

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **COUNCIL** held on 31 August 2022 at 6.00 pm

### **Present**

#### **Councillors**

R F Radford (Chairman)  
J Bartlett, E J Berry, J Buczkowski,  
W Burke, J Cairney, S J Clist, Mrs C Collis,  
D R Coren, L J Cruwys, N V Davey,  
Mrs C P Daw, R M Deed, R J Dolley (Vice  
Chairman), J M Downes, C J Eginton,  
R Evans, Mrs S Griggs, P J Heal,  
B Holdman, D J Knowles, F W Letch,  
Mrs E J Lloyd, B A Moore, Miss J Norton,  
S J Penny, S Pugh, D F Pugsley,  
Mrs E J Slade, C R Slade, Mrs M E Squires,  
R L Stanley, L D Taylor, B G J Warren,  
A Wilce, Mrs N Woollatt, J Wright and  
A Wyer

### **Apologies**

#### **Councillors**

G Barnell, R J Chesterton,  
Mrs F J Colthorpe and A White

### **36 Apologies**

Apologies were received from Councillors: G Barnell, R J Chesterton, Mrs F J Colthorpe and A White.

### **37 Public Question Time**

The following question was received from Cllr Paul Elstone:

Item 9 on the agenda - Reports Cabinet meeting 09/08/2020. Public Question Time. On Page 31 of your papers, you will see that I asked questions which were not read out but would be 'dealt with after this meeting'. I have received some 'so called' answers. Answers which I intend fully responding to including providing written verification in support of the assertions I made but which were fully dismissed in the answers received, but I wish to know: Why were my questions and the answers not published with the Minutes of this meeting - as per the Constitution and an assurance from Committee Services?

The Leader responded by stating that Cllr Elstone had received a reply to the questions he had submitted for the Cabinet meeting on 9 August but that since the questions were not read out at the meeting, the replies were not included with the minutes.

### 38 **Declarations of Interest under the Code of Conduct**

Members were reminded of the need to declare any interests when appropriate.

### 39 **Minutes**

The minutes of the meeting held on 6 July 2022 were agreed as a correct record and signed by the Chairman subject to an amendment that Cllr J Buczkowski be included as having attended the meeting.

### 40 **Chairman's Announcements**

The Chairman had the following announcements to make:

1. He had attended the Exeter City Council Lammas Fair on 7<sup>th</sup> July as Chairman of the Council.
2. He had also attended the Burma Star Commemoration in Phoenix Lane, Tiverton on 15<sup>th</sup> August.
3. He informed Council that he had received a letter of thanks from a member of the public regarding 'the helpful and friendly staff' at the Exe Valley Leisure Centre.
4. He introduced Andrew Seaman, the new Member Services Manager.

### 41 **Petitions**

There were no petitions presented.

### 42 **Appointment of an interim Monitoring Officer (00:00:12)**

Council had before it a report \* from the Chief Executive regarding the need for it to have a Monitoring Officer at all times. Since the previous Monitoring Officer had now left the authority the report made recommendations for the appointment of an interim Monitoring Officer from 31 August 2022 until a permanent appointment could be made.

**RESOLVED** that Maria de Leburne be appointed as interim Monitoring Officer from 31 August 2022 until a new permanent Monitoring Officer is recruited and commences employment.

(Proposed by Cllr B Deed and seconded by Cllr C Slade)

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

### 43 **Notices of Motions (00:00:14)**

#### 1. **MOTION 579 (COUNCILLOR MRS N WOOLLATT – 8 AUGUST 2022)**

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

Motion for council:

That this council writes to Stagecoach, Devon County Council, the Traffic Commissioner and our MPs to:

a) express its concern at the recent cuts to bus services in the District and changes to routes which appear to have been put in place without having had due regard to equality considerations. Further asks for a review of the changes to take into account equalities impacts and seek reinstatement of route sections which have been removed where the removal is found to have had a detrimental effect on some protected groups of people. For example, many residents in Cullompton no longer have nearby access to the bus service to and from Exeter and can only access this route from the town centre, making this service particularly difficult to access for elderly and disabled residents and young people travelling to schools and colleges.

b) further expresses its disappointment that since the reduced timetable has been implemented, despite the reductions supposedly having been made to improve the reliability of Stagecoach services, services have continued to be cancelled at an unacceptable level leaving our residents unable to rely on travelling by bus. Residents have been left unable to get to and from work and health appointments on time and even on occasion left stranded. There is concern if this pattern of cancellations continues that young people who rely on the bus service to travel to and from school and college will also have their journeys disrupted.

c) states that the current service being provided is not fit for purpose and asks what can be done to improve this and when our residents can expect to see a bus service that serves their needs and is reliable.

In accordance with Procedure Rule 14.4, the Chairman of the Council had decided that this Motion (if moved and seconded) be dealt with at this meeting.

The **MOTION** was **MOVED** by Cllr Mrs N Woollatt and seconded by Cllr A Wilce.

Consideration was given to:

- Daily cancellations of bus services across the district.
- Timetable issues, meaning connections were missed, or long waiting times.
- The effects of a poor service on students trying to get to school or college and on the elderly.
- As a result of issues raised by Devon County Council's Exeter Highways and Transport Orders Committee, Cabinet and full Council, Stagecoach Devon had been called by the Traffic Commissioner to a Public Inquiry on 27<sup>th</sup> October 2022. The Traffic Commissioner had requested that a body of evidence be brought forward to inform their decision. As such the public were encouraged to submit comments and complaints to [devonbus@devon.gov.uk](mailto:devonbus@devon.gov.uk) by 6<sup>th</sup> October 2022.
- A shortage of bus drivers.

Having listened to the debate Cllr Woollatt wished to amend her Motion by including an additional request that her Motion also include the following:

“There be some public communication to let the residents of Mid Devon know that they can send in complaints to Devon County Council via [devonbus@devon.gov.uk](mailto:devonbus@devon.gov.uk) which can be fed into the Public Inquiry.”

The amended **MOTION** was **MOVED** by Cllr Mrs N Woollatt and seconded by Cllr A Wilce.

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

**44 Cabinet - Report of the meeting held on 12 July 2022 (00:00:35)**

The Leader presented the report of the meeting of the Cabinet held on 12 July 2022.

**45 Cabinet - Report of the meeting held on 9 August 2022**

The Leader presented the report of the meeting held on 9 August 2022.

**46 Scrutiny Committee - Report of the meeting held on 25 July 2022**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee on 25 July 2022.

**47 Audit Committee - Report of the meeting held on 2 August 2022**

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 2 August 2022.

**48 Environment Policy Development Group - Report of the meeting held on 19 July 2022**

The Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 19 July 2022.

**49 Homes Policy Development Group - Report of the meeting held on 26 July 2022**

The Chairman of the Homes Policy Development presented the report of the meeting of the Group held on 26 July 2022.

**50 Community Policy Development Group - Report of the meeting held on 2 August 2022**

The Chairman of the Community Policy Development Group presented the report of the meeting held on 2 August 2022.

**51 Planning Committee - Report of the meeting held on 13 July 2022**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 13 July 2022.

**52 Planning Committee - Report of the meeting held on 27 July**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 27 July 2022.

**53 Planning Committee - Report of the meeting held on 10 August 2022**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 10 August 2022.

**54 Planning Committee - Report of the meeting held on 24 August 2022**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 24 August 2022.

**55 Licensing Committee - Report of the meeting held on 26 August 2022**

The Chairman of the Licensing Committee presented the report of the meeting on 26 August 2022.

**56 Regulatory Committee - Report of the meeting held on 26 August 2022**

The Chairman of the Regulatory Committee presented a report of the meeting held on 26 August 2022.

**57 Questions in accordance with Procedure Rule 13 (00:00:49)**

There were no questions submitted under Procedure Rule 13.2.

**58 Special Urgency Decisions (00:00:50)**

With regard to any decisions taken under Rule 16 (of the Constitution) Special Urgency taken since the last meeting, the Chairman informed the meeting that no such decisions had been taken in that period.

**59 Questions to Cabinet Members (00:00:51)**

Councillor F Letch addressing the Cabinet Member for Housing and Property Services stated that he was very concerned about the number of empty properties in his ward. A particular property now had curtains in the window but had not been advertised through Devon Home Choice. Why? The Cabinet Member replied that he did not know why but that he would find out and get back to him.

Councillor F Letch then asked the Leader why Policy Development Groups weren't making recommendations or developing policy. It was explained that Policy Development Groups made recommendations to the Cabinet all the time. It was then up to the Cabinet to resolve them or make recommendations to full Council.

Cllr B Evans addressed the Cabinet Member for Planning and Economic Regeneration and stated that in light of the recent notification of an appeal decision loss, in respect of Appeal Decision 20/01263/MFUL Allotments, Tumbling Fields Lane Tiverton, I would like to ask:

1, How many appeals have the Authority lost within the past three years (the entirety

of this current administration) please?

2, How many of these are a result of an appeal that followed a refusal by the planning committee that was originally recommended to be granted by officers?

3, How much have MDDC paid out in respect of the above lost appeals that have resulted in costs being awarded against MDDC and specifically can I have an “estimate” of probable costs against the full costs awarded against 20/01263/MFUL Allotments, Tumbling Fields Lane Tiverton?

The Cabinet Member for Planning and Economic Regeneration had sent his apologies to the meeting, however, the Leader responded on his behalf:

Question one:

Q1	
Total Appeals Made	75
Appeals Lost	36
<b>% of Appeals Lost</b>	<b>48%</b>

Question two:

Q2	
Committee Overturned Officer Recommendation	10
Committee Overturned Officer Recommendation Lost at Appeal	8
<b>% Lost at Appeal</b>	<b>80%</b>

Question

three:

Q3	
Costs to Defend Appeals	£190,326.15
Costs Awarded Against MDDC	£33,512.00
<b>Over All Cost</b>	<b>£223,838.15</b>

Full confirmation of costs would be circulated once known.

Cllr Evans addressed the Cabinet Member for Housing and Property Services and stated that he was very concerned about the lack of progress on social housing provision for sites that already had planning permission. He was also concerned about the absence of any additional applications in the past four months and the lack of member information on possible funding opportunities from Homes England (HE). He specifically asked the following questions and in each case the Cabinet Member responded:

- a) Why has there been no visible progress made at either the Cullompton or Tiverton modular build sites?

Answer: These are both modular schemes with off-site (factory) construction of the units. Consequently as modern methods of construction projects the activity will be over a significantly condensed period than would normally be the case with traditional build schemes and will happen closer to the end of

the project. Nonetheless significant progress has been made regarding each site. A web cam has also been commissioned for the St Andrews scheme which will enable progress to be viewed remotely.

- b) When can members and more importantly the residents of Mid Devon expect each site to be completed and residents in situ?

Answer: Quarter 4, 2023/2024 for both schemes.

- c) When can members expect to see the next application for a modular build project for social housing?

Answer: Feasibility studies have been completed for 6 new schemes ahead of a pre-planning submission with more to follow. The first two of these schemes are located in Hemyock and Bampton. Separately we have agreed in principal to purchase the 1 bed z pod demonstration unit previously showcased at CVLC in Cullompton at a discounted price.

- d) What if any progress has been made in the specific funding application for the Tiverton project?

Answer: A full detailed application has been made with Homes England (HE). A final decision will be made in September.

- e) Can you confirm negotiations with HE have continued around general funding opportunities and when?

Answer: Yes we have continued to hold regular meetings with HE. At HE's request between June and July 2022 we submitted a tentative potential pipeline of social rent schemes over the next 5 years but HE require significant confidence that planning permission will be granted. In addition we have identified that both the St Andrews and Shapland Place schemes may be eligible for parallel additional funding.

If secured all external funding will ease Housing Revenue Account borrowing requirements and support the delivery of the wider programme.

- f) What is the general consensus on possible HE funding of modular schemes within our area?

Answer: Very positive with a wide in-principle aspiration to support our social rent, MMC and carbon zero schemes. However, any grant decision is made by HE on a case by case basis.

- g) Why has no progress been made in the last five months against the inherited plan given members universally agree for the need for social housing and identified and funded opportunities have been inherited?

Answer: Significant progress has been made and further plans are in place to deliver a wider programme over the next 5 years as I have set out through a

mix of traditional and MMC modular schemes. For example, 12 schemes are planned in total for 2023/2024.

The Cabinet Member urged all Members to attend the Mid Devon Housing Development Programme briefing being held the following evening.

Cllr B Holdman asked the Cabinet Member for Community Well Being why they still hadn't received an update on the situation with the front desk at Tiverton Police Station? The Cabinet Member replied that the Police and Crime Commissioner was leading on this and he would be attending a meeting in September with her and he would raise the matter with her.

Cllr Mrs N Wolloatt asked the Cabinet Member for Housing and Property Services the following questions:

How is the z pod project at St Andrews Cullompton progressing?  
Planning permission was granted in February. Is everything going smoothly with the project? Has off site modular construction commenced yet?  
When do we anticipate construction on site to commence and what is the anticipated completion date?

Answer: Yes off-site modular construction is underway and site work will start in September. Completion will be late December/early January.

2. Finding additional parking spaces was part of the conditions of the permission, I'm aware that a location has been identified and that it was hoped to submit a planning application for this during August. I have not seen any application come through as yet. Please will you update when we can expect to see that application submitted?

Answer: It was intended to go to Planning in August, but we are waiting on a report from Highways, as soon as it is received we will progress to Planning.

## 60 **Members Business**

All Members congratulated Cllr J Cairney on his recent marriage.

Cllr S Clist drew Members attention to Back British Farming 2022 which it was confirmed would be held on 14 September 2022. This would focus on the importance of agriculture to the British economy.

Cllr B A Moore referred to the importance of the work of 'Involve' in supporting communities, however, they were looking for trustees and he urged Members, or people they knew, to consider the role.

Cllr N V Davey thanked officers for how they had dealt with an illegal encampment in Amory Park. An Enforcement Order had been served and a great deal of cleaning up had been needed by Mid Devon Officers. Cllr C Slade and Cllr D J Knowles also expressed their thanks to the team as fellow Ward Members.

Cllr C Slade stated that the Tiverton Museum of Mid Devon Life also needed trustees. He explained that there were exciting plans for the future and he thanked Cllr F J Colthorpe for her contributions thus far.

(The meeting ended at 7.27 pm)

**CHAIRMAN**