

TORRIDGE DISTRICT COUNCILCOMMUNITY & RESOURCES MEETINGTown Hall - Bridge Street, Bideford, EX39 2HSMonday, 10 June 2019 - 10.00 am

PRESENT Councillor R Hicks (Chair)  
Councillors D McGeough, D Brenton, C Bright, D Bushby,  
P Christie, A Dart, J Hutchings, K James, N Laws, R Lock and  
R Wiseman

ALSO PRESENT J Wallace - Head of Paid Service  
S Dorey - Senior Solicitor  
S Hearse - Strategic Manager (Resources)  
A Redwood - Property and Procurement Manager  
J Williams - Environmental Health & Community Safety  
Manager  
C Norman - Solicitor  
S Cawsey - Democratic Services Officer  
Councillors P Pennington, D Hurley, S Langford and P Hames

MEMBERS OF THE PUBLIC 11

The Chair, Councillor Hicks, welcomed everyone to the first Community & Resources Committee meeting of the new Council.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. MINUTES OF THE COMMUNITY & RESOURCES COMMITTEE MEETING HELD ON 23 APRIL 2019

It was proposed, seconded and -

Resolved: That the Minutes of the meeting held on 23 April 2019 be signed as a correct record.

(Vote: For 6, Abstentions 4) - two Members arrived late at the meeting

3. PUBLIC CONTRIBUTIONS

Mr Shaun Barnes, Ms R Winstone on behalf of the Friends of Bideford Starlings, Ms F Balfour and Mr R Durrant all spoke in support of the Petition previously presented to the Council, opposing to the firework displays that take place close to

Bideford Long Bridge, and the alleged harm and distress caused to the starlings which roost under the Bridge. They raised the following points:

- Mr Barnes advised he had found dead starlings in the town and had a video/photos showing this.
- The distress the fireworks had caused, not only to the starlings, but also to dogs, domestic pets and to vulnerable people.
- A Council leaflet which states it is an offence to cause unnecessary suffering to animals - dogs are terrified by the fireworks.
- The changes to be made by Torridge District Council – alternative location, quieter fireworks etc.
- The number of signatures to the Petition, which it was stated had increased since it had been presented.
- Reference was made to the remedial actions requested on the Petition.

Mr Steve Barnes addressed the Committee as one of the organisers of the fireworks. He stated that the organisers were willing to compromise on the fireworks as much as possible, and were keen to work with those opposing the displays.

#### 4. FORWARD PLAN

Councillor Brenton enquired as to why “Amendments to the Constitution” had not been included on the Forward Plan. The following update was given by the Head of Paid Service and Leader, Councillor Dart:

- A meeting had taken place with Andy Bates from the Local Government Association who will ask that the relevant specialist make contact with the Council.
- A Working Group to be set up as a matter of urgency to take this forward.
- The Working Group will present all changes to Full Council, therefore this item to be added to the Council Forward Plan. At the request of Councillor Dart, this item will also be added to this Committee’s Forward Plan.

The Head of Paid Service addressed the following enquiries raised by Councillor Laws:

- Avon Lane –the normal procedure is for an item to be brought to this Committee from Overview & Scrutiny Committee
- Members will be consulted on the Covenants to the Hotel Site in Westward Ho! prior to a report being presented to this Committee

The Forward Plan was noted.

5. DECLARATIONS OF INTEREST

Declarations of interest were made when the specific agenda items to which they related were under discussion.

6. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

It was proposed, seconded and –

Resolved: That the Agenda as circulated be agreed.

(Vote: For - Unanimous)

7. URGENT MATTERS OF INFORMATION TO BE BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR AND THE COMMITTEE

There were no urgent matters brought forward.

8. FIREWORK DISPLAYS/STARLINGS ROOSTING UNDER BIDEFORD BRIDGE (PETITION)

Councillor C Bright declared a personal interest – involved with the Gt Torrington Cavaliers.

The Head of Paid Service presented the report, the purpose of which was for Members to consider the Petition and to make recommendations on how to proceed.

Councillors were advised that as this is a matter that covered both Councils, the Head of Paid Service had been in contact with the Bideford Town Clerk.

Councillor Christie, who is also a Town Councillor, updated the Committee on the alternative options to the present arrangements evaluated by the Town Council. A display of silent fireworks that had taken place at Westward Ho! proved to be uninspiring, not particularly quiet and there had also been an issue with height.

The Town Council had then considered the following alternative locations for the fireworks:

- A river barge moving down stream
- The new Bridge was suggested due to the height issue with silent fireworks. Councillor Christie had emailed Mr Julian Rosskill, Highways Officer at Devon County Council who had responded saying no to this option.

Councillor Christie asked that this Committee write to Councillor John Hart, Leader at Devon County Council, seeking clarification as to why this option had been refused.

It was proposed by Councillor Brenton, seconded by Councillor Christie that the first remedial action on the Petition be accepted, namely –

“That the Council put policies in place to prohibit any further firework displays close to Bideford Long Bridge (too close is anything that causes the starlings to be disturbed from their roost by such displays)”.

It became evident during the ensuing discussions that there was a need for compromise, and although supportive of retaining the fireworks, displays must take place on an alternative location away from the Bideford Long Bridge.

The points raised included:

- Pollyfield Centre to be included as an alternative location. This was a location also suggested by the Petition Organiser.
- To close the new Bridge and to keep Bideford Long Bridge open for emergency vehicles
- Members of the public would expect to see the fireworks
- Signatures on the petition – very few were residents of Torridge.
- Wording on petition too ambiguous – no clarity on what is considered “too close”.

During the discussions the Senior Solicitor clarified to the Committee they are only considering events on Council land and not on private land.

The Environmental Health & Community Safety Manager advised on the legislation with regard to the noise levels of fireworks, and stated it would be difficult to enforce any restrictions made.

Following a discussion on what is considered to be “too close” to the bridge, it was agreed that an amendment to the proposal be included excluding firework displays taking place on East-the-Water Wharves. Also to delete the following wording from the proposal “too close is anything that causes the starlings to be disturbed from their roost by such displays”.

Councillor Brenton who proposed the motion and Councillor Christie who seconded the motion agreed that the amendment as stated above be included. It was therefore -

Resolved:

That Torridge District Council prohibit any further firework displays close to Bideford Long Bridge ie East-the-Water Wharves, and that Pollyfield Centre, a barge and the new Bridge be considered as alternatives.

(Vote: For 10, Against 1, Abstentions 1)

## 9. BURIAL FACILITIES FOR MEMBERS OF THE COMMUNITY WITH AN ISLAMIC FAITH

The purpose of the report, presented by the Property and Procurement Manager, was for Members to consider and approve the provision of a dedicated area of Bideford Higher cemetery for use by the families from across the District who have an Islamic or other faith.

The Property and Procurement Manager informed the Committee of an update to the report, namely that the original proposal to “fence” off the area as a dedicated space was now considered to be unsympathetic. It was felt that hedging would be a more sympathetic separation.

All concerns and issues raised by Members were addressed by the Property and Procurement Manager. These included:

- Double grave – having a separate area of Echelon graves facing Mecca would not be taking up so much room, and therefore double graves would not be needed. This would reduce the costs to the families.
- Segregation – this is preferred by this particular faith group and other faiths.
- Hedging – it was agreed was more sympathetic.

Following a discussion it was proposed by Councillor Brenton, seconded by Councillor Christie that the recommendations detailed in the report be agreed.

Councillor Brenton left the meeting at 11.35 am.

Councillor Pennington raised a concern with regard to the future expansion of the graveyard. He suggested that an additional recommendation be included to ensure that the rights of the Council to extend the cemetery in the future are not restricted.

As Councillor Brenton had left the meeting, this amendment to his original proposal could not be agreed.

It was proposed by Councillor James, seconded by Councillor Laws and –

Resolved:

1. That the current cemetery procedures be reviewed and updated to reflect the current needs of the community.
2. That the procedures are re-drafted to reduce the potential for mourner participation and remove the option to utilise shrouds (all burials should be in caskets).

3. That the burial of members of other faith groups to be accommodated and the principle to allocate and segregate an area of the Higher Cemetery in Bideford for specific use by the Islamic community be approved.
4. That such provision be limited to residents of the District and be extended to other faith groups as may be necessary in the future.
5. That all graves be traditional lawn graves; mound graves will not be accommodated. Over-sized tributes and headstones will not be permitted.
6. That the full detail of the specific requirements should be developed following consultation and more detailed discussions with the local leaders of the respective faith groups.
7. That it does not restrict the rights of the Council from extending the cemetery in the future.

(Vote: For 9, Against 2) – One Member having left the meeting

The meeting commenced at 10 am and closed at 11.45 am

Chair:

Date: