

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 12 May 2016 at 2.15 pm

Present

Councillors

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

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Head of Finance), Christine McCoombe (Area Planning Officer) and Sally Gabriel (Member Services Manager)

1. APOLOGIES

There were no apologies.

2. PUBLIC QUESTION TIME

Mr Salter referring to Item 4 (Tiverton Eastern Urban Extension Design Guide) on the agenda asked whether the Cabinet fully realise how badly written the Tiverton Urban Extension Guide is? I have rarely seen a document in its present form which is so unfit for purpose and littered with mistakes. The idea is fine, but the document needs rewriting entirely. I am a school examiner therefore spelling, punctuation and grammar are an important part of any report. I welcome Members involvement in the site and the subsequent decision. I think that the urban planners have pre-ordained ideas as there is no evidence of any stakeholder involvement.

Mr Salter had provided a list of errors and omissions.

The Area Planning Officer acknowledged the mistakes and stated that they would be corrected; she had addressed several issues with the consultants already.

Mr Salter asked - in Chapter B2 is the NHS Site any longer relevant. The owners have put this site up for sale, there will presumably be no care home etc here, and is there any guarantee that potential new owners of the site will allow access through a 'Green Gateway' to the new north-east residential area?

The Cabinet Member for Planning and Economic Regeneration stated that the Masterplan SPD looked to create a route and a road across the NHS site to the Waddeton Park development, anyone who chose to buy the site would have to be aware of the intentions of the masterplan SPD. If the buyers were to come forward with other ideas for the site that was contrary to the masterplan, then this could be used as a reason for refusal. The ultimate sanction would be for compulsory purchase of the land should it be required.

Mr Salter asked why there was no car-parking or road access to the Primary School site is shown on Figure 3.18.

The Cabinet Member for Planning and Economic Regeneration stated that parking issues around the school would be a Devon County Council issue and we would expect those to be addressed in the initial application for a school.

3. **MINUTES OF THE PREVIOUS MEETING (00-07-30)**

The minutes of the previous meeting held on 7 April 2016 were approved as a true record and signed by the Chairman.

4. **TIVERTON EASTERN URBAN EXTENSION DESIGN GUIDE (00-08-30)**

The Cabinet had before it a *revised report of the Head of Planning and Regeneration which also included requested information on the implications, costs and timescales of developing a Supplementary Planning Document (SPD) as Members had indicated that they wished to see the adoption of the Design Guide for management purposes as an initial step but also wanted to consider whether to subsequently translate the document into a full SPD.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that following discussion revised wording for the preamble had been supplied and that the errors highlighted by Mr Salter would be amended.

Discussion took place regarding:

- The need for the Design Guide to be put in place as soon as possible pre-empting any planning applications for the site
- The need for the preamble to be clear and provide a headline for the document

Whilst the adoption of the Design Guide for management purposes was an initial step, Members had also wanted to consider whether to subsequently translate that document into a full Supplementary Planning Document (SPD), technically, it would be possible to seek to develop the design guide into an SPD, however this would take time, possibly up to 6 months and would require 2 stages of public consultation and external consultants would need to be commissioned, at considerable cost to the Council. It was felt that the production of an SPD could cause confusion as it could conflict with the detail set out in the design guide.

It was therefore:

RESOLVED that:

- a) The document (as amended) for development management purposes in the determination of all planning applications received within the Tiverton Eastern Urban Extension (EUE) be adopted and that delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration and the Cabinet Member for Housing to make minor changes to the document to correct spelling, punctuation and grammatical errors and to include the redesign of the front page containing the preamble; and that

b) The production of a design supplementary planning document not be pursued.

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

Notes: -

(i) The Tiverton Civic Society be provided with the final draft of the document.

(ii) *Report previously circulated, copy attached to minutes.

5. **STATEMENT OF COMMUNITY INVOLVEMENT FOR CONSULTATION (00-26-02)**

The Cabinet had before it a *report of the Head of Planning and Regeneration seeking consideration of a revised draft of the Statement of Community Involvement (SCI).

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the Council's existing SCI was adopted in 2012 to reflect the provisions of the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) Regulations 2012 and the National Planning Policy Framework (NPPF). This review had been undertaken to take account of recent changes in planning legislation and to reconsider the most effective methods of community involvement in the planning process. He highlighted the proposed revisions as set out in the report and explained that an 8 week consultation period would now follow.

Consideration was given to consultation processes for wind turbines, ground mounted solar arrays, agricultural building over a certain size and anaerobic digesters.

RESOLVED that subject to the inclusion of the following wording: 'Paragraph 6.15: 'The Council will consult adjoining district, parish and town councils for the development proposals outlined in SCI7(b). However, the Council will also consult more widely where warranted; for instance, where a development is likely to have visual impacts, including cumulative impacts, which affect parishes further afield that those adjoining the application site.' the draft Statement of Community Involvement (SCI) be approved for public consultation and that the public consultation be for an 8 week period.

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

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

6. **WASTE STORAGE SUPPLEMENTARY PLANNING DOCUMENT FOR CONSULTATION (00-31-28)**

The Cabinet had before it a *report of the Head of Planning and Regeneration presenting the refuse storage for new residential properties Supplementary Planning Document (SPD) Scoping Report, prior to public consultation.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the SPD would expand on existing policy and that the document would provide guidance to developers on the level of refuse storage to be

provided as well as information on design considerations. An 8 week consultation period was proposed in line with the revised Statement of Community Involvement.

RESOLVED that the draft SPD Scoping Report be approved for consultation purposes.

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

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

7. **FUTURE JOINT WORKING WITH OTHER LOCAL AUTHORITIES (00-35_00)**

The Cabinet had before it a * report of the Head of Planning and Regeneration requesting consideration of the case for closer working with other authorities within the same sub-regional 'Greater Exeter' area, particularly in respect of strategic growth and the economy.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating the local authorities covering Mid Devon, Exeter, East Devon and Teignbridge had a longstanding history of joint working in respect of economic development and tourism promotion under the umbrella of the 'Heart of Devon' as well as in collaboration over the production of certain pieces of strategic evidence for planning purposes. Teignbridge, East Devon and Exeter had already started to explore opportunities for greater collaboration and alignment of strategic objectives to address the effectiveness and efficiency of promoting economic development. Mid Devon had been invited to share in this collaborative approach and the signing of a Memorandum of Understanding showed good intent to explore opportunities with regard to various functions of the Council.

Consideration was given to the need for closer working with other local authorities.

RESOLVED that:

- a) Opportunities for joint working in partnership with East Devon District Council, Exeter City Council and Teignbridge District Council be explored.
- b) The Chief Executive in conjunction with the Leader and Deputy Leader be given delegated authority to sign the Memorandum of Understanding once finalised.

(Proposed by the Leader and seconded by Cllr R J Chesterton)

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

8. **REVENUE AND CAPITAL OUTTURN REPORT (00-41-01)**

The Cabinet had before it a *report of the Head of Finance presenting the revenue and capital outturn figures for the financial year 2015/16.

The Cabinet Member for Finance outlined the contents of the report stating that there had been a shortfall of £417k due mainly to the cost of redundancies, the reduction in price for recycling and doctors surgeries rate rebates. He outlined the outturn figures

for the Housing Revenue Fund and Capital Programme and reiterated that he wished to see the Capital Programme split between the General Fund and the HRA for accountancy purposes.

Discussion took place regarding planning income and the HRA budget.

Members recorded their appreciation of the work taking place in Council Tax and Housing Benefits.

RESOLVED that:

- a) the General Fund outturn achieved in 2015/16 which shows an overall overspend of £417k be noted.
- b) the transfer of monies from New Homes Bonus to increase the General Fund balance to the approved level of funding (see para 2.5) be approved. This would decrease the net transfers into earmarked reserves shown in recommendation 3 below.
- c) the net transfers to/from earmarked reserves of £1,438k detailed in the General Fund service budget variance reports shown in Appendix 1 & 2 and summarised in Appendix 4 be approved.
- d) the positive position achieved on the Housing Revenue Account which shows an annual saving of £916k be noted and the “earmarking” of the extra £916k shown in paragraph 3.3, as well as specific items totalling £3,144k and the utilisation of items totalling £1,054k identified in Appendix 4 be approved.
- e) the carry forward of £7,559k from the 2015/16 capital programme (see paragraph 5.2) be approved as all of the schemes will be delivered in 2016/17 or later years.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr N V Davey)

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

9. **REVENUES AND BENEFITS PERFORMANCE REPORT (00-48-49)**

The Cabinet had before it and **NOTED** a *report of the Head of Finance reporting on Council Tax, Non Domestic Rates and Housing Benefit performance for 2015/16. The Cabinet Member for Finance outlined the contents of the report and requested that his appreciation of the work of the collections teams be recorded.

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

10. **ANNUAL TREASURY REPORT (00-49-53)**

The Cabinet had before it and **NOTED** a *report of the Head of Finance informing it of the Council’s treasury management performance in 2015/16.

The Cabinet Member for Finance outlined the contents of the report requesting the Cabinet to note changes on the return on investments. He highlighted the deposits

made with the CCLA (Churches, Charities and Local Authorities) commercial property fund and the total dividends received.

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

11. **START TIMES OF MEETINGS (00-51-10)**

The Cabinet were requested to consider a start time for its meeting for the municipal year 2016/17.

RESOLVED that meeting of the Cabinet continue to be held at 2.15pm.

(Proposed by the Leader)

12. **NOTIFICATION OF KEY DECISIONS (00-51-44)**

The Cabinet had before it, and **NOTED** its rolling plan* for June 2016 containing future key decisions.

Members were informed of the following movements since the publication of the agenda:

- The High Hedges Policy would be moved to the August Meeting
- The inclusion of the revised Scheme of Delegation to the Head of Planning and Regeneration and East Cullompton - bid to the DCLG on the June agenda.

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

(The meeting ended at 3.10 pm)

CHAIRMAN