

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **MID DEVON DISTRICT COUNCIL** held on Wednesday 30 April 2014 at 6.00 pm

Present

Councillors: E J Berry (Chairman)
Mrs E M Andrews, 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, T G Hughes, Mrs B M Hull, D J Knowles, M R Lee, M A Lucas, E G Luxton, R F Radford, Mrs J R Rendle, F J Rosamond, Mrs J Roach, C R Slade, T W Snow, J D Squire, Mrs M E Squires, R L Stanley, Mrs M E Turner, N A Way, P F Williams, K D Wilson, Mrs N Woollatt and R Wright.

Apologies

Councillors: Mrs L J Holloway and D F Pugsley

118 **MINUTES**

The Minutes of the Meetings of the Council held on 18 December 2013 and 28 February 2014 were approved as a correct record of the previous meetings and signed by the Chairman.

Note: Councillor K D Wilson requested that his abstention from voting with regard to the minutes of the meeting of 28 February 2014 be recorded.

119 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed Members that prior to the meeting he had made a presentation to Mr Steve Garland (Building Maintenance Supervisor) who had completed 25 years' service with the District Council. He also reminded Members that the Annual Meeting would take place on 7 May 2014 at 7.00pm.

120 **PUBLIC QUESTION TIME**

Questions with regard to Minute 139 of the Cabinet (17 April 2014) were put:

Mr Welchman asked the following questions:

Why are we having the Eastern Urban Extension, each time he had been told it was to meet Tiverton housing needs and housing targets, however a local builder had told him that the new homes would be going to people outside the district; he said that we should still fight this development.

The Council's own spatial strategy states that it wishes to conserve its environmental elements, this development will not do this, public transport will not do this. Pollution is already a problem on Blundells Road and on Tidcombe Fenn.

What will happen to the sewerage issues in Tiverton, each time we ask we get different answers, the town cannot cope with what we have.

Flooding issues have not been thoroughly considered, no satisfactory answers have been given, only last week we had heavy rain and the drains could not cope with the level of water.

Who is going to pay for the infrastructure, no costs have been considered for all the other roads, there has only been mention of the A361 junction, how much is the local taxpayer going to have to pay out?

The proposal had only been voted on by 6 Cabinet Members and it was a split vote, this is not democracy, I want to know who voted for and against.

The Professional Services Manager stated that the land was allocated as part of the Allocation and Infrastructure Development Plan Document, which included 1500 – 2000 houses and 130,000 sq.m of employment land east of Tiverton, this plan had been approved by the Planning Committee, the policy also required that a master planning exercise take place. As a Local Planning Authority, we are required to assess levels of growth and planning for future development needs. The planning system does not control who occupies the houses that is for the market to decide. With regard to public transport and traffic, the Masterplan provides for infrastructure improvement and additional traffic has been modelled and assessed by Devon County Council, the triggers within the Masterplan will mitigate any impact. Pollution issues are clearly identified in the document, the planning process would deal with this issue. Flood issues are also addressed within the Masterplan. Traffic issues are identified within the Masterplan and infrastructure improvements and traffic enhancements in Tidcombe Lane and Blundells Road will form part of the planning process. The new junction on the A361 will reduce traffic on Blundells Road; these details are dealt with comprehensively in the Masterplan.

Mr Downs asked that in view of the large increase in vehicular traffic from the proposed development at Post Hill, using Blundells Road and possibly Tidcombe Lane; if the suggested traffic calming and control measures do not have the desired outcome and create traffic problems, unacceptable queuing and backing up of vehicles along Blundells Road (both ways) with possible traffic using Tidcombe Lane as a diversion. Will Tidcombe Lane have "For Access Only" signs? Will Devon Highways be held responsible and more importantly - Is there a Plan B - if so what is it?

Mr Black (Devon County Council, Highways and Education Authority) explained that a high quality junction was planned, this would give residents options to transfer onto the A361; removing some traffic from the Blundells Road area and therefore the impact on Blundells Road would be relatively small. We recognise the junction needs to come early within the plan, we will monitor traffic calming and if there is an impact, we will look at it, we would consider "access only" to Tidcombe Lane if necessary.

Mrs Quick asked whether Members were convinced that MDCC planners had dealt with infrastructure problems prior to the development being built? Construction traffic should not go through Halberton and Post Hill, are you sure that the developers will fund the work on the infrastructure, is there a guarantee that Waddeton Park will purchase the NHS site?

The Professional Services Manager stated that the Masterplan would coordinate development. In the absence of a Masterplan you will be faced with adhoc planning applications which will have to be dealt with individually. With regard to the funding bid made by Devon County Council to the Local Enterprise Partnership, the prognosis was good, significant contributions were expected through the development process.

Honorary Alderman Mr Noon asked those present if they could spell “nimbyism“, and whether they realised that new homes were needed. He begged Members to remember the dramatic housing need required to home young families.

The Professional Services Manager stated that she agreed with the need for housing. Government guidance requested that we deliver on development as there is a housing need.

Mr Quick stated that Councillors were being rail-roaded into agreeing a plan, what was decided today affects the lifestyle of this generation and those to follow. There were loopholes in the plan that developers thrive on; who is going to benefit, us or the developers?

The Professional Services Manager stated that the Masterplan sought to ensure there was mitigation for the impact of any development. Land east of Tiverton will change but the Masterplan would coordinate the impact. The Masterplan identified less development than within the allocated policy, it took account of the constraints identified and the development levels now proposed were scaled down from the allocated policy.

Dr Bell asked whether Members had as requested in his email to them, walked or driven through the development area, if so they will appreciate that residents needed their support, the area was unsuitable for development and he asked for a show of hands for those that had visited the area.

Mr Backhouse referred to a poem by Philip Larkin.

Mr Richardson stated that developers were not listening and he pleaded for Members to call the tune. Members needed to face their responsibilities and stand up to the Waddeton Park application; for the sake of residents, please will you insist that a proper junction is installed before work starts. If Waddeton Park will not listen to Members of the Council, will you consider pulling out and starting again.

The Professional Services Manager stated that the Waddeton Park application was a live planning application. The application would go before the Planning Committee and Officers were currently negotiating and assessing that live application. With regard to a proper junction, we are expecting a planning application for the A361 junction.

Mr Stagg stated that he had been present in Tiverton for 90 years, have you considered the affect that the development will have, I own land adjacent to the Lowman River and monitor how quickly the river can rise, Tiverton will flood if flooding issues are not addressed. The sewer runs through Collipriest, it will not cope with the new development. With regard to the road structure, it is already difficult to get out of Tidcombe Lane onto Blundells Road, nowhere has this been considered. 1500 houses presents 3000 vehicles, Blundells Road is already crowded.

The Professional Services Manager stated that the effects of the development have been assessed. An Environmental Impact Assessment will be required for each planning application. Sewerage information had been gained from South West Water and there are mechanisms in place to deal with the impact. 600 houses can be built and infrastructure improvement would be required, there were mechanisms in place to address this. The Masterplan seeks traffic calming on Blundells Road which will mitigate traffic issues in this area.

121 **PETITIONS**

There were no petitions from members of the public.

122 **NOTICES OF MOTION**

There were no notices of motion presented to the meeting

123 **CABINET – REPORT – MEETING HELD ON 9 JANUARY 2014**

The Leader presented the report of the meeting of the Cabinet held on 6 March 2014.

Arising thereon:-

(1) Pay Policy (Minute 121)

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

“THAT the recommendation of the Cabinet as set out in Minute 121 be **ADOPTED”**.

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

124 **CABINET – REPORT – MEETING HELD ON 3 APRIL 2014**

The Leader presented the report of the meeting of the Cabinet held on 3 April 2014.

Arising thereon:-

(1) Decent and Affordable Homes Policy Development Group – 14 January 2014
(Min 128 (c))

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

“THAT the recommendation of the Cabinet as set out in Minute 128(c) be **ADOPTED”**.

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

(2) CIL Instalment Policy (Minute 131)

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

“THAT the recommendation of the Cabinet as set out in Minute 131 be **ADOPTED”**

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

125 **SPECIAL MEETING OF CABINET – REPORT – MEETING HELD ON 17 APRIL 2014**

The Leader presented the report of the meeting of the Cabinet held on 17 April 2014.

(1) Tiverton Eastern Urban Extension – Masterplan Supplementary Planning Document (Min 139)

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

“THAT the recommendation of the Cabinet as set out in Minute 139 be **ADOPTED”**.

The Chairman **MOVED**, in accordance with Procedure Rule 24, that all the Procedure Rules be suspended during consideration of this item of business. Upon a vote being taken the **PROCEDURAL MOTION** was declared to have been **CARRIED**.

Following debate, Councillor N A Way **MOVED**, in accordance with Procedure Rule 18.4:-

“**THAT** the vote in respect of this item shall be by Roll Call”

There being more than 10 members in favour of the **PROCEDURAL MOTION** that was **AGREED** by the Council.

A Roll Call of Members present at the meeting was then taken.

Those voting **FOR** the **MOTION** Councillors:

Mrs H Bainbridge, M D Binks, E J Berry, Mrs D L Brandon, R J Chesterton, Mrs F J Colthorpe, D R Coren, W J Daw, C J Eginton, R Evans, A V G Griffiths, P H D Hare-Scott, Mrs C Heal, P J Heal, T G Hughes, M R Lee, M A Lucas, E G Luxton, R F Radford, Mrs J R Rendle, F J Rosamond, C R Slade, J D Squire, Mrs M E Squires and Mrs M E Turner.

Those voting **AGAINST** the **MOTION** Councillors:

N V Davey, R M Deed, J M Downes, Mrs S Griggs, D J Knowles, Mrs J Roach, T W Snow, R L Stanley, N A Way, P F Williams, K D Wilson, Mrs N Woollatt and R Wright.

Those **ABSTAINING** from voting Councillor

Mrs E M Andrews.

The **MOTION** was declared to have been **CARRIED**.

- Notes:
- (i) Councillor Mrs B M Hull declared a Disclosable Pecuniary Interest in this matter as she and her husband rented land adjacent to the proposed site and therefore left the meeting during the discussion thereon;
 - (ii) Mrs J Clifford (Professional Services Manager) gave a presentation outlining the proposed Masterplan;
 - (iii) Mr D Black (Devon County Council Highway and Education Authority) spoke;
 - (iv) The Chairman reminded the Council that the Procedure Rules now applied to the remaining business.

126 **SCRUTINY COMMITTEE – REPORT – MEETING HELD ON 17 MARCH 2014**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 17 March 2014.

127 **SCRUTINY COMMITTEE – REPORT – MEETING HELD ON 14 APRIL 2014**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 14 April 2014.

(1) Legal Services Working Group (Min 144)

The recommendation from the Scrutiny Committee as set out in Minute 114 was **NOT MOVED**

128 AUDIT COMMITTEE – REPORT – MEETING HELD ON 11 MARCH 2014

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 11 March 2014.

129 MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 11 MARCH 2014

The Chairman of the Managing the Environment Policy Development Group presented the report of the meeting of the Group held on 11 March 2014.

130 SPECIAL MEETING OF THE MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 23 APRIL 2014

The Chairman of the Managing the Environment Policy Development Group presented the report of the meeting of the Group held on 23 April 2014.

131 DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 18 MARCH 2014

The Chairman of the Decent and Affordable Homes Policy Development Group presented the report of the meeting of the Group held on 18 March 2014.

132 COMMUNITY WELL BEING POLICY DEVELOPMENT GROUP – REPORT – MEETING HELD ON 25 MARCH 2014

The Chairman of the Community Well Being Policy Development Group presented the report of the meeting of the Group held on 25 March 2014.

133 PLANNING COMMITTEE – REPORT – MEETING HELD ON 5 MARCH 2014

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 5 March 2014.

134 PLANNING COMMITTEE – REPORT – MEETING HELD ON 2 APRIL 2014

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 5 February 2014.

The Council had before it a question* submitted by Councillor D F Pugsley in accordance with Procedure Rule 12.2(1)(a) together with a response of the Chairman of the Planning Committee.

Note: Question and response* circulated at the meeting, copy attached to signed minutes.

135 LICENSING COMMITTEE – REPORT – MEETING HELD ON 10 APRIL 2014

The Chairman of the Licensing Committee presented the report of the meeting of the Committee held on 10 April 2014.

136 **REGULATORY COMMITTEE – REPORT – MEETING HELD ON 10 APRIL 2014**

The Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 10 April 2014.

137 **QUESTIONS**

Questions submitted under Procedure Rule 12.2 had been dealt with earlier in the meeting.

138 **ANNUAL REPORTS OF AUDIT COMMITTEE, SCRUTINY COMMITTEE AND THE POLICY DEVELOPMENT GROUPS**

The Chairmen of the Audit Committee and the Scrutiny Committee, and the Chairmen of the Managing the Environment, the Decent and Affordable Homes and the Community Well-Being Policy Development Groups presented their Annual Reports* to the Council.

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

139 **SIX MONTHLY BRIEFING FROM THE LEADER**

The Leader of the Council addressed the Council on a number of issues:

- Economic Development – the Local Plan consultation process was taking place, there had been input with regard to improvements at J27 and J28 of the M5 and work on the North West Cullompton Masterplan was taking place. The Town Teams were working to improve the towns and Consultants were working with the Council regarding the redevelopment of Tiverton.
- Environment – a lot of work had taken place in the Waste Department with regard to route optimisation. The car parking exercise had been worthwhile and work was taking place with regard to the provision of public conveniences.
- Housing – housing issues continued to improve, the first Council houses for 30 years had been built in Crediton; the voids were on target and rent arrears were the lowest ever despite changes to the benefit system.
- Community Well-Being – On-going work was taking place improving the Council's Leisure Centres. The TIC move had been controversial however the service was working well at the museum.
- Finance – an excellent report had been received from the External Auditors, a balanced budget had been set allowing the Council Tax to be frozen for the 4th year in succession.

He stated that there was a need to continue to look forward within the last year of the administration as there was still a lot of work to do, there was a need to improve efficiency and embrace technology, continue work on the Local Plan and hopefully address some issues with regard to support for the youth and the elderly following the cuts made by Devon County Council.

140 **QUESTIONS TO CABINET MEMBERS**

Councillor K D Wilson asked the Cabinet Member for Planning and Economic Regeneration whether he considered that the Planning Policy Advisory Group was past its sell by date.

The Cabinet Member stated that he did not agree, although there was a need to improve the way in which the Group worked. Prior to the formation of the Group there had been no Member involvement in the formation of planning policy.

Councillor T W Snow asked the Cabinet Member for Planning and Economic Regeneration for clarification with regard to planning conditions especially in relation to waste storage on new developments. He outlined a particular issue within his Ward and asked if the Cabinet Member could look into this.

The Cabinet Member stated that he would investigate the issue and provide a written response to Councillor Snow.

Councillor Mrs J Roach asked the Cabinet Member for Planning and Economic Regeneration if the housing supply figures were available.

The Cabinet Member stated that he hoped to be in receipt of them in the next few days and would make them available to Members.

Councillor Mrs S Griggs asked the Cabinet Member for Planning and Economic Regeneration to support the Taste Street Food Events in Tiverton.

The Cabinet Member agreed that this had been a successful event and he would support it in the future.

141 **MEMBERS' BUSINESS**

Councillor Mrs J Roach stated that the food event in Tiverton was good for economic development in the town; she felt that the authority should support it and assist with marketing issues.

(The meeting ended at 9.20pm)

CHAIRMAN