

Prior to the meeting, at 5.00pm, the Chairman will host a reception for Members and will make a presentation to Richard Keith-Hill (Environmental Health Officer) who has completed 25 years service with the District Council.

MID DEVON DISTRICT COUNCIL

A MEETING of the **MID DEVON DISTRICT COUNCIL** will be held in the Council Chamber, Town Hall, Tiverton on Wednesday, 29 April 2015 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, 20 May 2015 at 7.00 pm]



KEVIN FINAN
Chief Executive

21 April 2015

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

Reverend (to be confirmed) will lead the Council in prayer.

AGENDA

- 1 **Apologies**
To receive any apologies for absence.

- 2 **Minutes** (*Pages 7 - 16*)
To approve as a correct record the Minutes of the Meeting of Council on 25 February 2015

The Council is reminded that only those Members present at the previous meeting should vote and, in doing so, should be influenced only by seeking to ensure that the minutes are an accurate record.

- 3 **Chairman's Announcements**
To receive any announcements which the Chairman of the Council may wish to make.

- 4 **Public Question Time**
To receive any questions relating to items on the agenda from members of the public and replies thereto.

- 5 **Petitions**
To receive any petitions from members of the public.

6

Notices of Motions

(1) Motion 515 (Councillor Mrs N Woollatt – 20 January 2015)

The following motion had been referred to the Managing the Environment Policy Development Group for consideration and report

That this Council:

1. Bans the sale or use of sky lanterns when issuing licences for open-air events
2. Bans the release of sky lanterns from MDDC property
3. Urges Devon County Council to consider a similar ban as at (2.) on its property

The Managing the Environment Policy Development Group at its meeting on 10 March considered the proposal. Following consideration of the views of the Group and in accordance with Procedure Rule 15.6(a) Councillor Mrs N Woollatt has requested that her motion be altered to read as follows:

This Council:

- a) Provide advice and guidance to organisers of events and changes could be made to guidance notes to require applicants to provide information regarding the sale and release of lanterns at events;
- b) Uses the Licensing regime to promote a voluntary ban on the use of lanterns;
- c) Bans the release of sky lanterns from MDDC property;
- d) Urges Devon County Council to consider a similar ban as at (c) on its property.

The Policy Development Group had considered the revised proposal and recommended that it be supported.

(2) Motion 514 (Councillor Mrs J Roach – 19 January 2015)

The following motion had been referred to the Decent and Affordable Homes Policy Development Group for consideration and report

That this Council considers and investigates the possibility of applying to the Secretary of State to transfer Charlton Lodge to Mid Devon District Council (Localism Act Sect 15) to enable Mid Devon District Council to provide a scheme similar to the Abundant Life Project being run at Dartington.

The Decent and Affordable Homes Group at its meeting on 17 March considered the proposal and recommends that it be supported.

(3) Motion 516 (Councillor Mrs J Roach – 22 January 2015)

The following motion had been referred to the Decent and Affordable Homes Policy Development Group for consideration and report

“That this Council resolves to investigate the possibility of acquiring Charlton Lodge, Orchard Lea and Bampton residential Homes in order to meet unmet housing needs in this district.”

The Decent and Affordable Homes Group at its meeting on 17 March considered the proposal and recommends that it be supported.

(4) Motion 518 (Councillor M D Binks – 24 February 2015)

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

That this Council wishes to express its concerns to the Minister of State for Culture and the Digital Economy, about the slow rate of installation of High Speed Broadband to large rural areas of Mid Devon, as without this everyday need, especially to farmers and other rural businesses, our local economy will not flourish and rural isolation will not be reduced.

In accordance with Procedure Rule 13.4, the Chairman of the Council has decided to allow this Motion (if moved and seconded) to be dealt with at this meeting.

(5) Motion 519 (Councillor M D Binks – 24 February 2015)

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

That this Council wishes to express apprehension about the consultation process regarding the future of Crediton Hospital, and would like to relay those concerns to the Minister for Health, hopefully ensuring that he will rigorously scrutinise all the evidence given in that consultation process, therefore ensuring that a fair and equitable decision is arrived at.

In accordance with Procedure Rule 13.4, the Chairman of the Council has decided to allow this Motion (if moved and seconded) to be dealt with at this meeting.

(6) Motion 520 (Councillor Mrs J Roach – 11 March 2015)

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

That this Council resolves to write to the Secretary of State for DCLG to ask that when setting out national planning policy the following issues are taken in to consideration.

There is evidence that developers are now buying up old properties in

villages and seeking permission to redevelop those sites to obtain a maximum return. By demolishing the existing building and replacing it with more than one house, or alternatively a much larger house, they are creating major problems for existing neighbours.

The first concern is building too close to boundary walls or undermining those walls. It appears that any redress in these cases is via the Party Wall Act and has to be dealt with by a civil action. This entails the neighbour taking legal action which can be long drawn out and costly to fund just to protect their property. If they do not have the funds then they cannot take action. Many people are reluctant to take legal action or are unaware that they could take this route.

The second concern is about rights of access.

It is not uncommon in villages for access to have been taken for granted over hundreds of years, with no thought given to ensuring it was protected in law. Development of the land can interfere with historic rights and those who enjoyed access have to resort to civil action at their own expense to maintain their rights. Some of those properties have been passed down through family members without the access rights being formalised.

In accordance with Procedure Rule 13.4, this Motion (if moved and seconded) will be referred without discussion to the Cabinet.

7 **Committee Reports** (*Pages 17 - 142*)

To receive and consider the reports, minutes and recommendations of the Cabinet/Committees as follows:

(1) Cabinet

- 5 March 2015
- 2 April 2015

(2) Scrutiny Committee

- 27 February 2015
- 16 March 2015
- 13 April 2015

(3) Audit Committee

- 24 March 2015

(4) Managing the Environment Policy Development Group

- 10 March 2015

(5) Decent and Affordable Homes Policy Development Group

- 17 March 2015

(6) Community Well Being Policy Development Group

- 24 March 2015

(7) Planning Committee

- 4 March 2015

- 18 March 2015

- 1 April 2015

- 22 April 2015 (to follow)

(8) Standards Committee

- 11 March 2015

- 25 March 2015

- 15 April 2015

8 **Questions**

To deal with any questions raised pursuant to Procedure Rule 12 not already dealt with during the relevant Committee report.

9 **Independent Remuneration Panel Report - April 2015** (*Pages 143 - 150*)

To receive a report of the Head of Communities and Governance informing Members that the current Members Allowances Scheme expires when the District Council election takes place in May 2015, there is therefore a need to make recommendations for a scheme to be in place following the election.

10 **Annual Reports of Audit Committee, Scrutiny Committee and the Policy Development Groups** (*Pages 151 - 168*)

To receive the Annual reports (attached) of the Audit Committee, Scrutiny Committee and the three Policy Development Groups.

11 **Six Monthly Briefing from the Leader**

The Leader, Councillor C J Eginton, will address the Council.

12 **Questions to Cabinet Members**

Cabinet Members will answer questions from Members on their Portfolios.

13 **Members' Business**

To receive any statements made and Notice of future questions by Members.

Note: the time allowed for this item is limited to 15 minutes

14 **Invitation for retiring Members to address the Council**

Members who have chosen not to be re-elected are invited to address the Council.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access to the Council Chamber on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sally Gabriel on:

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Public Wi-Fi is available in all meeting rooms.