

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on Thursday 4 September 2014 at 10.10am

Present

Councillors: P H D Hare-Scott (Leader),
R J Chesterton, N V Davey, C J Eginton, Mrs
B M Hull, C R Slade and R L Stanley

Also Present

Councillors: Mrs L J Holloway and Mrs N Woollatt

Also Present

Officers: K Finan (Chief Executive), A Jarrett (Head of Finance), J Guscott (Head of Planning and Regeneration), J Clifford (Professional Services Manager), P R Williams (Forward Planning Team Leader) and S Gabriel (Principal Member Services Officer).

40 **PUBLIC QUESTION TIME (00-15-88)**

Cllr Guest (Cullompton Town Mayor) stated that Cullompton Town Council were in support of both Agenda Item 5: recommendation b – the location of a large urban extension to the east of Cullompton and Item 6: The North West Extension development subject to the following concerns:

- The North West Extension distributor road needed to be wide enough to take large vehicles and agricultural vehicles and it would have to cope with excess traffic should the M5 be closed and traffic diverted.
- The location of the sports pitches and additional sports facilities
- The location of the primary school
- The location of the gypsy and traveller pitch and whether the fairground travelling community counted towards Government's requirements

The Leader stated that answers to the above concerns would be addressed during the officer's presentation.

41 **MINUTES (00-04-48)**

The Minutes of the Meeting held on 31 July 2014 were approved as a correct record and **SIGNED** by the Chairman.

42 **MATTERS REFERRED BY NON-EXECUTIVE BODIES OF THE COUNCIL**

There were no recommendations from non-executive bodies.

43 LOCAL PLAN REVIEW PROGRESS AND PRELIMINARY KEY DECISIONS (00-05-30)

The Cabinet had before it a report * from the Head of Planning and Regeneration reporting the progress of the Local Plan review and the Strategic Housing Market Assessment (SHMA), and identifying preliminary preferences on the strategic direction of the Local Plan.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report highlighting the reasons for the delay in the progress of the Local Plan Review and outlined the guidance which referred to the preparation of Strategic Housing Market Assessments (SHMA); the draft document received from the consultants had not covered all the required points which included market signs and economic forecasts. Following extra work to finalise the SHMA, Cabinet meetings were now expected to be held in November followed by Council in December with consultation commencing in January 2015.

He highlighted the need for strategic decisions to be made to meet the Mid Devon's future housing need from the following options:-

- A town centre approach (in the 3 main towns), or
- New settlements in either land east of Cullompton or between J27 and Willand.

The consultation process that had taken place at the beginning of the year to which 1200 responses had been received and had indicated that there was little support for the expansion of Tiverton, some had supported a new settlement between J27 and Willand, however the majority of support had been for the expansion of Cullompton to the east and this was supported by Cullompton Town Council. A letter had been received from Hallam Land Management who had interests in developing J27 expressing concern with regard to the recommendation within the report. The Forward Planning Team Leader had provided a response regarding the concerns raised.

Consideration was given to the following issues:

- Support from Ward Members for development east of Cullompton
- J28 improvements and general infrastructure
- Possible S106 agreements
- Cullompton Neighbourhood Plan
- Fear of 2 separate towns divided by the M5
- The need for the SHMA to take all employment land into consideration.

It was therefore:

RESOLVED that:

a) Progress on the preparation of the Local Plan and the preparation of the SHMA be **NOTED**;

b) A preference for a new settlement strategy being the location of a large urban extension to the east of Cullompton instead

of the current town centred strategy be endorsed;

c) A report on a revised Local Development Scheme be prepared for the next meeting of the Cabinet on 2 October 2014.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the signed Minutes.

44 **CULLOMPTON NW URBAN EXTENSION- MASTERPLAN – SUPPLEMENTARY PLANNING DOCUMENT (00-36-20)**

The Cabinet had before it a report * of the Head of Planning and Regeneration submitting information on the Masterplan Supplementary Planning Document (SPD) for stage 1 public consultation.

The Professional Services Manager outlined the contents of the report highlighting the timetable for the 1st stage of public consultation. The draft documentation set out the policy requirements for the development North West of Cullompton, the proposed scope of the masterplan and addressed the key issues that were emerging at this stage of the process. She identified by way of presentation:

- The size of the allocated site
- The number of dwellings proposed
- The proposed siting of a new primary school
- The proposed link road between Tiverton Road and Willand Road
- The need to alleviate town centre traffic

The following emerging issues were highlighted:

- The emerging area of development and its constraints
- Options for the termination points of the link road
- Options for the location of the playing pitches
- The topography of the area
- Options for the location of the primary school
- Traffic movements
- Options for the location of the employment allocation
- Options for the location of the proposed gypsy and traveller pitches and the need for them. That there was also a separate need to provide plots for travelling show persons which did not count towards gypsy and travellers pitch provision.

She outlined two emerging layout options available which were based on the number of dwellings proposed; this would also affect the distribution of development in relation to the green infrastructure, the road layout, the community centre and the location of the school. Both options would form part of the 4 week consultation period.

Consideration was given to the following:

- The need for the Town Council's views to be considered and that a further option for the location of the playing pitches towards the north of the allocation were be added for consultation purposes

- Landownership issues and the need to link the road throughout the site
- The hope that the development would commence to the north of the site to lessen the impact of development in Tiverton Road.

RESOLVED that:

a) Subject to the changes identified in Section 5.0 being made, information on the Masterplan Supplementary Planning Document be submitted for stage 1 public consultation;

b) Delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise the consultation material.

(Proposed by the Chairman)

Note: * Report previously circulated; copy attached to the signed Minutes.

45 **FINANCIAL MONITORING AND DEPARTMENTAL SAVINGS MEETINGS HELD IN JULY AND AUGUST. (1-07-50)**

The Head of Finance updated the Cabinet on the financial monitoring which had taken place to date and the outcome of the meetings that had taken place between himself, the Chief Executive and service managers. He stated that he had predicted an £227k overspend on the General Fund for year end and this had not materially changed. Most of the income flows had remained static excluding Building Control. The HRA showed a surplus of £30k which should improve over the coming months.

The budget saving meetings with service managers had taken place and had commenced with a £1m budget gap due to cuts in the formula grant and income flows below budget, however following the aforementioned meetings £750 – 800k savings had been found therefore a further £250k saving would be required to set a balanced budget for 2015/16.

Discussion took place regarding the predicted savings in waste and redundancy costs.

46 **CABINET MEMBER INDIVIDUAL DECISION (1-17-55)**

The Cabinet **NOTED** that the Cabinet Member for Community Well-Being had approved the following:

a) To offer a Seed Fund grant to the following organisations:

(1) CHAT (Churches Housing Action Team) £4,000 in 2014/15, £3,000 in 2015/16 and £2,000 in 2016/17 to establish an outreach service in Crediton offering tenancy support. The project will assist vulnerable tenants living in Crediton and surrounding villages with different aspects of their tenancies with an aim of preventing homelessness and promoting independent living.

(2) Chawleigh Jubilee Hall – £4,000 in 2014/15 to remove existing roof covering of community hall, safely remove asbestos, and replace with a new roof.

(3) Room 4 U - £5,000 in 2014/15, £4,000 in 2015/16 and £3,000 in 2016/17 to purchase and convert a former toilet block in the centre of Silverton in order to provide a warm and friendly environment for older people for health and well-being activities, social opportunities to reduce the risk of isolation and access to complimentary therapies. The recommended award is contingent on the provision of more detailed costings and a funding plan.

(4) Stockleigh Pomeroy Village Hall - £5,000 in 2014/15 and £4,000 in 2015/16 toward the cost of replacing the existing village hall with a new hall.

(5) Thorverton Memorial Hall - £1,000 in 2014/15 toward the cost of refurbishing the village hall, including extending the kitchen.

b) To award life memberships to Mr Chris Maddocks and Mrs Jo Pavey to the Mid Devon leisure facilities in recognition of extraordinary sporting achievement.

47 **NOTIFICATION OF KEY DECISIONS (1-20-37)**

The Cabinet had before it, and **NOTED**, its rolling plan * for October 2014 containing future key decisions subject to amendments to the specific Cabinet responsibility for the Empty Homes Strategy and the Corporate Asbestos Policy. It was **AGREED** that more detail be provided to the description of each report within the document.

Note: * Plan previously circulated; copy attached to the signed Minutes.

(The meeting ended at 11.30am)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on Thursday 2 October 2014 at 2.15pm

Present

Councillors: P H D Hare-Scott (Leader),
R J Chesterton, N V Davey, C J Eginton, Mrs
B M Hull, C R Slade and R L Stanley

Also Present

Councillors: M A Lucas and Mrs J Roach

Also Present

Officers: K Finan (Chief Executive), A Jarrett (Head of Finance), A Tregellas (Head of Communities and Governance), J Guscott (Head of Planning and Regeneration), C B Marlow (Conservation Officer) and S Gabriel (Principal Member Services Officer).

48 **PUBLIC QUESTION TIME (00-01-10)**

Mrs Taylor representing the Willand Action on Village Expansion (WAVE) handed a petition to the Cabinet Member for Planning and Economic Regeneration on behalf of the residents of Willand.

The Cabinet Member informed the meeting of the details of the petition and requested that it be noted and that the detail of the petition be discussed further at the Cullompton Local Plan meeting to be held in the town in December. This was **AGREED**.

49 **MINUTES (00-04-14)**

The Minutes of the Meeting held on 4 September 2014 were approved as a correct record and **SIGNED** by the Chairman.

50 **MATTERS REFERRED BY NON-EXECUTIVE BODIES OF THE COUNCIL**

a) Managing the Environment Policy Development Group 2 September 2014

Arising from a report of the Head of Housing and Property Services, the Policy Development Group had recommended the following:

- i) Officers continue discussions with Parish Councils, with the exception of Crediton and Cullompton, as detailed in the report and recommend the actions for each parish as identified;
- ii) Discussions take place with Cullompton Town Council to negotiate a contribution of 50% towards running costs from 1 April 2015;

- iii) To continue negotiations with Crediton Town Council to determine public convenience provision, within MDDC budget restrictions;
- iv) To investigate the use of coin operated locks or methods of recording footfall data.

The Cabinet Member for Housing and Property Services updated the meeting on further discussions that had taken place since the report had been discussed by the PDG. It was therefore:

RESOLVED that subject to the removal of “or methods of recording footfall data” in recommendation 4 of the report, the above recommendations be approved.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the Minutes.

b) Managing the Environment Policy Development Group 2 September 2014

Arising from a report of the Head of Environmental Health Services, the Policy Development Group had recommended that:

- i) Members note the current condition of Mid Devon’s play areas at Annex 1 of the report;
- ii) That Officers consult with Town and Parish Councils over future provision, especially those areas shown at Annex 2 of the report which may be over provided;
- iii) That a further report be brought back to this PDG following the consultation exercise.

RESOLVED that the above recommendations be approved.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the Minutes.

(c) Decent and Affordable Homes Policy Development Group – 9 September 2014

Arising from a report of the Housing Services Manager regarding a review of the Neighbourhood Management Policy, the PDG had recommended that the new version of the policy be approved.

RESOLVED that the revised Neighbourhood Management Policy be approved.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the Minutes.

(d) Scrutiny Committee – 15 September 2014

Arising from a report by the Performance Management Working Group updating the Scrutiny Committee on its work, the Scrutiny Committee had recommended that the recommendations within the report be approved with the addition of the following:

- 5). When putting together the next Corporate Plan in 2015 consideration be given to the remit of the PDGs to ensure that all areas in the Corporate Plan are aligned to a PDG;
- 6). That the public be consulted with regard to what should be reported.

Discussion took place regarding the need for the Corporate Plan to be reviewed following the elections in 2015 at which time there would be public consultation and the possible realignment of the Policy Development Groups to corporate priorities.

RESOLVED that the recommendations within the report and the additional points be approved.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the Minutes.

(e) Community Well-Being Policy Development Group 16 September 2014

Arising from a report of the Head of Customer Services regarding a review of the Customer Care Policy, the PDG had recommended that the revised policy be approved. The Cabinet Member for the Environment highlighted the positive service provided by Customer Services staff and the Cabinet requested their appreciation be passed on by the Chief Executive.

RESOLVED that the revised Customer Care policy be approved.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the Minutes.

51 LOCAL DEVELOPMENT SCHEME (00-24-06)

The Cabinet had before it a report * from the Head of Planning and Regeneration proposing a revised timetable for the review of the Local Plan in the Local Development Scheme (LDS) for Mid Devon.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the delay in consideration of the Local Plan had required a revision to the Local Development Scheme which provided the timetable for the delivery of the plan.

Discussion took place regarding the proposed date of receipt of the Strategic Housing Market Assessment and Local Plan Meetings arranged in the three main towns for November/December 2014

It was therefore:

RESOLVED that: the revised Local Development Scheme be adopted.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the signed Minutes.

52 **CONSULTATION FOR PROPOSED CONSERVATION AREA BOUNDARY AMENDMENTS AND NEW APPRAISALS FOR SILVERTON, MORCHARD BISHOP, CHERITON FITZPAINE, NEWTON ST CYRES AND THORVERTON (00-26-15)**

The Cabinet had before it a report * of the Head of Planning and Regeneration requesting that the Cabinet agree to a public consultation on the proposed boundary amendments and draft conservation area appraisals and management plans for the above villages.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that this was a review of existing Conservation Areas with a 6 week public consultation taking place prior to Christmas, except for Silverton who had requested that its consultation be delayed until the New Year to allow for an on-going consultation to be completed. He explained that every household would be written to and that a consultation event would take place in each of the villages.

Consideration was given to the work of the Planning Policy Advisory Group and the involvement of Ward Members in discussions regarding the proposed Conservation Area boundary changes.

It was therefore:

RESOLVED that: public consultations take place and that the results be reported back to a future meeting with further recommendations.

(Proposed by the Chairman)

Note: * Report previously circulated; copy attached to the Minutes.

53 **LAND AT THE REAR OF THE TOWN HALL SITE, TIVERTON (00-31-17)**

The Cabinet had before it a report * of the Head of Housing and Property Services seeking authorisation to acquire two parcels of land for planning purposes.

The Cabinet Member for Housing outlined the contents of the report stating that since the date of the previous resolution negotiations had continued with the developer, it was necessary to acquire the land shaded black within the report and that this required approval of the Cabinet in accordance with Section 227 of the Town and Country Planning Act 1990.

RESOLVED that: the acquisition of the land shown shaded black on plan 1 annex of the report be approved for planning purposes in accordance with Section 227 of the Town and Country Planning Act 1990 (TCPA 1990).

(Proposed by the Chairman)

Note: * Report previously circulated; copy attached to the Minutes.

54 **FINANCIAL UPDATE FOR THE FIVE MONTHS TO 31 AUGUST 2014 (00-33-00)**

The Cabinet had before it and **NOTED** a report * of the Head of Finance presenting a financial update in respect of the income and expenditure so far in the year.

The Cabinet Member for Finance reported that the annual accounts had been signed off by the External Auditor in the previous week; he requested that the Cabinet's thanks to officers involved be recorded.

Consideration was given to the forecasted General Fund deficit for the current year of £148k, issues were highlighted with regard to the Waste Service and the relocation to new premises and the fact that finances would continue to be squeezed.

Cabinet Members reported on their individual services.

Note: * Report previously circulated; copy attached to the Minutes.

55 **PERFORMANCE AND RISK FOR THE FIRST QUARTER OF 2014-15 (00-49-37)**

The Cabinet had before it and **NOTED** a report * of the Head of Communities and Governance providing Members with an update on performance against the corporate plan and local service targets for 2014/15 as well as providing an update on any key business risks

The Cabinet Member for the Environment outlined the contents of the report highlighting the improvement of the percentage of household waste reuse, recycled and composted and that the number of missed waste collections had been due to problems with the implementation of new routes, which had now been addressed.

The Cabinet Member for Housing reported that the latest figures for rent collection as a proportion of rent owed showed an improvement on the figures quoted in the report.

The Cabinet Member for Planning and Economic Regeneration was happy that the percentage of empty shop units out of the total of shops units was above target.

The Cabinet Member for Community Well-Being reported that the Leisure Centres were close to being on target.

Planning performance standards were discussed, an updated performance report would be reported to the Planning Committee next week.

The Cabinet Member for Support Services and the Working Environment stated that the new payment kiosk should cut down on the time people had to wait to be served. The number of complaints acknowledged within 3 days was below target however issues with the waste collections had been a major factor which hopefully had now been resolved.

Note: * Report previously circulated; copy attached to the Minutes.

56 **PEOPLES PARK RECREATION GROUND AND TRUST COMMITTEE
(1-02-43)**

The Cabinet had before it and **NOTED** a report * of a meeting of the above Trust Committee held on 19 August 2014.

Note: * Report previously circulated; copy attached to the Minutes.

57 **NOTIFICATION OF KEY DECISIONS (1-02-56)**

The Cabinet had before it, and **NOTED**, its rolling plan * for October/November 2014 containing future key decisions.

Note: * Plan previously circulated; copy attached to the signed Minutes.

(The meeting ended at 3.20pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on Monday 15 September 2014 at 2.15pm

Present

Councillors: Mrs J Roach (Chairman), Mrs H Bainbridge (substituting for Cllr Mrs J R Rendle), A V G Griffiths, F J Rosamond (substituting for Cllr T W Snow), Mrs M E Squires (substituting for Cllr E J Berry), Mrs M E Turner MBE and N A Way

Apologies

Councillors: E J Berry, Mrs S Griggs, M R Lee, Mrs J R Rendle and T W Snow

Also Present

Councillors: R M Deed and K D Wilson

Also Present

Officers: J May (Head of Human Resources, Learning and Development) A Tregellas (Head of Communities and Governance), N Sanderson (Head of Housing and Property Services) and J Stuckey (Member Services Officer)

Also in attendance: J Finn, Northern, Eastern and Western Devon Clinical Commissioning Group

60 **PUBLIC QUESTION TIME**

There were no members of the public in attendance.

61 **MEMBERS FORUM**

There were no issues raised under this item.

62 **MINUTES OF THE PREVIOUS MEETING – 28 August 2014**

The Minutes of the Meeting held on 28 August 2014 were approved as a correct record and **SIGNED** by the Chairman.

63 **DECISIONS OF THE CABINET – 4 September 2014**

The Committee **NOTED** that none of the decisions made by the Cabinet on 4 September 2014 had been called in.

64 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reminded Members of the importance of arranging substitutes to replace them if they needed to give their apologies for a meeting.

65 **CCG Update (00hrs.03mins.20secs)**

Mr John Finn of the Northern, Eastern and Western Devon Clinical Commissioning Group provided an update on the MIU at Tiverton Hospital as

well as providing Members with information and feedback with regard to the CCG.

Mr Finn introduced himself to the Committee and informed them that he was very pleased to be attending the meeting and would be happy to return for further meetings in the future.

Mr Finn explained that the Minor Injury Unit (MIU) at Tiverton Hospital had been contracted to SWAST (South Western Ambulance Service Trust) on 9th July 2014 and that initial patient feedback had been good. The unit was now open from 8.00am to 10.00pm with no unscheduled closures. The requirements identified from public consultation were now beginning to be provided. The CCG met monthly with the provider to look at the way forward.

Future plans included consistency in the workforce and well trained staff. It was planned that the unit would be able to do extended diagnostics, such as x-ray and diagnostic testing so that blood test results could be instant rather than being sent to the Royal Devon and Exeter Hospital at Wonford (RDE). Other areas for the future included treatment for cellulitis, DVT and other care which could save patients having to travel to the RDE.

Discussion took place regarding:

- Positive treatment that a family member had received at Tiverton MIU;
- Staffing levels - Mr Finn assured the Committee that he had a high degree of confidence that SWAST would have no problem in recruiting and maintaining staff;
- Ownership of the hospital was by whoever provided the service. There was concern that this led to confusion as North Devon Health Care Trust (NDHCT) currently ran some parts of the hospital with SWAST running the MIU. Mr Finn assured the Committee that there was a governance structure in place which ensured that the unit was safe and efficient, with the Trusts working together.
- The issue of there being separate computer systems for NDHCT and SWAST was discussed. Members were concerned that data for patients seen at the MIU in Tiverton would be held on the NDHCT system when the likelihood was that they would travel to the RDEW should further treatment be required. Mr Finn assured the Committee that there was a data sharing agreement in place but he would find out if this was working efficiently and report back to the Committee;
- Opening hours and how the public knew when the unit was open. Members suggested that signage directing the public to the hospital should say that the unit was not 24 hour. Mr Finn would look into this and report back to the Committee;
- It was understood that organisations such as FORCE used to be able to provide services from the hospital but had now been informed that there was no space for them to provide any extra service. Mr Finn offered to look into this matter and report back to the Committee;
- Street Pastors used to take patients to the MIU when it was open late at night but now had to call an ambulance to take the patient to the RDE. Mr Finn informed the Committee that historical data showed that an average of two patients per night had used this service and this was not cost effective;

- Crediton Hospital – a 3000 signature petition had been received by the CCG with regard to keeping Crediton Hospital open. Mr Finn explained that dialogue was taking place with regard to the future of the hospital which included consolidating stroke beds to one hospital and providing care packages at home.
- Multi skilled nursing teams were being put in place which could work in the hospital and in the community.

Mr Finn informed the Committee that the public were still unclear what services were available at Tiverton Hospital and that there should be greater usage of the facility. This was something that he was keen to work with the Scrutiny Committee to improve.

It was **AGREED** that the Chairman would discuss this further with Mr Finn in order to establish how best the Committee could help.

The Chairman thanked Mr Finn for his time.

66 **SOUTH WESTERN AMBULANCE SERVICE NHS TRUST**

The representative from the South Western Ambulance Service NHS Trust was unable to attend the meeting. The representative would now attend the meeting scheduled for 20th October 2014.

67 **MEETING MANAGEMENT**

The Chairman stated that she intended to take item 11 on the agenda as the next item of business. This was **AGREED**.

68 **ASBESTOS (01hrs.06mins.00secs)**

The Head of Housing and Property Services updated the Committee on measures that had taken place since the incident regarding asbestos, which had been found at Brays Close flats in Crediton. This had been reported in the local press and on local television approximately six weeks previously.

The Officer explained that an internal investigation had been put in place to find out why this incident had occurred. The investigation was ongoing.

The Health and Safety Executive had been informed but had not yet made contact with the Authority.

A specialist company had been appointed to inspect the site and clear any asbestos debris that was found. They had found small fragments of asbestos material which had been sent for tests.

Letters had been sent to all households at the flats informing them of the inspection and Officers had spoken to those that were at home when they called.

Internal procedures for dealing with asbestos were being checked as part of the investigation but the Officer was able to confirm that operatives were task trained.

The Head of Housing and Property Services explained to the Committee that there was asbestos within Council Housing which if intact and not damaged would not present a risk.

The contractor that had carried out the work at Brays Close had been suspended from this type of work until the investigation was complete. Discussion took place regarding the fact that the contractor was still carrying out work for the Council in painting and general building but not the removal of asbestos. The contractor had not been registered to carry out licensed asbestos removal works.

The Officer expected the internal investigation to be completed within the next 6 – 8 weeks. It was not known when the Health and Safety Executive would undertake any enquiry that they considered appropriate.

RESOLVED that:

- a) The Committee revisit the matter when the internal investigation had been completed;
- b) That legal advice be sought on the continued use of the contractor whilst the investigation was ongoing.

(Proposed by Cllr T G Hughes and seconded by Cllr A V G Griffiths)

69 REPORT OF THE PERFORMANCE MANAGEMENT WORKING GROUP (01hrs.53mins.38secs)

The Committee had before it a report * from the Head of Communities and Governance updating members on the work of the Group and the recommendations within.

Discussion took place regarding the current remit of the Policy Development Groups and that they should be reviewed so that they are aligned to the next Corporate Plan and that there should be consultation with the public to find out what their priorities are. The Head of Communities and Governance informed the Committee that the public were consulted when the budget was prepared each year to identify the services that they give priority to.

RECOMMENDED to the Cabinet that;

- 1 The Risk Management Strategy be reviewed and updated to include:
 - a) Opportunity Management
 - b) A better definition of impact and likelihood scoring
 - c) Clearer information as to which committees risk information would be taken to
 - d) Health & Safety Committee information under the roles and responsibilities section of the Strategy
 - e) Project risks under the strategic and operational risk section

- f) A section on risk management training and awareness
 - g) Diagrams to make the Risk and Opportunity Management Strategy easier to understand;
- 2 That the updated Strategy go to the Audit Committee for approval on the 24th September;
 - 3 Review and update the Performance Management Guidance and take to the Audit Committee on the 24th September;
 - 4 Ensure that any recommendations that come out of the PDGs are taken back to them 6 months after approval by Cabinet to check on progress;
 - 5 When putting together the next Corporate Plan in 2015 consideration be given to the remit of the PDGs to ensure that all areas in the Corporate Plan are aligned to a PDG;
 - 6 That the public be consulted with regard to what should be reported.

(Proposed by Cllr N A Way and seconded by Cllr T G Hughes)

Note: * Report previously circulated; copy attached to the signed Minutes.

70 INTERIM LEGAL SERVICES REPORT (02hrs.03mins.41secs)

The Head of Human Resources updated the Committee with progress to date following the report in April 2014.

The Officer confirmed that the new solicitor was now in post and was proving to be very competent. She had attended meetings including planning and was supervising two junior staff.

A temporary member of the legal team who had been recruited on a temporary basis to assist with Section 106's was now covering the maternity leave of another member of staff.

Work had started with regard to building a framework for the electronic storage of documents from the deeds room. Once the Framework was in place it would take approximately six months to scan all of the documents.

71 UPDATES AND ITEMS TO NOTE REGARDING OUTSTANDING ISSUES: (02hrs.08mins.00secs)

The Head of Human Resources agreed to make enquiries about the Planning Committee Procedures at the next Management Team meeting and report back to the Committee.

72 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING: 30 September 2014**

No additional item/s, other than those already identified in the work programme, were requested to be discussed at the next meeting:

This would be a Special Meeting of the Scrutiny Committee to meet with representatives from Devon County Council to discuss the closure of care homes.

(The meeting ended at 4.23 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **SPECIAL MEETING** of the **SCRUTINY COMMITTEE** held on 30 September 2014 at 2.15pm

Present

Councillors: Mrs J Roach (Chairman), M D Binks (substituting for Cllr E J Berry), A V G Griffiths, T G Hughes, M R Lee, Mrs J R Rendle, T W Snow, Mrs M Turner and N A Way

Apologies

Councillors: E J Berry and Mrs S Griggs

Also Present

Councillors: Mrs E M Andrews, R M Deed, K D Wilson and Mrs N Woollatt

Also Present

Officers: A Tregellas (Head of Communities and Governance) and J Stuckey (Member Services Officer)

Member	Minute No	Type of Interest
N A Way	77	Personal

73 PUBLIC QUESTION TIME

Mrs Walker, referring to item 6 on the agenda, asked the Committee the following questions:

Devon County Council (DCC) have maintained that residents will always be treated with dignity and respect throughout the process. DCC managed to arrange staff meetings and press releases on 16th June to announce their decision. Why did they not think it would be appropriate to contact relatives to arrange for them to be there for support when the decision was announced?

Why was the closure so aggressive in terms of timings? The Birmingham University report "Achieving Closure" suggests a minimum of two – three months' notice from the date of the announcement.

Why was the budget for Fairlea not appropriately amended after the operational beds were amended between 2012-13 to 2013-14 from 33 beds to 10 beds? This meant that Fairlea came in over £115,000 under budget for 2013-14 yet the budget figures were used to feed the £906 figure for bed costs.

Why are the budget versus actual figures for some homes so inaccurate? For examples Alphin House came in £100k under budget in the financial year.

Why were spare beds not used by self-funding residents to off-set costs?

Why did DCC not look at the CQC reports when it was looking at availability of spaces? For example, it references Margaret Allen House as a potential but this had failed a CQC inspection at the time of the sample and has failed another since.

Why is there so much variety between homes in terms of agency staffing? What are the guidelines given to homes? 19% of staff costs at Harewood were on agency as opposed to, for example 3% at Charlton Lodge.

What is the status of the twelve expressions of interest in the homes?

When will Well UK, the independent body overseeing the process, be publishing its findings to the public?

Mr Gristwood, referring to item 6 on the agenda, asked the Committee the following questions:

In Cllr Barkers statement he says that the need for residential care is reducing each year. I would like further information on whether this is a DCC decision that the need is reducing or whether there is a need.

I would also like to ask whether the Council has considered the effect on the NHS of bed blocking. The acute sector had been failing to discharge people.

If there are no DCC homes and the authority has a statutory obligation to provide care for anybody, what happens if they cannot find anyone to take the client at the stated rate of £459.00? Is there a limit to what they will pay and has that been built into the budget?

Mrs Butler, referring to item 6 on the agenda, asked the following questions:

The old people in the homes are being pushed into the private sector with all the vagaries of the private sector – if the homes go bust what happens to the people? Who picks up the tab?

Would it have been cheaper if private people had been allowed to come in and take over the buildings rather than push the people out?

Do DCC intend to sell the land off for housing?

Will there be another meeting after the judicial review?

The Chairman apologised for the fact that the representatives from DCC were not at the meeting and explained that this was due to a legal challenge which was now in place and the Officers could not comment on anything to do with the case. The Chairman had written to the Officer concerned, Mrs Stephens, on 25th September to ask when the legal challenge was likely to be completed so that a further meeting could be arranged, but had heard nothing since.

The Chairman further explained that the Committee could not insist that Officers from DCC attend a meeting but could insist that they answer questions. Questions raised today would be submitted and the answers provided at a future meeting.

74 **MEMBER FORUM**

There were no issues raised under this item.

75 **MINUTES OF THE PREVIOUS MEETING – 15 September 2014**

Subject to the addition of the wording 'and the Health and Safety Executive' to minute 68, resolution (a), the minutes of the Meeting held on 15 September 2014 were approved as a correct record and **SIGNED** by the Chairman.

76 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

77 **CARE SERVICES (00hrs.14mins.19secs)**

In the absence of the appropriate Officers from Devon County Council Members discussed the issue of the closure of care homes and raised questions to be asked of the County Council.

Cllr A V G Griffiths asked if staff had been offered the opportunity to run the homes. He also asked for clarification on why occupancy numbers had dropped and whether they had been deliberately reduced.

Cllr T W Snow asked if any of the staff had been offered advice on what they could do.

He also asked for more information with regard to the rooms in homes that did not meet the size requirement. Could they have met the requirement for differing types of care?

Cllr N A Way stated that he was disappointed that the representatives from DCC had not attended the meeting and that he would be writing to them personally to say this. He informed the Committee that he had been one of nine DCC Councillors who had tried to overturn the decision but this had been unsuccessful. He reported that some youth services were being taken on locally along with some day services in the Crediton area.

Cllr A V G Griffiths said that he knew the layout of the building at Charlton Lodge well and felt that the rooms could have been adapted to meet the new regulations. Had this been considered?

Cllr K D Wilson explained that agency staff were often used when there had been a freeze on recruitment due to closure plans. He went on to relay the story of a patient aged 96 who had been discharged from hospital but was in need of respite care. There had been no spaces locally so he had been sent out of the county and away from family and friends. The care he had received was poor so he had discharged himself. Would Cllr Barker of DCC be happy with this?

The Chairman stated that she had been surprised to see in Councillor Barker's email that the need for care was reducing. She asked what provision was being made for respite care. She also raised the matter of care in the community and how lack of human interaction could result in patients

becoming lonely and depressed. What time would be allocated to those being cared for in the community?

Councillor Barker made reference to two specialist dementia homes in Devon, where would they be?

The Chairman also raised the matter of respite care. She asked what help would be available for families who may need to book 'time off' from their caring duties and would previously been able to book respite beds in County Council run care homes?

She asked if DCC had made any provision for bed blocking which was now occurring at the local hospitals that could not discharge patients?

The Chairman asked for clarification on risk assessments that had been done but did not appear to consider any risk to the patients who could suffer stress.

The Head of Communities and Governance asked what DCC intended to do with the capital receipts if DCC decided to sell the buildings. Would this money be ring-fenced for care services?

The Officer also asked when the Strategy for the Elderly would be written?

The Chairman outlined a new report from the Kings Fund which recommended moving to a single ring-fenced budget for the NHS and social care with a single commissioner for local services

The Chairman indicated that she intended to suspend procedure rules so that members of the public could take part in the following discussion. This was **AGREED**.

Discussion took place regarding:

- The judicial review - this had not yet been confirmed and the judge would look at the evidence before deciding whether or not to proceed.
- There was no joined up thinking with regard to budgets. Savings to DCC could cause budget problems for the NHS.
- The importance of local care homes in rural communities.
- Lack of continuance of care from GP's if patients cannot stay in local homes.
- Lack of perceived support from local MP's.

It was **RESOLVED** that:

- a) The Committee write to the Leader and Chief Executive of Devon County Council as well as Councillor Barker and relevant Officers to express extreme disappointment that neither Officers nor Councillors had attended the meeting

where they could have answered general questions.

- b) The Committee invite the local MP's, County Council and Clinical Commissioning Group to look at the overall strategic direction for Health and Social Care.
- c) The questions raised today be sent to Mrs J Stephens, Councillor Barker, the Chief Executive of DCC, the Leader of DCC and the local MP's and that answers be brought back to a future meeting of this Committee.

(Proposed by Cllr N A Way and seconded by Cllr A V G Griffiths)

- Note:
- i) Councillor N A Way declared a personal interest as he was a Member of Devon County Council.
 - ii) The Chairman indicated that the procedure rules would now apply to the remainder of the meeting.

78 **ACTIVE DAILY LIVING EQUIPMENT (01hrs.20mins.16secs)**

Councillor Mrs N Woollatt had requested that the Committee discuss the matter of active daily living equipment (ADL), which was issued by the Community Equipment Store and not collected from the patient for reuse when no longer needed.

The Councillor read a quote from the Express and Echo, who had reported a story from a local resident that had been unable to get anyone to remove equipment that she no longer required.

"The activity and daily living (ADL) equipment, such as commodes or perches, are supplied by the Community Equipment Store (CES).

This equipment is owned by CES and issued by Royal Devon & Exeter (RD&E) Occupational Therapists. Once a patient takes this equipment home, it becomes their own property – to use and dispose of as they wish.

"The RD&E is unable to recycle items such as this because we do not have the facilities to appropriately store and clean them."

Several Councillors present reported their own personal experiences with this type of equipment, some of which had been taken to the local recycling centre.

It was **AGREED** that clarification be sought that the information quoted was factual and the cost differences between reuse and disposal be provided for the Committee to review.

79 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING: 20 October 2014**

Items for the next meeting:

Police and Crime Commissioner (meet and question the Chief Executive)
South Western Ambulance Service Trust
Safeguarding
Performance and Risk
Harlequin Valet
Refuse Complaints, Swallow Way, Cullompton

(The meeting ended at 16.00)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **AUDIT COMMITTEE** held on Tuesday 23 September 2014 at 6.00pm

Present

Councillors R Evans (Chairman), M D Binks, R M Deed and F J Rosamond

Apology

Councillor: J D Squire

Also Present

Councillors: N V Davey and Mrs J Roach

Also Present

Officers: A Tregellas (Head of Communities and Governance and Monitoring Officer), A Jarrett (Head of Finance), C Yandle (Internal Audit Team Leader) and S J Lees (Member Services Officer)

In attendance: G Daly and S Johnson (Grant Thornton)

33 **PUBLIC QUESTION TIME**

There were no members of the public present.

34 **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Special Meeting held on 9 July 2014 were approved as a correct record and **SIGNED** by the Chairman.

35 **CHAIRMAN'S ANNOUNCEMENTS (Recording 2 minutes and 30 seconds)**

The Chairman informed the Committee that he and Cllr R M Deed had attended a workshop with Grant Thornton which had been designed to inform Members of Audit Committees about their roles and responsibilities. He stated that whilst it had been useful to some extent, the content could have been more in depth. During the workshop discussion had taken place regarding the use of coloured graphs in financial reports as opposed to black and white.

It was **AGREED** that Members of Mid Devon District Council's Audit Committee should receive colour copies of any graphically presented information within reports.

36 **ANNUAL REPORT AND ACCOUNTS 2013/14 (Recording 4 minutes and 59 seconds)**

The Committee had before it a report * from the Head of Finance outlining the changes made to the accounts subsequent to the draft set being presented to it at its meeting on 24 June 2014. The changes had been

related to presentational issues, were not material in any way and had not affected the reserves or cash balances.

Discussion took place regarding:

- The Pension Fund liability included in the Accounts being the responsibility of Mid Devon District Council, not the County Council;
- Confirmation from both the Head of Finance and the external auditors that Mid Devon District Council was a 'going concern'. The external auditors had particularly built consideration of this into their testing;
- The figures shown in relation to the remuneration of senior officers not only included the 1% pay rise but also increments where they were due;
- Parish precepts were not currently subject to 'capping' as District Council funding was.

The Chairman formally requested that the hard work undertaken by the Head of Finance and his team in producing a set of unqualified accounts be recognised. Following consideration of the Grant Thornton report it was:

RESOLVED that:

- a) The Annual Report and Accounts for 2013/14 be approved, and:
- b) That the letter of representation be approved and signed by the Head of Finance and the Chairman of the Audit Committee.

Note: Subject to the closing of the public consultation period on 29 September 2014.

(Proposed by the Chairman)

Note: * Report previously circulated; copy attached to the signed Minutes.

37 **ANNUAL GOVERNANCE STATEMENT (AGS) (Recording 22 minutes and 10 seconds)**

The Committee had before it a report * from the Head of Communities and Governance presenting it with the finalised Annual Governance Statement and accompanying action plan for 2013/14. There being no discussion and following consideration of the Grant Thornton report, it was:

RESOLVED that the Annual Governance Statement be approved and that the Leader of the Council and the Chief Executive sign the statement as per the statutory guidance.

(Proposed by the Chairman)

Note: * Report previously circulated; copy attached to the signed Minutes.

38 **GRANT THORNTON'S DRAFT AUDIT FINDING REPORT FOR 2013/14
(Recording 23 minutes and 30 seconds)**

The Committee had before it, and **NOTED**, a report * from the Council's external auditors highlighting the key matters arising from their audit of Mid Devon District Council's financial statements for the year ended 31 March 2014. The Committee was informed that they had largely completed the outstanding actions listed in the introduction to the report and that they would be issuing an unqualified opinion on the financial statements and the Council's arrangements to secure value for money. They had identified a number of adjustments needed to improve the presentation of the financial statements but these had not affected any of the closing balances. There were no issues they needed to bring to the Committee's attention in relation to their findings against significant risks. All accounting policies, estimates and judgements had been given green lights which meant that they were appropriate and the disclosures were sufficient.

Their testing had also included consideration of how financially resilient the Council's finances were as well as looking at the budget setting process. They had concluded that the Council's arrangements were very robust although they acknowledged that there would be significant challenges ahead.

The Committee were informed that the external auditors had been obliged to charge an additional fee of £900 to cover the cost of some additional work required on business rates. This had resulted in a total fee of £73,074. They also informed the Committee that they were dealing with a possible challenge to the accounts but felt that this was unlikely to have an impact on their opinion.

Cllr Mrs Roach stated that she had not received a response from the external auditors regarding a request she had made to them to investigate a decision the Council had taken regarding a car parking charge matter. She had asked them to look at this since they were an independent body. The external auditors stated that they had sent Cllr Mrs Roach a 'Knowing your Rights' document and stated that they needed to receive a formal complaint or request in writing, an email would not suffice. The Chairman asked whether this issue would affect the Committee's ability to sign off the accounts. It was confirmed that it did not. Cllr Mrs Roach stated that her complaint related to a governance issue only and that she did not want to delay authorisation of the accounts.

It was **NOTED** that there was a formal process to follow and that the external auditors would liaise with Cllr Mrs Roach outside of the meeting in order to take her complaint forward.

Note: * Report previously circulated; copy attached to the signed Minutes.

39 **RISK AND OPPORTUNITY MANAGEMENT STRATEGY (Recording 46 minutes and 58 seconds)**

The Committee had before it a report * from the Head of Communities and Governance presenting it with the Risk and Opportunity Management Strategy for approval. This had required some updating since a Scrutiny Working Group had looked into Performance Management and risk reporting.

Discussion took place regarding whether it was best practice to include consideration of a Council's 'Opportunities' when drawing up a 'Risk Management' Strategy. The document would also be something officers would need to adhere to in their day to day work and the management of risks and opportunities needed to be embedded within the culture of the Council.

It was **NOTED** that the Scrutiny Performance Management Working Group report at appendix B needed some amendment to recommendation number four. The word 'consider' needed to be deleted and the words 'public consultation' needed to be inserted. This had been agreed by the Scrutiny Committee on 15 September 2014.

RESOLVED that the Risk and Opportunity Management Strategy be approved.

(Proposed by the Chairman)

Notes: (i) * Report previously circulated; copy attached to the signed Minutes;

(ii) Cllr M D Binks requested that his abstention from voting be recorded.

40 **PERFORMANCE AND RISK (Recording 59 minutes and 20 seconds)**

The Committee had before it, and **NOTED**, a report * from the Head of Communities and Governance updating it on performance against the Corporate Plan and local service targets for 2014/15 as well as providing an update on any key business risks.

Discussion took place under each of the Cabinet Portfolio areas:

Environment

Missed collections – the Committee felt that the real figures relating to the number of missed collections were far higher than those shown within the report and questioned how a strategy could be developed in a particular area based upon inaccurate data. Concern was expressed regarding why when a Member reports a missed collection it wasn't recorded. It was explained that the software system currently only recorded the one person reporting missed collections within their street even if the street contained 30 properties. Members questioned whether the Route Optimisation software could be used to provide more accurate data. The Head of Finance stated that sometimes missed collections were due to a road block or a road closure which was not the fault of the District Council.

Confidence was needed in the figures going forwards and it was therefore **AGREED** that the Head of Finance bring a report to the next meeting showing accurate figures in relation to the number of missed collections, including data from the waste vehicles themselves, the exact number of late collections, the number of double journeys and all associated costs.

Decent and Affordable Homes

Gas safety inspections – these were conducted every year but were started at 11 months rather than 12 so that there was a month's grace should there be any problems accessing a particular property.

Community Well Being

Leisure Centres – Members requested that in future the data relating to operational expenditure recovered through customer receipts be split into the three Leisure Centres rather than being presented with data for the service as a whole.

Planning – the percentages shown for targets and achievements in relation to service standards were felt to be very confusing and in some cases meaningless. The Head of Communities and Governance agreed to inform the Head of Planning of the comments made by the Committee at this meeting.

Working Environment and Support Services

Working days lost due to sickness – the Committee were informed that as soon as the new HR system had been fully implemented future reporting in this area would be split between short and long term sick. The Chairman requested that this change take place at the earliest opportunity (and certainly by the next Audit Committee) as Members had repeatedly asked for this to happen.

Risk Report

Asbestos – The Head of Communities and Governance informed the Committee that at the request of the Health and Safety Committee the current low likelihood score of the 'Current Risk Likelihood' for asbestos would be raised.

Note: * Report previously circulated; copy attached to the signed Minutes.

41 **INTERNAL AUDIT PROGRESS REPORT (Recording 1 hour, 39 minutes and 2 seconds)**

The Committee had before it, and **NOTED**, a report from the Audit Team Leader updating it on the work performed by Internal Audit for the 2014/15 financial year.

Discussion centred around the appendices and the number of milestones missed in particular service areas. The Chairman stated that as a Committee they had been repeatedly presented with similar reports and that this was

unacceptable and could not carry on. There could be potential financial implications to the Council if issues were not addressed. The Committee had a responsibility to express its concern and to bring the matter to the Head of Paid Service's attention.

RESOLVED that the Chief Executive be requested to attend the next meeting of the Audit Committee to listen to the concerns of the Committee regarding missed milestones and to provide an explanation as to how improvements could be made for the future.

(Proposed by Cllr M D Binks and seconded by Cllr R M Deed)

Note: * Report previously circulated; copy attached to the signed Minutes.

42 **INTERNAL AUDIT REPORTS (Recording 1 hour, 52 minutes and 40 seconds)**

The Committee had received a number of internal audit reports since the last meeting which included Gazetteer Management, Leasing and Asset Management, Economic Development and Data Protection.

Discussion took place in relation to:

Leasing and Asset Management

Refunds of overpayments of rent should be made as soon as possible.

Economic Development

It was confirmed that procedures had been written and were in the process of being handed over to Estates which was the department who would now assume responsibility for the Council's commercial properties.

A new post had been created entitled 'Economic Development Officer' and the person recently appointed to it had qualifications in providing business advice.

Data Protection

Strong concern was expressed by the Committee that all 42 Members had not signed up to the Council's Data Protection policies and that a small number were still using non Mid Devon District Council email accounts to receive information. The Chairman stated that as an Audit Committee they had a responsibility to ensure that risks to the Council were mitigated wherever possible. There needed to be audit trails and accountability which the use of personal email accounts could not provide. He stated that he felt completion of policies in this area ought to be mandatory and that even though a Councillor could not be forced to sign up to a policy the Council

could refuse to communicate with that Member if they chose not to sign a policy.

The Head of Communities and Governance informed the Committee that she was working with the Head of Business Information Systems to ensure a robust system was in place for the next election. All elected Members would need to register with the Information Commissioner's Office and sign up to all the Council's policies. Each year the Council's duties under the 'Code of Compliance' became tougher and tougher and she gave her assurance that a tougher stance would be taken.

43 CORPORATE DEBT RECOVERY POLICY (Recording 2 hours, 19 minutes and 31 seconds)

The Committee had before it a report * from the Head of Finance presenting it with an updated Corporate Debt Collection Policy. The Committee were informed that people experiencing money problems were assisted by officers so that they understood the difference between priority and non-priority debts. Conversations in relation to living costs were required to be conducted in accordance with the Department for Work and Pensions guidance.

RECOMMENDED to the Cabinet that the Corporate Debt Collection Policy be approved.

(Proposed by the Chairman)

Note: * Report previously circulated; copy attached to the signed Minutes.

44 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING: 2 DECEMBER 2014 (Recording 2 hours, 25 minutes and 48 seconds)

There following items were identified for the next meeting in addition to those already listed in the work programme:

- Audit Fee Letter from Grant Thornton
- Financial information in relation to waste collections from the Head of Finance
- The Chief Executive to attend in relation to missed milestones

(The meeting ended at 8.35pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP held on Tuesday 2 September 2014 at 2.00pm

Present

Councillors: M A Lucas (Chairman), D R Coren, J M Downes, F J Rosamond (substituting for Cllr Mrs D L Brandon), J D Squire, Mrs M E Squires and Mrs N Woollatt

Apology

Councillor: Mrs D L Brandon

Also Present

Councillors: M Binks and R L Stanley

Present

Officers: A Cawdron (Finance Manager), S Noyce (Waste and Transport Manager), S Newcombe (Public Health Manager), A Cook (Open Spaces Manager) A Busby (Estates Manager), C Yandle (Audit Team Leader) and J Stuckey (Member Services Officer)

Also Present:

Martin Hutchings, Flood Manager, Devon County Council (DCC)

21. PUBLIC QUESTION TIME

There were no members of the public present.

22. MINUTES

The Minutes of the Meeting held on 8 July 2014 were approved as a correct record and **SIGNED** by the Chairman.

23. CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced the Group to Stuart Noyce who had started in post the previous day as Waste and Transport Manager.

The Chairman requested that the Clerk and the Waste and Transport Manager liaise to arrange a date for Members of the Group to visit the new recycling depot.

Having been in contact with Devon County Council (DCC) the Chairman was able to update the Group regarding Binfo. The App, which would tell the householder their collection day and provide information about recycling was being revisited by DCC and they were looking at moving forward with the Mid Devon version. Three other Districts in Devon already had the App.

24. FLOOD RISK MANAGEMENT

The Group received a presentation from the Flood Risk Manager at Devon County Council (DCC), updating them with regard to the strategy for Local Flood Risk Management. Mr Hutchings had previously attended the Group in November 2013 when the strategy was at the consultation stage.

Mr Hutchings showed the Group how to locate the strategy on the DCC website. He explained that the website showed who was responsible for what type of flooding and who to contact for each scenario. Different agencies were responsible for coastal waters, sewers, main rivers, water courses or run off from land. Discussion took place regarding the difficulties of knowing who to contact for each of these. The Officer explained that the strategy should ease this problem and he was working towards having one number for the public to call that would deal with any enquiry.

Leaflets detailing information about the strategy had been printed and were being handed out at events and roadshows. It was suggested that this sort of information could be sent out with Council Tax bills to ensure coverage to households.

The action plan was in its early stages and showed what was happening in each area. Works in Tiverton at Newts Hill and Arnold Crescent had already been completed and Pound Square in Cullompton was currently the subject of a study. Discussion took place regarding Bampton and Newton St Cyres which had both suffered flooding in the past. The Officer explained the importance of filling in the report form on the website so that historic data could be built up. Criteria used to determine funding for flooding prevention works included the number of properties affected, the frequency of flooding, the depth of flooding, the infrastructure affected, damage to the environment, risk to life and historic data.

Discussion took place regarding the fact that the Highways Service were looking to reduce gully clearing from an annual basis to once every three years. Mr Hutchings explained that this could be seen positively because by reducing the number of unnecessary clearances the resource could be used to clean critical gullies more often.

Councillor Binks raised a problem of continual flooding which covered a road in the Black Dog area of the District. There had been approximately two feet of water across the road for a considerable length of time. The Officer from Devon County Council offered to look into this matter further and would report back to Councillor Binks.

At the current time DCC were not consulted with regard to planning applications but would be in the future when they took on responsibility for Sustainable Drainage (Schedule 3 of the Flood and Waste Management Act, which was yet to be implemented). An Engineer had been employed in preparation for this but the Officer now anticipated that implementation would be in October 2015.

The Chairman thanked Mr Hutchings for his presentation.

25. **PERFORMANCE AND RISK (00hrs.50mins.00secs)**

The group had before it and **NOTED** a report* of the Head of Communities and Governance providing Members with an update on performance against the Corporate Plan and local service targets for the first quarter of 2014/15 as well as providing an update on the key business risks.

The Audit Team Leader explained that the figures shown for Waste and Recycling had been entered onto the SPAR system but had not yet been approved by Waste Data Flow.

The Officer also explained that the only strategic risk highlighted as relevant to this PDG was Waste Collection - Route Optimisation.

Discussion took place regarding:

- Missed collections were still showing as high for the first quarter of the year but data was not yet available for quarter two. The Public Health Manager explained that the number of reported missed collections had fallen significantly in recent weeks and that he was no longer receiving reports from households that had been missed over a number of collections. The Officer reminded the group that the main driver for changing the routes had been to ensure that all collections from each household were carried out on the same day of the week, and this had been achieved. There were still ongoing problems with the reliability of the recycling fleet but new vehicles had been ordered and were expected for delivery from November, this would solve the problems of capacity and reliability.
- The Group discussed advertising on vehicles and the Public Health Manager confirmed that the specification for the new fleet had included Agripa fixings which would allow for panels to be attached. There were a number of options available for the panels which included the promotion of recycling, promotion of the Council's services or private advertising for which a charge would be made.

Note: *Report previously circulated, copy attached to signed minutes.

26. **FINANCIAL MONITORING (01hrs.02mins.35secs)**

The Group had before it and **NOTED** a report* from the Head of Finance detailing financial monitoring for the three months to 30 June 2014 in respect of the services within this PDG's remit.

The Finance Manager explained that budgets were getting tighter and that there was no 'slack' within budgets to allow for unforeseen expenditure. At the end of the first quarter of the year the General Fund was already showing a deficit of £227K.

It was anticipated that there would be an overspend at the end of the financial year, which had not happened for a number of years.

Areas of overspend in respect to services within this PDG's remit included costs associated with the move to the new recycling depot (£70K) and extra costs incurred during the recent Route Optimisation.

The Officer informed the Group that the Head of Finance had met with the Chief Executive and senior officers to investigate savings that could be made for the coming year and to identify cost pressures. The Head of Finance was now undertaking more detailed work on these savings and would report these to Members in November.

The Finance Manager made particular note of paragraph 8.2 of the report which informed Members that "looking ahead we will feed the current data into our budget compilation for 2015/16 and indeed meetings with managers are now taking place to try and find further savings going forward. Members will recall that further funding cuts are almost certain and therefore the service provision status quo cannot remain. In due course Members will have to consider the impact of various scenarios that will reduce the net budget and enable a balanced budget to be set."

Note: *Report previously circulated, copy attached to minutes.

27. **PUBLIC CONVENIENCES (01hrs.23mins.30secs)**

The Group had before it a report * from the Head of Housing and Property Services which provided an update regarding changes to the provision of public conveniences within the District and the savings made to date, as well as the estimated budget for 15/16.

The Estates Manager outlined the contents of the report, informing Members that since the last report savings of circa £14.5K for the year 2014/15 had been made, with further planned savings of circa £37K for 2015/16.

Discussion took place regarding the closure of toilets at the Green in Crediton whilst the toilets at Newcombes Meadow remained open.

The Officer explained that the toilets at the Green did not have any disabled facilities and that the facility at Newcombes Meadow was used by families using the paddling pool and park in summer.

Members reported that the toilets on the Green had far higher usage than those at Newcombes Meadow, that coaches and buses could pull in near the toilets and that there was parking nearby. The Officer pointed out that it was not a statutory duty to provide toilets and that neither Crediton Town Council, nor the coach company had offered to contribute towards costs.

Members agreed that it would have been useful to have some sort of usage report or monitoring of the facilities.

RECOMMENDED to the Cabinet that:

- a) Officers continue discussions with Parish Councils, with the exception of Crediton and Cullompton, as detailed in the report and

- recommend the actions for each parish as identified;
- b) Discussions take place with Cullompton Town Council to negotiate a contribution of 50% towards running costs from 1 April 2015;
 - c) To continue negotiations with Crediton Town Council to determine public convenience provision, within MDDC budget restrictions;
 - d) To investigate the use of coin operated locks or methods of recording footfall data.

(Proposed by Councillor Mrs M E Squires and seconded by Councillor F J Rosamond)

Note: *Report previously circulated, copy attached to minutes.

28. **PLAY AREAS (02hrs.16mins.10secs)**

The Group had before it a report * from the Head of Environmental Services which provided an update on the current condition of the Council's play areas and advised Members of a consultation process to be held with Town and Parish Councils over future provision.

The Open Spaces Manager outlined the detail of his report, explaining that in some areas of the District play area provision was above that specified as necessary in the Play Area and Open Space Strategy. The report highlighted play areas that had been identified for consideration and consultation.

Discussion took place regarding:

- The criteria used in the play area condition survey;
- The destination park at Newcombe's Meadow, which was likely to be installed early next year;
- Play area inspections being carried out on behalf of Town and Parish Councils;
- What the land could be used for if play areas were decommissioned, for example community orchards, allotments, building plots;
- Whether plots could be sold and the complications of S106, some of which restricted future use of the land;
- Consultation would be necessary to establish usage of facilities.

RECOMMENDED to the Cabinet that:

1. Members note the current condition of Mid Devon's play areas at Annex 1;
2. That Officers consult with Town and Parish Councils over future provision, especially those areas shown at Annex 2 which may be over provided;
3. That a further report be brought back to this PDG following the consultation exercise.

(Proposed by Councillor F J Rosamond and
seconded by Councillor Mrs M E Squires)

Note: *Report previously circulated, copy attached to signed minutes.

29. **FOUNDRY DEPOT (02hrs.39mins.00secs)**

The Public Health Manager updated the Group with regard to the recent move from Silverton Mill to the new depot.

The Officer informed the Group that the move had gone well, with operations ceasing at Silverton Mill on Friday 25th July and commencing at the new depot on 28th July.

Staff had settled in well and the baling system was now up and running. The site was more compact than Silverton Mill but the benefits of being undercover outweighed this.

Unloading of materials was a noisy operation and triple glazing had been fitted to the office windows to allow staff to work there.

Silverton Mill had been handed back to the landlord and the site had been cleared to their satisfaction.

The Chairman thanked the staff concerned for enabling such a seamless move.

The Chairman also thanked Mr Newcombe for the work he had carried out in his post as Waste and Transport Manager and welcomed Mr Noyce, his replacement.

30. **ITEMS FOR THE NEXT MEETING**

Items for the next meeting 18 November 2014

Financial Monitoring
Performance and Risk
Private Water Supplies
Waste and Recycling Update
Wildflower Meadows Update
Budget

(The meeting ended at 16.54)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUP** held on Tuesday 9 September 2014 at 2.15pm

Present

Councillors: Mrs E M Andrews, W J Daw, P J Heal, R F Radford, Mrs J R Rendle and R Wright

Apology

Councillor: P F Williams

Also Present

Councillor: R L Stanley

Also Present

Officers: N Sanderson (Head of Housing and Property Services), A Jarrett (Head of Finance), C Yandle (Audit Team Leader) and S J Lees (Member Services Officer)

21 **PUBLIC QUESTION TIME**

There were no members of the public present.

22 **MINUTES**

The Minutes of the Meeting held on 15 July 2014 were approved as a correct record and **SIGNED** by the Chairman.

23 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

24 **FINANCIAL UPDATE FOR THE THREE MONTHS TO 30 JUNE 2014 (Recording 1 minute and 49 seconds)**

The Group had before it, and **NOTED**, a report * from the Head of Finance presenting it with a financial update in respect of the income and expenditure so far in the year. The key highlights within the report were stated as follows:

- The forecast General Fund deficit for the current year was £227k;
- A small underspend of £56k was forecasted on the Housing Revenue Account;
- Figures in relation to the successful collection of rent arrears were extremely good and much better than in previous years;
- General Fund housing figures would improve by £20k due to some funding received from Devon County Council in relation to a Youth Homelessness Prevention Officer post.

Note: *Report previously circulated; copy attached to the signed minutes.

25 **PERFORMANCE AND RISK REPORT FOR THE FIRST QUARTER OF 2014-15 (Recording 4 minutes and 50 seconds)**

The Group had before it, and **NOTED**, a report from the Head of Communities and Governance providing it with an update on performance against the Corporate Plan and local service targets for 2014/15 as well as providing an update on the key business risks.

Discussion took place regarding:

- Collection of rent arrears had exceeded the set target and housing staff were to be congratulated;
- The Head of Housing and Property Services felt that they would be able to achieve an average void time of 17 days by the end of the year; individual 'hard to let' properties had a detrimental effect on the average number of days figure within the report. Bank holidays and the Christmas shutdown days were unfortunately included within the number of days to turn a property round. This could not be avoided since this was prescribed by the national indicator;
- On average there could be between 6 and 8 empty properties at any one time but this could be as high as 11 or 12 depending on circumstances and the time of year;
- The budget took into account the average number of voids per year in terms of the loss of rental income;
- Achieving the targets in relation to the percentage of Decent Council Homes was required to be 100% by the end of the year.

Note: *Report previously circulated; copy attached to the signed minutes.

26 **REVIEW OF NEIGHBOURHOOD MANAGEMENT POLICY (Recording 21 minutes and 45 seconds)**

The Group had before it a report * from the Housing Services Manager requesting that it reviewed the Neighbourhood Management Policy in order to ensure that it took into account health and safety concerns. This policy which was originally approved by the PDG in May 2012 was due to be reviewed in March 2016. This date had been brought forward as a result of some complaints made about the way in which the Council responded to issues raised in connection with hanging baskets.

Discussion took place regarding:

- How important it was that the Housing Service had a clearly defined policy in place because this helped both staff and tenants understand their responsibilities;
- Neighbourhood walkabouts did not routinely include checks of back gardens, however, they did include a check of the 'street scene' at the front of the property.

RECOMMENDED to the Cabinet that the new draft version of the Neighbourhood Management Policy be approved.

(Proposed by Cllr W J Daw and seconded by Cllr R F Radford)

Note: *Report previously circulated; copy attached to the signed minutes.

27 **TENANCY HOME CHECKS (Recording 35 minutes and 15 seconds)**

The Group had before it, and **NOTED**, a briefing paper * from the Housing Services Manager updating it on Tenancy Home Checks since the policy relating to Tenancy Inspections was approved in July 2012.

It was confirmed that as at the end of July 2014, a total of 343 homes had been visited, or over 11% of those properties in the management of the Housing Service. Staffing issues had impacted upon the ability of the Neighbourhood teams to complete these visits during 2013 and into 2014 but these teams were now fully staffed and each officer had been instructed to undertake 2 visits each week in order to ensure that the target was met and every tenant was visited at least once every 5 years. The comment was made that these visits provided the tenant with an opportunity to talk about any repairs which needed to take place.

In general, houses were extremely well cared for, only a few had been identified as needing intensive housing management.

Note: *Briefing paper previously circulated; copy attached to the signed minutes.

28 **DEVON HOME CHOICE WORKING GROUP (Recording 41 minutes and 40 seconds)**

The Working Group had had a number of meetings since the Policy Development Group (PDG) had last met. The Chairman of the working Group provided the PDG with an update on their deliberations. He stated that they had listed the advantages and disadvantages of removing Band E and would bring a formal report with their conclusions and recommendations to the next meeting.

29 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING – 25 NOVEMBER 2014 (Recording 52 minutes and 15 seconds)**

In addition to the items already identified in the work programme for the next meeting a report from the Devon Home Choice Working Group was requested.

(The meeting ended at 3.08pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the COMMUNITY WELL BEING POLICY DEVELOPMENT GROUP held on Tuesday 16 September 2014 at 2.15pm

Present

Councillors: Mrs H Bainbridge (Chairman), E J Berry, R M Deed (replacing Cllr M R Lee) and Mrs S Griggs

Apologies

Councillors: Mrs C Heal, M R Lee, D J Knowles and P F Williams

Also Present

Officers: L Reeves (Head of Customer Services), R Fish (Accountant), C Yandle (Audit Team Leader), S Bennion (Leisure Facilities Manager), L Chester (Centre Manager) and J Stuckey (Member Services Officer)

21 PUBLIC QUESTION TIME

There were no members of the public present.

22 MINUTES

The Minutes of the Meeting held on 22 July 2014 were approved as a correct record and **SIGNED** by the Chairman.

23 CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed the Group that the Tiverton Citizens Advice Bureau were celebrating 75 years of service and were holding an evening reception to celebrate this on 23rd September 2014. The Chairman was unable to attend so she offered the invitation to the rest of the Group.

The Chairman informed the Group that the LEADER bid had been submitted and results were due in November. This would be added to the agenda for the next meeting of this Group.

24 LEISURE SERVICES

The Leisure Services Manager made a presentation to the Group giving an overview of the three leisure facilities in Mid Devon.

The Officer explained that in the previous financial year the service had shown an achievement of £6k. The expected over achievement for 2014/15 was £10k which would be an increase of 3.8% on the previous year.

The Officer informed the Group that the service was working to improve by:

- Retention – monitoring new members, risk members (those paying and not visiting), lapsed members and converting promotional members to full members;
- Shape up for Summer – this promotion had shown a 50% conversion to full membership at Cullompton;
- Customer interaction – providing training and development to staff;
- Marketing – a new website would be launched at the end of the year, SMS text messaging, mapping members and newsletters;
- Researching 'spend to save' opportunities.

Consultants had been appointed to find ways of improving the service at the Exe Valley and Culm Valley centres.

Cullompton

The consultants suggested improving class sizes by holding them in the sports hall and to try to increase take up for squash as well as using the courts for other activities. Sports hall usage was high but had been affected by the new sports hall at Uffculme. The consultants suggested investment in a flood lit MUGA (multi-use games area), for which funding would be investigated.

Exe Valley

The consultants confirmed that membership was high for the centre but income yield was low. This was due to catering for all income groups. Membership of 1400 exceeded industry averages. Tennis coaching might increase income. The consultants suggested extending the gym facility. A working group of officers, the Chairman of this PDG and the Cabinet Member would look at feasibility.

The consultants had suggested investing in commission based selling for memberships, this was being investigated. They also recommended that pricing and discounts be looked at to improve yield per member, investment in branding and promotional material and researching utility rates.

Discussion took place regarding:

- The hard courts at Cullompton – these belonged to the High School and had been offered to the public for use over the summer holidays, managed by the Leisure Centre. It was anticipated that this would continue for future holidays.
- The Cullompton Youth Club based at the John Tallack Centre may be able to make use of the centre facilities.
- The Sports Hall at Culm Valley was part of a dual use agreement with the school. This was working well with some flexibility regarding the use of the gym.

The Centre Manager for Lords Meadow Leisure Centre at Crediton updated the Group on developments at the Centre. He informed the group that income was on an upward trend since the investment and had increased by

£80K on the previous year. Attendance at the fitness studio had grown each month and was currently up by 42% (£15K) from the previous year.

Attendance at fitness classes was up and they were now utilising the sports hall and outside areas as well as the designated spaces for classes.

Staffing costs at the centres had reduced due to the removal of enhancements for weekend and evening working.

The Officer showed pictures of the centre as it had previously been and the newly developed areas.

As well as the areas shown there had also been improvements made to the Meadow Suite which was now a designated training room and the reception area which now had a café. Improvements had also been made with regard to energy saving and the use of chemicals in the pool.

Corporate membership take-up had improved with 389 members (11.4% of membership) and hours had been extended to include 6.30am opening three times a week.

Lighting for the outside pitches had caused some problems to start with due to the direction of the lighting but this had been resolved and the pitches were well lit.

Extra signage would be in place to direct customers from the new bypass.

The Chairman thanked the officers for their presentation.

25 **FINANCIAL MONITORING (01.11.39)**

The Group had before it and **NOTED** a report* from the Head of Finance detailing financial monitoring for the three months to 30 June 2014 in respect of the services within this PDG's remit.

The Accountant highlighted areas relating to this PDG which included a variance of £10k for Leisure Services and £103k for Revenues and benefits, to the end of June. This was due to the Housing Benefit Subsidy doing well and changes to NDDR which had resulted in a budget no longer being required.

The Accountant would provide a breakdown of car park income to Members of the Group following the meeting.

The Officer informed Members that budgets were now being worked on for 2015/16 and the draft budget would be discussed at the next meeting.

Note: *Report previously circulated, copy attached to minutes.

26 **PERFORMANCE AND RISK (01.25.00)**

The Group had before it and **NOTED** a report* of the Head of Communities and Governance providing Members with an update on performance against the Corporate Plan and local service targets for the first quarter of 2014/15 as well as providing an update on any key business risks.

The Audit Team Leader informed the Group that the performance reports and risks shown reflected the recommendations of the Scrutiny Performance Management Working Group. Operational risks were now being reported only to the Audit Committee and Cabinet. Key decision risks would continue to be reported to PDG's.

The Officer highlighted the figures shown for the number of empty shops in the main towns and explained the food hygiene rating system.

Note: *Report previously circulated, copy attached to minutes.

27 **REVIEW OF THE CUSTOMER CARE POLICY (01.33.40)**

The Group had before it a report* of the Head of Customer Services providing Members with information regarding the Customer Care Policy, for review.

The Policy had been updated to reflect changes in the way in which the public wanted to communicate with the Council, such as email and social media. Digital Transformation would mean further changes but it was important to allow for those that still wanted to make contact in the traditional ways.

RECOMMENDED to the Cabinet that the revised Customer Care Policy be approved.

(Proposed by the Chairman)

Note: *Report previously circulated, copy attached to minutes.

28 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING – 2 DECEMBER 2014 (01.37.31)**

- Community Safety Partnership update
- Financial Monitoring
- 2014/15 Budget consultation
- Performance and Risk
- Single Equalities Scheme
- Leader Funding Bid Results
- CCTV Annual Report

(The meeting ended at 4.15pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of the **MEETING OF THE PLANNING COMMITTEE** held on 10 September 2014 at 2.15pm

Present

Councillors: Mrs F J Colthorpe (Chairman), Mrs H Bainbridge, E J Berry (substituting for Cllr R L Stanley), M D Binks, Mrs D L Brandon, J M Downes, P J Heal, Mrs L J Holloway, Mrs B M Hull (substituting for Cllr C J Eginton), D J Knowles, E G Luxton, R F Radford and Mrs M E Squires

Apologies

Councillors: C J Eginton, A V G Griffiths and R L Stanley

Present

Officers: J Guscott (Head of Planning and Regeneration), S Trafford (Area Planning Officer), D Rance (Principal Planning Officer and Enforcement Officer) and S Gabriel (Principal Member Services Officer).

Member	Minute No	Type of Interest
Mrs F J Colthorpe	66	Protocol of Good Practice for Councillors
Mrs B M Hull	62b	Personal
R F Radford	62b	Personal
Mrs M E Squires	66	Protocol of Good Practice for Councillors

57. **PUBLIC QUESTION TIME**

There were no members of the public present.

58. **MINUTES (00-02-10)**

The minutes of the Special Meeting held on 27 August 2014 were approved as a correct record and **SIGNED** by the Chairman.

59. **CHAIRMAN'S ANNOUNCEMENTS (00-03-00)**

The Chairman indicated that she proposed to move item 3 to the beginning of the Plans List to allow for certain Members present to contribute to the debate.

60. **ENFORCEMENT LIST (00-03-38)**

Consideration was given to a case in the Enforcement List *.

Note:* List previously circulated; copy attached to signed Minutes.

Arising thereon:

- (a) No. 1 in the Enforcement List (***Enforcement Case ENF/13/00062/UDRU– without planning permission, the erection of a timber structure on stilts within the flood zone of the River Exe – Holmingham Farm, Bampton.***)

RESOLVED that delegated authority be given to the Legal Services Manager to take the appropriate legal action including the service of a notice or notices, seeking the demolition of the timber stilted structure and the removal from the land of any items following demolition. In addition, in the event of any failure to comply with any notice served, to authorise prosecution, direct action and/or authorisation to seek a court injunction.

(Proposed by Cllr Mrs H Bainbridge and seconded by Cllr Mrs M E Squires)

61. DEFERRALS FROM THE PLANS LIST (00-07-18)

The Chairman reported that Item 1 on the Plans List (Land South of Muxbeare Orchard, Willand) had been deferred to allow for further information to be considered.

62 PLANS LIST (00-07-50)

The Committee considered the applications in the plans list *.

Note: *List previously circulated; copy attached to the signed Minutes.

- (a) No 3 on the Plans List (***14/00979/FULL – Erection of 10 dwellings (inc 2 x2 bed affordable homes) with associated infrastructure and parking – Newcombes Resource Centre, Newcombes, Crediton.***)

RESOLVED that this application be granted planning permission subject to the applicant entering into a Section 106 agreement for the provision of two affordable units to be occupied on an affordable rented basis and contributions towards the provision of new and existing public open space of £10,516.00 and conditions as recommended by the Head of Planning and Regeneration with an additional condition requesting that the solar panels be integrated as part of the roofscape.

(Proposed by Cllr J M Downes and seconded by Cllr Mrs M E Squires)

Note: Cllr M D Binks spoke as Ward Member

- (b) No 2 on the Plans List (***14/00801/FULL – Erection of agricultural livestock building, Land at NGR 299569 112886 Red Linhay, Crown Hill, Halberton***)

RESOLVED that this application be granted planning permission subject to conditions as recommended by the Head of Planning and Regeneration with an additional condition stating that, if the building was no longer required for agricultural purposes then the building should be demolished.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs H Bainbridge)

- Notes: (i) Cllrs Mrs B M Hull and R F Radford declared personal interests as the applicant was known to them;
- (ii) Cllr R F Radford spoke as Ward Member;
- (iii) Cllr Mrs B M Hull requested that her abstention from voting be recorded.

63. **THE DELEGATED LIST (00-43-45)**

The Committee **NOTED** the decisions contained in the Delegated List *.

Note: *List previously circulated; copy attached to signed Minutes.

64. **MAJOR APPLICATIONS WITH NO DECISION (00-44-03)**

The Committee had before and **NOTED** a list * of major applications with no decision. It was **AGREED** that:

Application 14/01248/MFUL – Land at NGR 302663 109953 Stoneshill Farm Willand Road, Cullompton, be determined by the Committee and that a site visit take place.

Application 14/01332/MOUT - Land at NGR 288080 098230 East of Station Road, Newton St Cyres, be determined by the Committee and that a site visit take place.

Note: *List previously circulated; copy attached to signed Minutes.

65. **APPEAL DECISIONS (00-48-18)**

The Committee had before it and **NOTED** a list of appeal decisions * providing information on the outcome of recent planning appeals.

Discussion took place regarding the appeal for a change of use of agricultural land to gypsy and traveller site at land at NGR 304301 110193 (The Paddocks) Willand and the view of the inspector.

Note: *List previously circulated; copy attached to signed Minutes.

66. **APPLICATION 14/00952/FULL – CONVERSION OF REDUNDANT WORKSHOP (CLASS B2) TO A DWELLING (73.76 SQM) AND WORK UNIT (19.20 SQM) INCLUDING ART GALLERY WITH ALTERATIONS TO**

EXISTING ACCESS (REVISED SCHEME) – LAND AND BUILDINGS AT NGR 277271 106701 (RIXEY LAND) MORCHARD BISHOP (00-55-05)

The Committee had before it a report * of the Head of Planning and Regeneration highlighting issues raised at the previous meeting when Members were minded to approve the application. The report set out the reasons and implications of approving the applications and suggested conditions in the event that planning permission was granted.

Members considered the implications of approving the application and the conditions proposed.

RESOLVED that planning permission be granted subject to conditions as recommended by the Head of Planning and Regeneration.

(Proposed by Cllr P J Heal and seconded by Cllr J M Downes)

- Notes:
- (i) Cllr Mrs F J Colthorpe made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as she had received correspondence regarding the application;
 - (ii) Cllr Mrs M E Squires made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as she had been involved in discussion regarding the application as Ward Member;
 - (iii) Cllr Mrs M E Squires spoke as Ward Member;
 - (iv) The following late information was reported: *Additional comments received 9 September 2014*

I note your report to committee likens the development to the permitted development rights to convert agricultural buildings. It is my understanding that with agricultural building PD the domestic curtilage is restricted to twice the building footprint. The proposed development with the whole field becoming curtilage is therefore a materially different situation.

The claim that the workshop is redundant or disused is simply a fallacy and as it is a key part of Planning Policy para 55 I am surprised it is being cited as the key reason. I notice you have identified the lack of active marketing in your paragraph 2.3 and again I am surprised this key fact is being ignored by the committee.

In addition the report implies an element of job creation. This is not the case as the applicant already works in the village and no new jobs are indicated. Should the workshop be used as exactly that, a workshop, then there would be an element of job creation.

I still believe the reasons being given for approval of this scheme by the committee are fundamentally flawed and would not stand

up to judicial review. I would be grateful if you could pass on my comments to the committee;

(v) *Report previous circulated, copy attached to signed minutes.

67. **TREE PRESERVATION ORDER 14/00004/TPO – CONFIRMATION OF TREE PRESERVATION ORDER - ST AUBYNS PARK, TIVERTON (1-01-09)**

The Committee had before it a report * of the Head of Planning and Regeneration requesting Members to consider whether a Tree Preservation Order should be confirmed in light of the objection that has been received.

He outlined the contents of the report stating that confirmation was required for a number of trees which the Tree Officer believed were of significant amenity value at St Aubyn's Park, Tiverton.

Consideration was giving to the types of trees on the site.

RESOLVED that the Tree Preservation Order be confirmed as recommended by the Head of Planning and Regeneration.

(Proposed by the Chairman)

Note: *Report previously circulated, copy attached to signed minutes.

(The meeting ended at 3.20pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of the **MEETING OF THE PLANNING COMMITTEE** held on 8 October 2014 at 2.15pm

Present

Councillors: Mrs F J Colthorpe (Chairman), Mrs H Bainbridge, M D Binks, Mrs D L Brandon, C J Eginton, P J Heal, Mrs B M Hull (substituting for Cllr R F Radford), D J Knowles, M A Lucas (substituting for Cllr Mrs L J Holloway), R L Stanley and P F Williams (substituting for Cllr J M Downes).

Apologies

Councillors: J M Downes, A V G Griffiths, Mrs L J Holloway, E G Luxton, R F Radford and M E Squires

Present Officers: J Guscott (Head of Planning and Regeneration), J Clifford (Professional Services Manager), T Billeter (Area Planning Officer), S Trafford (Area Planning Officer), P Dadson (Conservation Officer) and S Gabriel (Principal Member Services Officer).

Also in attendance I Sorenson and S Jarvis (Devon County Council, Highways Authority)

Member	Minute No	Type of Interest
M D Binks	75c	Personal
Mrs D L Brandon	73b 74b	Personal Personal
Mrs F J Colthorpe	73b 74b 75c	Protocol of Good Practice for Councillors Protocol of Good Practice for Councillors Protocol of Good Practice for Councillors
C J Eginton	75c	Personal
P J Heal	75c	Personal
Mrs B M Hull	73b 74b	Personal Personal
D J Knowles	75c	Protocol of Good Practice for Councillors
M A Lucas	71b	Protocol of Good Practice for Councillors

68. VICE CHAIRMAN

The Chairman stated that in the absence of Cllr Mrs M E Squires she would require a Vice Chairman for the meeting.

RESOLVED that Cllr P F Williams be acting Vice Chairman for the meeting.

(Proposed by the Chairman)

69. **MEETING MANAGEMENT**

The Chairman indicated that she intended to take Item 4 on the agenda (Chairman's Announcements) as the next item of business.

70. **CHAIRMAN'S ANNOUNCEMENTS (00-03-38)**

The Chairman had the following announcements to make:

- a) She reminded Members that Planning Training would take place on Monday 13 October at 1.30pm in the Council Chamber.
- b) A special meeting of the Planning Committee would take place on Wednesday 22 October and that a site visit had been arranged for Tuesday 21 October.
- c) She had been requested to read a letter from Neil Parish MP which related to Item 11 on the agenda (Cloverleaf Road Junction) which had asked for the deferment of the application to allow for further consideration of the application by the Highways Authority to reduce the impact on local residents.

RESOLVED that application 14/01168/MFUL be deferred until 22 October 2014 for the reasons set out in the MP's letter and that a site visit take place prior to determination of the application.

(Proposed by the Chairman)

- d) She informed the meeting that application 14/01047/MARM Farleigh Meadows) had been deferred at the request of the developer to allow for the exploration of some alternative arrangements.

71. **PUBLIC QUESTION TIME**

Mrs Briant-Evans referring to Item 3 on the Plans List (Lower Town Place, Lapford) asked the following questions:

1. In considering Officer Recommendations will Members have taken account of the Planning Inspectorate reasons in the Judgement, 22 July 2014, where the appeal was dismissed due to the impact upon the designated Lapford Conservation Area. Case Reference APP/Y1138/A/14/2217149, for land opposite The Old School House, Lapford?
2. In considering Officer Recommendations will Members have taken account of the matter within the Judgement 30 June 2014, where Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives considerable importance and weight to the desirability of preserving the setting of listed buildings, holding a strong presumption against granting planning permission where there would be any harm to the setting of a listed building. Case Reference APP/Y1153/A/13/2208097, for the Windmill at Iddesleigh in dismissing the Appeal?

The Area Planning Officer stated that the matters had been considered and that officers view was that the application would not have an impact on the setting of the listed building or the Conservation Area.

Cllr Warren (Willand Parish Council) referring to Item 2 on the Plans List (Westcountry Cars) stated that the officer recommends three conditions in the report to Members:

Condition 3 refers to a new boundary treatment shall be fully implemented in accordance with the approved details prior to the first use of the application site and shall thereafter be retained. Does this only refer to the applied for extension to the North east of the building or does it apply to this area and the original approved red line site?

If it is only applicable to the current application in relation to the extension to the North East of the building it will not resolve the anomalies which have been created to the East, South East and South where unauthorised use is made. If members are minded to approve could not this condition include the whole boundary of the site being so treated taking the line of the original hedge/ditch.

The Area Planning Officer stated that yes the condition only related to the additional land however following the Parish Council's comments the application line was amended.

Cllr Ursell (Willand Parish Council) referring in general to Westcountry Car issues raised on the agenda stated that applications are approved with the full authority of this committee, often with conditions attached. Does it concern the committee that when conditions are broken and not enforced, the authority of this committee is weakened such that applicants know that there are no consequences of breaking conditions. Is the committee further concerned that when negotiations are held with applicants with a view to regularising the broken conditions, the result is that applicants want to break conditions as a way of starting the negotiation, further weakening the authority of the Planning Committee.

The Head of Planning and Regeneration stated when a condition was imposed on a planning permission; the Local Planning Authority would require the developer to comply with it. Occasionally conditions were breached once development was underway; under enforcement rules, the Local Planning Authority should try to negotiate a solution where possible. Sometimes conditions could be amended or enforced depending on the merits of each application. When breaches were reported they were investigated and reported to Committee if action was required.

The Committee had received a written question from Mrs Clunies –Ross referring to item 11 on the agenda (Cloverleaf Junction), a written response would be provided.

72. **MINUTES (00-24-00)**

The minutes of the Meeting held on 10 September 2014 were approved as a correct record and **SIGNED** by the Chairman.

73. **ENFORCEMENT LIST PART 1 (00-25-00)**

Consideration was given to a case in the Enforcement List *. The Chairman stated that she intended to consider items 1 and 3 and that item 2 would be addressed when consideration of the planning application for Westcountry Cars (Item 2 on the Plans List) had taken place.

Note:* List previously circulated; copy attached to signed Minutes.

Arising thereon:

- (a) No. 1 in the Enforcement List (***Enforcement Case ENF/14/00041/BRE–breach of Condition 4 of planning permission 11/00226/FULL, toilet trailers stored onsite in excess of number 20 and unauthorised material change of use, the siting of a portable office building contrary to Town and Country Planning Act 1990 (as amended).***)

RESOLVED that this item be deferred to allow the Head of Planning and Regeneration to inspect the site and consider the issues raised by Willand Parish Council.

(Proposed by the Chairman)

Note: Cllr Warren representing Willand Parish Council spoke.

- (b) No. 3 in the Enforcement List (***Enforcement Case ENF/14/00141/UCU–without planning permission, the change of use of land to a temporary coach and car park and associated operational development to create the parking area, access and installation of lighting – land at NGR 304319 114213, Sampford Peverell).***)

RESOLVED that the Legal Services Manager be given delegated authority to take any appropriate legal action including the service of an enforcement notice; in the event of any failure to comply with the notice served, the additional authority to prosecute, take direct action and/or seek a court injunction. With an amendment to Step 1 to state that the period of compliance be “within 3 months of the notice taking effect”.

(Proposed by Cllr M A Lucas and seconded by Cllr R L Stanley)

- Notes: (i) Cllr M A Lucas made a declaration in accordance with the protocol of good practice for Councillors in dealing with planning matters as he had been involved in discussion with Sampford Parish Council;
- (ii) Mr Okey Regional Development Manager for First Great Western spoke;

- (iii) Mr Aspray (Clerk to Sampford Peverell Parish Council) spoke;
- (iv) Cllrs Mrs H Bainbridge and M A Lucas spoke as Ward Members.

74. **DEFERRALS FROM THE PLANS LIST**

There were no deferrals from the Plans List

75 **PLANS LIST (00-59-46)**

The Committee considered the applications in the plans list *.

Note: *List previously circulated; copy attached to the signed Minutes.

- (a) No 1 on the Plans List (***14/00453/FULL – change of use of agricultural land to provide 1 traveller pitch including amenity block and associated works – land at NGR 303825 111651 (South of Muxbeare Orchard) Muxbeare Lane, Willand.***)

RESOLVED that this application be refused as recommended by the Head of Planning and Regeneration.

(Proposed by Cllr Mrs D L Brandon and seconded by Cllr P J Heal)

- Notes:
- (i) The Chairman read a statement from Cllr R F Radford (Ward Member) in his absence;
 - (ii) Cllrs Mrs H Bainbridge, M D Binks and P F Williams requested that their votes against the decision be recorded;
 - (iii) The following late information was reported: additional information received, all confidential: A letter from applicant's GP and a letter of support from the charity Families, Friends and Travellers.
- (b) No 2 on the Plans List (***14/00772/FULL – Extension of car sales area, West County Car Sales, Five Bridges, Willand Road, Cullompton (1-14-52)***)

RESOLVED that this application be granted planning permission subject to conditions as recommended by the Head of Planning and Regeneration; with an amendment to the wording of Condition 3 that: within three months of the date of this permission details of a new boundary treatment to include a means of enclosure along the boundary of the application site with the adjacent agricultural land and along the boundary of the wider site consented for the sale of cars under planning permission 13/01425/FULL with the adjacent agricultural land shall be submitted to and approved in writing by the Local Planning Authority. The new boundary treatment shall be fully

implemented in accordance with the approved details prior to the first use of the application site and shall thereafter be retained.

(Proposed by Cllr C J Eginton and seconded by Cllr Mrs H Bainbridge)

- Notes: (i) Cllr Mrs D L Brandon declared a personal interest as the landowner was known to her;
- (ii) Cllr Mrs B M Hull declared a personal interest as the applicant was known to her;
- (iii) Cllr Mrs F J Colthorpe made a declaration in accordance with the Protocol of Good Practice for Councillors dealing in planning matters as she had received correspondence from both the applicant and objectors;
- (iv) Mr Payne (Applicant) spoke;
- (v) Cllr Warren spoke on behalf of Willand Parish Council;
- (vi) Cllrs Mrs D L Brandon and R J Chesterton spoke as Ward Members;
- (vii) The Chairman read a statement from Cllr R F Radford in his absence;
- (viii) The following late information was reported: A letter from the applicant has been circulated to all Planning Committee members. The letter sets out reasons why the application should be approved and includes a letter from the owner of the Willand Post Office regarding additional custom from the business, a letter from the freeholder of the land and photographs from the internet showing the proposed site.

Letter from the freeholder of the land circulated to Members of the Planning Committee stating that there was no hedge in place adjacent to the track prior to the applicant taking on the lease and that the entire area in question had been used by the farm shop customers previously.

76 ENFORCEMENT LIST PART 2 (CONTINUATION OF THE LIST) (1-49-50)

- (b) No. 2 in the Enforcement List (***Enforcement Case ENF/14/00047/UCU– use of land for the display and sale of motor vehicles, the use of an agricultural building for the valeting of vehicles ready for sale, the use of the customer parking area for the display and sale of motor vehicles, the display of bunting, the installation of security cameras and lighting – land south west of Willand occupied by West Country car sales***)

RESOLVED that the Legal Services Manager be given delegated authority to take any appropriate legal action including the service of an enforcement notice or notices if voluntary compliance or

retrospective applications are not submitted in respect of the advertisement and security lighting within the timescales of two months as set out in the committee report. In the event of any failure to comply with the notice served, the additional authority to prosecute, take direct action and/or seek a court injunction

(Proposed by the Chairman)

- Notes: (i) Cllr Mrs D L Brandon declared a personal interest as the landowner was known to her;
- (ii) Cllr Mrs B M Hull declared a personal interest as the applicant was known to her;
- (iii) Cllr Mrs F J Colthorpe made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as she had received correspondence from both the applicant and objectors;
- (iv) Cllr Warren spoke on behalf of Willand Parish Council.

77 **PLANS LIST PART 2 (2-11-16)**

- (c) No 3 on the Plans *List (14/00820/MFUL – erection of 8 dwellings following demolition of existing agricultural buildings (revised scheme) land and buildings at NGR 273180 108316 (Lower Town Place), Lapford)*

RESOLVED that this application be granted planning permission subject to the signing of a Section 106 Agreement for the:

- a) Provision of two affordable units to be occupied on an affordable rented basis
- b) A contribution towards the provision of new and existing open space = 6 x £1,442
- c) A contribution of towards the improvements to air quality in Crediton = 6 x 4434
- (d) A contribution of £4,579 towards the cost of providing secondary school education (transport costs)

And conditions as recommended by the Head of Planning and Regeneration with the removal of the last sentence in Condition 10.

(Proposed by the Chairman)

- Notes: (i) Cllr P J Heal made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as he had attended Parish Council meetings and lived in the village

- (ii) Cllr C J Eginton made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as he was the Ward Member, had attended Parish Council meetings and knew a number of the objectors to the application.
- (iii) Cllr M D Binks declared a personal interest in the application as he owned properties in Orchard Way;
- (iv) Cllr D J Knowles made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as he had received correspondence regarding the application;
- (v) Cllr Mrs F J Colthorpe made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as she had been contacted by various people regarding the application
- (vi) Mr Holden (Agent) spoke;
- (vii) Mr Keable spoke on behalf of the objectors;
- (viii) Cllr Hemsworth spoke on behalf of Lapford Parish Council;
- (ix) Cllr C J Eginton spoke as Ward Member;
- (x) Mr Sorenson (Devon County Council, Highways Authority) and Mr Dadson (Conservation Officer) both spoke;
- (xi) A proposal to refuse the application was not supported by the Committee;
- (xii) Cllrs C J Eginton and P J Heal requested that their vote against the decision be recorded:
- (xiii) The following late information was recorded: The comments of the Conservation officer are set out below:

In summary he recommends that planning permission should be granted. His assessment deals with the site in its context, how the scheme affects the Lapford Conservation Area and the relationship with the Grade 1 Church. He notes that the application has been much modified to take into account his view and those of English Heritage. The details of the case in conservation terms will be dealt with in sequence below

Existing Buildings

There are currently several agricultural buildings on the site. In passing is it worth pointing out that it is unusual to find a collection of buildings in the centre of a settlement and is of little surprise that they have become redundant to modern agricultural use.

The existing farm buildings on the site consist of a large modern covered open sided farm shed. This has no architectural or historic merit. Its demolition would be a positive thing. This adjoins the boundary of the conservation area.

There are also two other farm buildings which are traditional. The eastern most building (that is within the conservation area) is a part two storey building under a natural slate roof and a part single storey building with a corrugated asbestos roof. The two storey section has a stone wall facing the road and has a corrugated iron lean-to at its northern end. The two storey section is predominantly rendered. The west elevation of the two storey section is mainly clad in vertical timber boarding on the first floor and a mixture of horizontal boarding and corrugated iron to the lower storey. The single storey element is rendered concrete block with 2 double sliding doors in sheet metal. The other building is an L shaped single storey building and is outside the conservation area. The southern wing is in stone and block work with a double Roman clay tiled roof. The courtyard elevation is largely open fronted. The northern wing is a narrow single storey building in stone and brick and corrugated iron cladding with a corrugated iron roof.

In essence the building forms a small traditional farmstead, albeit without a dwelling. I repeat that the modern farm building and the L shaped building are outside the boundary of the conservation area while the building on the east side of the site is within that boundary.

Policy relating to the existing buildings

For the heritage policy considerations Members must have regard to the National Planning Policy Guidance and the MDDC Local Plan Part 3 Policy DM 27 which is based on the NPPF wording.

Paragraph 131 of the NPPF requires local planning authorities to take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The 'heritage assets' in this case are the conservation area (within which one of the barns lies) and both of the traditional barn buildings which fall within the definition of non-designated heritage assets. They are not of listable quality so they cannot be designated listed buildings.

Paragraph 135 of the NPPF states that; 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

In addition MDDC policy DM 27 applies. It requires that the LPA to only approve proposals that would be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm or the requirements of requirements of paragraph 133 of the National Planning Policy Framework are met.

Taking the above policies together it is reasonable to say that the barns do make some contribution to the character of the conservation area if only for the reason that the 'patina of age' has made them a familiar sight in the local scene. However, their structural condition is very poor. They have been much modified over many years with extensive use of modern materials to patch and mend and keep them going. Also, importantly, only one of the barns is within the conservation area and neither this barn, or the other can be said to be prominent visually in the public view from publicly accessible areas. Their visual contribution to the character of the conservation area is therefore minimal. The reality is that to achieve a conversion of the barns would of necessity mean substantial reconstruction work. It is also the case that the only acceptable access point to the site is from the east side off the road where the barn on that side lies. This brings us to the question raised in Policy DM 27 i.e. are there substantial public benefits accruing from this development that outweigh that substantial harm (i.e. demotion of the heritage assets). In this case one can reasonable point to the addition of new housing to the village which helps to contribute to the viability of local services such as the PO and pubs etc. and, to the less easy to quantify, the 'concrete' vitality potential of the village. In addition the addition of 2 new affordable housing units has obvious public benefits.

The reason why English Heritage was consulted over this case was due to earlier concerns in the early days of the processing of this case about the impact of the proposed new houses placed in the southern part of the site on the Grade 1 parish Church. Members will note that amended plans have been submitted which show a smaller footprint of buildings and with a lower ridge. These amendments have satisfied the requirements of English Heritage, as confirmed by the Inspector.

Also the concerns about the formation of the development in the centre of the site have been addressed by the applicant by reducing the number of units and remodelling them in design so that they will have a better relationship with each other within the site and will take on a more convincing small scale traditional appearance that is acceptable in the grain of the village scene. The use of Flemish brickwork and the reuse of stone from the

demolished farm buildings will help to settle the buildings in to the local scene. The disposition of stone on the new buildings is considered not to be the best arrangement. It is preferable to have a whole elevation clad with stone rather than a ground floor part of an elevation. This has been discussed with the agent and can be the subject of a condition. The proposed Georgian style house and attached affordable unit on the street frontage is considered to be acceptable provided the proportions of the sash windows are correct in traditional detail. The choice of render for the frontage house is considered to be inappropriate in this case. Well-chosen brick in Flemish bond would be preferable here and would not be so strong visually in the street scene. The Village hall is of course in brick and would sit happily with the new house. These details are also the subject of proposed conditions to be attached.

This proposal has been the subject of much discussion with the agent and with English Heritage and it is the officers view that the shortcomings have been overcome with the result that it is now an acceptable scheme for this conservation area location and in terms of its impact on the setting of the Grade 1 church

Summary

Reasonable to permit subject to the following conditions:-

Materials to be submitted for approval

The frontage house shall have brick in Flemish bond on all elevations. A 1metre panel of brickwork with pointing to be put on site for prior approval.

The disposition of stonework on the buildings is to be agreed in writing with the LPA . A 1 metre panel of stonework with pointing to be proved on site for prior approval

Detail of surfacing to be submitted – not concrete block setts – tarmac is ok

Landscaping and boundary treatment - including details of the wall or railing on the street frontage

Condition re protection of trees on the church boundary

All rooflights to be set flush with the roof slope

Clarification points on page 41:

Point 1 of recommendation should be drafted as follows:

Provision of two affordable units to be occupied on an affordable rented basis

In the proposed development section the description

Units 3, 4 and 5: This block is arranged with 1 x 5 bedroom unit, 1 x 4 bedroom unit and a single 1 bedroom unit. The front doors

to these units are via a footpath off of the new estate road, and with rear garden areas that project to the site boundary (between 10-12.0 metres in depth). The units have been designed standing a maximum of 8.5 metres above ground level designed with a slight fall across the block.

Units 6, 7 and 8: This block is arranged as a terrace of 3 x 3 (plus study room) bedroom units. The front doors to these units are via a footpath off of the new estate road, and with rear garden areas that project to the site boundary (approximately 11.0 metres in depth).

On page 48: Since the report was drafted 4 further letters of objection have been received. The comments made echo the reasons for objecting as set out in the report.

78. **THE DELEGATED LIST (3-08-45)**

The Committee **NOTED** the decisions contained in the Delegated List *.

Note: *List previously circulated; copy attached to signed Minutes.

79. **MAJOR APPLICATIONS WITH NO DECISION (3-09-47)**

The Committee had before and **NOTED** a list * of major applications with no decision. It was **AGREED** that:

Application 14/0150/MFUL – Stumpy Cross Silverton - be brought before the Committee for determination if minded to approve

Application 14/01310/MFUL – Hitchcocks Farm, Uffculme – be brought before the committee for determination and that a site visit take place

Application 14/01452/MFUL – East of Bowdens Lane, Shillingford - be brought before the Committee for determination if minded to approve

Application 14/01248/MFUL – Stoneshill Farm, Willand Road, Cullompton, be brought before the committee for determination and that a site visit take place if minded to approve.

Note: *List previously circulated; copy attached to signed Minutes.

80. **APPEAL DECISIONS (3-13-17)**

The Committee had before it and **NOTED** a list of appeal decisions * providing information on the outcome of recent planning appeals.

Note: *List previously circulated; copy attached to signed Minutes.

81. **APPLICATION 14/01168/MFUL - CONSTRUCTION OF A 'CLOVERLEAF' ROAD JUNCTION WITH ACCESS AND EGRESS ONTO BOTH THE EASTBOUND AND WESTBOUND CARRIAGEWAYS OF THE A361 WITH ASSOCIATED ENGINEERING WORKS, DRAINAGE FACILITIES, EMBANKMENTS, ROAD BRIDGE, LIGHTING, SOFT LANDSCAPING AND A NOISE BARRIER TO THE REAR OF THE HOUSES ON UPLOWMAN ROAD, A ROUNDABOUT, A STRETCH OF CONNECTING HIGHWAY AND A**

JUNCTION AND ACCESS ONTO BLUNDELL'S ROAD WITH ASSOCIATED ENGINEERING WORKS AND LANDSCAPING AT LAND AT NGR 298079 113306 (OFF THE A361), BLUNDELLS ROAD, TIVERTON

This item had been deferred as reported earlier in the meeting.

Note: *Report previously circulated; copy attached to signed Minutes.

82. **APPLICATION 14/01047/MARM - RESERVED MATTERS FOR THE ERECTION OF 275 DWELLINGS, FORMATION OF CHILDREN'S PLAY AREA, LANDSCAPING, OPEN SPACE, AND ASSOCIATED ACCESS AND ROAD AND DRAINAGE INFRASTRUCTURE FOLLOWING OUTLINE APPROVAL 12/00277/MOUT AT LAND AT NGR 294586 113569 (FARLEIGH MEADOWS) WASHFIELD LANE, LOWER WASHFIELD, DEVON**

This item had been deferred as reported earlier in the meeting.

Note: *Report previously circulated; copy attached to signed Minutes.

83. **APPLICATION 14/00006/TPO – TREE PRESERVATION ORDER FOR 2 X OAK TREES AT RATSASH LANE CRADDOCK**

The Committee had before it a report * of the Head of Planning and Regeneration regarding the above application.

The Area Planning Officer outlined the contents of the report by way of presentation highlighting the trees in questions and the potential development that could threaten the trees.

RESOLVED that the Tree Preservation Order be granted as recommended by the Head of Planning and Regeneration.

(Proposed by Cllr Mrs D L Brandon and seconded by Cllr P F Williams)

Notes: (i) Cllr Mrs D L Brandon spoke as Ward Member;

(ii) *Report previous circulated, copy attached to signed minutes.

84. **PLANNING PERFORMANCE 2014-15 QUARTER ONE AND TWO (3-16-59)**

The Committee had before it and **NOTED** a report * of the Head of Planning and Regeneration providing Members with information on the performance of Planning Services for the first 2 quarters of 2014. He outlined the contents of the report highlighting the 10 year comparison chart and emphasising the Government guidelines which had focussed on delivery rather than speed and then the reintroduction of performance measured on speed and recently performance measured on a balance of delivery and speed. He outlined the revised timetable for the Local Plan.

Discussion took place regarding:

- Performance with regard to enforcement issues
- The legal process with regard to committee decisions
- Building Control

Note: *Report previously circulated, copy attached to signed minutes.

(The meeting ended at 6.02pm)

CHAIRMAN