

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 30 August 2018 at 2.15 pm

Present

Councillors

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

Also Present

Councillor(s)

Mrs E M Andrews, Mrs B M Hull and T W Snow

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Corporate Affairs and Business Transformation), Andrew Pritchard (Director of Operations), Jenny Clifford (Head of Planning, Economy and Regeneration), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Philip Langdon (Solicitor), John Bodley-Scott (Economic Development Team Leader), Tina Maryan (Area Planning Officer) and Sally Gabriel (Member Services Manager)

56. APOLOGIES

There were no apologies.

57. PUBLIC QUESTION TIME (00-01-10)

Honorary Alderman David Pugsley referring to Item 5 (Cullompton Town Centre Relief Road Route Options, Public Consultation) on the agenda stated that: The original intention was to improve Junction 28. That needs to be done and presumably everyone was in favour, in Cullompton itself and in the surrounding villages. The Council then decided to transfer the money to a relief road which does nothing at all to improve the situation at Junction 28. That is such a radical change as to justify public consultation on that issue, and not merely on the route of the proposed road. There are 3 possibilities.

Option A: Combine it with the consultation on the preferred route by adding a further option, "None of the above," or "Give the money back to Junction 28 improvements," or something similar. Or at least allow option D, which would take some pressure off Junction 28 and would therefore probably be supported by many users of the junction. That would have the advantage of having one consultation only.

Option B: Hold a public consultation on the principle of transfer after the preferred route has been chosen. That would have the advantage that everyone knew the details when they voted on the basic principle of the transfer between Junction 28 and the relief road.

Option C: Ignore public opinion on this issue altogether by not holding a public consultation at all on the transfer between Junction 28 and the relief road.

And my question to the Cabinet is: which of these options would you prefer?

Catherine Penharris also referring to item 5 on the agenda asked how are you able to make decisions when you are not in possession of all the reports from Arcadis and if you do have them why have you not circulated them to CCA?

In the flood risk assessment why are there only the 5 recommendations listed and none of the appendices available?

With regard to Options a), b), c) and d) – how can you put forward 4 options with d) already being discounted because of flood issues and possibly c) because of financial issues, therefore it looks like a) or b) are the only options, the public are being misled on the choice available, you are putting the options through Cullompton's greatest asset.

58. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-07-58)

Members were reminded of the need to declare any interests when appropriate.

59. MINUTES OF THE PREVIOUS MEETING (00-08-16)

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

60. CULLOMPTON TOWN CENTRE RELIEF ROAD ROUTE OPTIONS PUBLIC CONSULTATION (00-09-13)

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration seeking agreement to go out to public consultation over route options for the town centre relief road for Cullompton.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report reminding the meeting of the previous report considered in May 2018 which identified the current opportunity to progress planning for the delivery of a relief road in connection with the available funding stream via the Council's Housing Infrastructure Fund (HIF). The delivery of a relief road for Cullompton had been a long term objective receiving policy support within both the adopted and submitted Local Plans which would deliver benefits to the operation of J28 of the motorway and would also enable the reduction of traffic flows through the town centre resulting in air quality and town centre amenity benefits. Significant highway improvements would be required to serve the proposed garden village to the east of J28 and a relief road would form the first part of such improvements.

Since the meeting in May, officers had worked closely with Devon County Council Highway Authority to assess potential options for a relief road. He identified the options (and plans) outlined in the report explaining the reasons why option d) had been discounted due to flood risk. Therefore options a), b) and c) were proposed to be taken forward for public consultation. Following the public consultation period the preferred option would be considered at a future meeting of the Cabinet.

The Head of Planning, Economy and Regeneration provided responses to questions raised in Public Question Time: with regard to whether the relief road would benefit J28, advice had been sought from the Highway Authority and Highways England and it was felt that a relief road would give some improvements to Junction 28 with regard to issues with AM peak traffic, it would help distribute queuing and aid the PM traffic issues of queuing back on to the north bound off slip of the motorway which was of concern to Highways England; the fact that the original improvements to J28 were no longer supported by either the Highway Authority or Highways England, as it was felt that those original plans would not benefit traffic flow and junction operation as initially expected and they had expressed strong concern over the ability to construct the scheme. Accordingly neither wished to take responsibility for its delivery and favoured the delivery of a relief road. Therefore it was felt that consulting on directing funds to J28 was not really an option as this was undeliverable.

With regard to questions relating to the flood risk assessment, work was still being undertaken to assess the flood implications of each option, however a flood risk assessment was available for the main flood corridor which considered a highway intervention, all the necessary information would be available when a final decision was made on the preferred option. All the information relating to the flood risk assessment was on the website and therefore was publically available. Option d) had been discounted, however option c) would form part of the consultation package along with options a) and b).

The Chairman read a representation from Cllr Mrs Woollatt who had been unable to attend the meeting which highlighted:

- The route to the east of the motorway would not meet with the HIF funding requirements and the need to state the reasons why
- Previous consultation events (in particular the Crediton Link Road) and the fact that information pamphlets had been distributed as part of the consultation process and that the pamphlet had included lots of frequently asked questions and whether a similar approach could be incorporated into the consultation for Cullompton.

The Head of Planning, Economy and Regeneration informed the meeting that it was the view of the highway consultant and the Highway Authority that option c) would not be able to be delivered by 2021 because of bridging structures, the more involved design, permissions and construction that would be needed and would not be completed in time for the funding opportunity. She stated that she would liaise with Devon County Council with regard to the distribution of pamphlets, although the Crediton consultation had taken place 10 years earlier and today the majority of consultations were more web based, however this issue would be considered. She agreed that an FAQ document would be produced and that Members may like to consider extending the consultation period to 6 weeks.

Consideration was given to the views of local Ward Members:

- Whether the options were all about funding and whether additional funding streams could be considered
- Whether the options should consider the Garden Village
- Why should Cullompton have the cheapest options

- The need to consider other options
- Safety issues in Meadow Lane
- Whether cycle routes would be included in the options
- Whether a junction at Willand was feasible
- The need to look at an integrated transport plan

Further consideration was given to:

- Whether the relief road would benefit J28
- Whether the relief road would be a short term option
- The possibility of further available funding
- Concerns for the CCA fields
- Whether additional roundabouts could be used for options c) and d) and whether the established bridges at the Duke Street end attributed to the flooding issues
- Whether consultation material could be made available in the Hayridge and Leisure Centre and possibly through the local magazine
- The impact of the relief road on Duke Street
- Whether to extend the consultation period to 6 weeks
- The intention to hold the meeting in Cullompton to agree the preferred option

RESOLVED that

- a) The Cullompton town centre relief road route options be approved for public consultation.
- b) Delegated authority be given to the Head of Planning , Economy and Regeneration in consultation with the Cabinet Member for Planning and Regeneration to prepare and finalise consultation material.
- c) The consultation period to consider the options available for a relief road be extended to 6 weeks.

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

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

61. BLACKDOWN HILLS - AREA OF OUTSTANDING NATURAL BEAUTY (AONB) MANAGEMENT PLAN REVIEW (1-03-59)

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration updating Members on the proposed review of the Blackdown Hills (AONB) Management Plan and requesting approval to undertake a public consultation with regard to this.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the Council had together with other local authorities authorised the Blackdown Hills AONB Partnership to undertake a review of the Management Plans for the AONB by April 2019 as required under Section IV of the Countryside and Rights of Way Act 2000. The past year had seen a period of review with key partners and partnership members in advance of a wider public consultation on a draft plan.

The meeting welcomed Mr Youngs (AONB Manager) who explained by way of presentation the background to the AONB in the Blackdown Hills and the make-up of the partnership, the work that had taken place, the key facts and special qualities with regard to the area, the primary and secondary purposes of AONB's and photographs highlighting some of the locations within the area. He also explained the work that was taking place to review the management plan.

Consideration was given to funding streams and the possibility of setting up an AONB for the Exe Valley.

RESOLVED that the public consultation on the review of the Blackdown Hills AONB Management Plan be agreed.

(Proposed by Cllr R J Chesterton and seconded by Cllr Mrs M E Squires)

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

62. CULM GARDEN VILLAGE - GOVERNANCE, DECISION MAKING AND UPDATE ON PROJECT PROGRESS AND PROPOSED CHANGES TO GOVERNANCE THROUGH REFINED DECISION MAKING POWERS OF THE DELIVERY BOARD. (1-20-00)

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration providing an update on the implementation of the Culm Garden Village governance arrangements since the Cabinet decision of July 2017 and the establishment of clear lines of decision making for the project going forward.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report highlighting how the Culm Garden Village had been awarded its status and the work that had taken place to date which included a number of key milestones which had been reached. Community and stakeholder engagement had been supporting the locally led project and master planning work was being progressed as was work relating to the delivery of key pieces of infrastructure. He outlined the governance arrangements in place which included the delivery board (and its decision making powers), the community/stakeholder forum, the landowner/developer forum and the project team. The delivery board now included representation from Highways England and the local MP. The next steps would be to produce a framework masterplan for long term growth of the garden village and a Supplementary Planning Document. A bespoke website would be launched which would form the basis for engagement with the stakeholders and the local community. He also mentioned the funding from the HIF for a relief road which has been discussed earlier in the meeting and the long term requirement for a new motorway junction.

Consideration was given to:

- The need for an integrated transport plan to include a bus station in the vicinity of the proposed railway station
- The wider community benefits that would come from the Garden Village
- The Greater Exeter Strategic Plan being the intended policy vehicle to allocate the remainder of the Garden Village

RESOLVED that

- a) The project process and implementation of the previously agreed governance arrangements be noted;
- b) The decision making powers and framework for the Culm Garden Village project and its Delivery Board be agreed as set out in 2.3.7 and 2.3.8 of the report.

(Proposed by Cllr R J Chesterton and seconded by Cllr P H D Hare-Scott)

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

63. **PROJECT MANAGEMENT CONTRACT AWARD FOR CULM GARDEN VILLAGE, CULLOMPTON (1-41-23)**

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration seeking approval to extend the Culm Garden Village project management contract for a further year and to establish delegated authority for further extensions to the contract (subject to sufficient funding being in place).

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that in August 2017 the contract for project management services for the Garden Village was awarded; this was initially for 1 year. He outlined the remit of the project manager and his work to date. It was therefore proposed that the contract be extended for a further year and that delegated authority be sought to award subsequent annual one year extensions to the contract.

Consideration was given to the work of the project manager and how his work was managed.

RESOLVED that

- a) A 1 year extension to the Culm Garden Village project management contract be awarded to the existing supplier with an agreed annual cost of £66,000.
- b) Delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Regeneration to award subsequent annual one year extensions to the contract subject to:
 - i) Funding being in place to cover the cost of the provision of this service.
 - ii) Continuing to be satisfied with the quality of the service provided.

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

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

64. **WORKFORCE PLANNING/HUMAN RESOURCES STRATEGY UPDATE (1-46-12)**

The Cabinet had before it and **NOTED** a * report of the Group Manager for Human Resources updating the meeting on the Workforce Plan/Human Resources Strategy.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report stating that the Workforce Plan was developed and adopted by Council in 2010 this gave a foundation on which to build and identify improvements therefore shaping the workforce to ensure that it was capable of delivering the Council's objectives. She highlighted the contents of the H R Strategy and ways for developing the workforce.

Consideration was given to: the importance of having such a document to set the pathway for the organisation and the need to have the ability to adapt to changing circumstances.

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

65. **REVISED FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATIONS POLICY (1-52-00)**

The Cabinet had before it a * report of the Group Manager for Performance, Governance and Data Security providing an update to the existing policy to reflect current best practice and an increase in the scope of the Environmental Information Regulations (EIR).

She outlined the contents of the report stating that since the last review the scope of the Environmental Information Regulations had been expanded by case law, it was expected that the revision to the policy would result in more requests for information being treated under the EIR which was not subject to the same time limitations as Freedom of Information requests.

RESOLVED that the revised Freedom of Information and Environmental Information Regulations Policy be approved.

(Proposed by the Chairman)

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

66. **FINANCIAL MONITORING (1-54-00)**

The Deputy Chief Executive (S151) informed the meeting that there had been no significant deterioration in the proposed budget gap for end of year however it had increased to over £100k, this was mainly down to a decrease in car parking income specifically the multi-storey car park and an overspend in the waste service due to vehicle hire costs, planning income was also down. However, this was more likely to be more than compensated by the additional income from being part of the business rates pool pilot.

67. **NOTIFICATION OF KEY DECISIONS (1-56-45)**

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

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

(The meeting ended at 4.15 pm)

CHAIRMAN