

TORRIDGE DISTRICT COUNCIL
COMMUNITY & RESOURCES MEETING

Remote meeting via Zoom

Monday, 22 March 2021 - 4.00 pm

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

ALSO PRESENT S Hearse - Chief Executive
S Dorey - Head of Legal & Governance (Monitoring
 Officer)
 S Kearney - Head of Communities & Place
 D Heyes - Finance Manager (Section 151 Officer)
 A Redwood - Major Projects & Estates Manager
 J Williams - Public Health & Housing Manager
 C Fuller - Economic Development Officer
 S Cawsey - Democratic Services Officer

Councillors: L Ford, P Hames, C Hodson, S Langford and
P Pennington

106. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

107. MINUTES OF THE BUDGET SPECIAL MEETING HELD ON 25 JANUARY
2021 AND MEETING HELD 1 FEBRUARY 2021

It was proposed by Councillor Brenton, seconded by Councillor Lock
and -

Resolved: That the Minutes of the meeting held on 25 January 2021 be signed as
a correct record.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C		X	
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J			

James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For 10, Against 1)

It was proposed by Councillor James, seconded by Councillor Lock and -

Resolved: That the Minutes of the meeting held on 1 February 2021 be signed as a correct record.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D			X
Bright, C			X
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J			
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For 9, Abstentions 2)

Councillor Hutchings had not been present for either of the votes.

Matter Arising:

Councillor Lock referred to the minutes of the 25 January, Minute No. 90, which clearly stated that Members had resolved a) – d) and had recommended e) – h) to Full Council.

108. ACTION LIST

No actions.

109. PUBLIC CONTRIBUTIONS

There were no public contributions.

110. FORWARD PLAN

The Forward Plan was noted.

111. DECLARATIONS OF INTEREST

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

112. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

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

Resolved: That the Agenda as circulated be agreed.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C	X		
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J			
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For - Unanimous)

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

There were no urgent matters brought forward.

114. SMART BIOSPHERE FUNDING REQUEST

The Economic Development Officer presented the report, the purpose of which was to obtain Member approval to use £18,000 to provide match-funding to the Smart Biosphere Business Case development and investment development process.

Councillor Hutchings arrived at the meeting at 16.15pm.

The Officer confirmed an amendment to the report as follows:

Page 22 – Education – should state “determined to make sure North Devon is NOT left behind”.

Following a brief discussion. it was proposed by Councillor Brenton, seconded by Councillor James and -

Resolved:

That the recommendation by the Climate Change Working Group to contribute £18,000 from the Habitat Regulations Assessment PYT Fund to the Biosphere Foundation for the Smart Biosphere project be approved.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C	X		
Bushby, D			X
Christie, P	X		
Dart, A	X		
Hicks, R		X	
Hutchings, J			X
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D			X
Wiseman, R	X		

(Vote: For 8, Against 1, Abstentions 3)

115. KENWITH TREE PLANTING

The purpose of the report, presented by the Public Health & Housing Manager, was to inform Members of tree planting and area enhancement works for Kenwith Valley and to approve licence for the works.

Councillor Christie declared a personal interest – Chair of Bideford Bridge Trust.

It was proposed by Councillor Christie, seconded by Councillor Bushby and –

Resolved:

1. That the proposed change of land use be agreed
2. That a License for the scheme to allow tree planting and fencing be approved.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C	X		
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J	X		
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For – Unanimous)

116. THE BURROWS CENTRE - CHANGING PLACES FACILITY

The Major Projects and Estates Manager presented the report, the purpose of which was to seek Member approval for the use of the project contingency funds for the completion of the Changing Places facility as part of the Visitor Centre completion.

Following an enquiry from Councillor Lock, the Major Projects and Estates Manager confirmed that once the works had been completed it would not be possible to apply for Grant funding. There are no assurances that the Council would receive Grant funding, and to delay the works would cost more.

It was proposed by Councillor Lock, seconded by Councillor James and -

Resolved:

That the inclusion of the Changing Places facility within the costs included in the original contract sum and remaining contingency sum for the completion of this element of the building as part of the overall project be approved.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D			
Bright, C	X		
Bushby, D		X	
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J	X		
James, K	X		
Laws, N	X		

Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

Councillor Brenton was not present for the vote.

(Vote: For 10, Against 1)

117. SUBMISSION OF PLANNING APPLICATIONS

The Major Projects and Estates Manager presented the report, the purpose of which was to seek Member approval for the submission of planning applications for works on various Council owned land.

During the presentation Members were informed of the following amendments to the recommendations:

Recommendation 3 -

“the option to submit an application for the Cattle Market site and also the Sports Ground site for the location of a storage container”.

Additional recommendation –

“To apply for acoustic screening and enhancements to the skate park”.

Following a brief discussion it was proposed by Councillor Hicks, seconded by Councillor James and -

Resolved:

That the preparation and submission of planning applications required for the following be approved:

- Westward Ho! Linear Defence Interim Works
- Change of Use of 8a Cooper Street, Bideford
- Relocation of Bideford Town Council Storage Container – the option to submit application for the Cattle Market site and also the Sports Ground site
- Siting of two storage containers within the Riverbank House garden area
- Acoustic screening and enhancements to the skate board park

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C	X		
Bushby, D		X	
Christie, P	X		
Dart, A	X		

Hicks, R	X		
Hutchings, J	X		
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D		X	
Wiseman, R	X		

(Vote: For 10, Against 2)

118. APPLEDORE SLIPWAY - COUNCILLOR FORD'S NOTICE OF MOTION

The Head of Legal & Monitoring Officer clarified the process as set out in the Constitution and recapped on the history to this matter.

The Committee were advised that should Members agree with the recommendations of the Internal Overview & Scrutiny Committee then the decision would be delivered and implemented as from today. If this committee did not agree with the recommendation, then the matter would be referred to Full Council to agree :

- The decision made by Community & Resources on 1 February. Or
- The recommendation of Internal Overview & Scrutiny Committee on 16 March

When debating this matter, it had been suggested that an addendum be added to the recommendation from Internal Overview & Scrutiny Committee requesting that Officers draw up explicit plans for the safe use of the Harbour. The Head of Legal & Monitoring Officer advised that in accordance with the Constitution this Committee can only make a decision on one of the above two options. Anything further would require a new Notice of Motion to be put forward to Full Council by any Member of the Council. Members were reminded that the Notice of Motion brought forward had been to ban jet skis and the original report had been based on this.

The Committee recommended that Councillor James, as Leader of the Council, put forward a Notice of Motion to the next Full Council meeting. Councillor James raised concerns with this course of action in the first instance because with a Notice of Motion you are committed to what has been put. He agreed firstly to talk to Officers and report back to Members.

The following issues/concerns were also raised during the debate:

- Use of the slipway by RNLI Lifeboat
- Wider implications from the decision made by Community & Resources Committee
- Health & Safety being the main priority
- Improved signage, increasing attendance in the car park and to look to co-ordinate this with tides and to also look at CCTV

- To consider a warden system and Officers to prepare a report detailing costings, ways of funding and feasibility
- To put in, as a matter of urgency, a temporary measure prior to a long term measure
- The need to look at alternative ways of dealing with the situation

Councillor Ford addressed the meeting and sought legal advice from the Head of Legal & Monitoring Officer regarding whether a particular Club had a Constitution. He was advised that this was not relevant to his Notice of Motion and any member of the public was entitled to contribute to the Council's public meetings.

Following a question from Councillor Ford, the Chief Executive clarified the position as to why the Notice of Motion, received in August 2020, had been presented to Full Council in February and that timings had been discussed previously with Councillor Ford.

It was proposed by Councillor James, seconded by Councillor Bushby and -

Resolved:

That the recommendations of Internal Overview & Scrutiny Committee meeting of 16 March 2021 be accepted.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C	X		
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J	X		
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For – Unanimous)

119. EXCLUSION OF THE PUBLIC

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

Resolved:

That under Section 100(a)(4) of the Local Government Act (as amended) the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information by virtue of Paragraph 3 of Part 1 and Paragraph 10 of Part 2 of Schedule 12A of the Local Government Act 1972.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C	X		
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J	X		
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For – Unanimous)

120. PART II (CLOSED SESSION)

121. BUSINESS RATE HARDSHIP

The NNDR & Income Team Leader delivered the report the purpose of which was for Members to consider awarding relief from Business Rates on the grounds of Hardship.

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

Resolved:

That the recommendation of the Hardship Panel as detailed in the report be agreed.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D	X		
Bright, C	X		
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J	X		
James, K	X		

Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For – Unanimous)

122. **BRIDGE BUILDINGS**

The Major Projects and Estates Manager updated Members on the offers and disposal of Bridge Buildings, Bideford.

It was proposed by Councillor Hicks, seconded by Councillor James and -

Resolved:

That the recommendation as set out in the report be approved.

A recorded vote was taken.

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D			
Bright, C	X		
Bushby, D		X	
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J	X		
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For 11, Against 1)

Councillor Brenton had left the meeting.

LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

It was proposed by Councillor Hicks, seconded by Councillor Lock and –

Resolved: That the press and public be readmitted.

(Vote: For – Unanimous)

COUNCILLOR	FOR	AGAINST	ABSTAIN
Brenton, D			
Bright, C	X		
Bushby, D	X		
Christie, P	X		
Dart, A	X		
Hicks, R	X		
Hutchings, J	X		
James, K	X		
Laws, N	X		
Lock, R	X		
McGeough, D	X		
Wiseman, R	X		

(Vote: For – Unanimous)

The meeting commenced 4pm and closed at 5.53pm.

Chair:

Date: