

[Prior to the meeting at 5.15pm a Full Council photograph will be taken in the PHOENIX CHAMBER, Phoenix House.]

MID DEVON DISTRICT COUNCIL

A MEETING of the MID DEVON DISTRICT COUNCIL will be held in the Council Chamber, Town Hall, Tiverton on Wednesday, 15 July 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, 9 September 2015 at 6.00 pm]



KEVIN FINAN
Chief Executive

7 July 2015

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

Reverend David Lyddon, Honorary Curate of St Pauls and St Georges Churches, Tiverton will lead the Council in prayer.

AGENDA

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

- 2 **Minutes** (*Pages 7 - 14*)
To approve as a correct record the Minutes of the Annual Meeting of Council on 20 May 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.

Notices of Motions**(1) Motion 520 (Councillor Mrs J Roach – 11 March 2015)**

The following motion had been referred to the Cabinet for consideration and report:

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.

The Cabinet at its meeting on 4 June considered the proposal and recommended that it be rejected.

(2) Motion 521 (Councillor Mrs N Woollatt 25 May 2015)

The Council have before it a **MOTION** submitted for the first time.

That this council writes to the relevant minister to urge the Government to adopt a similar policy to that recently introduced in France and Belgium whereby it is now illegal for supermarkets over a certain size to destroy discarded food and must donate food fit for human consumption to charities and other food waste to other methods of recycling such as animal feed, composting or waste to energy. Furthermore, that any such policy also be extended to include food manufacturers and producers.

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.

(3) Motion 522 (Councillor Mrs N Woollatt 25 May 2015)

The Council have before it a **MOTION** submitted for the first time.

That this council explores what options may be available to it to introduce a local policy in Mid Devon requiring supermarkets, food manufacturers and producers over a certain size to donate discarded food fit for human consumption to charities and other food waste to other methods of recycling such as animal feed, composting or waste to energy.

In accordance with Procedure Rule 13.4, this Motion (if moved and seconded) will be referred without discussion to the Managing the Environment Policy Development Group

7 **Committee Reports** (*Pages 15 - 96*)

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

(1) Cabinet

- 4 June 2015
- 2 July 2015

(2) Scrutiny Committee

- 15 June 2015
- 13 July 2015 (to follow)

(3) Audit Committee

- 23 June 2015

(4) Managing the Environment Policy Development Group

- 9 June 2015

(5) Decent and Affordable Homes Policy Development Group

- 16 June 2015

(6) Community Well-Being Policy Development Group

- 30 June 2015

(7) Planning Committee

- 3 June 2015
- 1 July 2015

(8) Standards Committee

- 28 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 **The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015** *(Pages 97 - 98)*

To receive a report of the Chief Executive recommending changes to the Council's Constitution following recent legislation.

10 **Independent Remuneration Panel Report - June 2015** *(Pages 99 - 116)*

To receive a report of the Head of Communities and Governance informing Members of recommendations from the interim review undertaken by the Independent Remuneration Panel.

11 **Ungrouped vacancy - Planning Policy Advisory Group**

To appoint one Member of the Ungrouped to the Planning Policy Advisory Group following the resignation of Councillor Mrs Roach from this group.

Councillor D J Knowles has shown an interest in this position.

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

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:

Tel: 01884 234229

Fax:

E-Mail: sgabriel@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.