

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 1 March 2021 at 2.15 pm

### **Present**

#### **Councillors**

F W Letch (Chairman)  
G Barnell, E J Berry, W Burke, L J Cruwys,  
Mrs C P Daw, J M Downes, Mrs S Griggs,  
B G J Warren, A Wilce, Mrs F J Colthorpe  
and C J Eginton

### **Apologies**

#### **Councillor(s)**

R L Stanley and S J Penny

### **Also Present**

#### **Councillor(s)**

R M Deed, R Evans, C R Slade, Ms E J Wainwright,  
D J Knowles and Mrs N Woollatt

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Kathryn Tebbey (Head of Legal (Monitoring Officer)), Andrew Busby (Corporate Manager for Property, Leisure and Climate Change), Jason Ball (Climate and Sustainability Specialist), Clare Robathan (Scrutiny Officer) and Carole Oliphant (Member Services Officer)

## **175 APOLOGIES AND SUBSTITUTE MEMBERS (0.04.13)**

Apologies were received from Cllr S J Penny and Cllr R L Stanley who were substituted by Cllr Mrs F J Colthorpe and Cllr C J Eginton respectively

## **176 REMOTE MEETINGS PROTOCOL (0.04.43)**

The Committee had before it, and **NOTED**, the \*Remote Meetings Protocol.

Note: \*Remote Meetings Protocol previously circulated and attached to the minutes

## **177 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.04.47)**

Members were reminded of the need to make declarations of interest when appropriate.

## **178 PUBLIC QUESTION TIME (0.04.55)**

Nick Quinn, a local resident stated:

**Concerning Agenda Items: 9 (3 Rivers – Bampton, Business Case &**

## **Appraisal)**

The Planning Committee considered the planning application for this development in Bampton on 10 February 2021.

A viability report was included as part of that consideration. The report stated that, if the affordable housing contribution (required by Council Policies) was enforced, the development of the site was not viable.

Planning permission was granted - but, as a result of the viability report, this Council is not requiring 3 Rivers to make the appropriate affordable housing contribution of £325,000.

During the Planning Committee meeting, the accuracy of the figures given in the viability report was questioned – but no answers were provided. Since the public have always been barred from seeing any 3 Rivers papers, it is not possible for the public to check the figures used.

It is important that the Council should be seen to be dealing with its own company, without favour and transparently - so the question of accuracy must be addressed. I believe Scrutiny Committee is best placed to do that.

There are 11 business case papers being provided to Scrutiny Committee for this agenda item. These papers are also being withheld from public view, but I would like to know whether the figures given in these papers are the same as the ones used in the viability report presented to the Planning Committee.

So my question on this item is:

Will the Chairman please assure me that the figures in the business case papers given to this Scrutiny Committee - are the same as those contained in the viability report given to the Planning Committee?

The Chairman stated that he would address the question if possible at the agenda item and reminded Members that he would not be able to comment on any part of a restricted report.

### **179 MEMBER FORUM (0.07.35)**

Cllr G Barnell requested that the Monitoring Officer reconsider her advice given with regard to the changing of the recommendation on a Cabinet report.

The Monitoring Officer advised the Member to submit his written question to her and she would respond.

### **180 MINUTES OF THE PREVIOUS MEETINGS (0.11.21)**

The minutes of the last meetings held on 22<sup>nd</sup> February were approved as a correct record.

The minutes of the meeting held on 15<sup>th</sup> February 2021 remained in draft and were not approved until specific questions submitted by Members were addressed

## 181 CHAIRMANS ANNOUNCEMENTS (0.16.00)

The Chairman advised that he had written to Mel Stride MP to request that he attend a meeting of the Scrutiny Committee.

## 182 DECISIONS OF THE CABINET (0.16.22)

The Committee **NOTED** that none of the decisions made by the Cabinet on 18th February had been called in.

## 183 CABINET MEMBER FOR CLIMATE CHANGE (0.17.33)

The Committee had before it, and **NOTED**, the \*report of the Cabinet Member for Climate Change providing an update on areas within the portfolio.

It was noted that since the report had been published the Climate Change portfolio had moved to the Cabinet Member for the Environment.

The Cabinet Member for the Environment addressed the Committee and stated that he had only assumed responsibility for the Climate Change portfolio that morning.

The Corporate Manager for Property, Leisure and Climate Change outlined the contents of the report and explained that the Councils carbon footprint had reduced from 20,402 tCO<sub>2</sub>e for the reporting period 1<sup>st</sup> April 2018 to the 31<sup>st</sup> March 2019 to 19,400 tCO<sub>2</sub>e for the reporting period 1<sup>st</sup> April 2019 to the 31<sup>st</sup> March 2020.

The officer outlined various streams of activity which included:

- MDDC Climate webpage was in development
- Net Zero Advisory Group had been established and had been well attended
- Service Leads were being encouraged to ensure climate change was considered in all aspects of their service areas
- The Climate Change Action Plan continued to be developed and was continually reviewed
- The Council had secured £18k for assistance with developing a Heat Decarbonisation Plan to 2030 with an additional £20k for skilled project support on developing our Carbon Action Plan
- There was now an extended solar array at Carlu Close
- A solar together scheme had been launched with local residents

The Corporate Manager for Property, Leisure and Climate Change then introduced the Climate and Sustainability Specialist who would review the Climate Change Action Plan and update the Climate webpage accordingly. The officer would also review and revise the procurement processes and roll out the tree planting initiative across the district.

In response to a question asked the Monitoring Officer confirmed that the Net Zero Advisory Group would continue unless or until the Council made changes but it could be discussed at the Environment PDG.

The Corporate Manager for Property, Leisure and Climate Change advised Members that he would provide further detail on the programme and timings of the change to an electric vehicle fleet.

The Cabinet Member for the Environment confirmed that the trustees of People's Park Recreation Ground would be consulted about any tree planting initiatives within the park. He stated that a timescale on the costed climate change plan would be provided as part of his Cabinet Member for the Environment update to the Scrutiny Committee on 15<sup>th</sup> March 2021.

Note: \*Report previously circulated and attached to the minutes

184 **3 RIVERS DEVELOPMENT LTD - BUSINESS CASE AND APPRAISAL HOUSING SCHEME, LAND ADJACENT TO ELIZABETH PENTON WAY, BAMPTON (0.46.44)**

The Committee had before it a \*report of the Deputy Chief Executive (S151) presenting the 3 Rivers Development Ltd (3RDL) Business Case and Appraisal Housing Scheme for land adjacent to Elizabeth Penton Way, Bampton.

In response to a question asked, the Director for 3 Rivers Developments Ltd stated, that a previous planning approval for the site was for 26 units which was not viable.

There were various discussions and queries about what could or could not be discussed in open session.

The Chairman then indicated the need to go into Part II to consider the Business Case in detail and 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)

Following lengthy discussion on the contents of the Business Case, the meeting returned to open session and it was therefore **RESOLVED** that:

Members questions with regard to the Business Case and Appraisal would be submitted to the Chairman by end of business on 2<sup>nd</sup> March 2021. The Chairman would submit questions received to the Cabinet and 3 Rivers Development Ltd and responses would be circulated to members of the Committee.

(Proposed by Cllr G Barnell and seconded by Cllr B G J Warren)

Note: Cllr Mrs F J Colthorpe declared a personal interest as she was a former District Councillor for the Ward and knew the landowner.

(The meeting ended at 4.03 pm)

**CHAIRMAN**