

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 25 August 2021 at 6.00 pm

Present

Councillors

R F Radford (Chairman)
Mrs E M Andrews, G Barnell, J Bartlett,
E J Berry, W Burke, J Cairney, S J Clist,
Mrs C Collis, Mrs F J Colthorpe, D R Coren,
L J Cruwys, N V Davey, Mrs C P Daw,
R M Deed, R J Dolley (Vice Chairman),
J M Downes, C J Eginton, R Evans,
Mrs S Griggs, D J Knowles, F W Letch,
B A Moore, Miss J Norton, S J Penny,
S Pugh, D F Pugsley, Mrs E J Slade,
C R Slade, Mrs M E Squires, R L Stanley,
L D Taylor, B G J Warren, A Wilce and
J Wright

Apologies

Councillors

R J Chesterton, P J Heal,
Ms E J Wainwright, A White, Mrs N Woollatt
and A Wyer

33 Apologies (00-08-29)

Apologies were received from Councillors: R J Chesterton, P J Heal, Miss E Wainwright, A White, Mrs N Woollatt and A Wyer.

34 Protocol for Hybrid Meetings (00-08-58)

The protocol for remote meetings was noted.

35 Public Question Time (00-09-33)

There were no questions from members of the public present.

36 Declarations of Interest under the Code of Conduct (00-09-47)

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

37 Minutes (00-10-10)

The minutes of the meeting held on 1 July 2021 were agreed as a correct record and signed by the Chairman.

38 **Chairman's Announcements (00-10-41)**

The Chairman informed the meeting that he had attended (on behalf of the Council) a wreath laying ceremony in the Burma Star Memorial Garden, Tiverton on 15th August to commemorate VJ Day along with some Tiverton Members.

39 **Petitions (00-11-34)**

There were no petitions presented.

40 **Notices of Motions (00-11-54)**

1) MOTION 569 - (COUNCILLOR A WILCE – 8 FEBRUARY 2021)

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

That this Council resolves to ask the Standards Committee to review Rule 14.4 (Automatic Reference to Committee) and to recommend whether this Council should either:

- a) completely remove rule 14.4 or
- b) amend the rule to re-enable the Member putting a Motion forward, and the Member seconding that Motion, to speak to that Motion (and for any further discussion to take place on that Motion that the Chairman may see fit), before that Motion shall stand referred to a Committee or
- c) make no changes

The Standards Committee at its meeting on 7 July considered the Motion and following discussion it was:

RECOMMENDED to Council that option (b) be supported in part to enable the Member putting a Motion forward, and the Member seconding that Motion, to speak to that Motion, before that Motion shall stand referred to a Committee and that Procedure Rule 14.4 be reworded as follows:

If the subject matter of any Motion, of which notice has been duly given comes within the province of the Cabinet, Committee or Policy Development Group, it shall, upon being formally moved and seconded (with those moving and seconding the motion being invited to speak at this point) stand referred to the Cabinet, Committee or Policy Development Group as the Chairman may determine for consideration and report unless an alternative proposition is put forward and is accepted; and that the mover (or in his absence, the seconder) of the Motion should be invited to the meeting of the Cabinet, Committee or Policy Development Group to amplify the Motion, but without any right to vote except as a member of such Committee. Provided that the Chairman may if he considers it convenient and conducive to the despatch of business allow the Motion to be dealt with at the meeting, at which it is brought forward.

Following discussion and upon a vote being taken the **MOTION** (Option B as recommended by the Standards Committee) was declared to have been **CARRIED**.

(2) MOTION 570 (COUNCILLOR A WILCE - 8 FEBRUARY 2021)

This motion had been passed from Council to the Standards Committee for consideration and report:

That, to improve local planning consultation processes and to regularise current Planning Committee practises, this Council resolves to amend Rule 27.5 as follows:

After (Appendix J to the Constitution), is inserted: in addition, the Chair will also permit the following to speak for no more than 3 minutes, without prior notice being required:

1 Adjacent Ward Members

2 Any Member having previously submitted a comment to that application that permission to speak being limited solely to the raising of material planning considerations relating directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.

So as to read:

27.5 Any Councillor may attend any meeting of a committee of the Council and may speak on any agenda item for that meeting. However, in relation to the Planning Committee, the right to speak on a planning application, enforcement item, or other report relating to a particular ward of the Council shall be limited to the rights of a Ward Member to speak as set out in paragraphs 9.2 and 9.3 of the Protocol of Good Practice for Councillors Dealing in Planning Matters (Appendix J to the Constitution); *in addition, the Chairman will also permit the following to speak for no more than 3 minutes, without prior notice being required:*

1 Adjacent Ward members

2 Any Member having previously submitted a comment to that Application that permission to speak being limited solely to the raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.

The Standards Committee at its meeting on 7 July considered the Motion and following discussion it was:

RECOMMENDED to Council that Motion 570 not be supported.

Councillor A Wilce requested that in line with Procedure Rule 16.5 he wished to alter the motion by the insertion of a line in a final paragraph as set out below:

1 Adjacent Ward members

2 Any Member having previously submitted a comment to that Application

that permission to speak being limited solely to the raising of material planning considerations relating to directly their Ward, or else to any relevant planning policy or plan appertaining to this Council.

This was **AGREED**.

Consideration was given to:

- The need to continue to rely on the Chairman's discretion allowing adjacent Ward members to speak to planning applications should that application impact on their ward.
- Whether Appendix J to the Constitution should be amended so that the procedures were clear and that members were treated in a fair and consistent way
- If notice was given of a request to speak, the Chairman of the Planning Committee would consider this.
- The impact on the length of the meeting should a number of members (particularly if the application was in a town) did request to speak.

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

41 **Cabinet - Report of the Meeting of 6 July 2021 (00-32-05)**

The Leader presented the report of the meeting of the Cabinet held on 6 July 2021.

1. **Annual Treasury Management Report (Minute 32)**

The Leader **MOVED**, seconded by Councillor B A Moore:

THAT the recommendations of the Cabinet as set out in Minute 32 be **APPROVED**

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

Reason for the Decision – there is a need to approve the Annual Treasury Management Review in line with CIPFA guidance

Note: Councillors J M Downes and J Wright requested that their abstention from voting be recorded.

42 **Cabinet - Report of the meeting held on 3 August 2021 (00-37-53)**

The Leader presented the report of the meeting of the Cabinet held on 3 August 2021.

43 **Scrutiny Committee - Report of the meeting held on 19 July 2021 (00-38-43)**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 19 July 2021.

44 Scrutiny Committee - Report of the meeting held on 16 August 2021 (00-39-26)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 16 August 2021.

45 Audit Committee - Report of the meeting held on 27 July 2021 (00-40-07)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 27 July 2021.

46 Environment Policy Development Group - Report of the meeting held on 13 July 2021 (00-40-57)

The Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 13 July 2021.

47 Homes Policy Development Group - report of the meeting held on 20 July 2021 (00-41-43)

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Group held on 20 July 2021.

48 Economy Policy Development Group - Report of the meeting held on 15 July 2021 (00-42-40)

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 15 July 2021.

49 Community Policy Development Group - Report of the meeting held on 27 July 2021 (00-43-20)

The Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 27 July 2021.

50 Planning Committee - Report of the meeting held on 14 July 2021 (00-44-03)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 14 July 2021.

She also paid tribute to Mrs Jenny Clifford, Head of Planning, Economy and Regeneration who had recently left the Council, wishing to record acknowledgment of her long service and her friendly and helpful manner.

51 Planning Committee - Report of the meeting held on 28 July 2021 (00-46-09)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 28 July 2021.

52 Planning Committee - Report of the meeting held on 11 August 2021 (00-46-53)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 11 August 2021.

53 **Planning Committee - Report of the meeting held on 18 August 2021 (00-47-22)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 18 August 2021.

54 **Standards Committee - Report of the meeting held on 7 July 2021 (00-48-24)**

The Chairman of the Standards Committee presented the report of the meeting of the Committee held on 7 July 2021.

55 **Licensing Committee - Report of the meeting held on 6 August 2021 (00-49-05)**

The Chairman of the Licensing Committee presented the report of the meeting of the Committee held on 6 August 2021.

56 **Regulatory Committee - Report of the meeting held on 6 August 2021 (00-49-46)**

The Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 6 August 2021.

57 **Questions in accordance with Procedure Rule 13 (00-50-25)**

There were no questions submitted under Procedure Rule 13.2.

58 **Special Urgency Decisions (00-50-40)**

With regard to any decisions taken under Rule 16 (of the Constitution) Special Urgency taken since the last meeting. The Chairman informed the meeting that no such decisions had been taken in that period.

59 **Community Governance Review (Parish Boundary Review (00-50-50))**

The Council had before it a * report of the Returning Officer providing Council with an opportunity to consider the proposed Community Governance Review (CGR) of parish boundaries in Mid Devon.

The Leader outlined the contents of the report stating that a review of district boundaries had taken place and there was now a need to consider a review of parish boundaries in Mid Devon.

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

- 1) A Community Governance Review be undertaken;
- 2) The formation of a cross party, politically balanced, group of twelve Members to undertake this Community Governance Review and form an Electoral Review Committee be approved. The selection of the participants of the review committee to be undertaken via the relevant Group Leaders. The committee would be assisted by a consultant who would support them to formulate terms of reference and undertake the consultation process.

- 3) The Electoral Review Committee to report to Council on the interim findings and to subsequently make final recommendations to any changes in parish boundaries felt to be necessary.

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

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

Reason for the decision – there is a need to undertake a Community Governance Review to support/facilitate local democracy and local representation.

60 **Outside Body Appointment (00-52-56)**

The Council had been requested to seek nominations and appoint (as requested by Churches Housing Action Team) one member of the Council to the management board of CHAT.

Councillor Mrs F J Colthorpe **MOVED**, seconded by Councillor R J Dolley that:

Councillor Mrs M E Squires be the Council's representative on the management board of CHAT.

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

61 **Questions to Cabinet Members (00-53-59)**

Councillor J M Downes addressing the Leader in the absence of the Cabinet Member for Planning and Economic Regeneration stated that as Chairman of the Economy Policy Development Group he wished to raise the loss of a director (later corrected as the Head of Planning, Economy and Regeneration) and a senior member of staff from the Economic Regeneration team who had been pivotal during the Covid response with involvement in the provision of business grants, he stated that he would like to be assured that the positions could be filled as quickly as possible.

The Leader stated that the Director of Place would take up his post in October and that other vacancies were currently being addressed. He would request that the Cabinet Member for Planning and Economic Regeneration also provide the member with a written response.

Councillor R J Dolley addressing the Cabinet Member for Finance raised the issue of the missing signage by the disabled bays at the front of Phoenix House, which had been raised by a member of the public.

The Cabinet Member stated that he had already taken this issue up with officers and that the missing signage would be replaced.

Councillor G Barnell addressing the Leader in the absence of the Cabinet Member for Planning and Economic Regeneration wanted to raise the issue of the adequacy of the project management of the Tiverton Eastern Urban Extension; apart from the Garden Village it was the most ambitious, complex conurbation project that the council has entered into. It has one planning officer, part time committed to working with developers, working with the various service providers going onto the site from

education to transport, trying to negotiate the abuse and use of space on that project and trying to develop a masterplan with developers who often are trying to cut corners. The officer is very able and is commended for her work, however the resource involved, in his view was inadequate and there was a need to consider urgently, given the nature of some of the planning issues arising already, were we project managing this correctly and whether we are putting enough resource into it? This is an urgent issue before we start overloading the officer, he therefore asked whether the portfolio holder together with the new Director of Place would re-examine the project arrangements for the Tiverton Eastern Urban Extension and come back with some proposals of how this could be improved?

The Leader stated that he did share the concerns raised. In terms of overloading staff in this area, the Project Board had looked at projects that were outstanding and live, of which there were 82 and as a result of this, a meeting would take place next week to look to resolve issues of resource and what we are going to concentrate on. As a separate point the Cabinet Member for Planning and Economic Regeneration would come back to the member with regard to the project management of the Eastern Urban Extension.

62 Members Business (1-02-45)

Councillor L J Cruwys wished to give notice of changes to the normal routine for the Remembrance Service in Tiverton in November, due to substantial works taking place at St Peters Church. The normal wreath laying would take place at the Memorial Hall at 11am and then the parade would take place through the town past St Peter's Church to the Methodist Church, which was smaller in size, therefore numbers would have to be reduced.

Councillor S J Clist wanted to congratulate officers for inviting Andrew Butler from the NFU to speak to the Economy Policy Development Group where he spoke comprehensively on the agricultural sector, not many members attended to hear this presentation but he believed that Mr Butler would be invited again and which would hopefully be a regular occurrence to provide an update on the agricultural sector and he encouraged all members to attend if this was the case. He hoped that the suggestion for the establishment of a working group would go ahead as he felt it was particularly pertinent to the district.

(The meeting ended at 7.07 pm)

CHAIRMAN