

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 April 2018 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 (the Annual Meeting) is scheduled to be held in Tiverton on Wednesday, 9 May 2018 at 6.00 pm]

STEPHEN WALFORD

Chief Executive

17 April 2018

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

Reverend Godfrey Bell will lead the Council in prayer.

AGENDA

1 Councillor Miss Clarissa Slade

In memory of Councillor Miss Clarissa Slade, a minute's silence will take place.

2 Apologies

To receive any apologies for absence.

3 Declaration of Interests under the Code of Conduct

Councillors are reminded of the requirement to declare any interest, including the type of interest, and the reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.

4 Minutes (Pages 7 - 32)

Members to consider whether to approve the minutes as a correct record of the meeting held on 21 February 2018

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.

5 **Chairman's Announcements**

To receive any announcements which the Chairman of the Council may wish to make.

6 **Public Question Time**

To receive any questions relating to items on the agenda from members of the public and replies thereto.

7 **Petitions**

To receive any petitions from members of the public.

8 **Notices of Motions**

(1) Motion 541 (Councillor Mrs J Roach - 30 November 2017)

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

This Council reconsiders the time and times that it allows ward members to speak at the planning committee. The present system gives many opportunities to speak but allows the local member only one opportunity. At the very least Council should give elected Councillors the opportunity to correct incorrect statements, something that exists within standing orders but not allowed at the planning committee. At the last planning committee the situation that exists at the moment prevented me as the elected Councillor for Silverton for pointing out that the Highways advice was inconsistent with previous advice given on the same site.

The Standards Committee at its meeting on 14 March 2018 considered the Motion and recommended that it not be supported as the matters raised within the Motion had been adequately covered and surpassed by a recommendation to the Planning Committee.

(2) Motion 545 (Councillor L Taylor – 10 April 2018)

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

That this Council considers the use of British Hedgehog Preservation Society (BHPS) stickers on all Mid Devon grass cutting machinery, requesting that all users check the area to be cut before using the equipment. The stickers are free and are being used by other Councils such as East Devon District Council, Derbyshire County Council and Manchester City Council to name but a few.

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 Environment Policy Development Group.

(3) Motion 546 (Councillor Mrs J Roach – 11 April 2018)

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

This Council agrees to clarify the rules in the constitution relating to who can speak at working groups and to non planning application agenda items at the planning committee. This motion seeks to establish the right in law of Councillors to participate in the democratic process without relying on a Chairman's discretion.

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 Standards Committee.

(4) Motion 547 (Councillor Mrs J Roach – 11 April 2018)

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

This Council agrees to amend the constitution by removing the right of a Chairman to use a casting vote.

In accordance with Procedure Rule 14.4, the Chairman of the Council has decided to allow this motion (if moved and seconded) to be dealt with at this meeting

(5) Motion 548 (Councillor Mrs J Roach – 12 April 2018)

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

This Council regrets that at the last Council meeting Cllr Mrs J Roach was given incorrect and misleading answers to some of her questions.

In accordance with Procedure Rule 14.4, the Chairman of the Council has decided to allow this motion (if moved and seconded) to be dealt with at this meeting

9 **Committee Reports** (*Pages 33 - 208*)

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

(1) Cabinet

- 8 March 2018
- 5 April 2018

2) Scrutiny Committee

- 12 March 2018
- 16 April 2018 (to follow)

(3) Audit Committee

- 20 March 2018

(4) Environment Policy Development Group

- 6 March 2018

(5) Homes Policy Development Group

- 13 March 2018

(6) Economy Policy Development Group

- 8 March 2018

(7) Community Policy Development Group

- 27 March 2018

(8) Planning Committee

- 28 February 2018
- 21 March 2018
- 18 April 2018 (to follow)

(9) Standards Committee

- 14 March 2018

10 **Annual Reports of Audit Committee, Scrutiny Committee and the Policy Development Groups** (*Pages 209 - 228*)

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

11 **Special Urgency Decisions**

Decisions taken under Rule 16 (of the Constitution) Special Urgency – January to March 2018.

There have been no such decisions in this period.

12 **Questions in accordance with Procedure Rule 13**

To deal with any questions raised pursuant to Procedure Rule 13 not already dealt with during the relevant Committee reports.

13 **Questions to Cabinet Members**

Cabinet Members will answer questions from Members on their Portfolios.

14 **Members Business**

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

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

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.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 21 February 2018 at 6.00 pm

Present

Councillors

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

Apologies

Councillors

K Busch, T G Hughes, B A Moore and
 Mrs N Woollatt

106 Apologies

Apologies were received from Councillors: K I Busch, T G Hughes, B A Moore and Mrs N Woollatt.

107 Declaration of Interests under the Code of Conduct (00-04-08)

The following declarations of interest were declared:

| Councillor | Item | Interest | Reason |
|---------------|----------------------|--------------------------------|--|
| Mrs J B Binks | Motion 543 | Disclosable Pecuniary Interest | As she owned a property in close proximity to the building in question |
| Mrs J Roach | Motion 543 Amendment | Personal | As a trustee of Room for U |
| R M Deed | Motion 543 Amendment | Personal | As a trustee of Room for U |
| R F Radford | Local Plan | Disclosable Pecuniary Interest | As his brother owned a property in Turnpike |

108 Minutes (00-05-15)

The minutes of the meeting held on 13 December 2017 were agreed as a correct record and signed by the Chairman.

The minutes of the extraordinary meeting held on 15 January 2018 were agreed as a correct record and signed by the Chairman.

109 Chairman's Announcements

The Chairman informed the meeting of his recent visits to Poughill Parish Council and Bradninch Town Council, he had also attended a flag raising event for the LGBT+ History Month at Petroc (Barnstaple).

110 Public Question Time (00-07-14)

Mr Drew referring to the Local Plan Review :I wish to address you with regard to agenda item 10(2). I live in a house on Turnpike, within the Grand Western Canal Conservation Area, that is up to 25 vertical metres below the ground level of the SP2 site at Higher Town.

I addressed the Cabinet in the terms recorded on pages 193 and 194 of the public document pack and the Officer's response is set out on page 201. The key difference between the Officers and I is that the Council says it took account of the existence of the Grand Western Canal Conservation Area in undertaking its Sustainability Appraisal, or SA, which is the only evidence to support SP2. However it says its assessment of impact upon it was undertaken orally and not documented. It should be common ground that the SA itself does not refer to the Grand Western Canal Conservation Area and whilst the later Historic Environment Appraisal says it "*lies some distance to the south*" there is no analysis of the effect of the allocation upon it. Although not expressly recorded in the Minutes I heard Mrs Clifford say in her response that Officers would be able to give oral evidence at the examination Hearings to supplement the written SA.

As a Chartered Town Planner of almost 30 years I am advising you in the strongest possible terms that this approach will be found unsound at the examination. The Planning Inspectorate's published guidance is that the SA is a prescribed document. The OED defines document as a "*piece of written, printed or electronic matter that provides information or evidence*". The Council's evidence base to support the allocation of SP2 therefore has a gaping hole in it and the Officer's innocence is betrayed by the claim that they can make good that evidential deficit by giving oral evidence. That is simply not how an examination works. A local plan examination is evidence based and the role of the Inspector is to test the documentary evidence that you rely on to see if policy SP2 is sound. Your Officers are leading you into a metaphoric car crash. It is far more fundamental than a difference of professional opinion, as your Officers characterise it.

You might ask why your consultants have not picked up on my point, but it is because it was outside the terms of their remit. They did not review the individual site appraisals. So on my analysis the Council has just wasted 6 months in a belated attempt to get its house in order but only by doing a superficial exercise. The fact is that the Local Plan was signed off by Full Council on 1 December 2016 and, in practical terms, you are no further forward. In progressing what I consider to be a

very high risk strategy, by continuing to rely on SP2, it is entirely foreseeable that the Inspector will issue an interim report towards the end of 2018 telling the Council to go away and address the evidential deficit that I have identified, which might easily take you until the summer of 2019 to address.

I understand entirely why you do not wish to further delay progression of the Local Plan, which is why a specific site at the eastern end of the village, which enjoys the broad support of villagers in the scenario that J27 comes forward, has been identified. You could instruct Officers to swap the respective sites over in the Local Plan and I, for one, would instantly become your ally at the examination rather than fighting against you.

So my question is: will you support the local community by removing the Higher Town site and allocate, in its place, the site identified at Mountain Oak Farm, in order to avoid a confrontation with local residents at the examination and, by so doing, actually speed up the progress of the Local Plan?

Mr Byrom referring to agenda item 10 on the agenda said I am a resident of Sampford Peverell. We all make mistakes and in a process as the revision of a Local Plan there are sure to be mistakes. We do understand this. In September 16 your Planning Policy Advisory Group met to allocate new sites for extra housing in relation to policy J27. The PPAG recommended the site at Higher Town for inclusion as SP2 in the emerging Local Plan. On 1st December 2016 you all voted in Full Council on whether the Plan should go out for consultation. To their great credit two members of that PPAG group publically declared that they had made a mistake in allocating SP2. They admitted that having learned much more about the site they were wrong to have chosen it for allocation. Their remarks are on the audio at 1 hr 47 minutes and 2 hours 44 minutes. That meeting saw another significant error, at 45 minutes on the audio recording we hear Mrs Clifford quoting correctly but selectively from a ministerial statement in an attempt to support the officer's view that it was essential that the Local Plan be put out for consultation in January. The audio recording of your subsequent debate shows that at least 6 Members clearly stated that they would have liked to have supported an amendment to remove policy SP2 but fear of missing the March 2017 supposedly required by the ministerial statement meant that they felt that they must vote for a greater good and move the Plan to consultation without delay. Unfortunately Mrs Clifford was at best mistaken when she quoted from the ministerial statement, she failed to provide the full context that shows that the early 2017, not March, just early 2017 ministerial deadline was for authorities that had never submitted any Plan. An advisory group to the minister had already published their call for authorities such as Mid Devon which had submitted a Plan by March 2018. That was never mentioned, you were one way or another misled. You feared more mistakes were in your Plan in September 17, which was when you called for the adjournment which means that the inspector's hearings will now take place a year late. If you argue that no mistakes were found by the LUC report that makes the adjournment itself an even bigger mistake. Your papers today show another more recent mistake when the executive summary of the latest 2018 sustainability appraisal wrongly claims that policy SP2 makes mitigation for 2 conservation areas. This has been corrected but only because we drew it to your officers attention. My question is to Councillors alone – but I would like it to be repeated as a reminder when officers deal with public questions, Councillors, will you please consider the very real possibility that your officers are once again mistaken when they recommend the continued inclusion of policy SP2 in the Local Plan.

Peter Dumble referring to Agenda item 10 stated that: I am a resident of Sampford Peverell and my question relates to SP2. In my submission to Cabinet on 9 February (which is on page 196 of today's report pack), I highlighted that the LUC consultants review does not address any issues or questions raised by the Planning Inspector to be explored at last September's aborted public hearings. Indeed, on page 14 of your report pack, section 1.9 of the LUC report states: "It is important to note that LUC's review has focussed on the SA process that has been undertaken and has not included a review of the detailed findings of the appraisal of site and policy options". Since it is the detailed findings that are at issue, it seems to me this self imposed delay in the Local Plan and the documents presented for your approval today represent a missed opportunity to tackle the real issues.

MDDC planners have since September 2016 chosen to ignore the many well-argued and, in some cases, expert and constructive submissions from members of the public – including the identification of a more sustainable site on the east side of the village. There seems a determination to defend the indefensible allocation of SP2 – even at the risk of further delaying the adoption of the Local Plan.

Councillors, you are being led along a very high risk pathway and it is very possible we will all be back here in a year's time unless action is taken today to remove SP2 from the Local Plan. Let me emphasise this. According to Section 3.5 of "Procedural Practice in the Examination of Local Plans" published as guidance by the Planning Inspectorate, an issue raised by a Planning Inspector for hearings are (and I quote) "key issues on which the soundness of the plans will depend" and which in Section 3.7 of the same report, are only identified if the Inspector believes there to be "fundamental flaws" in the Local Plan. By raising SP2 as "an issue", the inspector is virtually telling you that SP2 is a fundamental flaw.

My question is – Page 4 of the information pack provides a risk assessment prepared by the Head of Planning for today's meeting. It ignores the elephant in the room by not addressing the very real risk of SP2 being found unsound by the Planning Inspectorate. For the benefit of the public, and particularly for Members of Council who will otherwise be voting without having been given guidance on this risk, would Planners, in the light of the documents presented today, and in knowledge of the questions raised by the Planning Inspector last year please state and quantify their assessment of the risk that SP2 will be found unsound at reconvened hearings?

Mr Cutts Chairman of Sampford Peverell Parish Council, referring to item 10 on the agenda said the Sampford Peverell Parish Council is puzzled and disturbed by the way the clearly expressed opinions and carefully supported arguments from local people have been ignored in the Local Plan review process. The Parish Council recalls in particular how in 2014 we were expecting the possibility of development at the Higher Town site if the number of dwellings would be kept at 20 – 25. I ask Councillors to note this now and remember that policy SP2 trebles the number of dwellings that we ever imagined would be built on this site. You appear to have listened to us when you wanted to find support for allocating the Higher Town site, you may remember however that even with our conditional support in 2014 consultation showed that more people voted against the site being used, than for it. Please now listen to us with the grounds of opposition from many in the village and we make it loud and clear that we do not support the proposed development at Higher Town and with policy SP2 to be removed from the Plan. In the event that

policy Junction 27 comes forward however the Sampford Peverell Parish Council is not opposed to 60 houses being brought forward in the village, however we feel that the Council has identified the wrong site in Higher Town. We would respectfully that Councillors revisit that decision and if a reasonable alternative is not available elsewhere consider allocating a site at the eastern edge of the village. This would better relate to any development at Junction 27 as well as the strategic transport network including the railway station and the M5, in fact within a short walking distance of the site. We note in table 5, page 92 of the pack that several sites in the east of the village were reasonable alternatives but have more extensive tracks of land. We ask you to consider restricting for development a smaller area of one of these sites that have already been assessed, just as you selected a smaller area of the Higher Town site. We note that Plans for one such limited site have been shown to you. My question therefore is would you please reflect the views of most residents in the village and choose one of the reasonable alternatives that have been identified to be available even if this means extending your self-induced delay for some extra weeks' time to do the necessary work?

Bryony Byrom referring to the Local Plan Review provided the following question which was read by the Chairman:

Mid Devon's emerging Local Plan has a planning policy (DM25e, formerly DM27e). It requires any would-be developer to "make a proportionate but systematic assessment of the impact on setting as set down in the guidance from Historic England: 'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3'."

Policy SP2 in the emerging Local Plan fails to mention any risk of impact on a conservation area just 50 metres away from the Higher Town site or to provide mitigation for that conservation area.

At about 36 minutes into the audio recording of the Cabinet meeting on 9 February 2016, Mrs Clifford clearly told members that 'In relation to the Grand Western Canal Conservation Area, your officers did take it into account ... but it has not formed part of the written conclusions within the Sustainability Appraisal because those impacts were not considered to be significant'.

Mrs Clifford's statement and the acceptance of her argument in this context opens the way for developers to follow this precedent, arguing that they too can consider major developments just 50 metres from a conservation area to require no formal assessment of impact.

My question is: Do officers and Councillors believe that Policy SP2 in the proposed Local Plan meets the standard set by their Policy DM25 and that their example can be followed by developers or are they arguing that the Council can set itself a lower standard when drawing up its own Local Plan?

Hayley Kearly referring to the Local Plan Review provided the following question which was read by the Chairman:

There is no evidence in any of your Sustainability Appraisals from 2014 to January 2017 that you ever identified 42 Higher Town as a Grade II listed house as being

adjacent to the site. Nor have you recognised that 44 and 46 Higher Town are attached dwellings that share its status as historic assets.

You cannot show that these were ever considered when you did the scoring that led you to select site for allocation. You only added a reference in the Sustainability Appraisal to the existence of the Grade II house retrospectively in February or March 2017, and only after the public drew it to your attention months after you voted to allocate the site.

At that same time (February 2017), you announced that you were adding a condition to Policy SP2 to ensure safe pedestrian access to the village. From the comments in your response to consultation representations you make it clear that you have engaged in discussions with Devon County Highways and that you intend this new access to lead onto Higher Town.

The new pedestrian access will have to cut a wide, steep pedestrian access ramp right through an historic earth bank immediately outside the Conservation Area and the Grade II listed house. The ramp will be very steep as the height there is at least two metres above road level. You have shown no sign that you have assessed impact on the nearby historic assets and whether this dreadful proposal should change the scoring of the Higher Town site.

The Inspector will need to decide whether you exercised your duties to show understanding of the historic asset at the appropriate times in the appropriate way. I am convinced that all your errors will be brought to light. You will be in a serious predicament.

My question is

You may argue that there was no need to record your assessment of the significance of the Grade II listed house when you started the Sustainability Appraisal process, but how can you not reassess the site's impact when you add a brand new condition that will require you to make a pedestrian access onto Higher Town that must worsen the impact of the site on the setting of two historic assets?

Roz Thomas referring to the Local Plan Review provided the following question which was read by the Chairman:

I am Roz Thomas and I live on Turnpike at Sampford Peverell.

When I recently sought permission to add an extra bedroom at my house on Turnpike, officers refused the plans due to its overbearing impact on a neighbour's garden. Heather Bainbridge bought the case to full Council, and thankfully we gained permission to add the extra bedroom. I have been very surprised, therefore, to learn that the same officers are happy to accept that a development of 60 dwellings, on a slope high above houses on Turnpike, and within clear view of the Canal Conservation Area, is so insignificant that they did not even need to record their assessment in their Sustainability Appraisal of the site.

Paragraph 129 of the National Planning Policy Framework requires Local planning authorities to 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of

a heritage asset). I note that the NPPF includes any site that may (not 'will') be affected.

In order to help Councillors know how you will defend your position on SP2's Sustainability Appraisal, please imagine that this question comes from the Inspector who has to ensure that your revised Local Plan meets the requirements of the NPPF.

The question is – 'Where in your Sustainability Appraisal and its scoring of potential sites will I find the written evidence that you identified and assessed the significance of the Grand Western Canal Conservation Area just 50 metres away and how putting up 60 houses on the site at Higher Town may affect it and its wider setting?' (If you wish to refer to your Historic Environment Appraisal in your response, please be sure to show where the site's significance is assessed).

Mr Knowles referring to the Local Plan Review provided the following question which was read by the Chairman:

Villagers have heard rumours of Councillors saying that the site at Higher Town will never be developed. We understand that this may be intended to offer comfort to residents but the retention of Policy SP2 would in fact still weigh heavily on our minds for years to come. There may be a hidden acceptance among certain members and officers that the site will never be developed.

Some officers and members may secretly think that it will make no difference to keep SP2 in the proposed Local Plan as the Inspector will weed it out or the conditions that are imposed mean the land will never be developed. If that is the case we need to be told that these are their views. Including Policy SP2 in that way would be gambling with our village's future and causing us unnecessary anxiety. Councillors and officers should only allow Policy SP2 to remain in the draft Local Plan if they are fully committed to seeing a development at Higher Town. So my question is – Please will Councillors vote to remove Policy SP2 unless they are truly, fully committed to the Policy and to development on the site?

Mr Bond, referring to item 10 on the agenda said within the January 2017 consultation of the proposed Local Plan a revised and reduced site at Mountain Oak Farm was put forward by a member of the public for development. The MDDC response to those consultations never once acknowledges this document and its detailed drawings and supporting evidence. The idea of using smaller areas within previously defined larger sites is dismissed without it even being shown that it is a potentially workable version and it had been submitted a year ago. LUC would therefore have had no knowledge of this precise information that was an attempt to put forward a practical solution to the problems already identified by SP2. LUC's judgements about alternative sites on the east side of the village were therefore not comprehensive. Their conclusion that SP2 is still the most appropriate allocation can only be upheld once the merits or otherwise of this alternative proposal have been formally considered. To proceed without doing this would simply imply either that MDDC officers had overlooked or consciously hidden a potentially viable alternative. My question therefore will officers please recommend to Council that it considers at this meeting this reduced Mountain Oak site as a replacement for SP2 with the same link to policy Junction 27. There is an attempt to offer a solution rather than to stir up problems.

Jo Weeks, referring to item 10 on the agenda said I live in Higher Town Sampford Peverell, live alongside the fields at Higher Town that you have allocated for development in Policy SP2. I have often looked out over crops growing in fertile soil.

The first assessment of those fields in January 2014 accurately noted that the fields are grade 2 agricultural land. It also stated that only 11% of land within the district is grade 2. I am astonished that this council with its strong rural ties would take a field that is highly suitable for agricultural use and propose to build 60 homes on it. To make matters worse, you have rightly agreed, that the top section is far too high for any development, so it will be taken out of agricultural use and not even be used for building.

My question is – do Councillors really want to sacrifice this top quality agricultural land as proposed in Policy SP2 when other, better and unconsidered alternatives are available?

Dr Christopher Chesney, current chairman of Sampford Peverell Village Hall Committee, referring to item 10 on the agenda said I am alarmed that the LUC report has not considered the merits or otherwise of assessments made which led to the allocation of Higher Town in SP2.

Of particular concern is the continued and entirely false assertion that 'There is footpath on Turnpike from the south east corner of the site which leads into the village'. To reach the footpath, pedestrians must cross Turnpike, a dangerous road as all your assessments have recognised until February 2017. Indeed the SHLAA Report of 2013 specifically describes Turnpike as "a dangerous road". It is a road along which I walk almost daily. From there the footpath leads towards the village but not into the village. It breaks on a blind bend close to a narrow bridge and road junction well short of the village centre with its shop and other facilities. For a family wishing, for example, to reach the canal tow-path at this point necessitates yet another crossing of turnpike, where vehicles come round the corner and over the bridge.

The Chartered Institute for Highways and Transportation in its publication 'Planning for Walking' says walking includes all forms of assistance, such as sticks, wheelchairs, baby buggies and pavement vehicles. My wife hopes to address this point. However, it is simply untrue to say that there is a footpath on Turnpike that leads into the village. LUC will have had no idea of this when they agreed that SP2 was an acceptable option for inclusion in the Local Plan because they had no remit to look at the individual site appraisals.

My chief question is –

I would like to ask Council or is whether, in their busy lives, they have had occasion to walk along this route to assess it for themselves?

Why does the Council not accept that it is simply untrue to pretend that there is an existing foot-way that leads into the village, let alone leads in a safe manner, and that the site at Higher Town is unsafe?

Greta Tucker, a resident of Sampford Peverell, referring to item 10 on the agenda said the audio recording of the 9th February showed that many Councillors feel frustrated at the slow progress of this Local Plan review. Some may even feel that the residents of Sampford Peverell are wasting your time by persistently arguing that

Policy SP2 should be dropped. Unless you can tell me otherwise I believe that not one extra day or one extra pound has been spent on this Local Plan review as a result of actions of the residents of Sampford Peverell. All the delays and costs have been of the councils own making. We want the Plan to go ahead and we want it to be of high quality with no evident errors or injustices. We are simply trying to help you to avoid a further delay that will be caused when the Inspector sends you back to sort out the mess that is Policy SP2. We are not going to go away. My question is will you now explore fairly assessed alternatives to Policy SP2, based on the best evidence available?

Gerald Dinnage, referring to item 10 on the agenda said if the Council is determined to press ahead with Policy SP2 in its proposed Local Plan we deserve to be told now, before any vote is taken, whether or not any officers or Councillors are considering dropping or easing conditions that they have attached to the policy. My question is – if Councillors now vote to keep Policy SP2 in the proposed Local Plan, may we rest assured that they and officers are also committing themselves publicly, for the full span of years covered by the Plan, to stand firmly by all aspects of Policy SP2, including each and every condition that is currently attached?

Mrs Pearce referring to the Local Plan Review provided/asked the following question to be read by the Chairman: In assessing flood risk to the site at Higher Town, the Sustainability Appraisals from 2014 to January 2017 all directly considered the risk of water from the Grand Western canal flowing uphill over open, green fields to threaten any development on the site that stands up to 35 metres above it.

The possibility that houses built on land across those same open green fields might have an impact on the same canal's conservation area is never openly considered.

Do councillors realise that to keep Policy SP2 in the Proposed Plan, they rely on the Inspector choosing to believe your officers' assertion that there was more chance of water flowing uphill than there is of houses being seen across an uninterrupted distance of 50 metres?

My question is: Will you now explore fairly assessed alternatives to Policy SP2, based on the best evidence available?

Mr Simon Bartlett, a resident of Sampford Peverell, referring to item 10 on the agenda said Councillors, in the report before you the LUC did not look into and did not consider matters that you, as our elected representatives, must be concerned with.

Are you aware for instance that DCC actually runs two school buses from Uffculme to Sampford Peverell? While one stops at the Globe Inn on the main street east of Turnpike, the other purely for reasons of safety takes children along Turnpike to the west and drops them at Battens Cross. The reason for this separate service is that DCC schools transport services have assessed Turnpike as being too dangerous even for secondary children to use without the company of an adult. The second bus means that no child has any reason to get off at the Globe and walk over the canal bridge along Turnpike. This is the route that officers say is safe for the whole community to use in accessing the proposed site at Higher Town. The route cannot be significantly changed as it is an historic road running through a conservation area and certainly not in any material way to increase safety. Everyone coming into the

village from Turnpike, or the proposed site, has no alternative but to cross the main road twice.

My question is as follows – DCC clearly believes that Turnpike is such a dangerous road it provides an extra bus so that school children will not have to walk along the footpath and cross Turnpike near the canal bridge. In the light of this, and because everyone must cross the road twice, what can officers say to ensure Councillors that a development at Higher Town is safe and sustainable for all users.

Cllr Grantham, Willand Parish Council, referring to item 10 on the agenda ,the major modification land at Junction 27 and housing and the sustainability appraisal said for the last 2 years at meetings of the Council regarding the Local Plan and explicitly the major modification i.e. land at Junction 27 plus housing we have heard time and time again from the Head of Planning and Regeneration and other elected members of the Council that the Plan was proportionate, appropriate and safe, with the major modification of the Plan. Has the council been misled in voting for this modification? The Plan was submitted to the Inspector and he immediately pulled out the Junction 27 land allocation and housing from the Plan, for a separate hearing. Obviously he had reservations and concerns about this inclusion of this land allocation. Consequently the Planning department and the Council asked for an adjournment on advice from a barrister and their solicitor. When the Member for Planning and Regeneration was asked what advice they had received we were told that it was privileged information. With the speed that they asked for an adjournment we can only assume that the Planning department could not defend Junction 27 and the housing allocation, so the Plan would fail. With the vast number of objections to Junction 27 and the housing why was this not removed? The inclusion of Junction 27 and the housing has led to another delay, this time lasting five months. The independent sustainability appraisal from LUC, costing even more money for Mid Devon Council tax payers reported that there was nothing wrong with the Local Plan to lead them to a different decision. If this was the case now and then, why was it necessary to ask for an adjournment?

Cllr Warren, Willand Parish Council, referring to items 3 and 10 (9) on the agenda said on the 13th of December 2017 I asked questions surrounding the Planning committee process and the apparent conflict with the Planning Service Charter and the Charter between MDDC and Town and Parish Councils. The Chair indicated that a written response from the Head of Planning, Economy and Regeneration would be requested. A member asked that the response be seen by all Councillors.

I received a response by email dated the 10th January 2018 – nearly a month after the date - but allowing for the Christmas and New Year break it was 18 working days. The response explained procedures and challenging some of what I had said but it did not answer the main points of my questions. Having said that I must say that Mrs Clifford could not answer some of the question as they were directed to members.

I still question that members of the public and Town & Parish Councillors are not being listened to or receiving answers to questions of concern. A direct example of this is that at the Planning Committee on 31st January 2018 seven members of the Parish council and public asked questions and were advised by the Chair that these issues would be discussed further when the item was debated. Many the questions asked were not answered or only briefly answered by the officer. One prime example was why in a report of 35 pages the officer had summarised objections from

72 parishioners in 8 one-line bullet points amounting to 53 words. Why were these questions not answered in a proper manner? I have written to the Group Manager for Development seeking answers but it is a little early to have received a response as he has not been in the office.

We are grateful to the 10 members of the Planning Committee who did listen to the representations made and indicated an intention to refuse the application. That has now been stopped as an appeal for non-determination has been lodged. The delay in determination was an issue raised by the Parish Council some months ago and again at the hearing which did not receive a positive response.

Will members please look at the management and performance of the Planning department in relation to these issues? Can we please be assured that when the appeal into the Esso Garage site is heard that MDDC will present a robust case in accord with the elected members and parishioners wishes rather than a view of officers who have failed to determine a case within the statutory time frame?

Mr Mel Lucas, Honorary Alderman, referring to item 10 on the agenda said we represent a lot of people from Sampford Peverell. I have myself been vice chairman of the Parish Council and I also had the honour of representing Canonsleigh Ward for 12 years as a District Councillor. Talking from my heart, this evening Councillors you have in front of you something that is going to determine the later nature of our village, we live in Mid Devon, we love Mid Devon, we are proud to be part of Mid Devon and I am becoming very annoyed in the manner in which bureaucrats state to me and my villagers how we should live and what we should have in our villages.

I would like to draw Councillors attention to the Cabinet meeting of 9 February 2018 and state that I fully support and agree with the comments made by Sampford Peverell Parish Council and other members of the community that took part in the debate. Those views must be taken into consideration by yourselves this evening as they represent the views of the majority of the views of the village's residents. On reading those comments it could appear that MDDC Planning department have not taken into consideration a number of factors relating to this particular site and I would hope that the concerns of those that appeared at the meeting have been answered in a satisfactory manner. Although listening to the various speakers this evening it would appear that is not so, and therefore Councillors I would ask another question of you – are you being let down by your Planning department, after all they are the experts and you take their advice. I sometimes think you should ask if that advice is true or otherwise. I wish to put a question to the Head of Planning regarding the particular application for 60 homes within SP2. I would refer to a Cabinet meeting held on 12 December 2014, agenda item 4 and the responses given at 2.7 through to 2.8, in particular 2.9 which states the following 'SHMA's Plan housing requirements in this area are based on the promoters Plans and 3500 jobs to be created at Junction 27, therefore based on that figure alone an extra 2300 homes are required over the Local Plan period 2013 – 2033, increasing requirements from 7200 homes to 10400 homes within Mid Devon and needs to be addressed'. Is the application for 60 homes based on the presumption that an extra 3500 jobs will be created at Junction 27, if not then where is the justification to place such homes in the village of Sampford Peverell which is already at full capacity regarding utility services and other amenities including the village school. Councillors please be aware that your decision will impinge on the wellbeing of this particular community which I personally hold so dear. We are trying to protect our countryside, not destroy it and whilst not adverse to

the extra homes if so required then look at other sites within the village that are more suitable and available to develop, the Mountain Oak site in particular. Have many of you been to Sampford Peverell have done the route that is outlined in SP2, I would request that you park in the car park at Sampford Peverell and walk up to the top and then you will understand that the concerns of the villagers need to be taken into account. That road is so dangerous, even for driving and to think that you are going to put 60 homes at the top of the hill and let people walk a mile into the village, then think again.

Mrs Mary Chesney, referring to item 10 on the agenda said I use a pavement scooter and because of the lack of pavements, for example outside our house, I also have a 8 mph roadworthy scooter. Also I cannot use the pavement scooter on waste collection days because of restriction of the pavement width. The same problems would arise with parents pushing children in buggies or with accompanying children.

Turnpike is a heavily used road, and to gain access to village amenities I have to negotiate two corners where I often have to pull off the road in order to prevent being overtaken by vehicles where the driver cannot see what is coming in the opposite direction.

The other route into the village using Higher Town means going along a narrow lane where, as happened recently to me, meeting a wider vehicle means my going up a private drive-way to allow it to pass.

Since these proposals do not seem to have taken into account the dangers which I recognise, I wonder what issues affecting disability have been considered in bringing forward these Plans.

Gary Berry again referring to Agenda item 10 stated that he was not against J27 and 60 dwellings in Sampford Peverell however the siting of Policy SP2 was ridiculous. He spoke of technical data with regard to traffic movements, 6 to 8 movement per day per dwelling and that the majority of traffic would head towards the A361 and therefore through Sampford Peverell where the roads were narrow and there was a lack of pavements. The siting was wrong and the land to the east of the village could accommodate the houses, trees could be placed so that the canal was protected.

The Chairman indicated that answers would be provided when the item was debated.

111 Petitions (1-09-21)

The Chairman received and the Council noted a petition received from the residents of Crediton with regard to options for the Crediton Council office building.

112 Notices of Motions (1-09-59)

(1) Motion 542 (Councillor Mrs J Roach – 30 November 2017)

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

That this Council consider the use of recycling trolleys as a pilot project, hopefully in Silverton, as an alternative to assisted collections for those who wish to try out such a system.

The Environment Policy Development Group at its meeting on 9 January 2018 considered the Motion and recommended that it not be supported.

Following discussion, Councillor Mrs J Roach **MOVED** and seconded by Councillor R M Deed that in accordance with Procedure Rule 15.1 (e) the **MOTION** be **REFERRED BACK** to the Environment Policy Development Group for further consideration; upon a vote being taken, this was **AGREED**.

(2) Motion 543 (Councillor F W Letch – 23 January 2018)

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

I ask Council to urge Cabinet to agree to the sale of the Crediton Council Office Building to Crediton Town Council on the same basis as the sale of Tiverton Town Hall to Tiverton Town Council, where precedent has already been set, which is 50% of the buildings restricted value.

The **MOTION** was **MOVED** by Councillor F W Letch and seconded by Councillor J M Downes.

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

Councillor Mrs J Roach had submitted the following **AMENDMENT** :

“Further, the Council urges the Cabinet to agree to apply retrospectively the same method of valuation (50% of restricted value) to the price Silverton room 4 u paid for the redundant toilet block in Silverton it acquired from the Council in 2017 and, if agreed, to use all reasonable endeavours to conclude the re-negotiation”.

The Council had before it a question * submitted in accordance with Procedure Rule 13.2 with regard to the Motion together with a response from the Cabinet Member for Housing and chose at this point to ask a supplementary question in accordance with Procedure Rule 13.7. She stated that Silverton had only paid one instalment with regard to the Silverton Toilet Block and the amount had not been paid in full, therefore the answer to her question was incorrect and she referred to information regarding the sale price of the Tiverton Town Hall. At this point she chose to **WITHDRAW** her **AMENDMENT**.

At this point the original **MOTION** was discussed.

The Monitoring Officer informed the meeting that she had advised Members of the Cabinet to abstain from any involvement in the matter so as to protect any decision they may make in future with regard to the issue.

Following debate, Councillor N A Way **MOVED** in accordance with Procedure Rule 19.4:

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

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

Those voting **FOR** the **MOTION**: Councillors: Mrs A R Berry, A Bush, N V Davey, Mrs C P Daw, W J Daw, R M Deed, Mrs G Doe, R J Dolley, J M Downes, R Evans, S G Flaws, Mrs S Griggs, Mrs B M Hull, D J Knowles, F W Letch, R F Radford, Mrs J Roach, F J Rosamond, T W Snow, J D Squire, L D Taylor, N A Way and R Wright.

Those voting **AGAINST** the **MOTION**: Councillors: Mrs H Bainbridge, Mrs C A Collis and Mrs F J Colthorpe.

Those **ABSTAINING** from voting, Councillors: Mrs E M Andrews, R J Chesterton, D R Coren, C J Eginton, P H D Hare-Scott, P J Heal, C R Slade, Miss C E L Slade, Mrs E J Slade, Mrs M E Squires and R L Stanley,

The **MOTION** was declared to have been **CARRIED**.

Notes

- i) Councillor Mrs J B Binks declared a disclosable pecuniary interest in the matter as she owned a property close to the building in question and left the meeting during the discussion and vote;
- ii) Councillors R M Deed and Mrs J Roach declared personal interests as trustees of a Room for U;
- iii) *Question previously circulated, copy attached to signed minutes.

(3) Motion 544 (Councillors: W J Daw, Mrs H Bainbridge, D R Coren, Mrs G Doe, P J Heal, F W Letch and J D Squire – 31 January 2018)

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

That Mid Devon District Council adopt a position of opposition to the continuation of the Right to Buy initiative in order to protect housing stock numbers for those in housing need. As part of that position the Council will lobby both local Members of Parliament and the Housing Minister to seek the end of the current right to buy scheme.

In accordance with Procedure Rule 14.3, Councillor W J Daw requested that the Motion **NOT BE MOVED** and therefore be **WITHDRAWN**. This was **AGREED**.

113 Cabinet Report - 4 January 2018 (2-01-34)

The Leader presented the report of the meeting of the Cabinet held on 4 January 2018.

(1) Tax Base Calculation (Minute 98)

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott:

THAT the recommendation of the Cabinet as set out in Minute 98 be **ADOPTED**.

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

Note: Councillors: Mrs J Roach, N A Way and R Wright requested that their abstention from voting be recorded.

(2) Local Enforcement Policy (Minute 103)

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 103 be **ADOPTED**.

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

The Council had before it a question* with regard to Minute 104 submitted by Councillor Mrs J Roach in accordance with Procedure Rule 13.2 together with a response from the Cabinet Member for Housing.

In accordance with Procedure Rule 13.7 Councillor Mrs J Roach asked the following supplementary question: she hoped that the Forward Plan would be amended so that both items were dealt with at the same time as she could not understand why the Tiverton Town Centre Masterplan and the Tiverton Town Centre could be treated independently when they should be treated holistically with 2 Cabinet Members working together on the project.

The Chief Executive responded by stating that the matter of Tiverton Town Centre was split between the Regeneration and the Property portfolios. Any property decisions would be for the Cabinet to make.

Note *Question previously circulated, copy attached to signed minutes.

114 **Cabinet Report - 1 February 2018 (2-07-23)**

(1) Market Environmental Strategy (Minute 112)

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 112 be **ADOPTED**.

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

(2) National Non Domestic Rates (Minute 114)

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott:

THAT the recommendation of the Cabinet as set out in Minute 114 (1-3) be **ADOPTED**.

The **MOTION** was declared to have been **CARRIED**.

(3) Budget (Minute 115)

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott:

THAT the recommendation of the Cabinet as set out in Minute 115 (a) – (h) be **ADOPTED**.

Following debate, the Chairman **MOVED** in accordance with Procedure Rule 19.7:

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

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

Those voting **FOR** the **MOTION**: Councillors Mrs E M Andrews, Mrs H Bainbridge, Mrs A R Berry, Mrs J B Binks, A Bush, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, W J Daw, R M Deed, Mrs G Doe, C J Eginton, R Evans, S G Flaws, Mrs S Griggs, P H D Hare-Scott, P J Heal, Mrs B M Hull, D J Knowles, R F Radford, F J Rosamond, C R Slade, Miss C E L Slade, Mrs E J Slade, J D Squire, Mrs M E Squires and R L Stanley.

Those voting **AGAINST** the **MOTION**: Councillors: Mrs J Roach and R Wright.

Those **ABSTAINING** from voting: Councillors R J Dolley, J M Downes, F W Letch, T W Snow, L D Taylor and N Way.

The **MOTION** was declared to have been **CARRIED**.

(4) Capital Programme (Minute 116)

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott:

THAT the recommendation of the Cabinet as set out in Minute 116 (a) – (b) be **ADOPTED**.

Following debate, the Chairman **MOVED** in accordance with Procedure Rule 19.7:

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

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

Those voting **FOR** the **MOTION**: Councillors Mrs H Bainbridge, Mrs A R Berry, Mrs J B Binks, A Bush, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, W J Daw, Mrs G Doe, J M Downes, C J Eginton, R Evans, S G Flaws, Mrs S Griggs, P H D Hare-Scott, P J Heal, Mrs B M Hull, D J Knowles, R F Radford, F J Rosamond, C R Slade, Miss C E L Slade, Mrs E J Slade, T W Snow, J D Squire, Mrs M E Squires and R L Stanley.

Those voting **AGAINST** the **MOTION**: Councillors: R M Deed, R J Dolley, F W Letch, Mrs J Roach, L D Taylor and R Wright.

Those **ABSTAINING** from voting: Councillors: Mrs E M Andrews and N A Way.

The **MOTION** was declared to have been **CARRIED**.

(5) Establishment (Minute 118)

The Leader **MOVED**, seconded by Councillor C R Slade:

THAT the recommendation of the Cabinet as set out in Minute 118 be **ADOPTED**.

Councillor Mrs J Roach asked why agency workers were not included in the Establishment report. The Chief Executive explained that the Council pays for staff resource in a number of ways including via agency and as part of other ad-hoc commissions. However, the Establishment report is specifically and explicitly concerned with staff on the Council's payroll as employees of the Council.

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

(6) Policy Framework (Minute 119)

The Leader **MOVED**, seconded by Councillor Mrs M E Squires:

THAT the recommendation of the Cabinet as set out in Minute 119 be **ADOPTED**.

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

115 Council Tax Resolution 2018/2019 (2-25-04)

The Chairman **MOVED**,

“THAT the Council Tax for 2018/19 be increased by 2.998% being £197.91 (in accordance with the revised referendum limit ability of 3% or £5 per Band D property)”

With regard to the draft Council Tax resolution in respect of the year 2018/19.

The Chairman **MOVED** the resolutions to confirm the requirement from the Collection Account for the year 2018/19.

The Chairman **MOVED** in accordance with Procedure Rule 19.7:

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

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

Those voting **FOR** the **MOTION**: Councillors Mrs H Bainbridge, Mrs A R Berry, Mrs J B Binks, A Bush, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, W J Daw, R M Deed, Mrs G Doe, J M Downes, C J Eginton, R Evans, S G Flaws, Mrs S Griggs, P H D Hare-Scott, P J Heal, Mrs B M Hull, D J Knowles, R F Radford, F J Rosamond, C R Slade, Miss C E L Slade, Mrs E J Slade, J D Squire, Mrs M E Squires, R L Stanley and L D Taylor.

Those voting **AGAINST** the **MOTION**: Councillors; Mrs J Roach and T W Snow.

Those **ABSTAINING** from voting: Councillors: Mrs E M Andrews, R J Dolley and N A Way.

The **MOTION** was declared to have been **CARRIED** and it was accordingly:-

RESOLVED that the recommendations within the report be approved.

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

116 **Cabinet - Report - 9 February 2018 (2-28-32)**

The Leader presented the report of the meeting of the Committee held on 9 February 2018.

Arising thereon:

1. LOCAL PLAN REVIEW UPDATE

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendations of the Cabinet as set out in Minute 127 be **ADOPTED**.

The Head of Planning, Economy and Regeneration was invited to provide answers to questions posed in public question time.

With regard to the robustness of the process, LUC (Land Use Consultants) were asked for an independent assessment, this was undertaken, they did not look at the site assessments, they felt this unnecessary as the site assessments had already considered reasonable alternatives. It was the officers view that they had considered any reasonable alternatives. Officers were not in the business of making recommendations that were flawed or biased. Officers were of the view that the findings of the review did not steer the Council to a different conclusion from the previous decision made and the plan as submitted.

She had heard all the representations regarding the use of the alternative site at Mountain Oak however it was felt that the Policy SP2 allocation was appropriate. There were several questions regarding transport issues, highway safety, access and pedestrian issues; the Highway Authority had not objected to the site. Improvement would be required to the pedestrian access and a minor modification had been submitted to the Inspector for a further policy criterion proposed with regard to improved pedestrian connectivity. The officer's view was that we should not change our position with regard to Policy SP2

With regard to the ministerial statement regarding the deadline for submissions: there was still a Government imperative and advice for the speeding up of plan making. Officers had referenced the end of March 2017 for submission and had identified the risk of intervention to be low.

With regard to the questions received from the Inspector on the major modifications to the plan including site SP2, this was all part of the examination process, officers did not believe that the inspector was indicating lack of soundness. There had been no request to date from the Inspector for a pre-examination hearing. Within Planning Inspectorate advice on plan examinations it is stated that Inspectors will seek to identify any fundamental concerns early in the examination process. No such concerns have been raised. Planning Inspectors usually advised if flaws had been found and any issues would have been raised at an early stage; there had been no request for additional information. Policy SP2 meets the standards met by other policies within the plan; the Local Plan was read as a whole and there was a need to have regard to all the policies including Policy DM25.

With regard to the access issues, officers felt that the site was sustainable, particularly with the addition of a new criterion for access and pedestrian issues.

With regard to flood risk from the canal, the sustainability appraisal drew evidence from the strategic flood risk assessment; Officers felt that it would have been an omission if it had not been part of the sustainability appraisal.

The request for an adjournment: legal advice had been received from the Council's barrister. It had been appropriate and proportionate to take the advice and adjourn the process for the independent assessment of the major modifications stage sustainability appraisal.

With regard to employment at J27 and the housing requirement, the recorded information was: full time equivalent of 1186 jobs, the number of additional homes required would be 260 over the Local Plan period, (13 per annum) A live planning application had been submitted on the site SP2 as a response to the lack of a 5 year land supply.

With regard to issues affecting disability, an equality impact assessment had been submitted with the plan.

The Forward Planning Team Leader referring to the use of agricultural land stated that yes, the allocation SP2 was on Grade 2 agricultural land and yes it was best and most versatile land, but it was felt that the parcel of land was not a significant loss in weighing up the merits of the allocation. He spoke of the engagement between officers and the public and he recognised that local people valued their local place.

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

Notes:

- i) Councillor R F Radford declared a disclosable pecuniary interest with regard to Policy SP2 as his brother owned a property on Turnpike and chose to leave the meeting during the discussion thereon;
- ii) Councillor Mrs J Roach requested that her vote against the decision be recorded.

117 Scrutiny Committee Report - 15 January 2018 (3-09-31)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 15 January 2018.

118 Scrutiny Committee Report - 26 January 2018 (3-10-27)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 26 January 2018.

119 Scrutiny Committee Report - 12 February 2018 (3-10-58)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 12 February 2018.

120 Audit Committee Report - 23 January 2018 (3-12-44)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 23 January 2018.

121 Environment Policy Development Group - 9 January 2018 (3-13-18)

The Vice Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 9 January 2018.

122 Homes Policy Development Group - 16 January 2018 (3-14-10)

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Group held on 16 January 2018.

123 Economy Policy Development Group - 11 January 2018 (3-15-12)

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 11 January 2018.

124 Community Policy Development Group - 30 January 2018 (3-15-54)

The Vice Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 30 January 2018.

125 Planning Committee Report - 3 January 2018 (3-17-00)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 3 January 2018.

126 Planning Committee Report - 31 January 2018 (3-19-49)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 31 January 2018.

The Head of Planning, Economy and Regeneration was invited to respond to a question posed in public question time: With regard to a response to the questions raised at Council on 13 December, a written response had been provided on 10 January 2018, however many of the questions were directed at Members. In the questions reference had been made to a particular application and she confirmed that the application had been appealed for non-determination. The application would be presented to the Planning Committee on 28 February 2018 as Members would still have to provide clear instruction on the application. Where the Council is looking to defend a planning appeal, officers would do so to the best of their ability.

127 **Special Urgency Decisions (3-20-52)**

The Council had before it and **NOTED** a * report of the Leader (and Monitoring Officer) reporting special urgency decisions taken in the preceding quarter.

Consideration was given to the timing of the report and the delay in reporting a decision from October 2017. The Monitoring Officer stated that the procedure for reporting decisions made under the special urgency procedure had been agreed by the Council. It was suggested that the procedure be considered further.

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 Cabinet Member for Housing.

Notes:

- i) **Question previously circulated, copy attached to signed minutes.
- ii) * Report previously circulated, copy attached to minutes

128 **Questions in accordance with Procedure Rule 13**

There were no questions submitted under Procedure Rule 13.2 that had not been previously answered.

129 **Independent Remuneration Panel Report (3-24-15)**

The Council had before it a * report of the Group Manager for Legal Services and Monitoring Officer informing Members of a review undertaken by the Independent Remuneration Panel and their recommendations.

The Chairman **MOVED, THAT:**

- a) That the Basic Allowance to be paid to all Councillors remain at the current level of £4,865 pa with any increases being linked to the staff pay award.

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

The Chairman **MOVED, THAT:**

- b) That Special Responsibility Allowances be paid to the following Members at the unchanged levels indicated below:

| Position | Weighting x basic | SRA |
|----------------------------|-------------------|---------|
| Leader of the Council | 3.00 | £14,595 |
| Deputy Leader | 1.50 | £7,298 |
| Cabinet Member | 1.25 | £6,081 |
| Scrutiny Committee Chair | 1.25 | £6,081 |
| PDG Chair | 0.75 | £3,649 |
| Audit Committee Chair | 0.75 | £3,649 |
| Planning Committee Chair | 1.25 | £6,081 |
| Licensing/Regulatory Chair | 0.25 | £1,216 |
| Standards Chair | 0.25 | £1,216 |
| Chairman of the Council | 0.50 | £2,433 |

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

The Chairman **MOVED, THAT:**

- c) To confirm that no Member should be entitled to claim more than **one** Special Responsibility Allowance.

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

The Chairman **MOVED, THAT:**

- d) Carers' allowances be calculated on the current basis namely, the actual expenditure up to the national living wage of a person over 25.

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

The Chairman **MOVED, THAT:**

- e) Travel allowances be linked to HMRC rates and calculated at the national levels indicated, currently:

- 45p per mile for the first 10,000 miles
- 25p per mile thereafter
- 5p per mile per passenger carried (up to a maximum of 4 passengers payable to the driver)
- 25p per mile for pushbikes
- 24p per mile for motorcycles

NB: To be increased in line with HMRC rates from 1 April 2018 once known.

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

The Chairman **MOVED, THAT:**

f) The subsistence allowances be linked to those of the staff, currently these are as follows:

- Breakfast - £7.20
- Lunch - £9.94
- Tea - £3.91
- Dinner - £12.30

NB: To be increased in line with HMRC rates from 1 April 2018 once known.

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

The Chairman **MOVED, THAT:**

g) All claims for travel and subsistence reimbursement be accompanied by an appropriate receipt.

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

The Chairman **MOVED, THAT:**

h) An annual digital allowance of £150 continue to be paid to Member using digital devices only.

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

The Chairman **MOVED, THAT:**

i) Members of the Authority are not entitled to pensions and therefore neither the basic allowance nor SRA be treated as an allowance in respect of which pensions are payable.

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

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

130 **Questions to Cabinet Members**

There were no questions to the Cabinet Members.

131 **Members Business (3-27-16)**

Councillor Mrs J Roach informed the meeting of the passing of David Morrish, she felt that he was a man of strong principles which had stood throughout his long career. These thoughts were also echoed by Councillors C J Eginton and Mrs JB Binks.

Councillor Mrs J Roach also raised the issue of traffic problems and continued damage to Bickleigh Bridge and whether traffic lights should be implemented. Councillor Mrs F J Colthorpe stated that discussion with regard to this issue was

ongoing at County Hall and that the idea of traffic lights and the use of CCTV to identify those vehicles damaging the bridge was being considered.

(The meeting ended at 9.46 pm)

CHAIRMAN

AMENDMENTS AND WRITTEN QUESTIONS – FULL COUNCIL – 21 FEBRUARY 2018

AMENDMENTS

1. AGENDA ITEM 7 – MOTION 543 (Councillor F W Letch – 23 January 2018)

Amendment submitted by Councillor: Mrs J Roach

To add the following to the original motion - “Further, the Council urges the Cabinet to agree to apply retrospectively the same method of valuation (50% of restricted value) to the price Silverton room 4 u paid for the redundant toilet block in Silverton it acquired from the Council in 2017 and, if agreed, to use all reasonable endeavours to conclude the re-negotiation”.

WORDING IF AMENDMENT APPROVED:

I ask Council to urge Cabinet to agree to the sale of the Crediton Council Office Building to Crediton Town Council on the same basis as the sale of Tiverton Town Hall to Tiverton Town Council, where precedent has already been set, which is 50% of the buildings restricted value. Further, the Council urges the Cabinet to agree to apply retrospectively the same method of valuation (50% of restricted value) to the price Silverton room 4 u paid for the redundant toilet block in Silverton it acquired from the Council in 2017 and, if agreed, to use all reasonable endeavours to conclude the re-negotiation

WRITTEN QUESTIONS

1. AGENDA ITEM 7 – MOTION 543

Questions submitted by Councillor Mrs J Roach and the response of the Cabinet Member for Housing

What will be/were the terms and conditions including the type of valuation of the following including payback time.

1. Tiverton Town Hall - *sold at 50% of the freehold valuation (subject to special conditions) - £350k/2 = £175k – giving the purchaser 5 years to pay the total agreed price*

2. Crediton Town Hall - *subject to an ongoing marketing process – so clearly no terms currently agreed*

3. Silverton Toilet block - *sold at £30k (with conditions) based on a market valuation of £83k – so a discount of circa 64% - amount paid in full*

4. Hemyock car park - *sold at £2k (subject to conditions) based on a market valuation of £9k (less funding previously paid and a reduction in ongoing revenue costs of maintenance) – amount paid in full*

RESPONSE:

The responses are embedded within the questions for ease of reference.

All valuations are undertaken by an appropriate Chartered Surveyor

2. AGENDA ITEM 11 – SPECIAL URGENCY DECISIONS

Question submitted by Councillor Mrs J Roach and the response of the Cabinet Member for Housing

If any decisions have been made under this heading and if the decision concerned the purchase of property, was the sale by auction?

RESPONSE:

Yes, as indicated within the report on page 862 of your pack.

3. CABINET 4 JANUARY 2018 AND SCRUTINY COMMITTEE – 12 FEBRUARY

MINUTES 104 AND 130

Question submitted by Councillor Mrs J Roach and the response of the Chief Executive

The forward plan shows that the Tiverton Town Centre masterplan will be overseen by Councillor Chesterton and he will be reporting to Cabinet on 1/3/18, indicating that it will go out for consultation after that meeting.

The same forward plan informs us that Councillor Stanley will be seeking approval to go out to tender on 1/3/18. A presentation will be held on that day of the proposals for improvements to Tiverton Town Centre.

How much of the four million pounds allocated for property acquisition in the next financial year is allocated to Councillor Stanley's project?

Why are the Council going to commit to expenditure on improvements to the Town Centre when the results of the Tiverton Town Centre masterplan are not known?

Why is the Council failing to look at the whole picture and give everyone the opportunity to comment on all the proposals.

Why would anyone have one set of proposals for improvements to the Town Centre and another project for master planning the Town Centre?

RESPONSE:

The Forward Plan has since been amended to show the decision being moved to 25th July. This is AFTER the Town Centre Masterplan report goes back to Cabinet (scheduled on Forward Plan for 7th June), precisely to allow for comments to be received before committing to any changes or investment. For the record, the Forward Plan was updated after the council papers were published, so Cllr Mrs Roach would have been unaware at the time her question came forward.

With reference to the question about how much of the £4million is allocated to this specific project; this will be a decision for the Cabinet in due course.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 8 March 2018 at 2.15 pm

Present

Councillors

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

Apologies

Councillor(s)

Mrs M E Squires

Also Present

Councillor(s)

F W Letch, Mrs J Roach, F J Rosamond and Mrs B M Hull

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), Tina Maryan (Area Planning Officer), Hannah Cameron (Planning Officer) and Sally Gabriel (Member Services Manager)

128. APOLOGIES

Apologies were received from Cllr Mrs M E Squires.

129. DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (00-01-15)

The following declarations of interest were received:

| Councillor | Subject | Interest and Reason |
|-------------|---------------------------------|---|
| C J Eginton | Tiverton Town Centre Masterplan | Personal Interest as he owned a business in the town |
| C R Slade | Tiverton Town Centre Masterplan | Personal Interest as a Member of Tiverton Town Council |
| C J Eginton | Treasury Management | Personal Interest as he received a pension from the Lloyds Bank Group |
| R L Stanley | 3 Rivers Business Plan | Personal Interest as a Director of 3 Rivers Developments Limited |

130. PUBLIC QUESTION TIME

There were no members of the public present.

131. **MINUTES OF THE PREVIOUS MEETING (00-02-58)**

Subject to the inclusion of an additional bullet point to the bottom of page 75 (Minute 127 - Local Plan Review Update) stating that “The views of the local Ward Member with regard to the need to move the Local Plan Forward”, the minutes of the previous meeting were approved as a correct record and signed by the Chairman.

132. **GRASS CUTTING (00-04-04)**

Following consideration of a * report of the Director of Operations outlining the findings of the Grass Cutting Working Group, the Environment Policy Development Group had made the following recommendations:

- a) That notification to Town and Parish Councils regarding grass cutting should confirm the number of cuts undertaken with dates; this notification should take place on a monthly basis or as applicable if no cuts occurred during a month.
- b) That the Grounds Maintenance team price all works on the basis that it should recover the full cost incurred by them carrying out that work.
- c) That Town and Parish Councils be informed that a full cost recovery pricing model for grass cutting would be implemented over 3 years starting in the 2018/19 financial year. However any increase in cost will be tapered to allow for them to make provision regarding other providers and/or any required increase to their budgets.

The Leader outlined the contents of the report stating that he fully supported the recommendations of the Policy Development Group and that the recommendations should offer an effective way to overcome the concerns and clarify matters with the Town and Parish Councils.

Consideration was given to the difference between bereavement services and works with regard to the cemeteries.

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

(Proposed by the Chairman)

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

133. **CORPORATE ANTI SOCIAL BEHAVIOUR POLICY (00-06-39)**

Following consideration of a *report of the Group Manager for Public Health and Regulatory Services, the Community Policy Development Group had made the following recommendation: that Cabinet approve the updated Anti-Social Behaviour Policy as attached in Annexe 1.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that this was a 3 yearly review of the policy. The document had been shared with partner agencies and internal services and had been updated where applicable.

Consideration was given to consultation with the Housing Service and other departments within the Council.

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

(Proposed by Cllr C R Slade and seconded by Cllr P H D Hare-Scott)

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

134. **TIVERTON TOWN CENTRE MASTERPLAN (00-08-52)**

The Cabinet had before it a *report of the Head of Planning, Economy and Regeneration setting out for consideration the draft consultation document for Stage 1 public consultation in respect of the Tiverton Town Centre Regeneration Masterplan.

Jessica Richmond, the consultant from WYG outlined the contents of the report explaining that the masterplan was a key regeneration project that the Council had commissioned to enhance the economic prospects of the town and to provide a clear strategy to make sure that Tiverton built on its existing qualities and assets to meet its full potential as a thriving market town. She outlined the consultation stages which would allow for comment to be received to produce a clear vision for the town.

She explained the number of key assets within the town, the vision for the town to allow for ease of movement throughout the town, a vibrant market, inviting gateways, an active waterfront, larger retail footprints, a residential component and public greenspaces. The town required accessibility, an identity, a clean environment and quality shopping and recreational facilities.

She outlined the key projects identified within the masterplan throughout the town and the potential interventions which included the market, West Exe and the riverside, the western and southern gateways to the town and provided visualisations for the areas outlined. She further explained the phasing and delivery of the priorities that were also proposed to form part of the consultation material.

Consideration was given to:

- The expectations within the masterplan and the investment required
- The method of delivery with possible cross funding from development of facilities
- Timescales
- The action plan and implementation programme
- Programmes for the other main towns in Mid Devon
- Whether parking spaces would be reduced in the market area
- Whether the problems within the market would be addressed with regard to modernisation and a possible roof over the trading area
- The first stage of the consultation process to reflect on the consultants work and the ability for additional views to be submitted
- The importance of knitting the Destination Management Strategy and the Residents Survey into the project.

RESOLVED that:

- a) Stage 1 public consultation commences in order to scope out the contents of the masterplan.
- b) The draft masterplan material, together with emerging work on the Pannier Market and its surroundings, be approved for stage 1 public consultation.
- c) Delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise consultation material.

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

Notes:

- i) Cllr C J Eginton declared a personal interest as he owned a business in the town;
- ii) Cllr C R Slade declared a personal interest as a Member of Tiverton Town Council;
- iii) *Report previously circulated, copy attached to minutes.

135. MID DEVON GYPSY AND TRAVELLERS FORUM (00-48-59)

The Cabinet had before it a *report of the Head of Planning, Economy and Regeneration requesting consideration of the establishment of a Gypsy and Traveller Forum, together with Member representation.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that Gypsies and Travellers form part of Mid Devon's community and although only accounting for a small proportion of the population, the community were often hard to reach and there was a need to encourage good relations and advance efforts to eliminate discrimination. The creation of a forum would establish better communication with the various communities, improve health wellbeing and educational needs, allow the Council to fulfil its equality duties and further the aims of the Corporate Plan. The forum would be based on the Teignbridge model which seemed to be working well, would meet twice a year and would involve Gypsy and Travellers, Elected Members, officers and various stakeholders, but would have no decision making powers.

Consideration was given to:

- The need for the forum to be open and transparent and for discussions to be held in a "safe place"
- The forum would be about partnership working
- The forum would be open to any members of the gypsy and traveller community within Mid Devon
- The venue for the forum

RESOLVED that:

- a) The establishment of a Gypsy and Traveller Forum in Mid Devon be approved;
- b) The Cabinet Member for Planning and Economic Regeneration and the Cabinet Member for Housing take up membership of the forum in the first instance and that one further position be nominated at the annual meeting of the Council in May.

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

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

136. **TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY (00-58-52)**

The Cabinet had before it a *report of Director of Finance, Assets & Resources requesting that Council approve the proposed Treasury Management Strategy and Annual Investment Strategy for 2018/19.

The Cabinet Member for Finance outlined the contents of the report stating that the Council had set a balanced budget at its meeting in February at the same meeting the Capital Programme had also been considered. He explained the new reporting procedures required by CIPFA outlined within the report and the details of the Capital Strategy, the capital expenditure plans and the Council's borrowing needs.

Consideration was given to:

- Scrutiny of treasury management would be by the Cabinet and Full Council
- The prudential indicators
- The need for a thorough business planning exercise to take place prior to any capital expenditure.

RECOMMENDED to Council that: the proposed Treasury Management Strategy and Annual Investment Strategy for 2018/19, including the prudential indicators for the next 3 years and the Minimum Revenue Provision Statement (Appendix 1), be approved.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr C R Slade)

Notes:

- i) Cllr C J Eginton declared a personal interest as he received a pension from Lloyds banking Group;
- ii) *Report previously circulated, copy attached to minutes.

137. **FINANCIAL MONITORING (1-05-37)**

The Cabinet Member for Finance updated the meeting on the financial monitoring to date. It had been suggested previously that the budget gap for 2017-18 would be £180k; this amount had been reduced to £150k with an increase in planning fees and a good January for the leisure services. Most of the services had met their budgets which should be commended.

138. **NOTIFICATION OF KEY DECISIONS (1-06-30)**

The Cabinet had before it, and **NOTED**, its rolling plan * for March/April 2018 containing future key decisions.

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

139. **ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (1-07-24)**

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)

140. **3 RIVERS DEVELOPMENT LIMITED - BUSINESS PLAN**

The Cabinet had before it a * report of the Director of Finance, Assets & Resources and the 3 Rivers Developments Limited Acting Managing Director requesting approval of the draft 5 year business plan for 3 Rivers Developments Limited.

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

Returning to open session the Cabinet:

RESOLVED that the draft 5 year business plan for 3 Rivers Developments Limited be approved.

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

Notes:

- i) Cllr R L Stanley declared a personal interest as a Director of 3 Rivers Developments Limited;
- ii) *Report previously circulated.

(The meeting ended at 3.35 pm)

CHAIRMAN

Cabinet
1 March 2018

Treasury Management Strategy Statement
Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2018/19

Cabinet Member: Councillor Peter Hare-Scott
Responsible Officer: Director of Finance, Assets & Resources, Andrew Jarrett

Reason for Report: To agree the proposed Treasury Management Strategy and Annual Investment Strategy for 2018/19.

RECOMMENDATION that the Cabinet recommend to Council:

That the proposed Treasury Management Strategy and Annual Investment Strategy for 2018/19, including the prudential indicators for the next 3 years and the Minimum Revenue Provision Statement (Appendix 1), be approved.

Relationship to the Corporate Plan: Maximising our return from all associated treasury activities enables the Council to support current levels of spending in accordance with our Corporate Plan.

Financial Implications: Good financial management and administration underpins the entire strategy.

Legal Implications: Authorities are required by regulation to have regard to the Prudential Code when carrying out their duties under Part 1 of the Local Government Act 2003.

Risk Assessment: The S151 Officer is responsible for the administration of the financial affairs of the Council. Implementing this strategy and the CIPFA Code of Practice on Treasury Management manages the risk associated with the Council's treasury management activity.

1.0 BACKGROUND

1.1 The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

1.2. The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide

to the borrowing need of the Council, essentially the longer-term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.

1.3 CIPFA defines treasury management as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

1.4 The Prudential Code plays a key role in capital finance in local authorities. Local authorities determine their own programmes for capital investment that are central to the delivery of quality public services.

2.0 REPORTING REQUIREMENTS

2.1 The Council is currently required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of policies, estimates and actuals.

2.1.1 **Prudential and treasury indicators and treasury strategy** (this report)

The first, and most important report covers:

- the capital plans (including prudential indicators);
- a minimum revenue provision (MRP) policy (how residual capital expenditure is charged to revenue over time);
- the treasury management strategy (how the investments and borrowings are to be organised) including treasury indicators; and
- an investment strategy (the parameters on how investments are to be managed).

2.1.2 **A mid-year treasury management report**

This will update members with the progress of the capital position, amending prudential indicators as necessary, and whether any policies require revision.

2.1.3 **An annual treasury report**

This provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

2.2 **Scrutiny**

2.2.1 The above reports are required to be adequately scrutinised before being recommended to the Council. This role is undertaken by the Cabinet.

2.3 Capital Strategy

2.3.1 In December 2017, CIPFA issued revised Prudential and Treasury Management Codes. As from 2019-20, all local authorities will be required to prepare an additional report, a Capital Strategy report, which is intended to provide the following:-

- a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
- an overview of how the associated risk is managed
- the implications for future financial sustainability

2.3.2 The aim of this report is to ensure that all elected members on the Full Council fully understand the overall strategy, governance procedures and risk appetite entailed by this Strategy.

2.3.3 The Capital Strategy will include capital expenditure, investments and liabilities and treasury management in sufficient detail to allow all members to understand how stewardship, value for money, prudence, sustainability and affordability will be secured.

2.4 Treasury Management Strategy for 2018/19

2.4.1 The strategy for 2018/19 covers two main areas:

Capital issues

- the capital plans and the prudential indicators
- the minimum revenue provision (MRP) policy

Treasury management issues

- the current treasury position
- treasury indicators which limit the treasury risk and activities of the Council
- prospects for interest rates
- the borrowing strategy
- policy on borrowing in advance of need
- debt rescheduling
- the investment strategy
- creditworthiness policy
- the policy on use of external service providers

2.4.2 These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, CLG MRP Guidance, the CIPFA Treasury Management Code and CLG Investment Guidance.

2.3 Training

2.3.1 The CIPFA Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. Training requirements will be reviewed in 2108/19 and training will be arranged as required. The training needs of treasury management officers are periodically reviewed.

2.5 Treasury management consultants

2.5.1 The Council uses Link Asset Services (previously Capita Asset Services), Treasury solutions as its external treasury management advisors.

2.5.2 The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.

2.5.3 It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

3.0 THE CAPITAL PRUDENTIAL INDICATORS 2018/19-2020/21

3.1 The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist members' overview and confirm capital expenditure plans.

3.2 Capital expenditure

3.2.1 This prudential indicator is a summary of the Council's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. Members are asked to approve the capital expenditure forecasts:

| Capital expenditure £000 | 2016/17 Actual | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate | 2020/21 Estimate |
|-----------------------------|-------------------|---------------------|---------------------|---------------------|---------------------|
| Non-HRA | 816 | 4,043 | 5,853 | 12,592 | 11,612 |
| HRA | 4,477 | 4,264 | 4,151 | 12,492 | 7,421 |
| Total | 5,293 | 8,307 | 10,004 | 25,084 | 19,033 |

3.2.2 Other long-term liabilities. The above financing need excludes other long term liabilities, such as PFI and leasing arrangements which already include borrowing instruments.

3.2.3 The table below summarises how these plans are being financed by capital or revenue resources. Any shortfall of resources results in a funding borrowing need.

| Financing of capital expenditure £m | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|--|----------|----------|--------------|---------------|---------------|
| | Actual | Estimate | Estimate | Estimate | Estimate |
| Capital receipts | 820 | 2,712 | 1,125 | 1,298 | 874 |
| Capital grants | 1,171 | 1,222 | 688 | 678 | 688 |
| Capital reserves | 29 | 76 | 106 | 361 | 361 |
| Revenue | 3,273 | 4,297 | 4,085 | 10,747 | 5,210 |
| Net financing need for the year | 0 | 0 | 4,000 | 12,000 | 11,900 |

3.3 The Council's borrowing need (the Capital Financing Requirement)

3.3.1 The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's indebtedness and so its underlying borrowing need. Any capital expenditure above, which has not immediately been paid for, will increase the CFR.

3.3.2 The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the indebtedness in line with each assets life, and so charges the economic consumption of capital assets as they are used.

3.3.3 The CFR includes any other long-term liabilities (e.g. PFI schemes, finance leases). Whilst these increase the CFR, and therefore the Council's borrowing requirement, these types of scheme include a borrowing facility by the PFI, PPP lease provider and so the Council is not required to separately borrow for these schemes. The Council currently has £0.376m of such schemes within the CFR.

3.3.4 The Council is asked to approve the CFR projections below:

| £000 | 2016/17 Actual | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate | 2020/21 Estimate |
|--------------------------------------|-------------------|---------------------|---------------------|---------------------|---------------------|
| Capital Financing Requirement | | | | | |
| CFR – non housing | 6,479 | 6,104 | 9,859 | 19,138 | 28,141 |
| CFR – housing | 44,144 | 43,166 | 44,021 | 45,407 | 46,745 |
| Total CFR | 50,623 | 49,270 | 53,880 | 64,545 | 74,886 |
| Movement in CFR | | -1,353 | 4,610 | 10,665 | 10,341 |

3.3.5 Note that the movement in CFR will not directly match the Net Financing Need (see 3.2.3) due to slippage in the capital programme.

4.0 BORROWING

4.1 The capital expenditure budget forecasts set out in Section 3 provide details of the service activity of the Council. The treasury management function ensures that the Council's cash is organised in accordance with the relevant professional codes, so that sufficient cash is available to meet this service activity and the Council's capital strategy. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

4.2 Current portfolio position

4.2.1 The Council's treasury portfolio position at 31 March 2017, with forward projections are summarised below. The table shows the actual external debt (the treasury management operations), against the underlying capital borrowing need (the Capital Financing Requirement - CFR), highlighting any over or under borrowing.

| £000 | 2016/17 Actual | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate | 2020/21 Estimate |
|------------------------------------|-------------------|---------------------|---------------------|---------------------|---------------------|
| External Debt | | | | | |
| Debt at 1 April | 44,454 | 42,618 | 40,862 | 39,058 | 37,217 |
| Expected change in Debt | | | 4,000 | 15,961 | 27,705 |
| Other long-term liabilities (OLTL) | | | | | |
| Expected change in OLTL | | | | | |
| Actual gross debt at 31 March | 44,454 | 42,618 | 44,862 | 55,019 | 64,922 |
| The Capital Financing Requirement | 50,623 | 49,270 | 53,880 | 64,545 | 74,886 |
| Under / (over) borrowing | 6,169 | 6,652 | 9,018 | 9,526 | 9,964 |

4.2.2 Within the prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well-defined limits. One of these is that the Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2018/19 and the following two financial years. This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue or speculative purposes.

4.2.3 The Director of Finance, Resources and Assets reports that the Council complied with this prudential indicator in the current year and does not envisage difficulties for the future. This view takes into account current commitments, existing plans, and the proposals in this budget report.

4.3 Treasury Indicators: limits to borrowing activity

4.3.1 **The operational boundary.** This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be

a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt and the ability to fund under-borrowing by other cash resources.

| Operational boundary £m | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate | 2020/21 Estimate |
|-----------------------------|------------------|------------------|------------------|------------------|
| Debt | 50,000 | 53,000 | 65,000 | 78,000 |
| Other long term liabilities | | | | |
| Total | 50,000 | 53,000 | 65,000 | 78,000 |

4.3.2 The authorised limit for external debt. A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

1. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all councils' plans, or those of a specific council, although this power has not yet been exercised.
2. The Council is asked to approve the following authorised limit:

| Authorised limit £m | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate | 2020/21 Estimate |
|-----------------------------|------------------|------------------|------------------|------------------|
| Debt | 55,000 | 61,000 | 71,000 | 83,000 |
| Other long term liabilities | | 3,000 | 3,000 | 3,000 |
| Total | 55,000 | 64,000 | 74,000 | 86,000 |

4.3.3 Separately, the Council is also limited to a maximum HRA CFR through the HRA self-financing regime. This limit is currently:

| HRA Debt Limit £m | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate | 2020/21 Estimate |
|-------------------|------------------|------------------|------------------|------------------|
| HRA debt cap | 53,744 | 53,744 | 53,744 | 53,744 |
| HRA CFR | 43,166 | 44,021 | 45,407 | 46,745 |
| HRA headroom | 10,592 | 9,753 | 8,385 | 7,065 |

4.4 Prospects for interest rates

4.4.1 The Council has appointed Link Asset Services as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives our central view.

| | Dec-17 | Mar-18 | Jun-18 | Sep-18 | Dec-18 | Mar-19 | Jun-19 | Sep-19 | Dec-19 | Mar-20 | Jun-20 | Sep-20 | Dec-20 | Mar-21 |
|----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Bank Rate | 0.50% | 0.50% | 0.50% | 0.50% | 0.75% | 0.75% | 0.75% | 0.75% | 1.00% | 1.00% | 1.00% | 1.25% | 1.25% | 1.25% |
| 5yr PWLB Rate | 1.50% | 1.60% | 1.60% | 1.70% | 1.80% | 1.80% | 1.90% | 1.90% | 2.00% | 2.10% | 2.10% | 2.20% | 2.30% | 2.30% |
| 10yr PWLB View | 2.10% | 2.20% | 2.30% | 2.40% | 2.40% | 2.50% | 2.60% | 2.60% | 2.70% | 2.70% | 2.80% | 2.90% | 2.90% | 3.00% |
| 25yr PWLB View | 2.80% | 2.90% | 3.00% | 3.00% | 3.10% | 3.10% | 3.20% | 3.20% | 3.30% | 3.40% | 3.50% | 3.50% | 3.60% | 3.60% |
| 50yr PWLB Rate | 2.50% | 2.60% | 2.70% | 2.80% | 2.90% | 2.90% | 3.00% | 3.00% | 3.10% | 3.20% | 3.30% | 3.30% | 3.40% | 3.40% |

4.4.2 As expected, the Monetary Policy Committee (MPC) delivered a 0.25% increase in Bank Rate at its meeting on 2 November. This removed the emergency cut in August 2016 after the EU referendum. The MPC also gave forward guidance that they expected to increase Bank rate only twice more by 0.25% by 2020 to end at 1.00%. The Link Asset Services forecast as above includes increases in Bank Rate of 0.25% in November 2018, November 2019 and August 2020.

4.4.3 A more detailed economic outlook is detailed at Appendices .2 and 3.

4.5 Borrowing strategy

4.5.1 The Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy is prudent as investment returns are low and counterparty risk is still an issue that needs to be considered.

4.5.2 Against this background and the risks within the economic forecast, caution will be adopted with the 2018/19 treasury operations. The Director of Finance, Assets & Resources will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:

- if it was felt that there was a significant risk of a sharp FALL in long and short term rates (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings will be postponed, and potential rescheduling from fixed rate funding into short term borrowing will be considered.
- if it was felt that there was a significant risk of a much sharper RISE in long and short term rates than that currently forecast, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position will be re-appraised. Most likely, fixed rate funding will be drawn whilst interest rates are lower than they are projected to be in the next few years.

4.5.3 Any decisions will be reported to the Cabinet at the next available opportunity.

4.6 Policy on borrowing in advance of need

4.6.1 The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any

decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

4.6.2 Risks associated with any borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

4.7 **Debt rescheduling**

4.7.1 As short-term borrowing rates will be considerably cheaper than longer term fixed interest rates, there may be potential opportunities to generate savings by switching from long-term debt to short-term debt. However, these savings will need to be considered in the light of the current treasury position and the size of the cost of debt repayment (premiums incurred).

4.7.2 The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings
- helping to fulfil the treasury strategy
- enhance the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

4.7.3 Consideration will also be given to identify if there is any residual potential for making savings by running down investment balances to repay debt prematurely as short term rates on investments are likely to be lower than rates paid on current debt.

4.7.4 All rescheduling will be reported to the *Cabinet*, at the earliest meeting following its action.

4.8 **Municipal Bond Agency**

4.8.1 It is possible that the Municipal Bond Agency will be offering loans to local authorities in the future. The Agency hopes that the borrowing rates will be lower than those offered by the Public Works Loan Board (PWLB). This Authority may make use of this new source of borrowing as and when appropriate.

5.0 ANNUAL INVESTMENT STRATEGY

5.1 Investment policy

5.1.1 The Council's investment policy has regard to the CLG's Guidance on Local Government Investments ("the Guidance") and the CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes 2017 ("the CIPFA TM Code"). The Council's investment priorities will be security first, portfolio liquidity second, then return.

5.1.2 In accordance with the above guidance from the CLG and CIPFA, and in order to minimise the risk to investments, the Council applies minimum acceptable credit criteria in order to generate a list of highly creditworthy counterparties which also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the Short Term and Long Term ratings.

5.1.3 Ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To achieve this consideration the Council will engage with its advisors to maintain a monitor on market pricing such as "credit default swaps" and overlay that information on top of the credit ratings.

5.1.4 Other information sources used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.

5.1.5 Investment instruments identified for use in the financial year are listed in appendix 4 under the 'specified' and 'non-specified' investments categories. Counterparty limits will be as set through the Council's treasury management practices – schedules.

5.2 Creditworthiness policy

5.2.1 The primary principle governing the Council's investment criteria is the security of its investments, although the yield or return on the investment is also a key consideration. After this main principle, the Council will ensure that:-

- It maintains a policy covering both the categories of investment types it will invest in, criteria for choosing investment counterparties with adequate security, and monitoring their security. This is set out in the specified and non-specified investment sections below; and
- It has sufficient liquidity in its investments. For this purpose it will set out procedures for determining the maximum periods for which

funds may prudently be committed. These procedures also apply to the Council's prudential indicators covering the maximum principal sums invested.

- 5.2.2 The Director of Finance, Assets & Resources will maintain a counterparty list in compliance with the following criteria and will revise the criteria and submit them to Council for approval as necessary. These criteria are separate to that which determines which types of investment instrument are either specified or non-specified as it provides an overall pool of counterparties considered high quality which the Council may use, rather than defining what types of investment instruments are to be used.
- 5.2.3 Credit rating information is supplied by Link Asset Services, our treasury advisors, on all active counterparties that comply with the criteria below. Any counterparty failing to meet the criteria would be omitted from the counterparty (dealing) list. Any rating changes, rating Watches (notification of a likely change), rating Outlooks (notification of the longer term bias outside the central rating view) are provided to officers almost immediately after they occur and this information is considered before dealing. For instance, a negative rating Watch applying to a counterparty at the minimum Council criteria will be considered carefully and alternatives sought, with all others being reviewed in light of market conditions.
- 5.2.4 The criteria for providing a pool of high quality investment counterparties (both specified and non-specified investments) is:-
- Banks 1 - good credit quality – the Council will only use banks which:
 - i. are UK banks; and
 and have, as a minimum, the following Fitch, Moody's and Standard & Poor's credit ratings (where rated):
 - i. Short Term – F1 (Fitch) *and regard for Moody's and Standard & Poor*
 - ii. Long Term – *n/a*
 - Banks 2 – Part nationalised UK bank – Royal Bank of Scotland. This bank can be included provided it continues to be part nationalised and it meets the ratings in Banks 1 above.
 - Banks 3 – The Council's own banker for transactional purposes if the bank falls below the above criteria, although in this case balances will be minimised in both monetary size and time invested.
 - Building societies (The Council will *use* all societies which):
 - i. Meet the Fitch rating for banks outlined above;
 - ii. Have assets in excess of £1bn; and meet both criteria.
 - Money Market Funds Fitch AAmmf/AAA
 - UK Government (including gilts, Treasury Bills and the DMADF)
 - Local authorities, Police, Fire, parish councils etc

5.2.5 A limit of £5m will be applied to the use of non-specified investments. This principally relates to property funds, which is specifically within the Local Authorities' Property Fund via CCLA.

5.2.6 **Use of additional information other than credit ratings.** Additional requirements under the Code require the Council to supplement credit rating information. Whilst the above criteria relies primarily on the application of credit ratings to provide a pool of appropriate counterparties for officers to use, additional operational market information will be applied before making any specific investment decision from the agreed pool of counterparties. This additional market information (for example Credit Default Swaps, negative rating Watches/Outlooks) will be reviewed to compare the relative security of differing investment counterparties.

5.2.7 **Time and monetary limits applying to investments.** The time and monetary limits for institutions on the Council's counterparty list are as follows (these will cover both specified and non-specified investments):

| | Fitch Short term Rating | Money and/or % Limit | Time Limit |
|---|-------------------------|----------------------|------------|
| Banks 1 higher quality | F1 | £5m | 1yr |
| Banks 1 medium quality | n/a | n/a | n/a |
| Banks 1 lower quality | n/a | n/a | n/a |
| Banks 2 – part nationalised | F1 | £5m | 1yr |
| Limit 3 category – Council's banker (not meeting Banks 1) | F2/F3 | £5m (call account) | 1 day |
| Other institutions limit | n/a | n/a | n/a |
| DMADF | UK sovereign rating | unlimited | unlimited |
| Local authorities | N/A | unlimited | unlimited |
| | Fund rating | Money and/or % Limit | Time Limit |
| Money Market Funds | AAAmmf/AAA | £2m | liquid |

5.2.8 The proposed criteria for specified and non-specified investments are shown in Appendix 4 for approval.

5.3 Country and sector limits

5.3.1 Due care will be taken to consider the country, group and sector exposure of the Council's investments.

5.3.2 At present the Council has determined that it will only use approved counterparties from the United Kingdom.

5.3.3 We will not hold any more than £5m with any banking group.

5.3.4 No sector limits apply, that is no limit between building societies v banks

5.4 **Investment strategy**

5.4.1 **In-house funds.** Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months).

5.4.2 **Investment returns expectations.**

Bank Rate is forecast to stay flat at 0.50% until quarter 4 2018 and not to rise above 1.25% by quarter 1 2021. Bank Rate forecasts for financial year ends (March) are:

- 2017/18 0.50%
- 2018/19 0.75%
- 2019/20 1.00%
- 2020/21 1.25%

5.4.3 The suggested budgeted investment earnings rates for returns on investments placed for periods up to about three months during each financial year are as follows:

| | Now |
|-------------|------------|
| 2017/18 | 0.40% |
| 2018/19 | 0.60% |
| 2019/20 | 0.90% |
| 2020/21 | 1.25% |
| 2021/22 | 1.50% |
| 2022/23 | 1.75% |
| 2023/24 | 2.00% |
| Later years | 2.75% |

5.4.4 The overall balance of risks to these forecasts is currently skewed to the upside and are dependent on how strong GDP growth turns out, how quickly inflation pressures rise and how quickly the Brexit negotiations move forward positively.

5.4.5 **Investment treasury indicator and limit** - total principal funds invested for greater than 365 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment, and are based on the availability of funds after each year-end.

5.4.6 The Council is asked to approve the treasury indicator and limit:

| Maximum principal sums invested > 364 & 365 days | | | |
|--|----------------|----------------|----------------|
| £0 | 2018/19 | 2019/20 | 2020/21 |
| Principal sums invested > 364 & 365 days | £0 | £0 | £0 |

Our policy states no investments over one year, however this may take us over 365 days due to weekends and bank holidays.

5.5 Investment risk benchmarking

5.5.1 This Council will use an investment benchmark to assess the investment performance of its investment portfolio of 7 day LIBID.

5.6 End of year investment report

5.6.1 At the end of the financial year, the Council will receive a report on its investment activity as part of its Annual Treasury Report.

6.0 APPENDICES

1. Prudential and treasury indicators and MRP statement
2. Interest rate forecasts
3. Economic background
4. Treasury management practice 1 – credit and counterparty risk management
5. Approved countries for investments
6. Treasury management scheme of delegation
7. The treasury management role of the section 151 officer
8. Current list of eligible counterparties
9. Treasury Management Practices (TMPs)

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Circulation of the Report: Leadership Team, Cabinet member

APPENDIX 1

1.0 THE CAPITAL PRUDENTIAL AND TREASURY INDICATORS 2018/19 – 2020/21 AND MRP STATEMENT

1.1 The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist members' overview and confirm capital expenditure plans.

1.2 Capital expenditure

See appendix 3

1.3 Minimum revenue provision (MRP) policy statement

1.3.1 Where the Council finances capital expenditure by debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the Council to have regard to the Ministry of Housing, Communities & Local Government *Statutory Guidance on Minimum Revenue Provision* (the MHCLG Guidance) most recently updated in 2018.

1.3.2 The broad aim of the MHCLG Guidance is to ensure that debt is repaid over a period that is either reasonably commensurate with that over which the capital expenditure provides benefits, or, in the case of borrowing supported by Government Revenue Support Grant, reasonably commensurate with the period implicit in the determination of that grant.

1.3.3 The MHCLG Guidance requires the Council to approve an Annual MRP Statement each year, and recommends a number of options for calculating a prudent amount of MRP. The Council is recommended to approve the following MRP Statement:

1.3.4 For capital expenditure incurred before 1 April 2008 or which in the future will be Supported Capital Expenditure, the MRP policy will be:

- **Based on CFR** – MRP will be based on the CFR (option 2);

1.3.5 These options provide for an approximate 4% reduction in the borrowing need (CFR) each year.

1.3.6 From 1 April 2008 for all unsupported borrowing (including PFI) the MRP policy will be:

- **Asset life method** – MRP will be based on the estimated life of the assets, in accordance with the regulations (this option must be

applied for any expenditure capitalised under a Capitalisation Direction)

- 1.3.7 These options provide for a reduction in the borrowing need over the approximate asset life.
- 1.3.8 Finance lease will have their capital financing applied on a straight line basis over the life of the lease contract.
- 1.3.9 There is no requirement on the HRA to make a minimum revenue provision but there is a requirement for a charge for depreciation to be made (although there are transitional arrangements in place).
- 1.3.10 The MRP requirement for a finance lease or PFI contract is deemed to be equal to the element of the charge/rent that goes to write down the balance sheet liability.
- 1.3.11 For capital expenditure loans to third parties that are repaid in annual or more frequent instalments of principal, the Council will make nil MRP, but will instead apply the capital receipts arising from principal repayments to reduce the capital financing requirement. In years where there is no principal repayment, MRP will be charged in accordance with the MRP policy for the assets funded by the loan.
- 1.3.12 Capital expenditure incurred during 2018/19 will not be subject to a MRP charge until 2019/20.

1.4 **Affordability prudential indicators**

- 1.4.1 The previous sections cover the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances. The Council is asked to approve the following indicators:

a. Ratio of financing costs to net revenue stream

- 1.4.2 This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

| % | 2016/17 Actual | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate | 2020/21 Estimate |
|---------|-------------------|---------------------|---------------------|---------------------|---------------------|
| Non-HRA | 2.90% | 2.94% | 3.60% | 5.92% | 9.18% |
| HRA | 16.40% | 16.66% | 16.90% | 16.87% | 17.33% |

- 1.4.3 The estimates of financing costs include current commitments and the proposals in this budget report.

APPENDIX 2

2.0 INTEREST RATE FORECASTS 2017 – 2021

| Link Asset Services Interest Rate View | | | | | | | | | | | | | |
|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | Mar-18 | Jun-18 | Sep-18 | Dec-18 | Mar-19 | Jun-19 | Sep-19 | Dec-19 | Mar-20 | Jun-20 | Sep-20 | Dec-20 | Mar-21 |
| Bank Rate | 0.50% | 0.50% | 0.50% | 0.75% | 0.75% | 0.75% | 0.75% | 1.00% | 1.00% | 1.00% | 1.25% | 1.25% | 1.25% |
| 5yr PWLB rate | 1.60% | 1.60% | 1.70% | 1.80% | 1.80% | 1.90% | 1.90% | 2.00% | 2.10% | 2.10% | 2.20% | 2.30% | 2.30% |
| 10yr PWLB rate | 2.20% | 2.30% | 2.40% | 2.40% | 2.50% | 2.60% | 2.60% | 2.70% | 2.70% | 2.80% | 2.90% | 2.90% | 3.00% |
| 25yr PWLB rate | 2.90% | 3.00% | 3.00% | 3.10% | 3.10% | 3.20% | 3.20% | 3.30% | 3.40% | 3.50% | 3.50% | 3.60% | 3.60% |
| 50yr PWLB rate | 2.60% | 2.70% | 2.80% | 2.90% | 2.90% | 3.00% | 3.00% | 3.10% | 3.20% | 3.30% | 3.30% | 3.40% | 3.40% |

- 2.1 PWLB forecasts are based on PWLB certainty rates.
- 2.2 The overall longer run trend is for gilt yields and PWLB rates to rise, albeit gently. It has long been expected, that at some point, there would be a more protracted move from bonds to equities after a historic long-term trend, over about the last 25 years, of falling bond yields. The action of central banks since the financial crash of 2008, in implementing substantial Quantitative Easing, added further impetus to this downward trend in bond yields and rising bond prices. Quantitative Easing has also directly led to a rise in equity values as investors searched for higher returns and took on riskier assets. The sharp rise in bond yields since the US Presidential election in November 2016 has called into question whether the previous trend may go into reverse, especially now the Fed. has taken the lead in reversing monetary policy by starting, in October 2017, a policy of not fully reinvesting proceeds from bonds that it holds when they mature.
- 2.3 Until 2015, monetary policy was focused on providing stimulus to economic growth but has since started to refocus on countering the threat of rising inflationary pressures as stronger economic growth becomes more firmly established. The Fed. has started raising interest rates and this trend is expected to continue during 2018 and 2019. These increases will make holding US bonds much less attractive and cause their prices to fall, and therefore bond yields to rise. Rising bond yields in the US are likely to exert some upward pressure on bond yields in the UK and other developed economies. However, the degree of that upward pressure is likely to be dampened by how strong or weak the prospects for economic growth and rising inflation are in each country, and on the degree of progress towards the reversal of monetary policy away from quantitative easing and other credit stimulus measures.
- 2.4 From time to time, gilt yields – and therefore PWLB rates - can be subject to exceptional levels of volatility due to geo-political, sovereign debt crisis and emerging market developments. Such volatility could occur at any time during the forecast period.
- 2.5 Economic and interest rate forecasting remains difficult with so many external influences weighing on the UK. The above forecasts (and MPC decisions) will be liable to further amendment depending on how

economic data and developments in financial markets transpire over the next year. Geopolitical developments, especially in the EU, could also have a major impact. Forecasts for average investment earnings beyond the three-year time horizon will be heavily dependent on economic and political developments.

- 2.6 The overall balance of risks to economic recovery in the UK is probably to the downside, particularly with the current level of uncertainty over the final terms of Brexit.
- 2.7 Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:
- The Bank of England takes action too quickly over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate.
 - Geopolitical risks, especially North Korea, but also in Europe and the Middle East, which could lead to increasing safe haven flows.
 - A resurgence of the Eurozone sovereign debt crisis, possibly Italy, due to its high level of government debt, low rate of economic growth and vulnerable banking system.
 - Weak capitalisation of some European banks.
 - Germany is still without an effective government after the inconclusive result of the general election in October. In addition, Italy is to hold a general election on 4 March and the anti EU populist Five Star party is currently in the lead in the polls, although it is unlikely to get a working majority on its own. Both situations could pose major challenges to the overall leadership and direction of the EU as a whole and of the individual respective countries. Hungary will hold a general election in April 2018.
 - The result of the October 2017 Austrian general election has now resulted in a strongly anti-immigrant coalition government. In addition, the Czech ANO party became the largest party in the October 2017 general election on a platform of being strongly against EU migrant quotas and refugee policies. Both developments could provide major impetus to other, particularly former Communist bloc countries, to coalesce to create a major block to progress on EU integration and centralisation of EU policy. This, in turn, could spill over into impacting the Euro, EU financial policy and financial markets.
 - Rising protectionism under President Trump.
 - A sharp Chinese downturn and its impact on emerging market countries

2.8 The potential for upside risks to current forecasts for UK gilt yields and PWLB rates, especially for longer term PWLB rates include:-

- The Bank of England is too slow in its pace and strength of increases in Bank Rate and, therefore, allows inflation pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than we currently expect.
- UK inflation returning to sustained significantly higher levels causing an increase in the inflation premium inherent to gilt yields.
- The Fed causing a sudden shock in financial markets through misjudging the pace and strength of increases in its Fed. Funds Rate and in the pace and strength of reversal of Quantitative Easing, which then leads to a fundamental reassessment by investors of the relative risks of holding bonds, as opposed to equities. This could lead to a major flight from bonds to equities and a sharp increase in bond yields in the US, which could then spill over into impacting bond yields around the world.

2.9 **Investment and borrowing rates**

- Investment returns are likely to remain low during 2018/19 but to be on a gently rising trend over the next few years.
- Borrowing interest rates increased sharply after the result of the general election in June and then also after the September MPC meeting when financial markets reacted by accelerating their expectations for the timing of Bank Rate increases. Since then, borrowing rates have eased back again somewhat. Apart from that, there has been little general trend in rates during the current financial year. The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring higher borrowing costs in the future when authorities may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.
- There will remain a cost of carry to any new long-term borrowing that causes a temporary increase in cash balances as this position will, most likely, incur a revenue cost – the difference between borrowing costs and investment returns.

APPENDIX 3

3.0 ECONOMIC BACKGROUND

3.1 **GLOBAL OUTLOOK.** **World growth** looks to be on an encouraging trend of stronger performance, rising earnings and falling levels of unemployment. In October, the IMF upgraded its forecast for world growth from 3.2% to 3.6% for 2017 and 3.7% for 2018.

3.2 In addition, **inflation prospects are generally muted** and it is particularly notable that **wage inflation** has been subdued despite unemployment falling to historically very low levels in the UK and US. This has led to many comments by economists that there appears to have been a fundamental shift downwards in the Phillips curve (this plots the correlation between levels of unemployment and inflation e.g. if the former is low the latter tends to be high). In turn, this raises the question of what has caused this? The likely answers probably lay in a combination of a shift towards flexible working, self-employment, falling union membership and a consequent reduction in union power and influence in the economy, and increasing globalisation and specialisation of individual countries, which has meant that labour in one country is in competition with labour in other countries which may be offering lower wage rates, increased productivity or a combination of the two. In addition, technology is probably also exerting downward pressure on wage rates and this is likely to grow with an accelerating movement towards automation, robots and artificial intelligence, leading to many repetitive tasks being taken over by machines or computers. Indeed, this is now being labelled as being the start of the **fourth industrial revolution**.

3.3 KEY RISKS - central bank monetary policy measures

3.3.1 Looking back on nearly ten years since the financial crash of 2008 when liquidity suddenly dried up in financial markets, it can be assessed that central banks' monetary policy measures to counter the sharp world recession were successful. The key monetary policy measures they used were a combination of lowering central interest rates and flooding financial markets with liquidity, particularly through unconventional means such as Quantitative Easing (QE), where central banks bought large amounts of central government debt and smaller sums of other debt.

3.3.2 The key issue now is that that period of stimulating economic recovery and warding off the threat of deflation is coming towards its close and a new period has already started in the US, and more recently in the UK, on reversing those measures i.e. by raising central rates and (for the US) reducing central banks' holdings of government and other debt. These measures are now required in order to stop the trend of an on-going reduction in spare capacity in the economy, and of unemployment falling to such low levels that the re-emergence of inflation is viewed as a major risk. It is, therefore, crucial that central banks get their timing right and do not cause shocks to market expectations that could destabilise financial

markets. In particular, a key risk is that because QE-driven purchases of bonds drove up the price of government debt, and therefore caused a sharp drop in income yields, this then also encouraged investors into a search for yield and into investing in riskier assets such as equities. This resulted in bond markets and equity market prices both rising to historically high valuation levels simultaneously. This, therefore, makes both asset categories vulnerable to a sharp correction. It is important, therefore, that central banks only gradually unwind their holdings of bonds in order to prevent destabilising the financial markets. It is also likely that the timeframe for central banks unwinding their holdings of QE debt purchases will be over several years. They need to balance their timing to neither squash economic recovery by taking too rapid and too strong action, or, alternatively, let inflation run away by taking action that was too slow and/or too weak. **The potential for central banks to get this timing and strength of action wrong are now key risks.**

3.3.3 There is also a potential key question over whether economic growth has become too dependent on strong central bank stimulus and whether it will maintain its momentum against a backdrop of rising interest rates and the reversal of QE. In the UK, a key vulnerability is the **low level of productivity growth**, which may be the main driver for increases in wages; and **decreasing consumer disposable income**, which is important in the context of consumer expenditure primarily underpinning UK GDP growth.

3.3.4 A further question that has come to the fore is whether **an inflation target for central banks of 2%**, is now realistic given the shift down in inflation pressures from internally generated inflation, (i.e. wage inflation feeding through into the national economy), given the above mentioned shift down in the Phillips curve.

- Some economists favour a shift to a **lower inflation target of 1%** to emphasise the need to keep the lid on inflation. Alternatively, it is possible that a central bank could simply 'look through' tepid wage inflation, (i.e. ignore the overall 2% inflation target), in order to take action in raising rates sooner than might otherwise be expected.
- However, other economists would argue for a **shift UP in the inflation target to 3%** in order to ensure that central banks place the emphasis on maintaining economic growth through adopting a slower pace of withdrawal of stimulus.
- In addition, there is a strong argument that central banks should **target financial market stability**. As mentioned previously, bond markets and equity markets could be vulnerable to a sharp correction. There has been much commentary, that since 2008, QE has caused massive distortions, imbalances and bubbles in asset prices, both financial and non-financial. Consequently, there are widespread concerns at the potential for such bubbles to be burst by exuberant central bank action.

On the other hand, too slow or weak action would allow these imbalances and distortions to continue or to even inflate them further.

- Consumer debt levels are also at historically high levels due to the prolonged period of low cost of borrowing since the financial crash. In turn, this cheap borrowing has meant that **other non-financial asset prices**, particularly house prices, have been driven up to very high levels, especially compared to income levels. Any sharp downturn in the availability of credit, or increase in the cost of credit, could potentially destabilise the housing market and generate a sharp downturn in house prices. This could then have a destabilising effect on consumer confidence, consumer expenditure and GDP growth. However, no central bank would accept that it ought to have responsibility for specifically targeting house prices.

3.4 **UK.** After the UK surprised on the upside with strong economic growth in 2016, **growth in 2017 has been disappointingly weak**; quarter 1 came in at only +0.3% (+1.8% y/y), quarter 2 was +0.3% (+1.5% y/y) and quarter 3 was +0.4% (+1.5% y/y). The main reason for this has been the sharp increase in inflation, caused by the devaluation of sterling after the EU referendum, feeding increases in the cost of imports into the economy. This has caused, in turn, a reduction in consumer disposable income and spending power and so the services sector of the economy, accounting for around 80% of GDP, has seen weak growth as consumers cut back on their expenditure. However, more recently there have been encouraging statistics from the **manufacturing sector** which is seeing strong growth, particularly as a result of increased demand for exports. It has helped that growth in the EU, our main trading partner, has improved significantly over the last year while robust world growth has also been supportive. However, this sector only accounts for around 10% of GDP so expansion in this sector will have a much more muted effect on the overall GDP growth figure for the UK economy as a whole.

3.5 While the Bank of England is expected to give forward guidance to prepare financial markets for gradual changes in policy, the **Monetary Policy Committee, (MPC), meeting of 14 September 2017** managed to shock financial markets and forecasters by suddenly switching to a much more aggressive tone in terms of its words around warning that Bank Rate will need to rise soon. The Bank of England Inflation Reports during 2017 have clearly flagged up that it expected CPI inflation to peak at just under 3% in 2017, before falling back to near to its target rate of 2% in two years' time. The Bank revised its forecast for the peak to just over 3% at the 14 September meeting. (Inflation actually came in at 3.1% in November so that may prove now to be the peak.) This marginal revision in the Bank's forecast can hardly justify why the MPC became so aggressive with its wording; rather, the focus was on an emerging view that with unemployment having already fallen to only 4.3%, the lowest level since 1975, and improvements in productivity being so weak, that **the amount of spare capacity in the economy was significantly diminishing** towards a point at which they now needed to take action. In addition, the

MPC took a more tolerant view of low wage inflation as this now looks like a common factor in nearly all western economies as a result of automation and globalisation. However, the Bank was also concerned that the withdrawal of the UK from the EU would effectively lead to a *decrease* in such globalisation pressures in the UK, and so this would cause additional inflationary pressure over the next few years.

- 3.6 At Its 2 November meeting, the MPC duly delivered a 0.25% increase in Bank Rate. It also gave forward guidance that they expected to increase Bank Rate only twice more in the next three years to reach 1.0% by 2020. This is, therefore, not quite the 'one and done' scenario but is, nevertheless, a very relaxed rate of increase prediction in Bank Rate in line with previous statements that Bank Rate would only go up very gradually and to a limited extent.
- 3.7 However, some forecasters are flagging up that they expect growth to accelerate significantly towards the end of 2017 and then into 2018. This view is based primarily on the coming fall in inflation, (as the effect of the effective devaluation of sterling after the EU referendum drops out of the CPI statistics), which will bring to an end the negative impact on consumer spending power. In addition, a strong export performance will compensate for weak services sector growth. If this scenario was indeed to materialise, then the MPC would be likely to accelerate its pace of increases in Bank Rate during 2018 and onwards.
- 3.8 It is also worth noting the **contradiction within the Bank of England** between action in 2016 and in 2017 **by two of its committees**. After the shock result of the EU referendum, the **Monetary Policy Committee (MPC)** voted in August 2016 for emergency action to cut Bank Rate from 0.50% to 0.25%, restarting £70bn of QE purchases, and also providing UK banks with £100bn of cheap financing. The aim of this was to lower borrowing costs, stimulate demand for borrowing and thereby increase expenditure and demand in the economy. The MPC felt this was necessary in order to ward off their expectation that there would be a sharp slowdown in economic growth. Instead, the economy grew robustly, although the Governor of the Bank of England strongly maintained that this was *because* the MPC took that action. However, other commentators regard this emergency action by the MPC as being proven by events to be a mistake. Then in 2017, we had the **Financial Policy Committee (FPC)** of the Bank of England taking action in June and September over its concerns that cheap borrowing rates, and easy availability of consumer credit, had resulted in too rapid a rate of growth in consumer borrowing and in the size of total borrowing, especially of unsecured borrowing. It, therefore, took punitive action to clamp down on the ability of the main banks to extend such credit! Indeed, a PWC report in October 2017 warned that credit card, car and personal loans and student debt will hit the equivalent of an average of £12,500 per household by 2020. However, averages belie wide variations in levels of debt with much higher exposure being biased towards younger people, especially the 25 -34 year old band, reflecting their lower levels of real income and asset ownership.

- 3.9 One key area of risk is that consumers may have become used to cheap rates since 2008 for borrowing, especially for mortgages. It is a major concern that **some consumers may have over extended their borrowing** and have become complacent about interest rates going up after Bank Rate had been unchanged at 0.50% since March 2009 until falling further to 0.25% in August 2016. This is why forward guidance from the Bank of England continues to emphasise slow and gradual increases in Bank Rate in the coming years. However, consumer borrowing is a particularly vulnerable area in terms of the Monetary Policy Committee getting the pace and strength of Bank Rate increases right - without causing a sudden shock to consumer demand, confidence and thereby to the pace of economic growth.
- 3.10 Moreover, while there is so much uncertainty around the Brexit negotiations, consumer confidence, and business confidence to spend on investing, it is far too early to be confident about how the next two to three years will actually pan out.
- 3.11 **EZ.** Economic growth in the eurozone (EZ), (the UK's biggest trading partner), had been lack lustre for several years after the financial crisis despite the ECB eventually cutting its main rate to -0.4% and embarking on a massive programme of QE. However, growth picked up in 2016 and has now gathered substantial strength and momentum thanks to this stimulus. GDP growth was 0.6% in quarter 1 (2.1% y/y), 0.7% in quarter 2 (2.4% y/y) and +0.6% in quarter 3 (2.6% y/y). However, despite providing massive monetary stimulus, the European Central Bank is still struggling to get inflation up to its 2% target and in November inflation was 1.5%. It is therefore unlikely to start on an upswing in rates until possibly 2019. It has, however, announced that it will slow down its monthly QE purchases of debt from €60bn to €30bn from January 2018 and continue to at least September 2018.
- 3.12 **USA.** Growth in the American economy was notably erratic and volatile in 2015 and 2016. 2017 is following that path again with quarter 1 coming in at only 1.2% but quarter 2 rebounding to 3.1% and quarter 3 coming in at 3.2%. Unemployment in the US has also fallen to the lowest level for many years, reaching 4.1%, while wage inflation pressures, and inflationary pressures in general, have been building. The Fed has started on a gradual upswing in rates with four increases in all and four increases since December 2016; the latest rise was in December 2017 and lifted the central rate to 1.25 – 1.50%. There could then be another four increases in 2018. At its September meeting, the Fed said it would start in October to gradually unwind its \$4.5 trillion balance sheet holdings of bonds and mortgage backed securities by reducing its reinvestment of maturing holdings.
- 3.13 **CHINA.** Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. Major progress still needs to be made to eliminate excess

industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems.

3.14 **JAPAN.** GDP growth has been gradually improving during 2017 to reach an annual figure of 2.1% in quarter 3. However, it is still struggling to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

3.15 **Brexit timetable and process**

- March 2017: UK government notifies the European Council of its intention to leave under the Treaty on European Union Article 50
- March 2019: initial two-year negotiation period on the terms of exit. In her Florence speech in September 2017, the Prime Minister proposed a two year transitional period after March 2019.
- UK continues as a full EU member until March 2019 with access to the single market and tariff free trade between the EU and UK. Different sectors of the UK economy will leave the single market and tariff free trade at different times during the two year transitional period.
- The UK and EU would attempt to negotiate, among other agreements, a bi-lateral trade agreement over that period.
- The UK would aim for a negotiated agreed withdrawal from the EU, although the UK could also exit without any such agreements in the event of a breakdown of negotiations.
- If the UK exits without an agreed deal with the EU, World Trade Organisation rules and tariffs could apply to trade between the UK and EU - but this is not certain.
- On full exit from the EU: the UK parliament would repeal the 1972 European Communities Act.
- The UK will then no longer participate in matters reserved for EU members, such as changes to the EU's budget, voting allocations and policies.

APPENDIX 4

4.0 TREASURY MANAGEMENT PRACTICE (TMP1) – CREDIT AND COUNTERPARTY RISK MANAGEMENT

- 4.1 **SPECIFIED INVESTMENTS:** All such investments will be sterling denominated, with **maturities up to maximum of 1 year**, meeting the minimum ‘high’ quality criteria where applicable.
- 4.2 **NON-SPECIFIED INVESTMENTS:** These are any investments which do not meet the specified investment criteria. A maximum of £5m will be held in aggregate in non-specified investment.
- 4.3 A variety of investment instruments will be used, subject to the credit quality of the institution, and depending on the type of investment made, it will fall into one of the above categories.
- 4.4 The criteria, time limits and monetary limits applying to institutions or investment vehicles are:

| | Minimum credit criteria | ** Max % of total investments/ £ limit per institution | Max. maturity period |
|---|---|--|----------------------|
| DMADF – UK Government | N/A | 100% | Any |
| UK Government gilts | UK sovereign rating | 100% | Any |
| UK Government Treasury bills | UK sovereign rating | 100% | Any |
| Money Market Funds | AAAmmf/AAA | £2m | Liquid |
| Local authorities | N/A | 100% | Any |
| Term deposits with banks and building societies | F1 (Fitch)/£1bn asset base for building societies | £5m | 1yr |
| CDs with banks and building societies | F1 (Fitch) | £5m | 1yr |
| Gilt funds | UK sovereign rating | 100% | Any |

- 4.5 **Accounting treatment of investments.** The accounting treatment may differ from the underlying cash transactions arising from investment decisions made by this Council. To ensure that the Council is protected from any adverse revenue impact, which may arise from these differences, we will review the accounting implications of new transactions before they are undertaken.
- 4.6 **Non specified investments.** A maximum of £5M will be held in aggregate in non-specified investment.
- 4.7 Maturities of ANY period

| | * Minimum Credit Criteria | Use | ** Max % of total investments | Max. maturity period |
|----------------|----------------------------------|------------|--------------------------------------|-----------------------------|
| Property funds | LA Property Fund | In house | £5m | Ongoing |

APPENDIX 5

APPROVED COUNTRIES FOR INVESTMENTS

Currently only invest in United Kingdom based entities

APPENDIX 6

TREASURY MANAGEMENT SCHEME OF DELEGATION

- (i) **Full Council**
 - receiving and reviewing reports on treasury management policies, practices and activities;
 - approval of annual strategy.

- (ii) **Cabinet**
 - approval of/amendments to the organisation's adopted clauses, treasury management policy statement and treasury management practices;
 - budget consideration and approval;
 - approval of the division of responsibilities;
 - receiving and reviewing regular monitoring reports and acting on recommendations;
 - approving the selection of external service providers and agreeing terms of appointment.

- (iii) **Cabinet**
 - reviewing the treasury management policy and procedures and making recommendations to the responsible body.

APPENDIX 7- THE TREASURY MANAGEMENT ROLE OF THE SECTION 151 OFFICER

7.1 The S151 (responsible) officer

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance;
- submitting regular treasury management policy reports;
- submitting budgets and budget variations;
- receiving and reviewing management information reports;
- reviewing the performance of the treasury management function;
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function;
- ensuring the adequacy of internal audit, and liaising with external audit;
- recommending the appointment of external service providers.
- preparation of a capital strategy to include capital expenditure, capital financing, non-financial investments and treasury management, with a long term timeframe-please note this was added to the CIPFA requirements in December 17, therefore will form part of the 19/20 TMS
- ensuring that the capital strategy is prudent, sustainable, affordable and prudent in the long term and provides value for money
- ensuring that due diligence has been carried out on all treasury and non-financial investments and is in accordance with the risk appetite of the authority
- ensure that the authority has appropriate legal powers to undertake expenditure on non-financial assets and their financing
- ensuring the proportionality of all investments so that the authority does not undertake a level of investing which exposes the authority to an excessive level of risk compared to its financial resources
- ensuring that an adequate governance process is in place for the approval, monitoring and ongoing risk management of all non-financial investments and long term liabilities
- provision to members of a schedule of all non-treasury investments including material investments in subsidiaries, joint ventures, loans and financial guarantees
- ensuring that members are adequately informed and understand the risk exposures taken on by an authority
- ensuring that the authority has adequate expertise, either in house or externally provided, to carry out the above
- creation of Treasury Management Practices which specifically deal with how non treasury investments will be carried out and managed, to include the following
 - *Risk management (TMP1 and schedules), including investment and risk management criteria for any material non-treasury investment portfolios;*
 - *Performance measurement and management (TMP2 and schedules), including methodology and criteria for assessing*

the performance and success of non-treasury investments;

- *Decision making, governance and organisation (TMP5 and schedules), including a statement of the governance requirements for decision making in relation to non-treasury investments; and arrangements to ensure that appropriate professional due diligence is carried out to support decision making;*
- *Reporting and management information (TMP6 and schedules), including where and how often monitoring reports are taken;*
- *Training and qualifications (TMP10 and schedules), including how the relevant knowledge and skills in relation to non-treasury investments will be arranged.*

APPENDIX 8 - CURRENT LIST OF ELIGIBLE COUNTERPARTIES

| Counterparty Lending List for 2017-18 as at 23/01/18 | | | | |
|--|-------------------|---------------------|------------------|------------|
| UK Banks | | Fitch Credit Rating | Moody's Rating | S&P Rating |
| Bank | Short Term | Short Term | Short Term | |
| HSBC Bank plc | F1+ | P-1 | A-1+ | |
| Bank of Scotland Plc | F1 | P-1 | A-1 | |
| Barclays Bank plc | F1 | P-1 | A-1 | |
| Close Brothers Ltd | F1 | P-1 | | |
| Lloyds Bank Plc | F1 | P-1 | A-1 | |
| Goldman Sachs International | F1 | P-1 | A-1 | |
| Standard Chartered Bank | F1 | P-1 | A-1 | |
| Santander UK plc | F1 | P-1 | A-1 | |
| Sumitomo Mitsui Banking Corp Europe | F1 | P-1 | A-1 | |
| UBS | F1+ | P-1 | A-1 | |
| Nationalised/Part Nationalised Banks | | | | |
| Royal Bank of Scotland Plc | F2 | P-2 | A-2 | |
| National Westminster Bank | F2 | P-1 | A-2 | |
| Building Societies | | | | |
| Group Asset Ranking | | Society Assets £m | Fitch Short Term | Year end |
| 1 | Nationwide | 220,013 | F1 | Apr-17 |
| 2 | Yorkshire | 45,162 | F1 | Dec-16 |
| 3 | Coventry | 37,632 | F1 | Dec-16 |
| 4 | Skipton | 17,827 | F1 | Dec-16 |
| 5 | Leeds | 16,485 | F1 | Dec-16 |
| 6 | Principality | 8,124 | F2 | Dec-16 |
| 7 | West Bromwich | 5,839 | - | Mar-17 |
| 8 | Newcastle | 3,638 | - | Dec-16 |
| 9 | Nottingham | 3,601 | - | Dec-16 |
| 10 | Cumberland | 2,242 | - | Mar-17 |
| 11 | Progressive | 1,795 | - | Dec-16 |
| 12 | National Counties | 1,863 | - | Dec-16 |
| 13 | Saffron | 1,112 | - | Dec-16 |
| 14 | Cambridge | 1,114 | - | Dec-16 |
| 15 | Monmouthshire | 1,053 | - | Mar-17 |
| Note: | | | | |
| Not all of the top 20 Building Societies are Fitch rated, therefore we use the overall asset base in conjunction with the Fitch Rating to assess the lending criteria. | | | | |

APPENDIX 9

TREASURY MANAGEMENT PRATICES (TMPs)

CIPFA lists 12 TMPs that the council are recommended to adopt. The Director of Finance, Assets and Resources will have delegated approval over the TMPs. Any recommendations from the Director of Finance, Assets and Resources will be submitted to Cabinet for review.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 5 April 2018 at 2.15 pm

Present

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

Apologies

Councillor(s) R J Chesterton and C R Slade

Also Present

Councillor(s) F W Letch, F J Rosamond and T W Snow

Also Present

Officer(s): Stephen Walford (Chief Executive), Jill May (Director of Corporate Affairs and Business Transformation), Jenny Clifford (Head of Planning, Economy and Regeneration), Joanne Nacey (Group Manager for Finance), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Maria De Leiburne (Solicitor), Tina Maryan (Area Planning Officer), Tristan Peat (Forward Planning Team Leader), John Bodley-Scott (Economic Development Team Leader) and Sally Gabriel (Member Services Manager)

141. MINUTE SILENCE - COUNCILLOR MISS CLARISSA SLADE

The Chairman opened the meeting and asked that those in attendance observe a minute's silence in memory of Councillor Clarissa Slade.

Those present spent a minute in quiet contemplation.

142. APOLOGIES

Apologies were received from Cllrs: R J Chesterton and C R Slade.

143. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

There were no interests to declare.

144. PUBLIC QUESTION TIME

There were no members of the public present.

145. MINUTES OF THE PREVIOUS MEETING (00-02-36)

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

146. **BEREAVEMENT SERVICES FEES AND CHARGES (00-03-32)**

The Chairman indicated that due to a change in Government guidance with regard to charges, he requested that the Environment Policy Development Group reconsider the report taking into consideration the updated guidance.

It was therefore:

RESOLVED that the report be referred back to the Environment Policy Development Group for further consideration.

(Proposed by the Chairman)

Note: *Report previously circulated, copy attached to minutes

147. **MID DEVON DESTINATION MANAGEMENT (00-05-15)**

Arising from a report of the Chief Executive and Director of Growth, the Economy Policy Development Group had recommended that the Destination Management Strategy be recommended to Council for approval.

The Economic Development Team Leader outlined the contents of the report stating that the Destination Management Plan for Mid Devon was a strategic document for promoting tourism within the district and provided a framework for joint activity with key stakeholders and individual tourism businesses. The document had been subject to consultation and feedback from that consultation process had been incorporated into the document and that it also reflected the modifications to the Local Plan Review such as the proposed allocation at Junction 27 for a major tourism and leisure development. The Strategy would in time be accompanied by an action plan following work on the Economic Strategy which was being progressed by the Economy Policy Development Group

Consideration was given to:

- The lack of emphasis within the strategy on country sports and the amount of business this brought to the area
- The effectiveness of the strategy and how it would be measured
- The need for the action plan and metrics by which the effectiveness of the strategy would be judged to be placed before a future meeting of the Cabinet
- The timescale for the production of the action plan
- The need to include mention of the Roman Catholic Boniface Church, Crediton
- The need for more tourist accommodation in Crediton

Subject to the inclusion of additional material with regard to country sports and mention of the shrine at the Roman Catholic Boniface Church it was:

RECOMMENDED to Council that the Destination Management Plan be approved.

(Proposed by the Chairman)

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

148. CORPORATE DEBT RECOVERY POLICY (00-19-13)

Arising from a report of the Group Manager for Finance, the Audit Committee had recommended that the updated Debt Collection Policy and associated appendices be approved.

The Cabinet Member for Finance outlined the contents of the report stating that there was no change in the policy, it had been refreshed and made more transparent. The authority had a good record of debt recovery which had been demonstrated by the high level of Council Tax collection

Consideration was given to: a corporate approach to debt collection across all of the work streams rather than individual departments.

RESOLVED that the recommendations of the Audit Committee be approved.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr Mrs M E Squires).

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

149. CULLOMPTON TOWN CENTRE MASTERPLAN (00-24-03)

The Cabinet had before it a *report of the Head of Planning, Economy and Regeneration requesting consideration of the commissioning of consultants to assist in the preparation of a Masterplan Supplementary Planning Document and Delivery Plan in respect of Cullompton Town Centre.

The Head of Planning, Economy and Regeneration outlined the contents of the report stating that Cullompton was the focus for significant housing growth in the emerging Local Plan Review. There was a need to progress a masterplanning exercise for Cullompton Town Centre in tandem with other projects and initiatives including the Garden Village, the townscape heritage initiative fund application, the Devon Metro project and other masterplanning in connection with the planned urban extension to the north west of Cullompton. She outlined the policies within the emerging Local Plan which highlighted strategic allocations within the town and the need to address traffic and congestion within the town, the impact of air quality on the town centre and the proposal for a railway station, all these issues would have a key role in the masterplanning exercise.

The Chairman read correspondence from Cllr Mrs N Woollatt which requested that Ward Members be added to the stakeholders to be engaged with, at paragraph 3.8 of the report and that the boundary of the suggested geographical area of the masterplan at Appendix 1 within the report be extended to the east of the boundary proposed so that the land between Tesco and the Showman's site/Longbridge Meadow Industrial Estate and the entire Cullompton Community Association (CCA) fields site including the football and cricket club areas up to the railway line be included.

Consideration was given to:

- Whether the masterplan should only address the economic drivers around the town centre and that the area around the CCA fields be included in the geographical scope of the masterplan.
- Whether including the CCA fields areas into the town masterplanning process would detract from issues to be addressed within the town centre.
- The concern of other local Members with regard to the congestion in the town, the need for a proper bus stop outside the Weary Traveller for the National Express Coaches which would link with the proposed railway station.
- The need for the proposed consultation events to include a specific meeting for the Town Council

RESOLVED that:

- (i) Local Ward Members be added to the Stakeholder list and therefore have a key role in the development of the masterplan.
- (ii) The boundary of the suggested geographical area of the masterplan outlined at Appendix 1 of the report be extended to the east of the boundary proposed so that the land between Tesco and the Showman's site/Longbridge Meadow Industrial Estate and the entire CCA fields site including the football and cricket club areas up to the railway line be included in the masterplanning area.
- (iii) Delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to engage consultants to assist with the preparation of a Cullompton Town Centre Regeneration Masterplan and Delivery Plan.

(Proposed by the Chairman)

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

150. MID DEVON DESIGN GUIDE - SUPPLEMENTARY PLANNING DOCUMENT (00-45-18)

The Cabinet had before it a *report of the Head of Planning, Economy and Regeneration requesting approval for the use of an external consultant to prepare a Design Guide Supplementary Planning Document for Mid Devon.

The Forward Planning Team Leader outlined the contents of the report stating that the proposal was to expand on existing and proposed planning policy through a new Supplementary Planning Document (SPD) to provide detailed guidance on urban, village and rural design issues in Mid Devon. It was intended that the SPD would raise design awareness and standards through the planning process; suitable external consultants would be required to prepare such a document. He outlined the processes (including stakeholder involvement and consultation) that would take place with regard to the creation of the SPD.

Consideration was given to:

- Concerns that the design of development on the Eastern Urban Extension in Tiverton was already underway and therefore would there be 2 styles of development across the district?
- The need to have regard to the Blackdown Hills Area of Outstanding Natural Beauty together with a further possible AONB proposal within the Exe Valley.
- The hope that the design guide would work alongside documents already in place.

RESOLVED that: the commissioning of a suitable external consultant to prepare the Mid Devon Design Guide Supplementary Planning Document be approved.

(Proposed by the Chairman)

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

151. **PAY POLICY (00-52-59)**

The Cabinet had before a * report of the Group Human Resources Manager which set out the legislative requirements of the Localism Act 2011 relating to senior pay, in particular the role of the Chief Executive, Directors and other senior officers.

The Chairman outlined the contents of the report explaining the pay multiple which was calculated by comparing all taxable earnings for the given year for the Chief Executive compared to mean earnings and the lowest paid in the organisation.

Consideration was given to the Gender Pay Gap statistics that had already been published.

RECOMMENDED to Council that the Pay Policy 2018 be adopted.

(Proposed by the Chairman)

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

152. **CABINET MEMBER DECISIONS (00-56-09)**

The Cabinet **NOTED** the following * decisions made by Cabinet Members:

Cabinet Member for Community Well-Being (Cllr Colin Slade)

Leisure Pricing 2018

- a) Increase the base line for all leisure pricing by 3%;
- b) That the reduction for concessionary membership be set at 1/3 of the full cost;
- c) That times of access be restricted for those with concessionary membership, as proposed in the report, with an uplift payment available should they wish to attend during peak periods.

Consideration was given to the timings of sessions crossing two time periods; the meeting was advised that this issue was being addressed.

Cabinet Member for Finance (Cllr Peter Hare-Scott)

Station Road car Park, Cullompton

The Cullompton Farmers Market Committee Group have approached the Council with a request to close part to celebrate the 20th Anniversary of the starting up of the Cullompton Farmers' Market.

They have requested on Saturday 30th June from 6am until 2pm to close and erect stalls to the lower part of the car park so stalls can be erected, this would mean the upper car park would be still available for pay and display and permit holders to use but the reduced number of spaces would result in a reduced income.

Cabinet Member for Planning and Economic Regeneration

Building Control Fees

Increase Building Control Fees by approximately 3%

To maintain cost recovery for Building Control activity. Building Control fees were last changed in 2015. The fee increase is now required to ensure that the service continues to be self-funding and breaks even.

Note: * Decisions previously circulated copy attached to minutes.

153. FINANCIAL MONITORING (00-58-41)

The Cabinet Member for Finance updated the meeting on the financial monitoring to date; the budget gap for 2017/18 was expected to be approximately £150k. All mainstream departments had been within budget which should be commended.

154. PERFORMANCE AND RISK (00-59-33)

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 highlighting the good performance of the waste service the work taking place to build homes at Birchen Lane and Palmerston Park, issues with access to some properties so that gas safety checks could take place and the outstanding performance of bringing empty homes back into use

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

155. NOTIFICATION OF KEY DECISIONS (1-05-48)

The Cabinet had before it, and **NOTED**, its rolling plan * for April 2018 containing future key decisions.

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

156. **ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (1-06-39)**

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)

157. **DISPOSAL OF THE LAND AND TOILET BLOCK AT STATION ROAD, CULLOMPTON**

The Cabinet had before it a * report of the Director of Finance, Assets & Resources requesting approval for the asset disposal of the public convenience in Station Road, Cullompton.

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

Returning to open session the Cabinet:

RESOLVED that the asset disposal of the land and buildings at the Public Conveniences, Station Road, Cullompton proceed as detailed in the report.

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

Note: *Report previously circulated.

(The meeting ended at 3.25 pm)

CHAIRMAN

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Destination Management Strategy for Mid Devon

Cabinet Member(s): Cllr Richard Chesterton
Responsible Officer: Stephen Walford, Director for Growth

Reason for Report: To present to committee the finalised Destination Management Strategy.

RECOMMENDATION: To recommend to Cabinet that the Destination Management Strategy be recommended to Council for approval.

Relationship to Corporate Plan: It supports the aims of the Corporate Plan's Economy objectives and in particular Aim 4 - Grow the tourism sector:

- Increase the number of people visiting, staying and spending money in the District
- Improve the marketing of Mid Devon as a visitor destination

Financial Implications: There are no financial implications envisaged with regard to adopting the Strategy. However as work on the emerging Economic Strategy evolves, destination management actions will be considered alongside other economic development projects with regard to prioritisation of projects within existing budgets.

Legal Implications: None

Risk Assessment: None

Equality Impact Assessment: None

1.0 Background

1.1 The Destination Management Plan for Mid Devon is a strategic document for promoting tourism within the District and provides a framework for joint activity with key stakeholders and individual tourism businesses.

1.2 Research was undertaken on behalf of the Council in 2016 on the tourism sector within the district and the findings were used to develop a draft Destination Management Plan. This was subject to consultation with tourism businesses and other external and internal stakeholders. The consultation responses were collated, and incorporated into a final revision of the Destination Management Plan which is now being presented to the Policy Development Group. Officers have also taken the opportunity to update the strategy to reflect modifications to the Local Plan Review such as the proposed allocation at Junction 27 for a major tourism and leisure development. The Local Plan Review will be subject to examination later in 2018.

- 1.3 The Demand Management Strategy will ultimately be accompanied by an action plan; however this will need to be subject to more work with members as part of the emerging Economic Strategy and be informed by the direction of travel of other economic and productivity strategies.
- 1.4 It should be noted that the Economic Development team currently supports individual tourism businesses, providing advice and support for applications to the LEADER funding programme, and RDPE Growth Programme. The team is currently advising nine local businesses on tourism related business ideas – mainly projects to provide and improve accommodation.
- 1.5 The Demand Management Strategy contains a number of objectives which will provide a context for any future actions. It is most likely that future actions will need to be owned and driven by key partners and tourism businesses themselves. Mid Devon District Council can play a role in supporting and facilitating these actions, and has a specific role in terms of the public realm, infrastructure, and business advice. However, as stated above any actions will need to be prioritised alongside other priorities being identified in the Economic Strategy.

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Circulation of the Report: Cllr Richard Chesterton, Leadership Team, Head of Planning

A Destination Management Plan for Mid Devon

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1.0 Background – Why a destination management plan?

The Council and its partners would like to see a competitive and sustainable tourism sector, but to achieve this there needs to be an agreed way forward and co-ordination between partners. Our aim is:

To build a competitive and sustainable tourism industry for Mid Devon, which increases the contribution tourism makes to our local economy over the next 5 years.

Tourism is a key sector for the District's economy, creating jobs, increasing expenditure in the local economy and generating new business ideas. Tourism as defined by the World Tourism Organisation is any 'activity undertaken by persons travelling or staying in places outside of their usual environment for not more than a year for leisure, businesses and other purposes.' Sustainable tourism is committed to generating a low impact on the surrounding environment and community while generating income and employment for the local economy.

A destination management plan is a shared strategy showing the intent of partners to manage, develop and promote the area as a visitor destination. It is very much a partnership document as it is not possible for any one organisation to achieve everything on its own as it touches all aspects that contribute to a visitor's experience.

2.0 Economic Impact of Tourism - current situation

2.1 Mid Devon Economic Status – performance and impact

Tourism is recognised as an important driver of the Mid Devon's economy. It contributes significantly through job creation, increased expenditure and income into local communities.

In 2015, Mid Devon attracted approximately 212,000 staying visitors from the UK and overseas combined with approximately 1.59 million day visits, generating an estimated £101 million pounds worth of visitor spend in the local economy. Approximately 1,500 full-time equivalent jobs within the district are working directly in tourism related businesses, representing 5% of all employment in Mid Devon.

| Key facts – Value of tourism 2015 | |
|--|------------------------------------|
| 212,000 | Staying visitor trips |
| 860,000 | Staying visitor nights |
| £43,165,000 | Staying visitor spend |
| 1,589,000 | Day visits |
| £52,909,000 | Day visitor spend |
| £96,074,000 | Direct visitor spend |
| £5,059,000 | Other related spend |
| £101,133,000 | TOTAL VISITOR RELATED SPEND |
| 2,084 | Estimated actual employment |
| 1,505 | FTE employment |
| 5% | Proportion of all employment |

Table 1. Highlights from The economic impact of Mid Devon's visitor economy and evidence base 2015

Mid Devon is the least visited district in Devon, indicating there is plenty of room for growth.

| Area | Domestic trips (000's) | Overseas trips (000's) | Domestic nights (000's) | Overseas nights (000's) | Domestic spend (millions) | Overseas spend (millions) |
|-------------|------------------------|------------------------|-------------------------|-------------------------|---------------------------|---------------------------|
| East Devon | 478 | 43 | 1,905 | 332 | £100 | £17 |
| Exeter | 423 | 58 | 1,446 | 631 | £86 | £37 |
| Mid Devon | 193 | 19 | 727 | 133 | £37 | £6 |
| North Devon | 937 | 56 | 4,205 | 364 | £224 | £20 |
| Plymouth | 637 | 76 | 2,186 | 616 | £114 | £33 |
| Teignbridge | 573 | 38 | 2,488 | 261 | £119 | £13 |
| Torbay | 1,084 | 96 | 4,033 | 563 | £274 | £36 |
| Torridge | 237 | 19 | 1,006 | 144 | £53 | £7 |

Table 2 from The Economic Impact of Mid Devon's Visitor Economy and Evidence base 2015.

The main reason why domestic visitors come to Mid Devon (day trips and staying) is for a holiday or leisure time. While for overseas visitors the main reason is to visit friends and relatives. This is significant as it means that having local connections is an important motivator even for overseas visitors.

The largest direct spend for day visitors and for domestic staying visitors (after accommodation costs have been considered) is on food and drink, with shopping being a significant second and the most significant spend for overseas staying visitors.

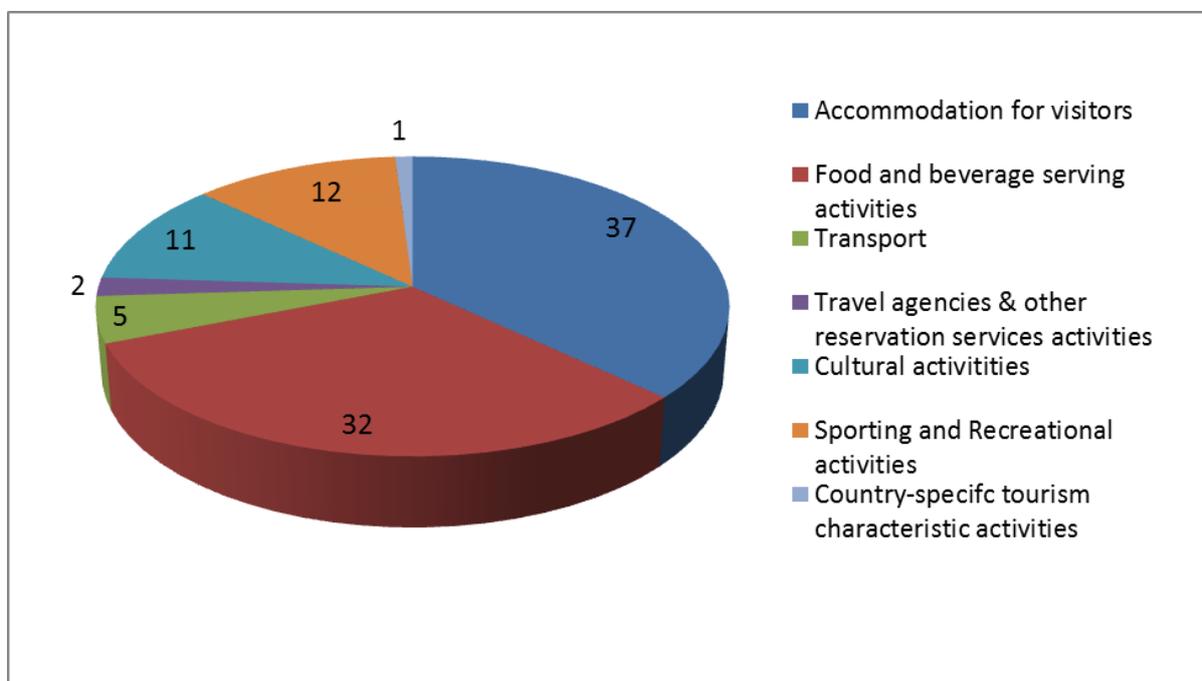
| | |
|-----------------------------|---|
| Food & drink | Domestic staying visitors £8,241,000 Overseas staying visitors £1,438,000 Day visitors £21,965,000 |
| Accommodation | Domestic staying visitors £13,518,000 Overseas Staying visitor £1,611,000 |
| Shopping | Domestic staying visitors £4,684,000 Overseas Staying visitor £1,948,000 Day visitors £17,072,000 |
| Attractions / entertainment | Domestic staying visitors £4,012,000 Overseas Staying visitor £779,000 Day visitors £7,170,000 |
| Travel | Domestic staying visitors £6,301,000 Overseas Staying visitor £634,000 Day visitors |

| | |
|--------------------------------|------------|
| | £6,701,000 |
| Second Homes | £180,000 |
| Visiting Friends and Relatives | £4,879,000 |

Table 3 from The Economic Impact of Mid Devon's Visitor Economy and Evidence base 2015 report.

3.0 Mid Devon's Tourism Offer

Accommodation and food and drink providers make up the majority of businesses working within the sector¹, while travel and country specific activities such as conferences, exhibitions and fairs are the lowest. However, business codes do not distinguish tourism-related retail businesses to other more general retail businesses – so it hard to evaluate the significance of retail to the tourism offer.



Graph 4. Share of tourism sectors within the industry by number of businesses using the tourism SIC codes from the Mint Database Nov 2016.

3.1 Accommodation

The latest available information on accommodation for Mid Devon estimates that there are a total of 195 accommodation providers in the district, offering over 3,100 bed spaces of various kinds. There is a lower concentration of accommodation to the west of the District, especially around Crediton.

| | Bed spaces / pitches |
|--------|----------------------|
| Hotels | 629 |

¹ Mint Database of Registered Businesses 2016

| | |
|---|-------------|
| Guesthouse | 66 |
| Inns | 119 |
| B&B | 557 |
| Farms | 88 |
| Self-catering | 170 units |
| Touring caravans / tents | 378 pitches |
| Static vans | 28 pitches |
| Table 5 Accommodation breakdown for Mid Devon from the Economic Impact report 2015. | |

Poor weather can have a negative impact on campsite bookings. However, glamping type accommodation (yurt and tepees) have increased in popularity in recent years, providing high quality experiences for people looking to get closer to nature. This type of accommodation requires advanced booking so providers are able to rely on numbers throughout the year, and extending the traditional holiday season.

As one would expect, the majority of the accommodation stock is in the countryside, however, there are also very few town centre hotels or B&B's.

3.2 Attractions and local offer

There are 14 paid visitor attractions in the district, offering a variety of activities for visitors. Attractions include museums, boat trips, historic houses, castles, theme parks, vineyards, and animal watching. There is a lower concentration of paid attractions to the west of the district.

The local offer is much wider than attractions; the district's natural environment (the countryside - stunning views / landscape / valleys) and a rich cultural heritage make Mid Devon a beautiful and interesting destination. Green infrastructure (footpaths, bridleways, cycle routes), heritage sites, churches, quaint villages, 11 miles of the Grand Western Canal, listed buildings, conservation areas, access to Exmoor and the Blackdown Hills AONB, rivers & 200 country wildlife sites all contribute to the local offer. The area has a variety of food and drink establishments serving local produce.

There has been a recent growth in the number of conference and event venues within the District, particularly wedding venues. These can offer both a venue for a day event, but increasingly offer accommodation for overnight / weekend events as well. There is also a strong country sports offer, with a concentration of coarse fishing lakes and associated accommodation in the Culm Valley, and fly fishing in the Exe Valley. While, on the Exmoor Fringe, game shooting is a key pursuit with local shoots providing world class game bird shooting and attracting high-spending visitors who contribute greatly to the economy, community and environment of the area.² Equestrian holidays are another visitor attraction particularly on the edge of Exmoor and the Blackdown Hills.

4.0 Who comes to Mid Devon?

² PACEC on behalf of Exmoor NP (2012) "The Role of Game Shooting in Exmoor, Final Report", Exmoor NP, available at http://www.exmoor-nationalpark.gov.uk/_data/assets/pdf_file/0006/271653/GESAPACECreport231006-3.pdf

The findings from the 2016 visitor survey portray a positive and encouraging picture of Mid Devon as a tourism and leisure destination in the South West region. The headlines from the survey include:

- Mid Devon is predominantly a destination for day visitors.
- The main visitor market appears to be those people living within the immediate South West region.
- Mid Devon appeals to adult-only groups with visitors falling into the middle (45-54 years) and older (55+ years) age groups.
- The average group size is 2.85 people
- The majority come to Mid Devon for leisure purposes or for visiting friends and family.
- Overnight visitors spend on average 4 nights
- Mid Devon attracts a relatively affluent visitor market (social grades ABC's)
- The district attracts a high proportion of repeat visitors across all visitor types. This is likely to be due to the fact that visitors to the district appear to be relatively satisfied with the visitor experience and the tourism product on offer to them when making a visit.
- The main reason for their visit is to eat out (food and drink), followed by shopping, walking, visiting family attractions and enjoying the countryside
- Visitors use the internet during their visit to source information from google, Trip Advisor, Visit Devon and Heart of Devon. However, a high proportion still likes to use a brochure or leaflet during their visit.
- The lowest satisfaction rates were for nightlife/evening entertainment and availability of public toilets.
- Standard questions are used to benchmark the overall satisfaction and enjoyment of a visit, for example visitors were asked the likeliness of re-visiting the area and 4.73 out of 5 (very high) would return.
- A similar benchmark is recorded through a recommendation score. Mid Devon's recommendation score was +42%, which is good but slightly lower when compared with the score for the county as a whole of +56%.
- Some quotes why people like it here: 'the countryside', 'a lot calmer and laid back', 'Atmosphere, scenery and peaceful', 'accessibility to coastlines in Devon', 'variety of things to do', 'friendliness', 'Weather, fresh air and wild flowers along the paths'.

5.0 Partnerships and Marketing

Mid Devon used to be marketed under the Heart of Devon (HOD) Area Tourism Partnership (ATP), together with Exeter, East Devon and Teignbridge. However, in January 2016 the Heart of Devon partnership merged with Visit South Devon (VSD). Following this merger Mid Devon businesses were struggling to relate to VSD's strong coastal brand and many have now migrated to Visit Devon.

Visit Devon has been developing to become the 'go to' company for tourism and hospitality businesses located in Devon. Over the past 12 months they have appointed a new board, introduced a new membership structure and a completely revamped their website. Visit Devon is a Community Interest Company and will be working on behalf of the tourism and hospitality industry locally to promote Devon within the UK and overseas to attract new and additional visitors to the county.

Up until recently Mid Devon has been under represented on Visit Devon's website, but this has been addressed. Events can now be promoted through the website, however there is a lack of locally co-ordinated promotional campaigns at present and there is no central website for Mid Devon to direct visitors to.

Mid Devon Attractions Association is an important private sector led group for the area. Their objectives are a) to be a voice for Mid Devon and b) to promote the area by working in partnership on a number of projects and promotional campaigns e.g. identifying a brand for the area and creating a marketing and promotional strategy. MDDC is supporting the group to become an influential body with its own marketing and events programme and an organisation for securing external funding for future marketing campaigns.

Mid Devon District Council part funds the Tourist Information Service (TIS) which has created networks with accommodation and attraction providers, releasing a monthly e-bulletin to businesses. The TIS maintain some of the 'Explore Tiverton' web pages which promotes local events, accommodation and 'things to do'. Cullompton and Crediton do not have a similar website to promote their towns. There are no overall accommodation or food and drink partnerships in the area.

As it stands marketing and promotion for the area is done on an individual business basis, very little joint advertising campaigns / schemes have taken place with no clear leadership or coordination across the district and sectors. Mid Devon as an area is unknown and requires a clear brand to re-position it within the tourism market. There seems to be a concentration around what the area doesn't have e.g. coast / National Park rather than focusing on what the area does have to offer, creating one clear message which the sector adopts. A clear brand and unique selling points need to be identified to promote the area and re-position it as a competitive area to visit.

6.0 Mid Devon's product offer

Below is a SWOT assessing the strengths and weaknesses of the local offer and the opportunities and threats from external influences (PEST analysis).

| | Strengths | Weaknesses |
|----------------|--|--|
| <i>Visitor</i> | <ul style="list-style-type: none"> • Visitor loyalty – high levels of satisfaction and repeat visits. • A place where visitors feel safe and secure • Attracts a large proportion of local, South West residents for day visits within a relatively short drive time of the area. • Attracts relatively affluent visitor market with a good recommendation score. | <ul style="list-style-type: none"> • Lack of range of nightlife/evening entertainment • Doesn't attract younger visitors • Majority of visitors don't use social media while on their visit, therefore little free publicity is generated. • District is not capitalising on short break market and extending the tourist season • Visitors don't know they are in Mid Devon |
| <i>Product</i> | <ul style="list-style-type: none"> • Tourism related employment is 5% • Good quality accommodation • Strong heritage offer in Tiverton, Cullompton and Crediton • High number of conservation areas • Attractive towns and quaint villages set within valleys creating stunning views • Peace and tranquillity – pure get away. • Strong potential food offer, pubs, restaurants, food festivals, farmers | <ul style="list-style-type: none"> • Limited public transport options across the district especially on Sunday's and bank holidays • Perception that Mid Devon has nothing to offer young people and families • Limited mobile and Wi-Fi connection across the district • Lack of events in off peak seasons • Uneven spread of attractions throughout the District. • Little paid attractions in Crediton and |

| | | |
|------------------|---|--|
| | <p>markets, local producers. Award winning food events.</p> <ul style="list-style-type: none"> • Diverse product offering, e.g. quaint villages, market towns and historical buildings, rivers, canal, visitor attractions • Official walking routes (GWC, Exe Valley Way, Little Dart Ridge Valley, Devonshire Heartland Way, Tarka Trail) and cycling (Sustrans networks – routes 3 & 344) • A number of key assets including Crediton Parish Church, St Boniface Catholic Church (National Shrine of St. Boniface), Crediton High Street – independent / unique, Eggesford Forest, Fursdon House, The Waie Inn, Bickleigh (Mill, Devon Railway Centre, Castle), Great Western Canal, Horse Drawn Barge, Knightshayes, Mid Devon Museum, St Peters Church, Tiverton Castle, Bampton Heritage Centre, Bampton Moat, Coldharbour Mill, Quad World, Diggerland, The Bear Trail, Devon Badger Watch, Downe House, Yarak Birds of Prey. | <p>surrounding area.</p> <ul style="list-style-type: none"> • Gaps in assets – no farm type attractions, • Limited low cost accommodation e.g. camp sites. |
| <i>Place</i> | <ul style="list-style-type: none"> • High quality countryside & natural environment • Easy access by road and rail. Good transport links, with the M5, North Devon link road and main-line railway running through the District. • Potential to develop major visitor attraction at J27 of regional significance • Close proximity to the moors, beaches, city, AONB • Active Town Teams in Cullompton, Crediton and Tiverton developing the local offer. • Recent review and update of brown signs | <ul style="list-style-type: none"> • Tourism businesses rely on the typical seasonal months, not seen as an all year round destination • No investment is planned for green infrastructure including cycle paths, long distance footpaths, rural footpath signposting, linking up routes. • Perceived as a gate way to Devon e.g. a pass through area. |
| <i>Promotion</i> | <ul style="list-style-type: none"> • Good business reviews on Trip Advisor • Award winning accommodation, attractions and events • Mid Devon Attractions have formed an Association working towards marketing and promoting Mid Devon. • Active TIC for Tiverton and information points in Cullompton and Crediton • Robust statistics and volume & value trends data for the area | <ul style="list-style-type: none"> • Lack of profile across Devon, UK and overseas • Least visited destination compared to all Devon districts • Multiple businesses and agencies advertising the area – no clear message or branding • No clear direction of the districts USP's. • Lack of communication channels with the business sector e.g. no accommodation association for the area |

| | | |
|------------------|--|--|
| | | <ul style="list-style-type: none"> • Large and diverse area to administer. • Lack of online presence to promote towns, attractions and accommodation • Businesses express that they can't relate to the Area Tourism Partnership – Visit South Devon brand which Mid Devon falls under. • Attractions are small scale and can't afford membership fees. • Lack of communication channels through our towns and villages to promote our highstreets, events and activities. No one event calendar. • Not all businesses are social media mature |
| | Opportunities | Threats |
| <i>Political</i> | <ul style="list-style-type: none"> • Tourism is a growing industry in its own right and it makes an increased contribution to the economy • Visit England's Strategic Framework for Tourism 2010-2020 / Governments Action plan (Aug 2016) • Potential to unlock funding through LEP • Councillors' decisions – cascading information to Parish/Town Councils, businesses and trade • Political support to develop a train station at Cullompton • Political will to investigate the Exe Valley AONB • Develop stronger links with nearby areas • Government plans to cut red tape by changing licenses for B&B's. | <ul style="list-style-type: none"> • Decreasing industry ATP membership following HOD/ VSD merger • School term time holiday-taking regulations |
| <i>Economic</i> | <ul style="list-style-type: none"> • Business collaboration on consumer offers and promotions • To increase the overnight stays through suitable product development • Scope to market Mid Devon as a whole • Tourism in the UK is set to grow by 5% year on year which will generate new demand with corresponding impact on jobs and economy (225,000 jobs). • Leisure and tourism development for J27 could create opportunities for advertising & promotional links with our town centres, attractions & accommodation. • New product development and campaigns • Expand the events season • To create a SLA with the TIC. Scope | <ul style="list-style-type: none"> • Competition from other destinations managing tourism more effectively • The true impact of Brexit on visitors and private sector spend and investment is unknown • Future developments at J27 could have mixed impact on other tourism businesses. • Interest rates and the effect on disposable income • Value of GBP against other major currencies e.g. relative weak / strength of the pound and the effect on overseas visitors • Rate of inflation |

| | | |
|-------------------|---|--|
| | <p>to improve communication channels across the district and project development.</p> <ul style="list-style-type: none"> • Visit Devon will be promoting the county creating marketing opportunities for businesses • Capitalising on product development, e.g. arts and crafts, cycling, walking, bowling and golf, special events (Festivals) • Encourage investment e.g. hotels • Emphasise for all year round marketing of tourism • Encourage investment in all day attractions e.g. linked attractions (multi-ticketing around attractions) • To secure Cullompton Heritage Lottery grant • Funding through the LEADER programme • Unsaturated sector plenty of room to develop • Improve access to rivers and the environment with better footpaths, bridleways, cycle ways, interpretation, viewing facilities. • Joint marketing with other councils/partners • Need a 'wow' factor for the area • Relative weak / strength of the pound and the effect on overseas visitors • Job creation • Income into the economy • Public/private partnership funding • Eligibility to European funding | |
| <i>Social</i> | <ul style="list-style-type: none"> • Devon as a region is known as a holiday destination. • Capitalise on Devon marketing. • Social demographic changes (older UK population) • Holiday trends e.g. increase in staycations • Country holidays are popular with over 45's • Changes in family patterns | <ul style="list-style-type: none"> • Customer expectations are changing rapidly • Shifting values in society |
| <i>Technology</i> | <ul style="list-style-type: none"> • Make it easier to find useful information about planning a holiday • Web marketing and on-line booking opportunities • Destination management systems • Increasing role of social media | <ul style="list-style-type: none"> • Access to Internet and Wi-Fi discrepancy's across the district |

Table 6; SWOT and PEST analysis of the Mid Devon Tourism Sector

7.0 Current Trends

7.1 National Trends

A Strategic Framework for Tourism 2010-2020 (Visit England) states Tourism in the UK is set to grow by 5% year on year, which would generate new demand with corresponding impact on jobs and economy (estimated 225,000 jobs).

However, the impact of Brexit on the tourism industry is unknown. Changes to border controls may influence visitor's decisions inbound and outbound. It may result in a greater increase in staycations for domestic visitors, especially if the pound is weaker. The state of the pound will influence international visitor's decision to holiday here, making it good (if the pound is weak) or poor (if the pound is strong) value for money, and equally limit UK residents visits abroad.

In 2015, British residents took 102.7 million overnight trips in England, totalling 300 million nights away from home, with an expenditure of £19.6 billion (a new high). £191 was spent per trip, and with an average trip length of 2.92 nights, the average spend per night was £65. The number of domestic trips was 11% higher than in 2014, and the amount spent increased by 8%, reaching an all-time high in nominal terms. Overseas trips to England increased by 5% compared to 2014 to £36.1 million and spend by 1% to £22.1 billion. During 2015, GB residents took a total of 1,525 million Tourism Day Visits to destinations in England, Scotland or Wales, falling by -4% compared to those taken in 2014 (1,585); and around £54 billion was spent during these trips which remained unchanged year-on-year (£53.8 billion in 2014) (South West Tourism Research 2016).

However, with over 50% of international visitor spend still in the capital, there is more to be done to rebalance the sector, boosting jobs and growth right across the country.

Visit England has also produced a 'Rural Tourism Action Plan'. The report aims to improve the potential of the rural tourism offer and bring benefits to local communities and economies. The report proposes the following to diversify and enhance rural tourism:

- Develop existing and new visitor activities and experiences that are less weather dependent, appeal to visitors throughout the year and reflect and support the local area;
- Develop traditional and new low impact and low carbon products and experiences in rural areas informed by consumer trends and behaviours (e.g. walking, cycling, glamping, tepees, yurts, camping huts and shielings; slow tourism; outdoor concerts; museums and parks at night) and suited to local environments and communities; and
- Increase the promotion of England's rural offer and experiences by using new media and other marketing techniques to engage younger audiences.

7.2 Regional trends

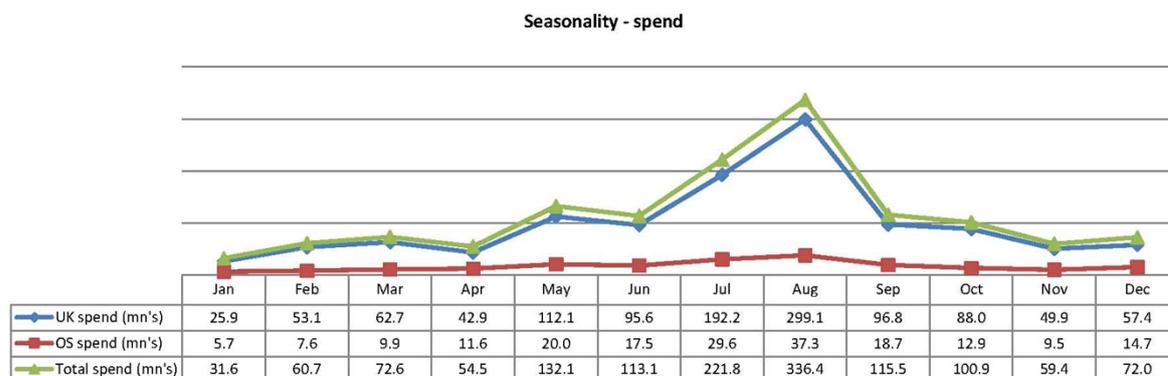
The South West Region – 2015

According to the Visitor Survey 2015, the South West saw a 5% increase in trips of more than one day for UK visitors, with an increase of 7% for nights and 5% for spend. Overseas visitor trips to the region increased by 2%, nights increased by 9% and spend by 3% compared to 2014. Day visits to the South West are estimated to have decreased by 2% and day visit spend increased by 2% compared to 2014. Visits to urban areas increased by 1% with expenditure increasing by 13%, visits to rural areas decreased by 8% with expenditure

decreasing by 9% and visits to coastal areas remained at a similar level to 2014 although expenditure decreased by 10% (South West Tourism Research 2016).

The latest data shows Devon’s staying visitors tend to spend within the typical seasonal months (June to September high season) with a slight secondary peak in May.

Devon - Estimated seasonality of staying visits



Graph 7: Estimated seasonality of staying visits in Devon – South West Tourism Research 2016

Devon is the most visited region in the South West for day and staying visits for domestic trips. However, Former Avon (which includes Bristol) is significantly higher for overseas trips.

8.0 Planning Policy

8.1 The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published in March 2012 and states local plans must: “Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.” (Paragraph 28)

8.2 Mid Devon’s Local Plan Review

The proposals of the Local Plan Review are that:

The Council will use planning and related powers to support sustainable economic success through:

- A good range of jobs in urban and rural areas
- Growth that respects Mid Devon’s relationship with Exeter and Taunton
- Profitable and expanding local businesses, attracting inward investment.
- Attractive, lively and successful town centres
- Tourism and leisure enterprises that benefit the whole district
- Recognition of the role of heritage as a tourism attraction³

³ Mid Devon Local Plan Review 2013-2033

Junction 27, M5 Motorway

“Development will be targeted to provide a high quality tourist and leisure focused development to meet needs identified within the tourism study”.

Policy DM22 - Tourism and leisure development within the Local Plan.

“Proposals for new or expanded tourism, visitor or leisure facilities will be supported within or adjacent to defined settlements. Elsewhere, the nature of the proposed development must justify a countryside location and minimise environmental impacts, avoiding an unacceptable traffic impact on the local road network. Development proposals must:

- a. Respect the character and appearance of the location
- b. Where appropriate, involve conversions or replacement of existing buildings; and
- c. Demonstrate that the need is not met by existing provision within nearby settlements”.

9.0 The Future for Tourism in Mid Devon

Having looked at all the available evidence and consulted with sector representatives, the destination plan identifies three key areas for development:

9.1 Working in partnership

Effective partnerships are key to achieving the aims of this plan, as many organisations, both in the public and private sector, have a role in creating the right environment for growth in the tourism sector. These partnerships need to be business led, as they are the driving force for growth, but there is a role for public bodies to facilitate the process. Through partnerships we hope to develop:

- *Clear leadership and co-ordination within the sector*
- *Strive for quality*
- *A joint and co-ordinated approach to marketing and promotion*

Clear channels of engagement are needed between different bodies in order to promote and create projects, events, schemes, and initiatives which in turn can be promoted through the Area Tourism Partnerships.

| Organisation | Roles |
|--|--|
| Lead partnerships – Mid Devon Attractions Association Visit Devon Visit South Devon TIC | Represent Devon tourism at a national level Gathering evidence and monitoring Visitor information Developing the area brand and marketing Sector engagement Promoting funding opportunities Build strong partnerships Promotion |
| MDDC & DCC | Public realm – appearance and maintenance Planning development Public health and safety Visitor services – car parking, public toilets, |

| | |
|---|--|
| | cleanliness Partnerships with private sector Business support Transport planning and infrastructure Access, right of ways, countryside management Licensing Conservation Leadership – encourage / facilitate partnerships |
| Town and Parish Councils | Neighbourhood planning Place making Local activities and events Promotion |
| Town Teams / forums | Place making Events / improving the local offer Streetscape |
| Business Groups and Chambers of Commerce | Supporting tourism-related businesses Supporting the vibrancy of our town centres Supporting joint initiatives |
| Local Enterprise Partnership | Funding for businesses Sector support |
| Private sector individual tourism businesses (attractions, accommodation, retail, pubs, restaurants, car hire etc.) | Product development and investment Visitor experience – feeling welcomed Links to destination branding and promoting the area Place making Creating and maintaining employment |
| Local land owners | Future development opportunities Festivals and event locations Access |
| Heritage groups, arts & culture, civic society, sports and community groups | Local knowledge and expertise Events and initiatives Create an identity |

Table 8: Organisation roles and responsibility

9.2 Clear branding and a joint approach to marketing

Mid Devon suffers from a lack of a clear identity, poor ‘brand recognition’, and inadequate promotion. Basically, visitors don’t know we are here or what we have to offer. Work must be undertaken:

- *To create an identity for Mid Devon.*
- *Ensure the sector as a whole adopts the branding and promotes the same message*
- *Create a voice for each sub-sector e.g. attractions, accommodation, food and drink, events.*
- *Identify joint promotional initiatives*

Mid Devon Attractions Association⁴ have been progressing with developing an identity, securing external funding to achieve their objectives. The same model could be used to create similar identities in the remaining tourism areas e.g. food and drink and accommodation which could feed into the ATP's and link with the other local sectors. Town Teams are established in Cullompton and Crediton at present, and have an important role in developing the identity of place, but don't feed into the ATP's. There is a gap for a Mid Devon wide organisation to collate all the relevant information which can feed into Visit Devon and co-ordinate a clear brand / message for the area.



Diagram 10: Potential communication channels (groups) and promotional development links.

9.3 Creating a competitive product

- *Improve the visitor experience*
- *Meet target segment needs*
- *Develop the local offer and create new initiatives / products which will meet segment needs*

Creating a quality experience for visitors must be at the heart of all that we do as businesses and as public bodies involved in promoting the area. In order to do this we need to be aware of the needs and wants of different segments of the market.

Visit England have identified five segmentation of domestic tourists based on different needs, attitudes and behaviours (Project Lion 2016).

| Segment & no. of holiday's a year | Priorities in choosing a holiday | Attitudes to a holiday in England | On their recent trip... | Behaviour |
|---|--|--|--|--|
| Country-Loving Traditionalist 2.3 holidays a year | 1. Unspoilt countryside 2. Clean and tidy environment 3. Opportunities | 1. Offers a wealth of cultural experiences 2. Makes you | 1. Typically a countryside break for two 2. Half will book direct through the | 1. Higher than average consumption of broadsheets and UK tourist |

⁴ A business-led group of visitor attractions working in and around Mid Devon.

| | | | | |
|---|--|--|--|--|
| | to eat/drink local produce | feel connected to the country's history and heritage 3. Has beautiful countryside 4. Ideal place for people like me | accommodation provider 3. Two thirds prefer to stay in a b&b for the personal touch or rented accommodation 4. Spent time exploring the countryside and small towns | websites 2. Likely to live in East / Anglia and South East 3. Married or living with partner with no children 4. £20-45k income bracket |
| Fun in the Sun 2.0 holidays a year | 1. Good range of outdoor activities | 1. Good for families with kids 2. Good beaches 3. Makes me want to return 4. Sense of excitement and adventure 5. Is fun 6. Good for young people 7. Feels like a proper holiday | 1. Typically seaside break for at least 3 people 2. Over a third will stay in a caravan or holiday camp 3. Seasonal holidaymaker 4. Spent time at the beach, shopping and exploring small town | 1. Strong users of social media 2. Like to live in West and South West 3. Majority married or living with partner, half with children and aged 35-55years. 4. £20k-£45k earner |
| Fuss-Free Value seekers 2.2 holidays a year More likely to consider England for a holiday or short break | 1. Easy to get around by public transport 2. A destination that is easy to get to by public transport 3. It doesn't take too long to get there 4. Deals and discounts for the destination | 1. Is good value 2. Makes me feel like I've had a proper holiday 3. Has good beaches | 1. Typically a seaside break for two 2. Half will book their holiday online 3. More likely to stay in a hotel or caravan / holiday camp 4. Spent time shopping, the beach, exploring small towns | 1. Likely to read the tabloids and least likely to engage with social media 2. More likely to be in East Midlands 3. More likely than other segments to be single, not living with children. Nearly half are over 55+ 4. Lower household income <£20k |
| Free and Easy mini breakers 2.1 holidays a year Like short breaks | 1. Easy to get to by public transport 2. Easy to get around by public transport 3. Availability of festivals, music, sporting and cultural events | 1. Has beautiful countryside 2. Has interesting towns and cities 3. It is easy to get to | 1. Most likely to be a city break for two over 1-3 nights 2. Majority prefer a hotel 3. Prefer to book online 4. More likely to shop, explore the city, visit a museum or gallery and indulge in cultural entertainment | 1. Strong users of social media and broadsheets 2. More likely live in the North (East or West) 3. Nearly half are single high proportion with no kids and under 55 years 4. £20-45k income however 1 in 4 earn £45k+ |

| | | | | |
|--|--|--|---|--|
| <p>Aspirational family fun</p> <p>2.7 holidays a year</p> <p>More likely to take a longer holiday than other segments</p> | <p>1. Good nightlife / entertainment</p> <p>2. Availability of festivals, music, sporting and cultural events</p> <p>3. Good range of water based / beach activities</p> | <p>1. Offers great entertainment / nightlife</p> <p>2. Makes me feel like I'm doing less harm to the environment</p> | <p>1. Half stay in hotels with 1 in 5 opting for a b&b instead</p> <p>2. A city break for at least 3 people</p> <p>3. Chose the convenience of booking through a aggregator website</p> <p>4. More likely than the other segments to spend time at a theme park, zoo or sporting event.</p> | <p>1. Highest consumption of broadsheets and free newspapers. Visit UK tourism websites</p> <p>2. Likely to live in London</p> <p>3. Under 50 years and most likely to have children.</p> <p>4. Higher income £35k- £45k +</p> |
|--|--|--|---|--|

The Mid Devon Visitor Survey 2016 reflects that the majority of Mid Devon's current visitors meet the profile of the 'Country-Loving Traditionalist'. If the District is to attract a wider range of visitors, particularly the younger, family market, it needs to increase the range of facilities and activities available to meet their needs.

We also need to recognise that those in the 'Aspirational family fun' segment are often highly mobile and may travel widely across the region during their visit, spending the morning at the coast (North or South), then visiting an attraction / city in the afternoon. We need to work closely with neighbouring areas to ensure Mid Devon is not just a base for visiting the wider area, but also attracts visitors in its own right.

9.4 Trends

New types of domestic leisure tourism are emerging (Visit England – Domestic Leisure Tourism Trends for the Next Decade December 2013) which could have a positive impact on rural destinations, through Active and Health tourism as well as visiting friends and relatives.

Visiting Friends and Relatives (VFR) trips are turning into leisure ones. With more budget constraints, consumers are wishing to maximise their leisure time and capitalise on family occasions. As we live longer we create more family occasions to celebrate and create rich family experiences.

Health tourism (such as spa breaks) is driven by a generation of health conscious older people but also the rising perception of time pressures at work and home.

Active tourism is growing as a reaction to more sedentary lifestyles and people wanting to de-stress through adventure experiences.

Food tourism is a growing area with the international market.

9.4.1 International

In 2011 the International Passenger Survey (IPS) revealed that visitors from overseas undertook particular activities whilst in Britain, including going to the countryside and coast. International Passenger Survey figures show that Scotland, Wales, the South West and Yorkshire are most likely to see holiday visits involving visiting rural or coastal locations and walking. Visiting the countryside is especially common in Yorkshire, Scotland and the South

West, with walking in the countryside common (28% took part in countryside walk) in the South West, Scotland and Wales. Visiting villages is most popular in the South West while visiting national parks is particularly popular in Wales, Yorkshire and the South West.

10.0 Product Development

Investigating possible products and marketing options for the future.

Market penetration/consolidation – getting more from existing customers

- A strong brand to re-position the area and reach more of our existing markets.
- Increase the current target market – Couples over 55 with no children (social grade ABC's), Families (social grade ABC's) and visiting Friends and Family, group visits.
- Campaigns specifically to target this market for day visits within the SW region (1hr 30 min radius). Short stay (4 nights) visitors from Bristol, Midlands, Hampshire, South West, South Wales, London and South East and M4 Corridor.
- Visit Devon's objective is to promote the region to international visitors – therefore up to date information is required on their website to promote the area and the activities they want to do e.g. country walks, food tourism & villages to explore.
- Current visitors are least satisfied with the evening / night time entertainment. These areas need to be addressed for the family and over 55 markets.

Market Development – new market segments

- Families – outdoor pursuits / experiences / family ticket offers for attractions
- Business tourism – conferences, events, team building exercises, exhibitions. Mid Devon has good road and rail links making it very accessible and central to the South West.
- Health and Active tourism packages
- Under 55's - Free and Easy mini breakers (no children) – festival development, cultural entertainment.
- International visitors – revamp the countryside walking trails

Product Development – new products

- Events and Festival development – sports events, parks at night
- Trail development - food and drink trails (food tourism), heritage walks (cloth & wool trade / merchants walk) and tree trails.
- Walking and cycling route to quality food and drink establishments.
- Dog friendly holidays / itineraries
- Wet weather attractions
- Group activities – coach parties over 55's
- Food and Drink is a big draw for the area. Develop food trails / walks with our rural and urban restaurants.
- Enhance the Green infrastructure – footpaths and cycle routes
- Family attraction offers and group attraction initiatives
- Outdoor pursuits – stag safari's, fishing
- New family attractions – farm / animal

- Business tourism
- Health – Spa's and retreats
- Leisure and tourism opportunities at J27.
- Enhance evening entertainment for over 55's and families, quality food establishments, comedy club, live music, music in the park, open cinema, skittles nights etc. Joint promotion opportunities.
- Festival development – music, food, themes weekends.
- Accommodation – Good budget hotel accommodation for Fuss Free visitors, quality B&B / guest houses, bespoke / personal touch for Traditional Country lovers. Yurts / Glamping for getting back to nature – Free and Easy mini breakers.
- Introduce a Mid Devon quality awards / recognition scheme
- Itineraries for families, groups and couples.

Diversification – new product and new market

- Create look out points across the district
- New festivals to stretch the holiday season e.g. music festivals
- Garden tours
- Water sports – rivers and canal activities
- Heritage trails – Green Coat scheme
- Sporting events
- Quality assurance schemes. This is particularly important in Mid Devon where the industry is dominated by small / medium enterprises and any new business ideas are most likely to come from the small business/farming sector.
- Top 10 campaigns
- Free and easy mini breakers who enjoy the countryside. Transport is important to this group. Promote access and transport links. Green transport schemes e.g. public transport and cycle hire.

10.1 Summary – Key points for Mid Devon (stage one)

Target segmentation – day and staying visitors

- Expanding over 55's no children (typical Countryside-lover) ABC's
- Attract more Families – ABC's
- Visiting Friends and Relatives - day visitors

Audience location -

- Staying visitors from - Midlands, Hampshire, Bristol, South West, South Wales, London, South East and M4 Corridor.
- Day visitors – radius of 1hr 30mins travel.

Key product development to meet the target segmentation needs:

- Improve green infrastructure (footpaths & cycling) and the promotion of them. Walks linked to local food and drink establishments, best scenic routes, short and long routes etc.
- Developing the night time / evening entertainment. Better coordination to promote what's on offer e.g. most unique pub, best spots for live music and star gazing, evening activities such as skittle hire. Develop new offers such as music in the park events, food and drink campaigns.

- Enhance the local food and drink offer – campaigns / dog friendly establishments, award winning, local offer, best cream tea, best fireplace to sit and eat beside.

11.0 Objectives for 2018 – 2023

Purpose:

To build a competitive and sustainable tourism industry, increasing the contribution tourism makes to our local economy and employment:

Objectives

| | | |
|--|--|---|
| 1. To create partnerships to enable a joint approach to growth | 2. To develop a brand and promotional strategy to create regional and national awareness | 3. To develop the local offer to create a competitive product which meets our target segment needs. |
|--|--|---|

Priority areas

| | | |
|--|--|---|
| <ul style="list-style-type: none">➤ Develop sector partnerships and communication channels throughout the district.➤ Create a Mid Devon partnership to promote the District.➤ Build partnerships with Visit Devon, Area Tourism Partnerships, neighbouring districts, and sectors within Mid Devon➤ Monitor performance of the local economy and visitor experience to increase standards | <ul style="list-style-type: none">➤ Attract and retain more day and staying visitors, targeting over 55's and families➤ Develop a brand valued by the tourism community.➤ Create a marketing and promotional strategy for the area➤ Develop the identity and advertising of our market towns➤ Identify promotional campaigns and activities to increase footfall | <ul style="list-style-type: none">➤ Allocate land at J27 for tourism and leisure development of regional significance➤ Develop products and experiences in line with the target market and trends.➤ Support tourism business development➤ Enhance the evening and night time economy➤ Develop green infrastructure➤ Enhance food and drink offer – food tourism➤ Develop events & festivals |
|--|--|---|

A number of organisations are responsible for achieving these objectives. Therefore, we need to consult with the wider tourism sector a) to adopt this destination plan b) to agree the objectives c) to establish how we will achieve the objectives which will form the priorities and action plan for the next 5 years.

Appendix A - List of Mid Devon Attractions (as of Dec 2017)

Paid Visitor Attractions (13) (charging an entrance fee)

Badger Watch
Bear Trail
Coldharbour Mill
Devon Railway Centre
Diggerland
Downes House
Fursdon House
Knightshayes
Quad World
Tiverton Canal Co., Canal Barge
Tiverton Castle
Tiverton Museum of Mid Devon Life
Yarak Birds of Prey

Visitor Attractions (without an entrance fee)

Bampton Heritage Centre
Grand Western Canal
Holy Cross Church, Crediton
St Andrew's Church, Cullompton
St Peter's Church, Tiverton

Leisure and Sports Activities

Tiverton Golf Course
Downes Golf Course, Crediton
Exe Valley Leisure Centre
Lord's Meadow Leisure Centre
Culm Valley Leisure Centre
Goodiford Mill Fishing Lakes
Lakeside View Carp Fisheries
Newcourt Barton Fishery
Kia Ora Fishery
Digger Lakes
Coombelands Coarse Fishery
Four Ponds Fishery
Lower Hollacombe Fishery

Wedding and Conference Venues

Bickleigh Castle
Bridwell Park
The Corn Barn
Duvale Priory
Hillersdon House
Huntsham Court
Middle Combe Farm
Muddifords Court Country House
Padbrook Park, Cullompton
The Oak Barn, Hittisleigh
St Andrew's Community Centre, Cullompton
Stoodleigh Court
Tiverton Hotel
Upton Barn

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**CABINET
5 APRIL 2018
PAY POLICY REPORT**

Cabinet Member Cllr Clive Eginton
Responsible Officer Jane Cottrell, Group Manager for Human Resources

Reason for Report: To comply with the legislative requirements of the Localism Act 2011 relating to senior pay in particular the role of the Chief Executive, Directors and other senior officers. The Localism Act 2011 requires an annually published Pay Policy which has been adopted by full Council.

RECOMMENDATION(S): That the Council agree to adopt the Pay Policy 2018.

Relationship to Corporate Plan: To have a robust Pay Policy which ensures good use of public money in respect of the salaries of the most senior employees of the Council that is both transparent and visible. To ensure the Council is able to recruit and retain staff of a sufficiently high calibre who are able to deliver the objectives of the Corporate Plan.

Financial Implications: None arising from this report which aims to ensure that the Council pays enough to recruit and retain senior staff, but avoids excessive pay levels.

Legal Implications: None directly arising from this report.

Risk Assessment: The risk to the Council of not complying with the legislative requirement is mitigated by this report and having a robust performance management system.

Equalities: No equality issues identified for this report.

1.0 Introduction

1.1 Local authorities must publish a pay policy statement for each financial year. A relevant authority's pay policy statement must be approved by resolution of that authority before it comes into force.

2.0 Current Performance Management Arrangements

2.1 At the present time, the Chief Executive is appraised on an annual basis by a group of members as set out in the Constitution. The Leader consults Cabinet colleagues and the other two main party leaders on the objectives to be set and these are agreed with the Chief Executive.

2.2 Cabinet and Leadership Team meet on a monthly basis to monitor progress in each service area. Cabinet members can raise issues with the Chief Executive and Directors on performance in any area of the Council.

Contact for more Information: Jane Cottrell, Group Manager for Human Resources – 01884 234919/ jcottrell@midddevon.gov.uk

Circulation of the Report: Cllr Clive Eginton, Leadership Team, Cabinet, All Members of the Council

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Human Resources Policy

Title: Pay Policy Statement 2018

Purpose: The Localism Bill requires that all local authorities publish a Pay Policy on an annual basis. The Policy should be agreed by a meeting of Council and be published on the Council's website.

The purpose of having a Pay Policy Statement is so that the pay and related rewards structure of the Council is transparent.

Owner: **Group Manager for Human Resources**
jcottrell@middevon.gov.uk
01884 234919

Date: **March 2018**

Review Frequency: **Annually**

Next Review Date: **February 2019 to be published by April 2019**

Pay Policy

March 2018

1. INTRODUCTION

Local authorities must publish a pay policy statement for each financial year. This must be approved by a Council resolution each year. The Act specifies a number of elements that must be covered by the statement including: the level and elements of remuneration for each chief officer, remuneration of chief officers on recruitment, increases and additions to remuneration for each chief officer, the use of performance-related pay for chief officers, the use of bonuses for chief officers, the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and the publication of and access to information relating to remuneration of chief officers.

The specific part of the Localism Act 2011 relating to a pay policy is Section 38. Pay is an emotive issue for staff, Councillors and also for the public at large. Transparency in what and how we pay our senior staff particularly, but also all council employees is of paramount importance.

A pay policy statement will be updated and taken to full Council each year, in this way a clear view of the salaries and benefits paid to the most senior staff at the Council can be tracked.

2. REFERENCES

Equal Pay Act
Equality Act 2010
Localism Act 2011

3. SCOPE

This statement sets out the Council's policy with regards to:

- the remuneration of Chief Officers
- the remuneration of the lowest paid employees
- the relationship between Chief Officers' remuneration and that of other officers

"Remuneration" for the purposes of this statement includes three elements:

- basic salary
- pension
- all other allowances arising from employment

For the purpose of this statement the Council regards the following as its 'Chief Officers'

- Chief Executive Officer including Head of Paid Service responsibilities
- Directors and Monitoring Officer responsibilities and Section 151 Officer responsibilities
- Head of Planning

4. POLICY

Clarity in the provision of pay and other benefits is essential to ensure that the Council can attract and retain good calibre employees at all levels but particularly so at the most senior level.

In the context of managing scarce public resources, remuneration at all levels within the Council needs to be adequate to secure and retain high-quality employees dedicated to the service of the public, but at the same time needs to avoid being unnecessarily generous or otherwise excessive.

This pay policy statement applies specifically to chief officers (a term which includes both statutory and non-statutory chief officers) and addresses the legal requirement to set out how the policy for agreement of chief officer remuneration differs to that of other Council employees. For the purpose of this statement this includes:

- **Chief Executive Officer (Head of Paid Service)**
- **Director of Finance, Assets & Resources Section 151**
- **Director of Corporate Affairs & Business Transformation**
- **Director of Operations**
- **Head of Planning**
- **Group Manager for Legal Services and Monitoring Officer**

The definition of chief officers (as set out in section 43(2) of the Localism Act 2011) is not limited to Directors, Heads of Paid Service or statutory chief officers. It also includes those who are their direct reports (who may or might not be statutory chief officers).

The metric used for pay dispersion is the multiple of Chief Executive to mean earnings. Tracking this multiple will ensure public service organisations are accountable for the relationship between the pay of their executives and the wider workforce. Through this pay policy statement Mid Devon will track this multiple annually. **(This is shown as Officer Remuneration in accounts)**

- the level and elements of remuneration for each chief officer
- the remuneration of the lowest paid employees
- the relationship between the remuneration of its chief officers and other officers
- other specific aspects of chief officer remuneration.

In respect of Officer Remuneration Notes in accounts: It should be noted that this information will relate to the previous year as shown in the annual accounts.

- Salary, fees and allowances
- Bonuses
- Expenses allowance
- Compensation for loss of employment
- Employers pension contribution
- Any other emoluments

Pay multiple

This is calculated by comparing all taxable earnings for the given year (including base salary, variable pay, bonuses, allowances and the cash value of benefits in kind) for the Chief Executive compared to mean earnings and the lowest paid in the organisation.

Specific Policy Areas

The National Joint Negotiating Committee has previously emphasised that ‘it is good governance that local authorities can demonstrate that decisions on pay and reward packages for chief executives and chief officers have been made in an open and accountable way.’

Currently the remuneration package payable to the Chief Executive is derived from the National Joint Council guidance. The Chief Executive remuneration is paid on a scale relating to the population of Mid Devon.

The remuneration package payable to the Directors is negotiated through the Joint National Council and more specifically each role is subject to job evaluation. The job evaluation that the Council uses is the Green Book Scheme. However, unlike the remainder of the Council’s employees for whom the process is entirely self-contained within the Council, all job evaluation requests/reviews for the Directors are addressed externally via South West Councils. South West Councils are expert in the field of job evaluation and in particular the Green Book Scheme and also give a transparency and impartiality to the process.

The Leader of the Council may recommend to Full Council changes to the remuneration package following an annual review. Any changes to the remuneration packages will be subject to Full Council approval.

Salary increases in relation to the cost of living will be made in line with National Joint Council recommendations.

The cost of living increase does not apply automatically to the Chief Executive and the three Director roles. Any increase given to them will be determined by the Leader of the Council, having sought the views of the Cabinet, and will be based on performance. The annual assessment/pay award for the Chief Executive and Directors has been delayed until the end of June each year, in order to allow for adequate reflection on the previous year's performance. As such any increase will take effect from 1st July annually (salary increases for all other employees continue to take effect from 1st April each year).

The use of market supplements may be applied in certain circumstances but at present are not considered necessary for any senior role.

At present, there are no additional payments made to senior officers which specifically relate to performance such as performance bonuses; neither is there an element of pay which can be enhanced for performance, other than those already mentioned in respect of the Chief Executive and Director roles. Performance issues will be dealt with through the achievement of agreed objectives and appraisal review process.

Any termination payments to chief officers on ceasing office will comply with Mid Devon District Council's Redundancy Policy and no additional payments will be made without the express approval by Full Council.

Through this policy the pay multiple of the Chief Executive will be monitored annually. Should the multiplier between the annual salary paid to a full time employee on the lowest spinal column point and the annual salary paid to the Chief Executive be greater than 10, this will be reported by the Leader of the Council to Full Council for consideration.

Our support for apprenticeships, which may be considered a temporary employment, will not be used to skew the pay multiple metric and we will therefore be using the same pay level measure as before. In order to ensure complete transparency however we have also included the salary of apprentices.

There are no arrangements currently in place for tax and national insurance payments to be paid other than through the normal channels, i.e. through the normal PAYE route for all officers of the Council.

5. PAYMENT OF RETURNING OFFICER

Additional payments are set and made by Central Government to officers carrying out additional duties at elections. These payments will only be received when elections take place and although fixed, do vary according to the type of election for which the payment is made. These payments are not within the scope of this policy.

6. OUTCOMES

In introducing this policy Mid Devon District Council will ensure that the process for setting pay at a senior level is transparent. This policy will be reviewed annually to track the relationship of chief officer pay with the rest of the workforce.

7. PERFORMANCE MONITORING

Annual monitoring of this policy will take place in March. Monitoring of the Chief Executive's performance takes place through an annual appraisal process.

8. POLICY/STRATEGY CONSULTATION

This policy will be agreed with the Council's Leadership Team, Cabinet and Full Council.

9. EQUALITY IMPACT CONSIDERATIONS

The principles of equal pay are integral to this policy. 'Equal work' is defined as:

- Like work where the woman and the man are doing the same job or
- Work rated as equivalent where the 2 jobs are different but have been evaluated by the employer's job evaluation scheme (JES) at the same level/grade or
- Work of equal value where the jobs are again different but an argument is made that both jobs should be regarded as being of equal value or worth.

10. RESPONSIBILITIES

The Group Manager for Human Resources will be responsible for this policy and for updating information on an annual basis.

11. RECORDS

Documents and records generated as a result of the application of this policy will be retained permanently on the individuals' personnel file.

Records of any changes will be held electronically will be held in accordance with the retention policy on the Council's HR information system.

All records will be maintained and processed in compliance with the Data Protection Act.

12. DOCUMENT HISTORY

| Date | Version | Update |
|------------|---------|----------------------|
| 13/02/2018 | 1 | Pay Policy Statement |
| | | |

1. The Chief Executive and Directors' salary changes on 1st July each year, so for full transparency the table below shows the total amount earned in the financial year, and any revision to salary level from 1st July. The levels and elements of remuneration for each chief and senior officer are:

| Post Title | Remuneration | | Car Allowances | |
|---|--|--|----------------|---------|
| | 2017/18 | 2016/17 | 2017/18 | 2016/17 |
| Chief Executive (Incl Director of Growth role from 01/09/16 onwards) | £105,625 (£107,500 From 1 July 2017) | £90,526 to £100,586 | N/A | N/A |
| Head of Service Financial Services | | £60,770 to £64,489 Until 31 August 2016 | N/A | N/A |
| Director of Finance, Assets and Resources (New post from 1/9/16) | £74,563 (£74,750 From 1 July 2017) | £74,000 From 1 September 2016 | N/A | N/A |
| Head of Service HR and Development | | £60,770 to £64,489 Until 31 August 2016 | N/A | N/A |
| Director of Corporate Affairs and Business Transformation (New post from 1/9/16) | £74,563 (£74,750 From 1 July 2017) | £74,000 From 1 September 2016 | N/A | N/A |
| Director of Operations (New post from 1/3/17) | £74,563 (£74,750 From 1 July 2017) | £74,000 From 1 st March 2017 | N/A | N/A |
| Head of Service: • Planning and Regeneration | £61,378 to £65,134 | £60,770 to £64,489 | N/A | N/A |
| Head of Service: • Housing and Property Services (left on 3/9/17) | £61,378 to £65,134 | £60,770 to £64,489 | N/A | N/A |

| | | | | |
|--|--------------------|--------------------|-----|-----|
| Head of Service: • Communities and Governance (left on 31/12/16) | | £60,770 to £64,489 | N/A | N/A |
| Head of Service: • Customer Services (left on 31/12/17) | £52,384 to £55,591 | £51,865 to £55,040 | N/A | N/A |
| Group Manager: • Legal Services and Monitoring Officer (new post from 10/4/17) | £52,384 to £55,591 | | N/A | N/A |

2. The FTE remuneration of the lowest paid employee.

| Post Title | Remuneration | | Other Allowances | |
|----------------|--------------|------------------------------------|------------------|---------|
| | 2017/18 | 2016/17 | 2017/18 | 2016/17 |
| Office Cleaner | £15,014 | £14,514 | None | None |
| Apprentice | £6,752 | £6,367 (from 1/10/16 £6,559) | None | None |

3. The multiplier of the remuneration of the Chief Executive based upon taxable earnings.

| Category | Total Remuneration (including cash value of Car and travel allowances) | |
|--|--|-----------------------------------|
| | 2017/18 | 2016/17 |
| Pay multiple of Chief Executive to Mean | 5.81 | 5.34 |
| Pay multiple of Chief Executive to lowest paid FT employee | 7.03 (based on office cleaner) | 6.88 (based on office cleaner) |

| Category | Total Remuneration (including cash value of Car and travel allowances) | |
|--|--|-------------------------------------|
| | 2017/18 | 2016/17 |
| | 15.64 (based on apprentice rate) | 15.24 (based on apprentice rate) |
| Annual Mean Pay of all employees (Total Salaries/Number of contracts) | £18,493.05 | £18,723.99 |

4. Officer Remuneration

We are required to publish the following information in respect of officer remunerations:

- a) The number of employees whose remuneration in the year was greater or equal to £50,000, grouped in rising bands of £5,000.
- b) An analysis by job title of the remuneration and employer's pension contributions in respect of senior employees whose salary is £50,000 or more per year (or by name and job title where the salary is £150,000 per year)

4. Officers' Emoluments

This information is contained within Mid Devon District Council Financial Statements and Notes to the Accounts for the year ended 31 March 2017 please refer to Page 20 - 22 (13 & 14) here: [.Accounts 2016-17 Final](#)

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 12 March 2018 at 2.15 pm

Present

Councillors

F J Rosamond (Chairman)
Mrs A R Berry, Mrs F J Colthorpe,
Mrs C P Daw, Mrs G Doe, Mrs B M Hull,
F W Letch, Mrs J Roach, T W Snow and
N A Way

Apologies

Councillor(s)

Mrs H Bainbridge and T G Hughes

Also Present

Councillor(s)

R J Chesterton and R L Stanley

Also Present

Officer(s):

Andrew Jarrett (Director of Finance, Assets and Resources), 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), Adrian Welsh (Group Manager for Growth, Economy and Delivery), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Kevin Swift (Public Health Officer) and Julia Stuckey (Member Services Officer)

132 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllrs Mrs H Bainbridge and T G Hughes.

133 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

Cllr Mrs J Roach declared a personal interest regarding item 9 on the agenda as she was Chairman of Silverton Room 4U and had been involved with the Silverton Neighbourhood Plan.

134 **PUBLIC QUESTION TIME**

There were no members of the public present.

135 **MINUTES OF THE PREVIOUS MEETING**

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

136 **MEMBER FORUM**

There were no issues raised under this item.

137 **DECISIONS OF THE CABINET**

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

138 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed the Committee that this would be the last meeting with the current clerk and thanked her for her efforts over that past few years. He also asked that thanks be passed to Sarah Lees for organising an excellent event that morning for the commemoration of the end of World War 1 and Commonwealth Day.

139 **DR JAMES SQUIRE**

The Chairman introduced Dr James Squire, GP and Ms Zillah Morris, Practice Manager from Castle Place Surgery Tiverton to the meeting.

Dr Squire set the scene for his visit, explaining that he was keen to be involved in community discussion regarding new ways of working in Mid Devon. He informed the Committee that silo working was not efficient and that the public health element of their work needed to be carried out alongside the public sector, with increased communication. With regard to winter pressures, which were also an agenda item for the meeting, he explained that he was only a GP and could not be held responsible for general strategy, but could give a local opinion.

The Practice Manager talked through a presentation *, explaining that 90% of patient contact in the NHS was through primary care and that general practice was changing and being challenged. There was an aging population, a complexity of health issues and a decline in the number of GP's available. The current level of primary care access varied per area but was generally satisfactory at Castle Place at the moment. It was agreed that 'own GP' continuity was regarded as most effective for long term care but that any GP or healthcare practitioner could see episodic patients depending on their issue. She continued by explaining the need for collaborative working in the area which should include patients, health, social, community, voluntary and local services and that together they needed to set and manage expectations, prioritise need and design solutions. Castle Place Practice had approached the Tiverton Health and Well-being Forum in order to raise awareness, better engage, navigate, signpost and expand local prescribing. A meeting was taking place on 27th March 2018 at which it was hoped Tiverton organisations would get together. The aim was to discuss what was being done well and what were the gaps/needs in order to work more collaboratively to ensure that we became an active, smartly resourced and connected community.

Dr Squire explained that the Practice did not have experience of bed blocking issues as their involvement was post discharge. He informed Members that the Single Point of Access (SPOA) service was working well. This service allowed the practice to organise care packages for patients with a single point of call. A first responder would then visit the patient and a package be put in place. He commented that they

could not always get all of the care requested but that the number of carers available was increasing and that they could get some care, if not the whole package. He informed Members that care packages for rural areas could be difficult to put in place but that Exeter was currently suffering from a shortage of staff due to wages being low in a city where there were other jobs available. GPs would like to be involved at an earlier stage regarding patient discharge as they knew the patient and could provide background to the case. Lines of communication were not currently good but work was being undertaken to establish this.

With regard to the winter crisis, Dr Squire informed Members that flu had caused some issues but the general impression was that this had not been a major crisis.

Dr Squire provided a case study which demonstrated procedures that were in place.

Discussion took place regarding:

- Mental health provision for young people and a pilot that had proved successful and had been extended;
- Castle Place Practice had joined the Royal Devon and Exeter Group who were the acute community and social care provider for East Devon in January 2018;
- ‘Do not resuscitate’ plans and living wills which needed to be continually updated to reflect the current situation the patient was in;
- Local Authorities could help to reduce the load on GP’s by highlighting the impact on health from diet, obesity, smoking and housing. Dr Squire explained that obesity was causing a huge problem with increased numbers of patients suffering from diabetes. He understood that weight loss was hard to achieve and that this was a society problem. In an ideal world everyone in the community would be involved in improving health – local markets, colleges, restaurants, gyms and schools for example. He informed Members that in Frome trained ‘care navigators’ had been put in place to keep an eye on those that lived around them. This could help to identify issues such as depression and early intervention could improve outcomes. There was a need to develop the ‘Big Society’. He agreed that it would take a lot of enthusiasm and a lot of volunteers to achieve this but warned that we did not have the resources to carry on as we were and needed to put preventative measures in place now;
- Doctors carried insurance for Good Samaritan works.

It was **AGREED** that discussions with the GP and Practice Manager had highlighted further areas of policy that needed to be looked at regarding health, exercise, loneliness and housing to help prevent ill health in order to reduce pressure on the NHS. It was therefore **RESOLVED** that Cllrs Mrs J Roach and N A Way compile some questions that the Scrutiny Officer could follow up.

(Proposed by the Chairman)

The Chairman thanked the GP and Practice Manager for attending the meeting.

Note: - * Presentation attached to Minutes.

140 **CABINET MEMBER FOR PLANNING AND ECONOMIC REGENERATION 0:52:43**

The Committee had before it and **NOTED** a report * from the Cabinet Member for Planning and Economic Regeneration updating Members regarding areas covered by this remit.

Discussion took place regarding:

- The LEP and the current membership situation;
- Broadband, future technologies and work with the private sector;
- Economic Development and District v County roles;
- Industrial units, the success of the Mid Devon Business Park and future plans;
- The relationship between the Tiverton Masterplan and the Tiverton Pannier Market and the fact that the Supplementary Planning Document would come first;
- Tiverton Pannier Market and how improvements could be made;
- The Housing Infrastructure fund and what the £10m award for improvements to Junction 28 of the M5 Cullompton would be spent on;
- The Five Year Land Supply and the need for the Local Plan to be approved as soon as possible.

The Chairman thanked the Cabinet Member for his thorough report and recognised the pressure that staff were under with the enormous amount of work that was taking place.

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

ii) Cllr Mrs J Roach declared a personal interest as she was Chairman of Room 4U and had been involved with the Silverton neighbourhood Plan.

141 **TIVERTON TOWN CENTRE MASTERPLAN 1:31:30**

The Committee had before it and **NOTED** a report * from the Head of Planning, Economy and Regeneration regarding a draft consultation document for Stage 1 public consultation in respect of the Tiverton Town Centre Regeneration Masterplan.

The Head of Planning, Economy and Regeneration explained that the report had been approved by Cabinet at its last meeting and that it would now go out for public consultation.

Discussion took place regarding:

- Stakeholder workshops and the fact that there was nothing in the Masterplan with regard to issues at the Pannier Market. It was **AGREED** that the Economy Team be asked to consult with the market traders regarding the canopy roof that had been allocated funding a few years ago but had never been progressed, to see if this was something that was still desirable to them;
- Areas of Tiverton that were not included in the Masterplan and a request from the Cabinet Member that areas that Members considered should be in the plan be put forward;
- A lack of perceived enthusiasm regarding a Farmers Market and it was **AGREED** that the Cabinet Member, Market Manager and Group Manager for Growth, Economy and Delivery would discuss this matter and report back to the Committee;
- Development behind the Town Hall and its role within the Masterplan.

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

142 **RESIDENTS SURVEY 1:48:00**

The Committee had before it and **NOTED** a report * informing the Committee regarding findings of the online residents survey carried out in the winter of 2017.

The Communication and Consultation Manager outlined the contents of the report explaining that it had been sent online to almost 2000 residents, that there had been 700 responses and that the responses had been a 50-50 split between rural and urban addresses. She explained that it had not been an extensive survey but had been designed as a benchmark for future surveys. The aim was to produce an action plan, with input from Members and Group Managers.

Discussion took place regarding:

- Concerns that the survey had only taken place online;
- The survey had been a snap shot with minimal costs;
- Surveys that had been carried out by Town Councils:
- Feedback from Consultation needed to be fed into the Corporate Plan in future.

It was **RESOLVED** that a working group be put in place regarding community engagement to look at formulating an action plan and that the group consist of Cllrs F W Letch, Mrs J Roach, Mrs C Daw, N A Way, F J Rosamond and Mrs G Doe.

(Proposed by the Chairman)

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

143 RIPA UPDATE

The Group Manager for Legal Services and Monitoring Officer informed the Committee that a report regarding the RIPA Policy would be received at the next Community PDG. In terms of its use she could confirm that RIPA had not been used since March 2014.

144 SCRUTINY OFFICER UPDATE 1:59:41

The Committee had before it and **NOTED** a briefing note * updating them on work being undertaken on their behalf by the Scrutiny Officer.

The Officer updated the Committee regarding:

Road Maintenance and Repairs in Mid Devon

The officer had submitted a request for information, which Devon County Council had processed under freedom of information, and was expecting a reply shortly. He would update Members when this arrived.

Discussion took place regarding the pothole warden scheme.

Cllr N A Way offered to request the attendance of a senior officer from Devon County Council at a future meeting and it was **AGREED** that he do this.

Winter report from the Royal Devon and Exeter Hospital

This report was due shortly and would be discussed at the next meeting.

Staff Directory

This had been distributed to Members but was somewhat out of date. A new system was being introduced which would improve this but would not be distributed until ongoing restructures had taken place.

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

145 PERFORMANCE AND RISK

The Committee had before it and **NOTED** a report * 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 Group Manager for Performance, Governance and Data Security outlined the contents of the report.

Discussion took place regarding:

- Recycling performance and education that had taken place;
- Data Protection policies were due to be renewed and Members would be asked to complete online training;

- A Member briefing was taking place later in the week regarding IT security and Data Protection;
- The work being undertaken by the Homelessness Working Group could be used to mitigate the risk regarding the new Homelessness Act;
- Legionella and a request for an update at the next meeting to confirm actions that had taken place.

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

146 **FORWARD PLAN**

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

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

147 **3 RIVERS DEVELOPMENT LIMITED - BUSINESS PLAN 2.24.48**

The Committee had before it and **NOTED** a report * from the Director of Finance, Assets & Resources and the 3 Rivers Development Limited Acting Managing Director regarding the draft 5 year business plan for 3 Rivers Developments Limited.

The Chairman explained that the report had been approved by Cabinet at its last meeting and that he had asked that it be added to the agenda for this Committee as recognition that there was no area of activity of the Authority that did not fall to the auspices of Scrutiny.

The Director of Finance, Assets & Resources outlined the contents of the report.

Discussion took place regarding:

- Posts on the board and the fact that only one of those, the Managing Director, was remunerated;
- The type of housing developed would depend on each individual site but would always be subject to planning regulations;
- The right to buy and issues that this could cause to the authority;
- None of the £4m allocated for property in the budget would be allocated to 3 Rivers Development Limited.

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

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

Cabinet Member for the Environment
 Member Development Update
 Performance and Risk
 Cullompton Town Centre Masterplan

Chairman's Report
Scrutiny Officer update

(The meeting ended at 4.49 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **AUDIT COMMITTEE** held on 20 March 2018 at 5.30 pm

Present

Councillors

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

Apology

Councillor

T G Hughes

Present

Officers

David Curnow (Deputy Head of Devon Audit Partnership),
Joanne Nacey (Group Manager for Finance), Catherine
Yandle (Group Manager for Performance, Governance and
Data Security) and Sarah Lees (Member Services Officer)

60. Apologies

Apologies were received from Councillor T G Hughes.

61. Declaration of Interests under the Code of Conduct

There were no declarations of interest given.

62. Public Question Time

There were no members of the public present.

63. Chairman's Announcements

The Chairman stated that he and Cllr R F Radford had attended the Devon Audit Partnership (DAP) meeting at Devon County Council on 7 March. They had attended as observers for the final time. The next meeting would be held on 20 June and as Mid Devon representatives they would have a vote.

At the meeting on 7 March they had heard about how DAP were looking into diversifying their product range around assurance. They would be looking to work with housing associations thereby expanding their skill base.

The Chairman informed the Committee that Devon County Council had agreed to increase their audit fee budget so that the issue of 'risk' could be assessed more broadly. He had contacted the Director of Finance, Assets and Resources at Mid Devon District Council to try to understand what the value of doing this was perceived to be and was there any merit in this authority doing the same? He stated that he would report back to the Committee.

64. Minutes of the previous meeting

The minutes of the meeting held on 23 January 2018 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

65. Performance and Risk (00:04:50)

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.

Discussion took place with regard to:

- Street scene figures for 2017/18 were comfortably on target to reduce the net cost of waste collection per household by 20% by 2019/20 which was a real achievement especially considering residual waste had been reduced by 18% and the recycling rate increased by 5% at the same time. The Committee requested that their thanks and gratitude to the service be fed back to the officers concerned.
- The number of businesses assisted was on target at 195 as at the end of December 2017 against an annual target of 250. It was explained that the Economic Development team were actively promoting this service through such contacts as the Mid Devon Business Forum and the Federation of Small Businesses.
- The comment was made that the figures reported did not seem to record commercial waste, only household waste. It was explained that household waste figures were monitored nationally, however information on trade waste was collected and this could be included next time. It was further explained that within its benchmarking group Mid Devon District Council was recycling more household waste than some of its comparators for the previous quarter.
- 35% being the national figure for affordable housing on housing developments, however, Mid Devon was only achieving 21% on some recent applications. It was explained that this situation was replicated nationally. A situation currently existed whereby once a planning application had been granted developers were within their rights to argue that it was not viable for them to complete a development unless they could reduce the percentage of affordable homes.
- The effect of welfare reform on rent collection had been expected therefore collection targets would not be quite so challenging next year, however it was explained that figures usually improved towards the end of the financial year.

The Committee wished for their thanks and congratulations to be passed on to the Private Sector Housing Team for bringing 111 empty homes back into use against a target of 25.

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

66. **Risk and Opportunity Management Strategy (00:24:45)**

The Committee had before it a report * from the Group Manager for Performance, Governance and Data Security presenting it with the updated Risk & Opportunity Management Strategy for approval.

This was the annual review of the Strategy and this year there had been no suggestion to change the risk appetite/ tolerance, this was best summarised as 'the amount of risk an organisation was willing to seek or accept in pursuit of its long term objectives'.

The report presented the tracked changes since the last review and included some minor amendments in relation to job titles and removal of the scoring section which is now in the appended Risk Manager guidance document. The Committee's attention was drawn to the day to day risk guidance given to managers. It was hoped that this would reduce inconsistencies in the future.

RESOLVED that the updated Risk & Opportunity Management Strategy be approved.

(Proposed by the Chairman)

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

67. **Progress Update on the Annual Governance Statement Action Plan (00:28:15)**

The Committee had before it, and **NOTED**, a report * from the Group Manager for Performance, Governance and Data Security providing it with an update on progress made against the Annual Governance Statement 2016/17 Action Plan.

The officer explained that it was now very near to the end of the financial year. Some dates on the Action Plan had had to be amended through the course of the year and some items were not yet complete and may appear on the Annual Governance Statement for next year.

It was further explained that items 10 and 11 in relation to balancing feedback from more active stakeholder groups with other stakeholder groups was still an issue but this had now been passed to Group Managers who would not be meeting again until April. A gap analysis against GDPR had identified areas which needed improvement but this was on track to be completed by May 2018. Revised terms and conditions were being rolled out to suppliers in the next few weeks.

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

68. **Debt Collection Policy (00:31:23)**

The Committee had before it a report * from the Group Manager for Financial Services presenting it with the updated Debt Collection Policy for approval.

The officer explained that the policy had not been updated since 2014 so a review had been due in order to make sure that the policy complied with current legislation. The Group Manager for Finance had worked with Legal Services in order to ensure

the policy was fully compliant and fit for purpose. Once approved the revised policy would be rolled out to the necessary service areas and regular checks would be made to ensure the policy was being adhered to.

RECOMMENDED to the Cabinet that the updated Debt Collection Policy and associated Appendices be approved.

(Proposed by the Chairman)

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

69. **Audit Progress Report 2017-18 (00:33:55)**

The Committee had before it, and **NOTED**, a report * from the Deputy Head of the Devon Audit Partnership updating the Committee on progress to date within the work plan of the Internal Audit team.

The officer provided a brief summary of the report paying particular reference to the following:

- No material issues had been identified in the core audits to date but reconciliation of control accounts had received comment in some areas in the last progress report and were still relevant within this latest report. Management had agreed all remedial actions in relation to this.
- There were no specific issues to bring to the Committee's attention in relation to systems audits.
- The Internal Audit Team had received positive feedback from service areas in relation to the conduct of their audits,
- A summary of the audits undertaken since the last progress report were showing a 'good standard' as the assurance opinion and the direction of travel was positive.
- The area of trade waste was amber in colour which meant that agreement of an action plan had been delayed or the audit team were aware that progress had been hindered.
- Since the agenda for this meeting had been published the number of overdue outstanding audit recommendations had reduced from 31% to 16%.

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

70. **Update on outstanding Internal Audit recommendations (00:45:20)**

The Committee had requested at the last meeting that they receive an update regarding outstanding audit recommendations.

The Committee were in receipt of a summary of audit recommendations from 2016 which were medium risk showing what action had been taken and what action still needed to take place.

The Chairman stated that in addition to these there were still 5 overdue high risk recommendations from 2017 and 4 medium risk recommendations showing for 2015. He requested that a decision be taken as to the relevance of these given the time frame and asked that Leadership Team assess these in discussion with the relevant

managers to either seek a final resolution or remove them from the listing as clearly they may no longer be relevant.

He further requested that a thorough update be brought to the next meeting of the Committee and this was **AGREED**.

71. Internal Audit Plan 2018-19 (00:48:00)

The Committee had before it a report * from the Head of Devon Audit Partnerships setting out the Internal Audit Plan for 2018-19 and seeking its approval.

The Deputy Head of the Devon Audit Partnership outlined the contents of the report by making reference to the fact that the plan needed to be flexible in order to change with shifting priorities and audit findings throughout the year. Core work would be streamlined to facilitate a review of a wider range of risks. Areas such as cyber security and transactional integrity would have a key focus. Over the next four years a lot would change in terms of the focus in internal audits. System walkthroughs would still be undertaken and if it was found that a system was doing what it was supposed to do and no issues had been identified then the focus of further work would change.

The officer was congratulated for the format of the report.

RESOLVED that the Internal Audit Plan for 2018-19 be approved.

(Proposed by the Chairman)

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

72. Grant Thornton - External Audit Progress Report and Sector Update (01:00:53)

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

This was the standard update report but also included the results of the interim audit work for 2017/18. No significant issues had been identified in either the financial statements or value for money interim audit.

It was explained that they had performed a high level review of the general IT control environment as part of the overall review of the internal controls system. In 2016/17 they had reported two IT deficiencies around weak password management and review of information security logs. They had been waiting for an update as to whether the recommendations in relation to this had been implemented. The Group Manager for Finance confirmed that they had and that she would submit formal notification of this as soon as possible.

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

73. Chairman's Annual Report for 2017/18 (01:06:05)

The Committee had before it and **NOTED** a draft report * by the Chairman on the work of the Committee since May 2017, a final copy of this report would be submitted to Council on 25 April 2018.

74. Identification of items for the next meeting (01:06:25)

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

- Update on outstanding audit recommendations.

(The meeting ended at 6.44 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **ENVIRONMENT POLICY DEVELOPMENT GROUP**
held on 6 March 2018 at 2.00 pm

Present

Councillors

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

Apologies

Councillor(s)

D J Knowles

Also Present

Officer(s):

Andrew Pritchard (Director of Operations), Stuart Noyce
(Group Manager for Street Scene and Open Spaces),
Vicky Bowden (Environment and Enforcement Manager)
and Julia Stuckey (Member Services Officer)

52 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr D J Knowles.

53 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

There were no declarations of interest given.

54 PUBLIC QUESTION TIME

There were no members of the public in attendance.

55 MINUTES OF THE PREVIOUS MEETING

The Minutes of the last meeting were approved as a true record.

56 CHAIRMAN'S ANNOUNCEMENTS

The Chairman congratulated the Waste Service on the way that they had coped with providing a service in the recent bad weather. The Group Manager for Street Scene and Open Spaces explained that a half day had been lost on the Thursday and a full day on the Friday due to snow. He was planning that black sack collections would have caught up by Tuesday and recycling collections would have caught up by Friday. This weeks collections were not being disrupted and all catch up work was being carried out on top of this. The Chairman asked that the officer convey the thanks of the Group to staff.

57 MEETING MANAGEMENT

The Chairman indicated that he intended to take item 7 on the agenda after item 9.

58 MOTION 542 (COUNCILLOR MRS J ROACH - 30 NOVEMBER) 0:05

The Group had before it Motion 542 (Councillor Mrs J Roach – 30 November 2017).

The motion, which had previously been considered by the PDG on 9 January 2018, had been referred back to the Group by Council (in line with Procedure Rule 15.1(e) for further consideration:

That this Council consider the use of recycling trolleys as a pilot project, hopefully in Silverton, as an alternative to assisted collections for those who wish to try out such a system.

The Chairman explained to the Group that the Motion had been rejected at the previous meeting, following thorough consideration, but that Council had referred it back. Cllr Roach had put forward various suggestions regarding the Motion at Council and the Chairman had been expecting an amendment to the wording but this was not forthcoming, so Members were asked to consider the Motion as it stood.

Cllr Roach spoke to the Motion explaining that Silverton Parish Council had offered to purchase 10 trolleys for local residents and that the trolleys could be aimed at people that did not yet require an assisted collection but struggled to manage recycling boxes. She also expressed concern at the aging workforce who might struggle to lift boxes. Cllr Roach had checked with the maker of the boxes and found that the boxes came in a variety of sizes. She claimed that recycling performance had gone up in the areas of the UK that had introduced the boxes and that local residents had told her they would be prepared to pay for the boxes.

The Director of Operations explained that the waste infrastructure was different in Scotland and Wales and authorities there had different targets and financial reasons for introducing new schemes. The budget and business plan for Waste Services had already been set for the year and any funding or officer time for a trial would need to be found from an area already agreed. Members would need to decide what the authority should stop doing if they wanted to undertake a trial.

Discussion took place regarding:

- The trollies would not be suitable for all residents, particularly those that lived on hills or with steps;
- The 'letter box' aspect of the boxes which allowed them to be filled whilst stacked could save space and reduce lifting and handling;
- Concerns regarding costs;
- The increase to recycling performance in Wales could have been attributed to a change in the collection scheme to three weekly black sack collections, the addition of mixed plastics to the scheme and the trollies. There was no evidence to suggest how much difference the trollies had made;
- The Welsh Government had helped to fund the trollies, their targets had financial penalties if not met and there was a recycling target of 60% so they were in a different situation than English authorities;

- A trial would require a project plan, terms of reference and an agreed method to measure success.

It was **RESOLVED** that a sample trolley be sourced, before the next meeting, that was suitable for use with the current recycling fleet, in order that Members could have a look and see how it operated. Motion 542 would then be discussed at the next meeting of the Group.

(Proposed by the Chairman)

- Note: - i) A proposal by Councillor Mrs N Woollatt was not supported.
 ii) Cllr Mrs Woollatt requested that her reason for not supporting the Motion be recorded, being that she believed the Authority should take a wider view before deciding which trolley to use for a trial if it was decided a trial would take place.

59 **UPDATE ON THE STREET SCENE EDUCATION AND ENFORCEMENT SERVICE** **0:47**

The Group had before it and **NOTED** a report * outlining the performance of the Street Scene Education and Enforcement service for the first nine months of operation following the service review in 2016/17.

The Group Manager for Street Scene and Open Spaces introduced the Environment and Enforcement Manager.

The Group Manager explained that at the Environment Policy Development Group meeting on the 7th March 2017 a list of recommendations were made and accepted by the Cabinet regarding smarter working practices. This followed a review of the Street Scene Education and Enforcement Service which had been undertaken over the previous eight months.

A revised working pattern was developed by management and staff during the review and was introduced on the 1st April 2017. Under the new working pattern officers now worked four of six days (Mon – Sat) on a rota basis (9.25 hours per day).

The allocation of discretionary time available was detailed in the following table:

| Duties | Agreed Allocation of Disc. hours | Hours undertaken during quarters 1, 2 & 3 | Hours to be undertaken for quarters 4 |
|-----------------------|----------------------------------|---|---------------------------------------|
| Compulsory Recycling | 40% (120 hours) | 119 | 1 |
| Cleansing Inspections | 10% (30 hours) | 26 | 4 |
| Dog Fouling Patrols | 30% (90 hours) | 50 | 7 |
| Litter Patrols | 20% (60 hours) | 50 | 10 |

The officer confirmed that litter patrols had been very productive in generating more FPN's.

Discussion took place regarding:

- The difficulty in enforcing regarding dog fouling;
- A success reported by a Member when a local resident worked with District Officers and the matter was dealt with promptly and effectively;
- The need for 12 months data before making further decisions regarding allocation of time.

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

60 **PERFORMANCE AND RISK 0:56**

The Group had before it and **NOTED** an update * on performance against the Corporate Plan and local service targets for 2017-18 as well as an update on the key business risks.

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

61 **BEREAVEMENT SERVICES FEES AND CHARGES 0:59**

The Group had before it a report * from the Director of Finance, Assets and Resources regarding a review of the Bereavement Services Fees and Charges for 2018-2019.

The Director of Operations introduced the report, explaining that it contained proposed increases to charges.

Discussion took place regarding:

- Benchmarking with other authorities;
- Fees covered the cost of providing the service;
- This was not a Statutory service;
- Fees covered the ongoing costs of maintaining the graveyard.

It was **RECOMMENDED** that Cabinet approve the proposed charges for 2018-19 set out on table A of the report.

(Proposed by the Chairman)

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

62 **CHAIRMANS ANNUAL REPORT 1:08**

The Group had before it and **NOTED** a draft report * by the Chairman on the work of the Group since May 2017, a final copy of this report would be submitted to Council on 25 April 2018.

Note: - Report previously circulated and attached to Minutes.

63 **IDENTIFICATION OF ITEMS FOR FUTURE MEETINGS**

Waste and Recycling regular update

Repairing Footpaths and Roads Policy

Performance and Risk

Motion 542 (with supporting information regarding potential cost implications and proposals for what could be removed from the Business Plan to provide funding if approved)

District Officer Discretionary Time

(The meeting ended at 3.30 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 13 March 2018 at 2.15 pm

Present

Councillors Mrs E M Andrews, D R Coren, Mrs G Doe, R J Dolley, P J Heal, F W Letch and J D Squire

Apology

Councillor Mrs H Bainbridge

Also Present

Councillors C J Eginton and R L Stanley

Also Present

Officers Andrew Pritchard (Director of Operations), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Tanya Wenham (Lead Officer Public Sector Housing) and Sarah Lees (Member Services Officer)

59 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr Mrs H Bainbridge.

60 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

Councillor Mrs E M Andrews declared a personal interest as she was a tenant living in a Council owned property.

61 **PUBLIC QUESTION TIME**

There were no members of the public present.

62 **MINUTES**

The minutes of the meeting held on 16 January 2018 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

63 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed the Group that the next landlord event was likely to be 19th September and that Members were advised to pencil this into their diaries. More details would be available in due course.

64 **PERFORMANCE AND RISK 2017/18 (00:02:50)**

The Group had before it, and **NOTED**, a report * from the Director of Operations 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 and discussion took place regarding the following:

- The building of council houses in Birchen Lane and Palmerston Park – the report stated that the date for completion would be 2018/19 and the comment was made that this seemed to be very vague and clarification was sought as to the need for more accurate timescales. The Cabinet Member for Housing explained that it was hoped that the properties in Birchen Lane would be completed by November 2018. Initial building works had had to be demolished due to a number of faults. It was hoped that the Palmerston Park development would also be completed by October / November 2018. There had been a problem of safety on the site and difficult access issues due to there only being one road in.
- The question was asked as to whether there was enough social housing within Mid Devon and how did this Council compare with others? The Cabinet Member for Housing stated that it was hoped a development at Post Hill with affordable housing would be underway soon, however, issues relating to proportion and viability still had to be resolved. In terms of how Mid Devon compared it was explained that some local authorities were not building any social housing but Mid Devon was proactively looking for new sites including redeveloping a number of garage sites.
- Building services were assessing housing need across the district.
- The target in relation to bringing empty homes back into use was doing very well.

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

65 **UPDATE ON EMPTY HOMES (00:10:45)**

The Group had before it, and **NOTED**, a report * from the Public Health and Regulatory Services Group Manager providing it with an update on the progress of the Empty Homes Plan.

The Lead Officer for Private Sector Housing informed the Group that since the report had been published with the agenda, the number of properties brought back into use up until the end of February had risen from 111 to 122. This was against a target figure of 25 and as a result the target would be increased to 72 properties for the next two years.

Brief discussion took place with regard to:

- Revenue income being available to the Council generated from the New Homes Bonus (NHB) as all properties brought back into use might be able to qualify for the NHB.
- Generally landlords were very co-operative and there had not been a need to instigate any enforcement action thus far.
- Empty homes were spread throughout the district and were not just concentrated in the three largest towns.

- An updated Empty Homes Plan would be brought before this Group in due course and this would include a listing of exactly where the empty properties currently were (although it was stated that this did go out of date very quickly).

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

66 CHAIRMAN'S ANNUAL REPORT FOR 2017/18 (00:17:25)

The Group had before it and **NOTED** a draft report * by the Chairman of the Group since May 2017, a final copy of this report would be submitted to Council on 25 April 2018.

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

67 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (00:17:48)

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

- Performance and Risk Outturn for 2017/18
- Revision of the wording relating to the Right to Buy Motion to Council

(The meeting ended at 2.38 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **ECONOMY POLICY DEVELOPMENT GROUP** held on 8 March 2018 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, F J Rosamond and
Mrs N Woollatt

Apology

Councillor

T G Hughes

Also Present

Councillor

R J Chesterton

Also Present

Officers

Stephen Walford (Chief Executive), Jenny Clifford (Head of Planning, Economy and Regeneration), Adrian Welsh (Group Manager for Growth, Economy and Delivery), John Bodley-Scott (Economic Development Team Leader), Chris Shears (Economic Development Officer) and Sarah Lees (Member Services Officer)

64 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr T G Hughes.

65 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

There were no declarations of interest given.

66 **PUBLIC QUESTION TIME**

There were no members of the public present.

67 **MINUTES**

The Minutes of the meeting held on 11 January 2018 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

68 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

- This would be the last meeting of the Group in this municipal year.
- The next informal workshop would be held on Monday 23rd April at 5.30pm.

69 APPRENTICESHIPS - PETROC PRESENTATION (00:02:49)

Huw Davies, the Assistant Principal Employer Engagement, Innovation and Enterprise from Petroc attended the meeting to provide the Group with information relating to Apprenticeships.

The following background information was provided:

- The reform of Apprenticeships was announced 6/7 years ago by the Government with the intention of having 3 million Apprentices by 2020. This was in response to such issues as productivity. A further reform was due to come into effect from 1 May 2018, however, full details were not yet available and it was a changing situation.
- The initial reform had had a significant impact on the role of employers, the majority of whom had been large employers such as Rolls Royce.
- A Levy (tax) had been introduced for any business with a pay bill of over £3m and 0.5% had to be paid towards the levy. The example was given of a local hospital having to spend £650k on Apprenticeships.
- If a business had less than 50 employees and wanted to take on 16/17 year old this would be free.
- 20% of an Apprentices time must be given to learning and sometimes this was a challenge for employers, however, this did not have to be classroom based but could be 'mentoring' for example.
- There was a move away from traditional 'frameworks' and more of a move towards 'standards' and formal qualifications were not always a mandatory part of this.
- Anyone could become an Apprentice, there were no age restrictions.
- The vast majority of growth was in white collar work.
- There were various levels of Apprenticeship, Level 2 was akin to GCSE level, Level 3 was akin to A levels, Level 4 was equivalent to a Higher National Certificate and Level 5 was equivalent to a degree.
- Petroc had taken on 80 Apprentices and there was significant interest within the younger generation to take up an Apprenticeship if it meant they could get a degree whilst also being paid to do a job.
- Universities had become very active in promoting Apprenticeships.
- An Apprenticeship, at whatever level, had to be taken on for a minimum of a year and one week.
- The Government were pushing for more engineering and construction placements. Project Management was also encouraged.
- The Council had met all of its targets in relation to Apprenticeships last year and was working towards it for the current year. It was sometimes a challenge to create a post that created value to the business but also to the Apprentice.
- The Apprenticeship scheme was heavily audited and monitored by OFSTED.
- Finance based Apprenticeships were rapidly growing especially those resulting in a qualification.
- It was important for schools to emphasise that GCSE's and A levels were not the only option, Apprenticeships provided a worthwhile alternative.

It was requested that information be passed to the Committee Clerk in relation to a list of the different types of Apprenticeships offered by Petroc and the numbers of Apprenticeship posts in each area.

70 **PERFORMANCE AND RISK FOR 2017/18 (00:39:23)**

The Group had before it, and **NOTED** a report * from the Chief Executive and Director of Growth 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.

Brief discussion took place regarding:

- Whether there was still a problem with the amount of commercial land supply. It was explained that an Employment Land Review had been undertaken to inform the emerging Local Plan and Forward Planning are currently re-evaluating this work to ensure it is still fit for purpose. It was also noted that once the Local Plan is adopted that will release further sites. Similarly the Greater Exeter Strategic Plan will also be identifying additional sites for commercial development through its processes. There was increasing demand for space which was seen as positive.
- There was also recognition that commercial development can occur in a range of locations, not just on those sites allocated in development plans, provided that they are consistent with policies.
- A lot of the work that the Economic Development Officer undertook was to try and find spaces that worked for businesses.

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

71 **MEETING MANAGEMENT**

The Chairman informed the Group that she would be taking the EHOD item and the Broadband item together since they were closely linked.

72 **UPDATE ON THE EXETER AND HEART OF DEVON (EHOD) SHARED ECONOMIC STRATEGY (00:43:00)**

The Group had before it, and **NOTED**, a report * from the Chief Executive and Director of Growth updating Members on progress with regard to the first year actions of the Exeter and Heart of Devon (EHOD) Shared Economic Strategy.

The Group were informed that the EHOD partnership was working well with each local authority still leading on various themes. Mid Devon was leading on the business transformation agenda although there were opportunities to work collaboratively across the whole EHOD area.

The Council had supported the development of a bid for £2.4m to deliver gigabit broadband vouchers to the business community. The outcome of this would not be known until mid to late spring but it aimed to make it affordable for business communities to significantly improve the quality of their broadband speeds.

The EHOD Strategy had recently won a national award from the Institute of Economic Development, as the 'Most Innovative Strategy in the UK'. The Group felt that this ought to be commended.

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

73 **DESTINATION MANAGEMENT STRATEGY FOR MID DEVON (00:50:43)**

The Group had before it a report * from the Chief Executive and Director of Growth presenting it with the finalised Destination Management Strategy.

It was explained that ultimately the Strategy would have an Action Plan but this would also need to take into consideration the Economic Strategy therefore it would be premature to present it at this stage.

Brief discussion took place regarding:

- A finding from the 2016 visitor survey which stated that the lowest satisfaction rates were for nightlife/evening entertainment and availability of public toilets. Officers would be coming back to Members with ideas as to how change in this area could be realised.
- The Visit Devon website did not have anything relating to shopping in the major towns of Mid Devon and this was seen as not being reflective of a the quality shops on offer.
- Gold Street had recently been voted the 'trendiest' street in Devon.

RECOMMENDED to Cabinet that the Destination Management Strategy be recommended to Council for approval.

(Proposed by the Chairman)

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

74 **MARKET SCHEDULE OF TOLLS (00:55:55)**

The Market Manager provided a verbal update to the Group on the Market Schedule of Tolls which included the following:

- The new format of tolls would commence on 1 April 2018. Traders had had a chance to comment but generally the new format had been well received.
- It was difficult to predict whether all traders would keep up their payments.
- A lot of traders were taking up standing orders as they received a 10% discount.
- Direct debit was the preferred option but this was currently not possible although it was being looked into.
- Some new traders were moving away from traditional market options and more towards stalls offering crafts and artisan foods.
- The Cabinet had earlier that day approved the Tiverton Town Centre Masterplan which included some initial considerations about what could be done with the market. The Masterplan would shortly be going out for consultation.
- It was reported that several coach loads of people had visited Tiverton and its market recently and that this was an increasing trend, parking was a challenge however.

It was requested that the Committee Clerk find out why it was not possible for traders to pay by direct debit, what was being done about it and report back to the Group.

75 BROADBAND UPDATE

Discussion relating to Broadband had taken place under the EHOD item.

76 CHAIRMAN'S ANNUAL REPORT FOR 2017/18 (01:09:05)

The Group had before it and **NOTED** a draft report * by the Chairman on the work of the Group since May 2017, a final copy of this report would be submitted to Council on 25 April 2018.

The Group wished to pass on its thanks to the Economic Development Team for their hard work in submitting a large number of bids throughout the course of the year.

Note: - Report previously circulated and attached to Minutes.

77 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:10:25)

No further items were identified for the next meeting other than those already listed in the work programme.

(The meeting ended at 6.40 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COMMUNITY POLICY DEVELOPMENT GROUP**
held on 27 March 2018 at 2.15 pm

Present

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

Apologies

Councillor(s) Mrs A R Berry and Mrs E J Slade

Also Present

Councillor(s) C J Eginton

Also Present

Officer(s): Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), John Bodley-Scott (Economic Development Team Leader), Jane Lewis (Communications and Engagement Manager) and Julia Stuckey (Member Services Officer)

58 CHAIRMAN'S ANNOUNCEMENTS

The Chairman opened the meeting with the following statement.

"I regret to say that I was informed yesterday of the very untimely death of Councillor Clarissa Slade. The exact circumstances are not clear at this particular point in time. This is of course a tragic loss for both Cllr Colin Slade, Cabinet Member for Community Well Being and Cllr Elizabeth Slade, Vice Chairman of the Community PDG. I know you will join me in sending our deepest sympathies to them both at this very, very difficult time. Clarissa was very well known to us all and as a mark of respect I would like to propose that we have a minutes silence in remembrance of her."

The Group spent a minute in quiet contemplation.

"In the light of this and it being very raw for members of the group I would like to propose that we postpone the majority of today's business until the May meeting with two or three small exceptions."

59 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr Mrs A R Berry who was substituted by Cllr Mrs J B Binks.

60 **PUBLIC QUESTION TIME**

There were no questions from members of the public present.

61 **MINUTES OF THE PREVIOUS MEETING**

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

62 **GRANT FUNDED AGENCIES**

This item was deferred to the next meeting of the Group.

63 **CABINET MEMBER ANNUAL REPORT - WORKING ENVIRONMENT**

This item was deferred to the next meeting of the Group.

64 **CORPORATE HEALTH AND SAFETY POLICY**

The Group had before it a report * advising Members that, in accordance with the Health and Safety at Works Act 1974, the Council's Health and Safety at Works Policy has been reviewed by the Health and Safety Committee.

It was **RECOMMENDED** that Cabinet note that the Health and Safety Policy was approved by the JNCC on 07 December 2017, following review by the Health and Safety Committee and Unison.

(Proposed by the Chairman)

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

65 **RIPA**

The Group had before it a report * from the Director of Corporate Affairs and Business Transformation providing an annual review of the Council's existing RIPA policy.

It was **RECOMMENDED** that:

- a) Cabinet be advised that the Council's existing RIPA Policy does not require updating or amending at the current time.
- b) Cabinet note that the Council has not used its powers under RIPA since March 2014.

(Proposed by the Chairman)

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

66 **COMMUNITY ENGAGEMENT UPDATE**

This item was deferred to the next meeting of the Group.

67 **REGENERATION OF OLD RAILWAYS LINES**

This item was deferred to the next meeting of the Group.

68 **CHAIRMAN'S ANNUAL REPORT**

The Group had before it a draft report * by the Chairman on the work of the Group since May 2017, a final copy of this report would be submitted to Council on 25 April 2018.

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

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

Grant Funded Agencies
Food and Nutrition
Trim Trails
Obesity and its Effect on Health

(The meeting ended at 2.18 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 28 February 2018
at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
Mrs H Bainbridge, Mrs C Collis, Mrs G Doe,
P J Heal, F W Letch, B A Moore, J D Squire,
R Evans and Mrs J Roach

Apologies

Councillor(s)

R J Dolley, R F Radford and R L Stanley

Also Present

Councillor(s)

R J Chesterton and R M Deed

Present

Officers:

Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), David Green (Group Manager for Development), Simon Trafford (Area Team Leader), Lucy Hodgson (Area Team Leader), Alison Fish (Area Team Leader), Adrian Devereaux (Principal Planning Officer), Maria De Leburne (Solicitor) and Sally Gabriel (Member Services Manager)

114 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from:

Cllr R J Dolley who was substituted by Cllr Mrs J Roach.

Cllr R L Stanley who was substituted by Cllr R Evans.

Apologies were also received from Cllr R F Radford.

115 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT

The Chairman reminded Members of the need to make declarations of interest.

116 PUBLIC QUESTION TIME (00-03-50)

Mr Cashmore referring to Item 4 on the Plans List (School Lane, Thorverton) made the following statement:

Thank you chair and members for the opportunity to raise some concerns regarding the current planning process, a written response would be appreciated

in due course. I am grateful to Councillor Deed for calling in agenda item 7. 4 that I may facilitate this.

We have also shared a number of photos of the site.

At face value, this application is about simple access to a field in my village of Thorverton.

- 1) On the portal there is an unattributed, hand drawn, layout sketch with no point of reference, measurements, elevations or sections. This has been approved by Highways, subject to conditions. A study of their own Planning Design Manual however confirms that this proposal bears little resemblance to their own standards, for example “field access must be square to the road” Further, the conditions called for are also mathematically and physically impossible to achieve, specifically a gradient not to exceed 1in10, a useable sweep radius and a workable drainage solution.
- 2) There are important concerns regarding public safety. School Lane is simply too narrow to provide a sweep radius to turn a modern tractor and trailer and as the applicant does not own the land immediately to the North of this entrance it is therefore not possible to achieve either the vertical or horizontal visibility splays required by highways to achieve SSD.
- 3) The report suggests that the applicant owns land at Shobrooke and that this application will ease the journey to his farm. Not true, the applicant does not own any land but actually rents land and buildings at Shobrooke, the owner confirms it is self-contained and needing no external traffic movements at all.
- 4) The report further suggests that this application is needed in order to reduce the journey distance to the applicant’s farm near Woodbury. Note: the applicant’s latest map has chosen not to advise you that there are in fact Three further gateways available to him a little further South onto School Lane, all closer to Woodbury and that for the last 4 years his preferred route has always been South, through Bramford Speke, St David’s Station, Western Way and onto junction 30. There never have been any 3 point turns conducted at Yellowford.
- 5) Finally, even if a tractor did exit North onto School Lane into the village, photos confirm that it is impossible then to turn left to Shobrooke and this has never ever been attempted.

Committee, to summarise I believe your planners need a better support framework, one that will allow them to conduct much higher levels of diligence. The residents of Thorverton also deserve a far better planning service than this, and are entitled to understand how the council planning process could possibly allow these situations to occur? I feel fully justified in requesting the committee to overturn spurious approvals such as this.

Finally, we are perplexed as to why a farm gateway needs the support of the National Planning Policy Framework, and that this application may well turn out to be the precursor for a much bigger planning event sometime in the near future.

We hope this is not the case, but, if proved otherwise, and having now pointed out to you that we believe the council may have been deliberately misled and that this application is unsafe, impossible to achieve and that there is no real agricultural need, then this attempt to pass off this application as being essential for agriculture, is not just disingenuous, but is downright deceitful, and will be construed by many to be a clear abuse of the planning system, for which those responsible should be held to account.

Karen Massey referring to Item 11 on the agenda – (Tree Preservation Order at Aubyns Wood Avenue, Tiverton) stated my question is : the Local Government Association stated in 2017 that "Taxpayers to subsidise planning application costs by £1bn over next five years" and of 26 February 2018 the association stated that "Extra council tax income in 2018/19 will not protect under-pressure local services"

Current legislation exempts any local authority from charging for applications to undertake work on trees covered by a preservation order. As a result there is a shortfall to all authorities. There is a lengthy document on the local authority website to provide a breakdown of costs and the lack of satisfaction by the users of the planning system.

Is this now the time to reconsider the number of TPOs which are handed out in this area which would help balance the accounts and also help consumers with the planning system?

Cllr Warren (Willand Parish Council) referring to Item 10 on the agenda (land North of Rydon House, Willand) stated:

At the Planning Committee on 31 January 2018 a question was asked as to why this application had taken over 9 months to come to committee when the last communication between an officer and the applicant agent had been on 22 May 2017. The minuted answer given by the officer stated: "With regard to the delay in determining the application, the validation of the application had taken place on 24 April 2017 but it had been submitted after the application for the 259 dwellings on the adjacent site and that there had been a need to determine that application first and to await the outcome of the appeal." That decision has led to an appeal to the Planning Inspectorate on the grounds of non-determination although the Inspectorate have declined to accept it.

Who decided that there was a need to determine that application for 259 houses first and await the outcome of the appeal?

What was the detail of that need bearing in mind that the officer has stated in the implications report that "Members will be well aware of the need to consider only the current proposal at this present time". That being the case why an unacceptable delay in relation to waiting for another application decision?

Was that need, and the decision to cause the delay beyond the regulatory time scale for determination, documented as a decision and recorded for future reference should the need arise in relation to any appeal or costs claim?

Was the Cabinet Member for Planning consulted?

Was the Chair of Planning Committee consulted?

Were our Ward members consulted?

The Chief Executive recorded the decision to delay the local plan, his reasons and who he had consulted and it is in the public domain.

Cllr Grantham (Willand Parish Council) referring to Item 10 on the agenda (Land north of Rydon House, Willand) stated:

The Planning Committee has already approved 35 houses to be built on an exception site which under the emerging local plan was to be replaced by the referred to site for 42 houses. We are told that that site will not be removed from the plan and therefore Willand will have 77 houses instead of the planned 42. If this 30 are approved then Willand will be faced with 107 more houses instead of the planned number of 42. Will members please accept that this unplanned development will put further pressure on an already fragile, modest and basic provision of facilities? Please stand by your original decision to consider refusal.

Andrea Glover referring to Item 10 on the agenda (Land north of Rydon House, Willand) stated:

The Officer gives his view as to the findings of the Planning Inspector in relation to an adjoining site. Will members please note that the Inspector in his findings in paragraph 10 found that policies COR 17 and COR 18 were relevant to his considerations? In paragraphs 13 and 14 he found that the application was in conflict with both policies – no mention of scale at this point. He also found that there was conflict with COR 1 and COR 12 as the intention was that the main development of housing should take place around the main larger settlements. In paragraph 55 he writes of current policies, “I consider them to be in general conformity with the broad sustainable development objectives of the Framework. I therefore give significant weight to the appeal scheme’s conflict with these development plan policies.” Will members please stand by the findings that this application is outside of the local plan and it will be an isolated development compared with the main part of the village?

Mr Ison referring to the proposed Tree Preservation Orders within the agenda stated that he wished to offer his support to the Tree Officer in order to preserve the wooded areas around Howden Court. The Local Plan had requested the retention of the woodland belts in the allocation for development in this area. He cited examples where some of the trees had been removed before the blanket Tree Preservation Order had been put in place. The Planning Officers had felt that the loss of the trees was not considered to be lawful for the visual amenity of the site. He emphasised the need for reasonable preservation of the wooded area.

Sue Leach referring to Item 10 on the agenda (Land North of Rydon House, Willand) stated:

On page 98 of your bundle at Suggested Reason for refusal 2 it refers to ‘car mechanics’. That needs to be removed as they have relocated elsewhere in the village. In considering the balance of community facilities will members also please take account of the fact that the Coop, although approved has shown no sign of

being built at this time so that did not ought to be taken into account if this application has to be considered in isolation?

On page 95 in your bundle at 2 the officer refers to the site being connected to the village by continuous footways. Will members please note that that is not correct. The Old Village Road from the site to the post office and church has no footways other than a short area near to Elmside and Townlands? Pedestrians have to walk in the road and it is a bus route. There is a footway on the main road on one side. It is a 40mph speed limit most of the way and recommendations are that this footpath should ideally be 2m wide – it is not? Is public safety part of the planning considerations of this committee?

David Marrow referring to Item 10 on the agenda (Land North of Rydon House, Willand) stated:

At the last meeting on 31 January, it was stated by the committee that this application had to be considered in isolation and that potential influencing factors (such as the 125 houses application) should not be taken into account.

My question is, why not?

Having just retired from 44 years in the commercial world, in my experience, no professional organisation would consider significant projects or decisions in isolation when it was known or suspected that there could be other significant events that might add to the impact of the project under consideration.

Any one project can have a significant impact but, the impact of several projects could well be greater than the sum of each one. Hence the need for a longer term 'vision' and a rolling 3 or 5 year plan, against which the merits of each project can be judged.

Mr Trump referring to Item 4 on the plans List (School Lane, Thorverton) stated that he lived opposite the site and that he owned the land next to the site, he was concerned about damage to his property, the lane and the wall. He felt that the whole scheme seemed impracticable and invited Members to come and see for themselves.

The Chairman indicated that answers would be provided to questions when the items were debated. Mr Cashmore would receive the written response he requested.

117 MINUTES OF THE PREVIOUS MEETING (00-25-16)

The minutes of the meeting held on 31 January 2018 were approved as a correct record and signed by the Chairman.

118 CHAIRMAN'S ANNOUNCEMENTS (00-26-07)

The Chairman had no announcements to make.

119 DEFERRALS FROM THE PLANS LIST (00-26-11)

There were no deferrals from the Plans List.

120 THE PLANS LIST (00-26-11)

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 application be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

(i) No 2 on the Plans List (**18/00033/HOUSE – Siting of 14 Renusol Console Mounting Bins for PV Solar panels, Bullock Barn, Bradiford Farm, Morchard Road, Crediton**) be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

(ii) No 3 on the Plans List (**18/00063/HOUSE – Erection of a two storey extension, 26 Greenaway, Morchard Bishop**) be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

Note: The following late information was reported: Down St Mary Parish Council have confirmed they have no objection to the proposal.

(iii) No 1 on the Plans List (**17/01939/FULL – Erection of a dwelling, East View, Buller Road, Crediton**).

The Area Team Leader outlined the contents of the report explaining the proposal for a single dwelling in the back garden of a property in Buller Road. He highlighted the site location plan, the association of the proposed dwelling adjacent to the established property and neighbouring properties, the size of the garden and parking proposal, the elevations and contemporary design of the proposal along with a roof plan showing the solar panels. Photographs were presented from various aspects of the site which highlighted the close proximity of the neighbouring properties and possible overlooking issues.

Consideration was given to:

- The proximity of the wall from the proposed dwelling
- The views of the applicant with regard to the location of the proposed dwelling, within walkable distance of the town, the contemporary design, the siting of the proposed dwelling so that any overlooking was limited.
- The views of the Ward Member who had visited the site and found that two dwellings in the space may be oppressive
- The size of the proposed dwelling and the size of the garden

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

(Proposed by Cllr P J Heal and seconded by Cllr Mrs C A Collis)

Notes:

- (i) Mrs Wilder (Applicant) spoke;
- (ii) Cllr F W Letch spoke as Ward Member

(iii) No 4 on the Plans List (17/01716/FULL – Reinstate access and farm track to agricultural land – land at NGR 292482 101905, School Lane, Thorverton).

The Principal Planning Officer outlined the contents of the report by way of presentation explaining the proposal for access to agricultural land, the existing access which had turning issues and required an alternative route to be taken. He provided a block plan, front elevation and a gateway plan of the proposal and provided photographs from various aspects of the site. He added that the Highway Authority had not raised any objections to the application neither had the Conservation officer. He highlighted the updated information in the update sheet which raised further objections to the application and the response of the Highway Authority to those points.

Members were made aware through the presentation that with respect to the update from the Local Highway Authority dated 22 February 2018, that whilst the update was written as how the response was received, point 7 of the Local Highway Authority response should have read as point 8, with the seventh point raised by the objector relating to there being no footpath along School Lane which did not require a response whereas point eight of the objection related to drainage which was addressed within point 7 in the Highway Authority response.

Referring to the questions posed in public question time, the officer stated that a written response would be provided to Mr Cashmore; with regard to the issue raised regarding damage to property, this was not a material planning consideration.

Consideration was given to:

- The steepness of the bank
- Whether it was necessary to have an additional access to the field
- The concerns of the objectors with regard to pedestrian safety, whether the new access was a physical possibility, the number of traffic movements already taking place on the road and the view that the applicant had alternative plans for the site.
- The views of the applicant with regard to the need for the new access for health and safety reasons, with a new access there would not be the need to reverse onto the road or to seek an alternative route to exit the village.

- The views of the Parish Council with regard to road safety, the walking route to the school, the gradient of the proposed slope and drainage and surface water issues
- The views of the Ward Member with regard to highway issues and the inadequacy of the submitted information

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

- The steepness of the application site
- The visibility splay
- Whether additional conditions, uses or methods of construction were required
- Pedestrian Safety
- The consequences of the application on the local amenity

and that the Highway Authority Representative be in attendance.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs J Roach)

Notes:

- (i) Cllrs Mrs H Bainbridge, Mrs F J Colthorpe, Mrs C Collis, Mrs G Doe, R Evans, P J Heal, F W Letch, B A Moore, Mrs J Roach 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) Ms Greed spoke in objection to the application;
- (iii) Mr Parr (Applicant) spoke;
- (iv) Cllr Bright spoke on behalf of Thorverton Parish Council;
- (v) Cllr R M Deed spoke as Ward Member;
- (vi) The following late information was provided

Amendment to condition 2 as follows:-

Condition 2:

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice. Following the implementation of the planning permission both the southern splay of the existing access and that of the northern splay of the proposed access shall remain open and be available for use thereafter.

Reason:

For the avoidance of doubt and in the interests of proper planning and to achieve safe access to and from the site in a manner which does not cause significant danger and inconvenience to other road users in accordance with

Policy DM2 and DM22 of the Local Plan Part 3: (Development Management Policies).

Additional Parish Council response received:

Thorverton Parish Council – 14th February 2018

Thorverton Parish Council resolved to submit the following comments on this application:

- 1) The revised drawings do not provide the information required to address the objections raised by the local Highways Authority
- 2) No levels or sections have been shown and the drawings do not demonstrate that the access gradient can be achieved at one in ten
- 3) The retention of the bank appears to obstruct visibility above 600mm
- 4) Soakaway does not indicate a depth
- 5) An apron of 10 metres, as required by Highways, does not seem to have been addressed
- 6) Visibility splays should be shown in both directions and from both exits but are not.

Additional representation received:

Further 4 objections were received following receipt of the amended plans. Similar points have been raised as reported in the Committee Report but additional comments raised are summarised as follows:

- Drainage will run off the proposed concrete surface for both accesses into the highway
- How will soakaway and drainage be maintained and kept clear
- There are no details for the soakaway location/depth

One letter of objection as summarised below has been added as the Local Highway Authority has responded to the points raised:

1. This is a cynical Trojan horse application by the landowner to obtain a new access in the hope of residential development on a steep hillside, outside the 30 mph limit.
2. Measurements are not given for the retaining wall or the grass verge where the hedgerow is to be removed. The plan does not appear to be accurate on highway adjoining boundaries which may have been tweaked to fit the proposal.
3. The highway 'road narrows' sign and 'double bend' sign will not be properly visible to motorists in the relocated position.
4. The engineering works associated with this proposal are inadequate given the very steep incline particularly in wet weather.
5. To turn from School Lane into the new entrance with a 16m long tractor and trailer, grain trailer, or anaerobic digester waste trailer, will mean a wide turning circle and driving onto the curtilage of the listed Lodge opposite to achieve the turn, crossing from one side of the lane to the other and needing high revs to get up the very steep gradient.
6. Given the size and weight of vehicles and narrow width of turn and very steep incline, there would increase the health and safety risks.

7. There are no pedestrian pavements along the very narrow School Lane making the risk to villagers and children even greater walking to school and The Bury.

8. The proposed drains are totally inadequate to deal with the rain water and storm water run off from the concrete pad - soil and mud will also be dragged onto the highway. In addition where does the storm water and soil go once it enters the chamber on the plan?

Local Highway Authority - 22 February 2018

The Local Highway Authority response to the points raised in the additional letter of objection referred to above is as follows:

1. This is not for this application to consider and is speculation; however, the access being provided for agricultural use would not be suitable for a residential estate road and significant further works would be necessary along with suitable transport assessments for any housing generations will be necessary to determine suitability for the site for an increase in traffic.

2. Items 2, 3, 4 I have considered in the whole. The full width of verge and location of the realigned bank will be determined by the visibility splays. The current configuration with the retained bank was a desire from the Planning Authority to maintain the bank and general street scene. The Highway Authority are happy to accept this plan, albeit less than satisfactory, based on the need for the developer to enter into a licence with the Highway Authority where greater detail can be submitted in terms of technical aspects, but the layout, materials, visibility splay provision of drainage, radii and widths have been determined.

5. The swept path of agricultural vehicles entering the site from school lane from the north have been taken into consideration and that is why a 10m radii curve into the site and the lane /access width are as they have stipulated.

6. The gradient of the access has been stipulated as no greater than 1 in 10 for the new section which is the maximum gradient accepted by the Highway Authority and the hard surfacing of the access for the first 6.0m will cater for the skid resistance of the access.

7. The introduction of the drainage is a benefit over the existing access which is greater than 1 in 10 and has no restraint to water entering the highway. Details of the soakaway will be dealt with through the licence. The hard surface identified on the plan is the necessary requirement that allows a full wheel rotation and the reasonable removal of mud and stones before a vehicle enters the public highway. While greater detailed drawings would be desirable the plans submitted have sufficient annotation from a Highway Authority perspective to work with particularly given the need for a licence under the Highway Act.

(iv) No 5 on the Plans List (17/01751/FULL – Erection of 5 dwellings, land at NGR 295748 103455, south of 5 Old Butterleigh Road, Silverton).

The Principal Planning Officer outlined the contents of the report by way of presentation highlighting the site in relation to the village of Silverton, the proposed layout of the 5 dwellings, the proposed street elevation which would include a wildlife zone, the floor plans, the contemporary design of each dwelling, the landscaping plans, surface water drainage plans, the street scheme and photographs from

various aspect so the site. He explained that the site was allocated within the emerging Local Plan (for 8 dwellings), but because of the lack of a 5 year land supply, the land had been put forward.

Consideration was given to:

- The dormouse mitigation area
- The history of the site
- The lack of affordable housing on the site
- The views of the objector with regard to road safety issues, possible flooding issues, disturbance on the site which would threaten the resident wildlife, the impact of the development on the Devon Bank and the lack of affordable housing on the site.
- The views of the local Ward Member: the lack of a 5 year land supply, paragraph 14 of the NPPF, Policy DM2, the possible demonstrable harm of the proposal to the village, design issues, the need for affordable/social housing in the village and the need for people to be consulted with regard to the Local Plan allocations.
- 5 dwellings on the site overcame the need for affordable housing on the site
- The fact that the ecology and flood risks had been considered and that this had reduced the number of dwellings on the site

RESOLVED that planning permission be granted subject to the prior signing of a S106 agreement to secure financial contributions towards public open space and education provision; the section 106 agreement would provide for the following payments to be made by the applicant:

- Public Open Space contribution of £6,826 allocated to Phase 2 - improvements to School Lane War Memorial OS, Silverton
- A contribution of £16,440 (based on the DfE extension rate of £21,921 per pupil) towards additional education infrastructure at the local secondary school
- A contribution of £2,546 towards secondary school transport costs due to the development being further than 2.25 miles from Clyst Vale Community College.

And conditions as recommended by the Head of Planning, Economy and Regeneration.

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

(Vote 6 for 5 against – Chairman’s casting vote)

Notes:

- (i) Cllr Mrs J Roach made a declaration in accordance with the Protocol of Good Practice for Councillors in dealing with Planning Matters as she had attended a meeting with the applicant and objectors;
- (ii) Mrs Lane spoke in objection to the application;

- (iii) Cllr Mrs J Roach spoke as Ward Member, and wished it to be noted that the application would not affect her personally and that she had no interest to declare;
- (v) The following late information was provided:

Recommendation should read prior to conditions:

Grant permission subject to conditions and the prior signing of a S106 agreement to secure financial contributions towards public open space and education provision.

The section 106 agreement would provide for the following payments to be made by the applicant:

- Public Open Space contribution of £6,826 allocated to Phase 2 - improvements to School Lane War Memorial OS, Silverton
- A contribution of £16,440 (based on the DfE extension rate of £21,921 per pupil) towards additional education infrastructure at the local secondary school
- A contribution of £2,546 towards secondary school transport costs due to the development being further than 2.25 miles from Clyst Vale Community College.

Condition 15 (as written in the report):

Before the dwelling on plot 5 hereby permitted is first occupied, the first floor window in the north elevation serving the en-suite shall be glazed with translucent glass and shall be non-opening below a height of 1.7m measured from the floor level of this room and shall be so retained in this condition thereafter.

For the avoidance of doubt, translucent means permitting light to pass through but diffusing it so that persons, objects, etc. on the opposite side are not clearly visible such as through the use of obscure or frosted glazing.

- (vi) No 6 on the Plans List (17/01517/FULL – Erection Of a dwelling and alterations to existing vehicular access – 27 Downeshead Lane, Crediton).**

The Area Team Leader explained that the application had been deferred from the previous meeting to allow a visit by the Planning Working Group to take place. He outlined the contents of the report providing updated information on the scope of the Conservation Area and stated that the allotments were not within this area. He also provided the distances between the 3 houses in Downeshead Lane that had received planning permission and the listed building.

He continued by outlining the proposal, highlighting the proposed floor plan and elevations and provided photographs from various aspects of the site.

Consideration was given to:

- The views of the applicant in that the application would have very little impact on the Conservation Area, the site was not visible from the other side of the town, the house and the garden had been enhanced since the fire in Buller

Square and that work had taken place with a Heritage Consultant to make the application compliant with the local environment.

- The fact that the area around Buller Square had changed since the fire.
- The renovated houses in Buller Square now had slate roofs

RESOLVED that planning permission be granted for the following reasons: Members felt that the application was appropriate and that there would be no detrimental impact on the listed building or the Conservation Area. The scale, design and massing of the proposal was considered to be appropriate within the context of the built environment. Delegated authority be given to the Head of Planning, Economy and Regeneration to produce a set of conditions and seek any necessary Section 106 requirements.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs G Doe)

Notes:

- (i) Cllrs Mrs H Bainbridge, Mrs F J Colthorpe, Mrs C Collis, Mrs G Doe, P J Heal, 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 F W Letch declared a personal interest as the applicant and her partner were known to him;
- (iii) Ms Partridge spoke as the applicant.

(vii) No 7 on the Plans List (17/01427/FULL – Change of use of agricultural land to domestic garden and retention of play/exercise equipment – Land at NGR 310904 109604, The Shippens, Blackborough).

The Area Team Leader outlined the contents of the report by way of presentation explaining the history of the site and providing a plan which highlighted the various buildings on the site and identified the area for the play equipment. She informed the meeting that a late representation had been received from the Blackdown Hills AONB Partnership which confirmed its concern regarding the impact of the proposal on the AONB

Consideration was given to:

- The views of the agent with regard to the users of the equipment and the safe environment where it had been placed, she stated that the equipment was vital to the users and did not feel that it was an undesirable encroachment on the AONB
- The possible need to re-site the equipment closer to the formal buildings on site
- Policies to protect the AONB
- Whether it was acceptable to provide a temporary permission
- The need for the officers and the applicant to work together to seek an alternative site.

RESOLVED that planning permission be refused as recommended by the Head of Planning Economy and Regeneration. An advisory note be added to the decision to state that there was a desirability for a solution to be found for the equipment to be placed in a position that would reduce the impact on the AONB.

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

Notes:

- (i) Ms Marlow (Agent) spoke;
- (ii) Response from Blackdown Hills AONB Partnership - I've had a look at the application and can confirm that my views haven't changed about this encroachment of the garden area and the impact of the equipment.

121 **MAJOR APPLICATIONS WITH NO DECISION (2-59-05)**

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

It was **AGREED** that

Application 18/00133/MARM (Land at Uplowman Road, Tiverton) be brought before the committee for determination.

Application 18/00175/MOUT (Silver Street, Willand) be brought before the committee for determination and that a site visit take place.

Application 17/01904/MFUL (Blackborough House, Blackborough) be brought before the committee for determination and that a site visit take place.

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

122 **APPEAL DECISIONS (3-02-19)**

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

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

123 **APPLICATION 17/00652/MOUT - OUTLINE APPLICATION FOR A MIXED DEVELOPMENT OF 30 DWELLINGS, COMMERCIAL BUILDINGS, ACCESS, PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS AT LAND AT NGR 303116 110179 (NE RYDON HOUSE) WILLAND (3-02-46)**

The Committee had before it a * report of the Head of Planning Economy and Regeneration following discussions at the previous meeting where Members were minded to refuse the application.

The Chairman informed the meeting that the application to appeal the decision for non-determination had not been validated by the Inspectorate as the appeal was outside the time limit. The application therefore had to be determined by the Committee.

The Area Planning Officer outlined the contents of the report by way of presentation providing a site plan and an indicative layout of the proposal and provided photographs from various aspects of the site.

She provided answers to questions posed in public question time:

With regard to why the application had taken so long to come to Committee:

The application for 259 houses on the adjacent site went to appeal and that start date for the appeal was 17th July 2017.

The current application which was the subject of this implications report was received on 24th April 2017 with a 13 week determination target of 24th July.

Appeals can be costly processes, requiring lots of officer resource and sometimes the use of outside consultants. Applicants also incur costs in the appeal process and have the ability to make cost applications to the Planning Inspectorate to recover some or all of their costs where the LPA has been found to act unreasonably. Officers felt that it was reasonable to delay determination of the application before Members today and to await the outcome of the appeal on the adjacent site as the Inspectors decision was very likely to provide guidance on the level of development which may be considered acceptable on the site.

I think I'm right in saying that the Cabinet Member was advised of this approach but I'm not aware of the Parish Council or Ward Members being formally advised but we would have advised them of this approach if asked.

Cllr Grantham's questions regarding exception sites and the Local Plan: The 35 dwellings permitted under the exception policy were not required to contribute towards any infrastructure due to the delicate balance of financing such projects. The LPR sets out that development of the site for 42 dwellings will require that the developers provide affordable housing, landscaping and other mitigation, a transport assessment and enhancement of a public right of way. They will also be required to provide POS (or a contribution) and other financial contribution such as AQ and education where there is felt to result a deficiency in provision as a result of the development. Similarly the proposal Members are considering today need to make provision towards affordable housing, air quality and public open space. The cumulative number of dwellings, being 107 is still far less than half of the proposal considered by the Inspector at appeal.

Cllr Glover's questions relating to the Inspector's decision: It is correct that the Inspector found that 259 dwellings at Willand did conflict with development plan policies where they were relevant to 'scale and distribution of housing in Mid Devon.

However, he also makes it clear that this is very much on the basis of the number of dwellings involved as he also makes the point that (at para 13) it is reasonable to conclude that there is a vast gulf between the scale of development proposed and what the development plan envisages for villages such as Willand. He also makes the point (at para 16) that in order for the Council to meet its aspirations for development it has allocated land outside the settlement limit as not all development can take place within the existing built confines of the settlement.

Mrs Leach's question regarding the car mechanics site, the coop and the pavements: Your officers understand that whilst the car repair business has moved from the application site recently, the premises are still there. Yes the co-op had not been built on site but the co-op have been seeking to discharge conditions to enable start on site. With regards to the footways, Mrs Leach is also correct that there is only a footway at the very start of the Old Village which disappears but the fact remains that the majority of services within the village are capable of being accessed by footways. Public safety is a consideration and is considered by the Highway Authority too in their consideration of the application and no improvements are sought as a result.

Mr Marrow's questions regarding the consideration of the adjacent site: This application must be considered on its own merits. If approved, it will be necessary for officers to consider this application in the determination of the 125 dwelling application but Members cannot predetermine another application which is in the system and currently the subject of public consultation.

Consideration was given to:

- The views of the Ward Members with regard to the number of houses approved and those proposed within the village and those outlined within the emerging Local Plan and that the site failed the sustainability test
- The loss of employment opportunities within the village

RESOLVED that the application be refused on the following grounds:

1. The application site is outside the current settlement limit boundaries of the village of Willand and is in a countryside location. Policy COR18 of the adopted Mid Devon Core Strategy (Local Plan Part 1) seeks to strictly control development outside settlement limits and a development in this location of the scale as proposed would not be permitted under criteria a - f of this adopted policy. Neither is the site proposed to be allocated for housing within the Councils Local Plan Review 2013 -2033. The Local Planning Authority cannot demonstrate that it has an adequate five year supply of housing land as required by the National Planning Policy Framework, and therefore Policy COR18 should be afforded limited weight and accordingly the application should be determined against the provisions of Paragraph 14 of the National Planning Policy Framework. When tested against Paragraph 14 of the Framework the Local Planning Authority consider that the adverse impacts of the proposed development in terms of the loss of community facilities and the poor form of development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole as well as being contrary to Policy COR1 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM1 of the Mid Devon Local Plan Part 3 (Development Management Policies).

2. The proposed application requires the demolition of commercial and retail buildings amounting to 420sqm comprised of garage and shop, hairdressers, restaurant and car mechanics. Whilst the proposal includes the provision of a replacement facility of 340sqm this represents a short fall of 80sqm along with the loss of the petrol filling station and car sales which are considered to be community facilities as set out in Policy DM25. In a community which has been identified as having a 'somewhat basic and modest level of provision' [appeal ref: APP/Y1138/W/17/31723], the net loss of community facilities is considered to damage the settlements ability to meet its day to day needs contrary to policy DM25 of the Local Plan Part 3 (Development Management Policies) and results in a development which is considered unsustainable given the economic and social harm which would result.
3. The application site only forms a contiguous boundary with the settlement limit of Willand on its eastern boundary. As a result it is considered to form an isolated, unusual development pattern at the southern end of the village with an essentially stand-alone parcel of residential development which has little or no relationship in terms of built form to the existing village contrary to policy DM2 of the Local Plan Part 3 (Development Management Policies).

(Proposed by Cllr B A Moore and seconded by Cllr Mrs G Doe)

Notes:

- (i) Cllrs Mrs G Doe and R Evans made declarations in accordance with the Protocol of Good Practice for Councillors in dealing with Planning Matters as they had been involved in the application as Ward Members;
- (ii) Cllrs Mrs G Doe and R Evans spoke as Ward Members;
- (iii) Cllrs Mrs G Doe, R Evans and B A Moore would represent the Council if the application was appealed;
- (iv) The following late information was reported:

22nd February 2018 - Since the agenda was published, the Planning Inspectorate have written to the agent for the application confirming that the appeal against non-determination was not received by them within the valid timeframe and therefore they are unable to take action on it. As a result, the application falls to be considered by Planning Committee

REASON FOR REPORT: To consider the reasons for refusal proposed by the Planning Committee at the meeting of 31st January 2018 in light of further advice from Officers.

RECOMMENDATION(S)

Grant permission subject to conditions and the signing of a S106 agreement to secure.

1. 35% affordable housing on-site

2. 21 dwellings x £5,218 = £109,578 air quality contributions
3. 5 dwellings x £1,205 = £6,075 open space contributions together with the provision of onsite LEAP and sports facilities to provide for refurbishment (of Chestnut Drive Play Area Willand)
4. £102,390 toward improved primary education facilities ((£3,413 per dwelling)

The phasing of the works to provide for the commercial units prior to demolition of the existing and prior to the occupation of the 5th Market dwelling.

Email received from DCC (Special Projects and School Infrastructure Development Officer) to advise:

Since the county council submitted its education response to the application, the baseline data has been updated. This demonstrates that a contribution towards primary education, as previously requested, would no longer be requested. This is consistent with the response to the recent application in Willand. As such, we wish to withdraw our previous request for a contribution.

As a result of this revised response from DCC, the Officer recommendation has been revised to take account of this

REVISED RECOMMENDATION:

Grant permission subject to conditions and the signing of a S106 agreement to secure:

1. 35% affordable housing on-site
2. 21 dwellings x £5,218 = £109,578 air quality contributions
3. 5 dwellings x £1,205 = £6,075 open space contributions together with the provision of onsite LEAP and sports facilities to provide for refurbishment (of Chestnut Drive Play Area Willand)
4. The phasing of the works to provide for the commercial units prior to demolition of the existing and prior to the occupation of the 5th Market dwelling.

A full copy of the Inspectors Appeal Decision will be available for Members.

124 APPLICATION 17/00006/TPO - AUBYN'S WOOD AVENUE, TIVERTON (30-24-25)

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

The Area Team Leader outlined the contents of the report stating that a blanket Tree Preservation Order had been placed on the site during development to protect the trees. The Tree Preservation Orders before Members today were to revisit the areas of trees and woodland on the site. This particular order covered the site frontage and the woodland in this area. She provided a plan which highlighted the area within this specific case and photographs of trees behind the house and frontage along Exeter Road.

In answer to the question posed in public question time regarding the reconsideration of the number of Tree Preservation Orders: Yes, there is a cost implication to a LPA in dealing with applications for works to trees covered by TPO's, as there are for applications for works to trees in Conservation Areas. However, your officer's views are that this should not prevent LPA's from considering the confirmation of TPO's where it is in the public interest to do so to protect the visual amenity of the area and where to not do so, puts the trees at risk of being felled.

Consideration was given to:

- The views of the property owner with regard to the public benefit of the trees, management of the trees, concerns about home insurance and good tree management.
- Concern that the trees would be removed without a Tree Preservation Order.
- The need to reassess the blanket order.
- Management of the trees.

RESOLVED that the Tree Preservation Order be confirmed as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by Cllr Mrs H Bainbridge and seconded by Cllr Mrs C A Collis)

Notes:

- (i) Mrs Massey spoke in objection to the application;
- (ii) Cllr Mrs J Roach requested that her vote against the decision be recorded;
- (iii) The following late information was reported: The application number is incorrect – it should read 17/00006/TPO;
- (iv) *Report previously circulated, copy attached to minutes.

125 **APPLICATION 17/00008/TPO, ST AUBYNS WOOD RISE, TIVERTON (3-37-32)**

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

The Area Team Leader outlined the contents of the report stating that a blanket Tree Preservation Order had been placed on the site during development to protect the trees. The Tree Preservation Orders before Members today were to revisit the areas of trees and woodland on the site. This particular order covered the top end of the development which she highlighted via a plan, the Tree Preservation Order would protect the woodland area in this location.

RESOLVED that the Tree Preservation Order be confirmed as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs G Doe)

Notes:

- (i) Cllr Mrs J Roach requested that her vote against the decision be recorded;
- (ii) The following late information:

2 further letters of representation were received but have not been included on the agenda. They can be summarised as follows:

- a) Support the preservation of woodland and no desire for trees to be removed but should be able to cut back overhanging or dead branches when necessary
- b) No objection subject to the woodland being pro-actively managed as there are dead trees, overhanging branches and ivy covering the trees. An Arboriculturalist should inspect and verify current state of trees

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

126 **APPLICATION 17/0009/TPO HOWDEN HAYES, TIVERTON (3-40-17)**

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

The Area Team Leader outlined the contents of the report stating that a blanket Tree Preservation Order had been placed on the site during development to protect the trees. The Tree Preservation Orders before Members today were to revisit the areas of trees and woodland on the site. This particular order covered a group of trees within an existing property of Howden Hayes, this was a large group of trees which was thought to add to amenity value.

Consideration was given to:

- A letter read by the Chairman on behalf of Mr Dawson which stated that the trees at Howden Hayes should never have been included in the blanket Tree Preservation Order, a new Order would have no benefit to the setting of Howden Court and questioning why the trees at Howden Hayes required protection.
- Whether the gentleman's views were valid
- The need to protect the trees in the area.

RESOLVED that the Tree Preservation Order be confirmed 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) The Chairman read a letter on behalf of Mr Dawson;
- (ii) Cllr Mrs J Roach requested that her vote against the decision be recorded;
- (iii) The following late information: The application number is incorrect – it should read 17/00009/TPO.

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

127 **APPLICATION 17/00015/TPO ST AUBYNS RISE, TIVERTON (3-37-32)**

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

The Area Team Leader outlined the contents of the report stating that this application was slightly different to the previous ones before Members today; this Order was to protect trees in the long term to be used as screening. The Tree Preservation Order would be new trees along the boundary for the longevity of the development

Consideration was given to:

- The type of trees to be used for screening
- Whether the trees put in place were suitable and whether they could be replaced with something more suitable
- Consideration of a S73 application to vary the planning condition
- The views of a resident with regard to whether the trees had been placed in the right place, the suitability of the trees, the possible damage the tree roots could cause his property and whether the developer had planted the correct trees and the height of the trees.
- The need to find a solution to the planting of incorrect trees
- The need for officers to work with the residents within a restricted period of time to overcome the issues raised
- Financial implications for the landowner

RESOLVED that the Tree Preservation Order be confirmed as recommended by the Head of Planning, Economy and Regeneration. Within a period of one (1) month from the date of this meeting the Local Planning Authority is to enter into a dialogue with the landowners to sympathetically consider the Tree Preservation Order.

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

Notes:

- (i) Mr Austrin spoke in objection to the application;
- (ii) Cllr Mrs J Roach requested that her vote against the decision be recorded;
- (iii) Cllr Mrs G Doe requested that her abstention from voting be recorded;
- (iv) * Report previously circulated, copy attached to minutes.

(The meeting ended at 6.42 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 21 March 2018 at 2.15 pm

Present

Councillors

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

Apologies

Councillor(s)

R F Radford and R L Stanley

Also Present

Councillor(s)

Mrs J B Binks, D R Coren, C J Eginton and
Mrs J Roach

Present

Officers:

Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), David Green (Group Manager for Development), Simon Trafford (Area Team Leader), Lucy Hodgson (Area Team Leader), Daniel Rance (Principal Planning Officer), Ian Sorenson, Helen Govier (Planning Officer) and Sally Gabriel (Member Services Manager)

128 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllrs: R F Radford and R L Stanley.

129 PUBLIC QUESTION TIME

Mr Fry referring to Item 1 on the plans List (Chapel Down Farm) asked the following question: what amount of Section 106 and other funding from the development will go to Crediton Town Council for residents as the development is outside the town boundary?

Mr Tucker again referring to Item 1 on the Plans List (Chapel Down Farm) asked the following question: with Government seeking to introduce a 25 year environmental plan how will this development merit net environmental gain?

The Chairman indicated that the questions would be answered when the item was debated.

130 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

Members were reminded of the requirement to declare any interests at the appropriate time.

131 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 28 February 2018 were approved as a correct record and signed by the Chairman.

132 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

133 **ENFORCEMENT LIST (00-06-49)**

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/17/00070/RURAL – Unauthorised building operations concerning the extension of a former tractor storage shed and the unauthorised change of use of the land from woodland to a mixed use of woodland and recreational use – Culm Wood, (Gaddon Down Plantation), Ashill.***)

The Area Team Leader outlined the contents of the report highlighting the breach of planning control and explaining by way of presentation the site in question, the vehicle access and photographs from various aspects of the site, which included the original tractor shed and the new works that had taken place.

Consideration was given to the trees that had been removed on the site.

RESOLVED that the Legal Services Manager be given delegated authority to take all such steps and action necessary to secure the demolition and removal of the unauthorised operational development, the cessation of the unauthorised use and the removal of the items of domestic paraphernalia on the land, 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 P J Heal)

Note: the following late information was reported: The following statement had been provided on behalf of the owner of the land to seek to justify why the scope of works has been undertaken.

Before my son took over Culm Wood the storm in January 2017 had blown many trees down, breaking down part of a wall on the right hand side of the building and also hitting the roof. This broke holes in it and pushed one of the A frames over which in turn pushed the left-hand wall off its footings and tilted it towards the track

which is used by Buckland Wood Ridden Wood and Ashill Wood. A lot of dog walkers, which I know from when I was a landlord of the Ostler in Uffculme, use these woods and I have a duty of care for them. Therefore, my son started repairing. As we all know there is often a lot more damaged than his realised. Due to these repairs he was reported to the council and consequently told planning but when I enquired about planning permission he was told he would not be given planning permission so he stopped the repair work after making it safe.

Officer Comment: The validity of the information is uncertain in your officer's view, and there is no change to the recommendation as set out in the report as drafted and circulated to members in the report pack.

b) No. 2 in the Enforcement List (***Enforcement Case ENF/17/00160/COU – Change of use of land from agriculture to mixed use agriculture and the siting and use of a caravan for human habitation together with domestic paraphernalia ancillary to such use and the storage of two non-agricultural motor vehicles – land lying to the north of Petton Cross, Shillingford***).

The Area Team Leader outlined the contents of the report by way of presentation highlighting the land in question and providing an aerial photograph which identified the remoteness of the site; photographs were provided from various aspects of the site which showed the caravan in situ and the 2 vehicles.

Consideration was given to:

- The views of the applicant's representative who explained that they had been informed that they could keep the caravan on site until they had erected the shed for the livestock and that the caravan had only been used for storage and not human habitation.
- The requirement for the caravan even if used for storage to have planning permission.
- Whether any planning consent had been applied for.
- The fact that it was felt that the Enforcement Officer had been reasonable in any discussion he had had with the landowner.

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 by the removal of the caravan and associated domestic paraphernalia along with the two non-agricultural motor vehicles from the site. This could include the issue of an enforcement notice followed by prosecution and/or Direct Action in the event of non-compliance with the notice.

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

Note: Mr Groves spoke on behalf of the landowner.

c) No. 3 in the Enforcement List (***Enforcement Case ENF/17/00266/RURAL – Unauthorised material change of use of land from agriculture to a mixed use of agriculture and the slaughtering, process, packing, freezing, storage and distribution of meat, together with ancillary operational development comprising the erection of two structures and a concrete base – land and buildings at NGR 307589 114376 (Land at Escotts Farm, Uffculme)***).

The Area Team Leader outlined the contents of the report by way of presentation highlighting the rural location of the site in question and the alleged breach of planning control. He provided photographs from various aspects of the site which highlighted the area of hardstanding, the number of buildings on the site, the refrigeration vehicles and a generator. He explained that the Enforcement Officer had been in dialogue with the landowner with regard to the submission of a planning application; a planning application had been received but to date remained unregistered.

RESOLVED that the Group Manager – Legal Services (Legal Services Manager) be given delegated authority to take all such steps and action necessary to secure the cessation of the unauthorised use and the demolition and removal of the unauthorised ancillary operational development, 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 Mrs G Doe)

134 **DEFERRALS FROM THE PLANS LIST**

There were no deferrals from the Plans List.

135 **THE PLANS LIST (00-40-00)**

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 application be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

(i) No 4 on the Plans *List (18/00100/HOUSE – Conversion of garage to a self-contained annexe and erection of a porch – Station House, Culmstock)* be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration with an additional condition (4) which stated that “The ancillary accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Station House as a single family dwellinghouse and shall not at any time be used, either by way of being let, given or sold, as a separate unit of accommodation or for commercial purposes”.

Reason: The site is located outside defined settlement limits in the open countryside where national and local planning policy prohibits the creation of new dwellings unless in special circumstances in accordance with Policy COR18 of Mid Devon Core Strategy 2007 and the NPPF.

(Proposed by the Chairman)

Note: The following late information was provided: the additional condition (4) and a representation from Culmstock Parish Council – No objections.

(b) No 1 on the Plans *List (17/001511/MOUT – Outline application for the erection of up to 120 dwellings, public open space, vehicular access and associated infrastructure – land at NGR 282065 100892 (Chapel Downs Farm, North of Queen Elizabeth Drive, Crediton).*

The Area Team Leader outlined the contents of the report by way of presentation highlighting the location of the site North East of Queen Elizabeth Drive, the proposed vehicular and pedestrian access, an aerial view of the site which highlighted the relationship between the site and the town of Crediton, the site location plan and indicative layout of the site, the 5 parcels of space which were proposed for development, the area of public open space proposed to the top of the site, the separation distance between the boundary and various parts of the site outlined for development, the drainage strategy, indicative site sections and the additional planting which sought to mitigate the visual impact and changes in levels.

He continued by explaining that the agricultural land was rated as Grade 2 at the top of the site and Grade 3 on the slopes. Photographs were provided from various aspects of the site and viewpoints from various locations identifying the site.

He provided answers to questions posed in public question time: the S106 package: rules and regulations applied to how S106 funding was applied and the scope of planning obligations within the report related to public open space, education and air quality. With regard to the question relating to environmental issues, he was unable to answer this as the officer recommendation had been one of refusal.

Consideration was given to:

- The number of houses proposed and the number of children who would require school places
- The 'early years' calculation
- The scale of the cross sections
- The volume of traffic in the area of Higher Road
- The views of the Highway Authority with regard to the application
- The views of the objectors with regard to the site not being allocated within the Local Plan, the lack of infrastructure for such a development, the current traffic movements in the area, the capacity of the local schools and doctors practices, pedestrian safety and the visual impact of the proposal on the landscape.
- The views of the applicant who wished the application to be deferred to allow for further discussions to take place, the lack of a 5 year land supply, the concern that the proposals had not been fully considered by the officers, the impact on Queen Elizabeth Drive had been exaggerated and the S106 contributions.
- The concerns of the Parish Council with regard to increased traffic and the impact of this on pinch points within the town, general infrastructure requirements and pedestrian safety.

- The view of the Ward Member in that the application did not meet Policy COR 18, the visual impact with regard to the view from the south.
- General views regarding the impact of the development on the town.
- Developing on Grade 2 agricultural land.
- The need to consider sites established within the Local Plan.

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

1. The application site is outside the current settlement limit boundaries of Crediton and is in the open countryside and is not currently allocated for development. Policy COR18 of the adopted Mid Devon Core Strategy (Local Plan Part 1) seeks to strictly control development outside settlement limits and a development in this location of the scale as proposed would not be permitted under criteria a - f of this adopted policy. Neither is the site proposed to be allocated for housing within the Councils Local Plan Review 2013 -2033. The applicant asserts that the Local Planning Authority cannot demonstrate that it has an adequate five year supply of housing land as required by the National Planning Policy Framework, and therefore Policy COR18 should be afforded limited weight and that the application should be determined against the provisions of Paragraph 14 of the National Planning Policy Framework. When tested against Paragraph 14 of the Framework the Local Planning Authority considers that the adverse impacts of the proposed development, as set out in reasons 2, 3 and 4 below, would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole as well as being contrary to Policy COR1 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM1 of the Mid Devon Local Plan Part 3 (Development Management Policies).
2. The Local Planning Authority considers that by virtue of the elevated and sloping nature of the site the development (of an agricultural field) to include a new section of highway and associated pavement will have a harmful impact to the visual amenity of the area at the western entrance to the town and along Higher Road. By virtue of the topography the development will appear as an incongruous extension adjacent to the existing built development which is set down within the valley cutting. The site is widely visible from the south and development will significantly alter the unspoilt and open qualities of the site and result in the loss of grade two agricultural land forming an important part of the rural setting at this edge of Crediton. Despite the shortfall in housing supply the harm arising to the character and visual appearance of the area is considered to significantly and demonstrably outweigh the benefits derived from the scheme and on this basis the application scheme is considered to be contrary to policies COR2 and COR18 (Local Plan 1) and policy DM2 Local Plan part 3 (Development Management Policies) which seek to protect the character and appearance of the countryside.
3. In the opinion of the Local Planning Authority the development would result in harm to the setting of the Grade II listed Chapel Downs Farmhouse. The agricultural field is considered to form part of the setting of the listed building, and the proposed scheme will alter the character and appearance of the setting of the listed building given the intrusion of built development at a raised level within the setting of the heritage asset. Although the harm is considered

to be less than substantial in National Planning Policy Framework terms, in addition to the other identified harmful impacts of the scheme it is not considered that the public benefit arising from the scheme would outweigh the identified harm to the designated heritage asset and therefore the proposal is considered to be in conflict with the aims of policies DM27 Local Plan part 3 (Development Management Policies) and part 12 of the National Planning Policy Framework which seek to conserve and enhance the historic environment.

4. In the opinion of the Local Planning Authority it has not been demonstrated that development can be accommodated on the site without resulting in unacceptable harm to the amenity of occupiers of neighbouring properties. By virtue of the difference in levels the proposal is likely to result in a form, scale and mass of development that is overbearing to occupiers of residential properties located in Queen Elizabeth Drive and would be detrimental to the amenity they currently enjoy contrary to policy DM2 and DM14 of the Local Plan Part 3 (Development Management Policies).

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

Notes:

- i) Cllrs: Mrs H Bainbridge, Mrs F J Colthorpe, Mrs C A Collis, Mrs G Doe, R J Dolley, P J Heal, F W Letch, B A Moore and J D Squire made declarations on accordance with the Protocol of Good practice for Councillors dealing in Planning Matters as they had all received correspondence regarding this application;
- ii) Cllr P J Heal and D R Coren declared personal interests as they knew the landowner;
- iii) Mr Fry spoke on of the objectors;
- iv) Mr Cattamole spoke on behalf of the developer;
- v) Cllr Stephens spoke on behalf of Crediton Hamlets Parish Council;
- vi) Cllr D R Coren and P J Heal spoke as Ward Members;
- vii) Mr Sorenson spoke on behalf of Devon County Council, Highway Authority;
- viii) Cllr Mrs H Bainbridge requested that her vote against the decision be recorded.

(c) No 2 on the Plans *List (17/001090/MOUT – Outline for the erection of up to 40 dwellings with associated access, parking, open space, landscaping and supporting infrastructure – land and buildings at NGR 281938 100425 (Adjacent to Brookdale, Threshers, Hollacombe, Crediton).*

The Area Team Leader outlined the contents of the report by way of presentation highlighting the location of the application site, the context of the application with regard to the main roads in the area, the proposed illustrative masterplan for the site, the access, the provision of additional parking to support parking for the primary

school and flood risk mitigation proposals on site. He outlined the parking restrictions outside Landscore Primary School and the thoughts of the school with regard to the proposals. Photographs were provided from various aspects of the site.

Consideration was given to:

- The S106 contributions
- The concerns of the objectors with regard to road safety issues, the shortage of road space in the area, flood issues in the area and the fact that houses in the area had been previously been affected by flooding, capacity at the local primary school and traffic issues at school pick up time.
- The views of the agent with regard to the site being adjacent to the settlement limit, the close proximity of facilities, the fact that the application would deliver benefits with regard to the flooding issues, surface water drainage, the lack of highway issues and that the school was under capacity.
- The views of the Parish Council with regard to the provision of open space and that the S106 agreement should refer to open space at Threshers rather than Queen Elizabeth Drive.
- The view of the Ward Member with regard to issues of flooding and parking which had been mitigated by the proposals and the proposed widening of the area at the bottom of Pitt Hill. The development could be seen as an extension to Westernlea.
- The fact that the Area Planning Officer suggested that the open space project could be accommodated at Threshers.

RESOLVED that planning permission be granted subject to conditions as recommended by the Head of Planning, Economy and Regeneration with revised wording for Condition 15 to state: Prior to commencement of the development a Low Emissions Strategy, including an implementation timescale, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- a. A Detailed site travel plan including support for/access to public transport.
- b. Provision for electric vehicle infrastructure at a rate of 1 charging point per house (with a driveway or garage).

The terms of agreed strategy shall be implemented and maintained in accordance with the approved details.

and the signing of a S106 agreement to secure the following:

1. Affordable Housing: 35% affordable housing on site (13 units)
2. Education: a contribution of £10,000.00 towards early years provision
3. Air
Quality: a contribution of £119, 718.00 to contribute towards the community car share schemes and clubs for Crediton- phase two, for the provision of bike storage facilities at Crediton railway station and to contribute towards the subsidised bus scheme for Crediton Town Centre.
4. Public Open Space: a financial contribution of £32,535.00 towards improvements to the open space and play area adjoining Threshers Crediton Hamlets.
5. Safeguarding of the land and a scheme of works to deliver the car park as shown on drawing number CAM XX GF GA I SK004 Rev P3

(Proposed by Cllr P J Heal and seconded by Cllr Mrs G Doe)

Notes:

- i) Cllrs D R Coren and P J Heal made declarations in accordance with the Protocol of Good Practice for Councillors dealing in Planning Matters as they had attended Parish Council meetings where the application had been discussed;
- ii) Mr Holes spoke in objection to the application;
- iii) Mr Scoot spoke as agent;
- iv) Cllr Stephens spoke on behalf of Crediton Hamlets Parish Council;
- v) Cllrs D R Coren and P J Heal spoke as Ward Members;
- vi) Cllr F W Letch requested that his vote against the decision be recorded;
- vii) The following late information was provided: Page 27: Recommendation Section.

Delete item 6: Monitoring and legal costs

Page 48: Revise the wording of condition 15 as follows:

15. Prior to commencement of the development a Low Emissions Strategy, including an implementation timescale, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- a. A Detailed site travel plan including support for/access to public transport.
- b. Provision for electric vehicle infrastructure at a rate of 1 charging point per house (with a driveway or garage).

The terms of agreed strategy shall be implemented and maintained in accordance with the approved details.

- (d) No 3 on the Plans *List (17/002014/FULL – Retention of log cabin for storage, shelter and education – Castleland House, Bampton)*.

The Area Team Leader outlined the contents of the report by way of presentation highlighting the location of Castleland House and the access point from the highway and into the woodland, the aerial view identified the cabin and the site location. Members viewed the floor plan and elevations, the proposed drainage plan, the block plan and parking arrangements. Photographs were also shown from various aspects of the site.

Consideration was given to:

- The positioning of the proposed septic tank to the North East of the site
- The establishment of a wet room and the reasons why the cabin would require one

- The views of the objector in that cabin was not in the curtilage of the house, it was a retrospective application, it would set a precedent, it sat within designated agricultural land and the local residents were not happy with the impact that the development would have on the local area
- The views of the applicant's representative in that it would not set a precedent, and had a safe and secure access, did not have any overlooking issues or visual impact. She also outlined the various projects that would take place on the land.
- The views of the Ward Member outlining the concerns of the local residents, the small business that was proposed, the retrospective application and possible cumulative impact
- The fact that small businesses required encouragement
- Right of access to the site

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 R J Dolley)

Notes:

- i) Cllr Mrs F J Colthorpe declared a personal interest as she had had involvement with the applicant's representative with regard to Bampton Library and chose to leave the meeting during the discussion thereon; the Vice Chairman took the Chair;
- ii) Cllr B A Moore made a declaration in accordance with the Protocol of Good practice for Councillors dealing in Planning Matters as he had had discussions with the applicant and objectors;
- iii) Mr Goodwin spoke on behalf of the objectors;
- iv) Ms Crabtree spoke on behalf of the applicant;
- v) Cllr B A Moore spoke as Ward Member;
- vi) Cllr B A Moore requested that his abstention from voting be recorded.
- vii) The following late information was provided

(e) No 5 on the Plans *List (18/0083/FULL – Permanent retention of log cabin for use by full time worker – land at NGR 295174 103122, The Orchard, Great Pitt, Silverton).*

The Area Team Leader outlined the contents of the application highlighting the history of the site, the reasons why the applicant had to live on the site, the business accounts that had been submitted showing financial viability. Members viewed the site location plan and aerial photograph, details of the buildings on site, the existing stables and schooling area, a block plan, existing access and foul drainage system,

elevations and floor plans of the log cabin and photographs from various aspects of the site.

Consideration was given to:

- The views of the applicant's representative who stated that he was in full support of the charity. As a Chartered Accountant who provided the accounts for the charity, the accounts complied with the financial test and the business seemed financially stable.
- The views of the Ward Member who reminded Members that the temporary application had one year to run. She voiced concern with regard to the proposed conditions and requested that further detail be provided with regard to the business plan. She felt that she needed to challenge the financial material supplied and questioned whether (i) the charity had a contract with the applicant (ii) whether the applicant was paid and (iii) why the vets fees were so low.
- The need for the site to have someone in residence
- Little objection to the application
- The personal condition (3) within the report.

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) Mr Frank spoke on behalf of the applicant
- (ii) Cllr Mrs Roach spoke as Ward Member
- (iii) The following late information was provided: 21st March 2018

Additional comments received from the applicant:

- Foal foster care for Dartmoor Heritage Pony trust and for Friends of Dartmoor Hill Ponies Society. Foals have additional needs associated with their very early days or being orphaned. Foals are vulnerable and require specialist care;
- Foals arrive on a rolling basis at least 2 at a time so they are not alone, potentially every two months. NLHC can take between 4-6 foals again in April. Conservative estimate of 8 foals a year. The foals are repurposed and do not go into the meat trade, the Dartmoor pony is an endangered equine species;
- NLHC also takes rehab horses (approx. 11/12 over last 3 years) as well as vulnerable horses from markets, and from the RSPCA. Currently have 2 Blue Cross ponies on site, one NLHC charity pony with COPD and behavioural issues, one rehab horse with severe medical needs for whom the applicant is the caretaker. Vulnerable foals should not be left unattended and unsupervised and neither should horse with severe medical conditions such as breathing problems, cellulitis and lymphangitis. The foster care program would not be allowed if there weren't 24 hour supervision. If applicant needs to go out for any length of time, cover is organised;

- NLHC emphasis is the foal foster care program and their training if required;
- Young people, and parents and young carers receive therapeutic horse help/lessons;
- Well established charity that is well known due to social media which attracts business;
- Experienced fund raiser;
- The applicant has stated that she works up to 10 hours per day throughout the year, including a check on the animals on site at midnight;
- The applicants working day is stated to include: looking after and training horses, supervising foals in a pen, fund raising, paperwork, charity promotion, supervising volunteers, therapeutic lessons between horse and young person/young carers;
- There is a pen for foals on the west side of the log cabin to allow close supervision as a transition space so they can become used to living outside.

Additional letters received

- Letter from equine vet that provides veterinary care for horses and ponies at NLHC. The letter confirms there are multiple horses at the premises that included/have included young horses, older horses with on going physical conditions and ponies requiring intensive handling training. He states that he regularly visits he premises to attend to the horses including call outs on multiple occasions out of normal working hours. He states that to provide adequate care to the horses it is ideal that someone is available on site 24 hours to allow checks on the horses to be made as necessary.
- Letter from operator of the Registered Pony Keeper Scheme with the Dartmoor Pony Heritage Trust:
- I am writing in support of the planning application for Jackie Tye of the Orchard, Great Pitt, Silverton, EX5 4JQ

We are long established commoners and breeders of Dartmoor ponies, who operate as part of the Registered Pony Keeper Scheme with the Dartmoor Pony Heritage Trust (DPHT). We train the offspring of wild Dartmoor ponies to eventually be sold as children's ponies and to supply a conservation grazing need for the grazing of valuable habitats all over the UK. In doing so we are passionate about preserving the indigenous Dartmoor pony and are committed to keeping native wild herds living out on the Dartmoor commons where they belong.

An essential part of this process is to find suitable homes where young foals can be fostered out after weaning each year, to teach them about being handled and to prepare them for a future with humans having being born wild. New Life Horse Care Sanctuary has provided precisely this foal fostering service to us for many years and have been an invaluable partner due to the exceptional care they can provide. We approached New Life Horse Care Sanctuary (NLHCS) as they can provide the 24 hour supervision needed for young and frightened foals as they live on site and can also ensure that there is always someone on hand 24 hours a day for emergency veterinary situations out of hours. They have offered this service to us for many years and this has proved invaluable as these are vulnerable young stock, in a high stress situation, where emergency situations can and do occur.

The service provided by NLHCS is not about helping to produce ponies for sale for profit, it is about supporting organisations such as DPHT and their recognised breeders, who are committed to preserving the true Dartmoor pony, which is a breed in serious decline with a dwindling gene pool and an uncertain future. NLHCS fostered on average 12 foals each year from us, sending them two at a time for intensive care and handling - giving those young foals a chance in life and enabling them to go on to a useful future as ambassadors for the Dartmoor pony breed.

The situation for the Dartmoor pony is serious, NLHCS endeavours to make a difference and the positive contribution they make to this situation is invaluable. It would be a great loss if their tireless work was unable to continue.

If you would like any further information on services provided for the Dartmoor pony by NLHCS I would be happy to help.

136 MAJOR APPLICATIONS WITH NO DECISION (3-14-32)

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

It was **AGREED** that

Application 18/00091/MFUL - St Lawrence Homes, Crediton, be brought before the Committee for determination and that a site visit take place.

Application 18/00214/MFUL – Hunters Hill, Culmstock, be brought before the Committee for determination.

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

137 APPEAL DECISIONS (3-19-16)

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

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

138 CONSIDERATION OF PLANNING APPLICATIONS FOR GROUND MOUNTED SOLAR PHOTOVOLTAIC SCHEMES. (3-19-30)

*The Committee had before it a * report of the Head of Planning, Economy and Regeneration requesting consideration as to whether there is a wish to continue to determine all solar photovoltaic (PV) panel schemes that are ground mounted and recommended for approval, irrespective of the scale of the proposal.*

The Chairman informed the meeting that it had previously been decided that all ground mounted solar Photovoltaic schemes be brought before Committee, even though some of the schemes had been very small in size. Over the past few months several small schemes had been put before committee and

***approved without discussion, it was therefore recommended that small scale proposals be dealt with under delegated powers.
The process of call in would still be available to Members if they felt that a particular application required Committee approval***

***RESOLVED that with the exception of small scale proposals, applications for ground mounted solar PV arrays recommended by Officers for approval be brought before the Committee for determination.
(Proposed by Cllr P J Heal and seconded by Cllr B A Moore)***

Note: *Report previously circulated copy attached to minutes.

139 RECOMMENDATION FROM THE STANDARDS COMMITTEE (3-24-02)

Consideration was given to a recommendation from the Standards Committee with regard to procedures. The Chairman of the Standards Committee presented Minute 70 of the Standards Committee meeting on 14 March 2018 which considered Motion 541 (Councillor Mrs J Roach – 30 November 2017):

This Council reconsiders the time and times that it allows ward members to speak at the planning committee. The present system gives many opportunities to speak but allows the local member only one opportunity. At the very least Council should give elected Councillors the opportunity to correct incorrect statements, something that exists within standing orders but not allowed at the planning committee. At the last planning committee the situation that exists at the moment prevented me as the elected Councillor for Silverton for pointing out that the Highways advice was inconsistent with previous advice given on the same site.

At that meeting a *report of the Monitoring Officer had been received and consideration had been given to that part of the Protocol of Good Practice for Councillors Dealing in Planning Matters (“the Planning Protocol”) which addressed public speaking at the Planning Committee. It had been agreed that clarity was required and further consideration was given to the presentation of questions or statements at public question time, the number of people who could speak and in what order and whether it was appropriate to include a form of “point of order” for Ward Members to correct a statement or an error of fact that had been made during the course of the debate on an application.

Members of the Planning Committee considered the following:

- Whether statements should be allowed within Public Question Time or should questions just be asked?
- Whether the ability to correct an error was reasonable
- The views of Councillor Mrs Roach with regard to her motion and the reasoning behind it in that she felt that there was a need to “come back” when clarification or correction was required.
- The need for those interested in a planning application or other matter on the agenda to feel that they had received a fair opportunity to make their point.

With regard to the recommendation on paragraph 9.1 of the Planning Protocol, Members of the Planning Committee considered that the focus should remain on questions, although it should be made clear that those speaking could briefly

introduce or explain the background to their questions(s). Members were reminded that those speaking at Public Question Time were limited to 3 minutes in any event.

Accordingly, it was therefore **RECOMMENDED** to Council that: the Planning Protocol be amended to the following:

- a) **9.1** Public Question Time is available at the beginning of the meeting for those present to ask questions about any item of the agenda, or to speak briefly by way of background or introduction to those questions, including planning applications.
- b) **9.2** For applications reserved for individual consideration, the Chairman will call those who have indicated a wish to speak in the following order: officer, one objector (3 minutes), one from applicant/agent/supporter (3 minutes), parish council (3 minutes) and ward member(s) (5 minutes each). For the avoidance of doubt, the Chairman has the discretion to vary the number and order of speakers, including the amount of time for which they may speak. In some circumstances, it may also be appropriate to hear from the County Councillor.
- c) **9.3** Through the Chairman, members of the Planning Committee may ask questions of any person who has spoken under paragraph 9.2 of this Protocol. Further, a ward member who has spoken under 9.2 may raise through the Chairman a point of order in order to correct a statement or error of fact which has been made during the course of the debate.

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

Notes:

- i) * Report previously circulated and attached to Minutes.
- ii) Cllr Mrs F J Colthorpe declared a personal interest as a Member of the Standards Committee.

140 **PLANNING PERFORMANCE AGAINST TARGETS QUARTER 3 OCTOBER - DECEMBER 17/18 (3-52-08)**

The Committee had before it and NOTED a * report of the Head of Planning, Economy and Regeneration providing the Committee with information on the performance of aspects of the planning function of the Council for quarter 3 17/18.

The Group Manager for Development outlined the contents of the report highlighting the quarter 3 statistics which were all above target, identifying the speed and quality of the processing of applications within Development Management, the enforcement data which showed the number of new enforcement cases received and those that had been closed. He informed the meeting that the post of Conservation Officer had been filled and that the new officer would take up his post at the end of May.

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

Update Sheet

(The meeting ended at 18.25)

CHAIRMAN

Recommendation from the Standards Committee 14 March 2018- Planning Procedures Minute 70

The Committee had before it a Motion from Cllr Mrs J Roach which had been forwarded from Council to the Standards Committee for consideration along with a report * from the Monitoring Officer in connection with the motion and other issues.

Motion 541 (Councillor Mrs J Roach – 30 November 2017)

This Council reconsiders the time and times that it allows ward members to speak at the planning committee. The present system gives many opportunities to speak but allows the local member only one opportunity. At the very least Council should give elected Councillors the opportunity to correct incorrect statements, something that exists within standing orders but not allowed at the planning committee. At the last planning committee the situation that exists at the moment prevented me as the elected Councillor for Silverton for pointing out that the Highways advice was inconsistent with previous advice given on the same site.

Cllr Roach introduced her Motion, explaining that it was not an attack on Planning Chairmen and put on record that she appreciated that it was a difficult job. She was critical of events but did not put blame on anyone. The context of her Motion was that people attending Planning Committee had often spent time researching and were often nervous with a lot invested in what was going to happen. It could be an emotional and scary experience. The whole system was stacked in favour of the developer, the Planning Framework did that, reports from officers did that and if rejected there was a right to appeal. It was therefore important that we did not restrict the rights of objectors who had nowhere else to go other than judicial review which was very expensive. She concluded that objectors were at an extreme disadvantage along with local Members. She continued by stating that prior to last year Ward Members could speak at any point but that was stopped and she regretted that, she considered it sad that local Members were restricted. She also pointed out that if the local Member was on the Planning Committee they could speak to the item which was an unfair advantage if other Ward Members were restricted. She further explained that the particular application she was referring to had included a report from Highways. There were some issues with the accuracy of information given but she had been unable to speak to correct this. She considered that objectors were hampered by the time they had to speak and that Planning Officers could counter every point made by a Member. The whole process was heavily biased to the officer's report.

The Monitoring Officer outlined the contents of her report and provided a short power point presentation highlighting some areas for conversation. She explained that when she was asked to look at public speaking rights she felt it would be remiss not to look at the whole section in the protocol as there was a thread that ran through the process that needed to be considered.

The officer explained that the points she made were not to undermine or blame public speaking but there to provoke discussion and help to tease out changes to be made.

Referring to questions asked during Public Question Time the Monitoring Officer responded that:

- She offered to investigate what neighbouring authorities set as limits if the Committee wished her to;
- She did not have answers to hand regarding the Peer Review and would respond in writing to that question;
- With regard to having raised questions with her counterparts nationally the officer explained that she had access to various websites and for this issue had referred to the forum on a Local Government Lawyers site. She had asked a question regarding procedures, an open question asking how other authorities operated. She had provided the responses within her report but had not identified the authorities as they had responded on a private site and she did not consider it appropriate to put this in a public domain. She could however confirm that they were trusted sources. However, there were no rules regarding public speaking and it was up to each authority to make their own protocol.

The current Chair of Planning responded by saying that chairing Planning Committee was not an easy job to do at any time because at least 50% of the people that came were going to go away disappointed because the outcome of planning applications would always upset somebody. When she had first joined the Planning Committee scarcely anyone had used public question time. Odd visitors attended but it was not used as it was now as a forum for those that were unable to speak at an item, because of the way we currently ran meetings. It used to be that the applicant followed after the officer's report and was able to add anything he felt the officer had overlooked. This had been recently changed so that the objector spoke after the officer's report as objectors felt they should have that opportunity. She had no preference but that was the way it was currently run. Cllr Colthorpe explained that she had on occasion allowed more than one objector to speak to large applications and was quite relaxed about that but even with two there was a limit to what the Committee could take in and there was a limit to the number of new matters that could be raised.

The current Chair of Planning then informed the Committee that she often asked the public to make sure that they were not all repeating the same questions. She added that she was very happy for public question time to be used to make objection or give a statement and had previously discussed whether its title could be changed to allow for this. Cllr Colthorpe said that she had been known to take hands from the floor using Chairman's discretion, but was less comfortable with the idea of having a formal position for people to come back as it could become a dialogue. That was not what the Planning Committee was about, the protocol was there to allow people on all sides, for and against, Ward Members and Parish Councillors and this was covered reasonably well by the protocol. Cllr Colthorpe was personally happy with having Chairman's discretion, but considered it would be very difficult to cope if the right to reply was formalised.

The Monitoring Officer confirmed that the Chairman had a common law discretion in managing meetings, but the public might not be aware of this - so it would be better to ensure it was clear in the protocol.

A previous Chair of Planning agreed with Cllr Colthorpe and explained that she often spoke to the public about how best to get their points across by identifying a spokesperson and sending in comments in advance to be forwarded to the Committee. She agreed with Cllr Colthorpe that Chairman's discretion could be used.

Discussion took place regarding:

- Point of Order was not currently allowed at Planning Committee in the way that it was at other Committees;
- Members considered it acceptable for the public to make statements rather than a question;
- The Chairman could allow a Ward Member or member of the public to speak again using Chairman's discretion;
- The difficulty in demonstrating the fair or consistent use of discretion;
- The length of officer presentations and whether time could be saved at Committee if these were shortened;
- Whether adjacent parishes/Ward Members should be allowed to speak at an item if the agenda item had a clear and material impact on them;
- The level of information that Committee Members were expected to take on board;
- The need for the Chairman to take into consideration matters such as the size of the agenda and length of meeting when using discretion;
- Summaries of public comments within officer reports were not always complete and Members could look on the Planning Portal for the full versions;
- The Clerk circulated information that she received from objectors or supporters to the Committee in advance of the meeting;
- A guide to meeting procedures was available on the website.

Having given consideration to the above points it was **RECOMMENDED** to the Planning Committee that the Planning Protocol be amended to the following:

- a) 9.1 Public Question Time is available at the beginning of the meeting for those present to ask questions about, or to speak on, any item on the agenda, including planning applications.

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

- b) 9.2 For applications reserved for individual consideration, the Chairman will call those who have indicated a wish to speak in the following order: officer, one objector (3 minutes), one from applicant/agent/supporter (3 minutes), parish council (3 minutes) and ward member(s) (5 minutes each). For the avoidance of doubt, the Chairman has the discretion to vary the number and order of speakers, including the amount of time for which they may speak. In some circumstances, it may also be appropriate to hear from the County Councillor.

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

- c) 9.3 Through the Chairman, members of the Planning Committee may ask questions of any person who has spoken under paragraph 9.2 of this Protocol. Further, a ward member who has spoken under 9.2 may raise through the Chairman a point of order in order to correct a statement or error of fact which has been made during the course of the debate.

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

Discussion took place regarding Motion 541.

It was **RECOMMENDED** to Council that Motion 537 not be supported as the matters raised within the Motion had been adequately covered and surpassed by the above recommendation to the Planning Committee

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

- Notes:
- i) Report previously circulated and attached to Minutes.
 - ii) Cllr Mrs F J Colthorpe declared a personal interest as Chairman of the Planning Committee

**STANDARDS COMMITTEE
14 MARCH 2018**

**PROTOCOL OF GOOD PRACTICE FOR COUNCILLORS DEALING WITH
PLANNING MATTERS**

Cabinet Member(s): Councillor Margaret Squires and Councillor Richard Chesterton

Responsible Officer: Group Manager for Legal Services and Monitoring Officer, Kathryn Tebbey

Reason for Report: To consider whether to make changes to the Protocol of Good Practice for Councillors dealing with planning matters (Protocol).

RECOMMENDATIONS: That the Standards Committee considers:

- (a) whether to recommend changes be made to the Protocol addressing the points set out in this report, in particular by reference to paragraphs 2.5, 3.6 and 4.6; and
- (b) accordingly, whether to support Motion 541 moved by Cllr Mrs J Roach and referred to this the Standards Committee (reproduced at paragraph 4.1 of this report)

Relationship to Corporate Plan: A sound process for determining applications through Planning Committee assists the Council in fulfilling Priority 2: Homes - Aim 3 Planning and Enhancing the Built Environment

Financial Implications: None arising from this report.

Legal Implications: These are explained in the Introduction to this Report.

Risk Assessment: None arising from this report.

Equality Impact Assessment: None arising from this report.

1.0 Introduction

1.1 Section 9 of the Protocol of Good Practice for Councillors Dealing with Planning Matters (“the Protocol”) on page 238 of the current version of the Constitution reads as follows:

9.1 *Public Question Time is available at the beginning of the meeting for those present to ask questions of the committee, this allows an opportunity for those additional people who wish to speak on an application.*

9.2 *A clear procedure for speaking at committee meetings was approved by Council on 31 August 2016, for applications reserved for individual consideration, the Cahirman will call those who have indicated a wish to speak in the following order: officer, objector (1),*

applicant/agent/supporter (1), parish council (3 minutes each) and ward member(s) (5 minutes each). (for clarity: only one person may speak in favour of an application and one person in objection).

- 9.3 *Questioning of speakers for reasons of clarification be allowed through the Chairman and apply to the applicant and objector only.*
- 1.2 Rights to speak at Planning Committees up and down the country are rarely seen to be perfect from the standpoint of a person interested in a particular matter – whether it's the order of the speakers, how many can speak and for how long, or whether there is a right of reply or comeback during the course of members' debate. The challenge is to get an appropriate balance between the proper conduct of the meeting and consideration of each item of business (lawfulness, fair process, orderly conduct, duration etc.) and the participation of those with an interest in such business.
- 1.3 In terms of process and procedure, the consideration and determination of many planning matters (whether applications or other formal processes) is partly derived from statute (e.g. consultations, time limits etc.) and partly from the Council's own Constitution (e.g. delegations, call-in etc.). It is the Council's Constitution which determines public speaking rights – in theory, no public speaking rights could be accorded, but that would clearly be contrary to all reasonable expectations of public participation and fairness.
- 1.4 The Monitoring Officer's principal concern is that, whatever procedure is adopted, it should be clearly set out and be applied in a manner which is fair, consistent and balanced – apart from appeals and challenges to the substantive planning merits of a decision, the procedure followed, if tainted by bias or procedural impropriety, is also subject to scrutiny by Planning Inspectors (awards of costs) and the courts (judicial review).
- 1.5 It is recognised that public perception of the planning system is often unfavourable – and the Council is not unique or different in that respect from many others. Often this perception derives from an inherent conflict between the interests of those promoting or affected by development proposals and the balance applied by the Planning Committee when assessing such proposals against the development plan and relevant material considerations. Although quasi-judicial in terms of its role, the Planning Committee is not a court examining a point in forensic detail and is not adversarial in nature. It starts with the development plan and then considers whether relevant material considerations indicate a decision which differs from the development plan. Crucially, however unpalatable, the Planning Committee is expected to be impartial – it is not there to decide an application in accordance with what the applicant or objector or local community wants and this is often an uncomfortable position to be in.
- 2.0 **Paragraph 9.1 of the Protocol – Public Question Time**
- 2.1 The Protocol allows people to speak in relation to a planning application at Public Question Time – others then speak when the application itself is called for debate. Currently, PQT is used by many (lawfully in accordance with the Constitution) as an opportunity to speak on an application or to criticise the

Planning Committee or officers, with a question tagged on at the end for good measure. This presents a number of challenges, in that PQT:

- (a) becomes lengthy thus increasing the duration of meetings;
- (b) circumvents the deliberate choice to restrict the order and number of speakers on a planning application;
- (c) creates an imbalance in favour, for the most part, of objectors; and
- (d) becomes divorced from the consideration of the application itself.

2.2 The question is this – if additional speakers are to be allowed at PQT, what is the point of a limit when it comes to the application itself? Why not instead allow the Chairman to use his/her discretion - perhaps if an application is major or particularly contentious or the impacts clearly vary between objectors? It is always a difficult position for the Chairman to be in when it comes to the use of discretion and deciding whether to use it or not. However, the key outcome must be that the overall balance between the objectors and the applicant (or agent/support) is preserved, with more time given to the applicant to address the additional points made.

2.3 The Monitoring Officer has not seen PQT used at any of the other 7 planning committees she has advised previously in the way it is at Mid Devon. Of course, she recognises that this may be exactly how members wish it to operate and that it is a neat way to overcome the constraints of the rules regarding those who may speak on an application - but the issues highlighted above are of concern and could be addressed shifting the focus to the public speaking rights in section 9.2 of the Protocol. Indeed, many of the planning committees restrict questions to those relating to items other than planning applications and enforcement items.

2.4 If, however, the view is that PQT should continue to allow the means of additional speaking rights, the Monitoring Officer suggests that the focus should be brought back to clear questions which require a factual answer relevant to the planning merits and impacts of the particular application - and assist the Planning Committee in understanding those merits and impacts. Contrast this with the rhetorical style often used e.g. “*will the Planning Committee do the right thing and refuse the application?*” The Chairman could then allow the speaker to explain briefly the reasons behind the question asked.

2.5 Options in relation to paragraph 9.1 of the Protocol might therefore be:

- (a) Leave it as it is;
- (b) Change the wording to:

“Public Question Time is available at the beginning of the meeting for those present to ask questions on agenda items, other than planning applications, enforcement reports and tree preservation orders to which paragraph 9.2 applies. Unless the Chairman indicates otherwise, one question per speaker per agenda item will be allowed. The Chairman may then, after the question has been put, invite the speaker to explain briefly the reasons behind the question.”

- (c) As (b) above, but deleting from the first sentence “*other than planning applications 9.2 applies.*”
- 2.6 The options above are put forward for discussion. Members may have other ideas or suggestions.
- 3.0 **Paragraph 9.2 of the Protocol – Ward Members and Objectors**
- 3.1 Members will recall that the Monitoring Officer had concerns about the application of this paragraph to Ward Members. Firstly, in relation to single member district wards, a Ward Member may not be able to attend Planning Committee. In most instances, this may be overcome by the Ward Member asking the Chairman to read out a statement in lieu of attending – it may be second-best, but at least the Ward Member’s views will be put. However, if the Ward Member has a disclosable pecuniary interest (“DPI”) in an application, they would not be able to speak, leaving the Ward without representation. In such circumstances, do members think that a neighbouring Ward Member should be allowed to step in at the request of the actual Ward Member? The risk of such an approach is that the neighbouring Ward Member may not be aware of the issues and/or might be perceived as the mouthpiece of actual Ward Member with a DPI – thus appearing to circumvent the prohibition on members with DPIs taking part.
- 3.2 Are there any other issues relating to single member wards which pose problems in terms of Ward Member representation at Planning Committee?
- 3.3 The Monitoring Officer would also invite the Standards Committee to consider the following circumstances:
- (a) Is there an issue of fairness and balance in multi-member wards where each Ward Member wishes to speak, particularly if they all want to make the same point for or against an application? Should they not nominate one to speak, as objectors and applicants do?
- (b) If a Ward Member, sitting on the Planning Committee, elects to speak as Ward Member in accordance with paragraph 9.2 prior to any debate, are they at risk of pre-determining the matter?
- 3.4 In some instances, a particular planning application may have material implications across ward boundaries – for example, the recent residential developments approved in Halberton Ward but adjacent to Uffculme village (Lower Culm Ward). Strictly speaking, the Ward Member is for Halberton. Should the adjacent Ward Members have the right to speak as well? And what about parish councils? Should this be spelled out or left to the discretion of the Chairman?
- 3.5 Turning to the question of how many objectors may speak, it is generally true that in most cases there are more objectors than there are supporters. However, part 1 of this report points out that a balanced and fair process is the core focus and this includes the applicant. For example, if five objectors chose to speak, but the applicant were limited to 3 minutes, this would hardly be balanced or fair and would probably not accord the applicant sufficient time

to address the points of objection. A general limit on speakers and that they nominate a spokesperson is common to many councils. It is recognised that, in some instances, it may be appropriate to depart from such a restriction, but if you allow up to a certain number, there may be cases where that would also prove unsatisfactory to some – and could still result in a potential imbalance in favour of the objectors. Rather, as discussed in part 4 of this report and in line with the general trend in other councils, the discretion of the Chairman should be emphasised. This has been captured in the suggestion at paragraph 3.5 below.

3.6 The Monitoring Officer puts forward the following change to the Protocol for discussion:

(a) Delete the following words from 9.2

“(for clarity: only one person may speak in favour of an application and one person in objection).”

(b) Add a new paragraph 9.3 as follows and renumber 9.3 to 9.4:

Only one objector and one supporter (applicant, agent, representative or supporter) may speak under paragraph 9.2. If the Chairman considers it reasonable and fair to do so, he/she may exercise his/her discretion to allow more than one objector or supporter to speak, but will ensure that a reasonable balance of time between objectors and supporters is maintained. Where the application would have demonstrable and material impacts on an adjacent parish and/or district ward, the Chairman may permit the parish council of that adjacent parish and/or the adjacent Ward Member to speak in addition to the rights of the parish council and Ward Member in whose area the application site is located.

4.0 **Paragraph 9.3 (existing) of the Protocol – clarification, correction etc.**

4.1 In the past few months, private individuals, councillors and a parish council have all raised concerns over why there is no right of reply or means to correct perceived errors of fact which arise during the course of members’ (closed) debate on an application. Further, in December, Cllr Mrs Jenny Roach put forward the following motion to Full Council:

Motion 541 (Councillor Mrs J Roach – 30 November 2017)

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

This Council reconsiders the time and times that it allows ward members to speak at the planning committee. The present system gives many opportunities to speak but allows the local member only one opportunity. At the very least Council should give elected Councillors the opportunity to correct incorrect statements, something that exists within standing orders but not allowed at the planning committee. At the last planning committee the situation that exists at the moment prevented me as the elected Councillor for Silverton for pointing out that the Highways advice was inconsistent with previous advice given on the same site.

4.2 The Monitoring Officer can confirm that such right of reply has not been included in planning committee procedures at other authorities she has advised. For that reason, she has taken the opportunity to raise the issue with counterparts nationally to see whether they do anything different. These are the comments made:

- *We had exactly this issue at my Council. What we eventually adopted as a process whereby the Local Ward Councillor (if not sitting on Planning Committee) was given an extra minute to speak at the end of the debate to correct any inaccuracies. In the interest of fairness, if the local cllr took up this opportunity then all of the other public speakers were also given an extra minute to speak. However, if the Ward Cllr chose not to use the extra minute, the other public speakers were not given the extra minute*
- *We use the Chair's discretion to allow limited clarification from objector or applicant/agent on occasions, but ensure this does not develop into negotiation*
- *Rather than write something into the Constitution (procedure rules or public speaking protocol) it may be better to rely on the common law right of the chair of the committee to invite a member of the public or professional to speak again as part of the discussion and debate on what they have heard, to check facts or issues more broadly, taking the sense of the room. The Chair may need to be even handed if this is perceived to favour the "for" or "against" but provided it is an open question and a fixed time limit and fair and even handed it could be one proponent and one opponent, rather than everyone who has spoken.*
- *If it is a question of accuracy or something that appears pressing and/or important our Chair may adjourn the meeting for a few minutes for a planning officer to speak with the person concerned and then report back to committee. That seems to satisfy all – even if the vote does not go with them!*
- *I advise planning committees in two councils and, while the rules are not materially different, the two chairmen take markedly different approaches to allowing public speakers to contribute again. Neither approach is wrong, and each is pragmatic, based on the culture of the organisation and the chairman's instinctive understanding of the needs of the meeting*
- *We allow public speakers to respond with factual information if a question arises after the public speaking session is over. This only happens if we invite their contribution: we don't allow unsolicited interruptions from the public gallery. It works well, has never developed into an undisciplined free for all, and has been useful in clarifying facts. Below is an extract from our public speaking protocol which governs it:*

"At the Chairman's discretion, members of the Strategic Planning Board or Planning Committee may ask, through the Chairman, any of the speakers listed above to clarify an issue of fact after their

*statement is concluded. Visiting Members, including Ward Councillors, may be questioned for 5 minutes, or longer at the Chairman's discretion. **The Chairman may also ask that questions of fact are answered by any speakers during the Members' discussion to clarify matters.** Speakers will not be permitted to ask questions of the Strategic Planning Board or Planning Committee or other speaker or to interrupt the Members' discussion on an individual planning application. The Constitution (paragraph 58 of the General Procedure Rules) provides Chairmen with powers to ensure good order during meetings."*

- 4.3 These are some of the issues that need to be considered:
- (a) Preservation of good order – no free for all
 - (b) The duration of meetings
 - (c) Fairness and balance
 - (d) The nature of any right of reply or clarification – who for, how long, in relation to what and, crucially when
- 4.4 In the comments received and mentioned above, significant emphasis is placed on the role of the Chairman in Planning Committee – a difficult role and not one which should be undermined. The current paragraph 9.3 recognises this – but it relates only to issues of clarification identified by the Planning Committee. Further, if every speaker took up a right of reply, this could easily add more than 5 minutes to the consideration of each application, often at the crucial moment when a decision is about to be taken – possibly leading to further debate and certainly requiring the re-statement of the proposal before taking a vote. Each meeting could easily be extended by up to an hour.
- 4.5 At a time when the length of meetings has been criticised, do members consider that such a right is justified and required? If a right is included, it will in all probability be taken up in most cases. If it is left to the discretion of the Chairman (perhaps if a hand is raised), the management of the meeting remains with the Chairman, recognising that this is quite a weighty responsibility. It is important that members support the Chairman in getting the balance right – pulling in different directions will not assist the Planning Committee or achieve better decision-making.
- 4.6 If members are of the view that they would like to see a limited right of reply, rather than allowing interruptions during the course of the debate or a minute to re-address the Planning Committee on all matters, do members feel that there should be a very brief (e.g. 30 seconds max) opportunity prior to a vote to correct any material errors of fact which have arisen during the course of the debate – so no opportunity for further expression of views on the application or the proposal, or to go over issues which were raised the first time (or could have been)?
- 4.7 The application of any new rights would need to be strictly managed to ensure that they are in line with what is agreed and stated in the Protocol – yet respecting the Chairman's inherent jurisdiction. Should any changes be introduced on trial basis for a fixed period to see how they work?

5.0 Issues raised at Standards Committee last year

5.1 Mr N Quinn made the following requests for changes to public speaking rights (minute 42 July 2017):

- (a) That more objectors be allowed to speak – *“having a limit of only one person being able to speak in objection of an application appears biased towards the applicant since there is normally only one applicant but tend to be many objectors”*. He also asked *“Could the system be changed where there was a disagreement on who should speak?”* See parts 3 and 4 of this report.
- (b) *Can this Committee make some provision to allow for the challenge of a verbal statement made during the consideration of an application?* See part 4 of this report.
- (c) *Could the system be changed to offer more support for this who are obviously concerned but whose objection is invalid? Would this Committee consider a requirement to offer support to objectors to help them with their presentation and/or do it for them?* The Council, its officers and the Planning Committee need to remain impartial. It is recognised that applicants will have commissioned professional and expert input. That option is also available to objectors – and some do so. However, for the most part, objectors represent themselves.

6.0 Next steps

6.1 If members conclude that changes should be made to the Protocol, these should be recommendations to Full Council. However, as the procedures affect the Planning Committee’s conduct of its meetings, the recommendation to Full Council should be sent via the Planning Committee on 21 March 2018 before going to Full Council on 25 April 2018. If Planning Committee disagrees with the recommendation, whilst it is open to the Standards Committee to insist on such changes being made, it would seem appropriate that the views of Planning Committee are referred back to the next meeting of the Standards Committee for it to decide on whether to revise its recommendation

Contact for more Information: Kathryn Tebbey, Legal Services Manager and Monitoring Officer, 01884 234210, monitoringofficer@middevon.gov.uk

Circulation of the Report: Cllr M Squires, Cllr R Chesterton, Cllr P Colthorpe, Cllr J Roach

List of Background Papers:

Protocol of Good Practice for Councillors Dealing with Planning Matters
Minutes of Standards Committee – 26 July 2017 and 18 October 2017

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **STANDARDS COMMITTEE** held on 14 March 2018 at 6.00 pm

Present

Councillors

Mrs J B Binks (Chairman)
Mrs F J Colthorpe, F J Rosamond,
C R Slade, Mrs E J Slade, Mrs M E Squires,
L D Taylor and Mrs N Woollatt

Apologies

Councillor(s)

C J Eginton

Also Present

Councillor(s)

R M Deed, Mrs J Roach and T W Snow

Also Present

Officer(s):

Stephen Walford (Chief Executive), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Sally Gabriel (Member Services Manager), Maria De Leburne (Solicitor) and Julia Stuckey (Member Services Officer)

65 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr C J Eginton.

66 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

Cllr Mrs F J Colthorpe declared a personal interest for agenda item 6 as she was the Chairman of the Planning Committee and Cllr F J Rosamond declared a personal interest for item 8 on the agenda as he was the Chairman of the Scrutiny Committee.

67 **PUBLIC QUESTION TIME**

With reference to item 6 on the agenda Mr N Quinn said last July, I asked you for increased support for members of the public speaking to planning applications.

It seems the answer is No, as Mrs Tebbey's report proposes options which would remove the public's constitutional rights completely or replace them with Chairman's discretion. Supporting these options will place great pressure on the Chairman and is more likely to raise tensions with the public rather than relieve them.

Many Planning Committee Members rely solely on the Officer report and recommendation as the basis for their decision. The public use question time to inform Members by questioning statements made in the Officer report and pointing out material omissions or inaccuracies that Members may wish to explore.

Over the past year, the average Planning Committee meeting took 3 ½ hours. Public Question Time averaged only 12 minutes. However, Mrs Tebbey blames Public

Question Time for the length of meetings but does not consider any other issues.

Question to Chairman – The Council recently had a Peer Review of Planning Service Productivity which produced some comments and recommendations specifically aimed at reducing the length of Planning Committee meetings. Have these comments and recommendations been fully implemented?

In para 3.5 - Mrs Tebbey states that there is “a general limit on speakers and the nomination of a spokesperson is common to many councils”.

However, in our local area the number of objectors who can speak is generally set higher than our one:

Taunton Deane = No Limit,
North Devon = 6,
East Devon = 2,
Torridge = 2,
Teignbridge = 2 if large and 5mins

Question to Chairman – In the light of these local figures, would the Standards Committee, when addressing Protocol para 9.2, please raise the number of Objectors (and Supporters) who can speak to 2?

In Para 4.2, Mrs Tebbey says she “raised the issue with counterparts nationally” and gives some feedback. However, the Councils quoted may not be comparable to us.

Question to Chairman – Where did these 6 comments come from? How many of the 200 District Councils in England were actually contacted? How many replies were received from them?

In the Council’s Code of Corporate Governance you use “Public Question Time at every Committee” to evidence that “the authority as a whole is open and accessible to the community....”.

Were Members aware that the recent Residents Satisfaction Survey showed that:
Only 41% of residents believe that this Council acts on their concerns and
Only 51% of residents trust this Council

Restricting the scope of Public Question Time at Planning Committee will lower the standing of this Council even further.

I urge you to leave para 9.1 of the Protocol as it currently stands.

Also referring to item 6 on the agenda Cllr B Warren of Willand Parish Council said Why is it that a Parish Councillor can speak for 3 minutes in objection to a small unsightly extension proposal but can still only speak for the same amount of time to object to a complex application for say 259 houses that will increase the size of the village by 20%? The same concern applies to a Ward Councillor having 5 minutes. Is there not an argument for being able to provide a proportionate response by extending the time in such cases?

As I read Mrs Tebbey’s report I get the impression that she is suggesting that there be restrictions placed on the content of public questions which prevents questions

being asked to make a point which is of concern but cannot be made within the 3 minutes. Am I correct in this interpretation? If so how is this going to correct the perceptions held by public and councillors that their views are not valued? As it is many questions are not answered.

Issues are sometimes raised by Planning Committee members which an officer cannot answer or gives an incomplete misleading answer. Would it not be good practice for the Chair to have discretion to ask a Parish Council member in appropriate cases as they would probably have the factual answer?

Cllr R M Deed asked a question regarding Planning Committee site visits and Planning Working Group visits. He considered that the protocol did not make it clear who could visit a site with the full Planning Committee and asked for clarification.

The Monitoring Officer reminded the Committee that the purpose of agenda item 6 was to consider the protocol for Ward Members speaking at Planning Committee and that she had not yet carried out a complete review of the protocol with regard to other areas, such as site visits.

The Chairman informed the Committee that answers would be provided at the agenda item.

68 **MINUTES**

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

69 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman gave her apologies for the next meeting.

70 **MOTION FROM COUNCIL 0.25**

The Committee had before it a Motion from Cllr Mrs J Roach which had been forwarded from Council to the Standards Committee for consideration along with a report * from the Monitoring Officer in connection with the motion and other issues.

Motion 541 (Councillor Mrs J Roach – 30 November 2017)

This Council reconsiders the time and times that it allows ward members to speak at the planning committee. The present system gives many opportunities to speak but allows the local member only one opportunity. At the very least Council should give elected Councillors the opportunity to correct incorrect statements, something that exists within standing orders but not allowed at the planning committee. At the last planning committee the situation that exists at the moment prevented me as the elected Councillor for Silverton for pointing out that the Highways advice was inconsistent with previous advice given on the same site.

Cllr Roach introduced her Motion, explaining that it was not an attack on Planning Chairmen and put on record that she appreciated that it was a difficult job. She was critical of events but did not put blame on anyone. The context of her Motion was that people attending Planning Committee had often spent time researching and were

often nervous with a lot invested in what was going to happen. It could be an emotional and scary experience. The whole system was stacked in favour of the developer, the Planning Framework did that, reports from officers did that and if rejected there was a right to appeal. It was therefore important that we did not restrict the rights of objectors who had nowhere else to go other than judicial review which was very expensive. She concluded that objectors were at an extreme disadvantage along with local Members. She continued by stating that prior to last year Ward Members could speak at any point but that was stopped and she regretted that, she considered it sad that local Members were restricted. She also pointed out that if the local Member was on the Planning Committee they could speak to the item which was an unfair advantage if other Ward Members were restricted. She further explained that the particular application she was referring to had included a report from Highways. There were some issues with the accuracy of information given but she had been unable to speak to correct this. She considered that objectors were hampered by the time they had to speak and that Planning Officers could counter every point made by a Member. The whole process was heavily biased to the officer's report.

The Monitoring Officer outlined the contents of her report and provided a short power point presentation highlighting some areas for conversation. She explained that when she was asked to look at public speaking rights she felt it would be remiss not to look at the whole section in the protocol as there was a thread that ran through the process that needed to be considered.

The officer explained that the points she made were not to undermine or blame public speaking but there to provoke discussion and help to tease out changes to be made.

Referring to questions asked during Public Question Time the Monitoring Officer responded that:

- She offered to investigate what neighbouring authorities set as limits if the Committee wished her to;
- She did not have answers to hand regarding the Peer Review and would respond in writing to that question;
- With regard to having raised questions with her counterparts nationally the officer explained that she had access to various websites and for this issue had referred to the forum on a Local Government Lawyers site. She had asked a question regarding procedures, an open question asking how other authorities operated. She had provided the responses within her report but had not identified the authorities as they had responded on a private site and she did not consider it appropriate to put this in a public domain. She could however confirm that they were trusted sources. However, there were no rules regarding public speaking and it was up to each authority to make their own protocol.

The current Chair of Planning responded by saying that chairing Planning Committee was not an easy job to do at any time because at least 50% of the people that came were going to go away disappointed because the outcome of planning applications would always upset somebody. When she had first joined the Planning Committee

scarcely anyone had used public question time. Odd visitors attended but it was not used as it was now as a forum for those that were unable to speak at an item, because of the way we currently ran meetings. It used to be that the applicant followed after the officer's report and was able to add anything he felt the officer had overlooked. This had been recently changed so that the objector spoke after the officer's report as objectors felt they should have that opportunity. She had no preference but that was the way it was currently run. Cllr Colthorpe explained that she had on occasion allowed more than one objector to speak to large applications and was quite relaxed about that but even with two there was a limit to what the Committee could take in and there was a limit to the number of new matters that could be raised.

The current Chair of Planning then informed the Committee that she often asked the public to make sure that they were not all repeating the same questions. She added that she was very happy for public question time to be used to make objection or give a statement and had previously discussed whether its title could be changed to allow for this. Cllr Colthorpe said that she had been known to take hands from the floor using Chairman's discretion, but was less comfortable with the idea of having a formal position for people to come back as it could become a dialogue. That was not what the Planning Committee was about, the protocol was there to allow people on all sides, for and against, Ward Members and Parish Councillors and this was covered reasonably well by the protocol. Cllr Colthorpe was personally happy with having Chairman's discretion, but considered it would be very difficult to cope if the right to reply was formalised.

The Monitoring Officer confirmed that the Chairman had a common law discretion in managing meetings, but the public might not be aware of this - so it would be better to ensure it was clear in the protocol.

A previous Chair of Planning agreed with Cllr Colthorpe and explained that she often spoke to the public about how best to get their points across by identifying a spokesperson and sending in comments in advance to be forwarded to the Committee. She agreed with Cllr Colthorpe that Chairman's discretion could be used.

Discussion took place regarding:

- Point of Order was not currently allowed at Planning Committee in the way that it was at other Committees;
- Members considered it acceptable for the public to make statements rather than a question;
- The Chairman could allow a Ward Member or member of the public to speak again using Chairman's discretion;
- The difficulty in demonstrating the fair or consistent use of discretion;
- The length of officer presentations and whether time could be saved at Committee if these were shortened;

- Whether adjacent parishes/Ward Members should be allowed to speak at an item if the agenda item had a clear and material impact on them;
- The level of information that Committee Members were expected to take on board;
- The need for the Chairman to take into consideration matters such as the size of the agenda and length of meeting when using discretion;
- Summaries of public comments within officer reports were not always complete and Members could look on the Planning Portal for the full versions;
- The Clerk circulated information that she received from objectors or supporters to the Committee in advance of the meeting;
- A guide to meeting procedures was available on the website.

Having given consideration to the above points it was **RECOMMENDED** to the Planning Committee that the Planning Protocol be amended to the following:

- a) 9.1 Public Question Time is available at the beginning of the meeting for those present to ask questions about, or to speak on, any item on the agenda, including planning applications.

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

- b) 9.2 For applications reserved for individual consideration, the Chairman will call those who have indicated a wish to speak in the following order: officer, one objector (3 minutes), one from applicant/agent/supporter (3 minutes), parish council (3 minutes) and ward member(s) (5 minutes each). For the avoidance of doubt, the Chairman has the discretion to vary the number and order of speakers, including the amount of time for which they may speak. In some circumstances, it may also be appropriate to hear from the County Councillor.

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

- c) 9.3 Through the Chairman, members of the Planning Committee may ask questions of any person who has spoken under paragraph 9.2 of this Protocol. Further, a ward member who has spoken under 9.2 may raise through the Chairman a point of order in order to correct a statement or error of fact which has been made during the course of the debate.

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

Discussion took place regarding Motion 541.

It was **RECOMMENDED** to Council that Motion 537 not be supported as the matters raised within the Motion had been adequately covered and surpassed by the above recommendation to the Planning Committee

(Proposed by Cllr C R Slade and seconded by Cllr F J Rosamond)

Notes: i) Report previously circulated and attached to Minutes.

ii) Cllr Mrs F J Colthorpe declared a personal interest as Chairman of the Planning Committee.

71 **MONITORING OFFICER UPDATE 2:13**

The Monitoring Officer provided a brief update, explaining that she was continuing to work on the Constitution and would be updating the Scheme of Delegation following recent restructures. There was no ongoing training planned for Parish Councils but this would need to be addressed following the local elections in 2019.

72 **EFFECTIVENESS OF SCRUTINY 2:15**

The Committee had before it and **NOTED** a report * from the House of Commons Communities and Local Government Committee regarding effectiveness of local authority overview and scrutiny committees, along with a briefing note highlighting main points of the report and a personal view from the Chairman of Scrutiny. The Scrutiny Committee had requested that the Standards Committee consider and review the conclusions and recommendations within the paper.

The Chairman of the Scrutiny Committee outlined the contents of the report and his briefing note, highlighting recommendations that had been put forward. Some of these recommendations were already in place at Mid Devon, such as the recently appointed Scrutiny Officer, the use of experts, engaging with service users, Member training and digital engagement.

The Chief Executive informed the Committee that the Government had since responded to these recommendations and the Member Services Manager provided a brief outline of their comments.

It was **RESOLVED** that the updated recommendations from the Government be reviewed by the Scrutiny Committee and that they be asked to report their findings back to the Standards Committee.

(Proposed by the Chairman)

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

ii) Cllr F J Rosamond declared a personal interest as Chairman of the Scrutiny Committee.

73 **INTIMIDATION OF MEMBERS 2.34**

The Committee had before it and **NOTED** a review by the Committee on Standards in Public Life regarding 'Intimidation in Public Life'.

The Solicitor provided a brief presentation ** which would be circulated to Members following the meeting.

Note: - Review * previously circulated and presentation ** attached to Minutes

74 **COMPLAINTS 2:40**

The Monitoring Officer provided an update regarding on-going complaints being dealt with.

During the discussion it was agreed that the meeting be closed to the press and public to allow the Monitoring Officer to inform the meeting of the detail with regard to ongoing complaints and therefore

It was **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 1 of Part 1 of Schedule 12A of the Act, namely information relating to an individual.

Following consideration of the Monitoring Officer's information, the meeting returned to a public forum.

(Proposed by the Chairman)

75 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING 2.41**

Effectiveness of Scrutiny
Monitoring Officers Annual Report to the Committee
Complaints

(The meeting ended at 9.08 pm)

CHAIRMAN

Audit Committee 20 March 2018

Chairman's Annual Report – 2017/18

Change will not come if we wait for some other person or some other time. We are the ones we've been waiting for. We are the **change** that we seek." —Barack Obama

Wise words, that can and should be applied in many walks of life.

On Tuesday 30th January I received yet another E mail, this one surprised me as it was a reminder that the annual report was due for my role as your chair of Audit, it was not the fact that a report was required, it was the fact that somehow another year had passed, age has many wonderful benefits but the speeding of time isn't one of them.

My report isn't one of a simple regurgitating of meeting detail, for those interested in the minutia of Committee reports, these can be found on the web site, instead I wish to comment on the quiet revolution that has been witnessed throughout the council but specifically within the Audit Committee.

May 2017

Having bigged up the change element I have to start by reporting that I was tremendously honoured to be re-elected as Chair of your Audit Committee, with the very able Cllr Christine Collis as my vice chair.

Committee started as we were to go on by debating and agreeing to a fundamental change, specifically for our Internal Audit service provision and agreed to recommend to Council that MDDC appoint Devon Audit Partnership (D.A.P.) as our Audit Manager as from 1st May 2017, that MDDC join D.A.P. as a non-voting member from 1st August 2017 until 31st March 2018 and as a full voting member as from 1st April 2018.

This was taken to Council on 28th June and put to a full Council vote whereby it was agreed.

Committee had several reports to note and were also required to approve the strategic audit plan for 2017/18.

As a result of the above Cllr Ray Radford and myself attended a **meeting of D.A.P. at Devon County Council on 21st June**, this was to simply observe as the Chair of D.A.P. made the formal proposal for MDDC to be admitted as a new member, the current members being Devon County Council, Plymouth City Council, Torbay and Torridge councils, it was unanimously agreed.

17th July 2017 (Special meeting) to replace that of 25th July

This meeting was also attended by Mr David Curnow of D.A.P. who introduced himself as the D.A.P. Internal Audit Manager to MDDC.

For the second year running Committee had agreed to convene for a special A.M. meeting to consider the annual report and accounts for sign off, having received all necessary officer reports and comment from our external Auditors, committee unanimously agreed to approve.

The above should NOT be simply read as another committee report being discussed and voted upon, the tremendous hard work and dedication of all members of our finance team should not be taken for granted, this was the second year running their hard work had provided MDDC the opportunity to submit our annual report and accounts on the first day available to do so, having achieved this for 2015/16 this was testimony to their hard work and dedication to duplicate that fete for 2016/17, this placed your council with those very few at the forefront of such an achievement throughout UK councils.

As your Chair of Audit I was delighted to write to all finance staff (individually) to thank them for their hard work.

September 2017

You will be aware of Council's decision regarding Independent persons and it was my pleasure to welcome Mr John Smith to the Audit meeting, Mr Smith was there to observe the meeting and give initial feedback to our senior management team, my understanding is this was more positive than negative.

Noting Council's decision to join D.A.P. I reported to Committee I had spoken to both Suzanne Kingdom and Nicky Chandler, our two MDDC staff that had moved over to join D.A.P. in order to understand how they had settled into their new roles, I was pleased to report both had seen the move as positive and saw a deal of opportunity available to them as individuals within the new organisation.

You will also be aware that many PDG's have agreed to have meetings in order that members can have an opportunity for informal discussion, it was decided that given the Audit Committee isn't a policy forming group there was no need for any such meetings for this committee, as with all Audit meetings a variety of reports were presented, discussed and noted.

D.A.P. Meeting of November 15th (held at Devon County Council)

Although a non-voting member I attended the above meeting as your representative

November 2017

As a member of Audit Committee I along with all Committee members are given the opportunity to attend training days that are provided (free of charge) by Grant

Thornton our external Audit providers, I was pleased to report my attendance at such an event on 24th October and a brief report was given along with copies of the slides provided sent to all Committee members.

On the subject of change, Committee were informed that after many years of working with MDDC Mr Steve Johnson was being reassigned to another council and Mr Andrew Davies was introduced as Grant Thornton's local representative to MDDC. Although this was simply an internal movement of staff for Grant Thornton it saw a very valued and familiar face move away from your Committee.

It had been my privilege to work alongside Steve, a man that in a very quiet and unassuming manner, had worked tirelessly and professionally helping and guiding not only members but officers for many years, another fine example of the unseen making a real difference.

January 2018

As with many committees January's meeting seems to be a catch up from the quieter festive period and many reports are available to discuss and note.

Therefore it had been agreed that the meeting would be preceded by a short training session lead by Mr David Curnow from D.A.P. The training consisted of Committee being able to discuss their role as your Audit Committee, how the role is NOT to debate past political decision or any political opinion, it's to examine how your Council can be confident in the assurance given to Council that we are managing our responsibilities in the correct manner, understanding and checking such assurances and challenging where it's appropriate to do so.

The above was seen as both useful and helpful and another session has been agreed pre the March 2018 meeting.

To conclude.....

My personal thanks must go to Sarah Lees, my Committee Clerk and steady hand and voice of reason and guidance without whom the seemingly organised role of Chair would undoubtedly be shown up for what it could be !

To all Committee members for their work and patience.

2017/18 saw another year of change not only for your Audit Committee by way of how our Internal Audit provision is provided but in a wider view saw the birth of the first of what I hope will see many opportunities, our special purpose vehicle, Three Rivers.

We have witnessed many funding changes that all seem to bring challenges to not only this but all councils, continued policy changes at central Government level many as yet to be fully explained let alone understood by way of impact that sees MDDC as are others looking to understand the extent of opportunities that may exist to meet the funding challenges ahead.

With that in mind I would remind you dear reader of my opening quote and remind all that tomorrow is formed today and Risk is part of the equation of success, not a barrier.

R Evans
Chair of Audit

Scrutiny Committee Annual Report 2017-18

The basic responsibility of Scrutiny is set out by the Centre for Public Scrutiny in that it:-

- Provides a constructive 'critical friend' challenge
- Amplifies the voices and concerns of the public
- Is led by independent people who take responsibility for their role
- Drives improvement in public services.

Effective Scrutiny can be proactive and help set out a policy agenda and also may undertake pre-decision scrutiny to offer focus on an issue in greater depth.

The Role of Scrutiny has also evolved with a growing interest in Scrutiny of:

- External bodies, i.e. health, police
- Growing number of partnership arrangements
- New council driven commercial operations.

This past year has been particularly active. Two important innovations were an appointment of a Scrutiny Officer, able to take on a research function and secondly, following his appearance at a Scrutiny meeting, the able assistance of Mel Stride MP, in securing and supporting a delegation to the Housing Minister to challenge the unfairness of the lack of a 5 year land supply. Whilst the objective failed to find traction it did provide the opportunity for Richard Chesterton and Jenny Clifford to lobby for a substantial claim on the Housing Improvement Fund whence MDDC received the second highest award in the country. Reference should also be made to the innovation of informal workshops which provide a creative mode of thinking for the Committee.

A review of the year follows which illustrates the extent of Scrutiny activity. I would like to commend the untiring efforts of Julia Stuckey who was instrumental in carefully monitoring the business of the meeting (and the Chairman) but now sadly chosen to enjoy a new professional challenge. I would wish to thank the Committee Members for their contributions, especially the consultation group led by Cllr Roach who took to the streets of Tiverton, Cullompton and Crediton to research the views of the public. Thanks are also due to officers and Cabinet Members whose contributions recognised the significance of Scrutiny to the well-being of MDDC .I particularly would thank our external contributors who willingly gave their time to inform the committee.

May

The Chairman welcomed Sector Inspector Steve Bradford and Sergeant Mike Warriner to the meeting.

The Committee had before it a report from the Parish Liaison Working Group, and a report from the Member Services Manager regarding Member Development.

June

The Committee challenged a report from the Public Health and Professional Services Manager providing an update on Crossparks, Templeton as it sought assurance that the Council had responded appropriately to the concerns expressed by residents

It was resolved that a letter be sent to the Government's Environment, Food and Rural Affairs Select Committee (EFRA) asking them:

1. Whether or not they were aware of any perceived health issues for residents living near such pits?
2. Were there any implications to the health of local residents when digestate was being moved?
3. Was the Government content for digestate to enter the food chain?

The Committee had before it, and noted, a report from the Public Health and Professional Services Manager providing it with an oversight of the Community Safety Partnership including an overview of the working relationships of partner agencies and delivery of activities against the community safety priorities

July

Cllr F W Letch had requested that the planned cessation of Customer First Surgeries that were held at Crediton and Cullompton, for four hours every other week, be discussed by the Committee.

It was 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. This proposal was not accepted by the Cabinet. on the premise that the roll out of digital access needed to be adhered to. The Chairman had requested that Members discuss Anaerobic Digestion and considered determining terms of reference to help develop a policy framework for the Council.

It was resolved to set up a Working Group to look into Anaerobic Digestion, using the following terms of reference:

“To understand the process, science and potential impact of Anaerobic Digestion (AD) on Mid Devon as a source of renewable energy and bio fertiliser.

The remit of the study would include:

- 1 A desktop review of the process.
- 2 A review of the current regulatory framework.
- 3 A review of planning legislation relating to AD; including a correlation with waste processes/plants.
- 4 Reference site visits.

- 5 A desktop review of nuisances, environmental concerns/incidents associated with plants and ancillary activities.
- 6 A peer review from health professionals on any potential human health impact associated with AD plants and ancillary activities.

In order to inform future planning and long term land use considerations.”

August

The Chairman welcomed Chief Inspector Sarah Johns and Sector Inspector Jane Alford-Mole to the meeting.

The Committee had before it and noted a report from the Chief Executive regarding the Peer Review. During the 6-9th March 2017, the authority had received a delegation of external officers and members to conduct a ‘peer challenge review’. The process generated a review report which contained a number of specific recommendations for the Council to consider. The report which Members had before them provided an update on that process and outlined how this process would be contributing to the Council’s improvement programme moving forward.

The Committee had before it and noted a report from the Waste and Transport Manager regarding the use of agency staff in operational services. This information had been requested by the Committee at its last meeting.

It was agreed that any future work regarding ageing well will be delayed until after the Corporate Plan review and that in the meantime officers explore opportunities to work closely with Devon County Council and liaise with Exeter University and Dr Dixon of Cullompton to establish what is already taking place.

The Committee had before it a report from the Cabinet Member for the Environment providing an update on areas covered by his remit.

September

The Public Health and Professional Services Manager provided a verbal update regarding Crossparks and the continuing testing regime.

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 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.

October

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.

November

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.

At its meeting on 28 September the Cabinet 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. The Committee had before it and noted this briefing paper.

It was resolved that the Scrutiny Committee would review the Masterplan.

The Committee had before it a report from the Head of Planning, Economy and Regeneration in response to its request for an update on the position of the Council regarding gypsy and traveller pitch provision.

It was agreed that the Chairman would send a letter to the Cabinet Member for Planning, Economy and Regeneration stressing the need to provide a public site within the District.

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

December

The Committee had before it and noted a report from the Director of Finance, Assets and Resources regarding disposal of assets. The report had been requested by the Committee at its meeting in October.

The Committee had before it a report from the Cabinet Member for Finance updating it regarding areas covered by his remit.

The Committee had before it and noted a report from the Consultation Working Group, which led by Cllr Roach, took to the streets of Tiverton and Crediton to ascertain the views of residents.

It was agreed that staff should receive and be made aware of the report.
It was resolved that: it should be circulated to Members.

The Group were very impressed by the general upbeat atmosphere in Crediton when compared to the other two main towns and recommended that the Economic Development Team and Economy Policy Development Group explore further what might be causing this difference.

The Group found that in all three towns car parking costs were high on the agenda.. Noticeably in Crediton, where there was considered to be more on offer, people did not object to the charges. It was recommended that the Economy Policy Development Group consider making parking charges relevant to the offering in the area.

The Committee discussed the impact of housing development in Mid Devon on the Royal Devon and Exeter Hospital at Wonford, in particular winter pressures.

It was resolved that the Scrutiny Officer be asked to put together a report containing information that was available, to include clinical issues/demand, influence over GP provision, pressures on A and E and alternatives that were available such as the new pharmacy first campaign, in order that Members were fully informed, prior to inviting attendance at a meeting.

January

The Committee had before it and noted a report from the Director for Finance, Assets and Resources in order that the Scrutiny Committee review the draft 2018/19 budget and make any necessary comments/recommendations to the Cabinet to be considered at its meeting on the 1 February 2018.

The Committee had before it and noted a briefing paper from the Director of Finance, Assets and Resources providing an update on the possible impacts from the rollout of Universal Credit Full Service (UCFS).

The Committee had before it and noted a report from the Public Health and Policy Research Officer regarding measures that were in place to cope with the expected demand on hospital and GP services as a result of proposed housing development and for the coming winter.

It was agreed that the Scrutiny Officer arrange a future meeting with the Clinical Lead at Castle Place Surgery Tiverton and that data regarding delayed discharges be obtained.

Special Meeting January

The Chairman welcomed Neil Parish MP to the meeting.
The Committee put questions to the MP.and engaged in a useful dialogue.

February

The Committee had before it a report from the Group Manager for Human Resources informing Members of the overall structure of the Council and showing the management and deployment of officers.

It was agreed that the establishment be reviewed by Scrutiny in 6 months' time to consider the level of resignations and the reasons for them.

The Committee had before it and noted information from the Scrutiny Officer regarding various areas that he had been asked to look into on their behalf including delayed transfer of care, aging workforce, Cornwall housing policy, road maintenance and repairs in Mid Devon,

March

Dr Squire of Castle Place surgery attended to discuss public health and local issues.

The Committee had before it and noted an extended report from the Cabinet Member for Planning and Economic Regeneration updating Members regarding the substantial areas covered by this remit.

The Committee had before it and noted a report from the Head of Planning, Economy and Regeneration regarding a draft consultation document for Stage 1 public consultation in respect of the Tiverton Town Centre Regeneration Masterplan. The Committee had before it and noted a report informing the Committee regarding findings of the online residents survey carried out in the winter of 2017.

The Committee had before it and noted a report from the Director of Finance, Assets & Resources and the 3 Rivers Development Limited Acting Managing Director regarding the draft 5 year business plan for 3 Rivers Developments Limited.

Additional Task Group work by the Committee:

Consultation Working Group
Partnership Working Group
Homelessness Working Group
Anaerobic Digestive Working Group

For the Future

In December 2017 the House of Commons Select Committee on Communities and Local Government published the report 'Effectiveness of Local Authority Overview and Scrutiny Committees' which made a series of recommendations to the Government and to the Local Government Association. It is understood that in due course the Government will publish revised guidance to Local Authorities on Scrutiny which the Committee will consider and make recommendations to the Standards Committee where appropriate.

Frank Rosamond
Chair of Scrutiny April 2018

CHAIRMAN`S ANNUAL REPORT 2018

May

The Group had before it a draft Litter and Dog Bin Policy.

It was RECOMMENDED to the Cabinet that Council be asked to approve the Litter and Dog Bin Policy.

July

Motions from Council

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.

It was RECOMMENDED to Council that Motion 537 not be supported.

November

Motion from Council

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.

It was RESOLVED that a working group be put in place to further investigate grass cutting pricing methodology and charging recovery. Following a meeting of the working group It was RECOMMENDED to Cabinet:

- a) That notification to Town and Parish Councils regarding grass cutting should confirm the number of cuts undertaken with dates; this notification should take place on a monthly basis or as applicable if no cuts occurred during a month.

- b) That the Grounds Maintenance team price all work on the basis that it should recover the full cost incurred by them carrying out that work.
- c) That Town and Parish Councils be informed that a full cost recovery pricing model for grass cutting would be implemented over 3 years starting in the 2018/19 financial year. However any increase in cost will be tapered to allow for them to make provision regarding other providers and/or any required increase to their budgets.

The Group also had before it a report * from the Director of Operations regarding Parks and Open Spaces, 10 year Management Plans and Design Principles. This was the third time that the report had been put before the Group and it now contained amendments that they had requested along with suggestions from the Community Policy Development Group.

The report was recommended to cabinet.

January

The Group had before it and NOTED an update on the budget from the Director of Finance, Assets and Resources setting out the revised draft budget changes identified. It was necessary to fine tune our future budgets

The Group then went through line by line to see where we could reduce costs or increase income, we were able to make minimal improvements where possible, bearing in mind our statutory duties.

The Group has also met informally to discuss areas such as the 10 year Management Plans for Open Spaces and the future of recycling services, including a trip to East Devon.

The Group had before it, Motion 542 for consideration. After a presentation from Waste Management informing us of the cost implications, a lengthy discussion followed, the Group then recommended the Motion go back to Cabinet, to resolve not to support.

The Group Manager for Street Scene and Open Spaces, provided a six monthly Waste and Recycling Service update, which informed us our performance, by and large, was ahead of the game. Moving to Carlu, Hitchcocks has proved to have been a success and helped to contribute to our improved performance.

As the Chair of the Environment PDG, I would like to thank all the Members of this PDG for their contribution throughout this last year. Also this PDG would like to extend our gratitude to the officers for their support, particularly Julia Stuckey who has a wealth of knowledge and guidance to keep us on the straight and narrow.

Ray Radford

Chair of Environment PDG.

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Homes Policy Development Group Chairman's Report 2017-2018

The past year has seen the P.D.G. dealing with many varied subjects at our bi-monthly committee meetings. Apart from our continual updating of Housing Department Policies, I feel we had had a very positive year. More than double the number of empty homes have been brought back into use – very good news as this also brings a positive net financial contribution for the Council

Processes have been streamlined so that it only takes 9 weeks to deal with a Disabled Facility Grant, instead of 17 weeks in the past. One of the other successes of the year has been the piloting of the Wessex Scheme which, with additional funding of £100k from Devon County Council, increased advertising, Drop In sessions and a new contract, has resulted in much reduced processing application time – 100% recovery rate and an improved performance all round.

As a result of the horrific fire in London with the Grenfell Tower, as a committee we needed to be sure that all was secure in our patch and we also made sure that all communal spaces were clear and allowed a quick safe exit.

The situation with regard to the housing of refugees is that currently 2 families are housed in Cullompton and Bradninch. One of the families is struggling with cold isolation and lack of Primary School places. Our officers are in contact with someone in Crediton with regard to housing a family nearby – this may seem probably very little in the whole scheme of things but surely far better than being in their ravaged homeland.

Towards the end of the Municipal Year the PDG held an informal workshop where there was a lengthy discussion of “Right to Buy” and “Devon Home Choice”. Here there was agreement that Band E should stay and a motion to be put to Full Council to lobby Government to remove Right to Buy.

Once again this year has seen a lot of work put in by T.T.G. who are very dedicated to their tasks which as ever is most appreciated.

As with all departments in our Authority the Housing Service find themselves having to do more and more with less income, the Government 1% rent reduction strategy will continue to have a major impact on our financial situation and will mean ongoing challenges to provide the excellent service that our tenants have come to expect from our Repairs Service headed up by Mark Barlow.

In addition I would like to extend a heartfelt thanks to all our Repair Staff who on a daily basis are the face of Mid Devon in the eyes of our tenants. It is always a pleasure to see the praise that is recorded for the good work that is done for our tenants.

Next the Housing Officers who have once again this year proved to be invaluable to us. Their dedication has ensured that as an Authority we are ranked amongst the

best in the land. Your efforts in making sure that our rent arrears are at a constantly low level is a credit to this Council as you diligently continue to pursue outstanding rents and seem to have found a very successful formula for rent collection – well done.

We as a Council are continuing in the process of building more affordable homes, to try to help as many people as possible who find themselves in need of local authority housing. We are aware that the scheme at Palmerston Park in Tiverton has continued to suffer some setbacks but I am still confident that we will see these houses being occupied. We are striving to bring forward more affordable homes in our District as I know this has a high priority with both the Cabinet Member for Housing and our Head of Housing. I take this opportunity of thanking them both for their dedication and forward thinking also for their ongoing advice and sound judgement which they bring to our meetings

I would also like to record a heart-felt thanks to all the members of the PDG who have turned up to our meetings and have taken part in our discussions.

In the next couple of years I think our Housing Service will continue to face some very tough challenges brought about by ever changing regulations, including Universal Credit, customer expectations and last but far from least financial restrictions. I am sure however that as in the past you will rally around and produce a service we as Members can be proud of.

Finally I wish to extend special thanks to our Committee Clerk, Sarah Lees for her continued dedication, help and advice, which is always delivered with a smile and in a thoughtful manner – thank you Sarah.

JOHN DAW

Chairman of MDDC Homes Policy Development Group.

February 2018

Economy Policy Development Group Report

2017/18

We have dealt with a number of topics throughout the year at both formal and informal meetings.

Apprenticeships

We received a presentation detailing the new Apprenticeship Levy which had been introduced at the beginning of the year. Employers with a payroll exceeding £3m have to pay a levy of 0.5% of their pay bill. This affects the larger employers in Mid Devon. We will receive a further presentation, of a more general nature, at our March meeting. East Devon College will update us on the take-up of the new scheme.

Mills & Hydro Power Project

An application was made to the European Structural Investment Fund to further this project. Regrettably this bid was unsuccessful. However, there are a number of funding streams to support renewable energy generation activities, and bids have been submitted which we hope will be successful. We have also supported a team of Master's students to undertake a project that will help to advance the development of local mills.

Broadband

Superfast Broadband is an essential requirement for Mid Devon and has been discussed at most of our meetings. It is vital that local businesses have access to fast Broadband at the earliest opportunity. A recent bid had been made to "Local Full Fibre Network" for £2.4m across Greater Exeter. This will enable businesses to receive vouchers to access high speed Broadband. We are also actively exploring opportunities to enhance broadband provision, particularly in hard to reach parts of the District.

Tiverton Market

Tiverton Market has been a much discussed topic over the past months. It was decided that we would encourage local producers to attend normal markets rather than set up a designated farmers market.

In the longer term we will be looking at alternative methods of managing the market to see if there are better ways of operating.

We have agreed a Tiverton Market Environment Strategy, which will assist the market to operate in a more environmentally sensitive way. This will come into operation over the next few months.

We have also hosted a number of events in Tiverton in partnership with local groups. The Christmas light switch on was a particular success, bringing thousands of people into the town centre.

Car Parking

There has been considerable discussion regarding car parking income, with some members of the group unhappy with the current level of charges. There is a general appreciation that car parking does provide an income stream for the Council. If this income stream is reduced the shortfall will have to be found in other areas.

Strategy & Consultations

The group has been leading on responses to the LEP and other bodies, for consultations including the South West Productivity Strategy and the Great Western rail network. Both of these are highly relevant to the economy of Mid Devon. We have also been the leading group in the development of the local Economic Strategy helping to set local economic priorities and a vision for the District.

Townscape Heritage – Cullompton

An application to the Heritage Lottery Fund was made in December as scheduled. The bid is for £1.2m to support restoration of heritage buildings in the Cullompton Conservation Area, and the outcome of the application should be announced in May 2018.

My thanks to the staff who work in the Economic Development team for their continued assistance throughout the year. Also thank you to the committee clerk for her valued assistance.

Councillor Brenda Hull
Chairman of the Economy Policy Development Group

Community PDG Chairman's Report 2017-18

It's now been 2 years since I took over as Chairman of the Community PDG. I am pleased to say that further progress has been made in consideration of the well-being for the District. For that I'd like to thank all Members and Officers for their constructive contributions in the past year.

As before, much of the work of the PDG has centred around checks and balances based on regular reports from officers and outside organisations. Some of these have been routine from financial monitoring, risk reviews through to public health plan performance and anti-social behaviour statistics. Through Member suggestions, such routine reports are no longer formally presented at meetings: Members are expected to read them with questions being addressed via email. This exception-driven approach has allowed the PDG to concentrate its energy on less mundane topics.

Other regular but less routine reports have included updates from leisure services which have triggered considerable discussion. On-going marketing initiatives and updates on the refurbishment plus extension to the Exe Valley Leisure Centre have been of interest. The PDG also carefully reviewed and agreed annual leisure service price increases combined with a fairer approach to concession pricing / availability.

Some policies require regular review to ensure currency against current legislation and guidance. These have included the Anti-Social Behaviour Policy with recommendations to Cabinet being made and subsequently ratified. Similarly, the management plan for Parks and Open Spaces was reviewed and comments provided to the Environment PDG. Equally, one-off decisions have been scrutinised, notably the controversial closures of the Customer Service surgeries at Cullompton and Crediton.

As in 2016/17 the budget was a challenge with further reductions in government funding to the District. The majority of activity for which the PDG is responsible is mandatory with economies already taken such that further reductions in staffing would be counter-productive. Where possible, charging regimes will be optimised as far as government rules permit (eg planning) or in line with market benchmarks (eg leisure services).

Perhaps the main achievement of the PDG was the issue of a Statutory Air Quality Action Plan for 2017 to 21. Whilst the District is more fortunate than many this important plan sets out various ideas to ensure that air quality is maintained or improved for the benefit of its residents. However, the committee also recognised other important topics need review. There was a presentation by the Director of Public Health from Devon County Council. The PDG also looked at the results of a community survey undertaken under the auspices of the Scrutiny Committee and will be leading similar exercises to improve Community Cohesion. At time of writing other topics of interest are in the pipeline for review including a review of Devon County's approach to cycling and multi-use trails as applicable to Mid-Devon and progression of the development of a Trim Trail in the District.

Finally, I would like to thank Julia Stuckey our Clerk for keeping us in order. Julia leaves at the end of March and we wish her well for the future.

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