

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 26 April 2017 at 6.00 pm

Present

Councillors

W J Daw (Chairman)
Mrs H Bainbridge, Mrs J B Binks, K Busch,
R J Chesterton, Mrs C Collis,
Mrs F J Colthorpe, D R Coren, N V Davey,
Mrs C P Daw, R M Deed, R J Dolley,
J M Downes, C J Eginton, R Evans,
S G Flaws, P H D Hare-Scott, P J Heal,
Mrs B M Hull, D J Knowles, F W Letch,
B A Moore, R F Radford, Mrs J Roach,
F J Rosamond, Mrs E J Slade,
Miss C E L Slade, C R Slade, J L Smith,
T W Snow, J D Squire, Mrs M E Squires,
R L Stanley, L D Taylor, Mrs N Woollatt and
R Wright

Apologies

Councillors

Mrs E M Andrews, Mrs A R Berry,
Mrs G Doe, Mrs S Griggs, T G Hughes and
N A Way

146 Apologies

Apologies were received from: Councillors: Mrs E M Andrews, Mrs A R Berry, Mrs G Doe, Mrs S Griggs, T G Hughes and N A Way.

147 Minutes (00-04-19)

The minutes of the meeting held on 22 February 2017 were agreed as a correct record and signed by the Chairman.

148 Chairman's Announcements (00-03-30)

The Chairman had the following announcements to make:

- He welcomed Kathryn Tebbey, Legal Services Manager and Monitoring Officer and Andrew Pritchard, Director of Operations to their first meeting of the Council.
- The Freedom of the Town March would take place on Sunday 30 April, the multi-storey car park would be open and free parking would be available.
- Members were requested not to use the free desk in the Member Services office leading up to the County Council and Parliamentary Elections.

149 Public Question Time

There were no members of the public present.

150 **Petitions (00-06 07)**

There were no petitions from members of the public.

151 **Notices of Motions (00-06-07)**

(1) Motion 535 (Councillor D J Knowles – 14 February 2017)

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

“This Council resolves to enter into an agreement with Tiverton Town Council to retain at Tiverton Town Hall all the paintings currently on display at Tiverton Town Hall, either by way of long term loan or transfer to Tiverton Town Council, subject to the necessary insurance and security being maintained”.

The Cabinet at its meeting on 30 March 2017 supported the Motion and **RESOLVED** that the remaining paintings (outside the original agreement) be loaned to Tiverton Town Council subject to the necessary insurance and security being maintained by the Town Council.

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

(2) Motion 536 (Councillor Mrs J Roach – 4 April 2017)

The Council had before it a **MOTION** submitted for the first time.

That the Mid Devon District Council resolves to place 10% of any future capital receipts in a community account to be used to give grants to new organisations that are providing care in the community. This fund to be administered by Officers with set criteria agreed by council. The main criteria being that no grant will be made to any organisations that have paid managers or administrators.

The **MOTION** was **MOVED** by Councillor Mrs J Roach and seconded by Councillor Mrs N Woollatt.

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that this Motion to be dealt with at this meeting.

Following debate and upon a vote being taken, the **MOTION** was declared to have **FAILED**.

Note: Councillor T W Snow declared a personal interest as he was using community groups to help care for his wife.

152 **Cabinet Report - 2 March 2017 (00-16-07)**

The Leader presented the report of the meeting of the Cabinet held on 2 March 2017.

153 Cabinet - Report of the meeting held on 30 March 2017 (00-16-45)

The Leader presented the report of the meeting of the Cabinet held on 30 March 2017.

1. Street Scene Enforcement Policy (Minute 166)

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

THAT the recommendation of the Cabinet as set out in Minute 166 be **ADOPTED**.

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

Note: Councillors Mrs J Roach and T W Snow requested that their vote against the decision be recorded.

2. Vulnerability Policy (Minute 168)

The Leader **MOVED**, seconded by Councillor R L Stanley:

THAT the recommendation of the Cabinet as set out in Minute 168 be **ADOPTED**.

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

3. Telecare Policy (Minute 169)

The Leader **MOVED**, seconded by Councillor P J Heal:

THAT the recommendation of the Cabinet as set out in Minute 169 be **ADOPTED**.

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

4. Pay Policy (Minute 175)

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

THAT the recommendation of the Cabinet as set out in Minute 175 be **ADOPTED**.

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

154 Scrutiny Committee - Report of the meeting of 13 March 2017 (00-27-30)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 13 March 2017.

155 Scrutiny Committee - Report of the meeting held on 17 March 2017 (00-28-21)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 17 March 2017.

156 Scrutiny Committee - Report of the meeting held on 10 April 2017 (00-30-44)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 10 April 2017.

157 Audit Committee - Report of the meeting held on 21 March 2017 (00-32-21)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 21 March 2017.

158 Environment Policy Development Group - Report of meeting held on 7 March 2017 (00-32-58)

The Chairman of the Environment Policy Development Group presented the report of the meeting of the Group held on 7 March 2017.

159 Homes Policy Development Group - Report of the meeting held on 14 March 2017 (00-38-44)

The Chairman of the Homes Policy Development Group presented the report of the meeting of the Group held on 14 March 2017.

160 Economy Policy Development Group - Report of meeting held on 16 March 2017 (00-41-08)

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 16 March 2017.

161 Community Policy Development Group - Report of the meeting held on 28 March 2017 (00-41-59)

The Chairman of the Community Policy Development Group presented the report of the meeting of the Group held on 28 March 2017.

162 Planning Committee - Report of the meeting held on 1 March 2017 (00-47-35)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 1 March 2017.

163 Planning Committee - Report of the meeting held on 29 March 2017 (00-48-47)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 29 March 2017.

164 Planning Committee - Report of the meeting held on 19 April 2017 (00-49-51)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 19 April 2017.

165 Licensing Committee - Report of the meeting held on 21 March 2017 (00-52-44)

The Chairman of the Licensing Committee presented the report of the meeting of the Committee held on 21 March 2017.

1. Pre-application Advice and Charging for Licensing Applications (Minute 11)

The Chairman of the Licensing Committee **MOVED**, seconded by Councillor P J Heal:

THAT the recommendation of the Licensing Committee as set out in Minute 11 be **ADOPTED**.

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

166 Regulatory Committee - Report of the meeting of 21 March 2017 (00-54-08)

The Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 21 March 2017.

1. Pre-application Advice and Charging for Licensing Applications (Minute 20)

The Chairman of the Regulatory Committee **MOVED**, seconded by Councillor P J Heal:

THAT the recommendation of the Regulatory Committee as set out in Minute 20 be **ADOPTED**.

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

167 Standards Committee - Report of the meeting of 4 April 2017 (00-55-10)

The Chairman of the Standards Committee presented the report of the meeting of the Committee held on 4 April 2017.

1. Standards Issues (Minute 36 (a))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs M E Squires:

THAT the recommendation of the Standards Committee as set out in Minute 36 (a) be **ADOPTED**.

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

2. Standards Issues (Minute 36 (b))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor C R Slade:

THAT the recommendation of the Standards Committee as set out in Minute 36 (b) be **ADOPTED**.

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

3. Standards Issues (Minute 36 (c))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs E J Slade:

THAT the recommendation of the Standards Committee as set out in Minute 36 (c) be **ADOPTED**.

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

4. Standards Issues (Minute 36 (d))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor C R Slade:

THAT the recommendation of the Standards Committee as set out in Minute 36 (d) be **ADOPTED**.

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

5. Standards Issues (Minute 36 (e))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor P H D Hare-Scott:

THAT the recommendation of the Standards Committee as set out in Minute 36 (e) be **ADOPTED**.

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

6. Standards Issues (Minute 36 (f))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor Miss C E L Slade:

THAT the recommendation of the Standards Committee as set out in Minute 36 (f) be **ADOPTED**.

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

7. Standards Issues (Minute 36 (g))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor C R Slade:

THAT the recommendation of the Standards Committee as set out in Minute 36 (g) be **ADOPTED**.

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

8. Standards Issues (Minute 36 (h))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor R J Dolley:

THAT the recommendation of the Standards Committee as set out in Minute 36 (h) be **ADOPTED**.

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

9. Standards Issues (Minute 36 (i))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor F J Rosamond:

THAT the recommendation of the Standards Committee as set out in Minute 36 (i) be **ADOPTED**.

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

10. Standards Issues (Minute 36 (j))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor R F Radford:

THAT the recommendation of the Standards Committee as set out in Minute 36 (j) be **ADOPTED**.

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

11. Standards Issues (Minute 36 (k))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor D J Knowles:

THAT the recommendation of the Standards Committee as set out in Minute 36 (k) be **ADOPTED**.

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

12. Standards Issues (Minute 36 (l))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor D R Coren:

THAT the recommendation of the Standards Committee as set out in Minute 36 (l) be **ADOPTED**.

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

13. Standards Issues (Minute 36 (m))

The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs J Roach:

THAT the recommendation of the Standards Committee as set out in Minute 36 (m) be **ADOPTED**.

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

168 Questions

There were no questions submitted under Procedure Rule 13.2.

169 Annual Reports of Audit Committee, Scrutiny Committee and the Policy Development Groups (1-00-33)

The Chairmen of the Audit Committee and the Scrutiny Committee and the Chairmen of the Environment, Homes, Community and Economy Policy Development Groups presented their Annual Reports* to the Council.

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

170 Six Monthly Briefing from the Leader (1-01-07)

The Leader of the Council addressed the Council informing Members that:

- The Local Plan Review had been completed and submitted by its target date of 31 March 2017, he added that he would like to thank the Head of Planning and Regeneration and the Forward Planning Team for their hard work over a number of years and specifically in recent months.
- Many Councillors would well remember the town hall site being a tennis court and how the land had stood idle for many years. Mikhail Riches had been chosen as architects for the site, the scheme was proposed to be well in keeping with the local area and that this was new and exciting times for Tiverton.
- With regard to the Peer Review, as Members were aware this exercise had taken place in early March and he thanked all officers and Members who had been involved. The results of the Peer review would be published after 4 May.

171 Questions to Cabinet Members (1-03-00)

1. Councillor L Taylor addressing the Cabinet Member for Community Well-Being stated that his daughter was a member of the swimming club at Exe Valley Leisure Centre and that following the refurbishment of the centre a new policy had been put in place with regard to footwear within the wet side area of the centre. Users were requested to either go barefoot or wear shoe covers. It was noted that the centre had 15,000 users and that was without parents, that was a lot of shoe covers per year. The bin seemed to be overflowing and the dispensers empty. He had been informed that the used covers were binned and not recycled, what plans were there for a better solution?

The Cabinet Member stated that the same policy was in place at Lords Meadow Leisure Centre. The policy had been put in place to keep the floors clean and that this had proved very successful. Recycling of the used items had been considered but had been found to be contaminated, however, we were trying to reduce the number of shoe covers being used by encouraging users to go bare foot or to purchase flip flops available in the centre. There had been an increase in the number of users wearing their own indoor footwear and an advertising programme was being put in place with a view to reducing the amount of shoe covers used by 30% by September. He would address the issue with regard to the bins.

2. Councillor R M Deed addressing the Cabinet Member for Planning and Regeneration and referring to the development on the Eastern Urban Extension in Tiverton stated that there had been increased press interest in the development and that continued plans to develop the area was putting an enormous strain on local residents. He outlined the history of the site and his original concerns at the masterplanning stage. The original proposals were for 35% affordable houses on the site, how many housing units had been approved, how many affordable homes and how many market homes had been completed?

The Cabinet Member stated that 330 dwellings had been approved on the Waddeton Park site which included 70 affordable homes. The Chettiscombe application required discussions which were ongoing with regard to the S106 agreement. He would find out the number of affordable homes proposed on the site and inform the Member. No houses had been completed on the site.

Councillor Deed stated that 70 out of 330 dwellings was not 35%.

The Cabinet Member advised that the policy set out that 35% of affordable housing should be considered, the average on most applications was between 23% and 24% as viability issues had to be considered.

Councillor Deed referred to the primary school on the site and the fact that Devon County Council had at the time of the masterplan stated that there was adequate room in local schools and therefore a new primary school on the site was not urgent. Was there now a date for the completion of the school and would school numbers equate to the number of houses proposed?

The Cabinet Member stated that the application had yet to be progressed as discussions were taking place with regard to the S106, there was a need to have the planning permission secured on the southern site for the school to be progressed.

Councillor Deed asked further questions with regard to the layout of the site and the number of houses proposed in each area.

Councillor Deed referring to the new junction on the A361 asked about the cost of the junction and the funding streams that had originally been put in place and the current situation. Devon County Council had always defended the need for a junction rather than a roundabout, could a roundabout be considered due to funding restrictions?

The Cabinet Member stated that he had met with Mr Black at Devon County Council who had reiterated that Devon County Council would not support a roundabout in this area.

The current cost of the junction was referred to and the Chief Executive directed the Member to the report considered by the Planning Committee on 29 March.

Councillor Deed questioned the funding for the junction and the decision making process that had taken place. He was informed that funding from the Local Authority had been approved by Full Council as part of the budget at the previous meeting.

3. Councillor F J Rosamond asked the Cabinet Member for Planning and Regeneration about issues with rural broadband and whether any further information was available.

The Cabinet Member stated that broadband in rural areas continued to be a problem and that the Economy Team were looking into potential providers. He felt that a Member Briefing might be required so that further information could be provided.

4. Councillor N V Davey addressing the Cabinet Member for Planning and Regeneration referred to development on the Eastern Urban Extension and that the funding issues that were apparent would only increase as time went on. He felt that it was likely that the junction would not be completed because of lack of funding. A roundabout would be affordable, with traffic lights in place to control the flow of traffic with little or no impact on the local residents. He hoped that the Cabinet Member shared his concerns and that he would raise them with Devon County Council.

The Cabinet Member stated that he would raise the issue again.

5. Councillor N V Davey addressing the Cabinet Member for Housing referred to the empty units in Market Walk and asked whether some of the empty units could be tidied up to encourage businesses to take them on. He wondered if rent levels could be reduced to encourage take up.

The Cabinet Member stated that he would write to the Member with regard to rent issues. He agreed that the shop front of unit 10 required updating and a planning application was proposed. Unit 17 was being marketed.

6. Councillor T W Snow referring to page 410 of the papers asked the Chief Executive about the contents of the Equality Monitoring Form.

The Chief Executive stated that he would discuss the form with officers.

7. Councillor Mrs J B Binks addressing the Cabinet Member for Housing asked about the empty garages that were available and whether they could be put to better use, maybe even storage units?

The Cabinet Member stated that discussions were taking place with regard to certain blocks which may be demolished as the garages were too small for modern cars and replaced with affordable homes.

8. Councillor Mrs Binks addressing the Cabinet Member for the Environment stated that she had written to the recycling officer with regard to the recycling of stretchy plastic. She would be attending a meeting in Uffculme tomorrow regarding this matter. But was it something the Cabinet Member could look into?

The Cabinet Member stated that changes were taking place within the waste departments, stretchy plastic was not at the present time recycled but would go to the transfer unit to be recycled into energy.

9. Councillor F W Letch addressing the Cabinet Member for Planning and Economic Regeneration stated that he was weary of discussions regarding the Eastern Urban Extension, the Tiverton Pannier Marker and the LILO what about the other towns in the district?

The Cabinet Member stated that he appreciated the Member's concern, he was working with parties with regard to infrastructure in Cullompton but there was more that could be done to the west of the district.

10. Councillor Mrs J Roach addressing the Cabinet Member for the Environment asked what was going to happen to all the brown bins that had been returned?

The Director for Finance, Assets and Resources stated that additional land had been found at Carlu Close to store the brown bins; they were in a good state of repair and would be used as spares for the garden waste scheme.

Councillor Mrs Roach asked whether consideration had been given to using the brown bins for black bag waste and green bins could be provided for garden waste?

The Director felt that this would be an added cost but he would look into it.

11. Councillor B A Moore addressing the Cabinet Member for Planning and Economic Regeneration and referring to the new junction on the A361 asked whether there was a specific business case that justified the doubling in cost of the junction instead of a roundabout?

The Cabinet Member stated that he would ask the question when he met with Devon County Council officers, however maybe the current Devon County Council Members would also take this up with officers.

172 Members Business

Councillor R J Dolley highlighted the Heathcoat 200 event that had taken place last summer and that it had been intimated that another event may take place this year; he hoped that the Council would support such an event.

Councillor R M Deed reported that the rail event that took the train to London from Okehampton had been a huge success and hopefully we were on the way to having a 7 day week service in the future.

Councillor Dolley referred to a football event taking place in Cullompton that evening.

(The meeting ended at 7.55 pm)

CHAIRMAN