communities Bill,</li> <li>2. Supports the objectives and measures proposed in the Bill, and</li> <li>3. Undertakes to write to it's MPs urging they support the Bill</li> </ol> <p>NOTES:  Many people feel that communities across Britain are in decline and that centralised decisions, determined beyond their control, are destroying the sense of community in their local area. This private members bill will make it the duty of every local authority</p>

			<p>and regional body to prepare within 12 months a local strategy for promoting and increasing local and regional sustainability according to specified performance indicators. It will then be the duty of that public body to implement its strategy. The principle of the Sustainable Communities Bill is bottom up, rather than top down, in that it requires that central government responds to and is driven by local councils and communities.</p> <p>The campaign's supporters include FOE, CAMRA, National federation of Women's Institutes, National Association of Local Councils, over 100 local groups, 4,000 councillors and individuals and an EDM signed by over 200 MPs.</p>
14.03.05	388	M P Burgess	<p>In light of the Council's opposition to the growing of GM crops within Mid Devon; and the resolution it passed in October 2003; and noting all the points made within the Petition to the European Commission hereby presented to it [<i>italicised below</i>] that the Council hereby resolves to become a signatory to this petition, and will sign and return the petition attached here accordingly. 'The Council will also co-operate with other Councils in the EU's 'South-West Region of England', to co-ordinate efforts so that a declaration can</p>

		<p>be made that the whole region intends to remain GM-free.</p> <p><b>notes:</b> <i>Across the European Union, thousands of local and regional government authorities want to exclude the growing of genetically modified (GM) crops in their area. The reasons for taking such an initiative include:</i></p> <ul style="list-style-type: none"><li><i>• concerns about the many scientific uncertainties surrounding the long term safety of GM foods and the effect on the environment of growing GM crops;</i></li><li><i>• the clear difficulties of growing GM crops without contaminating traditional, conventional, and organic crops, and the economic effects this will have on the agri-food sector;</i></li><li><i>• the demands from their citizens for GM-free food and a GM-free local environment;</i></li></ul> <p><i>Current European law fails to protect these local and regional government authorities. Internationally, there is increasing pressure to force GM crops into the European Union, especially via the US-led trade dispute at the World Trade Organisation. In order to protect our local economy, culture, environment and health of our citizens, EU law must include the democratic right of local and regional governments to decide whether GM crops can be cultivated in their given area. There should be no EU wide approvals for</i></p>
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			<i>the cultivation of GMOs until these matters are resolved and that there should be strict labeling regulations for any presence of GMOs in conventional and organic seeds at the practical detection limit.</i>
11.04.05	389	M P Burgess	<p>That MDCC</p> <p>1) Notes the petition from Mid Devon residents in support of this motion</p> <p>2) Recognises that microgeneration (that is the generation of energy by householders installing micro-units in their own homes) is a new and exciting way to deal with energy problems and of engaging and involving people as consumers and citizens in the important issues of reducing CO2 emissions and climate change.</p> <p>3) Looks forward to the Govt's microgeneration strategy due to be published later in 2005 under Section 82 of the Energy Act and hopes that the Govt will set challenging but achievable targets for the different methods of microgeneration (wind, CHP, solar-thermal and photo-voltaic) as have been called for by the Micropower Council</p> <p>4) In particular, welcomes the introduction of the small scale renewable Energy Developments (Permitted Development) Bill into Parliament by a cross party group of MP on 2<sup>nd</sup> March, noting it</p>

			<p>a) will extend Permitted Development status to the installation of microgeneration( but only where the visual and noise effects are either 'minimal' or 'no greater than those already afforded Permitted Development status') ;</p> <p>b) allows the Secretary of State (<i>or National Assembly for Wales</i>) to add other safeguards relating to visual and noise effects as necessary; and</p> <p>c) allows the Secretary of State (<i>or National Assembly for Wales</i>) to first consult with local authorities</p> <p>and therefore hopes that the Govt will support the Bill</p> <p>In acknowledging the above, that MDDC should make known its opinion by writing to the following, informing them of the resolution here passed by MDDC</p> <ul style="list-style-type: none"><li>i) Our MPs , who should also be requested to consider adding their names to EDM 801</li><li>ii) The appropriate Secretary of State,</li><li>iii) The Sustainable Energy Partnership</li></ul>
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**GMO-free Regions and areas:  
Petition to the European Commission**

Across the European Union, thousands of local and regional government authorities want to exclude the growing of genetically modified (GM) crops in their area. The reasons for taking such an initiative include:

- concerns about the many scientific uncertainties surrounding the long term safety of GM foods and the effect on the environment of growing GM crops;
- the clear difficulties of growing GM crops without contaminating traditional, conventional, and organic crops, and the economic effects this will have on the agri-food sector;
- the demands from their citizens for GM-free food and a GM-free local environment;

Current European law fails to protect these local and regional government authorities.

And internationally, there is increasing pressure to force GM crops into the European Union, especially via the US-led trade dispute at the World Trade Organisation.

WE, the undersigned, believe that in order to protect our local economy, culture, environment and health of our citizens, EU law must include the democratic right of local and regional governments to decide whether GM crops can be cultivated in their given area.

We also believe that there should be no EU wide approvals for the cultivation of GMOs until these matters are resolved and that there should be strict labeling regulations for any presence of GMOs in conventional and organic seeds at the practical detection limit.

.....  
(Name of local/regional authority or constituency)

Signed

.....  
(Name and position)

*Please return via ordinary mail and via fax to  
GMO-free Regions Conference, Marienstr. 19-20, 10117 Berlin, Germany  
Fax +49 30 27590312  
Email: [petition@gmo-free-regions.org](mailto:petition@gmo-free-regions.org)  
Web: <http://www.gmo-free-regions.org>*





**The All Party Parliamentary Group for Intelligent Energy** was established to promote energy efficiency policies required by the Govt's 2003 Energy White Paper.

It has come up with 7 policies which it suggests the Govt must adopt to tackle climate change. These include : that the Govt must:

No 1) specify targets for new & existing buildings to improve energy efficiency, and announce specific and fiscal incentives to assist in achieving these

No 2) set a target for micro-generation, with expectations specified from sectors within this; and measured by net metering of energy generated by micro-power.

No 5)..To assist with CO<sub>2</sub> reduction targets, targets for energy efficiency, renewables and CHP should be accepted and re-stated

Early Day Motion 720 welcomes the 7 point Manifesto

**The Sustainable Energy Partnership**, which is supported by many organisations - including the Green Party, the Green Liberal Democrats, and the Tory Green Initiative- is asking supporters to lobby their MPs to support EDM 720, but is specifically asking local authorities to pass the resolution (forming this motion) which supports EDM 801.

**Wording for MPs to sign to ..:**

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**To the Table Office**

**Please add my name to this EDM**

**EDM 801.....SMALL SCALE RENEWABLE ENERGY DEVELOPMENTS**

That this House welcomes the Small Renewable Energy Developments (Permitted Development) Bill introduced into the House by a cross-party group of honourable Members; notes that the Bill will grant permitted development status to such developments and therefore enable people to install them far more easily; notes too that the Bill promotes safeguards to ensure that visual, environmental and noise effects of such developments will be minimal; and believes that microgeneration is an exciting new way of combating climate change and of engaging and people in achieving this objective.

Signed .....MP

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## **Small Renewable Energy Developments (Permitted Development) Bill Bill 6753/4**

A Bill to require the Secretary of State to extend permitted development status to small renewable energy developments and issue guidance to planning authorities in connection with such developments; and for connected purposes.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Duty to amend Permitted Development Order**

(1) The Secretary of State shall by order amend Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) to provide that a “small renewable energy development” is classed as a permitted development within the meaning of that Order.

(2) A development is a “small renewable energy development” if it meets the criteria set out in subsections (3) and (4).

(3) The first criterion is that the source of energy or the technology is one of the following—

- (a) photovoltaics;
- (b) wind;
- (c) solar power;
- (d) water;
- (e) biomass.

(4) The second criterion is that the capacity of the development is the generation of electricity of such maximum amount as the Secretary of State shall (subject to subsection (5)) determine.

(5) Before determining a maximum amount for the purposes of subsection (4) the Secretary of State shall—

(a) consult bodies representing local authorities and such other persons as he considers appropriate; and

(b) satisfy himself that the visual and noise effects of developments of or below the maximum capacity to be determined are either—

- (i) minimal; or
- (ii) no greater than those created by other developments already afforded permitted development status.

(6) In making an order under subsection (1), the Secretary of State may make provision about conditions relating to the environmental impact of a small renewable energy development that need to be met in order for it to be classed as a permitted development, including, in particular, provision about limiting—

- (a) visual appearance, and
- (b) noise.

(7) The power of the Secretary of State to make an order under this section is exercisable by statutory instrument.

(8) An order under this section shall be laid before Parliament after being made and is subject to annulment in pursuance of a resolution of either House of Parliament.

(9) In this section “permitted development” means development permitted under the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) and “permitted development status” shall be construed accordingly.

## 2 Guidance

(1) The Secretary of State shall, within 12 months of the passing of this Act, issue guidance to all planning authorities specifying ways in which they might encourage, promote and facilitate small renewable energy developments.

(2) In this section—

“planning authority” has the same meaning as in section 1 of the Town and Country Planning Act 1990 (c. 8);

“small renewable energy developments” shall be construed in accordance with the provisions of section 1.

## 3 Short title and extent

(1) This Act may be cited as the Small Renewable Energy Developments (Permitted Development) Act 2005.

(2) This Act extends to England and Wales only.

21.6.05	390	D J Nation	<p>That Council indicates its support for EDM 48 and writes to our MPs asking them to add their signatures to it.</p> <p>Note: The wording of the EDM is as follows: That this House supports the proposal from the Office of the Deputy Prime Minister Select Committee for an investment allowance to create a level playing field for council housing and enable local authorities to finance borrowing under the prudential framework to meet the Decent Homes Standard, as an alternative to the Government's three current options of stock transfer, private finance initiative and arm's length management organisations; shares the concerns expressed in the critical reports by the Public Accounts Committee and the National Audit Office on the cost-effectiveness of stock transfer, believes that a fourth option, allowing councils to improve their own stock, can be funded by reinvesting all the income from tenants' rents, capital receipts and savings on expensive set-up costs, notes the broad consensus of</p>
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			<p>support from tenants, the Local Government Association and local authorities, the TUC and Trade Unions for the fourth option; welcomes the recognition by the Deputy Prime Minister on 26th September that 'public financing of housing doesn't treat local authorities on a level playing field and I want to see that changed and I promised to do that and look at an inquiry into it'; and urges him to stand by this promise so that tenants can have a real choice, councils can compete on a level playing field and the public housing stock can be repaired, refurbished and expanded to make its contribution to the growing need for public rented housing, instead of wasting millions to give it away.</p>
21.6.05	391	D J Nation	<p>That, in the interest of balance and fairness, when this Council next despatches a communication to all tenants, it shall include, without charge, a communication from a Tenants' Group campaigning against the transfer of the housing stock.</p> <p>Note 1: Keith Hill, then Housing Minister, said "The law is entirely clear, which is that tenants need to be presented with equal information about the pros and cons of the various options for which they are being consulted and that is absolutely the principle that we as government and we as ministers conform to...Certainly local authorities are under a requirement to act in that same kind of impartial presentation of information." (London Tenants' Federation conference, 27 Nov 2003).</p> <p>Note 2: Kevin Dodd, former Wakefield Council Head of Housing and now Chief Executive of Wakefield &amp; District Housing, said "How can you sell the message objectively? Once you are in the process, you are marketing an ideal because you want a 'yes' vote." (Inside Housing, 29 Apr., 2005)</p>
21.6.05	392	D J Nation	<p>To ask the Council to</p> <p>(1) confirm continuance of its established policy of occasionally holding meetings outside Tiverton (usually in Cullompton or Crediton) when this would be more convenient</p>

			to residents most interested in the content of the agenda, and (2) agree to hold the meeting of the Planning Committee which will determine the Winswood (Crediton) Planning Application 05/00997/OUT - Midas Homes, in Crediton.
3.8.05	393	T H C Noon	That the Council inform Devon County that the road markings on the Tiverton, Bickleigh, Rewe road are inadequate for road safety
3.8.05	394	T H C Noon	That the Council requests Devon County to consider imposing a 50mph limit between Tiverton and Stoke Cannon and to consider imposing a ban on overtaking on the stretch between the Ashley Straight and the second turning to Silverton
9.8.05	395	T H C Noon	That Parish Councils are asked for their comments on licence applications
22.8.05	396	M A Lucas C J Ward P Madams Mrs J Campbell E J Berry Mrs L J Holloway E D Dennis	That, in light of the content of the leaflet provided by the 'tenant group campaigning against transfer' and having regard to:  (1) the opinion of the Independent Tenant Advisor and the Council's legal advisors that the leaflet fails to live up to the standards of fairness, accuracy or balance; and  (2) the warning of the Council's legal advisors that if the Council were to issue this group's material, it would find itself in breach of the Office of the Deputy Prime Minister's (ODPM) guidance on stock transfer consultation and the code of recommended practice on local authority publicity  the Council rescinds Motion 391 and proceeds with its formal consultation with its tenants about transfer of the housing stock.
22. 8.05	397	D J Nation	This Council instructs the Officers to accede to the draft decision of the Freedom of Information Commissioner and release to councillors who request them, without further delay, the addresses of the council properties involved in the Large Scale Voluntary Transfer project.
25.09.05	398	Mrs M E Turner	That as from January 2006 all Councillors be required to

			purchase a seasonTicket for car parking. This ticket to cover all Car parks. And that Payment for same to be either monthly or annual and that such purchases be not refundable.
6.10.05	399	D F Pugsley	<p>That the present rules and policies which apply to farmhouses subject to an agricultural tie are unsatisfactory and unfair to farming <b><i>familiesbecause of the rule that "it is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding", which excludes the needs of the family altogether*</i></b></p> <p>Motion altered to includes words in italics</p>
9.11.05	400	D F Pugsley	The Council notes the resignation of the Chairman of the Public Scrutiny Panel and his reasons for resigning, and will consider how to reform the Panel and its Terms of Reference so that it can carry out its scrutiny role more effectively and independently
5.12.05	401	D J Nation	<p>Council instructs officers to include the following in the arrangements for the ballot of our council tenants on LSVT:</p> <p>i No literature apart from that necessary to enable the tenant to vote will be included in the despatch containing the ballot paper.</p> <p>ii.The Council will not despatch any communication to tenants during the ballot period.</p> <p>iii.Council officials will not make any uninvited approach to tenants during the ballot period.</p> <p>iv. Voting will be restricted to Postal only.</p> <p>v. The envelopes returned to Electoral Reform Services will be brought to a suitable venue in Tiverton, opened there and counted at the end of the ballot period in the presence of the following observers:</p> <ul style="list-style-type: none"> <li>- 4 councillors (selected in accordance with political balance rules).</li> <li>- The 9 Tenant representatives from the 3 Area Tenants Groups.</li> </ul>

			<ul style="list-style-type: none"> <li>- A representative of Unison.</li> <li>- 4 Housing Department staff.</li> <li>- The Chief Executive.</li> </ul> <p>EXPLANATORY NOTE</p> <p>It is usual for the ballot papers to be removed from their envelopes upon arrival at the ERS office in London, and counted there by their staff. The Council is then advised of the result.</p> <p>An atmosphere of mistrust on both sides has developed over recent months and it is suggested that conducting the count in this open and transparent way would ensure that there can be no suggestions of impropriety afterwards.</p> <p>Council may wish to decide each of the above proposals separately and I would have no objection to that.</p>
14.2.06	402	D J Nation	<p>All proposals resulting from the Comprehensive Review necessary to balance the 2006/7 budget referred to in the Report from the Head of Finance to Resources Committee 9 February 2006, will be put as Recommendations to Full Council.</p>
30.3.06	403	D J Nation	<p>Council agrees to the establishment of a Council Housing Sub Committee in order to ensure the effective and efficient management of the Council's Housing Stock and improve tenant involvement in decision-making.</p> <p>This shall be a sub-committee of the Community Services Committee, which will continue to have overall responsibility for Housing matters.</p> <p>The sub-committee shall consist of 4 councillors (or such other number as is necessary from time to time) drawn from the Community Services Committee in accordance with political balance rules.</p> <p>There shall be co-opted onto the sub-committee, as non-voting members, the chairs of the three Area Tenants</p>

			<p>Groups.</p> <p>It is anticipated that the Council Housing sub-committee will appoint Working Groups of other councillors (not necessarily from the Community Services Committee) and representatives of the tenants, to examine specific issues such as Housing Finance, Staffing, Repairs etc.</p>
9.6.06	404	D J Nation	<p>Council agrees that the meeting of the Planning Committee which will determine the Winswood (Crediton) Planning Applications( 06/00954/OUT &amp; 06/01031/FULL - Midas) shall be held in Crediton.</p> <p>Notes: At its meeting on 21 June 2005 Council confirmed continuance of its established policy of occasionally holding meetings outside Tiverton (usually in Cullompton or Crediton) when this would be more convenient to residents most interested in the content of the agenda.</p> <p>In respect of the matters the subject of this Motion, after the Planning Committee on 24 May 2006 decided against holding the appropriate meeting in Crediton, Crediton Town Council lodged this request in its observations on the applications</p>
16.8.06	405	W G Dixon	<p>That the Secretary of State for Local Government be informed by this council that in its opinion the Standards Board for England as currently constituted can use its powers to stifle discussion, diminish democracy and actively discourage freedom of speech.</p> <p>M.D.D.C. therefore proposes that in future the Board should confine itself to matters relating only to private or prejudicial interests.</p>
1.9.06	406	D F Pugsley	<p>That this Council should not change the terms and conditions on which the Cullompton Farmers' Market use the Station Road Carpark.</p>
8.10.06	407	D F Pugsley	<p>That the Chairman's Hospitality Budget be kept at the same level as last year (with no increase for inflation).</p>



11.10.06	408	D F Pugsley	That this Council should systematically prosecute in dog-fouling cases whenever the offence has been witnessed by members of the public who are prepared to give evidence in court.
13.11.06	409	T W Snow	That this Council at the next election for a leader shall also appoint a deputy leader <b>(WITHDRAWN)</b>
20.11.06	410	D F Pugsley	<p>In view of the fact that</p> <p>(1) the Chief Executive has said that he does not want an appraisal (which is a contractual obligation for him); he wishes to be accompanied by his union representative if there is an appraisal (which is unacceptable); and he has told members that he has failed and is leaving;</p> <p>(2) in the view of the Audit Commission the Management Team is "dysfunctional" and the Chief Executive has "lost the plot";</p> <p>(3) the Council is subject to voluntary engagement; and</p> <p>(4) the Council's finances are in such a state that a redundancy plan will have to be implemented</p> <p>THIS COUNCIL DECIDES</p> <p>(a) not to allow the Chief Executive to take early retirement; and</p> <p>(b) to take steps to begin the procedure for removing the Chief Executive from office. <b>(WITHDRAWN)</b></p>
23.11.06	411	Mrs M E Turner	<p>Ref Motion No.410</p> <p>That if the Chairman of MDDC persists in leaving this motion on the Agenda in the public domain I wish to move</p> <p><i>That this Council pass a motion of NO CONFIDENCE in the Chairman of the District Council</i><b>(WITHDRAWN)</b></p>
27.11.06	412	D F Pugsley	In view of the fact that

			<p>(1) the Chief Executive has said that he does not want an appraisal (which is a contractual obligation for him); he wishes to be accompanied by his union representative if there is an appraisal (which is unacceptable); and he has told members that he has failed and is leaving;</p> <p>(2) in the view of the Audit Commission the Management team is "dysfunctional" and the Chief Executive has "lost the plot";</p> <p>(3) the Council is considering voluntary engagement; and</p> <p>(4) the Council's finances are in such a state that a redundancy plan will have to be implemented</p> <p><b>THIS COUNCIL DECIDES</b></p> <p>not to pay for early retirement for the Chief Executive; but it would give favourable consideration to a resignation package, including Outplacement Support to help him find another job. (Estimated cost: £6,000 to £7,000. Clearly there is room for some flexibility here.) <b>(WITHDRAWN)</b></p>
14.2.07	413	D J Nation	<p>Council agrees that the meeting of the Planning Committee which will determine the Tesco (Creditor) Planning Application (06/02670/OUT - Tesco, Exeter Road) shall be held in Creditor.</p> <p>Notes: In each of the last two years, Council has confirmed continuance of its established policy of occasionally holding meetings in Cullompton or Creditor when an application/s of great significance in those areas, in which there is much public interest, is being considered. Sadly, Planning Committee on 31.01.07 refused a request to hold this meeting in Creditor, which is why I ask Council now to keep to its stated policy and agree to do so.</p> <p>In the event that councillors are concerned at the additional cost of holding the meeting other than in the Tiverton Town Hall, the Congregational Church (where District Council meetings have been held very successfully in the past) has agreed that the meeting can take place there without charge.</p>

19.2.07	414	D F Pugsley	That this Council considers that it is in the public interest that the alleged offenders in the dog-fouling incident on 24 September 2006 reported by Mr Bill Jones should be prosecuted, and instructs the officers to commence proceedings accordingly.
17.4.07	415	D J Nation	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. consider supporting the petition currently circulating in the Crediton area in the following terms:</li> </ol> <p>We, the undersigned residents of Crediton area:</p> <ol style="list-style-type: none"> <li>1. Wish to object most strongly to recent decisions by both the Devon Partnership Trust (PT) and the Devon Primary Care Trust (PCT) to reduce the number of in-patient beds available at Crediton Hospital.</li> <li>2. Urge the PT to reverse their decision to temporarily close Boniface ward and the PCT to reinstate the recently closed beds at the Stroke Unit and in Kirton ward.</li> <li>3. Urge the PCT not to consider any further reductions in beds at the hospital as a result of their strategic review taking place later this year.</li> </ol> <ol style="list-style-type: none"> <li>2. write to the PT and the PCT seeking to be kept fully informed of their plans in relation to services, especially in-patient facilities, in the District, and</li> <li>3. urge the PCT to reinstate all reductions in services at Tiverton Hospital without delay.</li> </ol>
2.7.07	416	D J Nation	<p>This Council:</p> <ul style="list-style-type: none"> <li>- believes that climate change is a major issue facing the planet and agrees with the recent Stern Review that urgent action is required to reduce carbon emissions;</li> <li>- notes with concern that (i) a number of local authorities have been prevented by Planning Inspectors from specifying higher energy efficiency standards in their local development plans than those required by Building Regulations, thereby undermining their efforts to show real leadership in the fight against climate change;</li> </ul> <p>(ii) our own attempt to require future development to be</p>

			<p>carbon-neutral was found by the Inspector to go further than current national guidance and (iii) the new draft Planning Policy Statement on Planning and Climate Change will further limit councils' powers to require higher energy efficiency standards in new developments and therefore:</p> <p>(a) supports Martin Caton MP's Local Planning Authorities: Energy and Efficiency Bill (introduced into Parliament with cross-party support on 13.12.06), which would allow councils, if they so chose, to include in their local development plans reasonable requirements for higher energy efficiency standards, microgeneration and the generation of renewable and low carbon energy in all developments; and</p> <p>(b) calls for the new draft Planning Policy Statement to be changed to remove the proposed limits on the powers of local authorities to specify such standards; and</p> <p>(c) resolves to respond accordingly to the DCLG consultation on the draft PPS and to write to Martin Caton MP expressing its support for his Bill.</p>
28.8.07	417	Mrs M E Turner	<p>That MDDC Council introduce Car Parking Charges for all members of Staff in those Car Parks where the Public are required to pay. The income £40k (2004 figure) to be used to meet deficits in Council Budget. That a discount be allowed to Staff members as operates in Leisure facilities. That in view of the 3 year discussion period already elapsed these charges to take effect immediately</p>
21.12.07	418	N V Davey	<p>"Mid Devon District Council condemns the decision by the Arts Council to withdraw its grant funding for the Exeter Northcott Theatre from 2009.</p> <p>This Council calls on the Art Council to reconsider this matter at its meeting in January and to fully reinstate its grant to the Exeter Northcott Theatre. We also call on the Arts Council to confirm its commitment and support for the long term future of the Exeter Northcott Theatre, so that it remains a theatre of regional importance and continues its work as a centre of theatrical excellence".</p>

11.2.08	419	D L Pullen	<p>“Council agrees that members will receive a formal presentation on Leisure Procurement, including the reasons for Procurement, the aims of the process and what the Invitation to Tender is seeking to achieve, immediately before the Council meeting on 23<sup>rd</sup> April.”</p>
12.2.08	420	D J Nation	<p>“This Council recognises that joint working with other councils and partners will provide improved services for people and substantial savings for Council Tax payers. The most important outcomes will be:</p> <ul style="list-style-type: none"> <li>- Establishing single points of contact (one stop shops, telephone contact points and web sites) to make it easier and simpler for people to get the help advice and service they need.</li> <li>- Saving costs through economies of scale by working with partners</li> </ul> <p>We therefore call for:</p> <ul style="list-style-type: none"> <li>• The prompt establishment of a team of senior officers and councillors from Mid Devon, North Devon and Torridge District Councils, with appropriate input from County Council officers to progress this ambition as rapidly as possible</li> <li>• Early agreement on a programme of joint working</li> <li>• Clear milestones and deadlines</li> <li>• Agreement for individual councils and officers to lead specific areas of work</li> <li>• The identification of substantial and measurable savings</li> <li>• Request finance and resource support for this programme of work from Government Office through the LIFT programme and from the Regional Centre of Excellence to fund for example, a senior officer to the joint working team.</li> </ul> <p>The programme needs to include:  Culture and tourism;  Waste ;  IT – already underway between Torridge and Mid Devon;</p>

			<p>consider future joint procurement and convergence; Finance, where there is already joint working between Mid and North Devon; Joint working on research and policy development, seeking and spreading good practice.</p> <p>Other partners needed to be involved, including Police, Health, and Voluntary Sector. Options for ways forward could include:</p> <ul style="list-style-type: none"> <li>○ Merged departments/teams of staff</li> <li>○ Reduced numbers of meetings</li> <li>○ Reduced travel, through use of communication by audio conference and video conference</li> <li>○ Reduced office costs, road congestion and pollution through use of home working and 'hot desking'</li> <li>○ Single heads of service</li> <li>○ Shared/rationalised buildings, depots etc</li> <li>○ Shared IT</li> <li>○ Shared one stop shops</li> <li>○ Shared web site</li> <li>○ Joint Heads of Service</li> </ul>
18.2.08	421	P F Williams	<p>"In light of the Government's decision to make high quality Arts and Culture a priority in Schools and the growing importance of Arts and Culture to Mid Devon in the building and nurturing of sustainable, and inclusive, Rural and Urban communities, this council make Arts and Culture a priority, under the Community Well Being part of the Corporate Plan, for the 2008/9 budget and until further notice."</p>
19.2.08	422	M R Lee	<p>"The national concessionary bus fares scheme, which is due to start in April, is designed as an off-peak facility, commencing at 9.30 a.m. While this may be reasonable in urban areas in which there is a frequent bus service, it disadvantages and discriminates against residents in rural areas in which there may be just one bus on a particular day, departing earlier than 9.30. It is understood that the Devon partnership authorities have agreed to adhere to the terms of</p>

			the statutory scheme, and that this Council is in no position to unilaterally increase its financial commitment. However, Council considers that it may be helpful to make representations to the relevant bus companies, requesting that they review their timings to address this issue. The Chief Executive will be pleased to receive examples from any Members of such instances in their wards, mentioning the timing, destination, route number, and identifying the bus company, in order that appropriate letters may be sent to the operators requesting their assistance, and Members are urged to provide such information as a matter of urgency.”
17.6.08	423	Mrs M E Squires	That the Council make representations to the appropriate Government Department seeking legislation to reduce the amount of and types of plastic used in goods such as yogurt pots and plastic containers used for fabric conditioners and shampoos. This will result in a better quality and more usable plastic to recycle
14.7.08	424	D J Nation	<p>GREENING THE UK:</p> <p>Council notes that:</p> <ol style="list-style-type: none"> <li>1. green and brown spaces whether commercial developments or publicly owned, well-planted local streets and roads, and blooming private gardens are all integral components of a modern sustainable community;</li> <li>2. trees and shrubs contribute to the control of climate change effects (e.g. absorbing rainfall and stabilising riverbanks), to a better environment (visual, air and sound), to reducing violence and to improving quality of life</li> <li>3. national statistics suggest landscaped areas have been reduced by 50% in new development plans compared with 10 years ago and that only 50% of the landscapes specified in planning applications are being delivered;</li> </ol>

4. developers are failing to deliver local enhancements of the environment through their failure to deliver adequate landscaping projects.

Council therefore believes that:

1. improving the environment should include providing greener commercial and domestic building and infrastructure projects i.e. with a higher level of planting.

2. planning regulations should place a greater emphasis on enforcing the delivery of green spaces and gardens included in submitted planning documentation.

3. local authorities/bodies should increase the scale of specification of green spaces/garden space within planning guidance across the range of plans from Regional Spatial Strategies to Local Area Action Plans.

Council accordingly resolves to:

1. seek to increase the amount of tree and shrub planting required within planning approvals across the range of plans from Regional Spatial Strategies to Local Area Action Plans.

2. support exemplar schemes which reflect the importance of green space and green planting on both public and private land, including the use of planting to improve the council owned street scene.

3. ensure, using enforcement powers, that the planting required by planning approvals is actually installed and maintained.

4. call upon its local MPs to support the principle of more, properly maintained planting of trees and shrubs and raise the issue within Parliament.



5. ask the Regional Planning Authorities and the Regional Development Agency to support these proposals both politically and financially where appropriate.

Further, and in light of the above, Council also believes that;

1. Modern housing developments all too frequently have excessively high densities, particularly in suburban areas; minimum areas per housing unit to cater for gardens of a size appropriate for each neighbourhood and taking account of the need for green space should be specified by planning authorities.

2. Planning regulations should also put restrictions on house owners, where appropriate, regarding the addition of further housing units in their gardens; these may have the same negative effects as high density developments and contribute to a decline in the character of residential areas.

3. In this connection the classification of land for infilling of this nature as `brown field sites only compounds the problem and should be rescinded.

4. In addition to tree and shrub planting in publicly owned landscapes, the importance of the grass/wildflower meadow habitat should not be underestimated.

Council additionally resolves to:

1. press for the adoption of minimum areas per housing unit tailored for individual locations in order to ensure that unsuitable high density housing developments are not approved and that appropriate areas are allocated for gardens and other green space.

2. support restrictions for house owners to prevent

			<p>infilling by use of gardens where this would have a negative effect on the character of a residential area.</p> <p>3. urge the rescinding of the classification of `brown field site for garden land.</p> <p>4. encourage the sowing of seed for grass/wildflower meadow for verges and other publicly owned landscapes where these are deemed appropriate.</p>
2.10.08	425	T W SNOW	<p>Sustainable Communities Act</p> <p>That Mid Devon District Council</p> <p>(i) notes that local authorities and their communities know best how to improve local areas and solve local problems and so should determine how to promote thriving communities; and so</p> <p>(ii) supports the bottom up process in the Sustainable Communities Act designed to allow local authorities and their communities to drive the help and assistance that central government gives to promote thriving, sustainable communities;</p> <p>(iv) notes that the Act became law in October 2007 with full cross party support and that this was a result of 5 year campaign run by a coalition of over 90 national citizens organisations called Local Works;</p> <p>(iv) notes that the Act gives local authorities the power to</p> <ul style="list-style-type: none"> <li>• make proposals to government on the action and help government must take or give to promote sustainable communities in that local authority's area, and</li> <li>• argue for a transfer of public money spent in that local authority's area and it's related function from central to local control;</li> </ul>

(v) notes that the Act defines the sustainability of local communities broadly, that definition having the 4 aspects of

- the improvement of the local economy,
- protection of the environment,
- promotion of social inclusion, and
- participation in civic and political activity;

(vi) notes that the Local Works coalition, that campaigned for 5 years to see the Act become law, give a number of reasons for why a local authority should choose to use the Act, those reasons being

1. Assistance from government - Community decline is happening everywhere and local authorities are not able to prevent it on their own. They need government help. This Act gives government a legal duty 'to assist local authorities in promoting the sustainability of local communities'. So by 'opting in' local authorities are, in fact, signing up to receive that 'assistance'.

2. Power to determine that assistance - The Act also gives local authorities (and their representative body, the Local Government Association) real power to determine the nature of the assistance that they receive from government, as explained more fully in our campaign broadsheet on implementing the Act (contact us for free copies).

3. Strength in numbers - By opting in, local authorities can act in unison to put in proposals to government supported by their colleagues elsewhere. Joint suggestions by many authorities will make it even harder for the government to refuse to act on suggestions made by local authorities.

			<p>4. Transferring functions and monies from central to local control - The Act also enables local authorities - and thus local authorities acting together - to request the transfer of functions from government or government agencies to themselves. Because decisions on these requests must be made by the LGA and the Secretary of State trying to reach agreement (i.e. in co-operation), this can be used to regain from central government control of many powers and spending that affect local areas.</p> <p>5. Access to Central Spending Accounts Information - The requirement in the Act for the government to 'open the books' will mean that local authorities will know just how much extra money they can access if they push for a transfer of functions.</p> <p>6. Democratic citizen involvement - All politicians (and many local authority officers) talk a lot about lack of public involvement in democracy. The recent Power report showed that the more people think that their involvement matters, the more they are likely to get involved. The very 'hassle' required by this Act (reaching agreement with – not consulting – citizens' panels) empowers citizens. Local authorities may well consider that this is a way of increasing citizen involvement; and</p> <p>(vii) resolves, when invited to by central government in October 2008, to use the Act by preparing and submitting proposals on how central government can help; and</p> <p>(viii) further resolves</p> <ul style="list-style-type: none"> <li>• to inform the local media of this decision;</li> <li>• to write to local MPs, informing them of this decision; and</li> <li>• to write to Local Works (at Local Works, c/o Unlock</li> </ul>
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			Democracy, 6 Cynthia St, London N1 9JF) informing them of their resolution to use the Act.
5.10.08	426	T W SNOW	That due to modern practices in future the service of worship, should members wish to attend, should be conducted away from the Council Chamber prior to the meeting thus enhancing the meaningful reverence to the service conducted.
23.10.08	427	T W SNOW	"That all Officers review working practices to achieve a 3% saving on the salary bill and senior officers secure a 5% saving on outside consultants for 2009/10 without reducing services to the residents of Mid Devon."
2.12.08	428	D J NATION	<p><b>MOBILITY BENEFITS FOR BLIND RESIDENTS</b></p> <p>This Council notes that blind people experience significant barriers to independent mobility and resolves:</p> <ol style="list-style-type: none"> <li>1. That the Chief Executive and Leader of the Council write to the Secretary of State for Work &amp; Pensions, the Rt Hon James Purnell, MP, expressing the concerns shown below.</li> <li>2. That the Chief Executive and Leader of the Council write to our MPs asking them to sign EDM No. 1982.</li> <li>3. To support the Royal National Institute of Blind People's (RNIB) campaign to secure the higher rate mobility component of Disabled Living Allowance (DLA) for blind people.</li> </ol> <p>NOTES:</p> <ol style="list-style-type: none"> <li>1. Blind people are often isolated and find it difficult to access basic services without mobility assistance.</li> <li>2. Many blind residents in this area find it difficult to access public transport, shops, doctors, dentists and other community facilities.</li> <li>3. Our blind residents find it difficult to access many council services from housing to voting and face additional costs as a result, like taxis.</li> </ol>

			<p>4. Blind people are not entitled to the higher rate mobility component of DLA.</p> <p>5. Blind people are, in many parts of England, excluded from social care support because their needs are not considered 'critical' or 'substantial'.</p> <p>6. The wording of EDM 1982 is:</p> <p><b>MOBILITY BENEFITS FOR BLIND PEOPLE</b></p> <p>That this House welcomes the Government's recognition of the case for giving blind people access to the higher rate mobility component of disability living allowance, a benefit which provides financial support to disabled people with the extra mobility costs they face, such as through having to travel by taxi or private hire vehicle; notes that organisations representing blind people, including Royal National Institute for the Blind, have made a convincing case both in principle and in practice, recognised by Ministers and officials, for giving blind people access to this benefit, but that having engaged constructively with these organisations for over one year on the precise detail and implementation of changes required to bring about a practical and robust solution, the Government has yet to confirm what action it will take to change current entitlement criteria; and therefore calls on the Government to reach a prompt resolution to this matter and to end the exclusion of blind people from this important extra cost benefit, when they face some of the greatest barriers to independent mobility.</p>
20.12.08	429	T W SNOW	That the requirement for members to stand when addressing the chair is suspended until such time as the microphone system is altered not as a disrespect to the chair but for convenience for Members.
15.2.09	430	R J	<b><u>This Council calls on the government to repeal the</u></b>

	CHESTERTON	<p><b><u>Waste Incentive Pilot Schemes contained within the Climate Change Bill 2008, which will cause an unnecessary financial burden on the residents of Mid Devon during a national recession, as well as risking an increase in fly tipping and pollution in our towns, villages and countryside.</u></b></p> <p>BACKGROUND NOTES:</p> <p>On the 21<sup>st</sup> January 2009 it was announced that no councils had chosen to trial a waste incentive pilot scheme, described in the media as a 'Bin Tax', which had received Royal Assent on 26<sup>th</sup> November 2008 as part of the Climate Change Bill. The Government had planned to introduce the pilot scheme in five councils, before rolling out the taxes nationwide without any vote in Parliament.</p> <p>These Bin Taxes would have taken one of four possible forms</p> <ul style="list-style-type: none"><li>· Bin bag tax: Households must pay for special bin bags. Rubbish not placed in a paid-for bag will not be collected.</li><li>· Bin size tax: Households will be charged for the size of their bin; with families requiring a bigger bin paying the most.</li><li>· Weekly collection tax: Households needing a weekly rubbish collection will pay an extra charge.</li><li>· Bin chip tax: Households will receive a bill based on the weight of the contents of their bin, with microchips in the bin feeding through to a central billing database.</li></ul> <p>The Bin Taxes have been criticised by The Environment Agency, who warn that they will lead to "increases in fly-tipping of household waste as householders seek to avoid any additional costs and simply dump their waste" which will "impact on the environment". They also caution that this in</p>
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			<p>turn will attract businesses to illegally dump waste. (Advice to the government released under freedom of Information). New answers to Parliamentary Questions have revealed that 140,000 tonnes of household rubbish were fly-tipped last year. Yet the Government's own bin tax consultants have warned that the new taxes will mean an additional 155,308 tonnes of fly-tipping per year. Fly-tipping will take the form of dumping waste in open spaces, disposing of waste in litter bins and neighbour's bins, hiding refuse in recycling collections, and 'waste tourism' - travelling to dump waste across the municipal border.</p> <p>The Countryside Alliance, acting as the voice of rural communities, have told Ministers that "fly-tipping is already at epidemic levels"; bin taxes will mean more "fly-tipping, back-garden burning and other types of illegal waste disposal", and "larger families and poorer families will be detrimentally hit".</p> <p>In 2003 Irish councils started to charge households according to the weight of their bins. The Irish Environmental Protection Agency announced in January 2007 that a quarter of Irish households were disposing of their rubbish illegally, often by burning it, and producing serious pollution. (Times, 14 Jan 2007)</p> <p>Although the waste incentive pilot schemes have been rejected by every council in England they remain on the statute book and until they are repealed could be brought in without any further discussion by this or any future government.</p>
3.6.09	431	T W SNOW	<p>That this Council fully co-operates with requests from Parish and Town Councils for the transfer of grass cutting and grass maintenance work to them including the provision of adequate funding.</p>



7.10.09	432	T W SNOW	That as petitions raise concerns within our community that all petitions presented to the Council go to Scrutiny for evaluation before being reported to appropriate PDG
7.10.09	433	T W SNOW	A small sum of money is allocated to ward members for use within their own community.
24.11.09	434	MRS F J COLTHORPE	That this Council supports Ilfracombe Town Council in requesting the Home Office to continue to provide the 24 hour Search and Rescue service for the Westcountry from RAF Chivenor
16.2.10	435	N A WAY	<p>This council is dismayed to see that this years Devon County Council's proposed draft Capital Programme has put back the timing of the completion of the Crediton Link Road scheme. We call on DCC to reinstate the expenditure approved by the County Council in February 2009 shown as: 2009/10 £200,000, 10/11 £ 1,000,000 and 11/12 £5,800,000 as requested by Crediton's Air Quality Steering Group at their last meeting.</p> <p>Note: This year's DCC draft Capital Programme shows expenditure as 2010/11 £500,000, 11/12 £350,000, 12/13 £400,000, 13/14 £3,000,000 and 14/15 £2,550,000.</p>
28.3.10	436	J M DOWNES	In recognition of the need for the Council to improve its performance in tackling Climate Change, Council agrees to follow the example of Taunton Deane Borough Council and invite the group 'Sustainable Crediton' (the only Transition Town in the District) to hold a series of workshops on Climate Change and Peak Oil for all staff and members.
22.4.10	437	T W SNOW	That having regard to the different way of working following the introduction of the Executive arrangements in 2007, the Council consider making representations to the Local Government Boundary Commission for England to reduce the number of Councillors in Mid Devon.

14.2.11	438	P F WILLIAMS	This Council deplores the reported reduction in funding for Sure Start and RESOLVES to write to the Prime Minister, with copies to the District's two MPs, urging him to reverse these proposals.'
15.2.11	439	N V DAVEY	<p>Mid Devon District Council notes, with indignation, that whilst Mid Devon is facing a massive reduction of over 15% in its financial settlement in 2011/12 and further substantial reductions in subsequent years , the UK's contribution to the European Union (EU) is set to rise by 60% over two years.</p> <p>This Council notes that, despite the opposition of some Conservative MPs, and Labour and Conservative MEPs, it is likely that the government will agree to a further 2.9% increase in the overall EU budget.</p> <p>This Council believes the EU should be treated the same as the other tiers of government and in these austere times should share responsibility, along with central and local government, for public spending reductions. Sharing the burden would result in less severe cuts for local authorities, and give more assistance to councils to protect front line services.</p> <p>This Council therefore urges Mid Devon's MPs not to support an increase in the EU budget.</p>
15.2.11	440	K D WILSON	<p><b>Security of Tenure for Council House Tenants</b></p> <p>Council:</p> <ol style="list-style-type: none"> <li>1. Welcomes the social mixing on council estates, which has resulted from "right to buy" but regrets that succeeding Governments have prevented councils from replacing the stock that has been lost this way from the social rented market.</li> <li>2. Notes that all council tenants have security of tenure.</li> <li>3. Recognizes that our council houses tenants include those</li> </ol>

			<p>who have lived there for many years as well as newcomers.</p> <p>While recognising that there are immense problems because of the shortage of social rented housing, this Council wishes to express its complete opposition to any change in the tenure of council house tenants.</p> <p>Requiring tenants to move out of their council-owned homes would be a big disincentive to getting a better-paid job or otherwise taking opportunities to improve their financial situation. It would rapidly create sink estates which would drag down everyone within its boundaries and reduce hope of social mobility for all its residents. It further notes that such suggestions are not in the Coalition Agreement and would work against many of the stated aims of that Agreement.</p> <p>Therefore, Council calls upon the Leader to write to the Secretary of State for Communities and Local Government and the two MPs for the District expressing the opposition of this council to the suggestion that security of tenure for council house tenants should cease.</p>
15.2.11	441	N A WAY	<p>This Council condemns the proposed reduction in financial support for housing for the vulnerable and homeless and RESOLVES to:</p> <ol style="list-style-type: none"> <li>1. do it's utmost to contribute to such provision,</li> <li>2. write to the Leader of Devon County Council urging him not to reduce such financial support and</li> <li>3. copy this letter to the two MPs for the District, with a request that they vote against proposals within the Comprehensive Spending Review which result in the need for such a withdrawal of financial support.</li> </ol>
25.5.11	442	MRS J ROACH	<p>That this Council resolves, that in the next and subsequent civic years all places on outside bodies will be allocated by all members of the Council at the Annual meeting. Council further resolves that this exercise should not be subject to proportionality rules.</p>

14.7.11	443	T W SNOW	In the light of the present audio set up, that at main council that once a speaker has risen to the Chair to speak, that he/she is then allowed to resume his/her seat in order to use the desk microphones more effectively.
26.8.11	444	J M DOWNES	"That this Council investigate the viability of investing in the installation of solar power systems on the roofs of Council owned housing stock and benefiting from the income generated by the feed-in-tariff"
21.10.11	445	MRS L J HOLLOWAY	That information about engagements, events and meetings that Members of the Cabinet will be attending, or have attended, with external individuals, bodies or organisations, will be provided by each Member of the Cabinet for inclusion in WIS.
22.10.11	446	MRS D L BRANDON	"In light of the recent fine imposed by HMRC on a Bideford farmer, (John Thorne), for using his tractor powered by red diesel to cut his local football club pitch, which he has been doing every 2 weeks for over a year, that this council write to the local MPs to express our concerns and ask that they put pressure on HMRC to relax the restriction on the use of red diesel for agriculture, forestry and horticulture to allow local use of equipment for the benefit of the local community."
24.10.11	447	MRS J ROACH	"That this Council recognises the importance of open and transparent decision making. Council also agrees that within that process of decision making, the Scrutiny Committee is an essential tool for members to hold the Executive/Cabinet to account. Council therefore notes with concern that Members have had difficulty obtaining information, within a timescale that would enable them to make a reliable decision as to whether to call in a 'key decision' (as defined in the Constitution) for scrutiny. Council therefore resolves to clarify, urgently, how the constitutional rights of members to 1, be given information and 2, to be made aware that all the requirements of Article

			13 of the Constitution can be met in order to effectively scrutinise the work of the Council.”
3.11.11	448	D F PUGSLEY	<p>“To amend the Scrutiny Committee etc Procedure Rules, rule 18 (f), by the deletion of the words "or four other councillors of the Council," and the insertion of the words "or any four councillors of the Council."</p> <p>Reason: At present call-in by four non-members of the Scrutiny Committee is valid, but call-in by two members and two non-members of the Scrutiny Committee is not. There is no reason for this distinction, and no reason was given by the chairman of the Scrutiny Committee at the last Council meeting.</p>
8.11.11	449	D F PUGSLEY	“That the Council seek counsel's opinion on the question whether Article 4 of our Constitution is consistent with the Local Government Act 1972, s.101, and any other relevant legislation.”
5.12.11	450	T W SNOW	To consider the implications for this council of the government instruction to re-mortgage our council houses in order to pursue government policies and the impact this will have on residents of Mid Devon.
22.12.11	451	D F PUGSLEY	<p>To amend the MDDC Constitution by the addition of the following words at the end of Article 4.01:</p> <p>"In the case of appointments to the Standards Committee, the appointment must be approved by a majority of the members of the Council (at present at least 22 out of 42) and not merely by a majority of those present and voting."</p> <p>Reason for the amendment: To bring the Constitution into line with Regulation 5 of the Standards Committee (England) Regulations 2008. This should have been done as soon as the Regulation came into force.</p> <p>Note (1): We are bound by Regulation 5 (and have been bound by it since it came into force) even if it is not in the Constitution, but it is convenient to have everything in one</p>

			<p>document.</p> <p>Note (2): There is no power in the Regulations to alter the procedure for the appointment of the independent members of the Standards Committee.</p> <p>Note (3): Even if we could alter the procedure, we should not. The rule is a good one. It ensures that the independent members of Standards Committee have the confidence of over half of the members of the Council, which is important after the events of recent months.</p>
9.2.12	452	MRS N WOOLLATT	That given the electorate's dissatisfaction (and equally Councillor's discomfort) in Councillors agreeing to the level of their own allowances, this council sends a letter to the Local Government Association making the case that the Councillors allowance be independently determined which in turn is binding on the council and for the Government to change the law to enable such a procedure to be introduced.
11.2.12	453	T W SNOW	That due to a recent court ruling ref prayers at council meetings that to stay within the law and legal the Council has a religious service in the Mayoralty Room prior to the main council so that those members who wish to can attend.
12.4.12	454	MRS J ROACH	That, this Council recognises that the Cabinet system of governance is elitist and places power in the hands of a few members. Council will therefore give consideration to replacing the Cabinet system with a modernised form of committee governance.
16.4.12	455	D F PUGSLEY	<p>That in Procedure Rule 1.1 (vii) the wording be amended to "Elect the Scrutiny Committee Chairman...." etc.</p> <p>Reasons: (1) To implement the Recommendation of Standards Committee on 25 January 2012;</p> <p>(2) To be consistent with the Constitution, Article</p>

			4.01 (e).
11.5.12	456	D F PUGSLEY	<p>That this Council approve the appointment of Mrs M Ellwood and Mrs J McGregor-Harper as Independent Members of the Standards Committee.</p> <p>Reason: Advice from the Department of Communities and Local Government that "the appointment of an independent member of a Standards Committee is likely to be invalid if it does not comply with the procedure in the 2008 Regulations. Also, proceedings of the Standards Committee at which an improperly appointed member (particularly if that improperly appointed member is chairman of the committee or of a sub-committee) will not be valid.</p> <p>Note: The 2008 Regulations and the MDDC Constitution, Article 4.01 (p) apply to this motion.</p>
14.5.12	457	T W SNOW	<p>That as this Council based its executive arrangements on the South Hams District Council model and that Council has subsequently refined its system, that the changes made by South Hams be looked at to consider if they would assist in the more effective running of Mid Devon District Council.</p>
18.6.12	458	MRS M E TURNER	<p>That the Leader of the Council refer back the decision made re. Car Parking Charges throughout the District, With the recommendation that Car Park Charges be inclusive of all Council Members and all Council Staff, and that an effort be made to make the income from same, sufficient to <u>abolish the need to increase Car Parking Charges</u> throughout the District. Whatever the Cabinet decision that decision be tendered to the whole Council as <b><u>Recommended</u></b>- not Resolved and the vote on same be recorded.</p>
23.7.12	459	M A LUCAS	<p>That this Council supports the current Government's initiative on introducing plain cigarette packaging throughout the tobacco industry.</p>

			The Council, therefore, requests that the Leader writes to the Secretary of State for Health, showing support for any legislation likely to come into effect to curb cigarette packaging design.
25.7.12	460	D F PUGSLEY	<p>"that this Council recognises that the present membership of the Personnel Panel is illegal."</p> <p>Note: 1. Officers are disqualified from membership of the Council or its Committees or Sub-Committees (Local Government Act 1972, sections 80 and 104).</p> <p>2. Personnel Panel is a Committee of the Council (See, for example, the Constitution, p. 72).</p> <p>3. Personnel Panel - Membership - The Head of Paid service, the Head of Human Resources, the Cabinet Member for the Working Environment and Support Services, plus two other Members of the Authority (Constitution, p. 51).</p>
19.8.12	461	T W SNOW	<p>"That this Council under the sustainable communities act require the government to establish a price structure for affordable homes based on the wages of local people and their ability to afford such homes within their area. This is based on two recent examples within MDDC whereby the local people could not afford these so called affordable classified homes and our need to sustain the vibrancy of our rural communities."</p>
4.10.12	462	MRS J ROACH	<p>"That following on from an amendment to Minute 11a (Cabinet 7 June 2012) requiring the Council to look at all options for governance, (agreed by Council on 27 June 2012), Council resolves to extend the interim period for consultation with Members until February 2013".</p>
15.10.12	463	D F PUGSLEY	<p>"That this Council notes that it is unconstitutional and illegal for anyone other than the Head of Legal and</p>



			<p>Democratic Services to be appointed or designated as Monitoring Officer."</p> <p>Note: MDDC Constitution, page 28: "The Council will designate the following posts as shown: Post: Head of Legal and Democratic Services; Designation: Monitoring Officer.</p> <p>Page 35: "The Head of Legal and Democratic Services as Monitoring Officer will assist the Standards Committee (now the Audit Committee)."</p> <p>Page 64: "The Head of Legal and Democratic Services shall be the Monitoring Officer."</p>
16.10.12	464	MRS J ROACH	"This Council recognises the importance of promoting positive images of disabled and older people. Council therefore resolves to ensure that, except in special circumstances, all MDDC publications will include positive images of disability and ageing and not negative stereotypes."
7.11.12	465	T W SNOW	"That the Council review its planning policies so that when we have new housing development that we include an assembly hall for the use of the new houses as a asset for the community as other authorities are now doing."
21.11.12	466	D F PUGSLEY	"That this Council should put into practice its own published principle of working pro-actively in planning matters."
2.12.12	467	MRS J ROACH	"This Council recognises that it has on numerous occasions acted illegally and/or in breach of its own Constitution. Council therefore resolves that from this day forward the Mid Devon District Council will act in accordance with the law and will uphold its own Constitution."
28.1.13	468	MRS N WOOLLATT	The Transport Secretary, Patrick McLoughlin, has recently announced that a total of £20 million has been set aside to invest in new railway stations. Under the plans the

			<p>Government will pay 75 per cent of the cost of building either completely new stations or resurrecting ones which were scrapped decades ago. Councils, train operators and developers are invited to bid for the cash.</p> <p>Therefore this council resolves to contact Devon County Council to request that given the potential of 75% funding being available that they take the necessary steps to move plans forward and bid for government funds to assist in the re-opening of Cullompton railway station.</p>
01.03.13	469	D F PUGSLEY	"The Council recognises that the actual decision is entirely a matter for the Chief Executive but thinks that it would be better if there were a lawyer on the Management Team."
06..03.13	470	MRS J ROACH	<p>"This Council resolves to</p> <p>A) Include a provision for a shadow cabinet in the new constitution; or</p> <p>B) Include a provision for members of the opposition to appoint lead members."</p>
24.03.13	471	D F PUGSLEY	"That, since there is no authoritative definition of the word <i>isolated</i> in NPP para. 55, the Council and Planning Committee should bring its policy and practice into conformity with the judicial guidance from the High Court and the Court of Appeal for the interpretation of that paragraph."
9.4.13	472	MRS J ROACH	This Council supports the National Pensioners Convention (NPC) Dignity Code and agrees to become a signatory.
27.8.13	473	T W SNOW	That this council enters into discussion with our MP Neil Parish as to the impact that new Government guide lines on planning has had on the people of this district and in particular Cullompton and how they can be improved in order to satisfy local concerns within our community.
11.10.13	474	D F PUGSLEY	"The Council re-affirms the right of councillors to attend meetings of committees and working groups of councillors of

			which they are not members, and to speak with the permission of the chairman but not to vote; and encourages members to do so, and encourages chairmen to allow them to do so."
16.10.13	475	MRS N WOOLLATT	<p>"That this council undertakes a review of the area covered by the Article IV Direction, which currently applies to the whole of the Conservation Area in Cullompton, with a view to restricting the Direction to those parts of the Conservation area which have not already lost their historical or architectural integrity.</p> <p>Secondly, that, with the exception of any which would reasonably be considered to be in such a part of the Conservation Area and thereby likely to remain covered by the Article IV Direction, this council suspends current investigations and actions regarding breaches of the Article IV Direction in Cullompton until such time as the review has been completed and any potential alterations to the area covered by the Direction have been implemented."</p>
7.11.13	476	MRS J ROACH	"This Council resolves to seek AONB status for the Exe Valley".
21.11.13	477	D F PUGSLEY	That this Council should adopt the Glossary of Planning Terms on the government's web-site (or alternatively the Lawson-Fairbank Glossary of Planning Terms).
2.12.13	478	D F PUGSLEY	That this Council approve the amended political allocation of seats as set out in the attachment
24.1.14	479	MRS N WOOLLATT	<ol style="list-style-type: none"> <li>1. That this council notes the seriousness of the incident of the collapse of the Harlequin Valet building and that it could have caused severe or fatal injuries.</li> </ol>

			<p>Council acknowledges the anger and upset felt by the people of Cullompton regarding the authority's dealings with the Harlequin Valet site since its destruction by fire in January 2010.</p> <p>2. That should the inquiry into the Council's dealings concerning the Harlequin Valet site establish that there are lessons to be learned from this case that future policy and guidelines are formed to try and prevent any similar case in the future blighting and endangering communities in Mid Devon.</p>
17.2.14	480	MRS J ROACH	This Council resolves to clarify who has the authority to take disciplinary action against Councillors and under what circumstances such action can be taken.
17.2.14	481	C SLADE	This Council condemns the actions of Cllr. Kevin Wilson, and following his conviction for benefit fraud, calls for his immediate resignation. He has previously been suspended from the Council for claiming expenses to which he was not entitled and, in addition to the benefit fraud, he has lied to both Council investigating officers and the Court. He has shown he lacks the integrity to remain a Councillor and to represent the people of Mid Devon whom he has defrauded.
13.5.14	482	Mrs F J Colthorpe P H D Hare-Scott N V Davey R J Chesterton R L Stanley C J Eginton Mrs B M Hull C R Slade	"This Council resolves to remove Councillor Kevin Wilson from the Planning Committee and the Planning Working Group in view of his recent fraud conviction and dishonesty. Councillor Wilson has been convicted in January of this year at Exeter Crown Court of fraudulently obtaining housing benefit administered by this Council of over £3800. He received a 10-week sentence, suspended for two years, and was ordered to carry out 200 hours of unpaid community work."

16.5.14 – withdrawn but re- advised 29.5.14	483	D F Pugsley	That this Council revokes the decision in Minute 96 of the Council Meeting of 15 December 2010 resolving to adopt the Strong Leader model of Executive arrangements, because it is undemocratic.
29.5.14	484	D F Pugsley and Mrs J Roach	This Council regrets the Leader's decision purporting to dismiss Councillor Bob Deed from the cabinet, because (a) he was a conscientious and hardworking portfolio holder and (b) he did not vote against any policy on which he had been elected."
21.8.14	485	Mrs N Woollatt	<p>That this council writes to the relevant Minister to lobby for the legislative proposals referred to in Early Day Motion 277 (see below) to be brought forward.</p> <p><b>GOVERNMENT POLICY ON DERELICT AND ABANDONED BUILDINGS</b></p> <p><b>Session:</b> 2014-15  <b>Date tabled:</b> 21.07.2014  <b>Primary sponsor:</b> <a href="#">Gilbert, Stephen</a>  <b>Sponsors:</b></p> <p>That this House recognises the devastating effect that derelict and abandoned buildings can have on a community, both commercially and on its landscape; notes that such sites can pose a serious health and safety risk, especially as an attraction to homeless and younger people; further notes the effect of land banking as a barrier to regeneration and to sustainable development; and calls on the Government to bring forward legislative proposals to allow local planning authorities to tackle sites in their communities including allowing an administration charge to be levied against property owners to cover costs of safeguarding and assessing the site and to introduce a land value tax on vacant sites, similar to that already imposed in Denmark and discussed in the Barker Review 2003, in line with the value of business rates which would be payable if a permitted</p>

			development had already taken place.
21.8.14	486	Mrs J Roach and Mrs N Woollatt	'This Council resolves to change from the cabinet system of governance to a modernised committee system within the next two years. The Council recognises that in order for the taxpayers to have faith in the ability of the Mid Devon District Council to make effective and transparent decisions that there has to be a fundamental change in the decision making process. The Council also acknowledges that in a mature democracy there is a need for inclusive government which enables all members to make a valuable contribution in the running of the Council.'
21.8.14	487	D F Pugsley	This Council regrets that it has had to pay so much towards the costs of successful planning appellants.
21.8.14	488	D F Pugsley	This Council approves of the Constitution, article 1.03, 5, whose purpose is to "create a powerful and effective means of holding decision-makers to public account."
22.8.14	489	Mrs J Roach	<p><b>TOWNS AGAINST TAX DODGING</b></p> <p><b>The council notes:</b></p> <p>--- It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year. Developing countries lose three times more to tax dodging than they receive in aid each year - enough to give a basic education to the 57 million children currently missing out.</p> <p>--- The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.</p> <p>--- The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.</p>

		<p>--- Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.</p> <p><b>This council believes:</b></p> <p>--- As a local authority we have a duty to provide the best possible public services.</p> <p>--- Our ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.</p> <p>--- All who benefit from public spending should contribute their fair share.</p> <p>--- The UK must take a lead role in creating a fairer tax system and combatting tax dodging.</p> <p><b>This council resolves:</b></p> <p>--- To support the campaign for tax justice, supporting the motion:</p> <p><i>"While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services. The UK government must listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies, in developing countries and the UK."</i></p>
22.8.14	490	<p>Article 1.03, 5 of the Council's Constitution says that its purpose is to "create a powerful and effective means of holding decision-makers to public account." The Council notes that the expression "decision-makers" applies to both</p>

			officers and members.
4.9.14	491	Mrs J Roach	<p>This council regrets that it did not have the opportunity to support the action aid campaign "Towns against Tax dodging" because the reference to multi national companies rendered the motion irrelevant. <b>REJECTED</b> – CE</p> <p><i>Thank you for your notice of 2 motions. I would reject these in accordance with procedure rule 13.5.</i></p> <p><i>This council regrets that it did not have the opportunity to support the action aid campaign "Towns against Tax dodging" because the reference to multi-national companies rendered the motion irrelevant.</i></p> <p><i>If the original motion was not relevant to the council then any expression of regret must also be irrelevant.</i></p> <p><i>This Council recognises that tax dodging does have a direct impact on the residents of Mid Devon. It imposes on them an unfair tax burden and prevents money from reaching the crucial public services that need it. Therefore this Council will write to the two MPs who represent the District and ask them to support measures to invest in the detection and reduction of tax avoidance and evasion.</i></p> <p><i>This motion is not relevant as it concerns the affairs of national taxation over which we have no responsibility, powers or duties.</i></p> <p><i>Your proposed amendment to Procedure Rule 13 will be put before a future meeting of the Standards Committee for consideration.</i></p>
4.9.14	492	Mrs J Roach	<p>This Council recognises that tax dodging does have a direct impact on the residents of Mid Devon. It imposes on them an unfair tax burden and prevents money from reaching the</p>



			<p>crucial public services that need it. Therefore this Council will write to the two MPs who represent the District and ask them to support measures to invest in the detection and reduction of tax avoidance and evasion. <b>REJECTED – CE</b></p> <p><i>Thank you for your notice of 2 motions. I would reject these in accordance with procedure rule 13.5.</i></p> <p><i>This council regrets that it did not have the opportunity to support the action aid campaign "Towns against Tax dodging" because the reference to multi-national companies rendered the motion irrelevant.</i></p> <p><i>If the original motion was not relevant to the council then any expression of regret must also be irrelevant.</i></p> <p><i>This Council recognises that tax dodging does have a direct impact on the residents of Mid Devon. It imposes on them an unfair tax burden and prevents money from reaching the crucial public services that need it. Therefore this Council will write to the two MPs who represent the District and ask them to support measures to invest in the detection and reduction of tax avoidance and evasion.</i></p> <p><i>This motion is not relevant as it concerns the affairs of national taxation over which we have no responsibility, powers or duties.</i></p> <p><i>Your proposed amendment to Procedure Rule 13 will be put before a future meeting of the Standards Committee for consideration.</i></p>
4.9.14	493	D F Pugsley	<p>This Council resolves to introduce a suitable, formal and democratic procedure to decide, after notice of appeal has been received with the appellants' grounds of appeal, whether, and how, to resist a planning appeal. <b>REJECTED – CE</b></p>

			<i>I would reject No 1 on the basis that this is too vague and contrary to Article 13.3 of the constitution.</i>
4.9.14	494	D F Pugsley	<p>This Council approves of the resolution of the Cabinet on the proposal of the Leader on 28 March 2013 that "whenever there is a possibility that an item may need to be discussed in part two the agenda should include a brief explanation as to why this might be the case, in plain English, and make reference to the Constitution, Article 13, which mentions a presumption in favour of openness and transparency," and will amend the Constitution accordingly. <b>REJECTED – CE</b></p> <p><i>I would reject your No 2 as this is only restating the existing situation and is therefore irrelevant under procedure rule 13.5. All council agendas make reference to the openness of council meetings and where there is a possibility of going into part two there is a brief plain English explanation.</i></p>
4.9.14	495	D F Pugsley	<p>(a) This Council approves of the annual state of the District debate and its aim of "of enabling the widest possible public involvement and publicity," and notes that the Constitution is binding on all members of the Council, including the Leader. <b>REJECTED - CE</b></p> <p><i>I would reject your No 3 (a) as again this is restating the existing constitution and is irrelevant under procedure rule 13.5.</i></p> <p>(b) This Council resolves to amend the Constitution by adding the following sentence at the end of Procedure Rule 16.1:          "If in any year the Leader fails to call a debate, it may be called by notice in writing to the Chief Executive signed by any 5 members of the Council." -</p>

			<i>Your No 3(b) will be accepted and stand referred to the Standards Committee for consideration before debate at council.</i>
9.9.14	496	Mrs N Woollatt and Mrs J Roach	<p>This Council recognises:</p> <ol style="list-style-type: none"> <li>1. The growing awareness of tax avoidance and tax evasion (together termed tax abuse in this motion) and their impact in recent years;</li> <li>2. The importance of curtailing and eventually eliminating tax abuse in the local economy of Mid Devon if a sound market economy is to be created in which all traders, whether locally or nationally based, can compete on a level playing field to provide the goods and services that our community needs;</li> <li>3. The wider impact of tax abuse on our national economy, where the gap between tax income collected by our national government and that which would be due if tax law was complied with as parliament intended is not less than £35 billion a year in the estimate of HM Revenue &amp; Customs and may be substantially higher in the estimate of others and that this tax gap does, inevitably impact upon the level of income available to this authority to undertake its work in our local communities;</li> <li>4. That the UK government has taken steps to tackle the issue of tax abuse by companies seeking to secure</li> </ol>

		<p>contracts for the supply of goods or services and has issued 'Procurement policy note 03/14: Promoting Tax Compliance' about which it says 'A new policy was announced in the March 2013 Budget on the use of the procurement process to promote tax compliance. This applies with effect from 1 April 2013 to all central government contracts of more than £5 million. Suppliers bidding for these government contracts must self-certify their tax compliance'.</p> <p>This Council now agrees that:</p> <ol style="list-style-type: none"><li>5. Both tax avoidance and tax evasion represent a threat to the operations of this Council, the services that it supplies to the communities that it represents, the effective operation of both our local economy and national economy;</li><li>6. As a consequence of the noted threats created by tax abuse within and beyond our communities this Council wishes to take action to tackle tax abuse in all its forms and as a result:<ol style="list-style-type: none"><li>a. Requires that the Chief Executive of the Council notes 'Procurement policy note 03/14: Promoting Tax Compliance' and adapts it for use as part of the procurement procedures of this Council excepting that the resulting policy shall apply to all companies bidding for contracts exceeding £100,000 in value, and to</li></ol></li></ol>
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report back on this issue not later than 16/01/2015;

- b. Requires that those who represent this Council when making decisions regarding investments that fund the pensions payable to past and present employees of this authority take tax abuse into consideration when assessing the suitability of those companies in the shares of which such funds might be invested;
- c. Agrees that this Council will actively support campaigns by HM Revenue & Customs and others, including Non-Governmental Organisations, that encourage tax compliance and an end of tax abuse in the area covered by this Council and beyond.
- d. Requires a report back on progress made with regard on each of these proposals not less than once quarterly for the next three years.
- e. Requires that the Council actively publicise this policy.

**Rejected CE**

*I would reject your motion in accordance with procedure rule 13.5 which requires that every motion should be relevant to some matter in relation to which the Council has powers or duties or which affects the District.*

*The reasons for this decision are detailed below in line with your numbered points:*

- 1. Tax avoidance is a legal activity. Tax evasion is not, but this is not a matter in relation to which the Council has powers or duties.*
- 2. Curtailing or eliminating tax abuse is not a matter in relation to which the Council has powers or duties.*
- 3. The estimated impact on the national economy is equivocal, relying on estimates or international organisations operating in other countries making use of differing international tax regimes. Again these are not matters in relation to which the Council has any powers or duties.*
- 4. The UK government's current policy is in breach of the EU procurement directive and is requiring change to comply with the EU procurement directive within the next 18 months. These are not matters in relation to which the Council has any powers or duties.*
- 5. Tax avoidance is legal and therefore cannot represent a threat in the terms expressed. Tax evasion is not legal, but is not a matter in relation to which the Council has powers or duties.*
- 6. The Council is not able to take action to tackle tax abuse in all its forms as this is not a matter in relation to which the Council has powers or duties.*
  - a) Procurement Policy Note 03/14 is at variance with EU procurement directives. This Council does not have the resources or knowledge to check the compliance statements required by Procurement Policy Note 03/14; this would only be available to*

*national government officials as part of their national procurement processes. Were Council officers to exclude potential bidders on the basis of a compliance statement similar to procurement note 03/14, this would be in contravention of the latest EU procurement directive and likely to be successfully appealed, bringing costs to the Council.*

- b) This would be an acceptable motion to be considered by Council and I propose to accept this paragraph as a motion for the next Council agenda.*
- c) This Council already complies with the HM Revenue & Customs requirements for tax purposes in VAT, PAYE, stamp duty, etc., and, as such, this paragraph is irrelevant. Campaigns by non-government organisations covers too vague and equivocal a requirement in its current form. If a particular group is intended to be supported, this could be the subject of a further, more clearly defined motion.*

*A motion to the following effect:....*

*“This Council will write to our two local MPs and the Chancellor of the Exchequer to express concern that aggressive tax avoidance and tax evasion represents a threat to the public finance. The Council calls upon the government to actively curtail the opportunities for tax abuse nationally and to play its full part in any international initiatives to reduce tax abuse.”...*

*would be more relevant and I propose to include this along with b) above, subject to your confirmation.*

			<p>d) <i>This is only applicable in respect of c) above and given that Devon County Council set and then publish information on their investment decisions, a regular report for this Council would be irrelevant.</i></p> <p>e) <i>As the majority of this motion has been rejected, it follows that active publicity would be irrelevant.</i></p> <p><i>Please let me have any amendments you would like in respect of b) and c) above and I will take these forward accordingly. If you wish to discuss these issues further, please let me know.</i></p>
6.10.14	497	Mrs J Roach	<p>This Council resolves to write to our two local MP's and the Chancellor of the Exchequer to express concern that aggressive tax avoidance and tax evasion represents a threat to the public finance. The Council calls upon the government to actively curtail the opportunities for tax abuse nationally and to play its full part in any international initiatives to reduce tax abuse.</p> <p>The Council requires that those who represent this Council when making decisions regarding investments that fund the pensions payable to past and present employees of this authority take tax abuse into consideration when assessing the suitability of those companies in the shares of which such funds might be invested.</p>
14.10.14	498	Mrs N Woollatt	<p>That this Council:</p> <p>1. notes that, during the recent public consultation on the Cullompton North West Urban Extension Masterplan, it did not directly advise all residents in the immediate vicinity of the development area of the consultation.</p>



			<p>2. recognises that there is a public expectation from residents that they should be informed directly about consultations relating to major development and master planning exercises in their immediate vicinity.</p> <p>3. resolves to amend the adopted Statement of Community Involvement to ensure that in future communications advising of consultation exercises are targeted at all residents in the immediate vicinity who are likely to be affected when the council consults on major developments and master planning exercises.</p>
15.10.14	499	Mrs N Woollatt	<p>That this Council:</p> <ol style="list-style-type: none"> <li>1. notes that, during a recent Select Committee hearing to which our Electoral Registration Officer had been called to give evidence, it was alleged that Mid Devon District Council had repeatedly broken the law by failing to send canvassers to the houses of non-responders in relation to electoral registration. further notes that, in his evidence the Electoral Registration Officer said that he had not taken any legal advice in relation to that decision to stop door-to-door canvassing.</li> <li>2. agrees that it was inappropriate to quote the management team's motto of 'proceed until apprehended' as a defence for potentially having broken the law.</li> <li>3. resolves to seek legal advice in relation to the Electoral Registration Officer's decision to stop canvassing door-to-door in 2011 to ascertain whether</li> </ol>

or not the allegation of law breaking is valid.

For further information the transcript of the Select Committee meeting can be found here:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/political-and-constitutional-reform-committee/voter-engagement-in-the-uk/oral/14118.html>

**Rejected CE**

*Thank you for your motion which I am rejecting on the basis of the attached legal advice note.*

*On a point of clarification your paragraph 3 misquotes my reference to 'proceed until apprehended'; I was advising the committee of the exhortations from the Sir Bob Kerslake, the country's most senior civil servant and Eric Pickles, the secretary of state, in terms of how we should address the challenges of reduced funding.*

*Advice note:*

**Advice regarding the motion of Cllr Woollatt in relation to the Electoral Registration Officer's decision under section 9 of the Representation of the People Act 1983**

*The executive is responsible for all "executive functions", which comprise the vast majority of an authority's business. Indeed, a function being executive is the default position. All of an authority's functions are executive, except where specific provision provides that they are non-executive.*

*The role of full Council in relation to Executive arrangements is to set the budgetary and policy framework of the authority within which the executive operate.*

*Non-executive functions remain the preserve of the full Council, exercisable as in the past by the full Council itself, or*

*by a committee, subcommittee or officer.*

*There has been an important Court of Appeal case dealing with the separation of the executive and full Council - R. (on the application of Buck) v Doncaster MBC. [2013] EWCA Civ 1190. It was held in this case that a mayor and his executive cabinet had acted lawfully when refusing to implement an amendment, proposed by a majority of the full council, to a local authority's budget for the provision of library services.*

*The Master of the Rolls in his Judgement in that case approved the following statement:-“Of course, similarly, Full Council, cannot seek to stray into the province of executive decision-making by going outside the limited scope of the powers expressly allocated to them. That is inherent in the scheme: there is no need for express provision as there is the other way because the default position is that functions are executive and the scheme needs only expressly to set out when functions that would otherwise be executive revert to the full Council, and not vice versa” (paragraph 16 of the appendix to the Judgement setting out the Legal Framework).*

*The Judgement of the case is that full Council cannot micro manage or even macro manage the executive.*

*Under section 9 of the Representation of the People Act 1983 (“section 9 duty”) an Electoral Registration Office has a duty to maintain registers of UK Parliamentary and local government electors. The Electoral Registration Officer can use their own judgement in deciding what steps are necessary including making house to house enquires in order to ensure that their duty to maintain the register has been fulfilled. The Chief Executive as the Electoral Registration Officer has made a decision in relation to the making house to house enquires.*

*The Local Authorities (Functions and Responsibilities)*

			<p><i>(England) Regulations 2000 sets out which functions are the preserve of the full Council. The section 9 duty is not set out as a duty of full Council. The section 9 duty is therefore an executive function because all functions are executive functions except where specific provision provides that they are non-executive.</i></p> <p><i>The motion of Cllr Woollatt is an attempt to scrutinise the decision made by the Chief Executive in relation to the section 9 duty and to obtain legal advice on its validity. This is an attempt to lead full Council to stray into the province of executive decision making which it should not do. This motion is contrary to the decision of the Court of Appeal in the case Buck v Doncaster MBC. It is an attempt to micro manage the Chief Executive which it should not do.</i></p> <p><i>It is accepted practice that the unlawful or improper motions can be rejected.</i></p>
17.10.14	500	R M Deed	<p>“This Council requires clarification and further information regarding the proposal to pay redundancy monies to any Officer or Member of Staff of MDDC, to include but not limited to, authority, numbers, rationale, costs, timescales and source of funding. A comprehensive report to be presented to Full Council for discussion and that, in the meantime, any current negotiations with any individuals regarding redundancy be suspended and any decisions already made to be put on hold until Full Council has had an opportunity to debate the proposals in full. This moratorium on redundancy payments to also include any proposals regarding “bumped redundancy” and also any proposal to pay any retiring Officer, with or without a redundancy payment, a further contract for services after the date of their retirement or any other similar payment arrangement.</p>

For the elimination of any misunderstanding “bumped redundancy” is defined as “ Throughout a redundancy process, the employer must consider whether or not it can offer a redundant employee suitable alternative employment, either within the organisation or with an associated employer. This obligation may extend to considering roles that are not vacant as well as those that are. Where the alternative role is not vacant, it is referred to as “bumping”. A bumped redundancy occurs when an employee whose role is not at risk of redundancy is dismissed as redundant and the resulting vacancy is filled by an employee whose role is redundant.”

### Rejected CE

*Apologies for not replying sooner on clarifying the law and constitution on this matter.*

*The officer employment procedure rules can be found at Part 4 (“Rules of Procedure”) of the Constitution. At paragraph 8.1 it reads “Councillors will not be involved in the dismissal of any officer below Chief Executive/Head of Paid Service”*

*The rules further state that Dismissal could be for any reason, eg:-*

- *Ill-health;*
- *Redundancy;*
- *The interest of efficiency of Council’s service;*
- *Disciplinary reasons.*

*Where your motion seeks members to be involved in the dismissal process therefore is against the officer employment procedure rules in the constitution.*

*The constitution follows government regulations to the effect that Councillors will not be involved in the dismissal of any officer below deputy Chief Officer (we do not have any*

			<p><i>officers of Chief Officer status other than myself). A motion referring to any officer is against the regulations -Local Authorities (Standing Orders )(England) Regulations 2001.</i></p> <p><i>I hope this clarifies the position for you.</i></p>
3.11.14	501	D F Pugsley	<p>That this Council should adopt the House of Commons convention on the use of the chairman's casting vote, commonly known as Speaker Denison's rule, in all Council and Committee meetings.</p> <p><b>Rejected CE</b></p> <p>The first motion I would reject as this would be improper. Speaker Denison's rule may be appropriate for situations with a neutral chairman, however as a political organisation with rules regarding political balance, such a convention on the role of the chairman's casting vote would interfere with the proper role of the chairman in our situation e.g. planning committee decisions.</p>
3.11.14	502	D F Pugsley	<p>That this Council should either ensure that it actually has a powerful and effective system for holding decision-makers to public account or delete those words from its constitution.</p> <p><b>Rejected CE</b></p> <p>The second notion I find both equivocal and irrelevant and is therefore rejected. It is equivocal in that it makes no mention of how the Council could or should ensure a powerful and effective system for holding decision makers to account. The motion is considered irrelevant in that if it were passed, there would be no difference to the operation of the Council's activities.</p> <p>A revised Constitution will be brought forward as a consequence of the work of the Constitution Working Group. Perhaps at that time you may review the proposals and make</p>

			<p>suggestions if you feel this can be improved, or if you find the aims at variance with the statements contained within the new Constitution.</p>
3.11.14	503	D F Pugsley	<p>That this Council thinks that the prosecution of Councillor Wilson was in the public interest, but that it was not in the public interest for this Council to spend thousands of pounds to get a short suspended sentence.</p> <p><b>Rejected CE</b></p> <p>The third motion I have to reject in its current form as, again, it is too equivocal. If you are seeking a motion around the cost of the prosecution, the I feel any motion needs to clarify your proposal in terms of the price of pursuing a prosecution in the public interest you think the Council should be prepared to pay.</p> <p>If you are critical of the short suspended sentence and the sentencing guidelines that underpin this, then your motion needs to make some proposals to address this.</p> <p>If you are critical of the cost of local barristers, then please amend your proposal to specify this point.</p> <p>If you are critical of me, as Chief Executive, decision to appoint the particular barrister involved, then please be more specific on that point in your motion.</p>
8.11.14	504	D F Pugsley	<p>That the subject of the annual state of the district debate this time should be the Waste and Recycling Collection System, as suggested by Hon Alderman Don Attlee.</p> <p><b>Rejected CE</b></p> <p>Thank you for your notice of motion which I have to reject on the basis that this would be improper.</p>

			<p>The constitution clearly states that the Leader will call a state of the Mid Devon area debate and also that he will decide the form of that debate. The Leader has stated the debate will revolve around the issue of Cabinet versus Committee systems and the intention is to hold that in the new year.</p> <p>All members will be advised when a date has been agreed for this debate.</p>
19.11.14	505	Mrs J Roach Mrs N Woollatt, K D Wilson, D F Pugsley and N Way	<p>There is no doubt that the Campaign for Democracy will achieve more than the required number of signatures to trigger a referendum on this council's system of governance, it is just a matter of time.</p> <p>Therefore this Council resolves to hold a referendum, on whether the council should be run in a different way by one or more committees made up of elected councillors*, at the same time as the elections in May 2015 in order to save the council tax payer what would otherwise be the additional cost of a stand-alone poll (estimated by the Chief Executive to cost £90k more than a poll held at the same time as another.)</p> <p>* NB Wording for referendum is as required by the Localism Act 2011</p> <p><b>5 signatures overrules 6 month rule</b></p>
28.11.14	506	D J Knowles	<p>To allow a change in the constitution so that members of the planning committee only, can select a sub from any political party or body if they fail to do so from their own group, as the planning committee is a non political committee</p> <p>This would assure that the planning committee had a full number of members</p> <p><b>Rejected improper – political balance</b></p>
1.12.14	507	D F Pugsley	<p>That this Council will investigate the marginal cost of holding a referendum on 7 May 2015 at the same time as the general and other elections or on a later date on its own.</p>



It should be easy for the officers to provide details of marginal costs: extra printing bills, etc.

Rejected CE

Thank you for your motion which I am minded to reject for want of relevance. My reason for this is that if the motion were passed then the matter would be deferred to a future Cabinet meeting before coming back to the February council meeting. At that point it would be too late to include a referendum, by choice of the council, with the elections on 7th May 2015. The work would have been wasted and not relevant to a matter where we had powers or duties, in that any call for a referendum arising after 6th January could not be included with another election and the cost would have to be met by the council.

If, as I suspect, your purpose is to highlight to full council the cost of a referendum, with or without combination with another poll, then it may be more appropriate to use a question under 12.2 (b) to request an estimate from the Leader for the council meeting on 17th December.

On a point of detail, estimating the costs will be more involved as we have not;-

- run combined elections like this for more than 30 years,
- dealt with the significant logistical challenges in transferring data (including postal voting), giving and receiving responsibility for each other's area between East Devon, Mid Devon and West Devon. So that for example referendum papers for those areas within the Central Devon constituency would be issued and returned by West Devon on our behalf
- run a local referendum at the same time as other elections, resulting in 4 ballot papers to be managed
- dealt with all of the new complexities of Individual Electoral Registration which have yet to materialise

			Given the estimation difficulties, if you wish to deal with this matter by way of a question then early confirmation will allow a more accurate assessment.
8.12.14	508	M D Binks	"Mid Devon District Council supports proposals for a secondary railway link from Exeter to Plymouth via Crefiton, Okehampton and Tavistock. In addition to providing a much needed increase in resilience to the rail network in the south west peninsular, it will also provide important economic and social benefits to people in mid Devon, north Devon, west Devon, Torrington and north Cornwall, bringing the rail network much closer to communities across these areas. Much of the route is already in place and this Council urges HM Government, Network Rail and other authorities to commit to this route and take prompt action to bring about its early implementation"
24.12.14	509	R J Chesterton, C J Eginton, P H D Hare-Scott , N V Davey and Mrs B M Hull	<p>a) That a Draft Community Infrastructure Levy Charging Schedule, similar in form to that attached as Appendix 1 to Item 5 of the Cabinet Agenda on 11th December 2014 , is approved for consultation;</p> <p>b) That, after the consultation, the Draft Community Infrastructure Charging Schedule is submitted to the Planning Inspectorate for examination;</p> <p>c) That the Draft Infrastructure Plan, Draft Regulation 123 List and Draft policy on the use of Section 106 are published for consultation and then submitted with the Draft Charging Schedule; and</p> <p>d) That approval to make minor changes to these documents is given to the Head of Planning and Regeneration, in consultation with the Cabinet member for Planning.</p> <p>5 signatures overrules 6 month rule</p>
13.01.15	510	T W Snow	1.

			<p>That the Council re-visits the numbers of Councillors that are needed with a view to reducing it from the present number  <b>Proceed subject to rewording CE (25/2/15)</b></p> <p>2.  That the perception of MDDC being undemocratic by only one party being represented on the Executive that</p> <p>a  we now elect the Executive on a proportional membership system</p> <p>b  or that we elect the executive on the total votes cast for each individual party that is elected giving an even greater democratic representation as every vote cast can influence the outcome  <b>Reject CE</b></p> <p>I have to reject your motion regarding the composition of the Cabinet as the council has adopted the strong leader model of governance which means that once the council selects the Leader it is entirely the Leader's discretion as to the membership of the Cabinet. In these circumstances your proposed motion would be illegal.</p>
15.01.15	511	Mrs N Woollatt	<p>That this council requires that verbal updates and reports to its meetings are kept to a minimum and only used when absolutely necessary.</p> <p>This will better serve the interests of openness and transparency towards our residents and will allow councillors to be able to properly prepare in advance of meetings.  <b>Rejected as improper CE</b></p> <p>I would reject this motion;-</p> <p>That this council requires that verbal updates and reports to</p>

			<p>its meetings are kept to a minimum and only used when absolutely necessary. This will better serve the interests of openness and transparency towards our residents and will allow councillors to be able to properly prepare in advance of meetings.</p> <p>on the grounds that this would be improper as it would unnecessarily fetter the discretion of committee chairman and would not be in agreement with the powers provided for in the constitution.</p> <p>The constitution provides for written reports to be prepared at appropriate times, especially if decisions are to be taken but also provides for committees to receive oral evidence in circumstances as they require.</p>
16.01.15	512	D F Pugsley	<p>1. That the Council amend Procedure Rule 18.2 by the deletion of the second sentence and the substitution for it of the words: The casting vote should be exercised on the same principles as in the House of Commons. <b>Rejected as improper CE</b> I would reject your first motion as this would be improper. The principles used in the House of Commons, 'Speaker Denison's rule' may be appropriate for situations with a neutral chairman, however as a political organisation with rules regarding political balance, such a convention on the role of the chairman's casting vote would interfere with the proper role of the chairman in our situation e.g. planning committee decisions.</p>
16.01.15	513	DF Pugsley	<p>2. That the Council take the necessary steps to ensure that the answer to the question, Does the Council actually have a powerful and effective system for holding decision-makers to public account? is an unequivocal Yes. <b>Rejected as irrelevant CE</b></p>

			<p>Your second motion I find both equivocal and irrelevant and is therefore rejected. It is equivocal in that it makes no mention of how the Council could or should ensure a powerful and effective system for holding decision makers to account. The motion is considered irrelevant in that if it were passed, there would be no difference to the operation of the Council's activities.</p> <p>A revised Constitution will be brought forward as a consequence of the work of the Constitution Working Group. Perhaps at that time you may review the proposals and make suggestions if you feel this can be improved, or if you find the aims at variance with the statements contained within the new Constitution.</p>
19.01.15	514	Mrs J Roach	<p>That this Council considers and investigates the possibility of applying to the Secretary of State to transfer Charlton Lodge to Mid Devon District Council (Localism Act Sect 15) to enable Mid Devon District Council to provide a scheme similar to the Abundant Life Project being run at Dartington.</p>
20.01.15	515	Mrs N Woollatt	<p>That this Council:</p> <ol style="list-style-type: none"> <li>1. Bans the sale or use of sky lanterns when issuing licences for open-air events</li> <li>2. Bans the release of sky lanterns from MDDC property</li> <li>3. Urges Devon County Council to consider a similar ban as at (2.) on its property</li> </ol>
22.01.15	516	Mrs J Roach	<p>That this Council resolves to investigate the possibility of acquiring Charlton Lodge, Orchard Lea and Bampton residential Homes in order to meet unmet housing needs in</p>

			this district.
12.2.15	517	Mrs N Woollatt	That this Council call upon the Government to ban the sale and use of sky lanterns throughout the UK
24.2.15	518	M D Binks	That this Council wishes to express its concerns to the Minister of State for Culture and the Digital Economy, about the slow rate of installation of High Speed Broadband to large rural areas of Mid Devon, as without this everyday need, especially to farmers and other rural businesses, our local economy will not flourish and rural isolation will not be reduced.
24.2.15	519	M D Binks	That this Council wishes to express apprehension about the consultation process regarding the future of Crediton Hospital, and would like to relay those concerns to the Minister for Health, hopefully ensuring that he will rigorously scrutinise all the evidence given in that consultation process, therefore ensuring that a fair and equitable decision is arrived at.
11.3.15	520	Mrs J Roach	<p>That this Council resolves to write to the Secretary of State for DCLG to ask that when setting out national planning policy the following issues are taken in to consideration.</p> <p>There is evidence that developers are now buying up old properties in villages and seeking permission to redevelop those sites to obtain a maximum return. By demolishing the existing building and replacing it with more than one house, or alternatively a much larger house, they are creating major problems for existing neighbours.</p> <p>The first concern is building too close to boundary walls or undermining those walls.</p> <p>It appears that any redress in these cases is via the Party Wall Act and has to be dealt with by a civil action. This entails the neighbour taking legal action which can be long drawn out and costly to fund just to protect their property. If</p>

			<p>they do not have the funds then they cannot take action. Many people are reluctant to take legal action or are unaware that they could take this route.</p> <p>The second concern is about rights of access. It is not uncommon in villages for access to have been taken for granted over hundreds of years, with no thought given to ensuring it was protected in law. Development of the land can interfere with historic rights and those who enjoyed access have to resort to civil action at their own expense to maintain their rights. Some of those properties have been passed down through family members without the access rights being formalised.</p>
26.5.15	521	Mrs N Woollatt	<p>That this council writes to the relevant minister to urge the Government to adopt a similar policy to that recently introduced in France and Belgium whereby it is now illegal for supermarkets over a certain size to destroy discarded food and must donate food fit for human consumption to charities and other food waste to other methods of recycling such as animal feed, composting or waste to energy. Furthermore, that any such policy also be extended to include food manufacturers and producers.</p>
26.5.15	522	Mrs N Woollatt	<p>That this council explores what options may be available to it to introduce a local policy in Mid Devon requiring supermarkets, food manufacturers and producers over a certain size to donate discarded food fit for human consumption to charities and other food waste to other methods of recycling such as animal feed, composting or waste to energy.</p>

23.10.15	523	N A Way	<p>Council supports the introduction of a through rail service from Barnstaple to Waterloo on the Tarka line and return on a daily bases Monday to Saturday. Stopping at Crediton and the village stations serving the various communities within Mid Devon. An opportunity to introduce this new service now appears to be a real possibility at no extra cost to the public purse. We advise First Great Western, South West Trains and Devon County Council of our support for the introduction of such a rail service improvement.</p>
16.2.16	524	Mrs C Collis	<p>That the Council supports the removal and cessation of the use of all polystyrene cups and all food containers from all council offices and associated premises.</p> <p>The use of such containers continues to place non biodegradable waste into landfill sites that will take hundreds of years to degrade and continues to threaten wildlife when digested.</p> <p>Any and all such containers if used as disposable drinks or food containers should be fully certified as biodegradable or easily recycled within normal recycling parameters.</p>
9.3.16	525	P H D Hare-Scott, N V Davey, C R Slade and Mrs M E Squires	<ol style="list-style-type: none"> <li>1. That the outcomes of the Local Plan Review pre-submission consultation and subsequent technical work together with officer recommendations be considered by Cabinet and Council prior to plan submissions and;</li> <li>2. That the report of these outcomes include the implications to the local plan of making a major modification to the Local Plan Review to allocate land at J27 of the M5 for a leisure/retail/tourism and employment development.</li> </ol>



13.7.16	526	Mrs J Roach and Mrs Nikki Woollatt	The Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.
21.7.16	527	Mrs J B Binks, Mrs J Roach, Mrs N Woollatt and B Wright	<p>“That this Council supports the Syrian Vulnerable Persons Scheme as detailed below and commits to working with the private sector to achieve placements.”</p> <p>The Scheme has been developed since September 2015 having evolved from a number of earlier Gateway Scheme. The United Nations High Commissioner for Refugees (UNHCR) will refer people to the scheme, based on a criteria set by the UK. This currently prioritises those who cannot be supported effectively in their region of origin: women, children and young people at risk, people in severe need of medical care and survivors of torture and violence, refugees with legal and/or physical protection needs; refugees with medical needs or disabilities; persons at risk due to their sexual orientation or gender identity; and refugees with family links in resettlement countries. Most beneficiaries of the scheme will currently be living in Turkey, Jordan and Syria, though not all in designated refugee camps.</p> <p>The UNHCR conducts a series of checks including a robust identification process prior to referring a refugee to the UK Scheme. Referrals are then further screened and considered by the Home Office for suitability for entry to the UK. The Home Office checks that they meet eligibility criteria and carries out medical and security checks.</p> <p>By the time a UNHCR referred refugee arrives in the UK they have been through a thorough two stage vetting process to ensure government knows who is entering the country. This includes the taking of biometrics, documentary evidence and interviews.</p>

		<p><b>What this means in practice</b> – Local authorities can choose whether to participate in the scheme. Participating Local Authorities pass offers of suitable accommodation to the Home Office who then match available accommodation to a refugee family. Case information is exchanged including details of family make up, age and specific needs. The Local Authority is asked to confirm whether it can accommodate and support those specific cases, having consulted key local agencies.</p> <p>On accepting to arrange resettlement, local authorities then need to co-ordinate activity to ensure that provision and support needed under the terms of the scheme is available and ready to access. Refugees will be granted a five year humanitarian protection visa. Refugees will have a National Insurance number, access to UK benefits and the right to work. Housing benefit will fund accommodation costs initially. We would expect that in the vast majority of cases refugees will want to stay in the area of the UK in which they have been resettled. However refugees are free to move elsewhere in the UK if they choose. If a refugee and their family wish to move to another part of the UK after their initial arrival, under the terms of the scheme, they will no longer be entitled to accommodation that had been allocated and they will no longer have resettlement support in the authority in which they were first placed. The scheme will continue to run alongside other resettlement schemes and other asylum procedures.</p> <p>The scheme depends on finding suitable accommodation that is aligned to the current requirements of local housing authorities and that can be paid for initially through existing housing benefit allocation. The scheme sets out to resettle refugees not simply to shelter them. Accommodation must be suitable for families to live safe, independent and productive lives, just as local authorities would aim to provide for any homeless family.</p> <p>Clearly housing costs and availability varies considerably across the County and whilst there is capacity in most parts of the County to support resettlement, this has to be aligned</p>
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			<p>to affordable and available accommodation. Whilst some very rural parts of Devon may provide suitable accommodation opportunities, this needs to be balanced with meeting the anticipated wider needs of resettled refugees, i.e. access to schools, healthcare, cultural, religious and support networks as required alongside opportunities for employment.</p> <p>The County Council recognises that expertise of supporting refugees (alongside those seeking asylum and dealing with wider migration issues) largely sits in other organisations, largely within the voluntary and community sector. It is therefore the intention to support a number of voluntary and community sector organisations to deliver much of the Syrian Scheme on behalf of the wider partnership. Refugee Support Devon will be playing a leading and significant part in this, but it is anticipated that other groups may also be able to take a role at a community level as resettlement develops across the County.</p> <p>Until families have begun to be safely and successfully resettled, we do not intend to make public announcements with regards to the arrival date or destination of refugee families.</p> <p>Accommodation continues to be difficult to source locally and there are concerns that commitments from local Housing Authorities (currently to resettle up to 70 families over the course of the scheme) will not be met as a result. We will soon commission a short film and publicity aimed at local current and potential landlords to highlight the Scheme and its opportunities for them and the wider community.</p>
10.8.16	528	P J Heal	"That the Council investigates the provision of an elasticated net system for use on recycling boxes to prevent light materials such as plastics and cardboard being blown out and causing litter".

17.8.16	529	Mrs C A Collis	That the Council investigates joint working with other Councils to recycle soft plastics such as polythene and film and to avoid putting these non-degradable items into landfill. This will benefit the environment for future generations and expand on the recycling that Mid Devon is already doing so well.
19.9.16	530	R L Stanley and R J Chesterton	In order to allow a new, productive future for certain agricultural buildings, permitted development rights have been extended allowing for their use to change without planning permission in certain instances. Procedures allow for local consultation but do not currently recognise a need to consult with Parish Councils. Local communities as represented through Parish Councils, are well placed to identify the likely impacts of proposals and could be identified as a required consultee. Impacts may be cumulative where there is a concentration of proposals within a small area and it is considered that the permitted development rights could be worded to recognise cumulative effects. It is requested that Council write to the Minister to bring these issues to his attention and request that he amend the General Permitted Development Order accordingly.
17.11.16	531	T W Snow	That as MDDC owns the land at Station Yard that we investigate and develop this land for our own local Council housing needs. This would help the extreme housing needs of our local residents as the cost of any houses built would be reduced by having no land purchase cost involved.  That our MP be kept informed in order to support this motion
5.12.16	532	D R Coren	That this council lobby the Governments Environment, Food and Rural Affairs Committee to work diligently and quickly to seek a more effective and sustainable flood protection policy by looking at the use of natural systems such as leaky dams,

			tree planting and improved soil management and seek to support the creation of a new English Rivers and Coastal Authority to take over responsibility of the threat of flooding from the Environment Agency.
13.2.17	533	Mrs N Woollatt	<p><b>Background:</b> The Financial Transactions Tax (FTT) would roll out the current tax on the purchase of shares to other financial assets, such as bonds and derivatives. This could raise over £8 billion of additional revenue a year potentially providing a new source of funding for local councils. The FTT would also help encourage traditional longer term approaches to investment as opposed to extremely short-term, speculative behaviour that characterised the conditions that led to the financial crisis. Changing such behaviour is necessary to create a more responsible and stable financial system going forward.</p> <p><b>Council notes:</b></p> <ul style="list-style-type: none"> <li>• the suffering forced upon local residents as a result of the massive cuts in central grant over recent years which are detrimentally affecting our ability and that of other public services to serve our communities effectively;</li> <li>• that extending the current FTT on shares to other asset classes such as bonds and derivatives could raise £8bn of additional revenue in the UK a year;</li> <li>• that at least 11 European nations including France, Germany, Italy and Spain are moving ahead with FTTs on shares, bonds and derivatives, estimated to raise £30bn a year.</li> </ul> <p><b>Council believes:</b></p> <ul style="list-style-type: none"> <li>• that revenues from the FTT could help repair the damage caused by cuts in public services since 2010</li> </ul> <p><b>Council resolves that:</b></p>

			<ul style="list-style-type: none"> <li>• the UK government should extend the current FTT on shares to other asset classes, such as bonds and derivatives.</li> </ul> <p><b>Council further resolves to:</b></p> <ul style="list-style-type: none"> <li>• write to the Prime Minister, Deputy Prime Minister, Leader of the Opposition, Chancellor and Shadow Chancellor of the Exchequer, and Secretary of State for Communities and Local Government stating this council's support for extending FTTs; and</li> <li>• write to our local MPs Neil Parish and Mel Stride outlining the Council's position.</li> </ul>
13.2.17	534	J L Smith	That the Leader of the Council, the Council Chairman and the various Committee Chairs voluntarily accept a 10% reduction in their Special Responsibility Allowance. This will help close the budget deficit and send a positive message to the Community that the elected members are sharing the moral and financial burden to maintain an effective and affordable service.
14.2.17	535	D J Knowles	This Council resolves to enter into an agreement with Tiverton Town Council to retain at Tiverton Town Hall all the paintings currently on display at Tiverton Town Hall, either by way of long term loan or transfer to Tiverton Town Council, subject to the necessary insurance and security being maintained.'
4.4.17	536	Mrs J Roach	That The Mid Devon District Council resolve to place 10% of any future capital receipts in a community account to be used to give grants to new organisations that are providing care in the community. This fund to be administered by Officers with set criteria agreed by council. The main criteria being that no

			grant will be made to any organisations that have paid managers or administrators.
25.5.17	537	Mrs N Woollatt	That this council should adopt a policy of ensuring that play areas in the district that contain play equipment aimed at pre-school or primary school age children are enclosed to facilitate the health and safety of its young users."
1.6.17	538	Mrs J Roach	<p>Mid Devon District Council is concerned that the present level of grass cutting across the district is the subject of much criticism.</p> <p>The Mid Devon District Council therefore resolves to urgently review;</p> <ol style="list-style-type: none"> <li>1. Whether the budget is sufficient and if it isn't to put forward a request to Council for a supplementary budget to meet the cost of providing an effective service.</li> <li>2. If it is impossible to provide extra funding the Council should consider asset transfers to Parish Councils and/or individuals.</li> </ol> <p>Taxpayers are now facing the second year of a grass cutting regime which leaves the grass uncut for long periods.</p>
20.6.17	539	Mrs J Roach, R M Deed, L Taylor, R Wright, J M Downes and T W Snow	<p>This Council notes with concern that the leader called a State of the District Debate in 2015 but didn't hold it until 2016 thereby denying the people of Mid Devon the opportunity to hold a debate in 2015.</p> <p>We therefore call on the Mid Devon District Council to review and change the Constitution to prevent any Leader from acting in such a manner in the future.</p>
12.10.17	540	Mrs J Roach	This Council agrees to give serious consideration to seeking alternative methods of managing the Tiverton Pannier Market, to include a community interest company and a co-operative. Following these considerations Council will be given detailed information about the advantages and

			disadvantages of the options that were discussed. Council should then be able to decide whether to change their policy and pursue a different management model.
30.11.17	541	Mrs J Roach	This Council reconsiders the time and times that it allows ward members to speak at the planning committee. The present system gives many opportunities to speak but allows the local member only one opportunity. At the very least Council should give elected Councillors the opportunity to correct incorrect statements, something that exists within standing orders but not allowed at the planning committee. At the last planning committee the situation that exists at the moment prevented me as the elected Councillor for Silverton for pointing out that the Highways advice was inconsistent with previous advice given on the same site.
30.11.17	542	Mrs J Roach	That this Council consider the use of recycling trolleys as a pilot project, hopefully in Silverton, as an alternative to assisted collections for those who wish to try out such a system.
23.1.18	543	F W Letch	I ask Council to urge Cabinet to agree to the sale of the Crediton Council Office Building to Crediton Town Council on the same basis as the sale of Tiverton Town Hall to Tiverton Town Council, where precedent has already been set, which is 50% of the buildings restricted value.
31.1.18	544	W J Daw, Mrs H Bainbridge, D R Coren, Mrs G Doe, P J Heal, F W Letch and J D Squire	That Mid Devon District Council adopt a position of opposition to the continuation of the Right to Buy initiative in order to protect housing stock numbers for those in housing need. As part of that position the Council will lobby both local Members of Parliament and the Housing Minister to seek the end of the current right to buy scheme.
10.4.18	545	L Taylor	That this Council considers the use of British Hedgehog Preservation Society (BHPS) stickers on all Mid Devon grass cutting machinery, requesting that all users check the area to



			be cut before using the equipment. The stickers are free and are being used by other Councils such as East Devon District Council, Derbyshire County Council and Manchester City Council to name but a few.
11.4.18	546	Mrs J Roach	This Council agrees to clarify the rules in the constitution relating to who can speak at working groups and to non planning application agenda items at the planning committee. This motion seeks to establish the right in law of Councillors to participate in the democratic process without relying on a Chairman's discretion.
11.4.18	547	Mrs J Roach	This Council agrees to amend the constitution by removing the right of a Chairman to use a casting vote.
12.4.18	548	Mrs J Roach	This Council regrets that at the last Council meeting Cllr Mrs J Roach was given incorrect and misleading answers to some of her questions.
8.6.18	549	R B Evans	<p>In order that MDDC can take proactive action to assist with the reduction in the use and sale of single use plastic the following motion sets out some initial actions to assist the aim of reduced plastic use with a stated aim to add agreed actions as when viable solutions are available.</p> <p>The Council therefore agrees to:</p> <p>Phase out the use of single use plastics (SUP) by MDDC and its suppliers by the end of 2018 or whenever current contracts expire that would be effected by the required removal of the use or supply of SUP's that may run past this date.</p> <p>To include but not exclusively, building materials, chemical</p>

			<p>containers, paints, chemicals, cleaning products, oil, lubricants, fuel additives, plastic cups, and cutlery. Straws, sachets of sauce and any identified SUP items commonly used but not listed.</p> <p>Where practicable seek to reduce or remove the use is SUP when dealing with partnership agreements with Devon County Council within leisure facilities.</p> <p>End the sale of SUP in council buildings including SUP drinks bottles within any all vending machines on MDDC property.</p> <p>Investigate possibilities of pop up vendors at all events within MDDC area avoiding SUP.</p> <p>Work with tenants and operators of commercial properties owned by the council to support the phasing out of SUP.</p> <p>This to include an MDDC initiative encouraging residents when shopping to “ avoid the plastic, take a basket , buy loose fruit and vegetables “</p> <p>Work with festival organisers to create policy in which single use disposable plastic cups are replaced at all festivals within our area with reusable or deposit scheme cups.</p> <p>One area of exception to be that of medical supplies of any form, to ensure no supply of any equipment or product is in any way compromised.</p>
5.12.18	550	Mrs N Woollatt	<p><b>As despite enquiries, I have been unable to ascertain whether this will happen anyway, to ensure that it does I propose ...</b></p>

			That once the Cullompton Relief Road Route Options consultation responses have been reviewed by the project team along with the completed flood modelling and environmental survey work and potentially a preferred route arrived at, that the results and information regarding that are presented to the Planning Policy Advisory Group for comment prior to the report to Cabinet.
5.12.18	551	Mrs N Woollatt	<p><b>The payment in advance to a company contracted to deliver leaflets on behalf of the Council on the Cullompton Relief Road consultation who subsequently did NOT deliver to large parts of the town does not appear to have been effective use of tax payers money. In the absence of any response as at 5th December to my supplementary question at Council of 24th October enquiring as to whether a refund would be sought for work not carried out by the delivery company, I propose</b></p> <p>...</p> <p>That this Council seeks to hold the company contracted to deliver leaflets informing residents about the Cullompton Relief Road to account for the non delivery of a large proportion of said leaflets and seeks to recover a refund for the element of work which was not carried out.</p>
5.12.18	552	Mrs N Woollatt	<p><b>I believe that the Council has a duty to inform residents directly when an issue which will have a major impact on them is being consulted on by the Council. That is also the view of many residents. Given the failings, as detailed in the previous motion, to communicate directly with a large number of residents on the recent Cullompton Relief Road Route Options consultation, and the complaints that elements of the community (e.g. older people) were disadvantaged, again, in the absence of a response as at 5th December to my supplementary question on this at Council of 24th October I propose ...</b></p> <p>That this Council carries out a second stage of consultation</p>

			<p>on the Relief Road once a preferred route has been identified to feed into and comment on the further more detailed work which will take place on development of junction strategies, engineering, environmental assessments and so on, prior to submission of a formal planning application.</p> <p>Further to that, that this Council ensures that residents and businesses within Cullompton are informed in advance of the consultation commencing by direct contact via a letter or leaflet delivery.</p> <p>Also, that hard copies of information regarding the consultation and means of responding be left in public buildings in the town in order that people who are not online or comfortable using computers can easily access and contribute to the consultation.</p>
13.02.19	553	R B Evans	<p>Any planning application that is approved by Committee giving specific affordable housing provision and or a detailed section 106 agreement as part of the information for members to consider that subsequently receives any application to alter all or part of these agreements must be referred to the relevant ward member/s for their consideration and input.</p> <p>Should both the officer dealing and the ward member/s agree to the changes these can be allowed to form the new affordable housing agreement and or section 106 agreements.</p> <p>Should the ward member/s and officer dealing fail to agree on the proposed changes or cannot negotiate agreeable alternatives then the application to change the affordable housing and or section 106 agreement should be referred back to the committee for their consideration and agreement / disagreement .</p>

20.3.19	554	R J Chesterton	<p>In light of recent press articles on the subject, this Council believes that</p> <p>(i) Parish and town councils should, in reply to any street naming proposal from a developer, be allowed to recommend to this Council that a street be named after an individual, including the living.</p>
8.4.19	555	F W Letch	<p>Mel Stride MP recently said: “Central Devon has market towns with a wonderful variety of high street shops selling high-quality local produce and offering a range of services. Many are doing very well, but others face stiff competition from out of town and online retailers. I know that the margin between success and failure can be very small and even a small increase in the number of people who make it a priority to shop locally more often can make a big difference.”</p> <p>High Street Saturday was on 16<sup>th</sup> of March. I propose that :- In order to encourage the high street shops in Mid Devon's 3 main towns, this council will not charge for Saturday parking in the long stay car-parks of Tiverton, Cullompton and Crediton.</p>
8.4.19	556	N A Way	<p>Mid Devon District Council has a record of environmental protection and protecting wildlife.</p> <p>Council is greatly concerned by the growing trend across the country of developers using netting over hedgerows and trees at development sites to stop birds nesting and other wildlife using the hedges and trees.</p> <p>This is wrong and runs against the best interests of supporting and enhancing local wildlife.</p>

			<p>We call on all developers not to use netting in Mid Devon. Additionally, we call on Government to ban the use of netting at all sites with planning consent, those sites identified in the Local Plan and the emerging Greater Exeter Strategic Plan.</p>
9.7.19	557	J Downes	<p>'To agree that this council instructs the Head of Planning, Economy and Regeneration to take the earliest available opportunity in planning policy terms to embed a zero-carbon requirement on all future development taking place in Mid Devon in order to respond to the climate emergency.'</p>
29.7.19	558	J Downes	<p>That this council should lobby government to bring forward a revised council tax scheme that seeks to encourage a system linked to emissions. The scheme should be able to vary council tax to overtly incentivise the construction of properties that can demonstrate high levels of sustainability and energy efficiency, while acting as a penalty for those that don't. Methods to encourage investment in retrofitting to existing properties should also be explored, given the largest proportion of housing emissions will come from existing housing stock rather than new build.</p>
22.10.19	559	R B Evans	<p>It is well known that the planting of trees has an extremely positive effect in the fight against reducing carbon within the atmosphere, each trees sequestration process is known to benefit carbon reduction as each individual <b>tree</b> can absorb as <b>much</b> as 48 pounds of <b>carbon</b> dioxide per year and can <b>sequester</b> 1 ton of <b>carbon</b> dioxide by the time it reaches 40 years old.</p> <p>Given the above and the climate crisis declared by this council and its stated ambition to be carbon neutral by 2030 I ask that the following motion be supported by all members.</p> <p>This council agrees to use any and all land within the ownership of the authority that is not suitable for development, for the planting of native British trees.</p>

			<p>This council agrees to undertake an area wide audit with the assistance of members and land owners to identify suitable sites both within MDDC ownership and private ownership to maximise opportunities for such activity, to be completed within no more than twelve months from the date of this motion , if approved.</p> <p>This council agrees to work alongside community groups and schools whenever possible to encourage community ownership and sense of place and wellbeing within our communities.</p> <p>This council agrees that any and all opportunities should be sought to obtain trees from organisations such as government agencies and relevant charitable organisations. (Woodland Trust, Plant Life, DEFRA / Forestry Commission seeking any funding that may be available )</p>
23.10.19	560	R J Chesterton	<p><b><u>Review of Development Management Policies on Parking</u></b></p> <p>This Council requests that officers start work on undertaking a review of Mid Devon's development management policies regarding parking on our new estates. These should include the number of parking spaces per property as well as how development management can help ease the transition to electric or hybrid vehicles in the future.</p> <p>In addition to this, this Council requests that at the earliest available opportunity, and no later than three months after this motion is agreed, a paper is brought to the Planning Policy Advisory Group and Cabinet highlighting some of the possible changes members might have to consider and the best mechanism to bring these about.</p>
17.12.19	561	R B Evans	<b><u>Development Management Policy</u></b>

			That this council commits to proactively seeking out and exploring that every opportunity is taken to install a carbon neutral power supply option within all new build development <a href="#">from 01/01/2021</a> but specifically when residential development is being planned.
17.12.19	562	R B Evans	<p>That MDDC commits to proactively seeking out and exploring development of a long term partnership with a company / companies that can supply innovative power generation that offers carbon neutral power and where possible seeks to give an income stream back to the authority when operational.</p> <p>That officers are instructed to seek out and explore such opportunities with available companies with immediate effect in order that MDDC can ensure we are actively addressing our own policy to seeking to be carbon neutral by 2030.</p>
19.5.2020	563	B Holdman L Taylor	<p>That:</p> <p>a) This Council resolves to hold all member briefings and working/advisory groups (where practicable) remotely in the future which will aid the reduction of carbon emissions and provide significant savings on Members travel expenses.</p> <p>b) This Council agrees to lobby central Government requesting that Regulation 5 of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel meetings) (England and Wales) Regulations 2020 be extended past May 2021 and be formed into new legislation allowing Members to have the option to attend any meeting of the Council either in person or remotely.</p>
15.10.2020	564	Miss E	<b><u>Council resolves to:</u></b>



	Wainwright Miss J Norton	<ol style="list-style-type: none"><li>1. Practice equality, fairness and inclusion, and to play its part in creating an equal society for all. There is no place for sexism, racism, bigotry, discrimination or intolerance of any form in our society.</li><li>2. Acknowledge that language is a powerful tool for change and inspiration, as well as ignorance, oppression and damaged relationships, and should be used thoughtfully and respectfully. Many people who do not have a voice in the public domain have to suffer the consequences of inaccurate or insulting language.</li><li>3. Review and, if needed, update member training, to equip all members with the language and tools needed to actively promote diversity and inclusivity.</li><li>4. Ask that the Chair of Scrutiny request a report detailing the options for how Mid Devon District Council can implement the relevant recommendations for Local Authorities (where not already in place) listed in the Fawcett Society/LGiU report: 'Does Local Government Work for Women?' (1). (The population of Mid Devon is around 80,600, and is 49% male and 51% female. This proportion is not reflected in the makeup of MDDC).</li><li>5. Ask that the Chairs of the Equality Forum and Community PDG identify and discuss approaches to reaching hard-to-reach communities in Mid Devon.</li><li>6. Show leadership by creating a diversity and inclusion strategy, and seek input from residents and local</li></ol>
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			<p>organisations that have expertise, to ensure the council is inclusive towards diverse and hard-to-reach communities in its recruitment, member representation and service provision. As part of this, review and update the MDDC equalities policy.</p> <p>7. Explore further opportunities to increase inclusivity, diversity and representation in Mid Devon District Council, including but not limited to amongst women, minority ethnic communities, young people, and carers.</p> <p><i>(1) The Fawcett Society and Local Government Information Unit report, 'Does Local Government Work for Women?' found that structural and cultural barriers hold back women's participation in local government. The practices and protocols of local government create unnecessary barriers to participation particularly for women with caring responsibilities. <a href="https://www.fawcettsociety.org.uk/does-local-government-work-for-women-final-report-of-the-local-government-commission">https://www.fawcettsociety.org.uk/does-local-government-work-for-women-final-report-of-the-local-government-commission</a></i></p>
17.12.2020	565	G Barnell and L D Taylor	<p>This Council understands that an updated Business Case from 3RDL will be submitted to Cabinet in February or March. The recent financial information provided to members on the financial performance of the Company and, in particular, on the substantial losses arising from the development of the St George's Court site in Tiverton, do not give confidence that the Company has a future as a viable entity or that further investment of taxpayers money is warranted.</p> <p>This Council agrees that members must have independent and expert advice on all the options open to the Council about the future of 3RDL and that this advice be made available to all members of the Council at the same time as the new business case is presented .</p>

			<p>In order to inform the wider-decision making of the Council beyond the shareholder function performed by Cabinet, this Council, therefore, resolves to:-</p> <ol style="list-style-type: none"> <li>1. Commission an independent appraisal of the Company's new business plan by a company or by individuals experienced in the business of speculative property development.</li> <li>2. Commission an independent report on the options for the liquidation or winding up of the Company from a suitable professional entity experienced in such matters.</li> <li>3. Ensure the presentation of the new 3RDL Business Case is made at the same time as the above reports both to the Council's Audit Committee and also to the Scrutiny Committee before the matter is subject to Cabinet consideration and decision</li> </ol>
17.12.2020	566	G Barnell S J Clist	<p>This Council agrees to commission, as a matter of urgency, a plan based on evidence of local housing need for the delivery of affordable rented and social rented housing across Mid Devon. This plan should make best use of the Government's Affordable Housing programme 2021/26 and be presented to Council by June 2021.</p>
18.12.2020	567	J Wright Miss E Wainwright R Dolley C Daw	<p>This Council:</p> <ul style="list-style-type: none"> <li>• Welcomes and appreciates the work that has gone in to developing our climate action plan so far, especially in the context of the Covid pandemic, which stretched capacity and resources.</li> <li>• Welcomes the recruitment of a Climate and Sustainability Officer, to develop our work.</li> </ul>

			<ul style="list-style-type: none"> <li>• Requests that once in place, the new Climate and Sustainability Specialist focuses on further development to our climate action plan, so that it shows the priority actions for the short, mid and longer term, covering the entire period to 2030 and beyond. Plans should outline the strategic actions we need to take to be on track to meet this target.</li> <li>• Requests that officers explore opportunities to develop the Net Zero Advisory Group, so that it has more authority and responsibility for our climate strategy, and so that the public can access it (e.g. via agendas published online, and being able to attend meetings).</li> <li>• Requests that budget be created and ringfenced for developing our climate work -- through a mixture of funding bids; income generation; prioritisation; partnerships; and 'spend to save' schemes.</li> </ul>
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FROM FEBRUARY 2021					
Date Received	No.	Member Giving Notice	Text	Motion Carried or amended	Changes to the Constitution required/made
8.2.2021	568	A Wilce	<p>That, to prevent further ambiguity by making the wording more concise, this Council resolves to amend Rule 14.4 (Automatic reference to Committee) by removing the reference to <b>'Council'</b> and replace it with <b>'Chairman'</b> and to insert after 'report' <b>'unless an alternative proposition is put forward and is accepted'</b></p> <p>So as to read: 14.4 Automatic Reference to Committee</p>	Motion carried	Yes/ Yes

			<p>If the subject matter of any Motion, of which notice has been duly given, comes within the province of the Cabinet or any Committee or Committees it shall, upon being formally moved and seconded, shall stand referred, without the mover or seconder of the Motion speaking on the substance of the Motion and without any other discussion, to the Cabinet or such Committee or Committees, or to such other Committee or Committees as the <b>Chairman</b> may determine, for consideration and report, <b>unless an alternative proposition is put forward and is accepted</b>; and that the mover (or in his absence, the seconder) of the Motion should be invited to the Meeting of the Cabinet, Committee or Committees to amplify the Motion, but without any right to vote except as a Member of such Committee. Provided that the Chairman may, if he considers it convenient and conducive to the despatch of business allow the Motion to be dealt with at the meeting, at which it is brought forward.</p>		
8.2.2021	569	A Wilce	<p>That this Council resolves to ask the Standards Committee to review Rule 14.4 (Automatic Reference to Committee) and to recommend whether this Council should either:</p> <p>a) completely remove rule 14.4 or</p> <p>b) amend the rule to re-enable the Member putting a Motion forward, and the Member Seconding that Motion, to speak to that Motion (and for any further discussion to take place on that Motion that the Chairman may see fit), before that Motion shall stand referred to a Committee or</p> <p>c) make no changes</p>	<b>Motion Carried – Standards to consider</b>	<b>Returned to Council 25 August 2021 – Members approved Option B</b>
8.2.21	570	A Wilce	<p>That, to improve local planning consultation processes and to regularise current Planning Committee practises, this Council resolves to amend Rule 27.5 as follows:</p> <p>After (Appendix J to the Constitution), is inserted:</p> <p>in addition, the Chair will also permit the following to speak for no more than 3 minutes, without prior notice being required,</p> <p>1 Adjacent Ward members</p> <p>2 Any Member having previously submitted a comment to that Application that permission to speak being limited solely to the</p>	<b>Stand referred to the Standards Committee</b>	Considered by Council on 25 August 2021 – <b>not supported</b>

			<p>raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council. so as to read:</p> <p>27.5 Any Councillor may attend any meeting of a committee of the Council and may speak on any agenda item for that meeting. However, in relation to the Planning Committee, the right to speak on a planning application, enforcement item, or other report relating to a particular ward of the Council shall be limited to the rights of a Ward Member to speak as set out in paragraphs 9.2 and 9.3 of the Protocol of Good Practice for Councillors Dealing in Planning Matters (Appendix J to the Constitution); <i>in addition, the Chairman will also permit the following to speak for no more than 3 minutes, without prior notice being required:</i></p> <p><i>1 Adjacent Ward members</i>  <i>2 Any Member having previously submitted a comment to that Application that permission to speak being limited solely to the raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.</i></p>		
5.3.21	571	A Wilce	<p>That the Meeting Protocol is updated to specifically state that:</p> <p>1 The primary objective of the Protocol shall be, so far as is practicable</p> <p>'to ensure that the rights of members (and members of the public) shall not be diminished simply because the meeting is being held online and not face-to-face'.</p> <p>and</p> <p>2 The Host of any Meeting is the Chairman and the Officer's role as 'host' is solely administrative.</p>	Council 28 April 2021 Approved – protocol amended	

8.3.21	572	G Barnell	<p>"The proposals arising from the work of the Governance WG have not been sufficiently developed to be properly considered by the membership at today's meeting. We propose that the Council postpone a decision on the recommendations of the Governance WG in order that changes can be:-</p> <ol style="list-style-type: none"> <li>1. More fully developed by members and considered by each of the Council's non regulatory committees.</li> <li>2. Considered by the Council as an important contribution to forthcoming State of the District debate on the best Governance arrangements for the Council."</li> </ol>	<p>Council 17 March 2021  <b>Motion failed</b></p>	
11.5.21	573	E Wainwright and C R Slade	<p><b>Motion to Support the Climate and Ecological Emergency Bill</b></p> <p><b>Preamble</b></p> <p>The impacts of climate change are being felt in the UK and around the world. Global temperatures have increased by 1 degree Celsius from pre-industrial levels. Atmospheric carbon dioxide levels are above 400 parts per million (ppm) and continue to rise. This far exceeds the 350 ppm deemed to be a safe level for humanity.</p> <p>Without more significant and sustained action, the world is set to exceed the Paris Agreement's 1.5°C limit between 2030 and 2040. The current UK target of net zero by 2050 is therefore not satisfactory. We are not set to meet our future targets and the targets themselves do not properly account for our consumption emissions.</p> <p>The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. This is described by the Intergovernmental Panel</p>	<p>Council – 1 July 2021  Approved</p>	

on Climate Change's Special Report on Global Warming of 1.5°C published in October 2018. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities. The costs of failing to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities. And in the year that the UK co-hosts COP26, our responsibility to show bold global leadership on climate and nature could not be greater.

**Council notes that**

1. This council has signed up to the Devon Climate Declaration.
2. There is a Bill before Parliament -- the Climate and Ecological Emergency Bill (published as the "Climate and Ecology Bill") -- according to which the Government must develop an emergency strategy that:
  - a. requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees Celsius above pre-industrial temperatures;
  - b. ensures that all the UK's consumption emissions are accounted for;
  - c. includes emissions from aviation and shipping;
  - d. protects and restores biodiverse habitats along overseas supply chains;
  - e. restores and regenerates the UK's depleted soils, wildlife habitats and species populations to healthy and robust states, maximising their capacity to absorb CO<sub>2</sub> and their resistance to climate heating;
  - f. sets up an independent Citizens' Assembly, representative of the UK's population, to engage with Parliament and Government and help develop the emergency strategy.



			<p><b>This Council therefore resolves to:</b></p> <ol style="list-style-type: none"> <li>1. Support the Climate and Ecological Emergency Bill</li> <li>2. Inform the local media of this decision;</li> <li>3. Write to local MPs, asking them to support or thanking them for supporting the Bill; and</li> <li>4. Write to the <a href="#">CEE Bill Alliance</a>, the organisers of the campaign for the Bill, expressing its support.</li> </ol>		
8.6.21	574	B A Moore	That this Council resolves to ask the Standards Committee to convene a working group to review the procedural rules relating to Scrutiny, Audit and the Policy Development Groups (Part 4 Section 5 of the Constitution). The purpose of the review is to make recommendations on those procedural rules, with particular regard to ensuring that items included on meeting agendas, notably at short notice, including duplication, are democratically determined by Members of that committee.	<b>NOT MOVED</b>	
6.9.21	575	A Wilce	<p>Where an enquiry is made by a Member at any formal meeting (verbally, or in writing) and a substantive answer is not given at that meeting, a written response shall be sent to the enquiring member within 10 days. Wherever possible, questions shall be submitted in advance of the meeting, but a failure to do so will not invalidate that enquiry.</p> <p>A copy of the question(s) and answer(s) will be circulated to members of the committee (or Full Council) and will also attached to the minutes.</p>	WITHDRAWN – 22.9.21 prior to any meeting	
14.10.21	576	Mrs N Woollatt	“Many councils and councillors across England have called for the ability to be able to attend and vote on line. Whilst we will always want councillors to be able to meet in person, there	APPROVED by Council 26 October 2021	

			<p>needs to be the provision for some members to be online, for example if they are vulnerable, self isolating, have caring responsibilities or difficulties with transport. It is also in line with reducing carbon emissions to zero by 2030.</p> <p>Our hybrid system of meetings are currently working well, but non voting members attending online are not currently allowed to be recorded as having attended even though they can raise issues and contribute to the debate! Equally it would be very useful if voting members of a committee could have the flexibility to attend online if they find themselves in circumstances preventing physical attendance. This would help to reduce the risk of meetings not being quorate.</p> <p>Northern Ireland recently agreed in its parliament to allow councils to meet and vote remotely, Wales and Scotland already allow this. England is being left behind.</p> <p>Therefore</p> <p><b>This Council mandates the Leader to write to the new Secretary of State for Levelling Up, Housing and Communities to call for parity across the UK and enable councillors in England to meet and vote on line as they see fit.”</b></p>		
16.11.21	577	A Wilce	<p>A Motion to improve public accountability and to address the inequality of rights of Members of the Council, when compared to members of the public.</p> <p>This Council resolves that:</p> <p>When an enquiry is made by a Member at any formal meeting (verbally, or in writing) and a substantive answer is not given at that meeting, a written response shall be sent to the enquiring member within 10 days.</p>	To be considered by a T/F Group as part of Procedures before returning to Council	

			<p>Wherever possible, any written questions submitted in the absence of the Member shall be submitted in advance of the meeting, but a failure to do so will not invalidate that enquiry.</p> <p>A copy of the question(s) and answer(s) will be circulated to members of the committee (or Full Council) and will also be attached to the minutes.</p>		
10.2.22	578	Mrs E Lloyd	<p><b>Mid Devon District Council:</b></p> <p>(i) recognises that the cost of living is going up for many people, including through an increase in the cost of energy, and that the Council has a role to play in supporting the current and future resilience of its communities;</p> <p>(ii) acknowledges the efforts that this council is making to reduce greenhouse gas emissions and promote renewable energy;</p> <p>(iii) recognises that councils can play a central role in creating sustainable communities, particularly through the provision of locally generated renewable electricity;</p> <p>(iv) further recognises</p> <ul style="list-style-type: none"> <li>• that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,</li> <li>• that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations,</li> </ul>		

			<p>and</p> <ul style="list-style-type: none"> <li>• that revenues received by councils that became local renewable electricity providers could be used to help fund local greenhouse gas emissions reduction measures and to help improve local services and facilities;</li> </ul> <p>(v) accordingly resolves to support the Local Electricity Bill which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply; and</p> <p>(vi) further resolves to</p> <ul style="list-style-type: none"> <li>• inform the local media of this decision,</li> <li>• write to local MPs, asking them to support the Bill, and</li> <li>• write to the organisers of the campaign for the Bill, Power for People, (at 8 Delancey Passage, Camden, London NW1 7NN or <a href="mailto:info@powerforpeople.org.uk">info@powerforpeople.org.uk</a>) expressing its support.</li> </ul>		
8.8.22	579	Mrs N Woollatt	<p>Motion for council:</p> <p>That this council writes to Stagecoach, Devon County Council, the Traffic Commissioner and our MPs to:</p> <p>a) express its concern at the recent cuts to bus services in the District and changes to routes which appear to have been put in place without having had due regard to equality considerations. Further asks for a review of the changes to take into account equalities impacts and seek reinstatement of route sections which have been removed where the removal is found to have had a detrimental effect on some protected groups of people. For example, many residents in Cullompton no longer have nearby access to the bus service to and from Exeter and can only access this route from the town centre, making this service particularly difficult to access for elderly</p>	Approved by Council 31 August 2022	

			<p>and disabled residents and young people travelling to schools and colleges.</p> <p>b) further expresses its disappointment that since the reduced timetable has been implemented, despite the reductions supposedly having been made to improve the reliability of Stagecoach services, services have continued to be cancelled at an unacceptable level leaving our residents unable to rely on travelling by bus. Residents have been left unable to get to and from work and health appointments on time and even on occasion left stranded. There is concern if this pattern of cancellations continues that young people who rely on the bus service to travel to and from school and college will also have their journeys disrupted.</p> <p>c) states that the current service being provided is not fit for purpose and asks what can be done to improve this and when our residents can expect to see a bus service that serves their needs and is reliable.</p>		
9.10.22	580	Cllr B Warren	<p>To ensure that motions are recorded in the minutes of meetings in the exact form they are voted upon across all Committees of the Council, the relevant procedure rules shall be revised to extend this specific requirement to Cabinet, Committees and Sub-Committees. This would ensure that the permanent recordings of all meetings comprehensively record the items being voted upon and would strengthen the integrity of the public record, thus being in accordance with the Nolan Principles of Public Life. Therefore:</p> <p>This Council RESOLVES that the Constitution Part 4 Section 1 Rule 26 (Application to Committees and Sub-Committees) of the Council Rules of Procedure is amended forthwith so as to apply rules 20.1 and 20.2 to meetings of the Cabinet, Committees and Sub-Committees.</p>	Approved by Council 26 October 2022	Yes/
10.10.22	581	Cllr A Wilce	<p>Motion 1: That, for the purposes of disambiguation, the following shall be inserted into the Rules of Procedure:</p>	Withdrawn 17.10.22 – prior to meeting.	

			<p>The Council shall publish any agenda item or document at least 5 clear days before any discussion takes place about it at a meeting, unless special circumstances make the prior publication impracticable, or urgent.</p> <p>Where this exemption is claimed, members shall be able discuss the reasons given before the Chairman makes a a decision as to whether or not to admit the item, or document.</p> <p>The reasons and the decision shall be recorded in the minutes.</p>		
10.10.22	582	Cllr A Wilce	<p>The High Court has found that meetings held under the Local Government Act 1972:</p> <p>“involves participants gathering to meet face-to-face at a designated physical location and “attending” a meeting involves physically going to that location, a requirement that this meeting is to be “open to the public” or “held in public” means that members of public must be admitted in person to the place where the meeting is being held...”</p> <p>“As we have said, requirements that meetings be "open to the public" or "held in public" are imposed by several different statutory provisions, but they all deal with the same subject matter and may therefore be described as in pari materia. They are therefore "to be taken together as forming one system, and as interpreting and enforcing each other"...”</p> <p>“But such broadcasting or live-streaming does not, on its own, satisfy the requirement for the meeting to be "open to the public" or "held in public" ...”</p> <p>[2021] EWHC 1145 (Admin)</p> <p>This approach was supported by the Lawyers in Local Government, Local Government Association and Association of Democratic Services Officers</p>	<p>Approved by Council – 26 October 2022</p> <p>With a change from remote to hybrid meeting protocol.</p> <p>To go to standards committee.</p>	

			<p>In addition, the Secretary of State for HC&amp;LG stated that he considers that:</p> <p>“the legislative scheme should be interpreted consistently”, and that:</p> <p>“references to a meeting being "open to the public" or "held in public" should equally be interpreted as referring to physical attendance by the public."</p> <p>This Council RESOLVES that the Standards Committee is tasked to</p> <ol style="list-style-type: none"> <li>1. Review the Remote Meetings Protocol, and also consider whether or not it should form part of the Constitution; and</li> <li>2. Consider whether any formal proceedings of the Council should be held online: <ul style="list-style-type: none"> <li>• that are required to be ‘open to the public’ or ‘held in public’; or,</li> <li>• where members are required to ‘attend’ or be ‘present’; or,</li> <li>• where any notice that is required to be given that must specify the ‘place’ where those proceedings are to be conducted;</li> </ul> </li> </ol> <p>and to make recommendations to Council, accordingly</p>		
13.10.22	583	Cllr E Lloyd	<p>This Council resolves to:</p> <ol style="list-style-type: none"> <li>1. Recognise this Council’s obligation to protect its rivers and seas, including from the cumulative impacts of pollution, in line with its local strategy and the National Planning Policy Framework and working with other agencies to do so.</li> <li>2. Recognise that deterioration of water quality occurs due to cumulative impact of multiple sewage discharge events, or "sewage overload".</li> <li>3. Compile an evidence base that assesses the cumulative impact of wastewater / sewage discharge on local rivers, wildlife and the health of residents, and factor this into</li> </ol>	Approved by Council – 26 October 2022	

decisions made in new iterations of the local plan, including the overall level of future development.

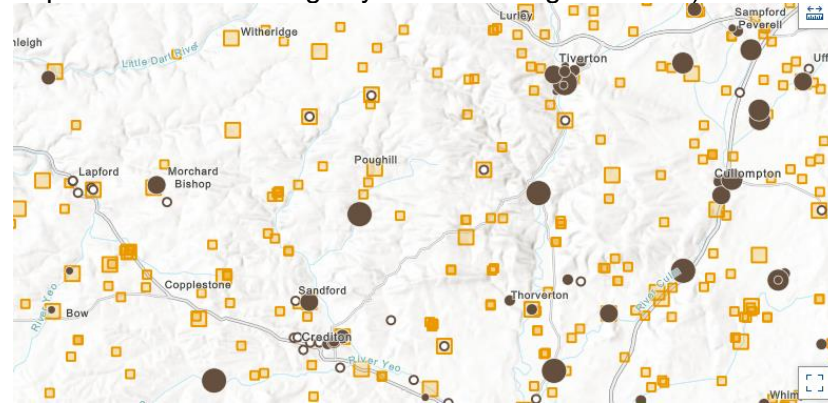
4. Ask the Scrutiny committee, or other appropriate committee, to invite a senior representative of South West Water, the Environment Agency and Natural England, to attend a meeting to answer questions on the current levels of sewage discharge.
5. If it does not already do so, ask South West Water in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage and whether they have capacity to do so; and whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas. If it does have this information, make a request to share it.
6. Request that officers update members with a report on:
  - a) what they do to maintain flood defences and channels that fall under the responsibility of MDDC,
  - b) what they do to protect main rivers and private water courses (and how often inspection/enforcement is undertaken by MDDC or the Environment Agency),
  - c) the information currently required in reports relating to the impact of large developments on local watercourses (e.g. the impact of sewage outflow into watercourses),
  - d) whether any large developments have been recently approved (or are under consideration) without suitable sustainable drainage systems in place and reasons why,
  - e) the tools currently available to MDDC to protect local rivers, and what other tools, policy or resources they'd like to see that would help MDDC fulfil its obligation to protect rivers and seas

Background

Residents are concerned about water quality and the impact of regular wastewater discharge, which includes untreated sewage, into our local rivers and seas and the impact on wildlife and on human health. The UK has the dirtiest rivers in Europe. Here in Mid Devon, in 2021, South West Water discharged sewage into local rivers and seas over 2,068 times, totalling over 20,853 hours of sewage discharge in just one



year (monitoring was carried out on 53 of the 93 storm overflows). The map below shows where the sewerage network discharged treated sewage and overflows of untreated sewage and storm water into rivers in England & Wales in 2021. (Source: Rivers Trust Map at <https://theriverstrust.org/key-issues/sewage-in-rivers>)



Key:

- Brown circles: Storm overflows with Event Duration Monitoring
- Clear circles: Storm overflows without Event Duration Monitoring
- Yellow squares: where treated sewage is discharged into rivers (this can also pose a risk to public health. In some cases, harmful bacteria levels in treated sewage can be many times higher than the minimum public health standards for bathing waters)

Releasing sewage into rivers no longer occurs only as a result of severe storms but is an everyday occurrence even in 'normal' rainfall. The amount of rainfall will increase as the climate changes. There is cumulative overload on the sewage and wastewater system. Whilst there are long term commitments, there are no plans in place which will address the immediate unacceptable situation either locally by South West Water or by national government. Both the local strategy

			and national planning policy requires a robust approach to both water quality and pollution. As far as we're aware, it is not practice to ask water companies to report on cumulative impact i.e. whether or not development may lead to any potential increase in 'emergency' discharge into rivers and seas.		
9.11.22	584	Cllr R Radford	"In the interest of a compromise, Halberton Parish wish to confirm acceptance of options 1 & 2 and that option 3 should be withdraw"	Withdrawn.	
22.11.22	585	Cllr A Wilce	<p>Item 67</p> <p>To ensure that a correct record of proceedings is entered into the permanent record</p> <p>MOTION</p> <p>At item 67, to remove the paragraph commencing "The Chairman moved' and to replace with:</p> <p>The Chairman MOVED from the Chair that the RECOMMENDATION be approved, without asking if any Member wanted to speak.</p> <p>The item was then considered by members. Cllr Cruwys then proposed a MOTION WITHOUT NOTICE in accordance with Procedure Rule 15.1k, that the question now be put. A vote was then taken.</p> <p>It was not made clear by the Chairman or any Officer present that the vote was not being taken on the procedural motion and there was no further vote on the substantive motion.</p> <p>The substantive motion being the item under discussion, and that motion having not been voted upon, it is pragmatic to assume that, notwithstanding the breach of procedure rules, it was the substantive motion (and not the procedural motion) that Members thought they were voting on, and that was CARRIED.</p>	<p>Withdrawn.</p> <p>28.11.22</p> <p>Prior to any meeting.</p>	

			The appointment of Monitoring Officer is therefore CONFIRMED.		
22.11.22	586	Cllr A Wilce	<p>Item 71</p> <p>To ensure that a correct record of proceedings is entered into the permanent record</p> <p>Motion</p> <p>At item 71, to remove:</p> <ul style="list-style-type: none"> <li>The report had been added as a supplement to the Council summons as it had not been available on the day the summons was published and that this was permitted under Local Government Act (access to information) 1975 s100B part 3</li> </ul> <p>And to insert above 'Consideration was given to:'</p> <p>Cllr Wilce raised a point of order to the effect that the Agenda item could not be considered by members because the Chairman was not following legislation, namely that the Agenda item had not been published 5 clear days in advance and that the conditions contained in s100B(4)(b) of the Local Government Act 1972 to permit late additions to the Agenda had not been complied with. Cllr Wilce then read out the provisions of that section:</p> <p>(4) An item of business may not be considered at a meeting of a principal council unless either—</p> <p>(a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least [F4five clear days] before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or</p> <p>(b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the</p>	Withdrawn. 28.11.22 Prior to any meeting.	

			<p>opinion that the item should be considered at the meeting as a matter of urgency.</p> <p>The Monitoring Officer stated that the report had been added as a supplement to the Council summons as it had not been available on the day the summons was published and that this was permitted under s100B(3) Local Government Act, to which Cllr Wilce dissented.</p> <p>Cllr Wilce pointed out that, for the exemption from the requirement to publish an agenda item 5 clear days in advance, s100B(4)(b) required that the Chairman express an opinion as to the urgency of the item and that no special circumstances, no opinion, nor any reasons for urgency had been given by the Chairman.</p> <p>No further explanation was given by the Chairman and the point of order was not ruled upon as required by the Constitution.</p>		
22.11.22	587	Cllr A Wilce	<p>Item 73</p> <p>To ensure that a correct record of proceedings is entered into the permanent record</p> <p>Motion:</p>	<p>Withdrawn. 28.11.22 Prior to any meeting.</p>	

			<p>At item 73, to remove:</p> <p>Consideration was given to</p> <ul style="list-style-type: none"> <li>The report had been added as a supplement to the Council summons as it had not been available on the day the summons was published and that this was permitted under Local Government Act (access to information) 1975 s100B part 3</li> </ul> <p>And to insert:</p> <p>The report had been added as a supplement to the Council summons as it had not been available on the day the summons was published.</p> <p>Cllr Wilce pointed out that the item had not been published 5 clear days in advance of the meeting and the conditions of urgency needed to be met for permitting the item to be considered had not been met.</p> <p>No further explanation was given by the Chairman.</p>		
22.11.22	588	Cllr A Wilce	<p>At item 81</p> <p>To ensure that a correct record of proceedings is entered into the permanent record</p> <p>Motion:</p> <p>At item 81, to remove:</p> <p>Consideration was given to</p> <ul style="list-style-type: none"> <li>The report had been added as a supplement to the</li> </ul>	Withdrawn. 28.11.22 Prior to any meeting.	

			<p>Council summons as it had not been available on the day the summons was published and that this was permitted under Local Government Act (access to information) 1975 s100B part 3</p> <p>And to insert: The report had been added as a supplement to the Council summons as it had not been available on the day the summons was published. Cllr Wilce pointed out that the item had not been published 5 clear days in advance of the meeting and the conditions of urgency needed to be met for permitting the item to be considered had not been met. No further explanation was given by the Chairman.</p>		
22.11.22	589	Cllr A Wilce	<p>Motion</p> <p>That, unless the meeting has been called at shorter notice (or where separate arrangements apply to Cabinet), this Council will only consider items/documents that have been added to an Agenda with less than 5 clear days notice if the Chairman considers the matter to be urgent (I.e. where it is strictly necessary to address the matter as soon as possible, to prevent significant harm).</p> <p>And, if the matter is considered with less than 5 clear days notice, those reasons shall be recorded in the Minutes</p>	Withdrawn. 28.11.22 Prior to any meeting.	
16.1.23	590	Cllr S Penny	<p>The council agrees that a review of the current practice of housing allocation by Devon Home Choice takes place. A number of residents have raised concerns over the lack of available social housing opportunities for the people of Mid Devon within the current scheme.</p> <p><b>Minute extract (minute 131):</b></p> <p>Cllr G Barnell <b>MOVED</b> an <b>AMENDMENT</b>, Seconded by Cllr R</p>	Amendment of Motion Approved by Council – 22 February 2023	

			<p>Evans that:</p> <p>“The Scrutiny Committee to conduct an investigation both into the allocation policy and into the delivery of social and affordable rented housing by the Council.”</p> <p>Therefore the amended motion would read:</p> <p>This Council agrees that a review of the current practice of housing allocation by Devon Home Choice takes place, together with a review of the Council’s performance and plans in delivering affordable and social rented housing. A number of residents have raised concerns over the lack of available social housing opportunities for the people of Mid Devon within the current scheme. The Council resolves to ask the Scrutiny Committee to commission this review and to report to Council and Cabinet as soon as possible.</p> <p>Upon a vote being taken, the <b>AMENDMENT</b> was declared to have <b>CARRIED</b>.</p>		
8.02.23	591	Cllr Mrs N Woollatt	<p>That this Council recognises that in order for the taxpayers to have faith in the ability of the Mid Devon District Council to make effective and transparent decisions that there has to be a fundamental change in the decision making process.</p> <p>That this Council also acknowledges that in a mature democracy there is a need for inclusive government which enables all members to make a valuable contribution in the running of the Council.</p> <p>Therefore this Council resolves to change from the Cabinet system of governance to a modernised committee system to be implemented from the Annual meeting of 2024.</p>	Motion Approved by Council – 22 February 2023	

9.02.23	592	Cllr C J Eginton	<p>As per the Constitution, Article 6 - The Executive (Cabinet) 6.3(d) Removal of the Leader, I wish to formally submit and propose the following motion: That , Cllr Bob Deed, be removed from the position of the Leader of the Council with immediate effect.</p>	Withdrawn.	
19.06.23	593	Cllr N Woollatt	<p>Motion: Leisure Services VAT</p> <p><del>3. That this Council is pleased at the outcome of the legal challenge which has concluded in March that local authority leisure services are to be treated as non-business for VAT purposes and welcomes the Leisure VAT refund of almost £3M now due from HMRC.</del></p> <p><del>4. The use of this significant refund should be considered carefully, and this Council should have an input on how it is dealt with. Therefore, this Council asks that a report be prepared for the appropriate Policy Development Group to consider the various issues and options available and then make recommendations to Cabinet and Council in the usual way in relation to the budget.</del></p> <p><del>5. That this Council recommends to Cabinet that Mid Devon now stops collecting the VAT element included in any current pricing for Leisure Services which can now be classified as 'non-business' and reduces the price to</del></p>	Amended Motion Approved 19 July 2023	



			<p>customers by that amount.</p> <p><del>6. That IF this Council wishes to increase Leisure Service pricing on services which are now classified as 'non-business' for VAT purposes that it should do so in an open and transparent way by conducting a review of pricing through the appropriate Policy Development Group before making recommendations to Cabinet in the usual way.</del></p> <ol style="list-style-type: none"> <li>1. That this Council is pleased at the outcome of the legal challenge which has concluded in March that local authority leisure services are to be treated as non-business for VAT purposes and welcomes the Leisure VAT refund of almost £3M now due from HMRC to support the past and continued subsidisation of the Council's Leisure Services.</li> <li>2. This Council asks that a report be prepared for the appropriate Policy Development Group to consider the various issues and options available and then make recommendations to Cabinet and Council in the usual way in relation to the budget.</li> <li>3. That the Council should consider changes to the Leisure Services Pricing structure after a full review and recommendation from the relevant PDG.</li> <li>4. That this council should fully review all leisure pricing in an open and transparent way by conducting a review of pricing through the appropriate Policy Development Group before making recommendations to Cabinet in the usual way for implementation from 1st April 2024 (2024-2025) financial year. And that the review should have due regard for the subsidy given to the leisure services and the impact on the wider district Taxpayer of any reduction.</li> </ol>		
19.06.23	594	Cllr N Woollatt	<p>Motion: Mitigation of 3 Rivers Impairments</p> <ol style="list-style-type: none"> <li>1. That this Council does not approve of the suggestion that funds expected from the HMRC VAT refund may be used to finance the impairments of loans to 3 Rivers <b>and wishes to make clear that the VAT refund that it expects to receive will support the past and continued subsidisation of the</b></li> </ol>	Amended Motion Approved 19 July 2023	

			<p><b>Leisure Services, of around £1.4 million per year.</b>  <del>That this Council has concerns that utilising funds earmarked for a new waste depot to finance impairments of 3 Rivers loans will affect this Council's ability to deliver a new waste depot and lead to increased costs.</del></p> <p><b>2. That this Council has concerns that utilising funds earmarked for a new waste depot to finance impairments of 3 Rivers loans will affect this Council's ability to deliver a new waste depot and lead to increased costs and requests that a Council – 19 July 2023 7 report detailing the consequences of such a decision is reviewed by the relevant PDG and Audit Committee.</b></p> <p><del>That this Council asks for a report to be prepared for the Audit Committee covering the impairment of loans to 3 Rivers, the impact on Council finances and planned projects and options for alternative ways to mitigate the impairments, preferably in areas which will have a lesser impact and cost to council service users.</del></p> <p><b>3. That once the future of 3 Rivers is decided by this Council, and the financial impact of this decision is fully assessed, this Council asks for a report to be prepared for the Audit Committee covering the impairment of loans to 3 Rivers, the impact on Council finances and planned projects and options for alternative ways to mitigate the impairments.</b></p>		
6.07.23	595	Cllr R Gilmour	<p>“Mid Devon District Council urgently calls on Devon County Council to use the money they have received from HMG to mend the dangerous potholes in Mid Devon roads. MDDC calls on DCC to prioritise the worst examples to prevent further accidents and damage to vehicles, including tractors. The latter is a further expense that our hard-pressed farmers cannot afford. We also call upon, West Devon District Council, East Devon District Council, North Devon District Council, Teignbridge District Council, South Hams District Council to</p>	Withdrawn	

			write to Devon County Council in the same vein.”		
10.07.23	596	Cllr R Gilmour	<p>1) Mid Devon District Council call on Devon County Council to fulfil their statutory obligations under Section 41 of the 1980 Highways Act, that requires them to maintain Devon's roads and to keep them safe. Further, to explain the financial position regarding the funds promised by HMG, and received to date, the proposed remedial actions for the roads in Mid Devon District Council to be undertaken before this winter and the spending/budget allocations between 2022/3 - 2025/6.</p> <p>2) Mid Devon District Council agrees to establish an on-line petition to include the following:</p> <p>Our roads in Mid Devon have become dangerous and a liability to drivers, passengers, other road users and pedestrians.</p> <p>Now, we the electorate of Mid Devon District Council are calling on Devon County Council to fix our dangerous roads and if they do not have sufficient funding to demand this from Central Government.</p>	Motion Approved by Council 6 <sup>th</sup> September 2023	
10.07.23	597	Cllr L Kennedy	In the interests of animal welfare this council prohibits the use of animals as prizes in any form of competition, games of chance or tests of skill of any kind at events commercial or private, promotions or gatherings organised or not on any land owned or controlled by Mid Devon District Council.	Motion Approved by Council 6 <sup>th</sup> September 2023	
18.10.23	598	Cllr N Letch	This Council resolves to write to Devon County Council and demonstrates its support for the mobile library service, to see it maintained and that other community service options are considered to ensure the viability of the service.	Motion Approved by Council 1 <sup>st</sup> November 2023	

19.10.23	599	Cllr L Taylor	<p>This Council condemns the repeated failure of the respective authorities to repair the wall abutting the River Lowman at Chapel Street in Tiverton.</p> <p>The Council requests the Director of Place to contact both Devon County Council as the highway authority and the Environment Agency as the river authority, to ensure that they understand the need to resolve this as a matter of priority.</p>	Motion Approved by Council 1 <sup>st</sup> November 2023	
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Date Received	Number of Motion	Member Giving Notice	The Motion	Motion Carried or amended	Outcome of the Motion	Changes to the Constitution required/made
23.11.2023	600	Cllr James Buczkowski	<p><b>Motion on the Poverty Premium</b></p> <p><b>This council notes that:</b></p> <ul style="list-style-type: none"> <li>· Lower income households are affected by the ‘poverty premium’ by being forced to pay more than those on higher incomes to use essential services such as energy, credit and insurance.</li> <li>· Expert assessment indicates 23% of Households in the Tiverton and Honiton Constituency and 20% of Households in the Central Devon Constituency are being penalised by this - costing local residents in the two constituencies £7.2 million a year to simply do the same basic things as those on higher incomes.</li> <li>· On average the poverty premium costs those households affected around £400 a year: equivalent to three weeks of food bills for a family of four.</li> <li>· Lack of government action to properly regulate the commercial practices of national and international companies is the primary cause of these costs.</li> <li>· Access to local banking and insurance services has significantly worsened in recent times.</li> </ul> <p><b>This council:</b></p> <ul style="list-style-type: none"> <li>· Opposes this as a penalty for lower income households which exacerbates the difficulties of those managing on low incomes.</li> <li>· Condemns the government for doing too little to tackle the poverty premium.</li> </ul>	Motion Approved 20 <sup>th</sup> December 2023		N/A

		<ul style="list-style-type: none"> <li>· Believes that tackling the poverty premium is an essential part of levelling up.</li> <li>· Calls upon the Government to act urgently to address these additional costs to our lowest income residents.</li> </ul> <p><b>Therefore, the council resolves to:</b></p> <ul style="list-style-type: none"> <li>· Endorse the Fair By Design Roadmap for tackling the Poverty Premium (Attached)</li> <li>· Instruct the Leader of the Council to write to the relevant government minister demanding: <ul style="list-style-type: none"> <li>○ Urgent action to tackle all forms of poverty premium including those imposed by energy suppliers, insurers, credit sources, banks and other bodies.</li> <li>○ A broadening of the Financial Conduct Authority regulation of credit costs to cover those not currently covered.</li> <li>○ A partnership between the relevant regulators to tackle all forms of poverty premium.</li> <li>○ Beyond immediate action, an inquiry into the scourge of the poverty premium and a strategy to prevent recurrence.</li> </ul> </li> <li>· Take action locally by: <ul style="list-style-type: none"> <li>○ Taking a lead on creating a Vulnerable Citizens Strategy, which should include making sure people on low incomes don't end up paying more for their essential services and products.</li> <li>○ Investigating local mechanisms for reducing the poverty premium caused by financial services, for example working with ATM providers and exploring local alternative Insurance, credit and banking options including the merits of a community mutual bank.</li> <li>○ Working with other local agencies, community</li> </ul> </li> </ul>			
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			<p>groups and charities to promote take up of available benefits and grants.</p> <ul style="list-style-type: none"><li>○ Encouraging local business to commit to Poverty Premium Proofing.</li><li>○ Working with social and private landlords in Mid Devon to ensure every tenant is automatically placed on the cheapest energy tariff for their needs, minimising the cost of moving into a social housing home and that tenants are provided poverty premium avoidance advice and support.</li><li>○ Working with other local employers to support low-income employees to avoid the Poverty Premium.</li><li>○ Working across the Council to identify further measures it can take.</li></ul> <p>Further Reading and Supporting Information <a href="#">Mapping the poverty premium in Britain (bristol.ac.uk)</a> <a href="#">Ending the poverty premium – Fair By Design</a></p>			
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Date Received	Number of Motion	Member Giving Notice	The Motion	Motion Carried or amended	Outcome of the Motion	Changes to the Constitution required/made
06.11.2023	601	Cllr Gill Westcott	<p>Motion: Conflict in Gaza: call for a ceasefire and community safety for religious and ethnic minorities in Mid Devon.</p> <p>This Council</p> <ul style="list-style-type: none"> <li>• Expresses deep sympathy for all those affected by the conflict in Israel and Palestine. To those in the Mid Devon area who have been affected by this conflict we offer our support in this difficult time.</li> <li>• Calls on the UK government to do everything possible to encourage an immediate further release of all hostages and an immediate ceasefire to allow more medical aid and essential supplies into Gaza; and the possibility of a peaceful long term resolution.</li> <li>• Believes Muslims, Jews and people of all faiths and none should feel safe and supported throughout the world and condemns the increase in antisemitic and Islamophobic violence and abuse in the UK.</li> <li>• Condemns the use of all dehumanising language and calls on our communities to treat each other with respect and refrain from inflammatory terms to describe either the Palestinian or Israeli populations, especially in a</li> </ul>	Amended Motion Approved 20 <sup>th</sup> December 2023		N/A



			<p>time of crisis.</p> <p><del>The Council resolves to fly the UN flag as a symbol of peace outside Phoenix House until a ceasefire is agreed.</del></p>			
28.02.2024	602	Cllr Lance Kennedy	<p>Motion: Posthumous awards to emergency service workers</p> <p>This council supports the National campaign to award emergency services workers killed on duty a posthumous medal to recognise the sacrifice given on our behalf and requests the Chief Executive and Chairman of the council to write to Rt.Hon. Chris Philp MP, Minister of State for Crime, Policing and Fire expressing our support.</p>	Approved 21 <sup>st</sup> February 2024	The Council wrote to Rt.Hon. Chris Philp MP, Minister of State for Crime, Policing and Fire expressing our support.	N/A
28.02.2024	603	Cllr Lance Kennedy	<p>Motion: Dangerous toys &amp; packaging</p> <p>In the interest of animal welfare this council supports the banning of toys and packaging, such as hollow Frisbee type rings and multiple plastic drink can-rings, which can become lodged around the necks of seals, birds and other animals causing unnecessary suffering and death various animals including endangered species. This Council</p>	Amendment Approved 21 <sup>st</sup> February 2024	The Council wrote to the relevant Minister.	N/A

			<p>therefore resolves this to be the policy of the Council.</p> <p>Amendment to the motion and would read:</p> <p>In the interest of animal welfare this council supports the banning of toys and packaging, such as hollow Frisbee type rings and multiple plastic drink can-rings, which can become lodged around the necks of seals, birds and other animals causing unnecessary suffering and death various animals including endangered species. This council supports the banning 3 of toys and packaging, such as hollow Frisbee type rings and multiple plastic drink can-rings, which can become lodged around the necks of seals, birds and other animals causing unnecessary suffering and death various animals including endangered species. This Council therefore resolves this to be the policy of the Council and write to the relevant Ministers.</p>			
28.02.2024	604	Cllr Beckett Fish	<p>Motion: Proportional Representation</p> <p>First Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men. In Europe, only the UK and authoritarian Belarus still use archaic single-round FPTP for general elections. Internationally, Proportional</p>	Amendment approved 21 <sup>st</sup> February 2024	The Council wrote to H.M. Government and leader of opposition calling for a change in our outdated electoral laws and to enable Proportional	N/A

		<p>Representation (PR) is used to elect the parliaments of more than 80 countries. These countries tend to be more equal, freer and greener. PR ensures all votes count, have equal value, and that seats won match votes cast. Under PR, MPs and Parliaments better reflect the age, gender, and protected characteristics of both local communities and of the nation.</p> <p>MPs better reflecting the communities they represent in turn leads to improved decision-making, wider participation, and increased levels of ownership of decisions taken. PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. Fair, proportional votes also prevent 'wrong winner' elections such as occurred in 1951 and February 1974. PR is the national policy of the Labour Party, Liberal Democrats, Green Party, SNP, Plaid Cymru, Reform UK and Women's Equality Party along with a host of Trade Unions and pro-democracy organisations. PR is already used to elect the parliaments and assemblies of Scotland, Wales, and Northern Ireland. Its use should now be extended to include Westminster.</p> <p>This Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral</p>		<p>Representation to be used for UK general elections and Local elections and write to the Leader of the opposition.</p>	
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laws and to enable Proportional Representation to be used for UK general elections.

Amendment to the motion and would read:

First Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men. In Europe, only the UK and authoritarian Belarus still use archaic single-round FPTP for general elections. Internationally, Proportional Representation (PR) is used to elect the parliaments of more than 80 countries. These countries tend to be more equal, freer and greener. PR ensures all votes count, have equal value, and that seats won match votes cast. Under PR, MPs and Parliaments better reflect the age, gender, and protected characteristics of both local communities and of the nation. MPs better reflecting the communities they represent in turn leads to improved decision-making, wider participation, and increased levels of ownership of decisions taken. PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. Fair, proportional votes also prevent 'wrong winner' elections such as occurred in 1951 and February 1974. PR is the national policy of the Labour Party, Liberal Democrats, Green Party, SNP, Plaid

			<p>Cymru, Reform UK and Women’s Equality Party along with a host of Trade Unions and pro-democracy organisations. PR is already used to elect the parliaments and assemblies of Scotland, Wales, and Northern Ireland. Its use should now be extended to include Westminster.</p> <p>This Council therefore resolves to write to H.M. Government and leader of opposition calling for a change in our outdated electoral laws and to enable Proportional Representation to be used for UK general elections and Local elections and write to the Leader of the opposition.</p>			
<b>Date Received</b>	<b>Number of Motion</b>	<b>Member Giving Notice</b>	<b>The Motion</b>	<b>Motion Carried or amended</b>	<b>Outcome of the Motion</b>	<b>Changes to the Constitution required/made</b>
30/07/2024	605	Cllr M Binks	<p>I would like the following motion to be brought before the Full Council at the next meeting, on the 4<sup>th</sup> of September,</p> <ul style="list-style-type: none"> <li>a) Mid Devon District Council recognises and notes the huge contribution made by our farmers, growers and the drink industry to the local economy, environment, and rural economies.</li> <li>b) Mid Devon District Council commits to further enhancing our partnerships alongside our arable, livestock and dairy farmers to enhance our beautiful countryside.</li> </ul>	Amendment As per outcome of motion on 4 <sup>th</sup> September 2024	The Motion be presented to the Planning, Environment and Sustainability PDG and come back to Full Council at a later date.	N/A

			<p>c) Mid Devon District Council also commits to supporting our local farmers and growers and the food and drink sector by, where possible, ensuring that all food and drinks provided at council organised events is sourced from local suppliers, to always include meat and dairy as well as plant-based produce.</p> <p>d) As part of tackling the environmental priorities for Mid Devon District Council; the Council will consider ways to encourage our residents, where possible, to shop locally, taking full advantage of home-grown, affordable and nutritious produce, including meat, dairy and plant-based options, thus reducing food miles to our tables and boosting the economy.</p>			
Date Received	Number of Motion	Member Giving Notice	The Motion	Motion Carried or amended	Outcome of the Motion	Changes to the Constitution required/made
17/10/24	607	Cllr C Harrower	<p><b>Motion to MDDC: Changes to the Winter Fuel Allowance; Protecting and Relieving Pensioners from Fuel Poverty.</b></p> <p>This Council notes with great concern the recent decision by the Labour Government to restrict the Winter Fuel Payment (WFP) to pensioners who are in receipt of Pension Credit (PC). Age UK has estimated that this change will result in 2 million pensioners,</p>			

who are in critical need of the payment (to stay warm this winter), losing this allowance.

WFPs have been an essential support for many older residents across the UK, including those in Mid Devon, to afford sufficient heating during the coldest months, to prevent 'heat or eat' dilemma and to safeguard health. Charities such as Age UK, The Countryside Alliance, CHAT and other stakeholders have voiced significant concerns regarding the social injustice and health risks associated with this sudden and unexpected change. This change came about without adequate notice of this Government's intent to deprive so many of our pensioners of a warm home this winter. This seemingly 'snap decision' to Means Test WFPs is unfair and deeply goes counter to the financial contribution that pensioners have made to our Economy throughout their long and productive lives.

This Council believes that the Labour Government has set the threshold at which our pensioners do not qualify for WFPs as being set far too low. Only those currently receiving a pension of less than £218.15 per week (or £332.95 for couples) are eligible for Pension Credit (PC). This is significantly less than the Living Wage of £457.60. Moreover, our fuel and food costs

continue to rise.

This Council is concerned by the low take-up of PC, with only 63% of those eligible, nationwide, receiving it, and over 880,000 not receiving it. Administrative barriers and stigma may prevent many eligible pensioners from claiming PC, leaving them without the financial support they desperately need.

This Council further notes that the Energy Price Gap has risen by 10% in October 2024, which, combined with the removal of WFPs, will push thousands more pensioners into fuel poverty this winter.

**This Council recognises that:**

- The WFP has been a crucial lifeline for many older people across the UK and restricting it only to those on PC risks leaving many pensioners in serious financial hardship.
- Whilst some pensioners in receipt of the payment may not be in financial need, many others, particularly those just above the threshold, will lose this essential support. This method of selection appears ill conceived and needs urgent reconsideration. Being just £10 over the PC limit will subject a pensioner to a loss of £290 and will make it likely that they will



enter fuel poverty over this next winter, whilst, for someone whose income is £10 under the PC limit this winter will retain the £300. This seems morally wrong.

- Another consideration of great importance to this Council is that, without heat, warmth and/or good nutrition through the winter months, there will be a big increase in hospital admissions, most likely due to chest infections, pneumonia, etc. This will put even more strain on our NHS, in what is the busiest time of their year. This surely will adversely impact Government expenditure.

**This Council is currently undertaking the following:**

1. Launching a Council led awareness campaign to ensure that those eligible for Pension Credits are made aware of the benefit, including access to Winter Fuel Payments, and to encourage take-up of their entitlement. Strengthening local efforts to promote Pension Credit uptake through Council services and partnerships with local Charities and community organisations, ensuring that all eligible pensioners in Mid Devon are supported in claiming their

			<p>entitlement. We are proud of MDDCs efforts to date, which are already in process.</p> <p>2. Promoting and supporting the NHS vaccination programme, taking due notice of the health and welfare of our elderly.</p> <p><b>This Council resolves to:</b></p> <p>1. Request that the Leader of the Council write to the Chancellor of the Exchequer, calling for the policy of linking Winter Fuel Payments to Pension Credit receipt to be immediately paused. This should enable time for the introduction of a new and honourable financial threshold, used to determine eligibility for Pension Credit.</p> <p>2. Also request that the Leader writes to all MPs covering Mid Devon, asking them to give their formal support to halting the changes to the Winter Fuel Payment eligibility, certainly for this winter, whilst further solutions are explored ready for implementation next year (Winter 2025).</p> <p>3. Investigate whether Mid Devon’s public buildings can be used as part of the ‘Warm Spaces’ initiative for Winter 2024/5, ensuring</p>			
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			that vulnerable residents have access to heated spaces during the colder months, and encourage Town and Parish Councils to participate.			
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