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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 30 August 2017 at 6.00 pm

Present

Councillors

P J Heal (Chairman)
Mrs E M Andrews, Mrs H Bainbridge,
Mrs C Collis, Mrs F J Colthorpe, D R Coren,
N V Davey, W J Daw, Mrs C P Daw,
R J Dolley, J M Downes, C J Eginton,
R Evans, S G Flaws, Mrs S Griggs,
P H D Hare-Scott, 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 D Squire,
R L Stanley, L D Taylor, N A Way,
Mrs N Woollatt and R Wright

Apologies

Councillors

Mrs A R Berry, Mrs J B Binks, K Busch,
R J Chesterton, R M Deed, Mrs G Doe,
T W Snow and Mrs M E Squires

32 Apologies

Apologies were received from Councillors: Mrs A R Berry, Mrs J B Binks, K I Busch, R J Chesterton, R M Deed, Mrs G Doe, T W Snow and Mrs M E Squires.

33 Minutes (00-04-01)

The minutes of the meeting held on 28 June 2017 were agreed as a correct record and signed by the Chairman.

The Council had before it a question * submitted by Councillor Mrs J Roach in accordance with Procedure Rule 13.2, together with a response from the Director of Corporate Affairs and Business Transformation.

In accordance with Procedure Rule 13.7, Councillor Mrs J Roach asked a supplementary question, she stated that she wanted a correct and relevant response to her question, the prickly bush in question was removed because it was a health and safety issue, the bush had been reported over 5 separate months as it was dangerous to children. When health and safety issues arise, they need to be dealt with, could someone advise her of the next stage?

The Chief Executive responded stating that the issue was passed to the responsible team and that the Member's concerns had been noted, but that the issue had been dealt with effectively.

The Chairman allowed Councillor Mrs Roach to respond in which she asked that if a Member reports something, how is a health and safety issue dealt with at that time?

The Chief Executive reminded Members that he had ultimate responsibility for considering health and safety matters and repeated that Members views would be given to staff and the issue would be looked at by the relevant team dealing with the matter.

34 **Chairman's Announcements (00-09-36)**

The Chairman stated that he had had the pleasure in attending several civic events over the past two months:

- Cullompton Festival
- Blundells Speech day
- The opening of Sandford Parish Sports Pavilion
- East Devon District Council Garden Party
- Mid Devon Show
- The Burma Star event
- He had with great pleasure attended the 90th birthday party of Councillor Mrs E M Andrews
- He had also had the honour on behalf of the Council of welcoming HRH the Prince of Wales to Cheriton Bishop on 20 July, a photograph depicting the event had been mounted on the Phoenix Chamber wall to commemorate the occasion.

35 **Public Question Time (00-12-36)**

There were no questions from members of the public present.

36 **Petitions (00-12-41)**

There were no petitions from members of the public.

37 **Notices of Motions (00-13-00)**

(1) Motion 537 (Councillor Mrs N Woollatt – 25 May 2017)

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

That this council should adopt a policy of ensuring that play areas in the district that contain play equipment aimed at pre-school or primary school age children are enclosed to facilitate the health and safety of its young users.

In accordance with Procedure Rule 16.4(a) Councillor Mrs Woollatt had requested that her Motion be amended to read that:

‘this council should adopt a policy of ensuring that play areas in the district that contain play equipment aimed at pre-school or primary school age children **and are currently enclosed remain enclosed and that new facilities be enclosed**, to facilitate the health and safety of its young users.’

The Policy Development Group at its meeting on 11 July 2017 considered the Motion and **RESOLVED** that it not be supported.

In accordance with Procedure Rule 16.4(a) Councillor Mrs Woollatt had requested that her Motion be further amended to read that:

That in order to facilitate the health and safety of young users, this council should adopt a policy of ensuring that play areas in the district that contain play equipment aimed at under sevens that were enclosed prior to February 2017, remain enclosed; and that future facilities for this age group are enclosed unless expressly advised by Devon and Cornwall Police Designing Out Crime Officer that such enclosure in that particular location is unnecessary.

Following debate, Councillor Mrs N Woollatt **MOVED** in accordance with Procedure Rule 19.4:

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

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

Those voting **FOR** the amended **MOTION**: Councillors Mrs E M Andrews, N V Davey, R J Dolley, J M Downes, Mrs S Griggs, D J Knowles, F W Letch, Mrs J Roach, F J Rosamond, L D Taylor, N A Way, Mrs N Woollatt and R Wright.

Those voting **AGAINST** the amended **MOTION**: Councillors Mrs H Bainbridge, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, Mrs C P Daw, W J Daw, C J Eginton, R Evans, S G Flaws, P H D Hare-Scott, P J Heal, T G Hughes, Mrs B M Hull, B A Moore, R F Radford, C R Slade, Miss C E L Slade, Mrs E J Slade, J D Squire and R L Stanley.

The **MOTION** was declared to have **FAILED**.

38 Cabinet Report - 6 July 2017 (00-49-57)

The Leader presented the report of the meeting of the Cabinet held on 6 July 2017.

39 Cabinet Report - 3 August 2017 (00-50-40)

The Leader presented the report of the meeting of the Cabinet held on 3 August 2017.

40 Scrutiny Committee Report - 17 July 2017 (00-51-00)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 17 July 2017.

The Chairman of the Scrutiny Committee **MOVED** seconded by Councillor F W Letch:

THAT the recommendation of the Scrutiny Committee as set out in Minute 32 be **ADOPTED**.

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

41 Scrutiny Committee Report - 14 August 2017 (1-10-00)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 14 August 2017.

42 Audit Committee Report - 17 July 2017 (1-11-00)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 17 July 2017.

43 Environment Policy Development Group Report - 11 July 2017

The Vice Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 11 July 2017.

44 Homes Policy Development Group Report - 18 July 2017 (1-14-50)

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Group held on 18 July 2017.

45 Economy Policy Development Group Report - 13 July 2017 (1-15-30)

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 13 July 2017.

46 Community Policy Development Group Report - 1 August 2017 (1-17-08)

The Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 1 August 2017.

47 Planning Committee Report - 12 July 2017 (1-17-36)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 12 July 2017.

The Council had before it a question * submitted by Councillor Mrs J Roach in accordance with Procedure Rule 13.2, together with a response from the Chairman of the Planning Committee.

The Chairman further apologised for the mistake which was accepted by Councillor Mrs J Roach.

48 Planning Committee Report - 9 August 2017 (1-19-24)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 9 August 2017.

49 Standards Committee Report - 26 July 2017 (1-20-10)

The Vice Chairman of the Standards Committee presented the report of the meeting of the Committee held on 26 July 2017.

50 Questions (1-20-00)

There were no questions submitted under Procedure Rule 13.2 which had not been dealt with.

51 Decisions taken under Special Urgency (1-21-08)

With regard to any decisions taken under Rule 16 (of the Constitution) Special Urgency - April to June 2017.

The Chairman informed the meeting that no such decisions had been taken in this period.

52 State of the District Debate (1-21-16)

The Leader informed the meeting that the theme for the State of the District Debate would be future policing in Mid Devon and that this event would be held before the end of the calendar year.

53 Questions to Cabinet Members (1-22-00)

Councillor N Way addressing the Cabinet Member for the Environment (in his absence) stated that in Crediton there was consternation at the wait for air quality measurement figures to be unveiled; he wanted reassurance that these figures would be made available as promised. Air quality in the town affected public health and it had been stated that the monitoring equipment would be moved from Exeter Road to the High Street as there was concern about NOx readings and that they were not being properly monitored.

The Chief Executive responded stating that the authority was not sitting on the results and if there was a delay they would be made available as soon as they were received.

Councillor Mrs Roach addressing the Cabinet Member for the Environment (in his absence) raised the issue of car parking permits in Westex which had not been resolved; she asked if this could please be sorted so that the local people could have an answer?

A written response would be provided.

Councillor F J Rosamond addressing the Cabinet Member for Planning and Economic Regeneration (in his absence) explained that he had read a report stating that Hockworthy and Holcombe Rogus were part of the expansion of the broadband scheme, could the Council be provided with an update on the programme in Mid Devon.

A written response would be provided.

Councillor F W Letch referring to the Town Square in Crediton stated that the square had not been maintained for the last 3 years. A pot of money had been set aside for the maintenance of the square, could we see a record of any works that had taken place.

The Cabinet Member for Housing assured the Member that he would look into this matter.

54 Members Business (1-26-38)

There was no Members business.

(The meeting ended at 7.28 pm)

CHAIRMAN

Minute Annex

AMENDMENTS AND WRITTEN QUESTIONS – FULL COUNCIL – 30 AUGUST 2017

AMENDMENTS

1. Agenda Item 6

Heading: NOTICES OF MOTIONS – MOTION 537 – (COUNCILLOR MRS N WOOLLATT – 25 MAY 2017)

Amendment submitted by Councillor: Mrs N Woollatt

Delete original Motion put before Council on 28 June 2017 and further amend the Motion (as amended at the Environment Policy Development Group on 11 July 2017 but not supported) to state:

That in **order to facilitate the health and safety of young users**, this council should adopt a policy of ensuring that play areas in the district that contain play equipment aimed at **under sevens**, ~~pre-school or primary school age children~~ **and that were enclosed prior to February 2017, are currently enclosed remain enclosed, and that new facilities be enclosed future facilities for this age group are enclosed unless expressly advised by Devon and Cornwall Police Designing Out Crime Officer that such enclosure in that particular location is unnecessary.** ~~to facilitate the health and safety of its young users~~

WORDING IF AMENDMENT APPROVED:

That in order to facilitate the health and safety of young users, this council should adopt a policy of ensuring that play areas in the district that contain play equipment aimed at under sevens that were enclosed prior to February 2017, remain enclosed; and that future facilities for this age group are enclosed unless expressly advised by Devon and Cornwall Police Designing Out Crime Officer that such enclosure in that particular location is unnecessary.

WRITTEN QUESTIONS

1. COUNCIL MINUTES 28 JUNE 2017

MIN NO 27

Questions submitted by Councillor Mrs J Roach and the response of the Director of Corporate Affairs and Business Transformation

I am going to receive an answer to this question? I am particularly concerned that Health and Safety issues are acted on once identified by a member of the public.

RESPONSE:

Any call that comes into Customer First raising such a matter would be logged and passed onto the section concerned who would then assess the issue to see if there was a health and safety issue, in this instance this would be the Grounds Maintenance Team.

The matter was assessed and there was found to be no health and safety issues with regard to the bush. The bush was therefore trimmed as usual as part of the schedule".

2. PLANNING COMMITTEE

MIN NO 29

Question submitted by Councillor Mrs J Roach and the response of the Chairman of the Planning Committee

At the last Council meeting, I stated that the chairman of planning had unintentionally misled the Planning Committee and members of the public by stating that Cllr Deed was acting on my behalf whilst speaking on an item. I explained that it was a genuine error on our part in that Mr Baker lives in the part of Silverton that is represented by Cllr Deed so he was acting as ward member. I had hoped that Cllr Colthorpe would have made a point of mentioning this at the planning meeting so it could be recorded that although the minutes were correct they did in fact contain an incorrect statement.

I had also written several emails about this issue in the hope that it could be addressed in the interest of fairness and transparency.

Is the chairman of planning happy to have on public record the fact that she had inadvertently misled the public and the committee members and confirms that she now recognises that Cllr Deed was not acting on my behalf?

RESPONSE:

Yes.