

Public Document Pack

MID DEVON DISTRICT COUNCIL

A **MEETING** of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Tuesday, 10 May 2016 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, 29 June 2016 at 6.00 pm]

STEPHEN WALFORD

Chief Executive

2 May 2016

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

Reverend Selina Garner from Uffculme will lead the Council in prayer.

AGENDA

- 1 **Chairman of the Council**
To elect the Chairman of the Council for the year 2016/17
- 2 **Apologies**
To receive any apologies for absence.
- 3 **Minutes** (*Pages 5 - 20*)
To approve as a correct record the Minutes of the Meeting of Council on 27 April 2016

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.
- 4 **Vice Chairman of the Council**
To elect the Vice Chairman of the Council for the year 2016/17
- 5 **Chairman of the Scrutiny Committee**
To elect the Chairman of the Scrutiny Committee for 2016/17
- 6 **Appointment of Committees, Sub Committees, Working Groups and other Internal Bodies** (*Pages 21 - 22*)
It is **recommended**:
 - (a) that the Council approve the allocation of seats on Committees and other Council Bodies as shown on the schedule;

- (b) that Members be appointed to Committees in accordance with the names notified (see sheet - to follow) to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats in (a) above;
- (c) that Members also be appointed to Working Groups and other Internal Bodies in accordance with the names notified (see sheet - to follow) to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats in (a) above;
- (d) that the Chief Executive be authorised to make changes to membership of Committees, Working Groups and other Internal Bodies as may be notified to him from time to time by the relevant Political Group to which those seats have been allocated by the Council;
- (e) that the appointments to seats remaining to be filled by ungrouped Members shall be made at this meeting.

7 **Appointments to Outside Bodies** (*Pages 23 - 24*)

To consider the list of annual appointments.

8 **Scheme of Delegations**

To agree the existing scheme of delegations as set out in Part 3 of the Constitution. (The Scheme of Delegation sets out the levels of decision making within the Council, outlining those to be made by Council, the Cabinet, individual Cabinet Members, those Committees with regulatory functions and officers).

9 **Programme of Meetings**

To approve the programme of ordinary meetings of the Council for the year 2016/17:

29 June 2016
31 August 2016
26 October 2016

14 December 2016
22 February 2017
26 April 2017

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 first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available.

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

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Public Wi-Fi is available in all meeting rooms.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 27 April 2016 at 6.00 pm

Present

Councillors

W J Daw (Chairman)
Mrs H Bainbridge, Mrs A R Berry,
Mrs J B Binks, K Busch, R J Chesterton,
Mrs C Collis, Mrs F J Colthorpe, D R Coren,
N V Davey, Mrs C P Daw, R M Deed,
Mrs G Doe, R J Dolley, J M Downes,
C J Eginton, R Evans, S G Flaws,
P H D Hare-Scott, P J Heal, T G Hughes,
Mrs B M Hull, D J Knowles, F W Letch,
B A Moore, R F Radford, Mrs J Roach,
F J Rosamond, Mrs E J Slade,
Miss C E L Slade, C R Slade, J L Smith,
T W Snow, J D Squire, Mrs M E Squires,
R L Stanley, L D Taylor, N A Way and
Mrs N Woollatt

Apologies

Councillors

Mrs E M Andrews, Mrs S Griggs and
R Wright

140 **Apologies**

Apologies were received from Councillors Mrs E M Andrews, Mrs S Griggs and R Wright.

141 **Minutes**

Subject to an amendment to the third paragraph in Minute 121 with the removal of the word “replace” and the addition of the word “changed”, the minutes of the meeting held on 24 February 2016 were agreed as a correct record and signed by the Chairman.

The Chief Executive provided updated information to Minute 123 (5) (Establishment) stating that following the provision of the FTE figures to members in February 2016 and cross referencing with the budgeted FTE, an investigation into the data provided identified an incorrect formula within the reporting tool of Business Objects. This has now been corrected and the report has been re-run to reflect the current situation as at 1 April.

The data has now been thoroughly examined and tested and I can now confirm that the figures are as follows:

1 April 2015	=	404FTE
1 April 2016	=	411FTE

A further detailed report with regard to staffing issues will be brought to the Scrutiny Committee in September and Full Council in October by the Head of HR and Development.

142 Chairman's Announcements (00-04-45)

The Chairman had no announcements to make.

143 Public Question Time (00-05-00)

The following public questions were all received in relation to item 6 on the Summons and in particular Motion number 525.

Mr Colin Passey, Chairman of Sampford Peverell Parish Council, stated that at a recent event his council had conducted a small survey of parishioners which had shown a small majority against development at Junction 27 but a significant amount of people who were prepared to look at limited development there, however, there was very little support for major development. My question is, should there be a proposition to make a major change to the Local Plan, would the council consider doing a rather more wide scale survey of people in the area to see what the views actually are?

Karina Balado stated that she lived in Uffculme and had an 11 year old child who was due to start at Uffculme School in September, one of the best schools in the country. She also had the privilege and joy of working at this school which is known for its high academic status and is consistently oversubscribed. As part of her job she stated that she talks to young people every day about what they would like to be or do in the future. Not once had anyone replied, 'I would really like a low paid, part time or temporary job'. What I do hear often is that they want to go on to further or higher education, into professional careers or farming or other jobs with animals. The allocation states that the land at Junction 27 will be for retail, leisure and tourism, these are not jobs that our young jobs people aspire to. Jobs within these sectors are generally of poor quality, part time, zero hours, seasonal contracts and sit at the bottom of the jobs league table, so my question is, with such jobs as this on offer what reason will my child and others in the area have for coming back to their town to seek employment once their further or higher education is complete?

Judy Downing, representing Burlescombe Parish Council, stated that the area that she lived in was dominated by rock quarries, like Westleigh Quarry as well as sand quarries. I would like to ask what provisions are there in this allocation for transport? We are particularly worried in this area about the amount of heavy traffic and there doesn't seem to be particular allocation for the transport and changes in roads in this area.

Ken Browse introduced himself as Chairman of Halberton Parish Council as well as Chairman of the Devon Association of Local Councils and Chairman of the National Association of Local Councils. He stated that it is essential that the Local Plan is submitted without delay. As I travel around the country I see a minority of districts that have not got a current up to date plan in place and the consequences are that it is a developer's paradise and applications submitted to local councils duly consulted and scrutinised are turned down only to be overturned at appeal. I was called to speak last year at a government select committee on the National Planning Policy

Framework where I raised this issue. The onus is on local council's democratically appointed by the electorate to represent the views of their communities, to have a current up to date plan in place drawn up by the staff they employ. My own Parish Council only last week had an application turned down a while ago by Mid Devon and then overturned at appeal for 60 new houses which was not in any plan. Please endorse the plan and get it in place before 'planning by appeal' becomes the standard for Mid Devon. Our communities deserve better from the councillors they have elected. My question is, will you have the plan in place this year?

Diane Brandon, a local resident and former Mid Devon District Councillor stated that she was one of the people that had sat on the Planning Committee which took hours, weeks and months trying to get a plan sorted which I thought would have been done by now. However, my question is in three parts with an overarching theme, can the Cabinet Members seeking to include Junction 27 as employment land please give a detailed explanation of where the demand has come from and why if there is a need for further development land have a number of schemes already in the plan been reduced in size siting over capacity as the reason for removal. If Junction 27 is considered will officers look to remove other previously agreed sites with a possibility of working up a new employment land strategy for the revised local plan?

Mr R Marshall spoke as a member of the public and asked the following questions:

1. The following paragraph is an extract from the Mid Devon Local Plan report into the objections to the revised plan from 2003/2004 which stated 'The Council produced no evidence that a development at Junction 27 would give rise to unsustainable travel patterns, only an assertion was made. There is evidence of commuting from Cullompton, Willand and local parishes. This allocation will allow those patterns to be shortened. No other location can achieve such a degree of travel efficiency'. That is what the report said, my question is, as this report was drafted 13 years ago and the population of Mid Devon has grown by at least another 8000 since then, will Mid Devon District Council be presenting clear, logical and convincing evidence to the independent planning inspector rather than assertions to back up their decision to exclude development at Junction 27 due to being perceived as an unsustainable location in the local plan?

2. Quoting from 'Short extracts from a history of Tiverton' by Mike Sampson, Mr Marshall read 'In fraught times after the Napoleonic Wars a young man from the Midlands with a genius for invention and business acumen came to Tiverton. In Tiverton's long history there have been few decisions of greater consequence. The young man was 32 year old John Heathcoat. He was already in production by May 1816. The effects of the Heathcoat Factory on Tiverton and the surrounding area were immediate and immense. As well as a large number of local people being employed, Heathcoat contracts showed that people as far afield as South Molton, Bampton, Crediton, Wellington, Culmstock, as well as the parishes adjacent to Tiverton were taken on.' My questions is, why is it when no other location can achieve such a degree of transport efficiency, do we watch from the side lines as millions of people a year pass through Mid Devon without stopping and the economies of other areas nearby grow and prosper on the back of transport infrastructure that cuts through our area? I urge Mid Devon District Council to emulate the courage and business acumen of John Heathcoat when 200 hundred years ago he moved his business to Mid Devon. Please Council for the future of all Mid Devon residents, in particular our young people, I implore that you to approve the

Motion to allocate land at Junction 27 of the M5 for leisure, retail, tourism and employment development.

Tim Pointing stated that, having already gone through the local plan and undertaken what I thought was a democratic process we are here today to have another stab at getting land allocated at Junction 27. My question or my thoughts are that being mindful of the recent inspectors ruling on Mid Devon District Council not being able to demonstrate a sound 5 year land supply, surely this Motion cannot be justified when its acceptance would clearly bring about further housing requirements and a need to revise housing needs in the area. My question is, where would the potential Junction27 workforce be living if this development goes ahead?

Karen Barclay stated that without allocation land for tourism and leisure how does Mid Devon District Council plan to attract the 22 million tourists a year who currently pass through Mid Devon to stop and spend their money here, wouldn't the gate way to Mid Devon at Junction 27 be the ideal place and if not at Junction 27, where?

Margaret Dennis, a local resident, stated that young children today growing up need to be able to breathe, to be able to see nature, to see the green trees, the grass and to move out of the area if they wish. Please don't clip their wings, let them move away to the towns and cities where there are well paid jobs Let them be able to come back to a green area instead of what you're proposing.

Penny Pryer spoke as a representative from Petroc. She stated that a year ago she had written to Mid Devon District Councils' Local Plan Review expressing concern that land at Junction 27 was not included in the Local Plan. I am pleased to see now that the Council is open to reconsidering future development at Junction 27 of the M5. The site proposal includes a vision for a centre of educational excellence in the science, technology, engineering and maths subjects such as environmental sciences, agritech and food technology etc. Bearing in mind the Met Office's recent relocation to Devon and the subsequent interest by science based organisations in Devon's M5 corridor it would seem that we can attract forward thinking businesses to Mid Devon. My question is, do councillors feel that they have a responsibility to create opportunities for young people that we are educating within Mid Devon and what will and what does Mid Devon District Council do to attract the type of employers who will provide high quality training and apprenticeship opportunities in our area. Of course, it is the 400 year anniversary of William Shakespeare, I therefore have a couple of quotes:

One from Julius Caesar which says "We must take the current when it serves or lose our ventures" and one of my own particular favourite paraphrases, "opportunity is like a horse with a long forelock and a short tail, if you don't seize it as it approaches you, it is lost as it goes by."

Jenny Lupton stated she was a local resident and a local council tax payer. My question is about resources should this Motion be carried tonight. Given that considerable council tax payer's resources have already been spent on developing the democratically agreed local plan, how can it be justified to spend more money in revisiting this aspect of the local plan? I don't believe it can be cost neutral. If the Motion is carried what would be the financial impact of preparing the officer report. The paper we have received tonight says 'no additional cost is anticipated over and above that already accommodated within the service budget'. As a former Local Government officer I simply don't believe that anything that involves significant amounts of officer time can be cost neutral. I don't want my council tax money to be

used to revisit something that had already been democratically agreed. My question is more of a request to please clarify how that statement was arrived at?

Jerry Allen, stated that he ran a business at the Cullompton Industrial Estate. He was Vice Chairman of 'Culm Valley in Business' but he was here today representing the Federation of Small Businesses (FSB) and its 500 members within the district. The FSB had long been supportive of development at Junction 27 and they hoped the Council passed this Motion to further consider the implications on the Local Plan review of a major modification. I'm sure all the councillors would agree that Mid Devon District Council should be doing everything it can to generate direct employment opportunities to attract more businesses both large and small in the district and consideration should be given to the appropriate development to Devon's greatest but as yet untapped economic resource at Junction 27, preferably with a ground breaking and an innovative scheme rather than just a bland motorway station. My question is, when it comes to the Local Plan what Mid Devon District Council will do to ensure that fuelling employment generation and economic growth remains front and centre of consideration when planning how the district will develop over the next 20 to 30 years.

Keith Grantham from Willand Parish Council stated that the proposal regarding leisure and tourism makes no reference to a big development like the one at Bridgewater. Any informed local person will recognise the thinly veiled hidden agenda in the wording of the Motion. In December 2014 both Cabinet and Full Council unanimously voted for the emerging Local Plan not to include the allocation of land at Junction 27. This was as a result of some comprehensive and detailed work and advice from full time officers. Since that time employment land allocations have been reduced or omitted from major proposals in the emerging plan. A massive farm diversion at Hitchcocks Farm has turned a farm into a business park and recently had planning permission for a new housing development on the site; neither of them were in any plan. There was a proposal to reduce the size the land allocation at Mid Devon Business Park but outline planning has now been approved to use the whole site. Other applications are emerging on small sites for further employment buildings. Tiverton and Cullompton have empty shops in their centres and some premises are being turned into accommodation. Unemployment in Mid Devon is very low compared with the national average, why do we need this? This being the case what evidence do the councillors proposing and considering the Motion have to justify the allocation of even more employment and retail land casing further delay in the submission of the plan and more pressure on the already over worked full time officers?

Mr Grantham then read out a letter from another local resident (Mr Bass) who owned land on the site which he was not prepared to sell although he had been lobbied extensively by developers.

Caroline Salisbury, a local resident, asked whether the Chief Executive could confirm whether the Motion being discussed this evening is not about anything other than putting future decisions on the Local Plan back in the hands of our democratically elected Members and also simply to address the implications for the Local Plan of Eden Westwood inclusion in it? Furthermore, a vote for the Motion today will not directly impact the timing of the Local Plan submission as some are suggesting rather just ensure councillors are in full possession of the facts before making future decisions?

Mr Barry Warren, Chairman of Willand Parish Council stated that if approved, the Motion has the potential to further delay the submission of the Local Plan. The delay in the submission of the plan together with the fact that a government inspector considers that Mid Devon District Council has a shortfall reserve of land for housing is putting a number of communities at risk of additional housing which was not planned for nor have they the infrastructure to cope with the increase.

Halberton and Uffculme has had permission for a site of 60 plus houses approved which is not in the current or emerging local plans. Willand has the potential imposition of up to a further 300 houses as the result of current approaches, an increase in housing of 20% for a designated village and we are advised that we will not be able to defend it due to flaws in MDDC provision and plans. More land could come forward under separate applications for land which was initially discarded. This could be repeated for every small village and town across the whole district.

Will members recall that the original plans put out for consultation not only had land allocated at Junction 27 for a leisure, retail, tourism and employment development but also had three and a half thousand houses attached to it between Junction 27 and Willand.

Will Members who are minded to support the Motion please recognise the current and potential harm to a number of the communities in the district that their delaying actions are causing and likely to cause?

Callum Hutcheon, a local resident, stated that one of the speakers had already mentioned that students have high ambitions and that is true, they do, however, we aren't going to achieve ambitions here. Students are migrating out of Devon at an alarming rate and why? It is because there is no opportunity here for us. I believe a development at Junction 27 will provide a foundation for higher level career opportunities in Mid Devon. If you want a work force to support your growing ageing population in Mid Devon then I do suggest you have development here otherwise we're not sticking around.

Mike Warren, an Uffculme resident, stated that having already missed the target date for September 2015 to submit the revised Local Plan, why do those promoting the Motion believe any further delay benefits Mid Devon? At the end of the consultation period officers could still advise not to include Junction 27, what happens then, are we back to square one or even further back?

Brian Willan an Uffculme resident stated that previously Council voted for the current plan without the land at Junction 27 unpersuaded by everybody else by the ill thought through and inappropriate proposals submitted to them. This was the practically unanimous decision of Council reached openly and democratically. Now Council are asked, following it seems intensive public relations and behind closed doors lobbying, to set aside land at Junction 27 after all. Do Council feel this has been a correct and proper way of proceeding and can those Cabinet Members who have put the Motion forward let us know what lies behind their change of mind?

Jenny Willan, also an Uffculme resident asked if Members do not approve the Motion this evening and should there be a scheme ready to come forward would this permanently prevent any planning application for development at Junction 27 being put forward at a later date?

Patrick Phelvin, editor of the local newspaper, stated that the paper had taken the unusual decision to come off the fence on this and support the proposals by Eden Westwood. As part of his job he had also started working at the Express and Echo in Exeter where the Council there had told him they had had £450m worth of inward investment to support job creation in the last 4 years. My question is, what kinds of plans, in terms of tens of millions of pounds worth of investment, does Mid Devon have to support job creation?

Verity Aldridge, Clerk to Uffculme Parish Council, stated that by putting this Motion forward, which will require further delays in modifying the plan, councillors must have the view that the current plan is unsound. On what basis is this assumption made?

Brian Badcock, a resident of Willand, stated that he had started teaching at Uffculme School in 1974. Back then they had had 340 pupils on the roll, however, the new Academy now had up to nearly 1000 pupils and Willand Primary School was at full capacity. If we had this development at Junction 27, it's going to attract lots of people seeking employment. They will want somewhere to live and they will also want to send their children to the local schools. This is something which is going to mushroom and I don't think you should be going ahead with this proposal.

The Head of Planning and Regeneration had prepared an officer note (copies distributed throughout the meeting) which she considered answered the majority of questions:

1. **The motion does not** seek a decision from Members on whether to allocate land at J27 for development, nor to decide on the merits of the development scheme known as Eden Westwood.

The motion does ask Members to decide if:

- i) The outcome of the last public consultation, technical work and officer recommendations should be considered by Cabinet and Council. At present Council has agreed that the Proposed Submission Local Plan be approved for publication and submission. Delegated authority has been given to the Head of Planning in consultation with the Cabinet Member for Planning and Economic Regeneration to make minor changes to text and maps and Members advised. Assuming no significant changes to the plan, it can currently be submitted without being referred back to Cabinet and Council. The Proposed Submission Local Plan does not allocate land at J27 for development. **PROCEDURE**
- ii) If Members decide that the plan should be considered by Cabinet and Council, the second part of the motion asks if the officer report should include information on the implications of making an allocation for development at J27. **INFORMATION**

2. **If the motion is carried what would be the financial impact of preparing the officer report?** No additional cost is anticipated over and above that already accommodated within the service budget.

3. **If the motion is carried what would be the impact of bringing the plan outcomes to Cabinet and Council for a decision?** Officers do not consider there would be any significant impact upon Plan timescale of taking outcomes to Cabinet and Council. Special meetings could be held.

4. **Officers anticipate that making an allocation for development at J27 would raise a series of implications.** If requested, these would be addressed within a report. The report would need to address the following:
 - Timescale – impact on date of plan submission and 5 year land supply.
 - The proposed components of any allocation and assessment of associated technical evidence.
 - Tests of soundness – Is the plan positively prepared, justified, effective and consistent with national policy? What would the effect of an allocation at J27 be on these? Are there any risks to the plan?
 - Duty to Cooperate – whether there are any outstanding Duty to Cooperate issues that would be raised by an allocation and any implications of them.
 - The extent, if any, to which an allocation would affect wider aspects of the plan including – overall strategy, employment demand and floorspace proposed elsewhere, housing need and housing allocations required, retail need, impact upon town centres, land availability and deliverability.
 - Whether in the view of officers an allocation can be supported or not.
5. **Currently when is the plan due to be submitted?** Our Local Development Scheme indicates plan submission in June 2016. Outcomes from further work at J28 Cullompton are now expected in June - July. Latest estimate of plan submission assuming no major modifications is August 2016.
6. **If the motion is carried what would be the effect upon Local Plan submission?** None. An officer report would be prepared in parallel with emerging J28 work. **It is only if a major modification is made** that there would be a delay to plan submission. The precise detail and required process would be presented in the implications report if the motion is carried. We will by then know if there is any other potential cause for delay.
7. **Do officers recommend making an allocation for development at J27?** Officers are not currently in a position to make a final recommendation. An officer recommendation would be presented with the report and would follow assessment of all relevant issues and the soundness of the plan as a whole.
8. **What is the impact of the recent appeal decision on 5 year land supply upon consideration of the motion?** None, as consideration by Cabinet and Council would not introduce any significant delay, nor therefore in the short term affect land supply or rate of housing completions.
9. **Has a planning application been made for the Eden Westwood scheme?** No, not yet although the Council has commenced pre-application discussions with the scheme promoters.
10. **If the motion is carried would it make the approval of a planning application more or less likely?** If carried, the motion would not decide an allocation or agree to the Eden Westwood scheme – decisions on these would come later in terms of an allocation and /or planning application. If the motion is not carried, it would be for the Inspector to decide if the plan is sound in the absence of an allocation. An allocation would help a planning application.

She further explained that the issue of employment floorspace, housing supply, the possible impact on retail need and land availability and whether it was deliverable, provision of transport and the sustainability of development and travel patterns, the amount of jobs to be provided and the nature of those jobs would all be covered in the proposed implications report.

With regard to the Council's vision in relation to employment opportunities, the Council had an obligation to seek to achieve a sustainable development. Sustainable development would promote community wellbeing and support economic success and balance these with the environment. With regard to the amount of inward investment, this would be dealt with via an Inward Investment Strategy which was already on the workplan for consideration later in the year.

144 **Petitions (00-42-56)**

There were no petitions from members of the public.

145 **Notices of Motions (00-43-02)**

(1) Motion 524 (Councillor Mrs C Collis 16 February 2016)

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

That the Council supports the removal and cessation of the use of all polystyrene cups and all food containers from all council offices and associated premises.

The use of such containers continues to place non biodegradable waste into landfill sites that will take hundreds of years to degrade and continues to threaten wildlife when digested.

Any and all such containers if used as disposable drinks or food containers should be fully certified as biodegradable or easily recycled within normal recycling parameters.

The Policy Development Group at its meeting on 8 March had considered the proposal and recommended that it be supported.

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

(2) Motion 525 (Councillors P H D Hare-Scott, N V Davey, C R Slade and Mrs M E Squires – 9 March 2016)

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

1. That the outcomes of the Local Plan Review pre-submission consultation and subsequent technical work together with officer recommendations be considered by Cabinet and Council prior to plan submissions and;
2. That the report of these outcomes include the implications to the local plan of making a major modification to the Local Plan Review to allocate land at J27 of the M5 for a leisure/retail/tourism and employment development.

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that this Motion be debated at this meeting.

MOTION (1) was **MOVED** by Councillor P H D Hare-Scott and seconded by Councillor Mrs M E Squires.

Following debate and upon a vote being taken, the motion (1) was declared to have been **CARRIED**.

MOTION (2) was **MOVED** by Councillor P H D Hare-Scott and seconded by Councillor C R Slade.

Following debate, Councillor Mrs J Roach **MOVED** in accordance with Procedure Rule 19.4:

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

A roll call of Members present at the meeting was then taken:

Those voting **FOR** the motion: Councillors Mrs A R Berry, Mrs J B Binks, D R Coren, N V Davey, W J Daw, R M Deed, J M Downes, C J Eginton, P H D Hare-Scott, P J Heal, T G Hughes, Mrs B M Hull, F W Letch, C R Slade, Mrs E J Slade, J D Squire, Mrs M E Squires, L D Taylor and N A Way.

Those voting **AGAINST** the **MOTION**: Councillors Mrs H Bainbridge, K I Busch, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, Mrs C P Daw, Mrs G Doe, R J Dolley, R Evans, S G Flaws, D J Knowles, B A Moore, R F Radford, Mrs J Roach, F J Rosamond, J L Smith, T W Snow, R L Stanley and Mrs N Woollatt.

Those **ABSTAINING** from voting: Councillor Miss C E L Slade.

Upon a vote being taken: (20 for: 19 against – Chairman’s Casting Vote) the **MOTION (2)** was declared to have been **CARRIED**.

Notes:

- (i) Councillors: R J Chesterton, C J Eginton, N V Davey, P H D Hare-Scott, C R Slade, Mrs M E Squires and R L Stanley declared personal interests as they had been involved in discussions regarding the proposed development at Junction 27;
- (ii) Councillors Mrs H Bainbridge, R J Chesterton, Mrs C A Collis R Evans and R F Radford declared personal interests as they were members of the Junction 27 Pre-application Review Group;
- (iii) Councillor Mrs F J Colthorpe declared a personal interest as she knew people involved in the Eden Westwood project.
- (iv) It was noted that all Members had received correspondence from various parties for and against the development at Junction 27.

146 Cabinet Report - 10 March 2016 (2-15-34)

The Leader presented the report of the meeting of the Cabinet held on 10 March.

1. Pay Policy (Minute 159)

The Leader **MOVED**, seconded by Councillor Miss C E L Slade

THAT the recommendation of the Cabinet as set out in Minute 159 be **ADOPTED**.

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

The Council had before it a question* submitted by Councillor Mrs J Roach in accordance with Procedure Rule 13.2 (1) together with responses from the Cabinet Member for the Working Environment and Support Services.

Councillor Mrs J Roach asked a supplementary question in accordance with Procedure Rule 13.2 (6)(a) stating whether there was a decision notice in relation to the redundancy to which she referred to in her initial question.

The Chief Executive informed the meeting that the answer was no, and he was not sure why there would be a decision notice.

Note: Questions and responses previously circulated, copy attached to minutes.

147 Cabinet Report - 7 April 2016 (2-17-00)

The Leader presented the report of the meeting of the Cabinet held on 7 April 2016.

The Council had before it a question* submitted by Councillor Mrs J Roach in accordance with Procedure Rule 13.2 (1) together with responses from the Cabinet Member for the Planning and Economic Regeneration.

Note: Questions and responses previously circulated, copy attached to minutes.

148 Scrutiny Committee Report - 11 March (2-18-29)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 11 March 2016.

149 Scrutiny Committee Report 21 March 2016 (2-18-59)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 21 March 2016.

150 Scrutiny Committee Report - 18 April 2016 (2-19-37)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 18 April 2016.

151 Audit Committee Report - 15 March 2016 (2-20-00)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 15 March 2016.

152 Managing the Environment Policy Development Group - Report - 8 March 2016 (2-20-47)

The Chairman of the Managing the Environment Policy Development Group presented the report of the meeting of the Group held on 8 March 2016.

153 Decent and Affordable Homes Policy Development Group - Report 25 February 2016 (2-21-30)

The Chairman of the Decent and Affordable Homes Policy Development Group presented the report of the meeting of the Group held on 25 February 2016.

154 Decent and Affordable Homes Policy Development Group - Report 22 March 2016 (2-22-03)

The Chairman of the Decent and Affordable Homes Policy Development Group presented the report of the meeting of the Group held on 22 March 2016.

155 Community Well-Being Policy Development Group - Report 29 March 2016 (2-22-29)

The Chairman of the Community Well Being Policy Development Group presented the report of the meeting of the Group held on 29 March 2016.

156 Planning Committee - Report - 9 March 2016 (2-23-16)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 9 March 2016.

157 Planning Committee Report - 6 April 2016 (2-24-12)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 6 April 2016.

158 Planning Committee Report - 20 April 2016 (2-24-55)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 20 April 2016.

The Chairman allowed Councillor Mrs J Roach to ask a question (as the minutes the meeting had been distributed following the close of written questions): At the Scrutiny Committee 22/2/16 it was agreed that the report re planning policy and procedures would be reviewed the Scrutiny committee following the planning committee in March. Is this still to be the case?

The Chairman of the Planning Committee stated that yes this would be the case.

159 Standards Committee Report - 13 April 2016 (2-26-15)

The Vice Chairman of the Standards Committee presented the report of the meeting of the Cabinet held on 13 April 2016.

(1) Review of the Policy Development Groups (Minute 21)

(i) The Vice Chairman of the Standards Committee **MOVED**, seconded by Councillor R J Chesterton **THAT** recommendation (i) as set out in Minute 21 be **ADOPTED**

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(ii) The Vice Chairman of the Standards Committee **MOVED**, seconded by Councillor Miss C E L Slade **THAT** recommendation (ii) as set out in Minute 21 be **ADOPTED**

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(iii) The Vice Chairman of the Standards Committee **MOVED**, seconded by Councillor R J Chesterton **THAT** recommendation (iii) as set out in Minute 21 be **ADOPTED**

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(iv) The Vice Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs C P Daw **THAT** recommendation (iv) as set out in Minute 21 be **ADOPTED**

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

160 **Regulatory Committee Report - 29 February 2016 (2-53-49)**

The Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 29 February 2016.

161 **Questions**

There were no questions submitted under Procedure Rule 13.2.

162 **Revised Schedule of Meetings 2016/17 (2-54-00)**

The Council had before it * a revised schedule of meetings (following the approval of an additional Policy Development Group earlier in the meeting).

The Chairman **MOVED**, that the revised schedule of meetings for 2016/17 be approved.

Councillors Mrs N Woollatt **MOVED** an **AMENDMENT** seconded by Councillor Mrs J Roach that if the proposal for an additional PDG to cover the Economy is approved that this PDG meeting time be set at 5.30pm to enable Members who may have work, study or family commitments to be part of the policy development process.

This PDG is likely to cover topics of interest to the business community, many of whom are busy running their businesses during the day. An evening meeting slot would increase accessibility and potential for engagement from this group as well.

In accordance with Procedure Rule 16.6(a) Councillor Mrs N Woollatt sought leave of the Council to alter her amendment to state “that the revised schedule of meetings be approved and that the Economy PDG meeting time be set at 5.30pm for the initial meeting to allow Members of the Group to decide on the timing of the meeting...”

Following debate and upon a vote being taken, the **AMENDMENT** was declared to have been **CARRIED**.

Note: *Revised Schedule previously circulated, copy attached to minutes.

163 **Appointment (3-16-00)**

The Council had before it a recommendation regarding the appointment of the Electoral Registration Officer and Returning Officer.

The Chairman **MOVED**: that following an interim period in the role, it is recommended that the Head of Housing and Property Services be appointed as Electoral Registration Officer and Returning Officer in accordance with Sections 8 and 35 of the Representation of the People Act 1983.

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

164 **Annual Reports of Audit Committee, Scrutiny Committee and the Policy Development Groups (3-17-02)**

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

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

165 **Six Monthly Briefing from the Leader (3-17-00)**

The Leader of the Council addressed the Council informing Members that:

- The State of the District Debate would take place on Wednesday 25 May at 6.30 on the Phoenix Chamber, two key speakers had been invited to attend: Mr Graham Biggs from SPARSE and Mr Giles Perritt, Assistant Chief Executive, Plymouth City Council. He hoped that as many Members as possible would attend.
- Since the arrival of the new Chief Executive a rigorous tour of key businesses in the district was taking place. It was reported that local business were delighted with the interest that the Local Authority were taking.

166 **Questions to Cabinet Members (3-19-36)**

Councillor F J Rosamond asked the Leader to inform Members of the state of play with regard to the devolution process.

The Leader replied stating that monthly meetings continued, but that progress was slow, all authorities remained united and involved in the process. He was very aware that some deals in other areas were having difficulties.

167 **Members Business (3-21-44)**

1. Councillor R J Dolley highlighted the success of a local snooker player Sam Baird from the Willand/Halberton area in the recent World Championships. He requested that the Council send him good wishes.
2. Councillor B A Moore stated that at the last Council meeting during a discussion about joining the Planning Committee one particular Member made 4 serious allegations about the Planning Committee and Mid-Devon District Council.
 - (i) That the committee was politically biased in that the Member had been asked to, “be a buffer against the block vote of one political party.”
 - (ii) That the committee was biased against the Member’s Ward. “I have never felt that when I went to the Planning Committee that Silverton has had a fair hearing.” “We (Silverton) are not getting fair hearings.”
 - (iii) That the committee was knowingly letting biased applications be granted. “I have experience in this Council of a fraudulent application going through.”
 - (iv) That the Council was deliberately ignoring the Member’s concerns. In respect of the alleged fraudulent application that, “where I raised it and nobody took any notice.” Further, that reports have been made and comments voiced some 2 years ago but that the Member was “totally ignored.”

These are serious allegations that potentially bring the Council and the Planning Committee very publicly into disrepute.

As Councillors we are particularly all accountable for our words, the Members Code of Conduct specifically requires it. Such allegations cannot be made unless there is strong evidence to support the claims. Equally, the Council has a duty to investigate such serious accusations, the costs of which must be borne by a responsible party.

Has the Member in question provided detailed and substantive information to confirm the claims so that a full investigation can be completed and remedial action undertaken? If no information has been provided, is there an intention so to do, or can we take it that the accusations were groundless and that a very public apology to both the Planning Committee and Council is in order?

(The meeting ended at 9.25 pm)

CHAIRMAN

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POLITICAL ALLOCATION – April 2016

	Totals	Conservative (Con) 28	Liberal Democrats (LD) 5	Independents 3	Ungrouped 6
% Based on current membership of 42	100	66.67%	11.90%	7.14%	14.29%
Committee Seats	99	66	12	7	14
Other Bodies	22	15	3	1	3

COMMITTEE	No on Committee	Con 66	LD 12	IND 7	UG 14
Scrutiny	12	8.00 7	1.43 1	0.86 2	1.71 2
Audit	7	4.67 5	0.83 1	0.50 0	1.00 1
Managing the Environ PDG	9	6.00 6	1.07 2	0.64 0	1.29 1
Dec/Aff Homes PDG	9	6.00 6	1.07 1	0.64 1	1.29 1
Economy PDG	9	6.00 6	1.07 1	0.64 1	1.29 1
Comm Well Being PDG	9	6.00 6	1.07 1	0.64 1	1.29 1
Planning	11	7.33 8	1.31 1	0.79 0	1.57 2
Licensing	12	8.00 8	1.43 1	0.86 1	1.71 2
Regulatory	12	8.00 8	1.43 2	0.86 0	1.71 2
Standards Committee	9	6.00 6	1.07 1	0.64 1	1.29 1
TOTAL	99	66	12	7	14
Other Bodies	No on Group	Con 15	LD 3	IND 1	UG 3
PWG	8	5.33 6	0.95 1	0.57 0	1.14 1
Planning Policy Advisory Group	9	6.00 5	1.07 2	0.64 0	1.29 2
Appointments Panel	5	3.33 4	0.60 0	0.36 1	0.71 0
TOTAL	22	15	3	1	3

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Outside Body Annual Appointments for 2016/17

Outside Body	Previous Representative/s	Representative/s for 2016/17	Appointment Length
Blackdown Hills ANOB Partnership	Cllr F J Rosamond		Annual
Broadpath Landfill Liaison Committee	Cllr R Evans		Annual
Business Forum Mid Devon	Cabinet Member for Planning and Economic Regeneration		Annual
Culm Valley Children's Monitoring Group	Vacant		Annual
Cullompton Town Team 2 Members	Cllr K I Busch Vacant		Annual
Devon Districts Forum	Leader		Annual
Devon Historic Buildings Trust	Cllr Mrs E J Slade		Annual
Devon and Exeter Rail Project Working Party 2 Members (includes Okehampton Rail Forum which Cllr Heal attends)	Cllr R J Chesterton Cllr P J Heal		Annual
INVOLVE – Voluntary Action in Mid Devon	Cllr D J Knowles		Annual
Museums Libraries and Archives South West (consultation only – no meetings)	Cllr B A Moore		Annual
South West Councils	Leader		Annual
South West Councils Employers Panel	Cabinet Member for the Working Environment and Support Services		Annual
TAP Fund Panel (previously known as 'DCC County Committee')	Cllr W J Daw Cllr D J Knowles		Annual

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