

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **MID DEVON DISTRICT COUNCIL** held on Wednesday 30 October 2013 at 6.00 pm

### **Present**

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

### **Apologies**

**Councillors:** Mrs E M Andrews, E G Luxton, Mrs M E Squires and Mrs M E Turner

## 54 **MINUTES**

The Minutes of the Meeting of the Council held on 4 September 2013 were approved as a correct record and **SIGNED** by the Chairman.

## 55 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

### **(1) Remembrance Day Service**

He stated that he would be attending the Remembrance Day service on 10 November 2013 at St Peter's Church, Tiverton at 11.00am.

### **(2) Long Service Awards**

He reported that prior to the meeting he had presented Long Service Awards to Mrs Stella Radley (Customer First) and Mrs Marjory Parish (Licensing) who had completed 25 years service with the District Council.

### **(3) Cathryn Heal**

He had great pleasure in welcoming the new Councillor for the Way Ward, Mrs Cathryn Heal to the meeting.

## 56 **PUBLIC QUESTION TIME**

Honorary Alderman Mr Charles Noon referring to Cabinet Minute 57 (3 October 2013) (Tiverton Eastern Urban Extension – Draft Master Plan Supplementary Planning Document) highlighted the lack of details with

regard to secondary education and asked whether Members of the Cabinet were aware of any of the following points:

- The Government plans to increase the school leaving age from 16 to 18 within the lifetime of the Master plan, what affect would this have?
- How determined are you that A Levels are taught at Tiverton with a full range of subjects?
- Are you aware of how many children go to Uffculme School and the effect the increase in population will have on that school?
- With regard to the future of Petroc which was funded from Barnstaple, will Tiverton pupils continue to be able to go to Petroc? Therefore a site for a further secondary school in Tiverton should be included in the outline plan.

Mrs Cluneis-Ross again referring to Cabinet Minute 57 (3 October 2013) (Tiverton Eastern Urban Extension – Draft Master Plan Supplementary Planning Document) stated that she noted the proposal was mainly of interest to 2 landowners in partnership with Mid Devon District Council, how much has this exercise and documentation cost the Council?

The Cabinet Member for Planning and Economic Development stated that with regard to education, advice had been taken from Devon County Council; he would consult with them and provide a written response to the Honorary Alderman. He would also provide a written response to Mrs Cluneis-Ross regarding the cost of officer time spent on the master planning exercise.

#### 57 **PETITIONS**

There were no petitions from members of the public.

#### 58 **NOTICES OF MOTION**

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

The following motion had been referred to the Planning Committee for consideration and report:-

“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 Planning Committee had considered the proposal and recommended that it be rejected.

Following debate, and upon a vote being taken, the **MOTION** was declared to have **FAILED**.

##### **(2) Motion No 474 (Councillor D F Pugsley – 11 October 2013)**

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

"The Council re-affirms the right of councillors to attend

meetings of committees and working groups of councillors of which they are not members and to speak with the permission of the chairman but not to vote; and encourages members to do so, and encourages chairmen to allow them to do so."

The **MOTION** was **MOVED** by Councillor D F Pugsley and seconded by Councillor Mrs N Woollatt.

Cllr D P Pugsley sought leave of the Council to **AMEND** his Motion in accordance with Procedure Rule 15.6(a). That was **AGREED**.

The **MOTION** was **MOVED** by Councillor D F Pugsley and seconded by Councillor Mrs N Woollatt in the following terms:-

"The Council affirms the right of councillors to attend meetings of committees and working groups of councillors of which they are not members and to speak with the permission of the chairman but not to vote; and encourages members to do so, and encourages chairmen to allow them to do so."

In accordance with Procedure Rule 13.4 the Chairman of the Council had ruled that the **MOTION** should be debated at this meeting.

Following debate, and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

### **(3) Motion 475 (Councillor Mrs N Woollatt – 16 October 2013)**

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

"That this council undertakes a review of the area covered by the Article IV Direction, which currently applies to the whole of the Conservation Area in Cullompton, with a view to restricting the Direction to those parts of the Conservation area which have not already lost their historical or architectural integrity.

Secondly, that, with the exception of any which would reasonably be considered to be in such a part of the Conservation Area and thereby likely to remain covered by the Article IV Direction, this council suspends current investigations and actions regarding breaches of the Article IV Direction in Cullompton until such time as the review has been completed and any potential alterations to the area covered by the Direction have been implemented."

The **MOTION** was **MOVED** by Councillor Mrs N Woollatt and seconded by Councillor D F Pugsley In accordance with Procedure Rule 13.4 the Chairman of the Council had ruled that the **MOTION** should **STAND REFERRED** to the Planning Committee.

**Note:** Councillor Mrs N Woollatt declared a personal interest as she lived within the Conservation Area in Cullompton.

59      **CABINET – REPORT – MEETING HELD ON 5 SEPTEMBER 2013**

The Leader presented the report of the meeting of the Cabinet held on 5 September 2013.

**Arising thereon:-**

**(1) Mid Devon Local Plan Part 3: Development Management Policies  
(Minute 45)**

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

“**THAT** the recommendation of the Cabinet as set out in  
Minute 45 be **ADOPTED**”

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

**(2) The Establishment (Minute 47)**

The Leader **MOVED**, seconded by Councillor Mrs B M Hull:-

“**THAT** the recommendation of the Cabinet as set out in  
Minute 47 be **ADOPTED**”

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

60      **CABINET – REPORT – MEETING HELD ON 3 OCTOBER 2013**

The Leader presented the report of the meeting of the Cabinet held on 3 October 2013.

**Arising thereon:-**

**(1) Alexandra Lodge – Care Home Provision (Minute 56)**

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

“**THAT** the recommendation of the Cabinet as set out in  
Minute 56 be **ADOPTED**”

Following debate and upon a vote being taken, the **MOTION** was declared to  
have been **CARRIED.**

**Note:** Councillors Mrs J R Rendle and R L Stanley declared personal  
interests as their spouses were Trustees of the Almshouse Trust.

**(2) Development of the Hard Court Facilities at Lords Meadow Leisure Centre (Minute 58)**

The Leader **MOVED**, seconded by Councillor R M Deed:-

“**THAT** the recommendation of the Cabinet as set out in Minute 58 be **ADOPTED**”

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

61 **SCRUTINY COMMITTEE – REPORT – MEETING HELD ON 16 SEPTEMBER 2013**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 16 September 2013.

62 **SCRUTINY COMMITTEE – REPORT – MEETING HELD ON 21 OCTOBER 2013**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 21 October 2013.

63 **AUDIT COMMITTEE – REPORT – MEETING HELD ON 24 SEPTEMBER 2013**

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 24 September 2013.

64 **MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 3 SEPTEMBER 2013**

The Chairman of the Managing the Environment Policy Development Group presented the report of the meeting of the Group held on 3 September 2013.

65 **DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 10 SEPTEMBER 2013**

The Chairman of the Decent and Affordable Homes Policy Development Group presented the report of the meeting of the Group held on 10 September 2013.

66 **COMMUNITY WELL BEING POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 17 SEPTEMBER 2013**

The Chairman of the Community Well Being Policy Development Group presented the report of the meeting of the Group held on 17 September 2013.

67 **PLANNING COMMITTEE – REPORT – MEETING HELD ON 11 SEPTEMBER 2013**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 11 September 2013.

**68 PLANNING COMMITTEE – REPORT – SPECIAL MEETING HELD ON 18 SEPTEMBER 2013**

The Chairman of the Planning Committee presented the report of the special meeting of the Committee held on 18 September 2013.

**69 PLANNING COMMITTEE – REPORT – MEETING HELD ON 9 OCTOBER 2013**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 9 October 2013.

**70 PLANNING COMMITTEE - REPORT – SPECIAL MEETING HELD ON 23 OCTOBER 2013**

The Chairman of the Planning Committee presented the report of the special meeting of the Committee held on 23 October 2013.

The Council had before it a question\* submitted by Councillor D F Pugsley in accordance with Procedure Rule 12.2(1) together with the response of the Cabinet Member for Planning and Economic Regeneration. Councillor D F Pugsley asked a supplementary question in accordance with Procedure Rule 12.2.6(a). "Since the National Planning Policy Framework does not contain a definition of open countryside where do the Cabinet Member for Planning and Economic Regeneration and the officers get the official and authoritative definition from and what exactly does it say?" The Cabinet Member for Planning and Economic Regeneration stated that the definition could be found in COR 18 of the Local Plan adopted in 2007.

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

**71 REGULATORY COMMITTEE – REPORT – MEETING HELD ON 23 SEPTEMBER 2013**

The Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 23 September 2013.

**72 QUESTIONS TO CABINET MEMBERS**

Councillor K D Wilson asked the Leader his views on whether it was correct that the freedom to speak at meetings was open to all Members. The Leader replied stating that people should have a fair say and that they were all equal.

Councillor Mrs N Woollatt stated that she had noted Councillor Mrs L J Holloway's report to Cullompton Town Council and asked the Cabinet Member for Planning and Economic Regeneration whether it was right that the alterations to the Tiverton Road junction would not go ahead as no funding was available. However, during the debate at Committee on the Knowle Lane planning applications, the problem of the junction had been discussed and that the development via Section 106 contributions would contribute to alterations at that junction. Could the Council therefore make sure that the money was used correctly? The Cabinet Member for Planning

and Economic Regeneration stated that he would make sure that any monies had been collected and would find out where they had been used and would report back to Councillor Mrs Woollatt.

Councillor Mrs L J Holloway by way of personal explanation stated that this was not what she had reported to Cullompton Town Council, plans for alterations had been forecasted and these plans would be reported to the Devon County Council's Highway and Traffic Orders Committee, at the last meeting of the Committee, the details were not yet available.

Councillor P F Williams stated that the last thing he wanted was for the Tiverton Information Centre building to remain empty and asked the Cabinet Member for Community Well-Being whether he knew of any plans to let the premises? The Cabinet Member for Community Well-Being stated that the building was with the agent, 10 parties had asked for particulars and 3 of those parties had shown an interest.

Councillor D F Pugsley asked the Cabinet Member for Housing how he was getting on with affordable housing against the Council's target compared to East Devon? The Cabinet Member for Housing stated that it looked like the Council would exceed its target; however that would depend on the work taking place at Fir Close in Willand. He had no information regarding East Devon.

### 73 **SIX MONTHLY BRIEFING FROM THE LEADER**

The Leader of the Council addressed the meeting informing the Council that the Government were still changing policy and that the Council were facing increased pressures.

He outlined the work of the Policy Development Groups highlighting:

- Environment – waste and recycling were performing well however the prices for recycling were changeable and that this was having an affect on income. There was a need for the waste department to work effectively and an away day had taken place in July where discussions had taken place looking at new ideas and ways of working more effectively.
- Community Well-Being – a meeting would take place shortly to decide on grants. The Council were generous in their support for the voluntary sector and were also investing in the Leisure Centres.
- Housing – following changes in benefits, it was thought that problems would occur with regard to rent deficits, this was not the case, officers had been working very hard to keep rent arrears down. With regard to affordable housing, houses had been built in Crediton and more were proposed for Fir Close in Willand and the town hall site. Repairs and maintenance were working well and the green agenda was progressing.

With regard to Planning and Economic Regeneration, the Town Teams were working hard and were looking to improve our towns.

The Business Forum was going from strength to strength, it had 70 members and was hoping to increase that number; the Council had also received an award for its support to the Federation of Small Businesses.

With regard to land for development, there was a need to build houses and provide employment land, the Tiverton Eastern Urban Extension would provide the housing and he hoped Junction 27 would come forward at some stage.

He stated that the authority was governed by its finances and it was trying hard to balance the books without affecting frontline services. A glowing report had been received from the External Auditors which stated that the Council was well managed and provided value for money.

74 **MEMBERS' BUSINESS**

Councillor Mrs F J Colthorpe stated that she had attended the Involve Conference that day and had spoken to someone in attendance who had stated that his first impression of Tiverton was that it was a prosperous town and that it was much loved and cared for.

Councillor Mrs J Roach stated that Mr Jim Banks (Accountancy Manager) had recently retired from the authority and that she would personally like to thank him for his work in Silverton; his contribution to the work of the Council should be recognised.

Councillor Mrs L J Holloway stated that after years of work at the Walronds in Cullompton, the project was nearly complete thanks to financial contributions from the Council and other agencies. The Cabinet and other Members would be visiting the site the next day and all Members were welcome to attend.

Councillor F J Rosamond stated that 12 affordable homes were being built in Hemyock by the Community Land Trust and that the new youth centre would be opened the following day.

(The meeting ended at 7.42pm)

**CHAIRMAN**