

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **MID DEVON DISTRICT COUNCIL** held on Wednesday 4 September 2013 at 6.00 pm

### **Present**

**Councillors:** E J Berry (Chairman)  
Mrs E M Andrews, Mrs H Bainbridge, M D Binks, R J Chesterton, Mrs F J Colthorpe, N V Davey, W J Daw, R M Deed, C J Eginton, R Evans, A V G Griffiths, Mrs S Griggs, P H D Hare-Scott, P J Heal, Mrs L J Holloway, T G Hughes, Mrs B M Hull, M R Lee, M A Lucas, D F Pugsley, R F Radford, Mrs J R Rendle, Mrs J Roach, C R Slade, T W Snow, J D Squire, R L Stanley, Mrs M E Turner, N A Way, K D Wilson and Mrs N Woollatt

### **Apologies**

**Councillors:** Mrs D L Brandon, D R Coren, J M Downes, D J Knowles, E G Luxton, F J Rosamond, Mrs M E Squires, P F Williams and R Wright

## 31 **MINUTES**

The Minutes of the Meeting of the Council held on 3 July 2013 were approved as a correct record and **SIGNED** by the Chairman.

## 32 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

- He reminded Members that the Civic Service would take place in Bradninch on Sunday 22 September at 3.00pm;
- The Leader of Devon County Council would be coming to Tiverton Town Hall on Wednesday 16 October at 7.00pm to discuss Devon County Council funding issues.

## 33 **PUBLIC QUESTION TIME**

Honorary Alderman Mrs Mead referring to the Cabinet Meeting of 1 August (Minute 32 - Tiverton Tourist Information Centre) asked the following questions:

- In view of the pressures on the Council budget, why had the Cabinet chosen to spend £13,600 on set up costs for the museum rather than leave the TIC at the same premises?
- With regard to income has the Council considered that the museum offers no income?
- The Tiverton Town Team had noticed that there were a lot of empty shops in the town, how much confidence does the Council have in renting the premises for £10k per annum?

- Has the relevant confirmation been received from the European Regional Development Fund regarding the release of the TIC premises and will any claw-back be payable?
- Is the Council satisfied that the assessment of the DCLG on behalf of the ERDF can be relied upon?

Mrs North again referring to the Cabinet Meeting of 1 August (Minute 32 - Tiverton Tourist Information Centre) stated that she noted the majority of Councillors involved in the Cabinet decision did not represent any Tiverton Members and asked how often any of the Cabinet used the TIC and were they aware of the importance of the prominent position it held? Did Members realise how many people used the premises and if the footfall reduced on the move to the museum were Members prepared to accept responsibility for their actions or were they prepared to let the TIC just wither away?

Mr Massey referring to the Cabinet Meeting of 1 August (Minute 32 - Tiverton Tourist Information Centre) asked whether given the Cabinet's concern regarding the business case for the TIC and Tiverton Town Councils accounting responsibilities and were prepared to manage responsibilities on a similar basis, were they therefore doing away with competitive tendering?

Mrs Cook referring to the Cabinet Meeting of 1 August (Minute 32 - Tiverton Tourist Information Centre) stated that the Cabinet had dismissed the initial opening hours proposed for the new café, this had been the TIC opening hours. The proposed proprietor of the café had put forward an extension to the opening hours which had not been considered and this seemed to be the main reason why the bid had been turned down. The TIC had built an important business for visitors and locals alike. On a financial note, the museum would require £14,000 in grant and wages and there would be additional signage costs. She raised concern that the Town Team were going to use the Four in Hand pub as a ticket office, what would these tickets be for? She stated that customers were very angry about the decision and handed a petition to the Chairman.

The Leader made the following response to questions asked: The Cabinet had looked at the history of the TIC and the sums of money paid in the form of grants and had evaluated the 2 final submissions. The preferred option had been the museum as it was the best long term solution for the Council. With regard to the existing site, the Cabinet were confident that the site could be let and an income received. Business cases were received from both parties involved. He wanted to assure Honorary Alderman Mrs Meads that the European funding had been looked into and there would be no claw-back. The Cabinet were all aware of the support the town had for the TIC and their concerns regarding empty shops. He believed the right decision had been made for the long term interest of the authority and the town.

The Cabinet Member for Community Well-Being stated that the Council had gone through due process, the decision had been made and the Scrutiny Committee would be meeting on 16 September 2013 to consider the process in depth. The European Regional Development Fund had given authority for the facility to be used for other uses and yes the decision could be relied upon. With regard to Mrs North's question, the Cabinet were responsible for instigating changes and that it was the performance of the existing TIC arrangement that had instigated a review of the TIC facilities in Tiverton. The management had not responded to pleas from the Council to address issues

of concern. It was not the position of the Council to interfere in the management of any grant funded business and many good causes had received funding. The management of the TIC had been under discussion for over a year and last minute information was not useful, information about the extension of opening hours was not received until the meeting of the Cabinet on 1 August. He pointed out that the Cabinet Member for Finance was a Tiverton Member and that he personally had used the TIC on many occasions.

#### 34 **PETITIONS**

The Chairman received a petition from Mrs Cook from the Tiverton Tourist Information Centre.

#### 35 **NOTICES OF MOTION**

##### **(1) Motion No 473 (Councillor T W Snow – 27 August 2013)**

The Council had before it a **MOTION** submitted for the first time:-

“That this council enters into discussion with our MP Neil Parish as to the impact that new Government guide lines on planning has had on the people of this district and in particular Cullompton and how they can be improved in order to satisfy local concerns within our community”.

The **MOTION** was **MOVED** by Councillor T W Snow and seconded by Councillor M A Lucas. In accordance with Procedure Rule 13.4 the Chairman of the Council had ruled that the **MOTION** should **STAND REFERRED** to the Planning Committee.

#### 36 **CABINET – REPORT – MEETING HELD ON 4 JULY 2013**

The Leader presented the report of the meeting of the Cabinet held on 4 July 2013.

#### 37 **CABINET – REPORT – MEETING HELD ON 1 AUGUST 2013**

The Leader presented the report of the meeting of the Cabinet held on 1 August 2013.

**Arising thereon:-**

##### **(1) Decent and Affordable Homes Policy Development Group – 16 July 2013 (Minute 34(b))**

The Leader **MOVED**, seconded by Councillor R L Stanley

“**THAT** the recommendation of the Cabinet as set out in Minute 34(b) be **ADOPTED**”

Councillor Mrs J Roach **MOVED** an **AMENDMENT** seconded by Councillor Mrs M E Turner – “That Minute 34(b) be amended to read that the Draft Aids and Adaptions Policy be adopted subject to the exclusion of bullet point 6 (To

provide access ramps or major adaptations for tenants with a terminal condition when safe and temporary, but effective solutions can be undertaken quickly) on page 8 of the report”. Following debate, and upon a vote being taken, the **AMENDMENT** was declared to have **FAILED**.

Councillor Mrs J Roach **MOVED** a **FURTHER AMENDMENT** seconded by Councillor Mrs M E Turner - “That Minute 34(b) be amended to read that the Draft Aids and Adaptions Policy be approved subject to bullet point 6 on page 8 being reconsidered by the Decent and Affordable Homes Policy Development Group and the Cabinet. Following debate, and upon a vote being taken, the **AMENDMENT** was declared to have **FAILED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Note: Councillor K D Wilson requested that his vote against the decision be recorded.

## **(2) Community Infrastructure Levy – Instalment Policy and Regulation 123 List (Minute 35)**

The Leader **MOVED**, seconded by Councillor R J Chesterton:-

“**THAT** the recommendation of the Cabinet as set out in Minute 35 be **ADOPTED**”

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

### **38 SCRUTINY COMMITTEE – REPORT – MEETING HELD ON 15 JULY 2013**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 15 July 2013.

### **39 SCRUTINY COMMITTEE – REPORT – MEETING HELD ON 12 AUGUST 2013**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 12 August 2013.

### **40 AUDIT COMMITTEE – REPORT – SPECIAL MEETING HELD ON 30 JULY 2013**

The Vice Chairman of the Audit Committee presented the report of the meeting of the Committee held on 30 July 2013.

### **41 MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 9 JULY 2013**

The Chairman of the Managing the Environment Policy Development Group presented the report of the meeting of the Group held on 9 July 2013.

42 **DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 16 JULY 2013**

The Chairman of the Decent and Affordable Homes Policy Development Group presented the report of the meeting of the Group held on 16 July 2013.

43 **COMMUNITY WELL BEING POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 23 JULY 2013**

The Chairman of the Community Well Being Policy Development Group presented the report of the meeting of the Group held on 23 July 2013.

44 **PLANNING COMMITTEE – REPORT – MEETING HELD ON 17 JULY 2013**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 17 July 2013.

45 **PLANNING COMMITTEE – REPORT – MEETING HELD ON 14 AUGUST 2013**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 14 August 2013.

46 **PLANNING COMMITTEE – REPORT – SPECIAL MEETING HELD ON 28 AUGUST 2013**

The Chairman of the Planning Committee presented the report of the special meeting of the Committee held on 28 August 2013.

47 **LICENSING COMMITTEE – REPORT – MEETING HELD ON 25 JULY 2013**

The Chairman of the Licensing Committee presented the report of the meeting of the Committee held on 25 July 2013.

48 **REGULATORY COMMITTEE – REPORT – MEETING HELD ON 25 JULY 2013**

The Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 25 July 2013.

49 **STANDARDS COMMITTEE – REPORT – MEETING HELD ON 31 JULY 2013**

The Chairman of the Standards Committee presented the report of the meeting of the Committee held on 31 July 2013.

50 **QUESTIONS**

In accordance with Procedure Rule 12.2 the Council had before it a question \* from Councillor Mrs N Woollatt relating to Cabinet Minute 102(a) (14 February 2013) concerning extending the existing amplification system in the Council Chamber and the purchase of a mobile recording system and the

response of the Cabinet Member for the Working Environment and Support Services.

Note: \*Question and response previously circulated, copy attached to signed minutes.

51 **CHILDREN'S CENTRES, MID DEVON ADVISORY BOARD**

The Chairman indicated that the Council had been requested to appoint a Member to the Children's Centres, Mid Devon Advisory Board. Councillors Mrs H Bainbridge and M D Binks both expressed an interest in the appointment and made a statement to this effect.

Upon a **VOTE** being taken, Councillor M D Binks was declared to have been appointed to the Children's Centres, Mid Devon Advisory Board.

52 **QUESTIONS TO CABINET MEMBERS**

Councillor K D Wilson asked the Cabinet Member for Community Well-Being whether he was a Trustee of the Museum; the Cabinet Member replied stating that he was not a Trustee of the Museum.

Councillor Mrs J Roach asked the Cabinet Member for the Environment whether the requested signage had been installed in the Multi storey car park and that she still had concerns regarding the lighting in the building.

The Cabinet Member stated that he was aware that people were continuing to get lost in the car park however the lighting works had been completed; the Head of Environmental Services was aware of these issues.

Councillor M A Lucas asked the Cabinet Member for Community Well-Being about the closure of rural post offices and voiced concern that the Government were only interested in towns and cities and not people who lived in the countryside.

The Cabinet Member stated that a considerable number of post offices had been closed, these closures were based on the number of residents using the facilities and that this had been a European Directive. He felt that the Government were being lobbied by specific agencies with regard to rural affairs.

Councillor D F Pugsley asked the Leader if he was aware that only 1 State of the District Debate had been held in the last 2½ years and was there going to be one this year. He also referred to the signage in the Chamber stating that no recording should take place without prior notification to the Chairman, no resolution had been passed to this effect?

The Leader stated that there would be a State of the District Debate and the he did not know of a resolution regarding recording of meetings.

Councillor K D Wilson asked the Cabinet Member for the Environment why he had not been able to receive the notes of the Members Briefing on car parking?

The Cabinet Member stated that an open meeting was held for Members, this was not a public meeting, 50 ideas had been put forward including ideas from members of the public; any Member could approach anyone involved in the cross party working group. If Members' required notes of the working group meeting, they could have them, it was felt that the original initial ideas should not be released into the public domain until discussions and specific costings had been progressed.

Councillor K D Wilson asked the Cabinet Member for Community Well-Being about a recent article in the Star referring to changes in pay for employees at the Leisure Centres.

The Cabinet Member stated that negotiations were on-going with staff, these negotiations had not been concluded and the article in the Star had been premature.

Councillor M A Lucas asked the Cabinet Member for Planning and Economic Regeneration about the project to improve broadband speed in the rural areas and whether he had any additional information regarding a meeting that had taken place between Devon County Council and Somerset County Council?

The Cabinet Member stated that he had been told that Mid Devon would be involved in the first phase however no announcement had been made to date.

Councillor N A Way asked the Cabinet Member for the Working Environment and Support Services about the possible withdrawal of Building Control Officers from the Crediton Office and about the closure of that office at lunchtimes. Crediton Members would like an assurance that the Crediton Office would not suffer because of cuts.

The Cabinet Member explained that it was proposed to close the Crediton office at lunchtimes between 12.30pm and 1.30pm, but that this was being consulted upon.

The Chief Executive stated that the Building Control Officer based at Crediton was due to retire and he was looking into how the Building Control service would be provided following this officer's retirement.

## 53 MEMBERS' BUSINESS

Councillor Mrs J Roach stated that she was very sad that Cllr Mrs Fox had left the Council as she had been a very fair and exceptional Chair of the Audit Committee and that she had total respect for her as a Councillor.

Councillor R M Deed stated that he had looked into the hydrotherapy pool issue raised at the last meeting: such pools could be accommodated at Lords Meadow and Exe Valley Leisure Centres however these pools would have to take the place of the children's pools and the set up and running costs would be extremely expensive.

Councillor R M Deed referred to a previous discussion regarding Tiverton Hospital and the Minor Injuries Unit (MIU) which he noted had been closed

again at short notice. The Choice Group had been struggling to get a regular service in terms of a MIU; he had today received an email from the local Clinical Commissioning Group which stated that North Devon Healthcare Trust were working on implementing a plan for an MIU at Tiverton, he hoped to further inform the Council at its next meeting.

Councillor Mrs M E Turner requested that Councillor Deed issue a press release to this effect.

Councillor C Slade stated that he had visited the base for the new 111 Service and was very confident that an excellent service would be provided in Devon.

(The meeting ended at 7.30pm)

**CHAIRMAN**