

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 26 June 2019 at 6.00 pm

Present Councillors

G Barnell, E J Berry, W Burke, J Cairney,
R J Chesterton, S J Clist, Mrs C Collis,
Mrs F J Colthorpe, D R Coren, L J Cruwys,
N V Davey, W J Daw, R M Deed,
R J Dolley, J M Downes, R Evans,
Mrs S Griggs, Mrs I Hill, T G Hughes,
D J Knowles, F W Letch, E G Luxton,
B A Moore, Miss J Norton, S J Penny,
D F Pugsley, R F Radford, C R Slade,
Mrs M E Squires, R L Stanley, L D Taylor,
Ms E J Wainwright, B G J Warren, A White,
Mrs N Woollatt and A Wyer

Apologies Councillors

Mrs E M Andrews, Mrs C P Daw,
C J Eginton, B Holdman, A Wilce and
J Wright

14 Apologies

Apologies were received from Councillors: Mrs E M Andrews, Mrs C P Daw, C J Eginton, B Holdman, A Wilce and J Wright.

15 Public Question Time

All the public questions raised were in relation to item 5 on the agenda, 'Devon Climate Declaration':

Gill Gale stated that she very much welcomed the Council calling this Extraordinary Council Meeting and continued.... I trust that Mid Devon will follow Devon County Council's recommendation and declare a Climate Emergency tonight. Which leads me onto: how quickly should we cut our emissions to net zero? Should it be 2050, as both Devon County Council and the UK national Government has signed up to but can we listen to Maria Garces from the General Assembly of the IPCC who stated that "We are the last generation that can prevent irreparable damage to our planet, we must address this global emergency with ambition and urgency, 11 years are all that remain to avert catastrophe. So setting a target of zero carbon by 2050 is a death sentence for humanity. It's a target that means we'll sail past 450ppm of CO2 in the atmosphere within a decade, the point at which catastrophic change will occur. We'll sail past 2° warming by 2030, which means we'll be witnessing 100's of millions of climate related deaths as the southern hemisphere becomes uninhabitable. We'll be staring extinction itself in the face by 2050 if we don't change course rapidly."

With this in mind my question is: what is your justification for the 2050 target? I urge you councillors to please find the courage and ambition to join your colleagues in Teignbridge District Council by instead declaring a target of 2025.

The Leader of the Council replied by saying that clearly, given that 49% of Carbon emissions in Mid Devon are transport-related, it would be a nonsense to progress work separate to that of the highways and transport authority, Devon County Council, recognising the targets adopted by DCC and very recently the amended-intent of the UK Government. However, recognising this council's ambition to seek reductions as quickly as possible, an amendment has been proposed to provide for members to make a decision on bringing that date forward if they so wish.

Teresa Pointing addressed the Council by saying that I am speaking on behalf of Sustainable Tiverton, whose hundreds of members and supporters are spread throughout this town and surrounding villages, volunteering in projects such as repair cafes, education about energy saving and healthy soils, the redistribution of surplus household objects, and tackling food waste through community cafes and the new community fridge.

We welcome the Climate Emergency Declaration, but while incremental change in public policy is how government usually works, you will now have to plan a journey to become net carbon neutral for which 'business as usual' just won't get the job done fast enough. So my question to the council is this:

You have many resources available to you to make rapid change possible, if you use partnership with local expertise, green businesses, innovators in housing, transport and energy, re-generative agriculture and forestry, and community engagement through citizen champions like our members. How will you ensure that you use all these partners and these resources effectively so we can all move forward together?

The Leader responded by stating that there was a significant degree of sympathy with the views expressed but if there was a degree of repetitiveness with his answers he did apologise in advance. In response to Dr Pointing's question he stated that 'If the recommendation is approved, this will commit the council to the declaration which states that 'In collaboration, we will engage Devon's residents, businesses and visitors to develop and implement a plan to facilitate the reduction of Devon's production and consumption emissions to meet IPCC recommendations at the latest. We will openly report progress on its delivery.'

Franny Armstrong, a citizen of Tiverton, stated that the latest science states that if we do not completely rethink and rebuild human civilisation we now have a 1:20 chance of causing the extinction of all life on earth. Now I am sure that nobody here would get on a plane if it had a 1:20 chance of crashing, yet we are strapping our children and our grandchildren onto that plane. As you can see by the turn out here tonight, there is great concern about the climate crisis here in Mid Devon. We understand that the task of cutting Mid Devon's emissions to net zero is immense. It is the biggest task this Council will ever face and we also understand that you do not have the funds to do it so we welcome the amendment submitted today which includes pressing central government for more funding to tackle this. Encouragingly as we have just heard from Teresa from Sustainable Tiverton there are many action groups springing up here in Mid Devon. People want to get involved, they want to help. I understand that Devon County Council will be holding a Citizen's Assembly to allow the public to be

involved in the formation of the Devon Carbon Plan, which is great. Please will you harness the enthusiasm and energy of the local people and allow everyone to be a part of re-thinking how we live our lives here in Mid Devon by holding a climate change Citizen's Assembly specifically for Mid Devon this coming Autumn?

The Leader responded by stating that once we understand how Devon County Council 's proposed Citizen's Assembly will work in practice, the Council's Environmental Policy Development Group may wish to propose that we duplicate a similar forum solely for Mid Devon. However, that will need to be a recommendation from the Policy Development Group to Cabinet in due course. This matter will be referred to the PDG for very detailed discussion as to how we would go forward and obviously having a forum assembly would be part of that discussion.

Dave Wood stated that although 75 councils round the country have now declared Climate Emergency - which is a brilliant first step, there's a lot of confusion about what this means and I suspect, many people living in those areas will not even have heard the news. If ordinary people are not kept up to speed with what is happening, and why, I think there will be hostility when these changes start happening and that hostility could slow down our collective effort, so my question is: Will Mid Devon be leaders in this respect by firstly, contacting every citizen directly - either by email or letter - to inform them that we are now in a Climate Emergency and, secondly, following up regularly, keeping everyone informed about the changes that are being made and what they can do to cut our own emissions?

The Leader stated that the council intends to issue a press release following this meeting and we will seek to keep people informed both through regular updates via media channels and also through the work of our local councillors. We do write to every household once a year linked to council tax and we always consider whether there is additional information that we might seek to include in that large mail distribution. Whether we use that to advise on anything related to climate will be something for the Environment PDG to consider in due course.

Sally Chapman stated that the Devon Climate Declaration says we should be 'changing agricultural practices to reduce emissions associated with farming operations, manage soils sustainably and replenish soil carbon'. Mid Devon is an agricultural area which is principally dairy and beef cattle which is one of the main contributors to climate change. The UK is reliant on 70% food imports which will be impacted by the increasing drought and water shortages across the world. How can Mid Devon District Council encourage farmers to diversify their food production, both to reduce our carbon footprint and to ensure that we avoid the nightmare scenario of running out of food?

The Leader stated that around 95% of Mid Devon is agricultural land, therefore what actions the council takes in relation to encouragement of changed agricultural practices, or indeed consumer demand, will be something that the Environment PDG will wish to consider very carefully, no doubt in conjunction with the Economy PDG, prior to any recommendations being made to Cabinet.

Adam Wishhart stated that, as you know, transport is the largest single source of emissions in Devon and will be one of the key areas you'll be focussing on in getting our collective emissions down to net zero. I would like to propose a quick, visible and positive move you could make immediately. These are my children, Eva and Zac.

They attend Bolham Primary School. In a school of just over 100 kids, almost everyone is driven to school by car every day. (I think 8 take the school bus and a few who live in Bolham itself walk). Why? Because there is no safe route for the children to walk or cycle to school. There is a pavement linking Tiverton and Bolham, but it is extremely narrow and the surface is dangerously uneven: one slip-up and a cycling child would fall into the path of the cars and lorries speeding along the A361. The cost of building a mixed-use bicycle and pedestrian path between Tiverton and Bolham is minimal and would have immediate positive impacts on our children's health, on air pollution, on parking problems and, most importantly, on decreasing carbon emissions.

My question is: please will you urgently approach Devon County Council's Highway Department and Highways England to make a bike lane between Tiverton and Bolham and also launch an investigation into a strategic policy for cycling through Tiverton and Mid Devon.

The Leaders stated that the county councillor for that area is also a district councillor (Councillor Polly Colthorpe), so I am sure we can raise this issue with colleagues at DCC.

Councillor Mrs Colthorpe stated that she had raised this on more than one occasion in response to parents who had concerns, anxieties and difficulties in taking their children to school. So far I have not been able to achieve what you would like and what I would like to see there. I will keep trying and I can only promise that. I can't actually make it happen, I haven't got a magic wand but I can keep trying.

Arthur Shenton stated that today Mid Devon will hopefully sign up to Devon County Council's "Climate Declaration", which says "We know this transformational change will... include divesting from fossil fuels". Thousands of organisations all around the world - including New York City, the British Medical Association, the World Council of Churches, the Environment Agency have already pulled their investments out of coal and gas and instead put their money into climate friendly investments.

Question One: Can Mid-Devon council list the steps it will take to ensure that the 10s of millions of pounds it holds in current accounts will be divested from fossil fuels within the next three months?

Question Two: I note that one of our councillors here at Mid Devon, Colin Slade, is Chair of the Devon County Pension Board, which administers the Local Government Pension Scheme. Can Councillor Slade confirm that he will use his powers as Chairman to ensure that the board urgently divests all our pensions - which, as a former teacher at Tiverton High, includes mine - from fossil fuels?

The Leader responded to the first part of the question by stating that as noted by Mr Shenton, the monies that the council holds in current accounts or savings accounts are held with banks and building societies, with no links to fossil fuels. We do not hold funds other than investments with the Churches, Charities and Local Authority fund, which has a strict stewardship and ethics approach, with an adopted Climate Change and Investment Policy.

Councillor Colin Slade stated that although I am Chair of the Devon County Pension Board I am here this evening as a District Councillor. First Mr Shenton, I must correct

you, the Devon Pension Board does not administer any pensions funds or investments that is the job of the Investment and Pension Fund Committee of which I am not a member. They are two completely separate organisations and the Pensions Board is an overview function, so we monitor compliance with the LGPS rules and monitor performance of our partners, so I have no influence over that. My job as Chairman is not ensure that things get done, it is to make sure that during the course of a meeting all the topics on the agenda are addressed openly and fairly and that everybody present has a chance to ask their questions. You actually quoted from the Climate Change Declaration which states that we know this transformational change will include divesting from fossil fuels. You have it there straight from the horse's mouth from Devon County Council so you can be assured that that will become part of the Council's policy. That will no doubt come before the Investment and Pension Fund Committee in due course and of course if you want to ask this question again the time to do it is at a meeting of Devon County Council where you and your friends who came last time can come and have your say in the public forum there.

Marie Yexley stated that, together with my partner, I run a renewable energy company in Sampford Peverell called 'Sol Electrical'. My question is this: given that we need to take emergency action on climate change and that, along with large-scale solar, onshore wind is the cheapest and fastest renewable energy to deploy then (a) what will Mid Devon District Council do to urgently ensure that suitable areas for onshore wind are identified under Local Plans, so onshore wind projects can be rapidly proposed and approved? and (b) seeing as the national government is excluding new onshore wind from competitive long-term low-carbon electricity contracts, will you write to the Secretary of State at the Department for Business, Energy and Industrial Strategy calling for onshore wind to be given the same opportunity as offshore wind to provide increasingly low-cost clean energy via "pot 1 contracts for difference auctions"?

The Leader stated that the process of reviewing the local plan is well advanced with examination hearings held in February. Policies within this plan already seek to maximise renewable energy, whilst ensuring that any adverse impacts are addressed. In terms of onshore wind, the Council is required to apply the June 2015 Ministerial Statement requiring such applications to only be granted where suitable areas are identified in a local or neighbourhood plan. Local communities therefore have the ability to allocate such areas within their own neighbourhood plans. We also expect further consideration of the potential for onshore wind and other renewable energy within the next generation of development plans. In answer to the second question, we can consider this if on-shore wind is something the Council wishes to encourage.

Toby Wibberley-Wood stated that the River Exe is just next to us could we have a system of turbines under water for electricity for our town?

The Chief Executive responded stating that the Council has been working on potential hydro-electric power along that stretch of waterway alongside a number of others across the district. We have been working with research students at Exeter University to establish what can be done and we have already had discussions with the Environment Agency to that effect so we are looking to progress that as fast as we can.

Sarah Jewell stated that she was a recent resident to Uffculme and wanted to be part of a rural community. It is absolutely amazing that we are having this meeting, 6 months ago it was unthinkable and congratulations to those of you across the Chamber and all the activists behind us and local residents who have brought us here, it is amazing. My comments are about the Mid Devon Local Plan which was published well before the Declaration of Climate Emergency and it states that the Council area committed to preserving the unique rural character of this area of Mid Devon. In the light of this declaration, which was negotiated two years ago, what assurances can you give us that you indeed will reject new proposals that threaten to make a mockery of this commitment.

An example of this is on the edge of my small village of Uffculme, 90 relatively unaffordable new homes have been built on a high flood risk despite huge local opposition. J27, the designer retail knock off park that we had been brainwashed into think would be some kind of Eden project, has now been approved. It covers 175 football pitches of erstwhile green space. About a mile to the south on the Uffculme/Willand roundabout a huge 'Pallex' distribution centre expansion has been approved. Now across the road from us we are staring at further green field destruction in the form of four expanded Hitchcocks Business Parks, 4 times the size it currently is which will be an on-line distribution centre. This involves 700 new car parking spaces and 16 new lorry spaces. How can the council in the light of declaring a climate emergency preserve a shred of integrity if they allow this further development, one that hopelessly dwarfs the original sizes of the villages that we elected you to protect?

The Leader stated that planning decisions are made in accordance with adopted planning policy of the council. Without commenting on specific development proposals, clearly any future planning policy would need to reflect the greater weight that local planning authorities gave to carbon reduction – i.e. we would expect to see that reflected in the formulation of new planning policy.

Sarah Jewell further asked, can the Council look at applications that were pending and say, last year we would have passed those but this year, having promised to reduce carbon significantly, we can no longer pass them?

The Group Manager for Legal Services responded stating that the Planning Committee are fully aware of the constraints on what they can consider and this has to be in accordance with the Development Plan and any material considerations. They recognise the concern but the Planning Committee has to abide by the law.

Gill Westcott stated that she appreciated the opportunity to speak and understood that there was an amendment suggesting the date of 2030. In the section regarding lobbying Government for finances, I hope that councillors will also do their utmost to lobby for increased planning powers to create low carbon development in such a way that it becomes meaningful?

The Leader responded by stating that we always strive in this Council for transparency and will continue to do so. In terms of our contact with central government, we are in touch with ministers on a regular basis and I am sure we will be on this particular item.

John Dominy stated that this council had a good reputation for leading on green energy, recycling and in other green issues. Mid Devon District Council is already ahead of other district councils and for that you should be congratulated. I am going to ask you to keep it that way and to not adopt the Devon Climate Change Declaration as it stands. Cllr Wright has tabled a motion amending clause 512 to say we will aim for Mid Devon to be carbon neutral by 2030 and that all decisions made by the Council will be considered in the light of the climate crisis. He has added a new clause that the Council will lobby central government to give it the finance and powers to act effectively to undertake the necessary measures to ensure the climate crises can be limited to 1.5 degrees and be carbon neutral by 2030, this is laudable and I hope you will adopt that. I would like you to go further. You are planning to build thousands of new homes in new developments starting in the very near future, in fact they are already popping up in Cullompton. I don't believe you can wait for central government to legislate on planning laws, you have to take the initiative now and negotiate or insist with developers who as we know were making £70k profit on every £240k house they sold last year having paid their directors something like a £30k or £40k per house bonus. I want you to tell them that all new houses have to be carbon neutral not just energy efficient and that employment is put where the houses are or vice versa. Put houses where the jobs exist.

As James Brokenshire, Secretary of State for Housing said at a recent CPRE meeting, it is up to the council's planning departments to stop the developers bullying them. Will the council do that?

The Leader responded by stating that as the Head of Legal has explained there is sometimes a slight gap between what we would like and what we have to approve by law. Having said that this motion, assuming it is passed with the amendments, will be passed to the Environment PDG for in-depth discussion and all aspects of how we can proceed to achieve what you are after will be discussed. After that everybody will be contacted, whether it be in Westminster or elsewhere, to ensure that we achieve the aims as quickly as possible but I cannot be specific as to say we can immediately change our approach overnight. We would have to do so with some caution because although with planning there is obviously some ambiguity sometimes within the statute, on this issue we would have to look at it and I cannot give you an answer straight away to say that we can give a dictat to developers that they must include something that we are not able to insist upon but we will do our best.

16 Declarations of Interest under the Code of Conduct

Members were reminded to make any declarations of interest.

17 Chairman's Announcements (00-41-40)

The Chairman had no announcements to make.

18 Devon Climate Declaration (00-41-48)

The Council had before it a *report of the Chief Executive requesting Members to consider the declaration of a climate change emergency.

He outlined the contents of the report stating that Devon County Council had declared a climate emergency. They had committed to facilitating the reduction of

Devon's carbon emissions to net-zero by 2050 at the latest and had formed the Devon Climate Emergency Response Group to enable strategic partners to collaborate on producing a Devon-wide Carbon Plan.

The Chairman **MOVED** that:

- a) The council adopts the statement at Appendix A outlining the Devon Climate Change Declaration.
- b) The council agrees to work to the Devon-wide target of net-zero carbon emissions by 2050.
- c) The council continues to work, through the DCERG and other mechanisms as appropriate, to collaborate on producing a Devon-wide Carbon Plan.
- d) The council directs the Environment Policy Development Group (PDG) to act as the initial owner of this policy activity within the council; with future PDG meetings considering how best to determine the council's own policy response(s) such as may then be subsequently recommended to cabinet and council in the normal way.

Councillor L D Taylor **MOVED AN AMENDMENT** (on behalf of Councillor J Wright), seconded by Councillor Miss E Wainwright

This council is significantly concerned that the environmental crises must be a priority. We will aim for Mid Devon to be carbon neutral by 2030 and all decisions made by the council will be considered in light of the climate crisis.

This council will lobby central government for the finances and powers to act effectively to undertake the necessary measures to ensure the climate crises can be limited to 1.5 degrees and be carbon neutral by 2030.

It is recommended that:

The council adopts the statement at Appendix A outlining the Devon Climate Change Declaration.

The council agrees to work to the Devon-wide target of net-zero carbon emissions by 2050 but will aim for Mid Devon to be carbon neutral by 2030 and all decisions made by the council will be considered in light of the climate crisis

The council continues to work, through the DCERG and other mechanisms as appropriate, to collaborate on producing a Devon-wide Carbon Plan.

This council will lobby central government for the finances and powers to act effectively to undertake the necessary measures to ensure the climate crises can be limited to 1.5 degrees and be carbon neutral by 2030

The council directs the Environment Policy Development Group (PDG) to act as the initial owner of this policy activity within the council; with future PDG meetings considering how best to determine the council's own policy response(s) such as may then be subsequently recommended to cabinet and council in the normal way.

A debate then took place with the following issues arising:

- The need to act now to protect children and grandchildren
- 2050 was too far away and that the amendment suggesting that Mid Devon aim to be carbon neutral by 2030 should be supported
- The growing support for action
- The need for organisations as well as the public to respond to the emergency
- The need for the Government to provide the resources and powers to address the issue
- Planning applications on greenfield sites
- The need for a coherent approach and the work that had already taken place by the Council with regard to solar power
- Whether working together with other authorities on a national policy was the best way forward
- The need to make challenging targets
- The need for non-carbon developments and the need for amendments to planning policy
- Whether committee reports could have a climate change impact assessment as part of the implications at the beginning of all reports
- The need to use local markets and encourage market traders not to provide plastic bags

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

'THAT the vote in respect of this item shall be by roll call'

There being more than 10 Members in favour of the **PROCEDURAL MOTION** that was **AGREED** by the Council.

Those voting **FOR** the **AMENDMENT** Councillors: G Barnell, E G Berry, W Burke, J Cairney, R J Chesterton, S J Clist, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, L J Cruwys, N V Davey, W J Daw, R M Deed, R J Dolley, J M Downes, R B Evans, Mrs S Griggs, Mrs I Hill, T G Hughes, D J Knowles, F W Letch, E G Luxton, B A Moore, Miss J Norton, S J Penny, D F Pugsley, R F Radford, C R Slade, Mrs M E Squires, R L Stanley, L D Taylor, Miss E J Wainwright, B G J Warren, A White, Mrs N Woollatt and A Wyer.

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

Notes:

- i) The Council had before it questions* submitted by Councillor Mrs S Griggs in accordance with Procedure Rule 13.2 together with responses from the Cabinet Member for the Environment.
*Questions previously circulated, copy attached to minutes;
- ii) * Report previously circulated copy attached to minutes.

19 **Local Government Boundary Commission Submission (1-14-56)**

The Council had before it a *report of the Chief Executive requesting Members to consider the cross-party Working Group's submission to the Local Government Boundary Commission for England which will be considering the number of Councillors required for Mid Devon District Council from 2023.

The Chairman **MOVED** that: the submission outlined in Appendix A of the report be agreed.

The Leader **MOVED AN AMENDMENT** seconded by Councillor B A Moore:

That the Council agrees the revised appendix A as its formal submission to the Local Government Boundary Commission for England, incorporating electorate projections to 2025 as per LGBCE requirements.

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

Councillor B G J Warren **MOVED THE FOLLOWING AMENDMENTS** seconded by Councillor C R Slade:

- a) Question 1.17 Second Paragraph, Second Sentence. Amend to read "In the 2019 district elections all but one of the wards were contested....." therefore the paragraph should read

In the 2019 district elections all wards but one were contested and there have been no instances where the Council has been unable to discharge its duties due to lack of councillors.

- b) Question 4.2 the 'eg' in the second line be amended to read "eg. Public conveniences, public open spaces, play areas and grass cutting....." therefore the paragraph should read

The Council has implemented a programme of devolving local facilities to some town and parish councils, eg public conveniences, public open spaces, play areas and grass cutting, where there has been a desire to take these on.

Upon a vote being taken, the **AMENDMENTS** were declared to have been **CARRIED**.

Councillor F W Letch **MOVED THE FOLLOWING AMENDMENTS** seconded by Councillor B G J Warren:

Question 1.10 - To remove "most of the Committees meet monthly" and add the following wording: "The Cabinet, Scrutiny Committee and the Planning Committee meet monthly and the Policy Development Groups and the Audit Committee meet every 2 months....."

To remove "Chairmen of the Scrutiny Committee" and replace with "Chairman of the Scrutiny Committee".

Therefore the following paragraphs should read

The Cabinet, Scrutiny Committee and the Planning Committee meet monthly and the Policy Development Groups and the Audit Committee meet every 2 months unless there is insufficient business to discuss or determine, with the exception of the Standards and the Regulation Committees which tend to meet on an ad-hoc basis.

The Chairman of the Scrutiny Committee is appointed at the annual Council meeting in May; chairs of other committees are appointed by each committee at the first meeting of the annual cycle.

Upon a vote being taken, the **AMENDMENTS** were declared to have been **CARRIED**.

The Chairman **MOVED** that the submission **AS AMENDED** be approved

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

Note: * Report previously circulated copy attached to minutes.

(The meeting ended at 7.35 pm)

CHAIRMAN