

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 Wednesday, 25 October 2017 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, 13 December 2017 at 6.00 pm]

STEPHEN WALFORD

Chief Executive

17 October 2017

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

Reverend Philip Porter from Tiverton Baptist Church 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 Meeting of Council on 30 August 2017.

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 540 (Councillor Mrs J Roach – 12 October 2017)

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

This Council agrees to give serious consideration to seeking alternative methods of managing the Tiverton Pannier Market, to include a community interest company and a co-operative. Following these considerations Council will be given detailed information about the advantages and disadvantages of the options that were discussed. Council should then be able to decide whether to change their policy and pursue a different management model.

In accordance with Procedure Rule 14.4, the Chairman of the Council has decided that this Motion (if moved and seconded) will be referred without discussion to the Economy Policy Development Group.

7 **Committee reports** (*Pages 15 - 114*)

To receive and consider reports, minutes and recommendations of the recent meetings as follows:

(1) Cabinet

- 31 August 2017
- 28 September 2017 – it is proposed that consideration be given to the recommendation within Minute 65 as part of agenda item 14.

2) Scrutiny Committee

- 11 September 2017
- 9 October 2017

(3) Audit Committee

- 19 September 2017

(4) Environment Policy Development Group

- 5 September 2017

(5) Homes Policy Development Group

- 12 September 2017

(6) Economy Policy Development Group

- 7 September 2017

(7) Community Policy Development Group

- 26 September 2017

(8) Planning Committee

- 6 September 2017
- 4 October 2017

(9) Standards Committee

- 18 October 2017 (to follow)

8 **Allocation** (*Pages 115 - 118*)

Following the by-election at the Westexe Ward in Tiverton, the Council are required to consider an updated allocation; any amendment to seats to be filled by ungrouped Members shall be made at this meeting.

9 **Outside Body Appointment**

To seek nominations and appoint a Member of the Council to the Councillor Advocate Scheme. This position will act as a link between the Council, Office of the Police and Crime Commissioner (OPCC) and the local police team.

10 **Special Urgency Decisions**

Decisions taken under Rule 16 (of the Constitution) Special Urgency – July to September 2017.

There have been no such decisions in this period.

11 **Questions to Cabinet Members**

Cabinet Members will answer questions from members on their portfolios.

12 **Members Business**

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

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

13 **Access to Information - Exclusion of Press and Public**

During discussion of the following item(s) it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local

Government Act 1972. The Cabinet will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

To consider passing the following resolution so that financial information may be discussed.

Recommended that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

14 **Cabinet - 28 September 2017 - Minute 65 - Proposed Property Transaction** (*Pages 119 - 126*)

To consider the recommendations of the Cabinet from its meeting on 28 September 2017 regarding a proposed property transaction.

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. 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.

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 Westexe 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

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.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 31 August 2017 at 2.15 pm

Present

Councillors C J Eginton (Leader)
P H D Hare-Scott, C R Slade and
R L Stanley

Apologies

Councillor(s) R J Chesterton, K Busch and Mrs M E Squires

Also Present

Officer(s): Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Andrew Pritchard (Director of Operations), Jill May (Director of Corporate Affairs and Business Transformation), Jenny Clifford (Head of Planning, Economy and Regeneration), Mary Dolley (Principal Solicitor), Liz Reeves (Head of Customer Services) and Sally Gabriel (Member Services Manager)

39. **APOLOGIES**

Apologies were received from Cllrs: K I Busch, R J Chesterton and Mrs M E Squires.

40. **PUBLIC QUESTION TIME**

There were no members of the public present.

41. **MINUTES OF THE PREVIOUS MEETING (00-00-48)**

The minutes of the meeting held on 3 August 2017 were approved as a correct record and signed by the Chairman.

42. **DEVON DISTRICT COUNCIL'S JOINT SAFEGUARDING POLICY AND MDDC GUIDANCE AND PROCEDURES (00-01-37)**

Arising from a *report of the Director of Corporate Affairs and Business Transformation and Corporate Safeguarding Lead Officer, the Community Policy Development Group had recommended the Devon District Councils Joint Safeguarding Policy (Appendix A) and the MDDC guidance and procedures (Appendix B) be approved.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that the purpose of the report was to update the previous policy. Minor amendments had been made with a review regarding the number of service safeguarding representatives across the Council to support the Child Protection and Safeguarding Officer, relevant training had been completed by representatives and all officers and Members would be required to review and adopt the updated policy.

RESOLVED that the recommendation of Policy Development Group be approved.

(Proposed by Cllr C R Slade and seconded by Cllr R L Stanley)

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

43. **UPDATE TO THE CORPORATE PLAN (00-02-43)**

The Cabinet had before it a * report of the Chief Executive regarding the aims within the Corporate Plan 2016-22 and seeking to ensure that the operational projects within the plan remained current.

The Chief Executive outlined the contents of the report stating that the current published Corporate Plan included under each priority, operational projects, the majority of which were time limited to the end of 2016/17. He stated that he had updated the priority activities for 2017/18; these would require approval by the Cabinet and Council. He hoped that he would be provided with delegated authority in consultation with the Leader to amend operational elements of the published plan in the future to ensure that an up to date version could be re-published as often as required, however no delegated authority would be sought over the policy and objectives within the plan.

Consideration was given to whether the priorities within the Corporate Plan could be achieved by May 2019 and some of the strategic risks which had been highlighted.

RECOMMENDED to Council that:

- a) The amendments to the operational section of the published Corporate Plan for 17/18 be noted and approved;
- b) Delegated authority be given to the Chief Executive in consultation with the Leader to amend the operational elements of the published plan to ensure that an up to date version could be (re)published as often as required

(Proposed by the Chairman)

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

44. **BID SUBMISSIONS TO HOUSING INFRASTRUCTURE FUND (00-08-18)**

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration informing Members of the current funding opportunities under the Housing Infrastructure Fund and seeking approval to pursue a bid for infrastructure projects in the district and to agree prioritisation of the projects to be submitted

The officer outlined the contents of the report stating that in July 2017 the Government launched its £2.3 billion Housing Infrastructure Fund to finance infrastructure to unlock housing delivery. She highlighted the two separate funding streams available, the Forward Funding stream available to upper tier Councils and the Marginal Viability Funding stream eligible for District and Unitary Councils. Two

projects would be put forward for funding by MDDC under the Marginal Viability element:

- (i) **Junction 28 of the M5 Motorway, Cullompton** which required funding to assist in capacity of the junction pending the delivery of strategic improvements. The proposed improvement would increase the junction's capacity through the creation of an additional lane over the bridge over the M5 to provide two lanes in each direction, the construction of a new footbridge and full signalisation of the junction. She explained that the County Council had submitted an expression of interest under a different funding stream to help deliver the shorter term improvements.
- (ii) **Northern element of the A361 junction east of Tiverton**, phase 1 of the scheme had a funding project in place and work was about to commence. Phase 2, (the overbridge and northern slips) was suitable for a funding bid.

She explained that bidders under the Marginal Viability Fund were asked to prioritise when submitting more than one scheme taking into account the degree of ambition for the scheme, value for money, the additional homes proposed, the strategic approach and deliverability. It was clear that the Junction 28 scheme could deliver more housing and economic growth opportunities and would match the strategic approach of the authority to growth as set out in the submitted Local Plan review; therefore it was proposed that this scheme would be highlighted within the bid as the priority.

Consideration was given to:

- Concerns of local Ward Members relating to the J28 proposal to ensure that sufficient regard was had to pedestrian access and cycle lanes
- The infrastructure required for development within Mid Devon
- The importance of both schemes

RESOLVED that:

- a) Delegated authority be given to the Head of Planning, Economy and Regeneration to submit a bid to the Housing Infrastructure (Marginal Viability) Fund to seek finance for the projects identified within the report; and
- b) The bid be prioritised to relate to improvements to Junction 28 of the M5

(Proposed by the Chairman)

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

45. **PROJECT MANAGEMENT FOR CULM GARDEN VILLAGE (00-23-01)**

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration advising Members on the results of the procurement of a project manager for the Culm Garden Village project.

The Head of Planning, Economy and Regeneration outlined the contents of the report highlighting the background of the Garden Village project explaining the need

for a dedicated project manager to continue the momentum of the scheme. She outlined the procurement process that had taken place and reported the expressions of interests and submissions received.

Consideration was given to the expertise required to progress the project.

RESOLVED that: the initial one year contract be awarded to Supplier 3 with an agreed annual cost of £66,000. The Contract had been awarded to the contractor with the highest combined quality/price score with 70% of the total score based on quality and 30% on price.

(Proposed by the Chairman)

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

46. **FINANCIAL MONITORING (00-27-57)**

The Cabinet had before it and **NOTED** a * report of the Director of Finance, Assets and Resources presenting financial monitoring information for the income and expenditure for the financial year 2017/18.

The Cabinet Member for Finance outlined the contents of the report stating that there was a projected deficit of £73k, a reduction of £57k since the annual variance of £130k was reported in June. Leisure income was down, but trading receipts had improved. Reserves and the HRA were in a good position and investment income was healthy.

Consideration was given to:

- The capital programme and the fact that Palmerston Park and the Exe Valley Leisure Centre extension should be completed by the end of the year
- Market Walk units

Note: *Report previously circulated copy attached to minutes

47. **ANNUAL REPORT ON COMPLAINTS, COMMENTS AND COMPLIMENTS (00-30-50)**

The Cabinet had before it a * report of the Head of Customer Services and ICT regarding her annual report on complaints, comments and compliments received in 2016/17.

The officer outlined the contents of the report highlighting the contact from customers in a variety of ways for all services. She explained that the 2015 data for calls answered was for all calls received and the 2016/17 data was to the call centre only. She informed the meeting that digital contacts had increased, especially payments online and that the biggest contact method was by email.

Consideration was given to:

- Calls logged that required action

- Complaints and how they were registered
- The Ombudsman's report
- The reduction in the number of visitors accessing council services in person at Phoenix House

RESOLVED that:

- a) The record of complaints, comments and compliments be noted.
- b) The recommendations for continued improvement on recording and responding to complaints be noted.

(Proposed by the Chairman)

Note: *Report previously circulated copy attached to minutes

48. **VINYL FLOORING RENEWAL CONTRACT 2017-2021 (00-37-53)**

The Cabinet had before it a * report of the Director of Operations advising Members of the outcome of the recent tender of the Vinyl Flooring Renewal 2017-2021 to council houses and to confirm the award of the contract.

The Cabinet Member for Housing outlined the contents of the report.

During the discussion it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15, 15.02(d) (a presumption in favour of openness) of the Constitution. This decision was required because consideration of the matter in public may have disclosed information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

Having discussed a number of business issues with regard to the tender process, the meeting moved back into open session.

RESOLVED that: the Vinyl Flooring Contract be awarded to Supplier A with a forecast annual budget of £200,000.

(Proposed by the Chairman)

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

49. **NOTIFICATION OF KEY DECISIONS (00-39-30)**

The Cabinet had before it and **NOTED**, its rolling plan* for September 2017.

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

50. **COUNCIL OFFICES, CREDITON**

This item had been deferred until the next meeting to allow for further information to be provided prior to a decision being made.

(The meeting ended at 3.04 pm)

CHAIRMAN

**CABINET
31 AUGUST 2017:**

UPDATE TO THE CORPORATE PLAN FOR 2017-18

Cabinet Member Clive Eginton, Leader of the Council
Responsible Officer Stephen Walford, Chief Executive

Reason for Report: In order to further the Corporate Plan 2016-20 aims and ensure that operational projects remain current.

RECOMMENDATION TO COUNCIL:

1. To note and approve the amendments to the operational section of the published corporate plan for 17/18.
2. To provide delegated authority to the Chief Executive, in consultation with the Leader, to amend the operational elements of the published plan to ensure an up-to-date version can be (re)published as often as required.

Relationship to Corporate Plan: Corporate Plan priorities and targets are effectively maintained.

Financial Implications: None identified – budgets are set by full council each year; this report does not seek to change these.

Legal Implications: None identified

Risk Assessment: Maintaining an up-to-date (and publicly available) corporate plan aids transparency about council activity and deployment of effort/resources. The council should always seek to be as transparent as possible.

Equality Impact Assessment: No equality issues identified for this report.

1.0 Introduction

- 1.1 The current Corporate Plan covers the period April 2016 until March 2020; it was recommended to Council for approval by Cabinet at its meeting on 11 February 2016. Full Council then adopted the plan at the meeting on 24 February 2016.

2.0 Projects

- 2.1 The current published corporate plan includes, under each priority, operational projects the majority of which were time-limited to the end of the 2016-17 year. As these were approved by Full Council amendments similarly must go to Full Council.

- 2.2 Attached at Appendix A is a table of projects and strategic risks aligned to the achievement of the adopted corporate plan objectives for which approval is sought as amendments to the Corporate Plan projects.
- 2.3 It is important to update projects as appropriate in order to deliver the Corporate Plan 2016-20 aims and ensure that operational projects remain current. Therefore delegated authority to make further amendments as required is additionally sought.
- 2.4 No delegated authority is sought over the policy and objectives as set out within the Corporate Plan – it is a constitutional requirement for full council to approve policy changes. However, it is important to ensure that the published plan is current with respect to operational aspects, the projects that are ongoing, and the relevant performance metrics being tracked (and at the moment this can't be done without every revision going to full council).

3.0 Conclusion and Recommendations

- 3.1 That Cabinet recommends to Full Council to note and approve the amendments to the operational section of the published corporate plan for 17/18 attached at Appendix A.
- 3.2 That Cabinet recommends to Full Council to provide delegated authority to the Chief Executive, in consultation with the Leader, to amend the operational elements of the published plan to ensure an up to date version can be (re)published as often as required.

Contact for more Information: Catherine Yandle, Audit Team Leader ext 4975 (cyandle@middevon.gov.uk)

Circulation of the Report: Leadership Team and Cabinet Member

PRIORITY 1: ECONOMY

<i>Our priority activities for 17/18</i>	<i>Lead Portfolio</i>	<i>Service Area</i>	<i>Responsible Officer</i>
Develop an Economic Strategy for Mid Devon	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery
Support the Local Plan examination	Planning and Economic Regeneration	Forward Planning	Jenny Clifford, Head of Planning, Economy & Regeneration
Adopt the Local Plan and Community Infrastructure Levy	Planning and Economic Regeneration	Forward Planning	Jenny Clifford, Head of Planning, Economy & Regeneration
Secure the delivery of the enabling A361 access junction to unlock Tiverton EUE	Planning and Economic Regeneration	Growth, Economy & Delivery	Jenny Clifford, Head of Planning, Economy & Regeneration
Consult on and adopt the Tiverton Town Centre Masterplan	Planning and Economic Regeneration	Growth, Economy & Delivery	Jenny Clifford, Head of Planning, Economy & Regeneration
Resubmit the Heritage Lottery Fund bid for the townscape heritage scheme for Cullompton	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery
Reduce the number of empty shops across the three market towns	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery
Increase the number of (rateable) businesses in the District.	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery
Scope and develop a project to provide business incubator space	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery

Strategic Risks to the Economy Priority

- Brexit and related impacts on trade, finance and economy
- Connectivity - failing to provide/secure the physical and digital networks needed for strategic growth
- Failing to plan for, and react to, the shrinking need for physical retail provisioning and the commensurate impact on our places
- Planning legislation driving unwanted outcomes eg. Potential housing need targets linked to affordability (price suppression)

PRIORITY 2: HOMES

<i>Our priority activities for 17/18</i>	<i>Lead Portfolio</i>	<i>Service Area</i>	<i>Responsible Officer</i>
Agree a 10 year strategic Council Housing Supply	Housing and Property	Housing	Andrew Pritchard, Director of Operations
Bid submission for capacity funding for Culm Garden Village	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery
Cosy Devon Initiative (ECO scheme) Local Energy Advice Program (LEAP)	Community Well Being	Public Health	XX, Group Manager for Public Health & Regulation
Commence masterplanning for Culm Garden Village	Planning and Economic Regeneration	Planning	Jenny Clifford, Head of Planning, Economy & Regeneration
Infrastructure business case for Junction 28 to unlock housing delivery	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery
Bring Empty Homes back into use to maximise utilisation of housing stock	Housing and Property	Private Sector Housing	XX, Group Manager for Public Health & Regulation

Strategic Risks to the Homes Priority

- Brexit and related impacts on national economy and housing market
- National legislation around 'Right to Buy' or rental values impacting case for investment against our improvement programme and/or our ability to replace stock
- Garden Village failing to secure Ministerial support
- Universal Credit and impact on arrears
- Any national intervention taking decision-making away from local councils (e.g. commercialising 'processing' of apps)

PRIORITY 3: COMMUNITY

<i>Our priority activities for 17/18</i>	<i>Lead Portfolio</i>	<i>Service Area</i>	<i>Responsible Officer</i>
Complete the Exe Valley extension	Community Well Being	Leisure	XX, Group Manager for Corporate Property & Commercial
Develop a framework approach to play and open space within Mid Devon – 10yr mgmt. plan and design principles	Environment	Property	Andrew Pritchard, Director of Operations Andrew Jarrett, Director of Finance Assets & Resources
Actively support the South West Youth Games	Community Well Being	Leisure	Andrew Pritchard, Director of Operations
Monitor the food rating system and assist businesses in achieving the highest standards – scores on the doors targets	Community Well Being	Environmental Health	XX, Group Manager for Public Health & Regulation
Continue to work on digital inclusion and digital transformation projects to help people access our services digitally	Community Well Being	Customer First and IT	XX, Group Manager for Business Transformation
Deliver a divestment framework policy	Housing and Property	Property	XX, Group Manager for Corporate Property & Commercial
Crediton & Cullompton Air Quality Action Plans renewal	Community Well Being	Environmental Health	XX, Group Manager for Public Health & Regulation
Refurbish Amory Park play area	Housing and Property	Property	XX, Group Manager for Corporate Property & Commercial

Strategic Risks to the Community Priority

- Brexit – national decisions made on digital infrastructure and any changes to state aid principles
- Leisure is a discretionary service, therefore budget context will place increased focus on its ability to adequately commercialise its product offering

PRIORITY 4: ENVIRONMENT

<i>Our priority activities for 17/18</i>	<i>Lead Portfolio</i>	<i>Service Area</i>	<i>Responsible Officer</i>
Resubmit Heritage Lottery Fund bid for Cullompton heritage townscape	Planning and Economic Regeneration	Growth, Economy & Delivery	Adrian Welsh, Group Manager – Growth, Economy & Delivery
Work with Cullompton Neighbourhood plan group towards country park	Planning and Economic Regeneration	Planning	Jenny Clifford, Head of Planning, Economy & Regeneration
Generate 10,000 customers on chargeable garden waste service	Environment	Waste & Recycling	XX, Group Manager for Open Space & Waste Services
Implement the recommendations from the Street Cleansing Service Review	Environment	Waste & Recycling	XX, Group Manager for Open Space & Waste Services
Open the waste transfer facility at Carlu Close	Environment	Waste & Recycling	XX, Group Manager for Open Space & Waste Services
Expand areas covered by the Trade Recycling Service (% covered by MDDC)	Environment	Waste & Recycling	XX, Group Manager for Open Space & Waste Services
Develop a framework approach to play and open space within Mid Devon – 10yr mgmt. plan and design principles	Environment	Property	Andrew Pritchard, Director of Operations Andrew Jarrett, Director of Finance Assets & Resources
Launch Energy Switching Scheme on MDDC website	Community Well Being	Public Health	XX, Group Manager for Public Health & Regulation
Reduce residual household waste to 420kg per unit	Environment	Waste & Recycling	XX, Group Manager for Open Space & Waste Services

Strategic Risks to the Environment Priority

- Substantial changes to waste disposal costs (impacting on MDDC via partnership arrangements with DCC)
- Public appetite for waste reduction
- Public attitudes to acceptability of littering in public space

PRIORITY 5: CORPORATE

<i>Our priority activities for 17/18</i>	<i>Lead Portfolio</i>	<i>Service Area</i>	<i>Responsible Officer</i>
Enable Premier Inn Development through to construction (incl amends to MDDC car park)	Housing and Property	Property	Andrew Jarrett, Director of Finance, Assets & Resources
Adoption of the Local Plan following examination	Planning and Economic Regeneration	Planning	Jenny Clifford, Head of Planning, Economy & Regeneration
Preparation for GDPR	Working Environment and Support Services	ICT & Customer First	Jill May, Director of Corporate Affairs & Business Transformation
Business Transformation Restructure and Business case	Working Environment and Support Services	Leadership Team	Jill May, Director of Corporate Affairs & Business Transformation
Reduce levels of sickness absence	Working Environment and Support Services	Leadership Team	Jill May, Director of Corporate Affairs & Business Transformation
Deliver a commercial return on assets	Housing and Property	Property	XX, Group Manager for Corporate Property & Commercial
Continue to update and improve corporate performance management to drive achievement of strategic objectives	Working Environment and Support Services	Performance	XX, Group Manager for Performance & Governance

Strategic Risks to the Corporate Priority

- Delays to Local Plan being adopted
- Further changes to legislation surrounding the holding of data and information
- Pay restraint and national impacts on resource cost

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 28 September 2017 at 2.15 pm

Present

Councillors

C J Eginton (Leader)
R J Chesterton, K Busch, P H D Hare-Scott,
C R Slade, Mrs M E Squires and
R L Stanley

Also Present

Councillor(s)

F W Letch and F J Rosamond

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Andrew Pritchard (Director of Operations), Jill May (Director of Corporate Affairs and Business Transformation), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Jenny Clifford (Head of Planning, Economy and Regeneration), Catherine Yandle (Group Manager for Performance, Governance and Data Security) and Sally Gabriel (Member Services Manager)

51. APOLOGIES

There were no apologies for absence.

52. PUBLIC QUESTION TIME

There were no members of the public present.

53. MINUTES OF THE PREVIOUS MEETING (00-00-39)

The minutes of the previous meeting held on 31 August 2017 were approved as a true record and signed by the Chairman.

54. TENANT COMPENSATION POLICY (00-01-37)

Arising from a report of the Director of Operations, the Homes Policy Development Group had recommended that the revised Tenant Compensation Policy be approved.

The Cabinet Member for Housing outlined the contents of the report stating that the revised policy had been amended to reflect the information in the new Tenancy Agreement and the format of the website. Further information had been added to clarify the position on compensation claims for external areas, including sheds, outhouses and garage, also the position on items damaged during planning demolition works. He also highlighted the situations where compensation may be required.

RESOLVED that the recommendation of the Policy Development Group be approved.

(Proposed by Cllr R L Stanley and seconded by Cllr Mrs M E Squires)

Note: - *Report previously circulated, copy attached to minutes.

55. **RECOMMENDATION FROM THE SCRUTINY COMMITTEE - TIVERTON TOWN CENTRE (00-03-59)**

At its meeting on 11 September 2017, the Scrutiny Committee noted the number of policies and action plans which appeared to have been on-going for a number of years. In particular, in relation to Tiverton Town Centre, the Scrutiny Committee passed the following resolution:

To recommend to the Cabinet that it acts upon the action plans to improve the Tiverton Town Centre and Pannier Market that were approved in 2011.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the report identified by the Scrutiny Committee was thought to be "Tiverton Key Sites" which was discussed by the Cabinet in December 2011. This report identified key sites for potential development within the town; a project board was set up and it did look at potential sites, however at that time there was a lack of private sector investment in the town and although an officer working group continued the work by commissioning a retail study, little investment in the town took place.

With Premier Inn willing to invest in the town and other potential opportunities available, the Town Centre Masterplan/SPD which would look at the whole of the town (rather than just land holdings and property owned by the Council) was now very relevant and being progressed.

Consideration was given to:

- The key sites mentioned within the 2011 report and the fact that they were being considered within the masterplan.
- The need to generate capital receipts for investment.

RESOLVED that a briefing paper be produced for a future meeting of the Scrutiny Committee highlighting the work that was taking place with regard to Tiverton Town Centre.

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

Note: Briefing paper circulated, copy attached to minutes.

56. **DISCRETIONARY BUSINESS RATES RELIEF SCHEME (00-11-17)**

The Cabinet had before it a * report of the Director of Finance, Assets and Resources introducing a new Discretionary Rate Relief Scheme.

The Cabinet Member for Finance outlined the contents of the report stating that the Government in the spring budget of 2017 had announced funding to local authorities to help those rate payers who had had an increase in their rate bills due to the 2017 revaluation; Mid Devon had been allocated the following funding over a four year period:

2017/18 - £118,000
2018/19 - £57,000*
2019/20 - £24,000*
2020/21 - £3,000*

The Local Authority had been working with a Devon wide group and partner agencies to devise a suitable scheme to meet the financial and business needs of this authority's area.

RESOLVED that the Discretionary Rate Relief Scheme be approved.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr K I Busch)

Note: - *Report previously circulated, copy attached to minutes.

57. **TEMPORARY AGENCY STAFFING CONTRACT (00-12-42)**

The Cabinet had before it a * report of the Procurement Manager advising Members on the result of the procurement for the provision of temporary agency staff

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report stating that the procurement exercise had been a joint venture with a number of public sector bodies in Devon. She explained the tender process highlighting the evaluation criteria, weighting, the scoring methodology and the amount each authority spent on temporary agency staff in 2016/17.

Consideration was given to:

- The cost effectiveness of using agency staff to cover temporary sickness
- The annual cost to the authority on temporary agency staff compared to other local authorities
- The number of agency staff used had been reduced

RESOLVED that: the contract be awarded to Supplier 1 for a period of 3 years with the option to extend for a further year.

(Proposed by Cllr Mrs M E Squires and seconded by Cllr C R Slade)

Note: - *Report previously circulated, copy attached to minutes.

58. **STRATEGIC LEISURE PARTNER FOR FITNESS EQUIPMENT (00-19-40)**

The Cabinet had before it a * report of the Director of Operations advising Members of the outcome to the procurement exercise to identify a suitable strategic leisure partner

The Cabinet Member for Community Well-Being outlined the contents of the report stating that the extension to the Exe Valley Leisure Centre represented an opportunity to look at an alternative model for the purchase of leisure equipment across the three main leisure sites. He outlined the tender process that had taken place highlighting the evaluation criteria and weightings, the scoring methodology, scores and ranking.

Consideration was given to the provision of trim trails across the district.

RESOLVED that the contract be awarded to Supplier 1 for a period of 5 years with the option to extend for a further 5 years.

(Proposed by Cllr C R Slade and seconded by Cllr R J Chesterton)

Note: - *Report previously circulated, copy attached to minutes.

59. **FINANCIAL MONITORING (00-22-35)**

The Cabinet Member for Finance provided a verbal update on the income and expenditure for the financial year to date. He reported that there was little variance from the previous month with regard to the General Fund; the Housing Revenue Account was showing better than budget, there had been some slippage with regard to the Capital Programme but that the schemes for Palmerston Park and Exe Valley Leisure Centre were now well underway.

It was noted that over the past few months there had been some capital receipts and that this money was planned to be utilised.

60. **PERFORMANCE AND RISK (00-24-17)**

The Cabinet had before it and **NOTED** a * report of the Director of Corporate Affairs and Business Transformation providing Members with an update on the performance against the Corporate Plan and local service targets.

The Group Manager for Performance, Governance and Data Security outlined the contents of the report stating that the projects within corporate aims had been updated.

Consideration was given to the various targets within the corporate priorities and the following was highlighted:

- There had been an increase in the sales/renewals for the garden waste scheme
- The target for delivering affordable homes had been exceeded
- Concerns were raised with regard to the impact of universal credit on rent arrears
- The target for sickness days lost
- The risks highlighted within the risk register

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

61. **NOTIFICATION OF KEY DECISIONS (00-30-44)**

The Cabinet had before it, and **NOTED**, its rolling plan * for October 2017 containing future key decisions.

Note: * Plan previously circulated; copy attached to the signed Minutes

62. **ACCESS TO INFORMATION - EXCLUSION OF PRESS AND PUBLIC (00-33-03)**

Prior to considering the following items on the agenda, discussion took place as to whether it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15 15.02(d) (a presumption in favour of openness) of the Constitution. The Cabinet decided that in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

It was therefore:

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

(Proposed by the Chairman)

63. **LORDS MEADOW DEPOT**

The Cabinet had before it a * report of the Director of Finance, Assets and Resources considering options for the depot at Lords Meadow, Crediton

The Cabinet Member for Housing outlined the contents of the report.

RESOLVED that: the asset disposal of the land and depot at Lords Meadow Industrial Estate, Crediton be approved and that the freehold sale as set out within the report proceed.

(Proposed by Cllr R L Stanley and seconded by Cllr P H D Hare-Scott).

Note: * Report previously circulated.

64. **COUNCIL OFFICES, CREDITON**

The Cabinet had before it a * report of the Director of Finance, Assets and Resources outlining options for the future use of the Crediton Office.

The Cabinet Member for Housing outlined the contents of the report outlining the six options available for consideration.

RESOLVED that recommendation 3 in the report be approved and recommendation 6 in the report also be approved, namely: that the Land Charges Service be notified

of the intention to sell the Crediton Office building and that the local community be informed that the property had been registered as an asset of community value.

(Proposed by Cllr R L Stanley and seconded by Cllr C R Slade).

Notes

- (i) Cllr C R Slade declared a personal interest as he was the Council representative on the Community Transport Association who used the Crediton Office;
- (ii) Cllrs K I Busch and Mrs M E Squires requested that their abstention from voting be recorded;
- (iii) * Report previously circulated.

65. **PROPOSED PROPERTY TRANSACTION**

The Chairman had agreed that the item be added to the agenda as a matter of urgency so that the Cabinet (if so resolved) could make recommendation to Council on 25 October 2017. Both the Chairman of the Scrutiny Committee and the Monitoring Officer had been advised.

The Cabinet had before it *information regarding the possible purchase of property in Tiverton.

The Cabinet Member for Housing outlined the information that had been provided.

Following discussion:

| It was **RECOMMENDED** to Council that the property transaction take place.

(Proposed by R L Stanley and seconded by Cllr P H D Hare-Scott)

Note:

- (i) * Information previously circulated;
- (ii) The meeting returned to open forum to announce the decisions agreed under Part II.

(The meeting ended at 3.15 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 11 September 2017 at 2.15 pm

Present Councillors

Mrs H Bainbridge, Mrs C P Daw,
T G Hughes, Mrs J Roach, T W Snow,
Mrs B M Hull, Mrs G Doe and F W Letch

Apologies Councillor(s)

F J Rosamond, N A Way and Mrs A R Berry

Also Present Councillor(s)

R L Stanley

Also Present Officer(s):

Andrew Pritchard (Director of Operations), Andrew Jarrett (Director of Finance, Assets and Resources), Kathryn Tebbey (Legal Services Manager and Monitoring Officer), Simon Newcombe (Public Health and Professional Services Manager) and Julia Stuckey (Member Services Officer)

51 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from the Chairman Cllr F J Rosamond (Cllr T G Hughes (Vice Chairman) in the Chair), Cllr Mrs A R Berry and Cllr N A Way who was substituted by Cllr F W Letch.

52 **PUBLIC QUESTION TIME**

Referring to item 8 (Crossparks) on the agenda Mrs Rowcliffe said we, the affected residents, had a meeting last week with the officers. The report written by Dr Louise Uffiindell flagged the presence of sulphur dioxide in Mike Hill's house, Palm Springs. Mr Pritchard categorically refused to consider the testing of SO₂ in the long term follow up tests. Perhaps the Scrutiny Committee will be able to ask for justification of this stance. In any case it is the officer's duty to declare a statutory nuisance. Enough is enough, the fumes are excessive. They affect our health and are an unacceptable interference with our existence in our properties around the pit.

Mrs Bickerstaff, also referring to item 8 on the agenda, informed the Committee that the officers said our borehole water failed tests because our ducks are splodging through 47 metres of soil. Surely they cannot be serious. Can the officers be asked for a better solution, pollution maybe? Is slurry leaking into the ground water? The bottom of the pit is not concrete, it was just excavated out of the subsoil. The stream by the pit has similar chemicals to those inside the pits Environment Agency sample. Could the pipe line be leaking? Do phenols, present in all samples, rot the plastic pipes of the pipeline? The Faulkner's water tested at the same time had coliform level greater than 300. But how much greater than? Their own private water test at

the same time revealed 1050. Their analyst could not understand why the level had increased by so much in just 2 years, unless the pollution was from an outside source. Can the Committee ask the officers why the readings are so bad and abnormal? Please declare a statutory nuisance on the pit and digestate.

Mr Leaming, referring to item 8 on the agenda asked are the committee aware that Templeton Parish Council is trying to obtain a definitive position regarding the Crossparks pit? The Parish Council has been repeatedly asked about inconsistencies in pit treatment by the authorities and parishioners feel they don't have the same level of protection as other locations. For example, the enforcement notices for Pulsards and Coleford pits also states 'the Officers quantified the intended storage of digestate in an already dug slurry pit (no planning permission) as a waste operation requiring a Transfer Operators Licence.' Crossparks has not been asked to apply for such a licence. Further, 'Officers consider this is justified in order to protect the amenity and living conditions of nearby residential properties'. Templeton has residential properties closer than either of these enforced sites. There are some inconsistencies. As a Parish Council, we await definitive guidance. As a finale, we now have a planning condition attached to an application of Crossparks to store potentially flammable materials even closer to residential property.

Referring to item 8 on the agenda Mrs Rose said that from the Scrutiny Committees point of view, complaints of nuisance at Crossparks have been ongoing since 2012 regarding noise, odour and flies, so this isn't a recent thing. Environmental Health has had plenty of opportunities but has let us down badly. Back then it was all slurry related issues from his mega dairy of 3000 cows.

Moving on to now and since Scrutiny's involvement Environmental Health do seem to be listening finally and have suggested they look at our medical records. My concern is this will take years to prove anything and as Pete Smith from Public Health told me 4 years ago, proving anything via ill health is very difficult and going for statutory nuisance is the only way to move forward.

I am unable to detect or smell these poisonous gases that we're being exposed to from digestate and have no idea what it's doing to my health but my garden is living proof and it has severely damaged plants. Plants don't lie. This began in January this year and we are nowhere near to resolving it, this problem isn't going away and we will not give up fighting for our rights to be forced to move house because we can no longer live there. We need your help, we need action now. Mrs Rose left some plant samples.

Referring to item 8 on the agenda, Mr Faulkner said that I asked Stephen Walford what is in the pit that is causing our distressing symptoms. After I had repeated the question several times he tetchily replied that I should just have to wait for Environmental Health to complete their investigations into the pit and its contents. This pit contains in the region of a million cubic feet of bubbling chemicals, it takes 39 articulated lorries and their attendant tankers to fill it. That is a large test tube of unknown reagents about which Mr Walford is waiting for an Environmental Health report. Environmental Health did commission official tests between 3 May and 17 May. On the first day 5 slurry kats, large industrial slurry tankers, quickly sucked out the last remaining artics worth of digestate/slurry. The pit was then virtually empty. During the testing fortnight there were no movements; neither in nor out. The fissured tongues of the nearby neighbours started healing. However, the residents still

complained as the fumes were now emanating from the heavily spread fields, as indicated in their logs with details of wind direction. Previously Mr Newcombe had insisted that whilst the testing took place the pit was operating in its normal cycle. We have informed him that this was not the case. Perhaps the Committee will be able to clarify that during the testing two weeks the pit was empty and inactive and therefore not emitting gases at the same rate as normal.

You may also be able to question the officers whether Dr Louise Uffindell and Pete Smith were told of this inactivity and the emptiness of the pit. Their report could and should be rewritten in the light of this knowledge. Even so, SO₂ and Hydrocarbons have been identified as chemicals present causing concerns. The statutory nuisance has yet to be declared. The gases emanating from the pit are spreading all over the countryside, killing the trees and plants, affecting our health and depriving us of our rights of simple enjoyment of our properties. Alors, quelle espece de faisances est ceux ci: c'est vraiment incroyable! I am sure the Committee can persuade the officers to declare a statutory nuisance against the pit and the spreading of digestate.

Mrs Faulkner, also referring to item 8 on the agenda, said that as you know the Environment Agency did a chemical test of the pit. It showed phenols at 23ppm. We also did a test of our bedroom which had a benzene ring compound TVL 5ppm and testing Mr Hill's house and Mr and Mrs Rose's houses which had phenols at different qualities also. Did we all have the same spray of aerosols as was suggested by Mr Newcombe? Was it far more possible that the pit was bubbling out hydrogen sulphide and sulphur dioxide and along with it other organic chemicals like phenols? I did ask a professional chemist and he said that this was possible. There are many other matching volatile organic chemicals on all the lists. There are slight variations of chemicals in the tests as they were not all done at the same time but as you know the digestate comes from many different AD's. Environmental Health are fully aware. They met and discussed it with Public Health England and Dr Virginia Pearson in April. Councillors Stanley and Moore asked to attend but they were refused. Our bedroom showed we had 1500ppm of phenoxyacetic acid in it, they said it was just a food preservative. But phenoxyacetic is linked to Agent Orange a broad leaf weed killer, hence our plants are dying and many showing discoloration. Environmental Health are negligent in not performing their duty and declaring a statutory nuisance. They have had evidence, they have ignored it.

The Chairman indicated that questions raised would be given due consideration from the Committee and thanked the public for their contribution.

53 **MEMBER FORUM**

Discussion took place regarding a verbal update on the agenda and the reasons for the update being verbal on this occasion rather than written, which was the preference of the Committee. These concerns were noted.

54 **MINUTES OF THE PREVIOUS MEETING**

Subject to an amendment to Minute 45 under discussion took place regarding, bullet point 1 to read "an information request for the hourly cost to the Council for agency staff and permanent staff" the Minutes were approved as a true record and signed by the Chairman.

55 DECISIONS OF THE CABINET

The Committee **NOTED** that none of the decisions made by the Cabinet at its last meeting had been called in.

56 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make.

57 CROSSPARKS

The Public Health and Professional Services Manager explained that the update provided was verbal rather than written due to the timing of the meeting. Officers had met with local residents and Ward Members during the previous week and did not consider it appropriate to make the information that they were giving them public ahead of that meeting. Any documents issued with the agenda would have been made public in advance of that meeting date. The intention of the update was to give feedback on the investigation as a whole, liaison with other agencies and conclusions from monitoring and other assessment work.

The Officer informed the Committee that the Environmental Health team had undertaken an exceptional, detailed and systematic investigation and had worked very hard to get to the bottom of issues being raised by residents.

The officer reminded Members that under the provisions of statutory nuisance this had been a two-pronged approach, looking at nuisance to residents (principally from odour, activities at the pit and land surrounding) and prejudicial health.

The Service had continued regular liaison with the Environment Agency (EA) regarding air quality monitoring and toxicological assessment with Public Health England (PHE).

The EA, who permitted Anaerobic digestion (AD) plants had been asked if they had received complaints regarding similar activities elsewhere but they were only able to identify one other operation which concerned digestate spreading activities in Somerset. However the activities at that location did not involve a storage facility in the same manner as Crossparks and the AD plants were processing waste products. The local authority (Sedgemoor DC) had investigated issues in relation to odour nuisance only related to spreading activity with no complaint regarding symptoms of ill-health.

The Officer provided an update on monitoring and investigations that had been undertaken since the last briefing to Scrutiny in June 2017.

Odour nuisance

- Odour nuisance, previously reported 45 odour assessments – 96 had been carried out since February 2017, all of which had been unannounced;
- Assessments had been undertaken by 7 different officers, using national standard EA and Defra methodology ;

- A number of additional visits for other reasons where odour was assessed but not to formal method.

It had not been possible to establish statutory odour nuisance in connection with the pit, however statutory odour nuisance had been established due to spreading in a specific fields around Palm Springs. In April a notice had been served. However, this was not due to how the spreading was being carried out but rather the frequency/persistency in connection with weekends and bank holidays.

Prejudicial to health

The Service had ruled out a number of possible sources and pathways which left the focus on potential contamination to ground water and exposure via boreholes/wells. Testing focussed on the two known supplies closest to the pit (Palm Springs and Mount Pleasant Farm) and airborne pollution

- The water tested was untreated from source and results showed no unexpected results of concern. This included both samples of the untreated private water supplies (not currently being consumed by occupants) and the mains drinking water.

Air Quality:

- Air quality monitoring and clinical/toxicological assessment of results by PHE;
- A comprehensive monitoring programme completed independently by Somerset Scientific Services who had been reviewed and pre-approved by PHE, during a range of pit activity providing a full suite of potential inorganic and organic/volatile compounds of concern;
- Testing was undertaken adjacent to pit, between the pit and Palm Springs and inside Palm Springs and outside control over 1mile from pit;
- Testing looked for hundreds of different compounds and -
 - a) Identified traces of around 50 compounds
 - b) Many were exclusively found indoors and not found outside – ruling out the pit as a source
 - c) The assessment by PHE did not identify anything of toxicological concern
 - d) Marginal identification of SO₂, potentially from an indoor combustion source
 - e) Typical identification of ammonia across all samples including at the control site. There were a number of agricultural sources including slurry, livestock, crops and fertilisers, domestic pet especially dogs. Highest results were indoors but still only at the lower end of possible odour detection and not at concentrations of clinical concern;
- Also carried gas monitoring immediately over pit during a wide range of activities in and around the pit – 76 tests in total were completed or range of gases including Hydrogen sulphide (H₂S). No elevated concentrations found at all and oxygen levels were normal in all results;

- No clinical and/or toxicological information of concern had been found

The conclusion was that all environmental parameters and air quality around the pit entirety were considered normal for a rural area and nothing of concern.

On-going monitoring

The Public Health Manager assured the Committee that despite not identifying anything of concern he was committed to some on-going assurance monitoring adjacent to the pit for at least the next 12-months.

Testing would be undertaken regarding:

- Ammonia – monthly averages
- Nitrogen dioxide (NO₂) – monthly averages. This is a general, sometimes surrogate, indicator of pollution from a range of sources. It is also directly linked to transport emissions, which are relevant given the number of commercial/agricultural vehicles movement being reported. It's also a pollutant that can give rise to respiratory problems such as tightness of chest, which some of the residents have reported as experiencing. We also have around 20 other long-term NO₂ monitoring sites around the district so we can compare results easily over identical monitoring periods – again monthly.

Discussion took place regarding:

- The testing period and the fact that the pit was emptied during that period. The Public Health Manager explained that activity at the pit would normally go through a cycle and that they had tried to capture normal activity. The pit would normally be filled and then the contents would be spread locally. Although the pit was emptied during the testing period the contents would have been spread in the local area so any gases released would have been tested. The officer did not consider that the emptying of the pit undermined the testing as there would have been capture during the disturbance and spreading. The officer also confirmed that residents continued to report ill health symptoms during this period.
- Damage to plants and the fact that Defra, and the Animal and Plant Agency specifically, were responsible for this area of concern. Samples of vegetation were accepted from Mrs Rose and officers agreed to refer them to the relevant agency.
- The discrepancy between the results undertaken by the authority and those undertaken by residents;
- The working group and the work that they would be undertaking.

The Director of Operations provided an assurance that should residents report ill health via the health service in the future, that led to specific compounds of concern being identified by clinicians including GPs/NHS or PHE, then if notified the authority would investigate for possible sources in the local environment. He gave an open commitment to support the residents in whatever way he could.

58 CABINET MEMBER FOR HOUSING

The Committee had before it and NOTED a briefing paper * from the Cabinet Member for Housing updating it regarding areas covered by his remit.

The Cabinet Member outlined the contents of the report, explaining that the number of people sleeping rough in the District should read 4 rather than the 7 that was quoted within the report and that Private Sector Housing had returned 34 properties to use this year to date. The Cabinet Member also highlighted that the development at Birchen Lane was to be demolished and rebuilt. This followed the company that had been appointed to develop the site being put into administration and the site being open to the elements for such a long period of time. The development at Palmerston Park was progressing well but extra work was required to secure the bank, with some tree felling. These properties should be ready for occupation in the spring of next year.

The Cabinet Member explained that officers would be identifying the number and locations required for affordable housing, within the financial limitations of the Housing Revenue Account and that this information would be fed into the revised Corporate Plan. The Cabinet Member highlighted that future rent collection performance was a risk following the implementation of Universal Credit.

Discussion took place regarding:

- Sums of money paid by developers in lieu of affordable housing and what happened to those funds;
- Junction 28 and changes that were required prior to further development in Cullompton;
- Council garages and the fact that many were no longer large enough to house a car. There were plans to develop on some sites, rebuild garages on others and in some instances to remove garages and provide parking places;
- The quality of accommodation provided for homeless people and the cost of this;
- The Housing list and plans to revisit the E band to decide whether or not it should be removed.

The Chairman thanked the Cabinet Member for his report.

Note: - Briefing paper previously circulated and attached to the Minutes.

59 CAR PARKING UPDATE ON INCOME & VENDS

The Committee had before it and **NOTED** a report * from the Director of Finance, Assets and Resources presenting the car parking outturn position for 2016/17 and an update on the first 3 months of 2017/18.

The Director reminded Members that during 2015/16 the Managing the Environment Policy Development Group had set up an officer and member working group to

review the current car park charging policy and then make recommendations on a new one to be implemented on the 1/4/16. This review looked at usage levels, benchmarked charges against neighbouring Councils, considered more free periods, reviewed concessions and considered economic consequence.

The Director also reminded Members that when evaluating the impact of a new charging policy for any product, it was often made harder, as other variables may well have direct/indirect effects/consequences. This was particularly relevant to car parking. Variables such as weather, the economy, fuel prices, provision of alternative parking, availability and range of shops, level of ad hoc concessions granted and road closures for example could also affect usage levels and hence income generated.

The Director informed Members that he considered the changes implemented to have been reasonably successful as there had been an increase in income and that vends had remained relatively static. There was a wide range of car park type and there were major swings in vends in some with free vends increasing in short stay car parks and vends in some long stay car parks reducing. He would be asking the Economy PDG to look at the pricing strategy in the near future and to feedback any further tweaks that could be made.

Discussion took place regarding:

- The £2 vend was for all day parking but only covered the period until 6.00pm so an evening vend was also required for anyone staying beyond this time;
- A perceived loss of goodwill with local traders;
- Consideration for the local business community when setting parking fees;
- Cullompton Town Centre car park fees which were managed by the Town Council;
- The Premier Inn development might affect future pricing and opening hours for the multi-story car park in Tiverton.

Note: - Report * previously circulated and attached to Minutes.

60 FORWARD PLAN

The Committee had before it and **NOTED** the Cabinet Forward Plan *.

It was **RESOLVED** to recommend to the Cabinet that it acts upon the action plans to improve the Tiverton town centre and Pannier Market that were approved in 2011.

(Proposed by Cllr Mrs J Roach and seconded by Cllr T W Snow)

Note: Plan previously circulated and attached to Minutes.

61 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

Performance and Risk

Traveller Sites

(The meeting ended at 4.40 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 9 October 2017 at 2.15 pm

Present

Councillors

F J Rosamond (Chairman)
Mrs A R Berry, Mrs F J Colthorpe, R Evans,
Mrs B M Hull, Mrs J Roach, T W Snow,
N A Way and Mrs E J Slade

Apologies

Councillor(s)

Mrs H Bainbridge, Mrs C P Daw, Mrs G Doe and
T G Hughes

Also Present

Councillor(s)

C J Eginton, F W Letch and R L Stanley

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Jenny Clifford (Head of Planning, Economy and Regeneration), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Catherine Yandle (Group Manager for Performance, Governance and Data Security) and Julia Stuckey (Member Services Officer)

62 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr Mrs H Bainbridge, who was substituted by Cllr Mrs E J Slade, Cllr Mrs C P Daw, Cllr Mrs G Doe who was substituted by Cllr R Evans and from Cllr T G Hughes. Cllr Mrs F J Colthorpe joined the Committee as a new Member.

63 **PUBLIC QUESTION TIME**

Mr K Grantham, referring to item 7 on the agenda and in particular the report that started on page 15 of the documents, said the recommendation is that 'The report be noted'. Will Members please consider if we are not in a situation where that report and what it represents should be the subject of considerable scrutiny and further questions? Has the report addressed the real issues and why we are in this position?

Is there anything missing from the report which is not in the public domain? It goes from paragraph 4.2.2 to 4.4. It then goes to a heading of 4.3 and then we have 4.5.1. The report has an appendix 1 on pages 23 to 25 of your bundle. Is that list of applications complete? I know of another application 17/01179/MFUL for 29 houses in Willand, which if added to the other two in appendix 1 and all are approved will increase the size of Willand by 21% with little or no improvement to infrastructure. The developers are 'buying' public green open space on existing sites which a

MDDC report shows that Willand has a 64% shortage of under National Guidelines. Are any other sites missing?

Under the heading Legal Implications you are advised about the 5 year land supply. When the submission of the Local Plan Review was first delayed Willand Parish Council, at an open meeting of the Council, questioned Councillor Chesterton, the portfolio holder for Planning, if this delay would have any implications on the likely applications which were not planned for? He assured us that officers were confident that the five year land supply was sound and so he was able to say that it would not be in jeopardy. The Local Plan Review is again being delayed putting more areas of the District at risk of speculative applications. Why were we misled? Who got it so wrong? Who has been held to account?

Mr B Warren, also referring to item 7 on the agenda, and in particular some elements of the report presented said the report sets out risk assessment under paragraph 6 and then sets out some options under paragraph 7 mitigating measures. Is there a hidden policy to try and let these speculative applications go through to try and 'build their way out of trouble'? Are certain communities being 'sacrificed' rather than show that major developments such as the 259 houses for Willand are likely to cause harm thereby negating the assumption under paragraph 14 of the NPPF?

I ask this question as last Tuesday I attended an informal appeal hearing against the refusal of the 259 houses in Willand. Most of the reasons for refusal were provided by Devon County Council on traffic matters. The appellants were represented by a barrister, planning consultant and traffic management consultant with two support staff. They had also submitted a 359 page statement of their case. In contrast MDDC were represented by a part time Area Team Leader Planning Officer supported by a DCC Highways Officer. Councillor Evans was present as a speaker, as was myself to represent the parish. The Planning Officer advised Councillor Evans and myself that she was limited as to what she could say. MDDC had not submitted a statement of case, a fact commented on adversely by the appellant's barrister. DCC had submitted a statement on the traffic reasons for objection. All MDDC had submitted was a copy of the Officers original report to accompany the original decision prepared months before. A lot of this was a detailed response from Willand Parish Council. The MDDC report had been prepared by another officer and made no comment on update information and argument provided by the appellants. MDDC made little or no effort to refute anything said by the appellants nor was there any meaningful attempt made to show what harm this could cause the village. Councillor Evans and myself did our best to redress this but doubt it will carry much weight with the Inspector in the light of the lack of commitment by MDDC Officers. One would have thought that such a major unplanned application would have warranted the attendance of the Head of Planning and the responsible Cabinet Member. Why were they not there?

Mrs Brooks Hocking, representing Crediton Town Council, referring to item 5 on the agenda said having been involved with MDDC officers over the last few years in discussions about the future of the building and having achieved what we thought was a fair outcome that would benefit Crediton residents, the decision from Cabinet not to go ahead but to operate on purely commercial principles was a bit of a shock.

We understand why the Council might want to do this, but before you do, I just want to ask if you are aware of the results this will mean for Crediton. Currently the

Crediton Council Offices accommodate on a permanent basis, Crediton Town Council; Community Transport and Citizens Advice

In addition, regular users are:

- Churches Housing Action Team
- In Sight Devon
- Crediton Hamlets Parish Council
- Stanbury Court Residents
- DCC Highways Surgeries
- DCC Children's Services
- DCC Independent Review Unit
- Crediton International Social Cultural Organisation (language school)

There is a real social benefit to the clustering of services. Even if the providers I have just listed find other venues, the social hub element will be lost if the building passes out of public ownership. Do you think this is a good thing for community services?

On the open market, just the purchase of the building would result in a 25% increase in the Town's precept in order to complete over 5 years as originally envisaged. Would the District Council be supportive of such a council tax increase for Crediton residents to purchase the building? Do you think this would be a fair way of us securing the building for community use?

We have a 5 year Strategic Plan, which could become severely compromised when competing with the purchase of the building. Is the District supportive of its town councils developing and implementing strategic plans?

Our Neighbourhood Plan consultation shows the Council office building is one of the most appreciated in the town for its local heritage and the services it provides. If the Cabinet decision is applied, we will have six months under the Community Right to Bid to consult with Crediton residents and to look at funding options. This is a very short time in which to try to secure such an important asset. Is this fair treatment of Crediton?

Councillor Peter Heal, at our September Town Council meeting told us that he would be 'very interested to hear our views on joint strategic planning, or wider community engagement processes. A new method of community engagement is something that the council is currently looking into.' He said he 'would welcome our views on the best way to approach this' and he would 'feed these back to the council as appropriate.'

I can shorten the feedback route by telling you that joint strategic planning is what we have been trying to achieve through negotiations so Crediton Town Council can take on more services that MDDC can no longer afford, and provide a community focus for local government. I can assure you that Crediton Town Council is completely open to joint planning.

Our 5 year strategy is to improve and develop the services and facilities for Crediton residents that they have told us they want. Is that a strategy that MDDC would want to support?

The lack of parity with Tiverton Town Council purchasing their Town Hall has already been recognised and so I will make no further comment on this.

64 **MEMBER FORUM**

Cllr T W Snow highlighted that despite having asked that the Minutes of the meeting held on 17th July be amended, this amendment had not been made to the online Minutes. The Monitoring Officer offered to look into this and would report back to the Cllr Snow and the Chairman.

65 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the last meeting were approved as a correct record and **SIGNED** by the Chairman.

66 **DECISIONS OF THE CABINET**

The Chairman informed the Committee that he had called in a decision made by the Cabinet at its meeting on 28th September 2017 for consideration by the Scrutiny Committee in accordance with the Council's Constitution.

The Chairman explained that he had taken this course of action because he felt that the Cabinet was inconsistent in its treatment of the Crediton Office in contrast to the disposal of Tiverton Town Hall (both acquisitions had been a result of the establishment of the Authority in 1974), to the detriment of Crediton Town Council and its community.

The Chairman reminded the Committee that the result of the negotiations with Tiverton Town Council, as stated in the Minutes of the Cabinet of 5th January, were that the Town Council agreed that they would purchase the Town Hall at a cost of £175k (half the price of the valuation), spreading the cost over a 6 year period with no interest payable.

He also informed the Committee that the recommendation by the Cabinet in respect of Crediton Office was:

- 1) To dispose of the Crediton Office at the full market value (“thus providing an opportunity to maximise income and demonstrate value for money”)
- 2) To notify the Land Charges service of the intention to sell the Crediton Office building and to inform the local community that the property had been registered as an asset of community value (with the risk “that the Town Council will be required to relocate”)

The Chairman added that there was no suggestion as to how that risk would be addressed or supported.

The Chairman said that ‘as I understand events, the previous Cabinet meeting of 31 August had before it an option that the building be offered to Crediton Town Council at half the then advised value on similar terms to Tiverton and that negotiations had been conducted with the Town Council to that effect, so much so that provision was made in the Crediton budget via an increased precept to meet the cost over a number of years, comparable to the Tiverton offer. However this potential outcome

was deferred at the Cabinet meeting to allow for further information to be provided prior to a decision being made. Subsequently there was a modest increase in the advised valuation. As a consequence, again as I understand, the Town Council was anxious that their asset could be potentially at risk and therefore applied for its recognition as an asset of community value. Why this application apparently led to the termination of all previous discussions without the possibility of reaching a successful conclusion is unclear to me. The Leader at the Cabinet meeting of 28th September remarked that it changed the complexion of the negotiations, but did not give further explanation. Crediton Town Council would have wished to continue with negotiations. Certainly the Town Council would not have wanted to put any impediment in the way of achieving a successful outcome, irrespective of its resort to the safety net of an application as a community asset. That now seems to have been denied to them’.

He continued by saying ‘I have not been party to the negotiations and understandably my knowledge is incomplete. However, I believe the Cabinet decision would seriously diminish the range of services available to Crediton Town Council and its community, in sharp contrast to the treatment of Tiverton Town Council.

It is to address the sense of unequal treatment that I felt that more time was needed to explore the issues in more detail, as hitherto the Cabinet has always been even handed in its relationship with partner councils.

I would therefore wish the following to be considered:

- 1) Whether, how and why the proposed outcome for the future of the Crediton Office changed in 2017 and whether such change was justified on the evidence and information available
- 2) Why the basis for the disposal of the Crediton Office differed from that made for the disposal of Tiverton Town Hall
- 3) To understand what consultation has taken place with interested parties prior to the decision and the outcome of such consultation
- 4) To look at the options put forward to Cabinet to examine the equality impact of such options and then to consider whether there were reasonable alternative options that were not considered.’

The Leader of the Council clarified that the resolutions from Cabinet had not included the words within the brackets in items 1) and d) of the Chairman’s summary of the resolution.

Cllr F W Letch, speaking on behalf of Crediton Town Council informed the Committee that the Town Council had carried out a feasibility study with a view to taking over the building. They had considered registering the building as a community asset but at that stage were advised that there would be little point as they would most certainly be offered the building at half market value. At an earlier Cabinet meeting the matter was deferred for future consideration. The Town Council felt that this gave them time to put a plan in place, having expected the deal to be in line with that agreed with Tiverton Town Council. Cllr Letch pointed out that Tiverton Town Hall had a market value and was currently used for weddings. Cllr Letch did not consider that Crediton and Tiverton had been treated in a similar manner due to differences regarding architectural surveys and whether the premises were considered to be viable for sale for commercial purposes. Crediton Town Council had expected to be offered the

premises for use as a community building, for the use of the Town Council as well as Crediton Hamlets Parish Council and numerous other groups. Cllr Letch urged Councillors not to 'sell of the family silver and live to regret it'.

The Director for Finance, Assets and Resources informed the Committee that at the Cabinet Meeting in July the agenda item regarding this matter had been deferred to allow officers to consider financial viability and they were advised that it was 'borderline' whereas Tiverton Town Hall had been considered to be of little or nil commercial viability due to the sums of investment needed in the building. There were also differences regarding ongoing revenue and maintenance which for Tiverton were far in excess of those predicted for Crediton. Financial regulations meant that the authority had to use due diligence when disposing of assets. The main change since July had occurred when Crediton Town Council registered the building as a community asset. Legislation meant that the Town Council and other bodies would have a six week period to register an interest in the premises and a further 6 months to raise funds for the purchase.

Cllr N A Way, who was also a member of the Town Council, stressed the importance of the building to the community and highlighted the number of community groups that used the premises since the Town Council had taken over running it.

Discussion took place regarding:

- Inconsistencies in the disposal of assets over a number of years;
- Legislation regarding community assets;
- Parish Councils and community groups would be eligible to register for the premises;
- The Asset Management Plan;
- Negotiations would commence at full market value but legislation did not state the sale had to be at market value;
- There would be subsequent decision points for the Cabinet regarding registration of interest and disposing of the asset:

The Chief Executive advised the committee that the Council now had to follow national regulations as per the legislation surrounding the disposal of community assets. Since the requirement to follow this approach was instigated by the actions of Crediton Town Clerk (on behalf of Crediton Town Council), he offered to write to her in order to understand their reasoning. However, the committee did not feel this was necessary.

It was **RESOLVED** that Members were satisfied with the information that had been provided and that the decision of the Cabinet taken in relation to this issue on 28 September 2017 should stand. Members recognised the responsibility of both Crediton Town Council and this authority to operate within the legislation laid down and to move forward in a proactive way.

(Proposed by the Chairman)

It was further **RESOLVED** that this Committee review procedures currently in place for the disposal of community assets to the market place, including a review of what had taken place in the past.

(Proposed by Cllr Mrs J Roach and seconded by Cllr N A Way)

Note: - i) Report * previously circulated and attached to Minutes.

ii) Cllr N A Way declared a personal interest as he was a member of Crediton Town Council.

67 CHAIRMAN'S ANNOUNCEMENTS

The Chairman made reference to Strategic Thinking training for Members that had taken place the previous week and informed the Committee that the Chief Executive would be circulating the outcomes. The Chairman informed the Committee that he had found the training to be very useful.

68 5 YEAR HOUSING LAND SUPPLY

At the request of the Chairman the Committee had before it and **NOTED** a report * from the Head of Planning, Economy and Regeneration providing an update on the position of the Council over the 5 year housing land supply and any implications upon it of the recent deferment of Local Plan Review examination sessions.

The officer outlined the contents of the report, explaining that in respect of housing supply, the National Planning Policy Framework (NPPF) required local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Where there had been a record of persistent under delivery of housing, local planning authorities had to increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

The NPPF also advised that where a five year land supply of deliverable housing sites could not be demonstrated, policies on housing supply should not be considered up to date.

On 11th April 2016, an appeal had been allowed for outline planning permission for 60 houses on approximately 3.5 hectares of agricultural land outside the defined settlement boundary of Uffculme which was not allocated for development. The main issue in determination of the appeal was whether, having regard to the development plan, the NPPF, the housing land supply of the Council and the scale and location of the development, the appeal scheme would constitute a sustainable form of development.

The officer explained that demonstrating supply was not just about housing numbers. Deliverability was key. To be considered deliverable, sites should be available, be a suitable location for development, be achievable (i.e. with a realistic prospect that housing will be delivered within five years) and in particular that development was

viable. Delivery was also important in the context of the record of delivering houses in years prior to the point of appeal. One of the ways that a local planning authority could seek to maintain a supply of deliverable sites was through granting planning permission. The number of planning permissions in the District was currently standing at its highest figure since 2002/03 and 1665 dwellings received planning permission (Monitoring Report Summary to 31st March 2016). Whilst strategic sites had been slower to come forward than expected, this had been offset by the higher number of planning permissions granted overall. Despite this, average annual housing completions had not met the policy COR3 target of 390 or the FOAN target of 370. This lower rate of housing completion was to a large extent a result of factors outside the control of the Council such as the economy, the local housing market, the availability of development funding and commercial decision by housebuilders over permission implementation and build out rates. The Inspector acknowledged a recent dip in completions was a likely result of economic recession and reflected the position nationally together with efforts to bring forward the urban extensions. Nevertheless, his judgement was still informed by past delivery rates.

The Strategic Housing Market Assessment reviewed the whole housing market area within which Mid Devon was located and informed housing policies and strategies by identifying the future quantity of housing needed including breakdown by type, tenure and size. This was considered up to date and was accepted by the Inspector as being the best available evidence at the appeal and the basis upon which to assess housing need. It proposed a higher housing figure from 2013 onwards of 370 dwellings per annum compared with the Core Strategy of 290 dwellings per annum from 2016 onwards. In setting this higher requirement, an equivalent supply was needed. The deliverable supply fell short of this.

The position on these differed between the Council and the applicant at the Uffculme appeal with the latter taking a more pessimistic stance on delivery and using a housing requirement calculation that resulted in more housing being needed within the early years of the current plan period. Differences between a Council and developer over such matters was common and resulted in each party going into the appeal with a different understanding of land supply available.

The Government was currently consulting on a standard method for the calculation of a local authority's housing need, with the intention that a simpler, quicker and more transparent standard approach to assessing local housing need was applied.

The authority had now issued an update to its housing land availability in early October. At the time of writing the report, 5 year housing land supply calculations (including a 20% buffer) indicated that the Council was still currently not able to meet this requirement. Housing land supply was currently considered to be 4.15 years (as compared with the Inspector's estimate of between 4 -4.5 years in April 2016).

The officer outlined appendix 1 which detailed major scale housing applications submitted since 2016 particularly in unplanned locations. She confirmed that there did seem to be 'hotspots' of such applications around Willand, Uffculme, Copplestone and Crediton.

Until the Council could demonstrate a 5 year land supply (with 20% buffer) there would be vulnerability to housing applications coming forward on sites that had not been planned for development. Appeal losses could result in unbalanced distribution

of piecemeal development, development in areas considered unsuitable by the Council, a lower level of funding for affordable housing, community facilities and service infrastructure and additional costs to be borne by the Council. Decision making was also taken out of local control. Houses could now legitimately be put forward by developers on sites not planned for until supply figures were next tested and a new Local Plan was adopted. However Inspector's would continue to assess the sustainability of housing sites coming forward and the extent to which any material harm would result. It was therefore not a free for all on any site.

The officer confirmed the timing of the Local Plan, explaining that having taken legal advice and a review of statements of participants who would take part in the hearings a deferment had been requested to allow an independent review of the major modifications stage sustainability appraisal. This had now been commissioned. The officer was of the view that a delay in the order of 6 months could be expected. This would allow for the assessment to be carried out and reported upon, for a further period of consultation and for the Inspector to reconvene hearing dates having given the required notice period to participants. Efforts would be made to reduce the period of delay as far as possible where there was local control. However it was the Plan Inspector who set dates for examination hearings. The Council can expect to continue to receive housing applications on non-allocated sites during this period.

Mitigating measures that could be taken included advancing the Local Plan Review to adoption, bringing forward further sites for housing development, bringing forward suitable contingency sites, continuing efforts to deliver allocated or appropriate windfall sites, especially the urban extensions at Tiverton and NW Cullompton, entering into pre-application discussions on land not planned for housing to date.

The officer provided the following answers to questions asked during public question time.

The officer apologised that the numbering at section 4 of the report was incorrect but confirmed that there was nothing missing.

With regard to the application for 29 houses that were not listed within the appendix the officer confirmed that this site was an allocation and those listed in the report were for major applications for unplanned sites or sites that had been planned for with larger numbers. The site referred to is an allocated site for affordable housing.

With regard to the delay with the plan and assurances that had been made the officer commented that there had been an emerging situation since those decisions were taken, some over a year ago.

When an application was received for an unplanned site it was looked at on its merits and there was no purposeful approach to 'sacrifice settlements'. Because there was no up to date housing policy, tests from the National Planning Policy Framework (paragraph 14) had to be applied which were to grant planning permission unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against framework policies as a whole (assessing negative impacts against positive benefits). There was no free for all and that had been seen with the refusal at appeal of 60 houses at Copplestone, with the Inspector undertaking a similar balance and test.

With regard to the recent appeal and how it had been run the officer informed the Committee that it had been an informal hearing and it was unusual for there to be legal representation at these. The case was handled by a senior officer who was very experienced and knew the site well, accompanied by an officer from Devon County Highways. It was common practice for an officer's report to be submitted as the statement of case given the detailed contents. The Head of Planning Economy and Regeneration considered this to be a sufficient resource and would not expect to attend all such meetings. She also commented that the role of the Authority was to defend the reasons for refusal. Ward Members and the Parish Council could raise areas of concern outside of those reasons.

Discussion took place regarding:

- The number of sites allocated and the number of houses being built;
- The timeline going forward and concerns for unallocated sites in the meantime;
- Concerns that developers would be encouraged to put additional housing on inappropriate sites to increase numbers;
- Hot spots of application activity within the District;
- Whether or not requesting to remove Junction 27 and associated housing from the plan would speed up the process and the lack of credibility this could create;
- The Inspector had considered Junction 27 to be a self-contained package that he wanted to look at separately before looking at the plan in its entirety;
- The Inspector could recommend minor or major modifications, he would also consider whether Junction 27 proposals formed part of the plan to be adopted;
- The need to encourage developers to build houses and investigate reasons why they might not be doing so.

The Chairman thanked the officer for her report.

Note: - i) Report * previously circulated and attached to Minutes.

- ii) Cllr Mrs F J Colthorpe declared a personal interest as she was Chair of the Planning Committee.

69 PERFORMANCE AND RISK

The Committee had before it and **NOTED** a report * from the Group Manager for Performance, Governance and Data Security providing Members with an update on performance against the Corporate Plan and local service targets for 2017-18 as well as providing an update on the key business risks.

The officer outlined the contents of the report.

Discussion took place regarding the number of empty shops in the Tiverton town centre.

Note: - Report * previously circulated and attached to Minutes.

70 **UPDATE FROM WORKING GROUPS**

The Chairman provided an update regarding the AD Working Group, informing Members that the Group had met on one occasion to date and that they had a further meeting planned for the following week. He explained that the topic had been difficult to scope and that it did not include the slurry pit at Crossparks within its remit.

The Chairman also updated the Group on the Partnership Working Group which had been ongoing for a while. He informed Members that the Group needed to reflect on the work undertaken so far and to consider what other areas to look at.

The Chairman of the Consultation Working Group informed the Committee that the consultation undertaken had gone well and that following a planned meeting when the Group would be looking at other consultation that had taken place in the last year, a report would be submitted.

The Chairman of the Homelessness Working Group informed the Committee that they had a meeting planned at which they would meet people that had used or were in the system. They had learned that legislation was changing and that there would be an impact on the authority as a result of this.

71 **FORWARD PLAN**

The Committee had before it and **NOTED** the Cabinet Forward Plan *.

Members were advised that a briefing paper regarding the Tiverton Masterplan would be received at the next meeting.

Note: - Forward Plan * previously circulated and attached to Minutes.

72 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Cabinet Member for Finance
Performance and Risk
Traveller Sites
Tiverton Masterplan update
DCC Care Homes – update
Strategic Thinking feedback

(The meeting ended at 4.44 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **AUDIT COMMITTEE** held on 19 September 2017 at 5.30 pm

Present

Councillors

R Evans (Chairman)
Mrs C Collis, R M Deed, R F Radford,
L D Taylor and B A Moore

Apologies

Councillors

Mrs J B Binks and T G Hughes

Also Present

Officers

Andrew Jarrett (Director of Finance, Assets and Resources), Catherine Yandle (Internal Audit Team Leader), David Curnow (Deputy Head of Devon Audit Partnership) and Sarah Lees (Member Services Officer)

Also in

Attendance

G Daly (Grant Thornton)

27. **APOLOGIES**

Apologies were received from Councillors Mrs J B Binks who was substituted by Cllr B A Moore and T G Hughes.

28. **PUBLIC QUESTION TIME**

There were no members of the public present.

29. **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 17 July 2017 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

30. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

- a) He welcomed John Smith to the meeting who was present to observe it as part of his role as an Independent Person on the Standards Committee.
- b) He informed the Committee that he had had a pre-meeting with David Curnow, the Deputy Head of the Devon Audit Partnership in order to touch base on the new audit arrangements. He was happy to report that the feedback he had received from the staff, who had transferred, was that they were very pleased and happy in the new engagement.

- c) The next Devon Audit Partnership (DAP) meeting would be on 15 November at 10.30am at County hall and he and Cllr R F Radford intended to attend.
- d) He reminded the Committee that two training days were being run by the Devon Audit Partnership (DAP) and the South West Audit Partnership (SWAP) on 18 October (at the Sparkford Motor Museum) and 24 October (at Buckfast Abbey). All members of the Committee were welcome to attend. It was his intention to attend the Sparkford Museum training on 24 October 2017.
- e) The Policy Development Groups had started having informal workshops to discuss policy development in an informal setting, he asked whether the Audit Committee wished to also have an informal forum in which to discuss issues and ideas around the audit subject. It was **AGREED** by the Committee that this was not necessary for their particular Committee.
- f) He was regularly copied into a DAP 'Internal Audit View' newsletter and asked whether the rest of the Committee would like to be added to the distribution list. It was **AGREED** that they wished for this to happen.

31. **PERFORMANCE AND RISK FOR 2017-18 (00:07:35)**

The Committee had before it, and **NOTED**, a report * from the Director of Corporate Affairs & Business Transformation providing it with an update on performance against the Corporate Plan and local service targets for 2017-18 as well as providing an update on the key business risks.

The report provided further information in relation to projects being run by the Council that were helping to deliver the aims and objectives of the Corporate Plan.

It was explained that a decision had been taken to remove some of the performance and risk reporting in relation to the Community portfolio and treat it as Part II. This was specifically in relation to the leisure service area, where some of the information was of a commercially sensitive nature. Reporting of performance data was therefore currently under review in his area.

Note: * Report previously circulated; copy attached to the signed minutes.

32. **PROGRESS UPDATE ON THE ANNUAL GOVERNANCE STATEMENT ACTION PLAN (00:13:02)**

The Committee had before it, and **NOTED**, a report * from the Internal Audit Team Leader providing it with an update on progress made against the Annual Governance Statement 2016/17 Action Plan.

Of the issues that had been identified as needing action the following update was provided:

- The Leadership Team had commenced regular 6 monthly question and answer sessions for all staff and also a regular 'Chat with the Chief'.
- The staff charter had been discussed in the previous week by the Leadership Team.

- The deadline for ethics training had now lapsed and a revised date needed to be shown in the Action Plan for the next meeting.
- The Aspiring Managers programme had now commenced.
- An Equalities training session had been run for Members, however, this had been very poorly attended therefore an additional session would be run again before full Council on 25 October 2017.

Note: * Report previously circulated; copy attached to the signed minutes.

33. **INTERNAL AUDIT PROGRESS REPORT (00:16:55)**

The Committee had before it, and **NOTED**, a report * from the Deputy Head of the Devon Audit Partnership updating it on the work performed by Internal Audit for the 2017/18 financial year.

The contents of the report were outlined with the following being highlighted:

- They had largely concentrated on systems audits and had fitted in other audits around this.
- The Performance Progress Chart showed that the team were on track to complete the audits within the Audit Plan by the end of the year.
- The planned audit of Housing Options – Homelessness had been deferred until the Autumn at the client's request to fit better with proposed changes in legislation. The team had however, in the meantime been able to make one or two recommendations around staff safeguarding in that area.
- One high risk had been identified in relation to 'Electronic Payments' and a recommendation had been made to mitigate the risk going forwards.
- Regarding the Contracts Register audit the review had shown that there were a number of weaknesses in the systems of internal check and control and recommendations had been made to address these weaknesses.
- A number of issues had been identified within Planning Enforcement, these had been recognised by the service area and a positive plan of action had been put in place.

The Chairman stated that the number of medium risk recommendation had risen from 24 to 32 and 8 of those were outstanding from 2015. He asked that the Director of Finance, Assets and Resources take the message back to Leadership Team that the Committee wanted to be reassured that these were being addressed and that there was a concerted effort to improve these numbers. The Director of Finance Assets and Resources stated that he would provide the Committee with a progress update by the end of the following week.

Note: * Report previously circulated; copy attached to the signed minutes.

34. **MEETING MANAGEMENT**

The Chairman stated that the next item of business would be to receive the Annual Audit Letter from Grant Thornton followed by the External Audit progress report.

35. ANNUAL AUDIT LETTER FROM GRANT THORNTON (00:27:02)

The Committee had before it, and **NOTED**, the Annual Audit Letter * from Grant Thornton summarising the key findings arising from the Work they carried out as the Council's external auditors for the year ended 31 March 2017.

The following was highlighted within the report:

- Grant Thornton had issued an unqualified opinion in relation to the Council's financial statements and value for money conclusion on 17 July 2017.
- They had certified that they had completed the audit of the accounts in accordance with the requirements of the Code on 8 September 2017.
- They had submitted their assurance statement on the Whole of Government Accounts on 14 August 2017.
- As the Council's external auditors they were required to certify the Housing Benefit subsidy claim, this work was not yet complete but would be finalised by 30 November 2017.

Note: * Annual Audit Letter previously circulated; copy attached to the signed minutes.

36. EXTERNAL AUDIT PROGRESS REPORT AND UPDATE (00:29:05)

The Committee had before it, and **NOTED**, a report * from Grant Thornton providing an update on progress in delivering their responsibilities as the Council's external auditors.

- It was anticipated that they would complete the certification of the Council's 2015/16 Housing Benefit and Council Tax subsidy claims by 30 November 2017.
- They were also due to commence work on the Pooling of Housing Capital Receipts claim as well as the Housing & Communities Agency claim.

Note: * Report previously circulated; copy attached to the signed minutes.

37. IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (00:30:50)

In addition to the items already listed in the work programme for the next meeting the following was requested to be on the agenda:

- The new format of internal audit reports.

(The meeting ended at 6.01 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **ENVIRONMENT POLICY DEVELOPMENT GROUP**
held on 5 September 2017 at 2.00 pm

Present

Councillors R F Radford (Chairman)
D R Coren, Mrs C P Daw, R Evans,
F W Letch, Mrs E J Slade, J D Squire and
R Wright

Also Present

Councillor(s) Mrs J Roach

Also Present

Officer(s): Andrew Pritchard (Director of Operations), Stuart Noyce
(Waste and Transport Manager), Roderick Hewson
(Principal Accountant), Joe Scully (Operations Manager),
Catherine Yandle (Internal Audit Team Leader) and Sally
Gabriel (Member Services Manager)

20 **APOLOGIES AND SUBSTITUTE MEMBERS**

There were no apologies.

21 **PUBLIC QUESTION TIME**

There were no members of the public present.

22 **MINUTES OF THE PREVIOUS MEETING (00-01-45)**

The minutes of the previous meeting were approved as a true record and signed by the Chairman.

23 **CHAIRMAN'S ANNOUNCEMENTS (00-09-39)**

The Chairman informed the meeting that he wished to take item 10 as the next item of business, this was agreed.

24 **FINANCIAL MONITORING (00-09-45)**

The Group had before it and **NOTED** a * report of the Director of Finance, Assets and Resources presenting a financial update in respect of the income and expenditure so far in the year.

The Principal Accountant outlined the contents of the report stating that there was a projected deficit of £130k at year end.

He highlighted the significant service movements and identified the shortfall in leisure and car parking income; trade waste was also showing a reduction in income but that

this was offset by reduction in disposal expenditure, however the garden waste scheme income was up on profiled income.

During the discussion it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15, 15.02(d) (a presumption in favour of openness) of the Constitution. This decision was required because consideration of the matter in public may have disclosed information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

Having discussed a number of business issues with regard to the leisure service, the meeting moved back into open session.

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

25 **GRASS CUTTING (00-24-00)**

The Group had before it and **NOTED** a * report of the Director of Operations setting out Devon County Council's grass cutting arrangements for verges as delivered by Mid Devon District Council, the areas cut by this authority and subsidised by the Parish and Town Councils.

The officer outlined the contents of the report highlighting the grass cutting issues that had arisen in previous years, the reduction of Devon County Council funding, the need to subsidise the maintenance of Devon County Council owned land and the involvement of the Town and Parish Councils in the grass cutting arrangements. He highlighted the report put before the PDG in November 2015 which outlined options for Town and Parish Councils regarding future arrangements for grass cutting.

He outlined a pilot scheme taking place in Silverton which hoped to identify the level of resource required taking into consideration the equipment required and the terrain of the land to manage grassed areas. Some of the areas within Silverton were HRA owned land therefore the maintenance of those grassed areas should be charged for within the Council's accounting systems.

Cllr Mrs Roach raised the following questions:

Please could you give separate and approximate figures for grass cutting and the other grounds maintenance work?

The cost of living recharge, is that a way of saying that the charge to the HRA has not kept pace with the cost of living. If this is the case, how long ago was it reviewed?

When are funds transferred from the HRA to pay for the grass cutting? Have any payments been made this year?

She also stated that she had agreed for Silverton to be used as a pilot, land had been identified and whose responsibility to cut the grass had been confirmed.

Discussion took place regarding:

- The areas cut with Devon County Council funding
- The transfer of monies to the General Fund from the HRA and when the transfer took place
- The number of cuts per year for each area
- Maps highlighting each Town and Parish and who had responsibility for cutting the grass
- Whether land could be transferred to residents
- Whether HRA land could be sold to residents and any legal implications/restrictions.

The Director of Operations agreed that a thorough report would be brought using Silverton as the sample area to the next meeting of the Group in which Cllr Mrs Roach's questions would be answered, a review of the bill of quantities provided, a review of existing prices levied across the HRA for Silverton which would include income, a review of pricing, cost of living recharges and clarification on legal restrictions to do with the HRA (specifically the sale and transfer of HRA land), all of which would be fed into the budget process.

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

26 **MOTION 538 (CLLR MRS J ROACH - 1 JUNE 2017) (00-50-39)**

At the previous meeting of the Group Cllr Mrs J Roach had agreed that this Motion be deferred to the following meeting in order that enquiries could be made.

Motion 538 (Cllr Mrs J Roach – 1 June 2017)

Mid Devon District Council is concerned that the present level of grass cutting across the district is the subject of much criticism.

The Mid Devon District Council therefore resolves to urgently review;

1. Whether the budget is sufficient and if it isn't to put forward a request to Council for a supplementary budget to meet the cost of providing an effective service.
2. If it is impossible to provide extra funding the Council should consider asset transfers to Parish Councils and/or individuals.

Taxpayers are now facing the second year of a grass cutting regime which leaves the grass uncut for long periods.

Following discussion within the previous item, where further work was required to enable a thorough report to be submitted to the next meeting, Cllr Mrs Roach although unhappy with the delay stated that she wished her motion to be discussed thoroughly and therefore agreed to a further deferral to allow for further work to take place.

27 **PARKS AND OPEN SPACES 10-YEAR MANAGEMENT PLANS AND DESIGN PRINCIPLES (00-52-26)**

Following consideration of the 10 year management plan and design principles at the previous meeting and the recent views of the Community Policy Development Group, the Director of Operations provided the following update: Members were being asked to consider/develop policy which would feed into a 10 Year Management Plan and Design Principles for parks and open spaces across Mid Devon, the Community Policy Development Group had been requested to consider health and well-being issues which would be fed into the plan and the following views had been put forward for consideration:

- a) Play areas must be fenced when necessary for health and safety reasons, as the health, safety and wellbeing of children was of paramount importance:
- b) Play England criteria be used;
- c) When work was undertaken to remove fences or other items such as benches, the work must be undertaken safely and no hazards left:
- d) That communication and clear consultation must take place with all parties being updated.

A debate had also taken place at full Council regarding play area issues and those views would also be considered as part of the plan. Options would also be considered for the transfer of assets, the aspiration to retain native trees and the wild flowers in amenity spaces that had been so well received, all these views would form part of a report to the next meeting.

Discussion took place regarding:

- The contents of the 'Play England' document, which outlined design ideas, specifications and maintenance of play areas and open spaces which could be fed into the design guide.
- The issue of the use of design consultants for parks and open spaces in Mid Devon.
- The need to change the way planning applications were dealt with, with regard to the creation of open spaces in line with an approved design guide.
- The possible conflict with design principles and planning guidance.
- The need to protect play areas in Mid Devon.
- The affordability of maintaining play areas across the district.
- The requirement of a budget to deliver the vision

It was **AGREED** that a full report with recommendations be brought to the next meeting of the Group.

28 **WASTE AND RECYCLING REGULAR UPDATE (1-08-45)**

The Waste and Transport Manager provided the following 6 monthly update by way of presentation, he stated that the Devon wide figures were not available at the present time, however with regard to Mid Devon the overall recycling rate was 53.7%, an improvement on the previous year, the dry recycling rate was up from 17%

to 21%; the total waste figures showed a reduction of 796kg and waste for disposal data showed a decrease to 371kg. The authority was mid table with regard to waste arising, this was where further work was required. The cost per household for the disposal of waste had reduced by 17%.

He outlined the savings made and the changes to the services which looked to reduce costs, that of:

- The new transfer station which would see all the garden waste being taken to a site in East Devon, food waste being taken to an AD plant in Somerset and residual and trade waste being taken to the Waste to Energy Plant in Exeter,
- The 10 year share saving agreement with Devon County Council
- The new vehicles which would allow garden and food waste to be collected separately
- An audit of the contents of black bags which may highlight the need for further education
- The work of the recycling advisors had commenced
- An expansion of the trade waste scheme
- The trial of split litter bins in the main towns
- New collection calendars would be delivered shortly

The Chairman thanked the officer for his update.

29 **PERFORMANCE AND RISK (1-28-10)**

The Group had before it and **NOTED** a * report of the Director of Corporate Affairs and Business Transformation providing Members with an update on performance against the corporate plan and local service targets for 2017-18 as well as providing an update on the key business risks.

The Internal Audit Team Leader outlined the contents of the report highlighting the corporate aims and actions that had taken place against the targets in the Corporate Plan.

Members stated that they were pleased with the performances highlighted in the report.

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

30 **IDENTIFICATION OF ITEMS FOR FUTURE MEETINGS**

The following items are due to be discussed at future meetings of the Group:

- Parks and Open Spaces, 10 year Management Plans and Design Principles
- District Officer Discretionary Time Update
- Performance and Risk
- Financial Monitoring
- Grass cutting and the HRA

(The meeting ended at 3.40 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 12 September 2017 at 2.15 pm

Present

Councillors Mrs H Bainbridge, D R Coren, W J Daw, Mrs G Doe, R J Dolley, P J Heal, F W Letch and J D Squire

Apology

Councillor Mrs E M Andrews

Also Present

Councillor C J Eginton

Also Present

Officers Andrew Pritchard (Director of Operations), Mark Baglow (Building Services Manager), Claire Fry (Housing Services Manager), Simon Newcombe (Public Health and Professional Services Manager), Catherine Yandle (Internal Audit Team Leader), Roderick Hewson (Principal Accountant), Rosie Williams (Building Services Office Manager) and Sarah Lees (Member Services Officer)

25 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Councillor Mrs E M Andrews.

26 **PUBLIC QUESTION TIME**

There were no members of the public present.

27 **MINUTES**

The minutes of the meeting held on 18 July 2017 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

28 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

- He reminded the Group that an informal workshop would follow this meeting.
- There would be a Landlord Networking event on 8th November at Muddifords Court Country House to which all Group members were welcome.

29 **PERFORMANCE AND RISK REPORT FOR 2017-18 (00:03:40)**

The Group had before it, and **NOTED**, a report * from the Director of Operations providing it with an update on performance against the Corporate Plan and local service targets for 2017/18 as well as providing an update on the key business risks.

The report highlighted those housing areas with targets that were most closely linked to the aims of the Corporate Plan. It was noted that 23 empty homes had been brought back into use against an annual target of 25 which was excellent. A further update was provided informing the Group that the target of 25 had already been exceeded since the report had been written which was further good news. The number of 'Affordable Homes Delivered' was 26 for the first quarter of 2017/18, the first time that target had been exceeded for over 2 years. However 'Rent Arrears as a Proportion of Annual Rent Debit' was 1.30%, against a target of 1%. The impact of welfare reform was likely to make this situation worse.

Discussion took place regarding the risk associated with evictions and the possibility of those tenants being evicted becoming violent towards officers. It was explained that the Housing Department was doing all it could to ensure the well-being and safety of its officers. There was a framework of supervision in place. Officers were able to meet with their managers on a regular basis, there was also peer support and counselling was available if needed. As a department they were experiencing more challenging behaviour but the Housing Services Manager stated that she was satisfied that there were sufficient mitigating actions in place.

Note: * Report previously circulated; copy attached to the signed minutes.

30 **FINANCIAL MONITORING (00:09:15)**

The Group had before it, and **NOTED**, a report * from the Director of Finance, Assets & Resources presenting a financial update in respect of the income and expenditure so far in the year.

The key highlights within the report were as follows:

- Overall the situation regarding the Housing Revenue Account was very positive, however, there was a variance against budget of £5k in the area of General Fund Housing, this could easily improve by the end of the financial year.
- Currently there was a £40k shortfall on dwelling rent income but again it was stated that this could improve by the financial year end.
- £120k surplus had been generated by adaptations work.

Note: * Report previously circulated; copy attached to the signed minutes.

31 **TENANT COMPENSATION POLICY (00:12:44)**

The Group had before it a report * from the Director of Operations advising Members of the revised Tenant Compensation Policy.

The policy had been due for review and only minor changes were proposed which included the following:

- The proposed policy had been altered to reflect the information in the new Tenancy Agreement and the format of the MDDC website.
- It included further information to clarify the position on compensation claims for external areas including sheds, outhouses and garages.

- It also clarified the position on items damaged during planned demolition works.
- It was designed to be in line with the Rechargeable Repairs Policy, in order that there was fairness in terms of what the Council expected from its tenants and what tenants expected from the Council.

RECOMMENDED to the Cabinet that the revised Tenant Compensation Policy be approved.

(Proposed by the Chairman)

Note: * Report previously circulated; copy attached to the signed minutes.

32 **WESSEX SCHEME**

The Public Health and Professional Services Manager provided the Group with an update on the Wessex Scheme which included information that had been received only that morning.

The following background information was provided:

- Originally the scheme had been designed to assist people to stay in their own homes but who were unable to raise sufficient finance to carry out necessary improvements. The Council had invested a large sum of money in the Wessex Scheme and was part of a wider consortia of Devon authorities.
- In the past large numbers of people had been lost through the process and the scheme had been performing badly. It had been decided to run a pilot for 6 months to see if performance could be improved. This had included extending the range of works that could qualify for a loan rather than those just specified as a specific hazard. It also introduced a new, quicker application process.

The results of the pilot were summarised as follows:

- In the previous financial year just 2 loans had been issued to the value of £17k, however, in the year to date this figure was now approaching £80k (split between £56k drawn down and the remainder committed).
- In 2015 it had taken 29 weeks to complete a loan application as a result of necessary checks and survey's etc. Wessex had been losing 80% of their customers through this process. Since the pilot had streamlined the scheme new targets had been set with a target date for the completion of an application being reduced to 8 weeks. The decline rate had now reduced from 80% to 40%.
- The situation was much improved with the average time taken to process a loan falling to 10 weeks and 70% of applications being completed within the required 8 weeks. This represented a significant improvement.
- Of those that had declined the uptake of a loan in the last 6 months this had been largely due to them finding an alternative to a loan, such as family members providing financial assistance or support from their bank.
- There had been a recovery rate of 100% in terms of those people who had taken up a loan.
- 40% of referrals were coming from external organisations such as AGE UK.
- It was a difficult target audience without a common demographic.

- Discussions were currently underway with Wessex regarding a new marketing plan for the coming year and there was a new online application process.
- There was a lot of competition within the market from pay day loans which often provide fast access to loans, typically at significant higher interest rates however.
- A further review would take place later in the year.
- It was stated that credit should go to Wessex for identifying the problems and for improving performance through the pilot working closely with the Council's Private Sector Housing Team.

Discussion took place regarding:

- Very low bad debt rates.
- The maximum loan available was capped at £15k, however, if an application was received for just over this £, it would be considered as there was some discretion within the lending policy.
- The interest rate for a Wessex Loan was currently 4%.
- The results of the pilot were very encouraging.

33 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

In addition to the items already listed in the work programme for the next meeting, the following was requested to be on the agenda:

- Allocation of funds for community led housing
- Rechargeable Repairs
- Draft Housing Revenue Account and General Fund budget for 2018/19
- Post Grenfell considerations regarding the Council's housing stock

(The meeting ended at 2.52 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **ECONOMY POLICY DEVELOPMENT GROUP** held on 7 September 2017 at 5.30 pm

Present

Councillors

Mrs B M Hull (Chairman)
Mrs A R Berry, Mrs C Collis, J M Downes,
R Evans, S G Flaws, T G Hughes and
Mrs N Woollatt

Apologies

Councillor

F J Rosamond

Also Present

Councillor

R J Chesterton

Also Present

Officers

Stephen Walford (Chief Executive), Adrian Welsh (Group Manager Growth, Economy and Delivery), John Bodley-Scott (Economic Development Team Leader), Chris Shears (Economic Development Officer), Catherine Yandle (Internal Audit Team Leader), Roderick Hewson (Principal Accountant) and Sarah Lees (Member Services Officer)

29 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr F J Rosamond.

30 **PUBLIC QUESTION TIME**

There were no members of the public present.

31 **MINUTES**

Subject to the addition of Councillor Mrs S Griggs having attended the previous meeting the minutes of the meeting held on 13 July 2017 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

Councillors J M Downes and Mrs N Woollatt wished to pass on their apologies for having missed the previous meeting. This had been an oversight and was unintentional.

32 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reminded the Group that there would be an informal workshop on Thursday 5 October at 5.30pm to begin discussions on the Economic Strategy and any other relevant matters.

33 **PERFORMANCE AND RISK FOR 2017/18 (00:02:30)**

The Group had before it, and **NOTED**, a report from the Director of Growth and Chief Executive providing it with an update on performance against the Corporate Plan and local service targets for 2017/18 as well as providing an update on the key business risks.

Consideration was given to the following:

- The Chairman commented that it was disappointing to note the number of empty shops within the district but she had thought that Tiverton was looking particularly good at the moment, especially the flowers within the town.
- The number of empty shops in Crediton being less than in Tiverton and Cullompton. A possible reason for this was that Crediton had its own retail economy with a consolidation of shops and businesses around the centre of the town.

Note: * Report previously circulated; copy attached to the signed minutes.

34 **FINANCIAL MONITORING (00:07:08)**

The Group had before it, and **NOTED**, a report from the Director of Finance, Assets & Resources presenting a financial update in respect of the income and expenditure so far in the year.

The Principal Accountant outlined the key highlights within the report which were as follows:

- The forecasted General Fund deficit for the current year was £130k.
- The most significant service movements for the previous month were an income shortfall in Leisure Services and for the Building Control Partnership.
- Car parking income was down against budget for the first quarter due to pay and display machine replacements but it was still too early to predict a year end forecast.
- Market income was down as was footfall within Tiverton.
- Expectations regarding leisure income had been over ambitious. As part of the Medium Term Financial Planning process a more realistic view would need to be taken.

Consideration was given to:

- It was hoped that as part of the autumn statement the Government would make an announcement regarding the ability for local authorities to raise planning fees.
- Clarification was sought regarding the numbers of day and night car parking permits. The Principal Accountant stated that he would seek further information and report back to the Group.
- Discussions had commenced on leisure service provision going forwards.

Note: * Report previously circulated; copy attached to the signed minutes.

35 CAR PARKING UPDATE ON INCOME AND VENDS (00:24:31)

The Group had before it, and **NOTED**, a report presenting the car parking outturn position for 2016/17 and providing an update on the first 3 months of 2017/18. A working group had been established during 2015/16 which had considered such matters as usage levels, benchmarked charges against neighbouring councils, possible free periods, reviewed concessions and had considered the economic consequences. As a result a new charging strategy had been introduced in 2016/17 following an extensive consultation process.

The car parking outturn figures for 2016/17 reflected a successful position where income was increased by £73k and the number of vends, notwithstanding the omissions in May and June, were maintained broadly at 2015/16 levels. The position for 2017/18 was slightly below 2016/17 levels for income at the current stage.

Discussion took place with regard to the following:

- Whether or not it was possible to receive information on the number of night time vends? Complaints had been received from local residents who had a night time permit (which commenced at 6pm) but if they returned home from work before this time they had to pay for parking which might only last half an hour. The Principal Accountant stated that he would take this example back to the Car Parking Manager and report back to the Group.
- The link between the number of shops and car parking vends falling within Cullompton.
- It was within the remit of this Group, through the autumn budget setting process to recommend a way to balance the books in this area. The Chief Executive cautioned that it was not possible to both spend more money and reduce income given the current financial position.
- The following comments were made with regard to the new pay and display car parking machines:
 - More people might park if they felt they were getting better value for money;
 - Why were there three different types of pay and display machines in three different but neighbouring authorities, why hadn't there been any joined up thinking?
 - The sign displaying the RingGo telephone number had been greatly reduced in size and was no longer obvious to the customer.
 - The new machines were complicated with small hard to read instructions on what to do.

It was requested that the Group received a breakdown on how much had been saved by the Council by operating the new pay and display registration number machines. What was or would be the cost/benefit to the Council? This request would be taken back to the relevant officer and a response provided to the Group.

Note: * Report previously circulated; copy attached to the signed minutes.

36 **DESTINATION MANAGEMENT PLAN CONSULTATION (00:42:03)**

The Group had before it, and **NOTED**, a report from the Director for Growth and Chief Executive informing it of the results from the consultation on the Destination Management Plan.

It was explained that the Destination Management Plan was sent out for consultation to tourism businesses and other stakeholders. 13 responses had been received as well as requests for two face-to-face interviews.

Discussion took place regarding:

- Initially the number of organisations requested to take part in the consultation had been between 300 and 400.
- There was a partnership approach regarding improving tourism within the district. It needed to be business led with the Mid Devon Attractions Group working hard to make improvements. The Council wanted to facilitate the process where it could.
- Plans to improve website information were welcomed.
- The difference between grass cutting undertaken in Cornwall compared to Devon. It was felt Devon County Council needed to take more responsibility in terms of the effect the lack of grass cutting was having on the impressions taken away by tourists.

Note: * Report previously circulated; copy attached to the signed minutes.

37 **BROADBAND - PRESENTATION ON RECENT BID SUBMISSION (00:47:50)**

The Economic Development Officer provided the Group with a presentation in relation to a recent bid submission regarding rural Broadband provision.

An exciting opportunity existed to apply for funding to enter into a programme to provide a fibre network within Mid Devon. An expression of interest had been made to the relevant funding body as well as details of a discrete project which it was very much hoped if successful could be expanded. The current situation was that whilst some parts of the district received a reasonable service, within other areas, the service provided by commercially, or via the 'Connecting Devon and Somerset' programme provided limited coverage. However, demand was high from residents and businesses and the poor coverage was providing a barrier to growth.

Details regarding the proposed project were as follows:

A loop would be created linking the villages between the Link Road and the A377 as well as the Link Road between Crediton and Tiverton along the A3072. Creating a ring was a very resilient way for building a network to enable wider coverage. The principal villages on the loop between the A361 and A377 would be:

- Withleigh (210m above sea level)
- Templeton (260m)
- Cruwys Morchard (218m)
- Pennymoor (239m)
- Puddington (206m)

- Black Dog (197m)
- Morchard Bishop (173m)
- Lapford (150m)

Who would benefit?

- As well as local residents, approximately 670 tourism businesses and 550 agricultural businesses.
- House prices had the potential to increase by 5%.

Why pick this route?

- The area was currently outside the remit of Connecting Devon and Somerset (the CDS programme).
- The height of each location was relevant.

The process

- Expressions of interest would be considered by late autumn with a full bid needing to be submitted by the beginning of 2018. The team were preparing as though the expression of interest would be successful and were busy considering the options that could be explored.

What happens now?

- Need community buy-in
- Establish route and submission sites
- Identify and contact landowners
- Create a business plan and evidence base

Other key activities

- Explore commercial opportunities
- Working with partner organisations
- Costing the fibre roll-out
- Look at alternative solutions if unsuccessful

Councillor support

- Local knowledge and contacts would be vital.
- Councillors could help in identifying existing infrastructure and could lobby for information from Connecting Devon and Somerset for direct project support.

The Group were asked to comment on the following discussion points:

- Where this project was best placed to sit within the committee structure of the Council. Both the Economy and the Community Policy Development Groups had a keen interest in this area.
- How should the Council engage with the community?
- Was this the right approach or should the private sector lead on this?

Discussion followed with regard to:

- A network ring of 12km which would enable additional beacons to be added would not be nearly as expensive as installing an optical fibre network. This would allow for greater coverage over the district but at this stage the team had been required to identify a smaller project that could be expanded upon.
- Parish Councils would be an obvious useful vehicle for local intelligence.
- There would be time to consider a whole range of options once the bid was successful.
- The business plan to address such matters as financial forecasting, likely on-costs, was the crucial next stage.
- There was a unanimous agreement that this was a project that the Council should pursue and quickly. The project area could be expanded in time but needed to start somewhere. It was very timely given that this had been a very significant problem for the district for a considerable amount of time.
- Further work was needed by the Cabinet Member and officers before deciding which committee to align this project to.

Note: A proposal to establish a working group was not supported at this stage.

38 ECONOMIC BRIEFING ON DIGITAL ECONOMY & TECHNOLOGY (01:21:25)

The Economic Development Officer provided the following information with regard to the digital economy and technology sectors:

There were approximately 225 technological and digital businesses within the district, many of which had suffered or had to relocate as a result of poor connectivity. In the wider Tiverton area there were 64 businesses, around the wider Cullompton area there were 58 and around Crediton 86. This left approximately 17 other technological and digital businesses within the district and it was anticipated that all businesses would benefit from the rural Broadband project.

Discussion took place regarding:

- The business plan would need to address capacity issues.
- The help of local Ward Members would be much appreciated especially the identification of landowners.
- Consultation with the public was also of vital importance.
- Timescales were very tight.

39 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:36:25)

In addition to the items already listed in the work programme the following was requested to be on the agenda for the next meeting:

- An update regarding the current Economic Development projects, especially in relation to the Mills project.

(The meeting ended at 7.10 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COMMUNITY POLICY DEVELOPMENT GROUP**
held on 26 September 2017 at 2.15 pm

Present

Councillors

B A Moore (Chairman)
Mrs E M Andrews, Mrs A R Berry, Mrs H Bainbridge,
Mrs C P Daw, Mrs G Doe, R J Dolley, F W Letch and
Mrs E J Slade

Also Present

Councillor(s)

Mrs M E Squires

Also Present

Officer(s):

Stephen Walford (Chief Executive), Jill May (Director of Corporate Affairs and Business Transformation), Andrew Pritchard (Director of Operations), Chris Shears (Economic Development Officer), Kevin Swift (Public Health Officer) and Julia Stuckey (Member Services Officer)

23 **APOLOGIES AND SUBSTITUTE MEMBERS**

No apologies were given.

24 **PUBLIC QUESTION TIME**

There were no questions from members of the public present.

25 **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the last meeting were approved as a correct record and **SIGNED** by the Chairman.

26 **CHAIRMANS ANNOUNCEMENTS**

The Chairman welcomed new Member Cllr A Bush to the meeting.

27 **AIR QUALITY**

The Committee had before it a report * from the Public Health and Professional Services Manager providing the final version of the statutory Air Quality Action Plan 2017-21 for consideration.

The Public Health Officer outlined the contents of the report.

Discussion took place regarding:

- Road infrastructure and the need for improvements:

- The difficulties encountered in a rural area for those that did not have a car and the need for local facilities;
- Local roads weren't always safe for cycling;
- Tiverton Parkway Station being away from the main towns, problems accessing it and possible solutions to this;
- Eco Stars and whether or not school buses and local coach companies complied with this;
- The need for Devon County Council to consider air quality when coordinating school transport;
- The introduction of electrically powered vehicles;
- Devon County Council had been consulted and had commented that there was nothing within the Action Plan that could not be delivered;
- Bus passes for senior citizens and whether they would continue;
- Potential cycle routes from Crediton and Tiverton to Exeter and whether they could be pursued;
- School Travel Plans;
- Greater consideration of enforcement measures.

It was **RESOLVED** that the Air Quality Action Plan be revised to include areas discussed above and be reviewed at the next meeting of the Group.

(Proposed by the Chairman)

Note: - Report * previously circulated and attached to the Minutes.

28 **BROADBAND - PRESENTATION ON RECENT BID SUBMISSION**

The Economic Development Officer provided the Group with a presentation in relation to a recent bid submission regarding rural Broadband provision.

The officer explained that an exciting opportunity existed to apply for funding to enter into a programme to provide a fibre network within Mid Devon. An expression of interest had been made to the relevant funding body as well as details of a discrete project which it was very much hoped if successful could be expanded. The current situation was that whilst some parts of the district received a reasonable service, within other areas, the service provided by commercially, or via the 'Connecting Devon and Somerset' programme provided limited coverage. However, demand was high from residents and businesses and the poor coverage was providing a barrier to growth.

Details regarding the proposed project were as follows:

A loop would be created linking the villages between the Link Road and the A377 as well as the Link Road between Crediton and Tiverton along the A3072. Creating a ring was a very resilient way for building a network to enable wider coverage. The principal villages on the loop between the A361 and A377 would be:

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- Pennymoor (239m)
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Who would benefit?

- As well as local residents, approximately 670 tourism businesses and 550 agricultural businesses.
- House prices had the potential to increase by 5%.

Why pick this route?

- The area was currently outside the remit of Connecting Devon and Somerset (the CDS programme).
- The height of each location was relevant.

The process

- Expressions of interest would be considered by late autumn with a full bid needing to be submitted by the beginning of 2018. The team were preparing as though the expression of interest would be successful and were busy considering the options that could be explored.

What happens now?

- Need community buy-in
- Establish route and submission sites
- Identify and contact landowners
- Create a business plan and evidence base

Other key activities

- Explore commercial opportunities
- Working with partner organisations
- Costing the fibre roll-out
- Look at alternative solutions if unsuccessful

Councillor support

- Local knowledge and contacts would be vital.

- Councillors could help in identifying existing infrastructure and could lobby for information from Connecting Devon and Somerset for direct project support.

The Group were asked to comment on the following discussion points:

- Where this project was best placed to sit within the committee structure of the Council. Both the Economy and the Community Policy Development Groups had a keen interest in this area.
- How should the Council engage with the community?
- Was this the right approach or should the private sector lead on this?

Discussion took place regarding:

- Whether or not there was financial capacity to take the scheme forward and funds that were available;
- Other local authorities and the fact that neighbouring authorities were supportive;
- The fact that transmission points could be added to extend the area of the scheme in the longer term.

It was **RESOLVED** that joint working with the Economy PDG be proposed as the matter was of such importance to both Groups.

(Proposed by the Chairman)

29 **CUSTOMER SERVICES AND THE IMPACT OF CLOSING SURGERIES AT CULLOMPTON AND CREDITON**

The Scrutiny Committee at its meeting in July had recommended that Council be asked to look at the idea of diminishing the level of face to face services at Phoenix House to allow for one session a month to be provided at Crediton and Cullompton. At Council on 30 August following discussion and upon a vote being taken, the recommendation was declared to have been carried. The Community PDG were asked to take this forward.

The Group had before it a briefing paper * which provided background to the cessation of the service.

As part of a decision to rationalise council services and meet a balanced budget, the council withdrew its staff and services from the offices in Crediton on 1 April 2016.

A proposed amendment to the budget to retain services at the Crediton Office was put forward at the meeting of full council on 24th February 2016. This proposal was supported by 4 councillors (plus one abstention), with the rest of the council voting against. As such officers implemented the decision as agreed by council.

When this full time service ended the staff employed in Crediton had been made redundant and the budget removed from the Customer First (CF) budget.

Since then, officers had provided a fortnightly 'surgery' in Crediton and Cullompton on alternate Mondays. This was agreed as a transitional arrangement, not least since the council was incurring fixed IT costs in Crediton until August 2017 so it had made sense operationally to utilise the facilities that existed while they were available.

The surgeries had ceased entirely from August 2017 and were no longer provided. The budget had been cut, and the IT facilities no longer existed to access the council's systems from these locations.

Cllr F W Letch, speaking in support of maintaining a presence in Crediton informed the Group that figures identifying numbers using the services in Crediton and Tiverton could not be compared due to the sporadic attendance in Crediton, which meant that the public were unsure of opening times. He queried the differences with the two towns and why Tiverton residents received a different service to Crediton residents. He also outlined difficulties in using public transport to travel from Crediton to Tiverton. Cllr Letch commented that he had witnessed times in Tiverton when there were no members of the public waiting to speak to an officer and proposed that consideration be given to reduce the level of staffing in Tiverton to fund some cover for Crediton.

Cllr Mrs E M Andrews, speaking in support of maintaining services in Cullompton commented that when she had asked residents in Cullompton whether or not they had used the surgery they had replied that they did not know about the service. She asked that residents of Cullompton be treated equally to residents of Tiverton.

Discussion took place regarding:

- Residents in rural areas and smaller towns that did not receive a local service but contacted the Council by other means such as telephone or digitally;
- The 'digital age' and the fact that many organisations now expected the public to contact them by these means;
- Tiverton being the main town in the District and being the main base for the Authority;
- The importance of a reliable broadband provision;
- The fact that the decision to remove the service had been agreed a considerable time ago and the difficulties that would be faced to reinstate.

It was **RESOLVED** that the existing decision to withdraw services be ratified.

(Proposed by the Chairman and seconded by Cllr Mrs G Doe)

- Note:
- i) Briefing paper * previously circulated and attached to Minutes.
 - ii) Cllrs Mrs E M Andrews and F W Letch asked that their vote against the proposal be noted.

30 PERFORMANCE AND RISK

The Group had before it and **NOTED** a report * from the Director of Corporate Affairs & Business Transformation, providing Members with an update on performance against the corporate plan and local service targets for 2017-18 as well as providing an update on the key business risks.

The Chairman had raised a question in advance of the meeting regarding Leisure Centre Memberships. The officer had provided a response which clarified the situation, explaining that actions had been put in place to address the matter. It was **AGREED** that this would be discussed in detail at the next meeting. Members requested Zest Memberships be broken down per centre.

Note: Report * previously circulated and attached to Minutes.

31 **FINANCIAL MONITORING**

The Group had before it and **NOTED** a report * from the Director of Finance, Assets & Resources presenting a financial update in respect of the income and expenditure so far in the year.

The Chairman had raised a question in advance of the meeting regarding an overspend in the capital programme monitoring report against the development at Exe Valley. The Officer had confirmed the position, explaining that £60k related to a project contingency budget and circa £40k had been spent on additional works, outside of the scope of the project.

Members requested that problems in reading the spreadsheet within the report be noted, due to its size and the amount of information it contained.

Note: - Report * previously circulated and attached to Minutes.

32 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Six monthly update Leisure
Six monthly update Public Health
Community Cohesion
Town and Parish Charter
Devon County Council Public Health
Community Safety Partnership Plan
Corporate Anti-Social Behaviour Policy
Cabinet Member report – Community Well Being
Gypsy and Traveller Illegal Encampments
Draft budget
Air Quality

(The meeting ended at 3.51 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 6 September 2017 at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
Mrs H Bainbridge, Mrs C Collis, R J Dolley,
P J Heal, D J Knowles, F W Letch,
B A Moore, J D Squire and C J Eginton

Apologies

Councillor(s)

R F Radford and R L Stanley

Also Present

Councillor(s)

Mrs A R Berry, R Evans and Mrs J Roach

Present

Officers:

Jenny Clifford (Head of Planning, Economy and Regeneration), Simon Trafford (Area Team Leader), Joanna Williams (Enforcement Officer) and Sally Gabriel (Member Services Manager)

47 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr R F Radford who was substituted by Cllr C J Eginton.

Cllr R L Stanley sent his apologies for the meeting.

48 PUBLIC QUESTION TIME

Mr Barry Warren, Chairman of Willand Parish Council, asked a series of questions in relation to item 7 on the agenda – outline for the erection of 30 dwellings on the Uffculme Straight.

More than two years ago when it was apparent that the submission of the Local plan Review 2013 – 2033 was to be delayed Willand Parish Council questioned the potential effects of such a delay and particular emphasis was placed on the 5 year land supply. Councillor Chesterton assured us that officers were confident that there was a sufficient land supply and in any case there were some contingency sites available to increase the supply if needed. How did that information get to be so wrong?

An Inspector found that there was not a deliverable 5 year land supply in Mid Devon when considering an appeal for one site next to the current applied for site. Could the Inspector have taken a different view if the original application were for the full 90 houses – it is the same field and he did condition the development to a maximum of 60 houses? We now have a number of applications in the immediate area where

developers are relying on this finding and officers appear to be recommending to committee that they should approve the application in most cases because a five year land supply cannot be delivered. Could this deficit be caused by developers not building sufficiently quickly on the sites they have already – thus causing a shortfall? Could it be that houses are being built slowly to maintain demand and keep prices inflated?

The Copplestone appeal finding showed that applications can be defended on appeal and each set of circumstances are different.

Under current policy COR18 this site is in the open countryside. Under the emerging plan policy S14 it is still open countryside and subject to limitations on development. The emerging plan has been registered; an Inspector has been appointed and has set dates for preliminary hearings. NPFF allows a loophole in paragraph 14 if it is found that a development plan is absent, silent or relevant policies are out of date. MDDC have a continuation of policy between the two plans. It does offer some protection if adverse impacts of doing so would significantly and demonstrably outweigh the benefits. What are the benefits of approving this application – more houses, new homes bonus – some affordable homes – profit for the landowner and developer?

Is it not reasonable to look at the adverse cumulative impact on the wider area rather than restrict them to the site alone? Is this not a matter for our elected Members to decide using their local knowledge and common sense?

Mr David Morgans speaking in relation to item 10 on the agenda, Stubnail Post, Oakford, stated that he lived in the parish of Knowstone and was a near neighbour to the application site. When this was first considered he was a Parish Councillor for Knowstone Parish and although he was no longer a Councillor he had retained an interest in this application. As Mid Devon District Council had failed in their obligations to provide any of the required number of gypsy/travellers pitches in their area for the last ten years, is it now the policy of the Council to allow permanent pitches just anywhere?

Mr Jeremy Filmer-Bennett, also speaking in relation to Stubnail Post, Oakford, stated that he was a current Councillor for Knowstone Parish and had been asked by the Parish to consider objecting to this application. He asked whether the councillors had had the opportunity to visit the site and have a good look at it because the current occupation had already exceeded the existing agreement by the people who are there and any future agreement, were it to be confirmed, would continue to have this effect?

Mr Roger Cashmore spoke in relation to item 2 on the Plans List, land south of Broadlands, Thorverton. He stated that he was resident of Thorverton village and while I find the planning officers extremely patient, professional and courteous, I however feel that the current planning processes here in Mid Devon fall short of best practice.

1. You are all aware of a planning appeal in Uffculme and this authorities inability to demonstrate a viable 5 year land supply of deliverable housing and that it's local plan is also yet to be approved. *Does this committee not agree with me that it is unfair that issues regarding the authority's inability to manage it's own Forward*

Planning Process override the legitimate concerns of our community? The valid issues of over 20 local objectors appear to have been overruled by the NPPF and we are now forced to make up the shortfall in the Authorities' strategic numbers for the inspector. This situation is well understood the applicant, who as a consequence has submitted a pretty cynical application.

2. Section 5 of your Planning Application form concerns Pre application advice. While I respect commercial confidentiality, if an applicant has benefited from pre - application discussions with the authority, *Does this committee not agree with me that the public should also be able to benefit from this advice, at some point in the planning process?*
3. The application I am currently interested in has an incredible number of inaccuracies. *Does this committee not agree with me that the planning process could benefit considerably from a code of conduct allowing applicants to be penalised for unnecessary, errors and omissions?* As well actively promoting planning best practice, it discourages time wasting and may even become a new source of income for our cash strapped authority!
4. To the layman, continuous, often contradictory references to National, Regional and Local Planning Policies is incredibly confusing!. *Does this committee not agree with me that the authority's planning process could benefit immensely by the simple expedient of publishing % age weightings alongside each applicable policy used to support a particular decision.?* This is no different than current Local Government tendering processes where the provision of decision criteria weightings has been standard practice for many years.

Where does the lay person go for planning advice in Mid Devon? I understand that there has been an active recruiting campaign, but there were no enforcement officers at all for over 6 months of this year, and, more importantly the availability of a morning duty planning officer has also been cut back to only Tuesday and Thursday mornings. *Does this committee agree with me that not having the correct number of qualified officers is a false economy that risks increasing workloads for the planning officers?*

Mr John Spivey, also speaking in relation to item 2 on the Plans List, land south of Broadlands, Thorverton, stated that although he was a councillor on Thorverton Parish Council he was present at the meeting as a member of the public who lived in the village. He was here specifically to point out a few things regarding the development at the top end of the village which allows new traffic to service the houses and passes through very narrow streets in the village, one of which was a blind corner and very narrow indeed. The applicant for this development owns virtually all the land round the village. If the National Planning Policy Framework is overriding local considerations then why don't they reapply for a sensible larger site on the eastern end of the village where there is very easy access to the A396 to Tiverton and Exeter without negotiating the narrow streets of the village? This site is adjacent to the Court Barton Close site which is still under construction and producing 20 new houses for the village, 50% of them at affordable rates which was of great benefit to the village. The application for the new Broadlands site makes no mention of affordable housing whatsoever.

Ruth Hickman, speaking in relation to item 10 on the agenda, Stubnail Post, Oakford, stated that she lived in the neighbouring property to this development at Highfield Gate. She knew this site well and would like the committee to consider two

questions. Firstly, I am concerned that should this application be allowed, further expansion of this site will occur. The Planning Inspectorate appeal stated as a condition of temporary occupancy that the traveller's site should remain within the boundary of the hardstanding already in place. In fact the site is already expanded without permission to both the south and east of the hard standing. The expansion to the south is into grassland and is used as an amenity area. The total increase in the area of the site is approximately half an acre producing greatly increased capacity for the siting of additional caravans on this site. My first question to you is that as the site plan does not show the expanded areas, can we assume that these areas will be restored to their previous state in order to comply with the Planning Officers imposed conditions?

My second question also concerns conditions imposed by the Planning Inspector at appeal. The conditions limited the number of caravans on the site to two. There have regularly been 4 caravans on site, additional visiting caravans can be added to that number and many of the caravans are occupied from time to time. A further requirement was the formation of a reed bed soakaway system for sanitation. It would now appear from the site plans that a septic tank has been installed apparently without permission. The whole ethos of this site was supposed to be green living. We have raised our concerns with the Planning Department so my question to you is why have these key concerns not been given to you to consider so that you can reach a more informed decision? Further, in view of the applicants complete disregard for the conditions imposed by the Planning Inspector, what measures could be taken to ensure that any further conditions imposed will be complied with?

Mr Tim Hugill spoke in relation to item 3 on the Plans List, the erection of 30 dwellings in Uffculme. He stated that he was a member of Halberton Parish Council. Whilst this application was ongoing there was already an application (17/300), refused by yourselves, that was currently at appeal. The site for this development near Uffculme lies within Halberton parish and is right adjacent to Uffculme village. At recent Parish Council Planning meetings in Halberton during July and August, given the possibility that the development of the 30 dwellings might still go ahead, our councillors have discussed options for the development of amenities both onsite and linking from the site into the village of Uffculme. Planning Officer Fish initiated some correspondence on 21 August on the S106 topic about amenities being funded for that development and her correspondence started by assuming that although the possible development lies within Halberton parish, that Halberton need not be involved in those S106 agreement discussions. Halberton Parish Council was not copied into that correspondence at the time. In Halberton we take exception to this and would like to know why Halberton Parish Council has not been consulted yet on this S106 matter and when will we be consulted so that we can discuss options for this potential development?

The Chairman indicated that the questions raised would be answered when the particular items were reached on the agenda.

49 MINUTES OF THE PREVIOUS MEETING (00-18-45)

The minutes of the meeting held on 9 August 2017 were approved as a correct record and signed by the Chairman.

50 CHAIRMAN'S ANNOUNCEMENTS (00-19-35)

The Chairman had the following announcements to make:

- She welcomed the return of the Head of Planning, Economy and Regeneration following her back surgery.
- She introduced new members of staff, Adrian Deveraux, Principal Planning Officer and Luke Thorpe, Planning Student to the meeting.

51 ENFORCEMENT LIST (00-20-53)

Consideration was given to the cases in the Enforcement List *.

Note: *List previously circulated; copy attached to signed Minutes.

Arising thereon:

- a) No. 1 in the Enforcement List (***Enforcement Case ENF/17/00180/COU – Change of use of part of a building to a single dwellinghouse in breach of condition 7 to planning permission 07/00257/FULL – Annexe, Pitt Barn, Washfield***).

The Enforcement Officer outlined the contents of the report explaining that planning permission had been approved for 3 live/work units on the site, since 2013 these units had been used as 6 independent dwellings, the agent had been requested to regularise the issue but no application had been submitted and therefore the breach of planning control still existed. Owing to the amount of time since the breach was confirmed in 2013 without any formal action being taken to secure the cessation of the unlawful use of the work units as dwellings, one of the dwellings had now been occupied as an independent dwelling for more than 4 years and was therefore immune from any formal enforcement action, however the other dwellings were not and therefore agreement for formal enforcement was being sought.

Consideration was given to those dwellings still in breach of the planning application and the compliance period.

RESOLVED that the Legal Services Manager be given delegated authority to take all such steps and action necessary to secure the cessation of the unauthorised change of use, including the issue of an enforcement notice and prosecution and/or Direct Action in the event of non-compliance with the notice.

(Proposed Cllr Mrs H Bainbridge and seconded by Cllr B A Moore)

- b) No. 2 in the Enforcement List (***Enforcement Case ENF/17/00181/COU – Change of use of part of a building to a single dwellinghouse in breach of condition 7 to planning permission 07/00257/FULL – Annexe, Pitt Barn, Washfield***).

The Enforcement Officer outlined the contents of the report explaining that planning permission had been approved for 3 live/work units on the site, since 2013 these units had been used as 6 independent dwellings, the agent had been requested to regularise the issue but no application had been submitted and therefore the breach

of planning control still existed. Owing to the amount of time since the breach was confirmed in 2013 without any formal action being taken to secure the cessation of the unlawful use of the work units as dwellings, one of the dwellings had now been occupied as an independent dwelling for more than 4 years and was therefore immune from any formal enforcement action, however the other dwellings were not and therefore agreement for formal enforcement was being sought.

Consideration was given to those dwellings still in breach of the planning application and the compliance period.

RESOLVED that the Legal Services Manager be given delegated authority to take all such steps and action necessary to secure the cessation of the unauthorised change of use, including the issue of an enforcement notice and prosecution and/or Direct Action in the event of non-compliance with the notice.

(Proposed by the Chairman)

52 DEFERRALS FROM THE PLANS LIST

There were no deferrals from the Plans List.

53 THE PLANS LIST (00-33-48)

The Committee considered the applications in the plans list *.

Note: *List previously circulated; copy attached to the signed Minutes.

(a) Applications dealt with without debate.

In accordance with its agreed procedure the Committee identified those applications contained in the Plans List which could be dealt with without debate.

RESOLVED that the following applications be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

(i) No 5 on the Plans List (***17/01251/FULL – Installation of new shop front – 10 Market Walk, Bampton Street, Tiverton***) be approved subject to the receipt of no representations raising new issues by 12 September 2017, the Head of Planning, Economy and Regeneration be given delegated authority to grant permission subject to conditions

(Proposed by the Chairman)

(b) No 1 on the Plans List (***17/00001/MOUT – Outline application for the erection of 7 dwellings, improvements to access and change of use of agricultural land to community facility - land and buildings at NGR 294119 106891 (Adjacent to Highfield) Bickleigh***)

The Head of Planning, Economy and Regeneration outlined the contents of the report highlighting by way of presentation the issues being addressed within the outline application, that of improvements to the access and the change of use of agricultural land to a community facility. Members viewed a site location plan which

identified the area of the conservation area and the listed buildings close to the proximity of the site, the distance from the school, an indicative layout of the proposed dwellings, plans for scale purposes and photographs from various aspects of the site.

Having identified the area for the play area she explained that she had spoken with the school and the County Council Education Department to see if there was an appetite for the school to make use of the open space as a sports field by agreement. She reported views received that the area would be surplus to requirements and that the area would be of no benefit to the school.

Consideration was given to:

- The grade of the agricultural land
- The setting in the midst of the Conservation Area and the impact on the listed buildings including Bickleigh Castle
- Possible screening of the site
- The impact on the hedgerow and the narrowness of the access road
- Safety issues with regard to pedestrians walking to the school

RESOLVED that planning permission be refused as recommended by the Head of Planning, Economy and Regeneration for the following reasons:

1. The Local Planning Authority has a statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the Act indicates that the Local Planning Authority is to have special regard to the desirability of preserving a listed building or its setting. In addition, local and national policy attaches great weight to the conservation of heritage assets and there is a strong presumption against granting permission for development which does not preserve or enhance a Conservation Area. The sense of enclosure created by the existing hedgerow and the narrowness of the lane forms part of the character and appearance of the Conservation Area. Consequently, the creation of a vehicular access and its associated visibility splay would detract from the character and appearance of the Conservation Area and result in less than substantial harm to the designated heritage assets. The benefits of the proposal do not outweigh the proposal's adverse lasting impacts on that character and appearance and the appreciation of the setting of a group of listed buildings to the east of the site. This would be contrary to the statutory duty and policies COR2 of the Mid Devon Core Strategy (LP1), DM2 and DM27 of the Local Plan Part 3 Development Management Policies and the National Planning Policy Framework.
2. The proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footways with consequent additional danger to all users of the road contrary to paragraph 32 of the National Planning Policy Framework and policies COR1 and COR9 of the Mid Devon Core Strategy (Local Plan Part 1).

(Proposed by Cllr B A Moore and seconded by Cllr F W Letch).

Update - immediately following the committee meeting, the agent withdrew the application.

Notes:

- (i) Cllrs R J Dolley and C J Eginton declared personal interests as the applicant was known to them;
- (ii) Cllrs Mrs H Bainbridge, Mrs C A Collis, Mrs F J Colthorpe, R J Dolley, C J Eginton, P J Heal, D J Knowles, F W Letch, B A Moore and J D Squire made declarations in accordance with the Protocol of Good Practice for Councillors in dealing with planning matters as they had all received correspondence regarding the application;
- (iii) Mr Hay spoke as an objector;
- (iv) Mr McNeil spoke on behalf of the applicant
- (v) Cllr Harrison (Bickleigh Parish Council) spoke in objection to the application;
- (vi) The following late information was reported: Updated comments received from Local Lead Flood Authority – 4th September 2017

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission:

- No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in Drawing No. 70029096-DR101-A (Rev. A, dated 20/03/2017)

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance

No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

Observations:

Further to our comments within our consultation response dated 17/01/2017, the applicant's consultant engineers have submitted additional information in their email dated 02/05/2017; which addresses our concerns. Drawing No. 70029096-DR101-A (Rev. A, dated 20/03/2017) and associated calculations detail an appropriate surface water strategy and therefore we remove our objections subject to the above conditions.

Update to recommended reasons for refusal:

Reason 3 to be deleted due to the withdrawn objection from the Local Lead Flood Authority. Their recommended conditions can be applied in the event planning permission is granted.

Reason 4 to be deleted: The agent has indicated that her client is willing to sign a S106 agreement to secure public open space, affordable housing (off site contribution) and requested financial contribution towards secondary school transport. In the event that planning permission is to be granted it can be made subject to a S106 to cover these aspects.

Other matters:

Playing field: The agent has advised on the proposed terms upon which the facility would be made available to the school and maintained. The scheme provides for delivery of the prepared facility to the school on an initial 10-year lease term on a peppercorn rent and maintained under a bond by the applicant. The lease would be renewable for the same term, the school taking the obligation to maintain at a cost estimated by the school at between £800-900 pa. Upon the expiration of that second term the school would have the option to acquire for £100. The applicant has indicated a willingness to commit to a Unilateral Undertaking on this matter.

Impact upon Conservation Area:

Consultants acting for the applicant do not consider the access works erode the enclosed character and refer to the ability to set back the existing hedge. The Council's Conservation Officer sustains her recommendation of refusal.

Observations:

Further to our comments within our consultation response dated 17/01/2017, the applicant's consultant engineers have submitted additional information in their email dated 02/05/2017; which addresses our concerns. Drawing No. 70029096-DR101-A (Rev. A, dated 20/03/2017) and associated calculations detail an appropriate surface water strategy and therefore we remove our objections subject to the above conditions.

(c) No 2 on the Plans List ***(17/00878/MOUT – Outline application for the erection of up to 16 dwellings with associated access, landscaping and other ancillary development – land at NGR 292294 101802 (South of Broadlands) Thorverton).***

The Head of Planning, Economy and Regeneration outlined the contents of the report highlighting by way of presentation the site location plan, the details of the access to the site and footway plan, the indicative layout of the proposed dwellings and photographs from various aspects of the site. She informed the meeting of the proposed allocation within the Local Plan Review for 12 dwellings and the issue of the 5 year land supply and highlighted the amount of affordable housing on the site.

In answer to questions posed in public question time, she provided the following answers: with regard to traffic generation from the site, she stated that there had been no objection from the Highway Authority and that a suite of conditions was in place to address those issues; with regard to there being a more appropriate site in another part of the village, there was a need for the Members to determine the application they had before them. Issues with regard to affordable housing had already been dealt with. She explained that the site was proposed to be allocated within the emerging Local Plan Review for 12 dwellings, the proposed allocation had not been tested and therefore held little weight, but it had been proposed within the plan that the site was appropriate for development.

Consideration was given to:

- The principle of development on the site
- The ratio of cars per dwelling
- The detail of the proposal within the outline application
- The footpath from the site to the village
- The amendment to the settlement limit proposed within the emerging Local Plan Review

RESOLVED that planning permission be granted subject:

i) to the signing of a S106 agreement to secure the following:

- £7994.00 public open space contribution
- £9975.00 towards transport to secondary school
- 30% affordable homes

(ii) Conditions as recommended by the Head of Planning, Economy and Regeneration with amendments to: Condition 4 - cross refer to condition 1 not CO1. Condition 11 - remove 'in consultation with Devon County Council as the Lead Local Flood Authority'. Condition 15 - remove 'in consultation with Devon County Council as the Lead Local Flood Authority'. Condition 16 - remove 'in consultation with Devon County Council as the Lead Local Flood Authority'. Add

at end of condition 'Adoption and maintenance arrangements shall be in accordance with the approved details'

Condition 17 - remove 'in consultation with Devon County Council as the Lead Local Flood Authority'. Add at end of condition 'The surface water drainage management system shall be in accordance with the approved details'

(Proposed by Cllr P J Heal and seconded by Cllr Mrs H Bainbridge)

Notes:

- (i) Mr Cashmore spoke in objection to the application;
- (ii) Mr Jonathan Hoban (Agent) spoke;
- (iii) Cllrs R J Dolley and F W Letch requested that their vote against the decision be recorded;
- (iv) The following late information was reported: Revised recommendation: Subject to the signing of a S106 agreement to secure the following : £7994 public open space contribution; £9975 towards transport to secondary school; 30% affordable housing and conditions; permission be granted.

Amendments to conditions:

4. cross refer to condition 1 not CO1.

11. Remove 'in consultation with Devon County Council as the Lead Local Flood Authority'.

15. Remove 'in consultation with Devon County Council as the Lead Local Flood Authority'.

16. Remove 'in consultation with Devon County Council as the Lead Local Flood Authority'. Add at end of condition 'Adoption and maintenance arrangements shall be in accordance with the approved details'

17. Remove 'in consultation with Devon County Council as the Lead Local Flood Authority'. Add at end of condition 'The surface water drainage management system shall be in accordance with the approved details'

(d) No 3 on the Plans List (***17/00886/MOUT – Outline application for the erection of 30 dwellings and new vehicular and pedestrian accesses – land at NGR 305578 112053 – Uffculme Road, Uffculme***).

The Head of Planning, Economy and Regeneration outlined the contents of the report stating that although this was a stand-alone application it was a duplicate to the previous application on the site which was currently in the process of being appealed. The officers recommendation remained for the application to be approved, however the Committee had resolved to refuse the previous application at its meeting in June 2017.

She highlighted by way of presentation the site location plan and made reference to the adjacent 'Harvesters' site which had gained approval via appeal. Members viewed the proposed vehicular and pedestrian access and the proposed link to the 'Harvesters' site and photographs were shown from various aspects of the site.

Referring to the questions posed in public question time she provided the following answers: with regard to the S106 contributions on the earlier application, she would correspond with the case officer and provide a response; the former case at 'Harvesters' had identified the lack of a 5 year land supply, prior to the outcome of the appeal, the Local Planning Authority had not been challenged having adopted the existing Local Plan. Some of the larger sites had taken longer to construct and therefore there was no immediate supply, the emerging Local Plan Review would reset the 5 year land supply; in the meantime a housing contingency site had been released to bring forward a strategic site for development. With regard to the cumulative effect of development in the Uffculme area, this had been taken into consideration.

Consideration was given to:

- The cumulative effect of development in the area
- The previous application and reasons for refusal
- Why an identical application was being considered when the original was at appeal
- Highway issues

At this point, the Committee received some legal advice, informing it that they had the power (under Section 70(b) of the Town and County Planning Act 1990, as amended) to decline to determine the application as the previous application was still under the consideration of the Secretary of State and that the inspector had yet to issue a decision.

RESOLVED that the Local Planning Authority declined to determine this overlapping application under S70(b) of the Town and County Planning Act 1990 as amended.

(Proposed by Cllr B A Moore and seconded by Cllr R J Dolley)

Notes:

- (i) Cllr Mrs F J Colthorpe made a declaration in accordance with the Protocol of Good Practice for Councillors in dealing with planning matters she knew the representative from Halberton Parish Council;
- (ii) Cllr Hugill, (Halberton Parish Council) spoke as an objector;
- (iii) Cllr Warren (Willand Parish Council – adjacent Parish Council) spoke;
- (iv) Cllr R Evans spoke as an adjacent Ward Member;
- (v) The following late information was reported: Reference to refusal reasons in this report relate to the decision on the previous application 17/00300/MOUT. Officers remain as that on the previous application, that it should be granted and are not recommending refusal.

Halberton Parish Council 11th July 2017:

The Council is unclear why this application has been allowed to be submitted again as it has previously been refused twice and there appear to be no

amendments to the previous application. The Council's objection to this application remains unchanged.

Previous views of the Parish Council of 24th March 2017 on previous application 17/00300/MOUT are given in full within the appendix.

(e) No 4 on the Plans List ***(17/00913/HOUSE – Erection of ancillary accommodation (revised scheme) – 3 Hayne Barton Cottages, Cullompton)***

The Area Team Leader outlined the contents of the report highlighting by way of presentation the 4 cottages situated in the open countryside, he provided a site plan which identified the proposal within the grounds of No 3 Hayne Barton Cottages, and explained the differences between the approved scheme and the current application which now included a new treatment plant within the curtilage of No 3 Hayne Barton Cottages. The proposed building would be ancillary to the dwelling house and that the conditions prevented the building being occupied independently from the main house.

Consideration was given to:

- The concerns of the owner of the neighbouring property with regard to whether the proposal would be used as ancillary to the main dwelling and foul water issues.
- The building had not been built in accordance with the original approved plans
- The proposed conditions should the application be approved
- The new treatment plant

RESOLVED that planning permission be granted subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by Cllr P J Heal and seconded by the Chairman)

Notes:

- (i) Cllrs Mrs H Bainbridge, Mrs C A Collis, Mrs F J Colthorpe, R J Dolley, C J Eginton, P J Heal, D J Knowles, F W Letch, B A Moore and J D Squire made declarations in accordance with the Protocol of Good Practice for Councillors in dealing with planning matters as they had all received correspondence regarding the application;
- (ii) Mrs Stuart spoke in objection to the application;
- (iii) Cllr Mrs A R Berry spoke as Ward Member;
- (iv) The following late information was reported: While the detached nature of the accommodation and fencing shown in the photographs might suggest that the accommodation might be a completely separate unit, it is confirmed that officers are recommending approval on the basis that the accommodation is ancillary to the main house. A planning condition has been recommended to ensure that the accommodation is not used, sold, let or otherwise disposed of as a separate unit. It is further noted that if the applicant wished to erect

fences in this location, they could erect fences up to 2 metres in height under permitted development. The dwelling has full permitted development rights intact. The proposed unit of accommodation accounts for a modest 20 square metres of ancillary living accommodation.

54 **MAJOR APPLICATIONS WITH NO DECISION (2-47-23)**

The Committee had before it, and **NOTED**, a list * of major applications with no decision.

It was **AGREED** that:

Application 17/01346/MOUT - North of Tiverton Road, Cullompton

Application 17/01178/MFUL – West of Willand Road, Cullompton

Application 17/01179/MFUL – Land off Silver Street, Cullompton

be brought before committee for determination and that site visits take place.

Note: *List previously circulated; copy attached to the Minutes

55 **APPEAL DECISIONS (2-50-54)**

The Committee had before it and **NOTED** a list of appeal decisions * providing information on the outcome of recent planning appeals.

Cllr Mrs J Roach spoke with regard to the appeal outcome for 19 Exeter Road, Silverton, she outlined the history of the site, the various times it had appeared before Committee and the site visit that had taken place. The Committee had refused the application against officer recommendation and that she was very pleased with the outcome and wished it to be noted.

Note: *List previously circulated; copy attached to signed Minutes.

56 **APPLICATION 17/00567/FULL - VARIATION OF CONDITION 1 OF APPEAL DECISIONS A & B: APP/Y1138/C/10/2139560 AND 2139561 AND APPEAL DECISION C: APP/Y1138/A/10/2133187 GRANTING TEMPORARY PLANNING PERMISSION TO ALLOW PERMANENT RESIDENCE OF THE SITE AT LAND AND BUILDINGS AT NGR 286077 123613 (STUBNAIL POST), OAKFORD (2-52-29)**

The Committee had before it a * report of the Head of Planning and Regeneration regarding the above application.

The Head of Planning, Economy and Regeneration outlined the contents of the report by way of presentation highlighting the layout of the site, the existing accommodation, the barn and amenity block and providing photographs of the access to the site. She explained the temporary consent that had been granted at appeal in 2010 and a further 5 year extension approved in 2014 and the conditions for a personal permission as outlined within the report.

She added that although there were provisions within the masterplan for the urban extensions of Tiverton and Cullompton for a gypsy and travellers site, no such site was in place at the current time . She also explained the circumstances of the family which had been taken into consideration.

Referring to questions posed in public question time, with regard to gypsy/ traveller pitches being allowed anywhere in the district, the answer was no, the temporary approval had been granted at appeal, the Inspector concluded that the lack of alternative sites and circumstances of the family outweighed the sustainability concerns over the site. The committee had not visited the site, but may choose to. With regard to the expansion of the site, she would raise this with the enforcement officer.

Consideration was given to:

- The number of caravans on the site
- Any enforcement issues which would be addressed
- The lack of sites in the area
- The amount of time left on the temporary permission
- Whether specific sites would be available by the time the temporary permission period ended
- The family were integrated into village life
- The wording of the conditions with regard to the personal occupation of the site and the clearing of the site once dependents were no longer dependent

RESOLVED that planning permission be granted, and that the Head of Planning, Economy and Regeneration be given delegated authority to draft conditions to include:

- A personal permission
- The limitation on the number of caravans and the location of such
- The limitation on commercial vehicles
- The restoration of the site if it was no longer being used for this purpose.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs H Bainbridge)

Notes:

- (i) Cllr B A Moore declared a personal interest as some of the objectors were known to him;
- (ii) Mr Holton spoke in objection to the application;
- (iii) Dr Murdock spoke on behalf of the applicant;
- (iv) Cllr B A Moore spoke as Ward Member;
- (v) Cllr F W Letch left the meeting following consideration of the application.

57 **APPLICATION FOR A TREE PRESERVATION ORDER LAND AT NGR 306770/113041, CLAY LANE , UFFCULME (3-28-00)**

The Committee had before it a * report of the Head of Planning and Regeneration regarding the above application.

The Head of Planning, Economy and Regeneration outlined the contents of the report stating that the tree was of good amenity value at the edge of the Uffculme Conservation Area. Two objections had been received to the making of a Tree Preservation Order as it was felt that the tree threatened local property, the roots were damaged, the tree was dangerous, and that it was unhealthy. The Tree Officer had stated in her report that the tree continued to merit protection.

Consideration was given to:

- The views of the local Ward Member with regard to the position of the tree and concerns about the safety.
- The proximity of adjacent buildings
- The landowner had requested that he remove the tree and replace it with 3 trees in a better location
- The age of the tree
- The need for the Tree Officer to revisit the location and provide an updated report and amenity score

RESOLVED that the matter be deferred to allow the Tree Officer to further inspect the tree with regard to its current status and that further photographs identifying the proximity of the tree to adjacent buildings be made available.

(Proposed by Cllr P J Heal and seconded by Cllr B A Moore)

Notes:

- (i) Cllrs Mrs H Bainbridge, Mrs C A Collis, Mrs F J Colthorpe, R J Dolley, C J Eginton, P J Heal, D J Knowles, F W Letch, B A Moore and J D Squire made declarations in accordance with the Protocol of Good Practice for Councillors in dealing with planning matters as they had all received correspondence regarding the application;
- (ii) Cllr R Evans spoke as a Ward Member.

58 **APPLICATION 16/01830/FULL - SITING OF 1 MOBILE HOME, 2 MOTOR HOMES AND A COMPOST WC AT OAK MEADOW, SILVERTON (3-48-43)**

The Committee had before it a * report of the Head of Planning, Economy and Regeneration regarding the above application.

She outlined the contents of the report stating that the site already had permission in place for 1 pitch to be occupied by a named individual and her dependents; 2 additional pitches were now proposed. She highlighted via a block plan and photographs depicting the siting of the original and proposed mobile homes, the

motorhomes, the proposed additional composting toilet and the proposed location of the borehole.

Consideration was given to:

- The dependent relatives
- Concerns that the number of people living on the land could not be controlled with further dependents arriving
- Traffic implications
- The failure to provide suitable pitches
- The facilities on site

RESOLVED that the application be deferred to allow a site visit to take place by the Planning Working Group to consider:

- The access
- The present layout of the site in relation to what was being proposed
- The location of the bore hole in relation to the siting of the composting toilets
- The provision of the bore hole and the expected flow
- Landscaping possibilities.

(Proposed by Cllr D J Knowles and seconded by Cllr C J Eginton)

Notes:

- (i) Cllrs Mrs F J Colthorpe, C J Eginton and P J Heal declared personal interests as the objectors present were known to them;
- (ii) Mr Custance-Baker, spoke in objection to the application;
- (iii) Miss N Perrot spoke on behalf of the applicant;
- (iv) Cllr Mrs J Roach spoke as Ward Member.

(The meeting ended at 6.55 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 4 October 2017 at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
Mrs H Bainbridge, Mrs C Collis, R J Dolley,
P J Heal, D J Knowles, F W Letch,
B A Moore, R F Radford, J D Squire and
R L Stanley

Also Present

Councillor(s)

D R Coren and Mrs J Roach

Present

Officers:

Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Tina Maryan (Area Planning Officer), Simon Trafford (Area Team Leader), Lucy Hodgson (Area Team Leader), Daniel Rance (Principal Planning Officer) and Sally Gabriel (Member Services Manager)

59 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies.

60 PUBLIC QUESTION TIME

Ann Vinton, speaking in relation to item 4 on the Plans List, Red Linhay, stated that when the AD (anaerobic digestion plant) was originally granted permission we were assured that local traffic would be reduced. A great emphasis was put on the fact that 2,929,430L of digestate would be pumped onto Hartnoll land thus resulting in no road transport being used. Now the applicant intends taking the digestate to the new plots necessitating 286 road trips. Can your officers please tell us how this does not represent an increase in traffic movements?

Tony White, also speaking in relation to Red Linhay stated that the applicant claims that more land is needed in order to follow 'good practice' i.e. crop rotation. However, in the original plans they assured us that they had enough land to supply a 500kw digester and to take the resultant digestate. Have officers asked the applicant to explain why, suddenly, that land is not sufficient for the running of a 500kw AD?

Condition 9 was put in place by the Committee to protect the community and local environment and ensure the applicant operated within the bounds of the permission granted. What has the applicant put forward to convince the planning officer that condition 9 is no longer necessary and the command of the Committee (by imposing condition 9) should be disregarded.

Martin Greig referring to item 2 on the Plans list – Sunnymead, Copplestone asked the following questions:

Is the Planning Officer aware that 9 out of the 10 residences in the proposed access close 87 -105 Sunnymead contain people who are elderly, sick, with mobility issues or children with special needs, and that there are 4 blue badge holders in the Close? What weight has been given to the detrimental effect on these vulnerable people as the development proceeds and then when it is in place, particularly given that the 6 bungalows are designated for elderly/disabled people?

Is the Planning Officer aware that no-one takes responsibility for the ditch behind the bungalows, and therefore it is silted up, contains rubbish, and is frequently unsuitable for the free-flow of water? How do you propose to deal with this if additional residences are built?

Why does the Planning Officer believe that building a car park area will mean that carers or family members, will in fact park there, when time constraints and human nature dictate that these people will continue to park outside the front doors of the homes they visit?

Has the Planning Officer made a site visit to inspect the gully across the field and the ditch behind the bungalows, and spoken to residents who are affected by them?

Is the Planning Officer able to guarantee that water from the field and the proposed building site will not overflow into gardens and homes below?

Anne Greig referring to item 2 on the Plans list – Sunnymead, Copplestone asked the following questions:

Is the Planning Officer aware that cars parked in the designated turning area at the top of 87-105 Sunnymead often do not belong to the occupants or visitors to 87 – 105 and changing this turning area into a car parking area could simply exacerbate that issue?

Is the Planning Officer aware that some residents are obliged to park outside their front doors because of mobility issues so that building a car park will not help these residents or the through-flow of traffic?

Is it true that double yellow lines are proposed, outside our properties to ensure free flow for the increased traffic from the development, after it is complete?

With permission granted for a further development of forty houses in the village, and with the infrastructure already unable to cope, why does the officer feel that a further nine houses will benefit the village, when those of us who live here can only see it having a detrimental effect?

Sarah Coffin referred to item 11 on the agenda, Planning Performance, and specifically the heading 'Equality Impact Assessment' – where it states 'None'. We would point out that Templeton Parish Council have raised an outstanding issue with regard to the reasons and decision made regarding the refusal of Pulsards slurry

Lagoon and the potential risk of statutory nuisance to nearby citizens of Pennymoor and the unequal and non-consideration given to the present statutory nuisance to nearby residents at Crossparks Slurry pit in comparison, for the effectively the same usage.

Regarding Forward Planning – in view of the recent BBC media coverage on the dangers and nuisance of living beside a slurry lagoon and spreading of same, as well as the fact that it is now compulsory in Holland that any large Agricultural expansion is accompanied with proof of sufficient land accessibility – What specific steps/measures/provision have Mid Devon Planning made within their policy to ensure they fulfil their remit under the Environmental Act and Human Rights Act to protect their residents and local environment from agricultural pollution to air, land and water?

This question has particular relevance for the parish of Templeton in view of the ongoing present Statutory Nuisance and adverse health reactions being experienced by storage/spreading of digestate/slurry and the knowledge that digestate will be coming to our area from AD plants at 2 Sisters Willand soon. We therefore ask that the Council insist on at least a minimum requirement for all agricultural permissions granted to be subject to the following existing 'Best Practice'. This could involve requiring listing of suitable sufficient acreage for safe disposal of all wastes/fertilisers from applicants together with permission for release of data/records held by DEFRA/EA/RPA. All farmers in accordance with 'Best Practice' have to supply sufficient land and have taken all possible precautions to prevent pollution to air, soil and water.

We respectfully suggest that this is the only way the Council can discharge its responsibilities to protect our environment/citizens and other businesses such as tourism etc. We also enquire if under the spirit of planning co-operation this could be a combined action with North Devon and North Somerset.

The Chairman informed Miss Coffin that a written response would be provided as her questions did not relate to an item on the agenda.

David Sutton, speaking in relation to item 4 on the plans list (Red Linhay), stated that large quantities of stinking silage destined for the AD are being stored adjacent to the site and now it seems large quantities of grain will be stored in the new farm building, again, adjacent to the site, on farm land. This may not be counted as an increase in the size of the plant but in reality that is just what it is. As the closest resident to this stinking pile I would ask that a condition be put on the site that no storage of materials destined for the AD are to be stored except within the site itself.

Questions raised (bar Miss Coffin's) would be answered when the item was debated.

61 **MINUTES OF THE PREVIOUS MEETING (00-02-05)**

The minutes of the meeting held on 6 September 2017 were approved as a correct record and signed by the Chairman.

62 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Joanne Halton, the new part-time Principal Planning Officer in the west team to the meeting.

63 ENFORCEMENT LIST (00-15-45)

Consideration was given to the cases in the Enforcement List *.

Note: *List previously circulated; copy attached to Minutes.

Arising thereon:

a) No. 1 in the Enforcement List (***Enforcement Case ENF/16/00246/UDRU – Change of use of land from agriculture to mixed use agriculture and the siting of a caravan for human habitation – West Loosemoor Farm, Oakford***).

The Area Team Leader outlined the contents of the report highlighting the breach of planning control which had occurred within the last 10 years. Photographs and a plan identified the position of the caravan.

RESOLVED that the Legal Services Manager be given delegated authority to take all such steps and action necessary to secure the cessation of the unauthorised change of use and the removal of the caravan and associated domestic paraphernalia from the site, including the issue of an enforcement notice and prosecution and/or Direct Action in the event of non-compliance with the notice.

(Proposed by the Chairman)

b) No. 2 in the Enforcement List (***Enforcement Case ENF/16/00189/LIS and 16/00190/LIS – without listed building consent, the execution of works for the alteration of the listed building namely:***

18 Exeter Road – the removal from the front façade of two timber framed sash windows and two timber framed casement windows and their replacement with uPVC windows

19 Exeter Road – the removal from the front façade of one timber framed sash window and stone cill and one timber framed casement window and stone cill and the replace with uPVC windows)

The Area Team Leader outlined the contents of the report highlighting the new PVC windows that had been fitted without consent. The issues with regard to the properties had been the subject of a previous report which had been specific about the steps required within the enforcement notice, it was now suggested that some flexibility be given to the steps required.

It was therefore:

RESOLVED that the Legal Services Manager be given delegated authority to take all such steps and actions necessary to secure the removal and replacement of the

unauthorised windows, including the issue of an enforcement notice and prosecution and/or Direct Action in the event of non-compliance with the notice.

(Proposed by the Chairman)

c) No. 3 in the Enforcement List (***Enforcement Case ENF/15/00171/UCU – untidy site causing an adverse effect on the visual amenity of the area arising from the unauthorised change of use of the land from agriculture to a mixed use of agriculture and the storage of business and domestic materials – land at NGR 310656 113326 (Hillmoor, Culmstock).***)

The Area Team Leader outlined the contents of the report stating that the case had been the subject of a previous report and that the committee had resolved to issue an enforcement notice for the unauthorised change of use for business and domestic storage. Following discussions with the Legal Services Manager it was now proposed to issue a Section 215 Notice .

RESOLVED that the Legal Services Manager be given delegated authority to take all such steps and action necessary to secure the improvement of the appearance of the land including the issue of a Section 215 (Untidy Site) Notice and prosecution and/or Direct Action in the event of non-compliance with the notice.

(Proposed by the Chairman)

64 **DEFERRALS FROM THE PLANS LIST**

There were no deferrals from the Plans List.

65 **THE PLANS LIST (00-28-00)**

The Committee considered the applications in the plans list *.

Note: *List previously circulated; copy attached to the signed Minutes.

(a) Applications dealt with without debate.

In accordance with its agreed procedure the Committee identified those applications contained in the Plans List which could be dealt with without debate.

RESOLVED that the following applications be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

(i) No 1 on the Plans List (***17/00855/MFUL – Erection of extension to garden centre to form additional retail space, pallet store, covered entrance and covered outdoor areas and erection of a separate warehouse following removal of polytunnels – Bow Garden Centre, Bow***) be approved subject to conditions and informative notes as recommended by the Head of Planning, Economy and Regeneration with an amendment to Condition 4 which states that: “No part of the development hereby permitted shall be occupied until the drainage scheme as set out in the Surface Water Drainage Strategy Report prepared by Aquatech (dated 30th August 2017) has been fully implemented and maintained as such thereafter as set in approved report”.

(Proposed by the Chairman)

(ii) No 5 on the Plans List (**17/01197/CAT – Notification of intention to coppice 1 Sycamore tree (T2); coppice Hornbeam trees (G3) and Sycamore trees (G1) to form a hedge; crown raise Sycamore trees (G2) t 4m and raise crown of 1 Oak tree (T3) by 3m within the Conservation Area – Land at NGR 301044 112936, between 46-48 High Street, Halberton**) that no objection be raised to the proposed work as recommended by the Head of Planning, Economy and Regeneration

(Proposed by the Chairman)

Note: Cllr R F Radford declared a disclosable pecuniary interest in the matter as he was the applicant and left the meeting whilst the vote took place.

(iii) No 8 on the Plans List (**17/01265/HOUSE – Retention of 1.8m high fence on block wall on west boundary and erection of 1.8m fence on existing block wall on north boundary – Hilary, Barnsfield, Crediton**) be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

Notes:

(i) Cllr F W Letch declared a personal interest in the matter as the applicant was his daughter and chose to leave the meeting whilst the vote took place.

(ii) A further late representation was reported: Crediton Town Council had provided comments on 20 September 2017 stating that it had no objection to the application.

(iv) No 9 on the Plans List (**17/01332/HOUSE – Erection of two storey extension following demolition of single storey extension and porch; internal and external repairs and alterations; alterations to northern boundary/access; erection of den and relocation of greenhouse and polytunnel – Shapcott Cottage, Whitnage**) be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

(v) No 10 on the Plans List (**17/01333/LBC – Listed Building Consent for the erection of two storey extension following demolition of single storey extension and porch; internal and external repairs and alterations; alterations to northern boundary/access; erection of den and relocation of greenhouse and polytunnel – Shapcott Cottage, Whitnage**) be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

(b) No 2 on the Plans List (**17/00914/OUT – Outline for the erection of 9 dwellings with associated access – land at NGR 277111 102951, Sunnymead, Coplestone**)

The Area Team Leader outlined the contents of the report highlighting by way of presentation the location of the site outside the defined settlement boundary but central to the village envelope; the proposed access, the proposed parking area, the pavement which would be extended into Sunnymead and the indicative layout to the proposed dwellings to include the retention ponds. He highlighted the proposed footway link from the development to the school, the ditch which would be culverted and photographs from various aspects of the site.

He provided answers to the questions posed in public question time:

The impact of the proposed development on the residents – any impact would be greater during the construction period which could be controlled by conditions; Condition 5 required a construction maintenance plan to be provided which would include, the hours of work allowed and the construction material delivery method which would provide an element of control. With regard to parking, residents would still be able to park outside their houses if they chose too, a specific parking area was proposed as well as an extended pavement. The ditches near to the original dwellings would be culverted these would be dealt with via Condition 9. Advice had been sought from South West Water with regard to run off from adjacent fields, this was covered within conditions 9, 10 and 11. The designated turning area could be controlled. He was not aware of any thoughts regarding double yellow lines in the area.

Consideration was given to:

- The lack of 5 year land supply
- The proposed Section 106 agreement with regard to air quality and the commuted contribution towards the delivery of two affordable houses off-site
- The impact of the development on local residents in Sunnymead and the well-being of those residents
- Possible unacceptable strains on local facilities
- Possible alternative access routes
- The Highway Authority's comments on the proposal
- Whether the village of Copplestone was sustainable
- Previous applications in the village and the S106 Agreements for those applications.

RESOLVED that: Members were minded to refuse the application and therefore wished to defer the decision to allow for a report to be received setting out the implications for the proposed reasons based on the following issues:

- The proposed development was outside the settlement limit
- The access arrangements were inappropriate
- Impact of the development on the residents of Sunnymead who all had special requirements and therefore the proposal would have a detrimental impact on their amenity
- Overdevelopment of the village.

(Proposed by Cllr R L Stanley and seconded by Cllr B A Moore)

Notes:

- (i) Cllr R L Stanley declared a personal interest as the access to the site was through the Council's HRA land and he was the Cabinet Member for Housing;
- (ii) Cllrs P J Heal and D R Coren declared personal interests as Ward Members and that they knew the applicant and objectors;
- (iii) Mrs Greig spoke on behalf of the objectors;
- (iv) Mr Pearcey (Applicant) spoke;
- (v) Cllr Mrs Ollson spoke on behalf of the Parish Council;
- (vi) Cllrs D R Coren and P J Heal spoke as Ward Members;
- (vii) A proposal to approve the application was not supported;
- (viii) The following late information was provided:

Amend the drafting of condition 9 as follows:

No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by the Local Planning Authority, incorporating any requirements resulting from the proposed alterations to the existing drainage ditch that runs parallel to the site boundary with Sunnymead.

The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in Preliminary Drainage Layout (Drawing No. 0663-PDL-101-B, Rev. B, dated 26/07/2017). The approved details shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings hereby approved and maintained as such thereafter.

Amend condition 13 as follows:

No part of the development hereby permitted shall be commenced until a Phase 1 intrusive investigation has been submitted to the Local Planning Authority. The investigation shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems,
 - archeological sites and ancient monuments;

(iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(c) No 3 on the Plans List ***(17/01108/OUT – Outline for the erection of a dwelling and new vehicular access – land and buildings at NGR 301748 115242 north-east of Twin Oaks, Uplowman)***

The Area Planning Officer outlined the contents of the report highlighting by way of presentation the position of the proposed dwelling on the edge of the village, the proposed access point in the centre of the hedgerow, the existing access which would remain as access for agricultural use and photographs from various aspects of the site. She explained that being a village, Uplowman did not have a defined settlement limit.

Consideration was given to:

- Whether the proposal was defined as infill
- The school, public house and post office in the village
- Whether there was any physical harm of using the land for development of one dwelling
- Planning Policy with regard to development in unsustainable villages
- Repercussions of allowing such a site to be developed
- A previous appeal decision

RESOLVED that planning permission be granted for the following reasons:

The proposal is considered to be acceptable in that, in accordance with the provisions of paragraph 14 of the National Planning Policy Framework, the benefits of provision of a single dwelling that respects the existing development pattern of Uplowman and has no unacceptable impact on highway safety, visual amenity and the amenity of neighbouring residents, are considered to outweigh the harm caused by new residential development in a countryside location that is considered to be unsustainable in planning policy terms.

Delegated authority be given to the Head of Planning, Economy and Regeneration to draft a set of conditions for the development and to secure relevant planning obligations under a Section 106 agreement.

(Proposed by Cllr R F Radford and seconded by Cllr Mrs H Bainbridge)

Notes:

- (i) Cllrs Mrs H Bainbridge, Mrs C Collis, Mrs F J Colthorpe, R J Dolley, P J Heal, D J Knowles, F W Letch, B A Moore, R F Radford, J D Squire and R L Stanley made declarations in accordance with Protocol of Good Practice for Councillors

in deal with Planning Matters as they had received correspondence regarding the application;

- (ii) Cllr R J Dolley declared a personal interest as he knew members of the public and the applicant;
 - (iii) Cllr R F Radford declared a personal interest as the applicant was known to him;
 - (iv) Mr Collier (Agent) spoke;
 - (v) The Chairman read a statement on behalf of the Chairman of Uplowman Parish Council;
 - (vi) A proposal to refuse the application was not supported (5 for: 6 against)
- (d) No 4 on the Plans List ***(17/01142/FULL – Variation of Condition 9 of planning permission 16/01180/FULL to change sections i) and ii) of the condition with reference to the location and source of feedstock and the subsequent ultimate destination of digestate from the anaerobic digester – land at NGR 299621 112764 (Red Linhay) Crown Hill, Halberton)***

The Principal Planning Officer outlined the contents of the report highlighting by way of presentation the variation to Condition 9 related to the requirement for further sites for cropping and digestate supply. He highlighted via a plan the existing sites for cropping from and digestate to and the land currently being used. The variation to the condition would allow the farmer some flexibility with regard to rotation and crop failure.

He provided answers to questions posed in public question time:

The liquid would be taken by tankers and he did not foresee an increase in the number of trips, he also stated that there had been no objection from the Highway Authority. The variation of the condition allowed for crop rotations and crop failure. With regard to the silage stored on the site, this was part of the farming activity, having spoken with the Environmental Health Department, there has not been any reports regarding this issue.

Consideration was given to:

- Transport issues with regard to the number of trips and the size of the vehicles
- The impact of the variation on the village of Halberton
- Whether crop rotation could take place with the land that was already set out in previous applications
- The fact that there would not be an increase in the number of trips
- The intensity of spreading the digestate
- The flexibility required.

RESOLVED that planning permission be granted subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by Cllr Mrs H Bainbridge and seconded by Cllr P J Heal)

Notes:

(i) Cllr R J Dolley stated that due to certain circumstances he would need to excuse himself from any discussion to do with the application and left the meeting during discussion thereon;

(ii) Mr Manley (Applicant) spoke.

e) No 6 on the Plans List ***(17/01224/OUT – Construction of new footpath and access steps to school entrance – land at NGR 301924 107472 – adjacent to St Andrews Primary School, St Andrews Estate, Cullompton)***

The Area Team Leader outlined the contents of the report.

Consideration was given to the proposed footpath and whether there was an additional route to the school without having to use steps. It was explained that the existing route did not have steps

RESOLVED that planning permission be granted subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

f) No 7 on the Plans List ***(17/01240/OUT – Outline for the erection of a dwelling – land at NGR 306965 114496 (2 Appledore Court) Burlescombe)***

The Area Team Leader outlined the contents of the report highlighting by way of presentation the site location plan, the access and photographs from various aspects of the site. She explained that this application was identical to the one previously refused by the Committee in July 2017.

Consideration was given to:

- The lack of a 5 year land supply and whether 1 dwelling would make a difference
- The proposal was a single dwelling in an unsustainable location
- The location of the proposal in the open countryside albeit in a small cluster of houses

RESOLVED that the Local Planning Authority declined to determine the (duplicate) application under S70 (b) of the Town and Country Planning Act 1990 as amended.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs H Bainbridge)

Notes: Mr Sebbinger (Agent) spoke;

66 **MAJOR APPLICATIONS WITH NO DECISION (3-21-57)**

The Committee and before it, and **NOTED** a list * of major applications with no decision.

It was **AGREED** that:

Application 17/01225/MFUL – Weavers Meadow, Langford remain delegated.

Application 17/01511/MOUT – Chapel Downs Farm, Barnstaple Cross be determined by the Planning Committee and that a site visit take place.

Application 17/01509/MFUL - rear of Town Hall Site, Tiverton be determined by the Planning Committee.

Application 17/01359/MOUT – Higher Town, Sampford Peverell be determined by the Planning Committee and that a site visit take place.

Application 17/01370/MARM – Harvesters, Uffculme - be determined by the Planning Committee.

Application 17/01323/MOUT – land east of Bolham Road, Tiverton - be determined by the Planning Committee and that a site visit take place.

67 **APPLICATION 16/01830/FULL - SITING OF 1 MOBILE HOME, 2 MOTOR HOMES AND A COMPOST WC AT OAK MEADOW, SILVERTON (3-29-00)**

The Committee had before it a * report of the Head of Planning Economy and Regeneration which had been deferred from the previous meeting so that a site visit could take place by the Planning Working Group.

The Area Team Leader outlined the contents of the report highlighting by way of presentation the site location plan, the proposed block plan, the existing structures on the site that had planning permission, the structures on the site which did not benefit from planning permission and the structures which were proposed as part of the application. Members viewed photographs from various aspects of the site and from the one of the footpaths at Killerton looking back across the valley to the site in question.

Consideration as given to:

- The concerns of the objector with regard to the siting of a traveller site outside the settlement limit
- What did and did not have the benefit of planning permission
- The personal circumstances of the family
- The details of the personal permission and the wording of any consent
- Whether there would be an increase of traffic on the private lane
- The provision of the bore hole and that it should be required within a specified time
- The landscaping of the site
- The definition of dependents

RESOLVED that planning permission be granted subject to:

- a) conditions as recommended by the Head of Planning, Economy and Regeneration;

- b) the rewording of Condition 3 to state that the site shall not be occupied by persons other than Miss Adele Perrot and her dependents, Mr Peter Perrot and Mrs Sue Perrot and Miss Nina Perrot and her dependents and Mr Nick Van der Kolt;
- c) an additional condition (7) to state that “No composted matter from either of the two composting toilets on site shall be spread on any land within 50 metres of the bore hole. REASON: to protect the amenity of the health of the occupants of the site by preventing pollution of the proposed water course in accordance with Policy DM2 and DM7 (LP3);
- d) delegated authority be given to the officer to word additional conditions with regard to:
 - To restrict any commercial use of the site other than for horticultural use.
 - The requirement for the bore hole within a specified period of time.
 - The retention of the green perimeter.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs H Bainbridge)

Notes

- (i) Cllr Mrs F J Colthorpe declared a personal interest as the objector was known to her;
- (ii) Mr Custance –Baker spoke in objection to the application;
- (iii) Mr Ruston (Agent) spoke;
- (iv) Cllr Mrs J Roach spoke as Ward Member;
- (v) The following late information was reported:

Location of proposed borehole

The location of the proposed bore hole is shown on one of the plans that form part of the presentation. There is currently no bore hole on site. The applicants have received a quotation for the drilling of a borehole. The company that have provided the quotation have stated that the borehole will be drilled up to 60 metres in depth and that having looked at the geological survey maps of the area plus local knowledge of the area that there are no problems anticipated with the drilling of a borehole on the land. A yield of up to 20 cubic metres of water per 24 hours has been estimated.

During discussions Environmental Health have commented that approximately 1 cubic metre of water equates to one persons requirement per day. There are proposed to be 8 people resident on the site at any one time, the estimated yield from the borehole of 20 cubic metres per 24 hours is therefore considered to be capable of providing adequate water supply. As a small supply, it is understood that the water source would need to be risk assessed and the water quality checked every 5 years.

Location of compost toilets

Following the Planning Working Group site visit, it can be confirmed that there are currently two compost toilets on the site. Both are shown on the plan included as part of the presentation.

Both compost toilets are more than 50 metres from the proposed location of the borehole. During discussions Environmental Health have commented that a compost toilet should be 50 metres from a borehole. Depending on the method of provision of the borehole the compost toilet could be closer than 50 metres from the borehole.

Representation from the National Trust

An email representation has been received from the National Trust, it states:

Application No: 16/01830/FULL - Oak Meadow, Silverton

Proposed siting of 1 mobile home, 2 motor homes and a compost w.c.

I am concerned about the way you have presented this case in your report to the Planning Committee, and I am asking on behalf of the National Trust that the following representation is reported to the Committee.

Neither the Committee Report nor the application submission are able to demonstrate that impact on the setting of heritage assets has been correctly assessed in accordance with national and local policy. Setting is not identified in the report under 5.0 as a material consideration.

The consideration to the impact on the setting of heritage assets is made under a section titled 'visual impact' (para 5.7) and the report considers the development in accordance with Policy DM27 "with regards to visual impact". However, case law has established that it is incorrect to take too narrow interpretation of setting – by equating it with visual impact. The Planning Court recently, in the relation to the following case near Kedleston Hall, determined Whilst "a physical or visual connection between a heritage asset and its setting will often exist, it is **not essential or determinative**". [<https://cornerstonebarristers.com/news/planning-court-endorses-broad-approach-setting/>].

The report identifies some harm to the setting of heritage assets, but it fails to adequately quantify that harm. It suggests under 5.7 that there will not be a 'significant' impact but it fails to equate this with "substantial" or "less than substantial" harm, or indicate whether the appropriate NPPF test has been applied (which presumably would be the one under para 134). It is unclear from the report if it has been considered in what way the setting of Killerton contributes to its significance in order to correctly apply that test, as the report fails to establish the relationship of the site to the heritage asset.

I unfortunately cannot make the Planning Committee on 6th September, but please confirm by return of email that you will be communicating these comments to the Planning Committee.

Local Planning Authority response to the representation from the National Trust

The setting of Killerton Estate, which is a heritage asset has been considered in the assessment of the planning application and was considered as part of the assessment of previous applications on this site.

The provision of two additional pitches on the site and the composting toilet are not considered to have a significant impact on the setting of Killerton as stated in the report. It is considered that the proposed use of the site (a majority of which has now occurred) results in 'less than substantial harm' to the setting of the heritage asset that is the Killerton Estate. A balanced judgement has been made regarding the significance of the heritage asset and the scale of harm or loss to the heritage asset. The NPPF states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional. (para 132).

The local planning authority have visited the application site and assessed the visual relationship between the site and Killerton Estate. Killerton estate is a grade II* registered park and garden. The relationship between the site and Killerton estate has also been assessed from the public footpath between Killerton and Hayne Lane, and from the public footpath that runs north east-south west close to the north western boundary of Killerton Estate. It has been concluded that the proposed additional uses of the application site will result in 'less substantial harm' to the setting of Killerton Estate.

Any less than substantial harm to the setting of Killerton Estate is considered to be outweighed by the provision of two further pitches within the site that would provide additional housing within the district in a location that is considered to be acceptable for the provision of traveller accommodation and the proposal is therefore considered to pass the test regarding harm to heritage assets as set out in paragraph 134 NPPF.

(vi) *Report previously circulated, copy attached to minutes.

68 APPLICATION FOR A TREE PRESERVATION ORDER LAND AT NGR 306770/113041, CLAY LANE , UFFCULME (4.20.04)

The Committee had before it a * report of the Head of Planning Economy and Regeneration which had been deferred from the previous meeting to allow the Tree Officer to further inspect the tree with regard to its current status and that further photographs identifying the proximity of the tree to adjacent buildings be made available.

The Area Team Leader outlined the contents of the report stating that the Tree Officer had now revisited the site and provided a revised score for the tree, which

was now below what was required for the tree to be worthy of a Tree Preservation Order. Photographs were also presented showing the position of the tree in close proximity to an adjacent building.

RESOLVED that the Tree Preservation Order not be confirmed.

(Proposed by Cllr F W Letch and seconded by Cllr P J Heal)

Notes:

- (i) The Chairman read a statement by one of the Ward Members;
- (ii) *Report previously circulated, copy attached to minutes.

69 **PLANNING PERFORMANCE (4.26.00)**

The Committee had before it and **NOTED** a * report of the Head of Planning Economy and Regeneration providing information on the performance of aspects of the planning function of the Council for Quarter 1, 2017/18.

The Area Team Leader outlined the contents of the report highlighting the performance against target for Development Management which continued to meet or exceed targets. With regard to Building Control, it was early days for the partnership with North Devon, but it was hope that performance would improve. The planning enforcement team were now fully staffed and working well.

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

(The meeting ended at 7.05 pm)

CHAIRMAN

POLITICAL ALLOCATION – October 2017

	Totals	Conservative (Con) 29	Liberal Democrats (LD) 5	Independents (ING) 3	Ungrouped (UG) 5
% Based on current membership of 42	100	69.05%	11.90%	7.14%	11.90%
Committee Seats	99	68	12	7	12
Other Bodies	22	15	3	1	3

COMMITTEE	No on Committee	Con 68	LD 12	IND 7	UG 12
Scrutiny	12	8.29 7	1.43 2	0.86 2	1.43 1
Audit	7	4.83 5	0.83 1	0.50 0	0.83 1
Environment PDG	9	6.21 6	1.07 1	0.64 0	1.07 2
Homes PDG	9	6.21 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
Community PDG	9	6.00 6	1.07 1	0.64 1	1.29 1
Planning	11	7.60 9	1.31 1	0.79 0	1.31 1
Licensing	12	8.29 9	1.43 1	0.86 1	1.43 1
Regulatory	12	8.29 8	1.43 2	0.86 0	1.43 2
Standards Committee	9	6.00 6	1.07 1	0.64 1	1.29 1
TOTAL	99	68	12	7	12
Other Bodies	No on Group	Con 15	LD 3	IND 1	UG 3
PWG	8	5.52 6	0.95 1	0.57 0	0.95 1
Planning Policy Advisory Group	9	6.00 6	1.07 1	0.64 1	1.07 1
GESP Member Reference Forum	5	3.45 3	0.60 1	0.36 0	0.60 1
TOTAL	22	15	3	1	3

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MEMBERSHIP OF COMMITTEES 2017/18

CABINET

Leader – Cllr C J Eginton and Cabinet member for the Environment

Deputy Leader and Cabinet Member for Planning and Economic Regeneration

– Cllr R J Chesterton

Cabinet Member for Housing – Cllr R L Stanley

Cabinet Member for Community Well-Being - Cllr C R Slade

Cabinet Member for Finance – Cllr P H D Hare-Scott

Cabinet Member for Working Environment and Support Services – Cllr Mrs M E Squires

<p>Scrutiny (12)</p> <p>Mrs H Bainbridge (C) Mrs A R Berry (C) Mrs F J Colthorpe (C) Mrs C P Daw (C) Mrs G Doe (C) Mrs B M Hull (C) T G Hughes (C) Mrs J Roach (UG) F J Rosamond (ING) T W Snow (ING) N A Way (LD)(LD)</p>	<p>Audit Committee (7)</p> <p>Mrs J B Binks (C) Mrs C A Collis (C) R M Deed (UG) R Evans (C) T G Hughes (C) R F Radford (C) L Taylor (LD)</p>	<p>Environment PDG (9)</p> <p>C P Daw (C) D R Coren (C) R Evans (C) R F Radford (C) Mrs E J Slade (C) J D Squire (C)(LD)(UG)(UG)</p>	<p>Homes PDG (9)</p> <p>Mrs E M Andrews (ING) Mrs H Bainbridge (C) D R Coren (C) W J Daw (C) Mrs G Doe (C) R J Dolley (UG) P J Heal (C) F W Letch (LD) J D Squire (C)</p>
<p>Community PDG (9)</p> <p>Mrs E M Andrews (ING) Mrs H Bainbridge (C) Mrs A R Berry (C) Mrs C Daw (C) Mrs G Doe (C) R J Dolley (UG) F W Letch (LD) B A Moore (C) Mrs E J Slade (C)</p>	<p>Economy PDG (9)</p> <p>Mrs A R Berry (C) Mrs C A Collis (C) S G Flaws (C) J M Downes (LD) R Evans (C) T G Hughes (C) Mrs B M Hull (C) F J Rosamond (ING) Mrs N Woollatt (UG)</p>	<p>Planning Working Group (8)</p> <p>Mrs H Bainbridge (C) Mrs F J Colthorpe (C) P J Heal(C) D J Knowles (UG) F W Letch (LD) B A Moore (C) R F Radford (C) J D Squire (C)</p>	<p>Planning Substitutes (7)</p> <p>K I Busch (C) Mrs G Doe(C) J M Downes (LD) R Evans (C) C J Eginton (C) Mrs B M Hull (C) Mrs J Roach (UG)</p>
<p>Standards (9)</p> <p>Mrs J B Binks (C) Mrs F J Colthorpe (C) C J Eginton (C) F J Rosamond (ING) C R Slade (C) Mrs E J Slade (C) Mrs M E Squires (C) L Taylor (LD) Mrs N Woollatt (UG)</p>	<p>Planning Committee (11)</p> <p>Mrs H Bainbridge (C) Mrs F J Colthorpe (C) Mrs C Collis (C) P J Heal (C) F W Letch (LD) B A Moore (C) R F Radford (C) R L Stanley (C) J D Squire (C)(UG)(C)</p>	<p>Licensing Committee (12)</p> <p>Mrs E M Andrews (ING) K I Busch(C) R J Chesterton (C) Mrs F J Colthorpe (C) D R Coren (C) Mrs G Doe (C) S G Flaws (C) P H D Hare-Scott (C) T G Hughes (C) L Taylor (LD)(UG)(C)</p>	<p>Regulatory Committee (12)</p> <p>K I Busch(C) R J Chesterton (C) Mrs F J Colthorpe (C) D R Coren (C) Mrs G Doe (C) S G Flaws (C) P H D Hare-Scott (C) T G Hughes (C) D J Knowles (UG) L Taylor (LD) R Wright (LD)(UG)</p>
<p>GESP Member Reference Forum (5)</p> <p>Mrs F J Colthorpe (C) P J Heal (C) Mrs B M Hull (C) D J Knowles (UG) N A Way (LD)</p>	<p>Planning Policy Advisory Group (9)</p> <p>Mrs H Bainbridge(C) R J Chesterton (C) Mrs F J Colthorpe (C) Mrs B M Hull (C) R L Stanley (C)(C)(LD)(ING)(UG)</p>	<p>Appointments Panel (5)</p> <p>Leader Deputy Leader Chairman of the Council Cabinet Member for WE & SS Chairman of Scrutiny</p>	<p>C – Conservatives ING – Independent Non-Aligned Group LD – Liberal Democrats UG – Ungrouped Member</p>
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