

# Public Document Pack

## MID DEVON DISTRICT COUNCIL

**AN EXTRAORDINARY MEETING** of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Thursday, 1 December 2022 at 6.00 pm

**ALL MEMBERS** of the **COUNCIL** are summoned to attend for the purposes of transacting the business specified in the Agenda which is set out below:

**[The next meeting is scheduled to be held in Tiverton on Wednesday, 14 December 2022 at 6.00 pm]**

**Please Note:** this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Zoom. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms

[Join the Zoom Meeting Here](#)

Meeting ID: 819 9849 5617  
Passcode: 891620

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0 800 031 5717 United Kingdom Toll-free  
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**STEPHEN WALFORD**  
Chief Executive

23 November 2022

**Members are reminded of the need to make declarations of interest prior to any discussion which may take place**

## **AGENDA**

### **1 Apologies**

To receive any apologies for absence.

### **2 Public Question Time**

To receive any questions relating to items on the agenda from members of the public and replies thereto.

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

To record any interests on agenda matters.

### **4 Chairman's Announcements**

To receive any announcements which the Chairman of the Council may wish to make.

### **5 Notices of Motions**

#### **1. Motion 584 (Councillor R Radford – 9 November 2022)**

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

"In the interest of a compromise, Halberton Parish wish to confirm acceptance of options 1 & 2 and that option 3 should be withdraw"

### **6 Electoral Review Committee - Parish Review (Pages 5 - 18)**

Report of the Director of Business Improvement and Operations

### **7 Seating Allocations (Pages 19 - 22)**

The Chairman has agreed to include this item on the agenda under rule 3.2 of the Council Procedure Rules.

### **Meeting Information**

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk) by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

If you would like a copy of the Agenda in another format (for example in large print) please contact Andrew Seaman on: E-Mail: [aseaman@middevon.gov.uk](mailto:aseaman@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

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## EXTRAORDINARY COUNCIL 1 DECEMBER 2022

### COMMUNITY GOVERNANCE REVIEW 2022

**Cabinet Member(s):** Leader of the Council, Bob Deed  
**Responsible Officer:** Jill May, Returning Officer / Director of Business Improvement and Operations

**Reason for Report:** To enable Members to consider and agree the final recommendations from the Electoral Review Committee following the second stage consultation.

**Recommendation:** That the Council reviews the recommendations made by the Electoral Review Committee on changes to parish boundaries and changes to the numbers of councillors in some parishes. There are a number of recommendations;-

- (a) Recommended that given the number of electors within the Yeoford ward of the parish, it was proposed that the number of parish councillors for that ward be increased from 5 to 7.
- (b) Recommended that the Council approve Option 3 be put into effect as follows (Appendix 1):-  
  
“Move from Halberton Parish to Uffculme Parish - Lucombe Park, together with Hitchcocks and Langlands Business Parks, and the area north east of Bridwell Avenue, plus moving from Halberton Parish to Willand Parish - the Mid Devon Business Park.”
- (c) Recommended that the Council request the Local Government Boundary Commission for England for a related alteration, in order to put into effect the boundary changes to the district wards of Halberton and Lower Culm.
- (d) Recommended that the boundary changes proposed as per submission 33 be accepted with the amendment that the boundary followed the road north of The Orchard so that The Orchard be part of Cheriton Bishop Parish Council (Appendix 2/3/4).
- (e) Recommended possibility of merging of Nymet Rowland and Lapford parishes be further considered at a future time (Appendix 6).
- (f) Recommended that arising from the consultation with parish councils, the following changes were to be recommended by the ERC for approval by the Council.
- (g) Bradninch (Rural Ward) be reduced from 2 to 1
- (h) Bradninch (Town Ward) be increased from 10 to 11

- (i) Burlescombe be reduced from 9 to 7
- (j) Copplestone be increased from 7 to 9
- (k) Crediton Hamlets (Yeoford Ward) be increased from 5 to 7
- (l) Silverton (North Ward) be reduced from 2 to 1
- (m) Silverton (Village Ward) be increased from 9 to 10
- (n) Willand be increased from 11 to 12

**Financial Implications:** £45k has been set aside in the budget to undertake this review.

**Budget and Policy Framework:** None directly arising from this report.

**Legal Implications:** Section 81 of the Local Government and Public Involvement in Health Act 2007 provides that it is for the Council to decide the terms of reference of any community governance review.

**Risk Assessment:** Local democracy and representation is impeded.

**Equality Impact Assessment:** No equality issues have been highlighted in this report.

**Relationship to Corporate Plan:** A community governance review supports and facilitates local democracy and local representation.

**Impact on Climate Change:** No climate change issues have been highlighted in this report.

## 1.0 Background

The Community Governance Review commenced on 15 December 2021, when the Council published the Terms of Reference for the Review. The first stage of a public consultation, seeking views from a wide range of individuals; residents; groups with special interests; parish councils.

## 2.0 First Consultation Stage

- 2.1 At the close of that consultation period at the end of February 2022, 77 submissions were received for consideration by the Council's Electoral Review Committee (ERC) on 5 and 16 May 2022 and the proposed outline document was approved by the Council on 6 June 2022.

There were two matters relating to Crediton Hamlets and the parishes of Halberton, Uffculme and Willand that arose from a number of submissions received at the first stage. It is therefore felt appropriate to comment on the outcome of the ERC decisions.

- 2.2 Crediton Hamlets - A number of submissions from individuals had been received with regard to the creation of a 'Yeoford' Parish. As the Electoral Review Terms of Reference (ToR) does not include a provision for creating new parishes, this could not be considered.

[By way of explanation, the provision of creating new parishes under the Local Government and Public Involvement in Health Act 2007 (LGPIHA) 2007, was brought in to encourage the creation of new parishes in those areas that were un-parished. This is not the case in respect of Crediton Hamlets PC.]

The parish council also submitted a representation opposing the idea of a separate 'parish' for Yeoford. If the existing Yeoford parish ward was removed from their parish, leaving only Hookway, it would not be large enough in respect of the electorate to be a viable separate parish. Therefore, the ERC took the view that the Crediton Hamlets Parish Council should remain a single parish. **However, given the number of electors within the Yeoford ward of the parish, it was proposed that the number of parish councillors for that ward be increased from 5 to 7.**

- 2.3 Halberton, Uffculme and Willand - The most complexed submissions related to those submitted by the parish councils of Halberton, Willand and Uffculme, plus a number of individual representations. Halberton PC is geographically the largest of the three parishes and lies entirely within the new District ward of Halberton. Uffculme PC is warded with the Village Ward in the new District Ward of Lower Culm and the Ashill Ward in the new District Ward of Upper Culm. Willand PC lies entirely within the District Ward of Lower Culm. There is long history of disagreement concerning the boundaries between Halberton and Uffculme and Halberton and Willand, partly stoked by perceived difficulties in road communication brought about by the construction of the M5 motorway, and further exacerbated by other matters and housing development. As a result, the Council approved on 6 June 2022 that three Options be consulted on for the second consultation period:

**Option 1** – Lucombe Park move from Halberton to Uffculme and the Mid Devon Business Park move from Halberton to Willand.

**Option 2** – Option 1 (as set out above) together with the area north east of Bridwell Avenue be moved from Halberton to Uffculme.

**Option 3** – Options 1 and 2 (as set out above) together with Hitchcocks

### 3.0 **Second Consultation Stage**

- 3.1 The second consultation period started on 23 August and concluded on 23 October 2022, during which time, 86 submissions were received.
- 3.2 The ERC met on 1 and 7 November to consider all of the submissions, which also included a number of issues arising from the first consultation period.

### 4.0 **Matters considered by the ERC following both consultation periods**

- 4.1 During both consultation periods, there were submissions from residents and parish councils relating to 31 parish areas, plus a few general views on the

purpose of a Review and some matters concerning changes in respect of areas that fall outside of Mid Devon District boundaries. We also received a number of submissions requesting that 'no change' take place in respect of their particular parish arrangements. In the main, the ERC has taken into account those requests.

4.2 The parish areas that put forward comments, are listed below:-

Bickleigh; Bradninch; Burlescombe; Cadeleigh; Cheriton Bishop; Cheriton Fitzpaine; Clayhidon; Coldridge; Colebrook; Copplestone; Crediton Hamlets; Halberton; Hittisleigh; Holcombe Rogus; Kentisbeare; Loxbere; Morchard Bishop; Morebath; Newton St Cyres; Nymet Rowland; Oakford; Puddington; Sandford; Shobrooke; Stoodleigh; Thelbridge; Thorverton; Uffculme; Washfield; Wembworthy; Willand.

5.0 **Halberton, Uffculme and Willand**

5.1 In the 'Final Recommendations for The Local Government Boundary Commission for England (LGBCE) – New electoral arrangements for Mid Devon District Council January 2021', it is very clear that the Commission recognised that there were considerable issues in relation to a number of conflicting views in relation to all the neighbouring areas and it took the view that "We consider that a community governance review, carried out by the Council after the completion of this electoral review, would be the most effective way to effect parish boundary changes in this area. A request for related alterations following a community governance review would then provide the Council with an opportunity to modify district wards so they are coterminous with any revised parish boundaries."

5.2 The greatest number of submissions (60) from the second consultation were in relation to the three options put forward by the ERC in respect of the Halberton, Uffculme and Willand parish boundaries. Of the three Options, 50 Submissions were in favour of Option 3.

5.3 **Recommended by the ERC that the Council approve Option 3** be put into effect as follows (**Appendix 1**):-

"Move from Halberton Parish to Uffculme Parish - Lucombe Park, together with Hitchcocks and Langlands Business Parks, and the area north east of Bridwell Avenue, plus moving from Halberton Parish to Willand Parish - the Mid Devon Business Park."

5.4 **Recommended** that the Council request the Local Government Boundary Commission for England for a related alteration, in order to put into effect the boundary changes to the district wards of Halberton and Lower Culm.



## 6.0 Cheriton Bishop, Crediton Hamlets and Hittisleigh

- 6.1 Following on from the first stage submission from Hittisleigh PC (no. 33) see Appendix 2), regarding the fringes of the parish boundary the ERC agreed that further consultation would take place and the views of neighbouring parish councils be invited.

The description of the boundaries are as follows:

“In the westerly direction the boundary would extend from West Ford Farm, along the river to the lane beneath West Fursham Farm and include West Fursham, East Fursham and Easton Barton. This addition to the parish would meet at Fursham Cross (see Appendix 3).

In the easterly direction from Hittisleigh Mill, the new boundary would run up the Yeo River to Binneford, continue up the lane to meet the lane from Yeoford, turn left and then right down Road Down Lane and meet the existing boundary below Road Down Farm. Properties on the eastern side would include East Church Farm, Shortridge Farm, Trevince, Binneford House, Binneford Farm and Binneford Studio, Summer Corner, East Binneford Farm, Summerhill Farm, Woodside Bungalow and Road Down Farm (see Appendix 4).

- 6.2 A number of residents in these properties feel strongly that they would like to be within the Hittisleigh Parish, rather than within parishes with hubs at significant distance and to which they have less community connection. Several residents note that within their lifetime their property has been removed from Hittisleigh Parish, that their postal address is actually Hittisleigh and that they would like to be back within the Parish.”
- 6.3 Members of the ERC stated that Crediton Hamlets Parish Council were happy with the boundary change and that the land transferred from Colebrooke to Hittisleigh only included Road Down Farm and a bungalow, so would not lose much in terms of council tax.  
Whilst there was some concern raised over not hearing from Colebrooke Parish Council on this matter, Colebrooke Parish Council would have been sent these proposals. This would follow the natural boundary of the road.
- 6.4 In addition, a request was made to move The Orchard property from Hittisleigh to Cheriton Bishop. It was highlighted that the Orchard property and West Ford Farm, this change would mean that the road would be used as the boundary as opposed the river. This would mean that The Orchard moved to Cheriton Bishop Parish Council.
- 6.5 It was **AGREED** that the boundary changes proposed as per submission 33 be accepted with the amendment that the boundary followed the road north of The Orchard so that The Orchard be part of Cheriton Bishop Parish Council, **as a recommendation to full Council.** (Appendix 5 )

## 7.0 **Nymet Rowland**

- 7.1 A submission had requested that the parish be merged with another parish as it was considered too small (in terms of electorate), the only 'suitable' Parish it could be part of was Lapford Parish Council. However, no consultation had not taken place with Lapford Parish Council. This submission could be considered at a later date as this there is insufficient time for this to be discussed with Lapford Parish Council (Appendix 6).
- 7.2 It was **AGREED** that the possibility of merging of both parishes be further considered at a future time.

## 8.0 **Cruwys Morchard and Thelbridge (Nomansland)**

- 8.1 A submission was received during the first consultation period concerning the issue that the area known as Nomansland was split by the two existing district ward boundaries of Sandford & Creedy ward, and Way ward. Under the new district ward boundaries that come into effect in May 2023, this would bring both areas into a single district ward (Way). However, the 'village' still lies between both parishes (53 properties in Cruwys Morchard PC and 56 properties in Thelbridge PC). As such, the ERC welcomed the views of residents and both parish councils.
- 8.2 During the second consultation period, both Parish Councils (Cruwys Morchard and Thelbridge) voted for no change over this boundary, although the two parish councils believed that there was no issue. The parish clerks of each parish mentioned that it would make sense if Nomansland was in one parish area.

It was noted that all the residents living in Nomansland would have travel some distance to vote from either Cruwys Morchard or Thelbridge and if Nomansland was placed into one of the parish council area it would be a substantial increase in electors for one parish and a substantial reduction for the other parish.

- 8.3 The ERC considered that the existing parish boundaries should be left for now until the District Boundaries had settled down.
- 8.4 In the meantime, it was **AGREED** that there would be no change to the parish boundaries.

## 9.0 **Wembworthy**

- 9.1 Wembworthy Parish Council put forward a submission that the ERC consider combining the Parish with Eggesford and Brushford parish meetings. They were of the view that this would give the two parish meetings better representation and a chance to benefit from the precept to improve their communities. Whilst Eggesford and Brushford are both Parish Meetings in Upper Yeo & Taw Ward and Wembworthy is in Taw Vale Ward. This does not exclude such a request

but if this came into effect, Eggesford and Brushford would have to be warded (see Appendix 7).

- 9.2 If the ERC was so minded to further consider any of the issues arising from the above, the Council could consider a 'limited' CGR in the future, particularly in light of the fact that Eggesford and Brushford have not been consulted.

## 10.0 Parish Councils

- 10.1 The CGR also reviewed the number of councillors to be elected to each parish council. Arising from the consultation with parish councils, the following changes were to be **recommended by the ERC for approval** by the Council.

- i) Bradninch (Rural Ward) be reduced from 2 to 1
- ii) Bradninch (Town Ward) be increased from 10 to 11
- iii) Burlescombe be reduced from 9 to 7
- iv) Copplestone be increased from 7 to 9
- v) Crediton Hamlets (Yeoford Ward) be increased from 5 to 7
- vi) Silverton (North Ward) be reduced from 2 to 1
- vii) Silverton (Village Ward) be increased from 9 to 10
- viii) Willand be increased from 11 to 12

**Contact for more Information:** Jill May, Director of Business Improvement and Operations (jmay@middevon.gov.uk)

**List of Background Papers:** Consultation responses

**List of Appendices:** Appendices 1-7 Maps



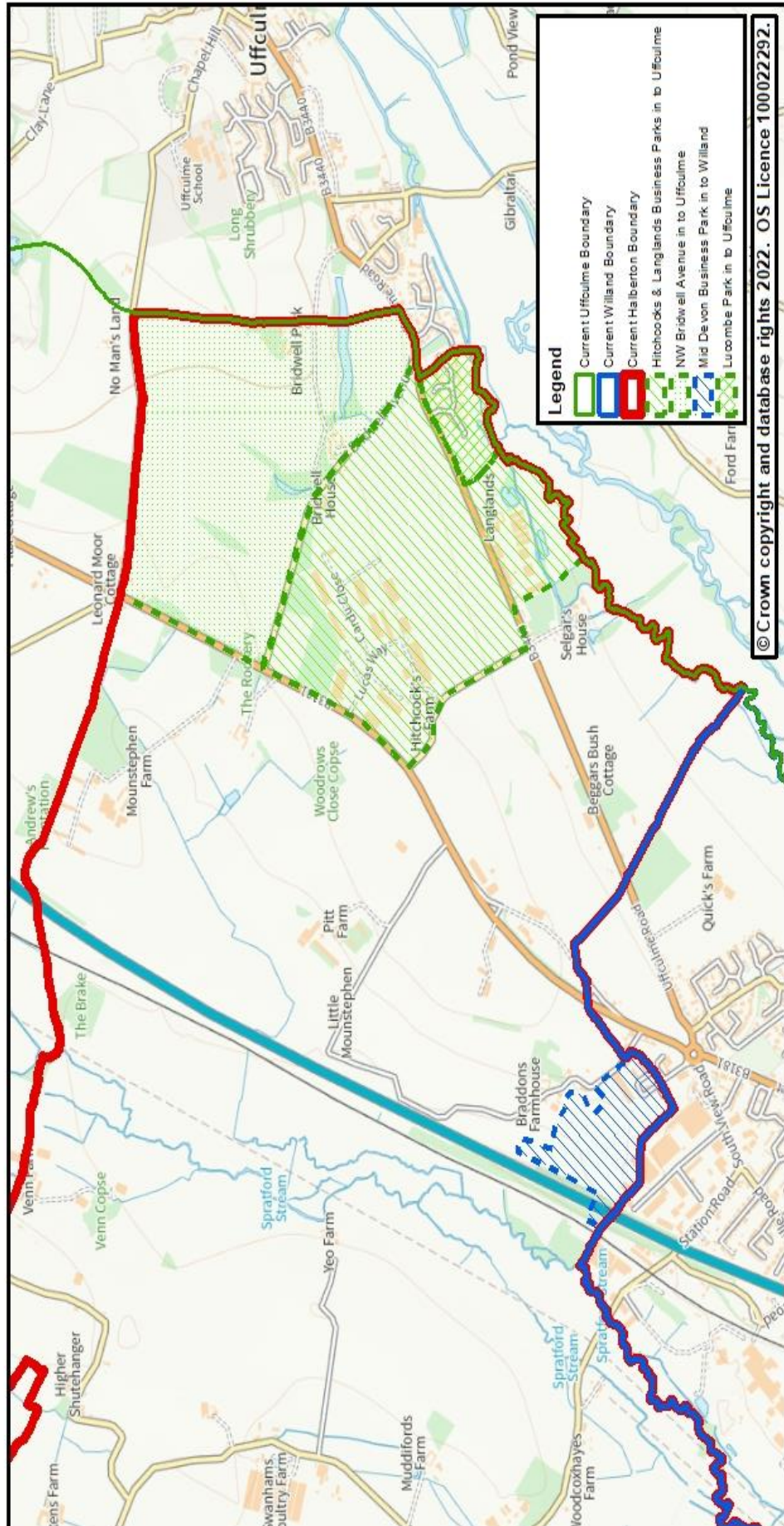
## Appendix

Scale	1:15,000 @ A4	Date	17 November 2022
Drg. No.	Option 3	Produced by	GMS

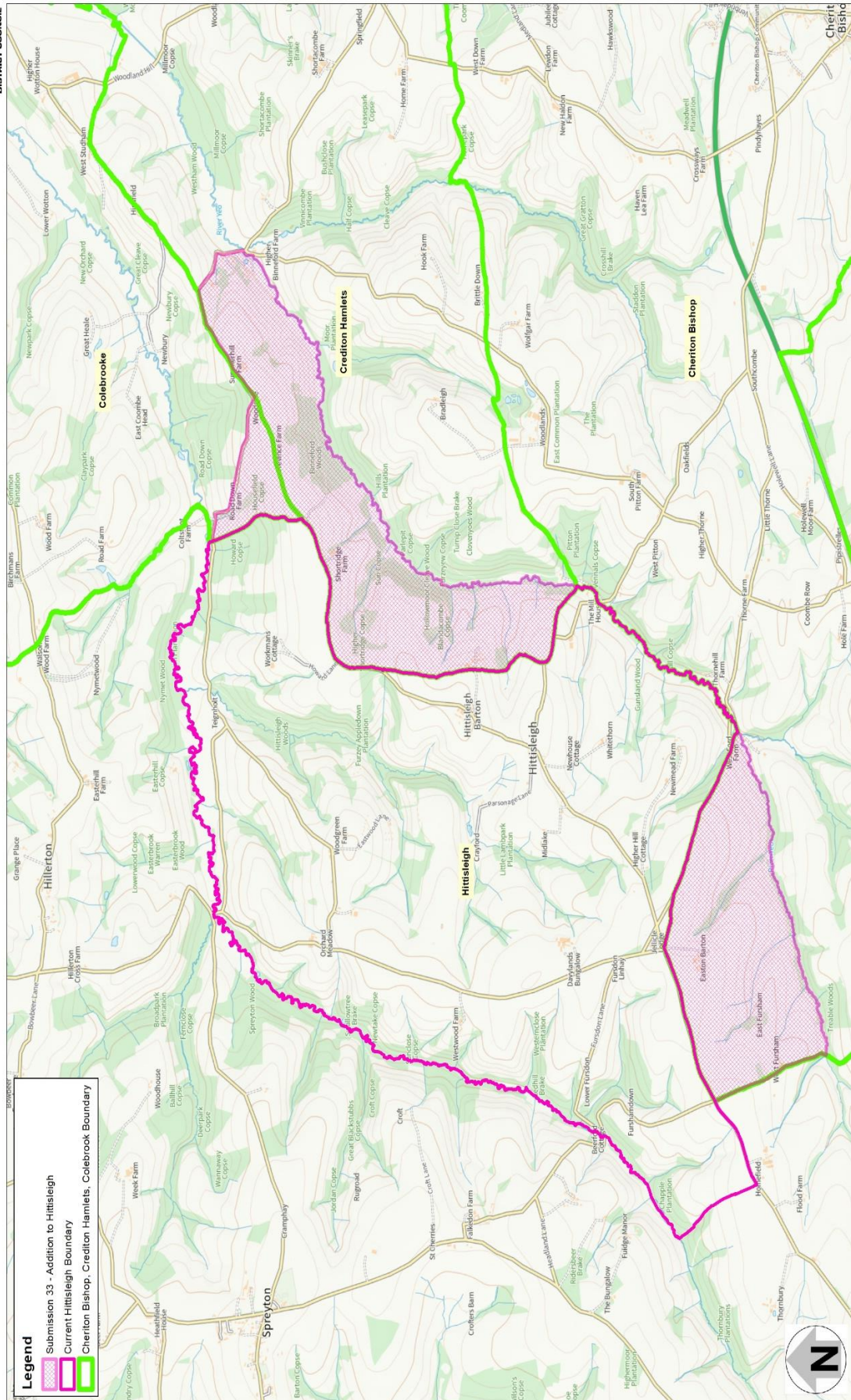
Phoenix House  
Phoenix Lane, Tiverton EX16 6PP

Tel: 01884 255255

Website: [www.middevon.gov.uk](http://www.middevon.gov.uk)







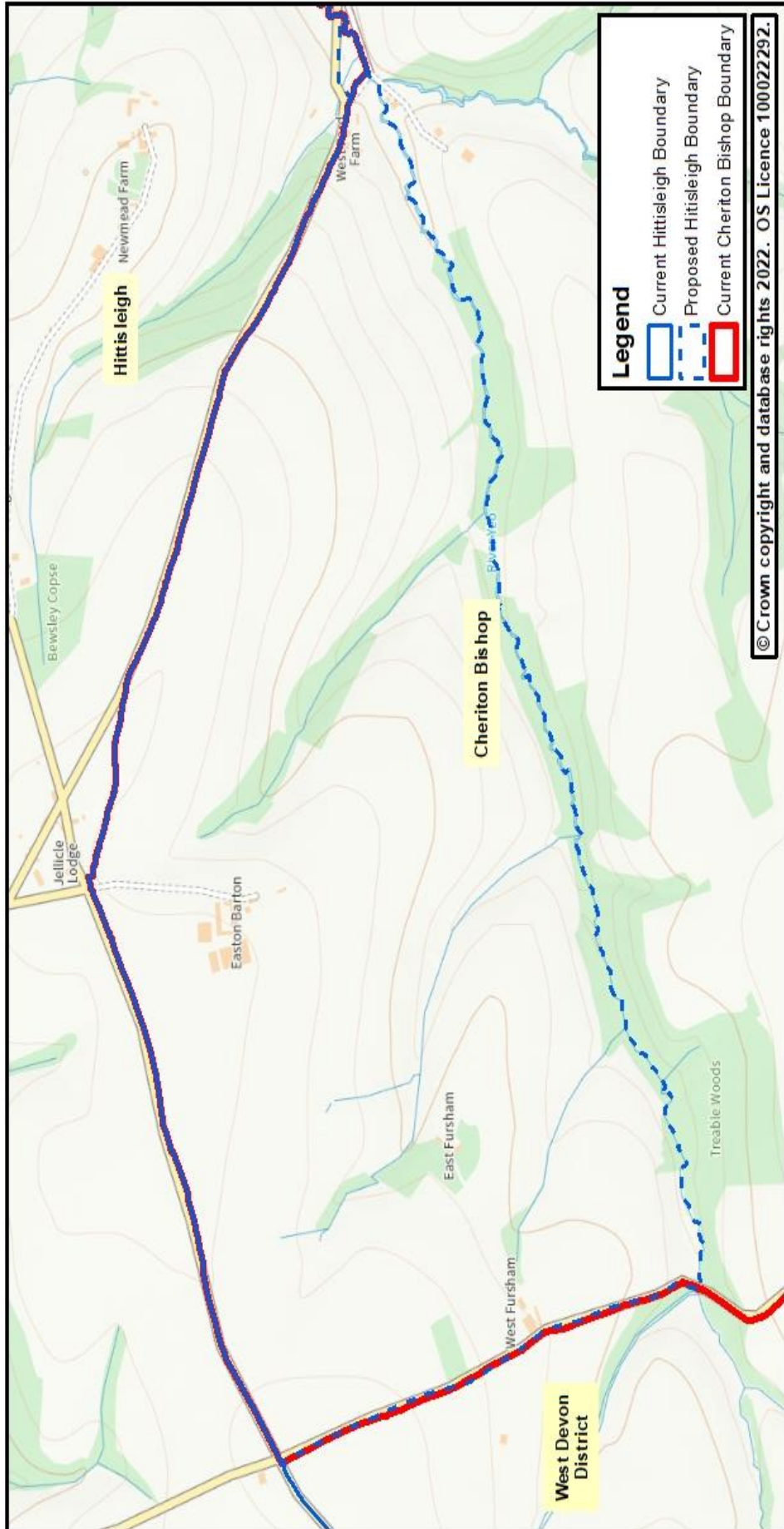




## Appendix : Hittisleigh (Submission 33)

Scale	1:8,000 @ A4	Date	17 November 2022
Drg. No.	2 of 2	Produced by	GMS

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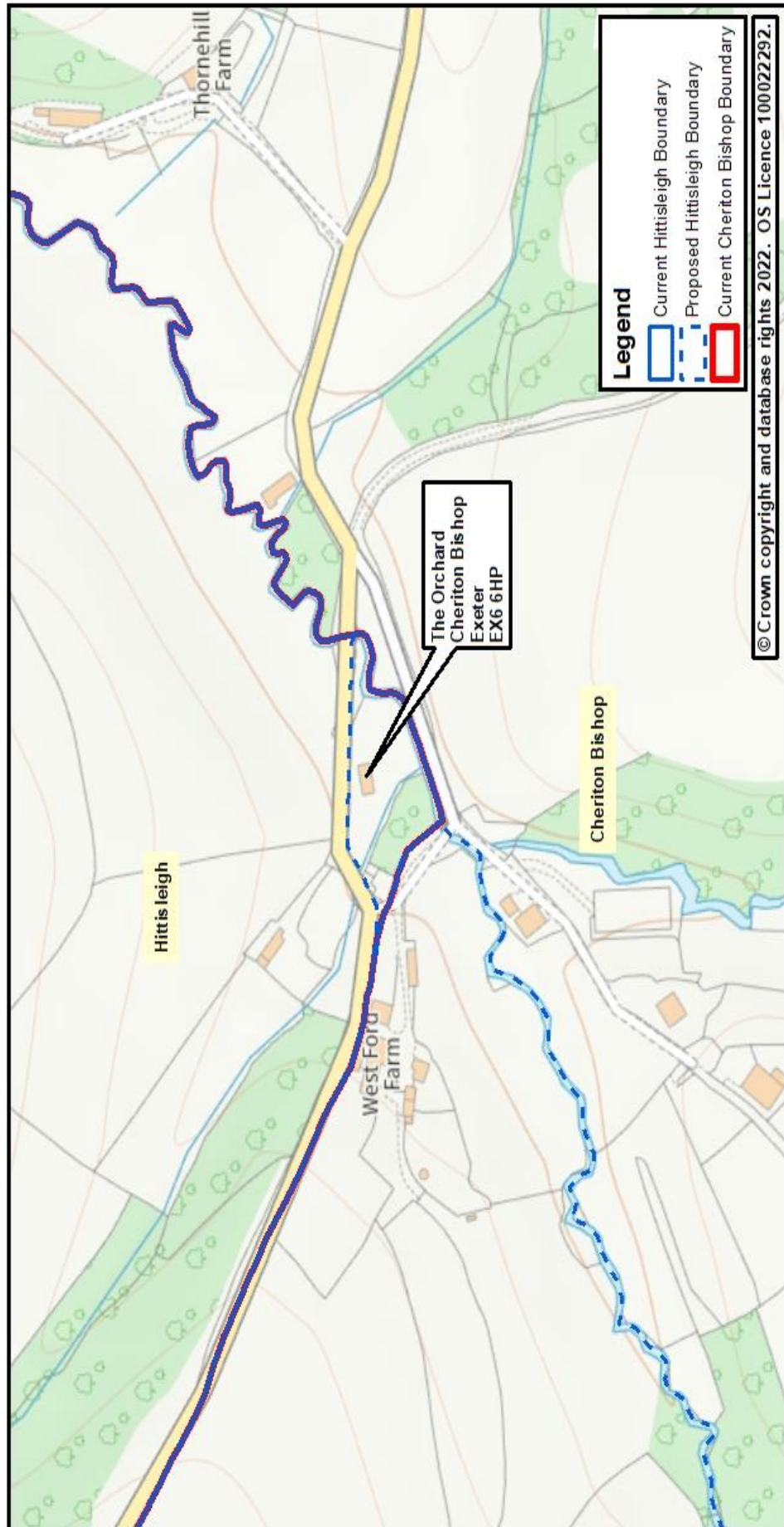






## Appendix

Scale	1:2,500 @ A4	Date	17 November 2022
Drg. No.	The Orchard from Hittisleigh to Cheriton Bishop	Produced by	GMS



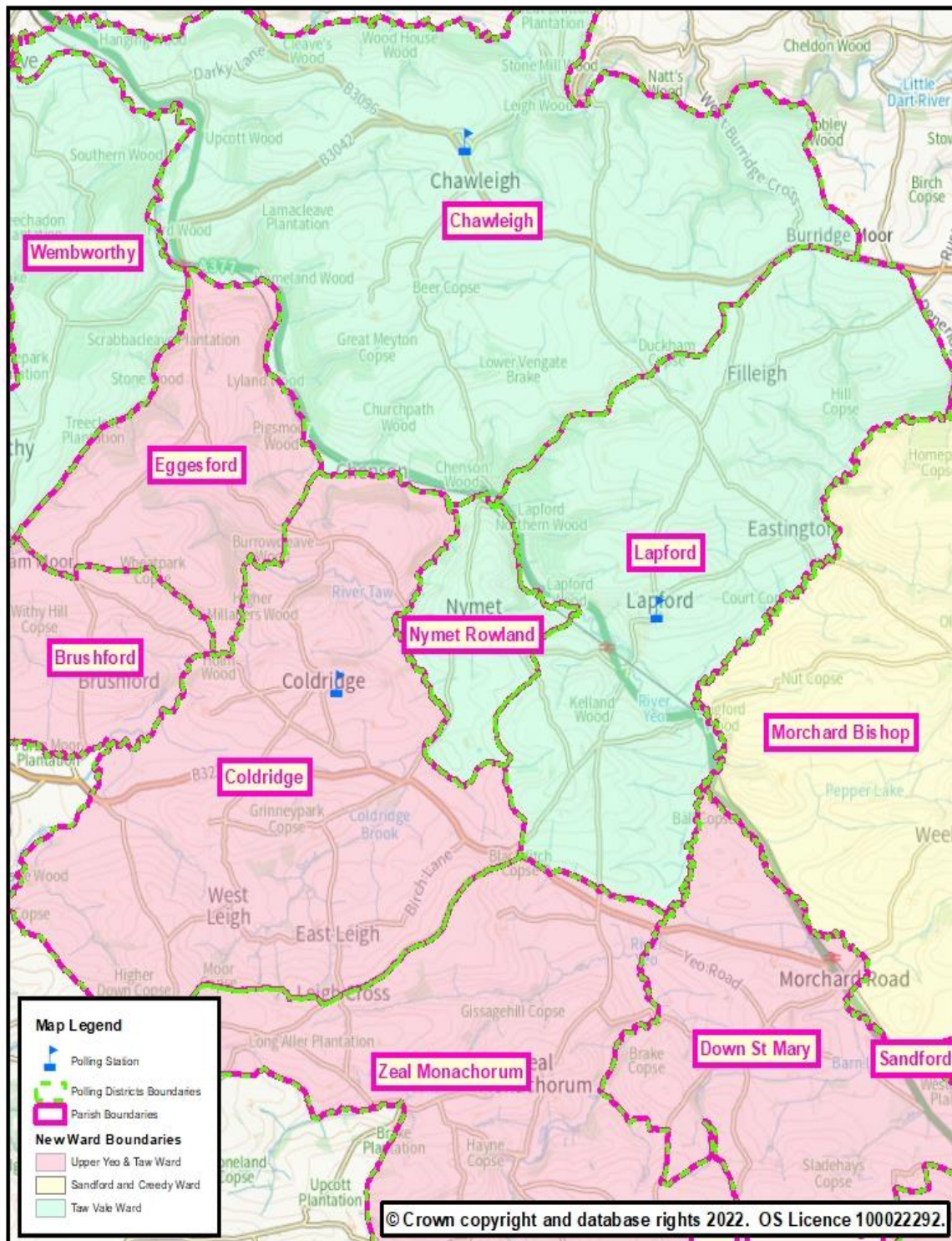




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Scale	1:50,000 @ A4	Date	17 November 2022
Drg. No.	Nymet Rowland	Produced by	GMS

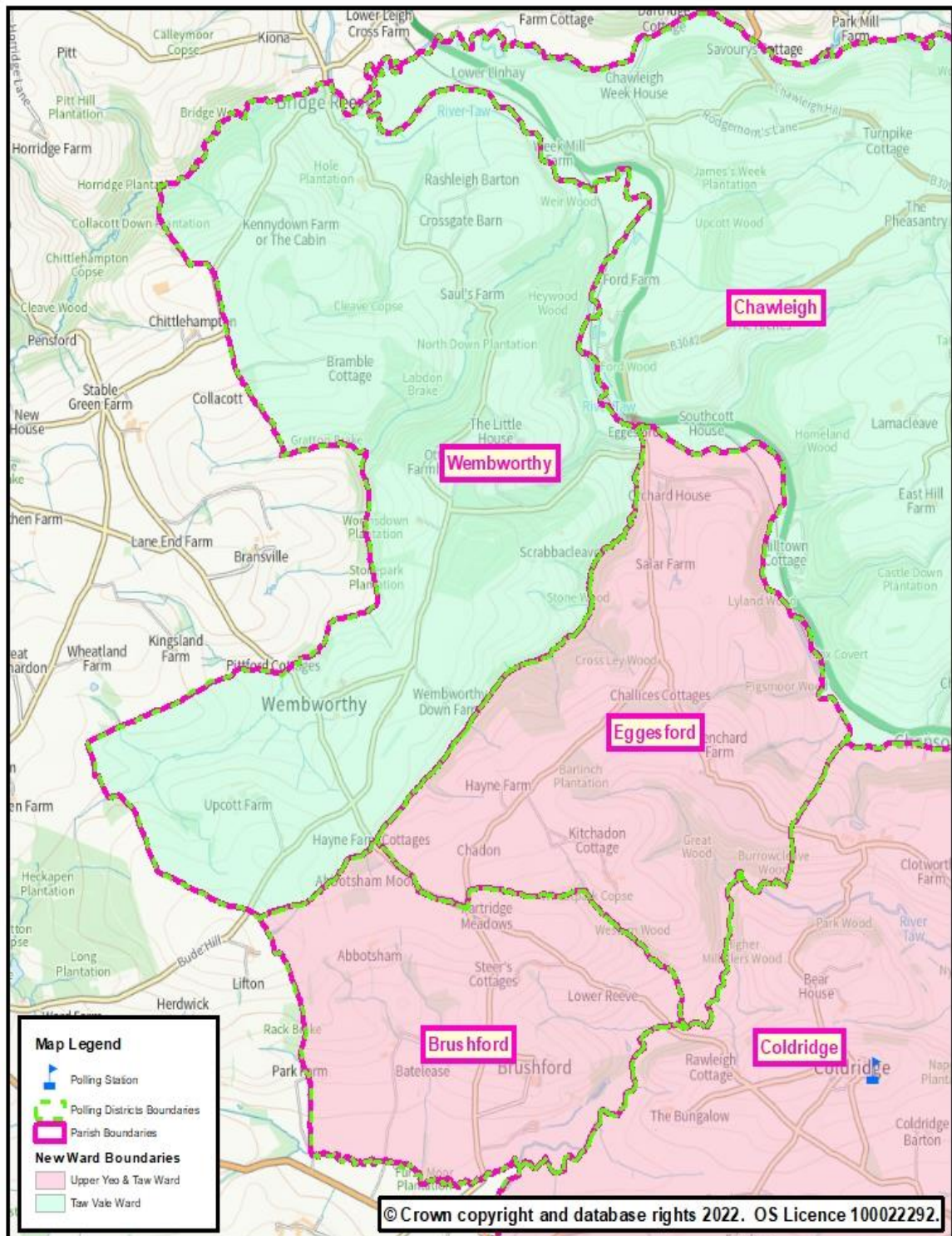




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Scale	1:32,000 @ A4	Date	17 November 2022
Drg. No.	Submission 79: Wembworthy to include Eggesford and Brushford	Produced by	GMS

## **EXTRAORDINARY COUNCIL**

**1 DECEMBER 2022**

## **ALLOCATION OF SEATS**

### **Reason for Report:**

To consider the seat allocations and to appoint members to various bodies for the current civic year 2022/23.

### **RECOMMENDATIONS:**

1. That Cllr W Burke transfers from the Scrutiny Committee to the Audit Committee and Cllr R Radford transfers from the Audit Committee to the Scrutiny Committee.
2. That Cllr A Moore gifts his seat on the Planning Committee to Cllr R Radford.

### **1.0 Report Detail**

Since the seating allocation was agreed at the last Full Council Meeting (26 October 2022) a number of changes had been requested as set out in the recommendations above. It would therefore be appropriate to present these to the Council to be considered.

**Contact for more Information:** District Solicitor and Monitoring Officer:  
[mdeleiburne@middevon.gov.uk](mailto:mdeleiburne@middevon.gov.uk)

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## Appendix 1

	Totals	Conservative (CON) 18	Lib Dem (LD) 11	Independent Group 3	NAGs 5	Greens 2	Ungrouped 3
% based on current membership of 42	100	42.86	26.19	7.14	11.90	4.76	7.14
Committee seats	113	4849	30	8	14	5	87
Other Bodies	24	10	6	2	3	1	2
Committee	No on Committee	Con	LD	NIGs	NAGs	Greens	Ungrouped
Scrutiny	12	5.14 56	3.14 3	0.86 40	1.43 2	0.57 1	0.86 0
Audit	9	3.86 43	2.36 3	0.64 01	1.07 1	0.43 0	0.64 1
Electoral Review	12	5.14 5	3.14 3	0.86 1	1.43 1	0.57 1	0.86 1
Environment	9	3.86 4	2.36 3	0.64 1	1.07 1	0.43 0	0.64 0
Homes	9	3.86 4	2.36 2	0.64 0	1.07 2	0.43 0	0.64 1
Economy	9	3.86 4	2.36 3	0.64 0	1.07 2	0.43 0	0.64 0
Community	9	3.86 4	2.36 2	0.64 1	1.07 1	0.43 0	0.64 1
Planning	11	4.71 45	2.88 3	0.79 1	1.31 1	0.52 1	0.79 40
Licensing	12	5.14 5	3.14 3	0.86 1	1.43 1	0.57 1	0.86 1
Regulatory	12	5.14 5	3.14 3	0.86 1	1.43 1	0.57 1	0.86 1
Standards Committee	9	3.86 4	2.36 2	0.64 1	1.07 1	0.43 0	0.64 1
<b>Total</b>	<b>113</b>	<b>4849</b>	<b>30</b>	<b>8</b>	<b>14</b>	<b>5</b>	<b>87</b>
Other Bodies	No on Group	Con 10	LD 6	NIGs 2	NAGs 3	Greens 1	Ungrouped 2
PWG	8	3.43 3	2.10 2	0.57 1	0.95 1	0.38 0	0.57 1
Planning Policy Advisory Group (PPAG)	9	3.86 4	2.36 2	0.64 1	1.07 1	0.43 1	0.64 0
Development Delivery Advisory Group (DDAG)	7	3.00 3	1.83 2	0.50 0	0.83 1	0.33 0	0.50 1
<b>Total</b>	<b>24</b>	<b>10</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>2</b>

