

TOWN AND PARISH CHARTER RESPONSES 2024

Town and Parish Charter Responses 2024

Town or Parish	Accepted	Specific Comments
Holcombe Rogus	Yes	None
Willand		Many comments to Charter and Annex – see substantive comments below
Uplowman	Yes	Noted support available from MDDC and requested that, wherever possible, training and other events for councillors be in the evenings to accommodate those with day time jobs.
Kentisbeare	Yes	Can MDDC take their obligation to consider responses to consultations from the Parish Council and their duty to enforce planning seriously.
Cullompton	Yes	
Oakford	Yes	
Bradninch	Yes	Comments added to the Charter and Annex - i) paragraph 10 of the planning section - the use of plain English would be beneficial as would an explanation of acronyms. ii) planning annex 1, revised paragraph 6, a request for the stated updates to be emailed to Clerks for onward circulation to Councillors would be made. iii) paragraph 15, a request would be made for the Town Council to receive the stated updates.
Clayhidon	Yes	
Tiverton		The Planning Charter has been reviewed by the Committee this week. No amendments have been suggested by them. The working charter has yet to be reviewed at full council, but we will contact you with any feedback after 20th May as we agreed. Hi David, No feedback was provided so I would just proceed. Only comment I would make is that sometimes response times on some documents is poor, but then we failed this time as well. Regards John
Chawleigh	Yes	As far as the detail is concerned, I think the paragraphs 5 and 7 in the main charter could be merged as they both relate to District Councillors attending parish council meetings where possible, but otherwise it looks fairly sound.
Borden Gate		The Parish Council decided to make no response
Crediton	Yes	Many comments to Charter and Annex – see substantive comments below
Morcharad Bishop	Yes	
Bow	No	

Silverton	Yes	The only point I have been asked to raise with you is the lack of clarification when the Parish Council objects to a planning proposal on valid planning grounds and the District Council then decides to grant an approval. No explanation is forthcoming as to why the Parish Council's objections were apparently overlooked and it would be hugely beneficial if the District Council could write to the Parish Council in these circumstances to explain the reasoning behind their decision to overlook the comments of the Parish Council.
Wembworthy	Yes	
Puddington	Yes	
Morebath	Yes	
Uffculme	Yes	
Crediton Hamlets	Yes	
Hittisleigh	Yes	Thank you for your email and reminder. We have our next parish council meeting on the 15th and will be able to reply after that on the 16th. We trust that's OK with you but let me know if not. Many thanks - Ruth
Sampford Peverell	Yes	
Halberton	Yes	

Detailed Responses:

1. Holcombe Rogus PC

Dear David,

Holcombe Rogus Parish Council discussed the review of the Town and Parish Charter at the PC Meeting yesterday evening and approve the amendments to the Charter and have no further comments to make.

Leslie

Leslie Findlay (Mrs)

Parish Clerk

On behalf of Holcombe Rogus Parish Council

2. Willand PC

Dear David,

The Charter was discussed at last Thursday's Council, with feedback as follows:

Main Charter Document: Planning, Page 4, point 2 - to query the statement that the size of planning notices for major applications are stated as being A3 – it was noted that is not always the case in practice.

Annex 1 – Planning:

- Point 1 – Why is conservation consent been removed?
- Point 5 – The PC would request that the District Council are mindful of the Parish Council meeting cycle and dates when sending in consultation requests, we meet monthly but still receive quite a few requests just after the agenda goes out with deadlines prior to our next meeting, We are aware that there are deadlines for determining applications but it would be helpful if, as much as possible, response requirements could fall within a monthly meeting cycle.
- Point 10 – The PC would wish to point out that if officers are making a judgement not to advise this does not appear reflective of working in partnership with Parish Councils.
- Point 12 – The Parish Council support this but note that in practice officers' reports have on a number of occasions summarised Town and Parish comments rather than report them in full and would ask that they are replicated in full as stated in the charter.
- Enforcement – The Parish Council would like to register their concern at the lack of proactive enforcement. It was felt that the amendments shown should be deferred until the proposed updated Enforcement Policy had been adopted by the Council. It was known that the proposed policy had been referred back by the Scrutiny Committee for rewriting.

Kind regards,

Debbie

Debbie Bird

Clerk to Willand Parish Council

Dear David,

Following my email of the 19th March I attach a more extensive response re the proposed amendments to the Town and Parish Charter.

Town and Parish Charter Review

Willand Parish Council has considered the Town and Parish Charter together with Appendix 1 [Charter for Parish and Town Councils]. It offers the following comments and observations for considerations.

It would help to be consistent with the titles with regard to the headings. The main document uses *Town and Parish Councils* yet the Appendix uses *Parish & Town Councils*. Differing orders of the words appear at other places within the text.

Charter Mid Devon District Council and Town and Parish Councils in Mid Devon

Page 3 - 6 Formally add to the role of Chairman of the District Council that of being 'Local Council Lead Member' who will encourage better working across the district. **by attending local council meetings and providing feedback on any issues of local concern or interest.**

Comment. We always used to get at least one annual visit from the Chairman of the Council to one of our meetings which was an opportunity to have an informal discussion and exchange of views. This is seen as a backward step. The Chairman projected an overall view for the District whereas the District Councillors, when they do attend, are more inclined to be more 'localised' in their input.

Page 4 – Planning

1 Have due regard to the views of the local councils in determining all planning applications **and where relevant neighbouring parishes.**

Comment. The wording in red is a positive addition and reflects what has been happening in practice in most relevant cases over the last few years.

Regrettably '*Have due regard to the views of the local councils*' has not been followed where in a recent case the Parish Council pointed out that what was applied for was not in accord with policy but the officer openly disregarded policy rather than get the applicant to comply.

2 Ensure planning notices are prominent for all planning applications and A3 size notices are used for major applications.

Comment Members have not seen the A3 notices displayed for major applications. Is this . correct?

3 Ensure **where practicable**, notices in connection with planning policy public consultation meetings are placed prominently and at least 14 days in advance of meeting dates.

Comment The words in red are considered to be an excuse if not done. Is it legal not to display . notices?

Planning Charter for Parish & Town Councils (Appendix 1)

Page 3

1. The Planning Team of Mid Devon District Council will consult with its constituent Town and Parish Councils on all applications for planning permission, Advertisement Consent, Listed Building Consent, **Conservation Area Consent**, deemed applications from Devon County Council and Government Departments, and some notifications (for example, telecommunications).

Comment. Why has the Conservation Area Consent has been removed as Parishes have been consulted when applications have been made for felling of trees etc. in Conservation Areas.

2. In order to aid the decision-making process, we will make every effort to forward full and adequate details of applications to Town and Parish Clerks within three working days of their validation, together with a link to copies of accompanying application drawings and other relevant information. *All information will be provided in electronic format.* Weekly email alerts of new applications can be sent to Parish and Town Clerks if an email address is provided.

Comment. It is appreciated that most information would be in electronic format but when it moved to electronic from paper there was an assurance given that large paper copies [A3] of layout plans for major estates could be made available if requested. Will this arrangement still be available?

5.4. The Planning Team will wait twenty-one days for receipt of Town and Parish Councils views on the above noted applications (a week in excess of the fourteen day period provided by statute) before determining applications and issuing the relevant Decision Notice.

6.5. Any reasonable requests to delay consideration of applications so as to allow full comment to be made by Town and Parish Councils will be at the discretion of the Development Management Manager or relevant case officer. In the majority of cases, Town and Parish Councils will be expected to respond to notification on planning applications within twenty-one days of receipt of an application.

Comment. There needs to be flexibility to take account of the position of parishes who only have a meeting once a month, or even longer periods in some cases. Although 21 days are mentioned as a 'concession' we are experiencing cases where amendments have been made to plans and 14 days has been insisted upon. This has required the expense of arranging additional meetings on occasions. It has been noted that other consultees, including MDDC's own departments/officers, seem to regularly take longer without issue.

Page 4

10. At the *discretion* of the Development Management Manager or relevant case officer, Town and Parish Councils will be notified of planning application revisions (unless of a minor nature), and copies of revised plans will be forwarded.

Comment. The '*discretion*' creates inconsistencies and then, on occasions, conflict. The words '*At the discretion of*' should be removed from the text.

12. We will report, in full, representations received from Town and Parish Councils on applications that are presented to Planning Committee. The views will be included on the agenda report, but if received after printing, views will either be tabled or verbally reported.

Comment. The wording is agreed and supported but in reality, particularly when there have been a number of changes resulting in more than one representation, the report to Planning Committee has been summarised and relevant critical facts have been omitted.

Page 5.

20. The Council will consult with and take into account all views received from Town & Parish Councils in the preparation and review of the Development Plan documents (e.g. Local Plan) in accordance with details set out in the Statement of Community Involvement (SCI). The current Local Plan and Local Development Scheme are available **for viewing at Reception, or** on the Councils web site, www.middevon.gov.uk

Comment. Is it legal to only make the document available on the website?

Page 6

Schedule 1 (paragraph 8) of the Town and Country Planning Act 1990 (as amended) states that Parish Councils (or Town Councils) may request District Councils to send them details of planning applications for their areas. Mid Devon District Council aim to work closely with the community and will formally consult the appropriate Town and Parish Council on all applications that require consultation as per the Act.

Comment. Did this ought to also include the wording '**and where relevant neighbouring parishes.**' To be consistent with 1 on page 4.

In the case of Formal Enforcement action

Comment. The Parish Council would like to see a wider and less restrictive form of words here to ensure that Planning Enforcement is dealt with in a more positive and proactive manner than is currently experienced. Parishes are being asked to report breaches using the forms but have little confidence that any action will be taken.

3. Uplowman PC

Good afternoon David,

The Town & Parish Charter was discussed at Uplowman PC's meeting last week. The councillors were pleased to approve it without comment.

They noted the support available from MDDC and requested that, wherever possible, training and other events for councillors be in the evenings to accommodate those with day-time jobs.

Thank you,

Robert

From the Clerk,

Uplowman Parish Council,

4. DALC

From: Cara Stobart <cara@devonalc.org.uk>

Sent: 26 March 2024 12:57

To: Sylvia Holme <sholme@middevon.gov.uk>

Cc: Stephen Walford <swalford@middevon.gov.uk>

Subject: RE: State of the District Debate - 20 March

Thanks for the opportunity to be involved - and sorry for a duplication in message following Luke and Stephen.

I thoroughly enjoyed the discussions around the PTC charter table. Stephen – I made offers to support MDDC to develop that document. But I would welcome a chat generally about whether there is a role DALC could play in helping your council engage better with PTCs. Please come back to me if there is any interest.

Kind regards

Cara Stobart, County Officer

Devon Association of Local Councils

t: 01392 241131 | w: devonalc.org.uk

Hi David

Hope you are well.

I'm just checking in re progress with reviewing the parish charter, I've understood from one of our members that engagement in the review has been low. I wanted to reiterate my offer to support the review of this document – I believe its important for setting the tone and principles of how councils will work together. One of the take aways I had from the State of the District event was how little PTCs knew of the document, and it came across to me that they didn't feel like they co-own/co-produce the document with MDDC. Is this a barrier to engagement?

Please do reach out if there is anything DALC can do to support better engagement and/or the review of the document itself. Always happy to chat.

Kind regards

Cara Stobart, County Officer

Devon Association of Local Councils

5. Kentisbeare PC

Hi David – as I mentioned to you at the State of the District Debate I have been asked to feedback to MDDC to request that our responses to consultations are taken seriously.

Please enforce planning in respect of the Planning Charter.

The Parish Council had nothing further to add in respect of the Charter review. Many thanks, Melanie

Hi David, here is the draft minute for your info. Many thanks, Melanie

41/03/24. MDDC Town and Parish Charter Review – the Chairman requested that MDDC in signing the Charter take their obligation to consider responses to consultations from the Parish Council and their duty to enforce planning seriously.

6. Cullompton TC

Dear David,

Thank you for sight of the Town and Parish Charter. It was approved at our Full Council meeting on the 28th March with Council seeking no amendments.

Kind Regards,

Dan Ledger

Town Clerk and Responsible Finance Officer
Cullompton Town Council

7. Oakford PC

Dear David

Oakford Parish Council has considered the attached Town and Parish Charter and Annexe and agreed to approve both. They had no suggestions for changes.

Kind regards

Jill

Jill Larcombe - Clerk to Oakford Parish Council

8. Bradninch TC

Dear David,

Further to a review by Bradninch Town Council, I have been asked to forward to you the following comments for consideration with regards to the Town and Parish Charter Review:

MDDC Town and Parish Charter review – it was RESOLVED to respond with the following suggestions: i) paragraph 10 of the planning section - the use of plain English would be beneficial as would an explanation of acronyms. ii) planning annex 1, revised paragraph 6, a request for the stated updates to be emailed to Clerks for onward circulation to Councillors would be made. iii) paragraph 15, a request would be made for the Town Council to receive the stated updates.

Don't hesitate to get back to me if further information is required.

Kind regards,

Alison

Alison Marshall

Clerk

Bradninch Town Council

9. Clayhidon PC

Dear David

Clayhidon Parish Council found the State of the District Debate extremely useful and were able to make several points.

Given that Clayhidon Parish Council resolved to accept the Town and Parish Charter as written.

Kind regards

Sue

Susan McGeever

Susan McGeever

Clerk to Clayhidon Parish Council

10. Tiverton TC

Dear David,

The Planning Charter has been reviewed by the Committee this week. No amendments have been suggested by them.

The working charter has yet to be reviewed at full council, but we will contact you with any feedback after 20th May as we agreed.

Hi David, No feedback was provided so I would just proceed. Only comment I would make is that sometimes response times on some documents is poor, but then we failed this time as well. Regards John

Many Thanks

With Regards

Linzi Hubbard BA (Hons) PSLCC

Clerical Assistant

Tiverton Town Council

Hi David

No feedback was provided so I would just proceed. Only comment I would make is that sometimes response times on some documents is poor, but then we failed this time as well

Regards

John

11. Chawleigh PC

David,

Thank you for trying to put into words what we all hope will happen anyway. The main task from the parish council end will be getting councillors to read it and understand that we are all just trying to get the job done.

As far as the detail is concerned, I think the paragraphs 5 and 7 in the main charter could be merged as they both relate to District Councillors attending parish council meetings where possible, but otherwise it looks fairly sound.

Regards,
Rob Martin
Clerk to Chawleigh Parish Council

12. Borden Gate PC

Dear David

This slightly dropped off the radar.

Our next meeting is on the 29th May.

If you are happy to receive a response after the closing date (I did notice you say your review was a little late) it can be done.

If you could let me know if this would be acceptable.

Kind regards
Patricia
Patricia Bainbridge
Clerk and RFO to Borden Gate Parish Council

30/5/24
Dear David

Just to let you know that at the meeting last night of Borden Gate Parish Council where the Town and Parish Charter Review was discussed, the Parish Council decided not to make a comment/response.

I hope this helps with your report.

Kind regards

Patricia

13. Crediton TC

Good morning David

Please find attached CTC's comments regarding the Charter Review.

I would be grateful if you could outline the next stages of the process; when will town and parish comments be reviewed, which committee or advisory group will review, and will it be approved at a future cabinet or FC meeting?

I am obviously not sure of the other responses, but I think there is a real opportunity here for MDDC and town/parish councils to start working far more collaboratively. CTC hopes that its comments will be considered fully.

Kind regards

Rachel

Rachel Avery FSLCC



Town Clerk and Responsible
Finance Officer

Telephone: 01363 773717

Website: www.crediton.gov.uk

Address: 8A North Street,
Crediton, EX17 2BT

Planning Charter comments

Generic Comments

- Most of the document relates to planning applications. Significant applications have already been through various stages, whereby local councils have not been involved

- The Planning Charter could be used as a vehicle to expand on how MDDC will engage with local councils and their communities, who should be involved in the process of allocating sites. Inclusivity of local councils is required within the legislative framework
- A summary or mission statement should be provided at the beginning of this document; MDDC could be more communicative about what, how and why they wish to achieve.

Front page:

- MDDC logo – reads like a policy, rather than a collaborative working document.

Page 5, point 19:

- Seek should be removed and replaced with effectively consult
- A scheme should be developed to improve local consultation on higher level documents such as the Local Plan, SPDs and Conservation Area appraisals.

Page 7, points 1 and 2:

- Local councils should be consulted with earlier in relation to the formalisation of S106 agreements, ensuring that local projects requiring funding can be considered as part of discussions
- Any renegotiations should be consulted on with local councils
- Open and transparent communication and report on S106 is integral to the ability for local councils to apply for funding.

Page 8 (CIL):

- CTC would like MDDC to revisit the adoption of CIL, which would empower local councils to undertake much needed local projects.

Charter comments

Generic Comments

- This document appears to be an MDDC policy, rather than an agreement or 'Charter' between MDDC and town/parish councils
- There is no sense of 'buy-in' from the sector, other than to review changes
- The support of DALC to enable a full review of the document and to agree new ways of working would have been welcome
- A different style of numbering for each section of the document would make it clearer and easier to read.

Front page:

- MDDC logo – reads like a policy, rather than a collaborative working document.

Page 2, opening paragraph:

- The Charter appears to have been formulated in 2017, some 7 years ago. The town and parish council sector, specifically, has changed a lot in that period and recognition in the opening paragraph would be welcomed.

Page 2, point 1 (District Council):

- There has been one planning training series delivered by MDDC since 2020. How is periodically defined and what does MDDC think training would incorporate?

Page 2, point 3 (Local Councils)

- How does MDDC define a well organised, proactive, informed and willing local council?

Page 2, point 1 (Communications and Liaison, District Council):

- Prior to the State of the District Debate, there had been no meetings of clerks or training/meetings for councillors other than the planning training session above. How will this be arranged and then effectiveness measured?

Page 3, point 3:

- Unaware of any ways that MDDC have supported local councils with LCAS or GPC? CTC obtained a Quality Gold Award (the second in the whole of Devon) and there was no recognition. Information regarding the DALC and MDDC relationship would also be useful to obtain for local councils.

Page 3, point 4 (District Councils):

- Does the liaison officer replace the newsletter? It would be useful for local councils to understand the role of the parish liaison officer and their job remit.

Page 3, point 6 (District Councils):

- It is understood that there is now a portfolio holder for Parishes and Communities? Therefore, will this point be amended to reflect the change and will local councils be informed of their remit? If not, how will the Chairman encourage better working across the district?

Page 3, point 1 (Local Councils):

- There has not been an annual meeting of clerks since at least 2020.

Page 3, point 4 (Local Councils):

- Whilst officers are happy to use Customer First, we are not the public and open communication between clerks and officers is integral. Please can MDDC clarify whether they see Local Councils as a customer or a partner?

Page 4, point 6 (District Council):

- Who and how will the level and quality of consultation be reviewed?

Page 5, point 8:

- How will local councils be consulted and at what point in the discussion? It is integral that local councils can join early conversations to enable project formulation (or to advise that projects already exist for funding)

Page 5, point 11:

- Should be amended to 'Endeavour to make officers available'. It is integral that officers can attend important meetings regarding planning issues.

Page 6 - Training and Support:

Whilst larger town councils do not generally require website support, shared resources would be useful such as an internal portal. However, since 2020, there has been very little training and there have been no shared training opportunities.

Page 6 - Partnership and financial arrangements, point 2 (District Council):

- open communication in a timely manner is required to enable clear communication between the tiers.

14. Morchard Bishop PC

Dear David,

Morchard Bishop Parish Council considered this matter at their meeting on 4th March .

The Parish Council accepted the proposed changes in the Charter with no alterations.

Thank you for involving us.

Kind Regards

David Parker

Clerk to Morchard Bishop Parish Council

15. Bow PC

Dear David

Thank you for your email dated 6 February 2024, together with the recent reminder.

This matter was referred to Bow Parish Council, by email dated 9 February and has been considered at Parish Council meetings since that date.

I regret to advise, however, that Bow Parish Council does not accept/approve the document, neither were there any suggested amendments forthcoming which would make the document acceptable.

I'm sorry not to be able to assist further.

Kind regards
Brenda Ware
Clerk to Bow Parish Council

16.Silverton PC

Dear David

Silverton Parish Council considered the details of the Town and Parish Charter review at its meeting last evening.

The only point I have been asked to raise with you is the lack of clarification when the Parish Council objects to a planning proposal on valid planning grounds and the District Council then decides to grant an approval. No explanation is forthcoming as to why the Parish Council's objections were apparently overlooked and it would be hugely beneficial if the District Council could write to the Parish Council in these circumstances to explain the reasoning behind their decision to overlook the comments of the Parish Council.

I look forward to hearing from you.

Kind regards

Sheila Woodland

Clerk to Silverton Parish Council

17. Wembworthy PC

Dear David

This email is to confirm that Wembworthy Parish Council do not have any comments to make about the amendments and therefore adopted the new Charters formally at our PC meeting on 9th May 2024.

Regards

Sarah Goody

Clerk to Wembworthy Parish Council

18. Puddington PC

Dear David,

We have no comments.

Kind Regards

Katie

Katie Vallance

Puddington Parish Clerk

19. Morebath PC

Dear David

I circulated the details to Parish Councillors at Morebath Parish Council and the item was on the Agenda for further discussion at the last meeting on 2 April. The Minutes record that the item was 'noted', so I'm afraid that there will not be a response from Morebath and I'm sorry that I couldn't get Councillors motivated to respond.

Kind regards
Sue Squire
Parish Clerk, Morebath Parish Council

20. Uffculme PC

Hi David,

Apologies for the delay in response. Uffculme Parish Council resolved to adopt these going forward with no further comment at our March 2024 meeting.

Kind regards,

Gemma

Gemma Cole

Uffculme Parish Council Clerk

21. Crediton Hamlets

Dear David

Thank you for your reminder and I apologise for not responding to your email of 6th February.

I confirm that Crediton Hamlets Parish Council is content with the two amended Charters.

Kind regards

Rachel

Rachel Hodder, Clerk/RFO, Crediton Hamlets Parish Council

22. Hittisleigh PC

Dear David

Thank you for your email and reminder. We have our next parish council meeting on the 15th and will be able to reply after that on the 16th. We trust that's OK with you but let me know if not. Many thanks - Ruth

Ruth Curtis, clerk to Hittisleigh Parish Council

23. Sampford Peverell

Dear David

Apologies, I am not sure if I responded on behalf of Sampford Peverell Parish Council.

Councillors are happy with the charter.

Regards

Sue

Susan McGeever
Clerk to Sampford Peverell Parish Council

24. Halberton

Dear David

Apologies I was on holiday at the beginning of May and not sure I have responded.

Halberton Parish Council believe this is a statutory document and are therefore happy with it.

Councillors did raise points at the State of the District Debate but not anything that would change the wording – more clarification.

Regards

Sue
Susan McGeever
Clerk to Halberton Parish Council