

TORRIDGE DISTRICT COUNCILFULL COUNCIL MEETINGCaddsdawn Business Support Centre, Clovelly Road, Bideford - BidefordMonday, 1 November 2021 - 6.30 pm

PRESENT Councillor D Bushby (Chair)

Councillor P Christie (Vice-Chair)

Councillors R Boughton, D Brenton, C Bright, M Brown, R Clarke, C Cottle-Hunkin, R Craigie, A Dart, L Ford, J Gubb, P Hackett, P Hames, S Harding, C Hawkins, K Hepple, R Hicks, C Hodson, D Hurley, J Hutchings, T Inch, K James, D Jones, S Langford, N Laws, C Leather, R Lock, J Manley, D McGeough, J McKenzie, S Newton, P Pennington, P Watson 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)
J Walter	- Strategy, Performance & ICT Manager
T Davies	- Superintendent, Devon & Cornwall Police
E Seear	- Inspector, Devon & Cornwall Police
I Winslet	- ARK Consultancy
T Vanstone	- Senior Electoral & Democratic Services Officer (Deputy Monitoring Officer)
K Brown	- Democratic Services Officer
K Hewlett	- Electoral and Democratic Services Officer

251. APOLOGIES FOR ABSENCE

No apologies were received for the meeting.

252. COUNCIL MINUTES

Chair ran through the minutes of the Full Council meeting on 20th September 2021 with members page by page.

The following discussions took place and were agreed:

- Page 7 – In relation to Councillor Pennington's submitted question, it was requested that the original email response from Councillor Pennington be circulated to members.
- Page 8 item 232 – It was requested that, when the Finance & Section 151 Officer attends the Devon County Council Pension employee meeting in February 2022, a

question is asked regarding about investment in fossil fuels by Devon County. The Finance Manager & Section 151 Officer responded and confirmed fossil investments will be highlighted in a presentation and video.

It was proposed by Councillor Newton, seconded by Councillor Watson and –

Resolved:

That the minutes of the meeting held on 20th September 2021 be confirmed as a correct record.

(Vote: For 30, Against 1, Abstention 2)

Chair ran through the minutes of the Extraordinary Full Council meeting on 5th October 2021 with members page by page.

It was proposed by Councillor Clark, seconded by Councillor Manley and -

Resolved:

That the minutes of the meeting held on 5th October 2021 be confirmed as a correct record.

(Vote: For 26, Abstentions 7)

Councillor Jones arrived at the meeting at 18:36 and was not present for the votes.

253. PUBLIC CONTRIBUTIONS

Cathy Slaughter attended the meeting and spoke to members about the Climate and Ecological Emergency Bill (CEE Bill). She explained her wish to persuade members to support the CEE Bill, which would replace the 2008 Climate Change Act.

Cathy provided members with some background to the CEE Private Members Bill and mentioned the Environment Bill, which has been drafted by the Government. She explained to members what she felt were the main differences between the two Bills and highlighted what she considered to be the benefits of the CEE Bill. Cathy concluded her contribution to the meeting by highlighting Citizen Assemblies and her understanding of how these fit within the current democratic process.

254. DECLARATIONS OF INTEREST

Members were reminded that declarations of interest should be made as and when the specific agenda item to which they related was under discussion.

255. AGREEMENT OF AGENDA ITEMS PART I AND II

Chair confirmed there were no Part II items.

256. TO CONSIDER CORRESPONDENCE OR OTHER BUSINESS ESPECIALLY BROUGHT FORWARD BY THE DIRECTION OF THE CHAIR

The following matters were raised by the Chair:

Chair highlighted an email received today at 5pm requesting that Councillors be reminded to wear masks when moving around at meetings. Specific mention was made of the 2-day Planning Committee taking place later in the week.

257. TO ANSWER QUESTIONS SUBMITTED UNDER PROCEDURAL RULE A9

Two questions had been submitted under Procedural Rule A9 by Councillor Cottle-Hunkin and Councillor Pennington.

In accordance with the Constitution a written answer to the question had been circulated to all Members.

Question received from Councillor Cottle-Hunkin

“We have spent a lot of time as a council discussing the Grounds Maintenance Contract (GMC), over a large number of meetings, including meetings of the Major Contracts Management Board (of which I was involved), Full Council, and also Internal O&S. I have looked back over various minutes and reports, and at these meetings, there was only mention of grounds maintenance in relation to the Tivoli contract. There was no mention of the input from Town Councils. As councillors we agreed we were unhappy with the Tivoli contract and wanted to take it back in-house. However, I am seeking clarity over what will happen to the budget for the Town Councils, particularly Great Torrington Town Council who are currently provided with £3,353.32 p.a. to maintain both Rack Park (£1,523.50) and the Churchyard (£1,829.82) in Great Torrington. GTTC have kept these areas to an excellent standard over the past five years, and we do not want to risk this changing. We have various community groups involved with these much-loved spaces, we often get compliments from local residents over how brilliantly they are kept, and we want this to continue into the future. Indeed Rack Park has just received a South West in Bloom award as “Outstanding” for a community-run project. GTTC was advised last week, by email, without any discussion (despite GTTC seeking clarification over some months), that TDC intends to take over these contracts from 01 April 2022”.

Councillor C Cottle-Hunkin
27 October 2021

Response:

Following the decision to bring the Grounds Maintenance service back in house, Officers have been busy designing a service that will maintain all TDC owned land, or land where TDC has a grounds maintenance obligation. From April 2022 the Council will have the workforce, equipment and management systems in place to be able to manage those areas without the need to contract out (including to other Councils) any of it's obligations. Any budget that has previously been used to pay external contractors should be recovered for use by TDC to ensure that the most cost effective and efficient service is provided for the taxpayer. The service that will

be provided is expected to be far superior to the standards of contracted out provision that have created such dissatisfaction in our communities.

In the specific case of Rack Park in Torrington, the land was until 2016, maintained as part of the Grounds maintenance contract. Since then the park has been maintained by the Council through agency with Great Torrington Town Council (GTTC) to a high degree of satisfaction. The added value that has led to the success of the park appears to have been brought through community gardening activity. It would be the intention of TDC grounds maintenance to replicate the services it has funded GTTC to provide (meeting it's obligations under a 1994 agreement with the land owners The Great Torrington Town Lands, Alms Lands and Poors Charities) and not to disallow and supplementary community activity to improve the park. If GTTC wish to provide supplemental services that add value to the TDC grounds maintenance provision this can be discussed although it is not intended that TDC would fund this additional work.

Officers have met with representatives of GTTC and the community gardeners in order that the situation can be fully understood. Your Officers have explained that it is the intention of the Council to design and deliver a high quality service at best value for the Council tax payers of the district. TDC hopes to be able to work in partnership with the Town, with full cooperation to ensure that the park remains maintained to the current high standard, the community engagement and capacity building delivered through the community gardening is continued and that the Town Council can have an active role in all of this. Final arrangements are yet to be confirmed with GTTC as these matters of detail are still under consideration. Officers are aware that GTTC need to know about final arrangements as soon as possible for budget setting purposes.

Sean Kearney – Head of Communities & Place

At the invitation of the Chair, Councillor Cottle-Hunkin expressed her hope that Torrington Town Council would be involved in the discussion on GMC.

Question received from Councillor Pennington

There have been significant changes in Universal Credit since the 1st October with respect to the £20 a week top up being withdrawn balanced by 8% reduction in taper rate from 63% to 55%.

Nationally it is estimated that 6 million working families lose out on top up but 1.9 million gain because taper reduction.

Does Torridge know how many families will be affected in our district?

Councillor P Pennington
28 October 2021

Response:

Torridge does not hold data required to answer the question raised as TDC is not responsible for processing or paying Universal Credit, therefore the question was raised with the DWP.

- There are 5,038 'live' UC claimants in the Torridge District; all claims will be affected by the £20 temporary uplift being removed.

- However, DWP don't know from this data who is in receipt of any UC, there could be people on a nil award, therefore the uplift ending may not affect them. People can have a 'live' claim for up to 6 months but not receive any monies due to excess income
- There are 2,267 people in Torridge currently claiming UC & showing as being in employment so should reflect how many will be affected by the taper. But as above it doesn't mean these people are being paid UC & this is not in addition to the above figure

Please note however, that these figures relate to people and not households, as there may be multiple UC claimants in one household (customer, partner, adult son/daughter)

Jo Wells – Revenue & Benefits Manager

At the invitation of the Chair, Councillor Pennington provided some context to his question for members.

258. DEVON & CORNWALL POLICE UPDATE

Superintendent Toby Davies introduced himself and explained he is the Local Policing Area Commander for North and West Devon. He also introduced members to Inspector Ewan Seear – the new Inspector for the area.

Superintendent Davies spoke about the last 18 months for Policing, the high demand they have experienced and subsequent backlog. It was confirmed that Devon and Cornwall would soon benefit from the Government 'Uplift in Policing' with 16 new officers starting in the area before Christmas – these officers will be transfers from other force areas and student officers. There is also a commitment to increase neighbourhood officers in each sector (including Torridge), and within the response and investigation team.

Superintendent Davies provided members with an overview of outcomes locally. He then went on to highlight the areas of focus & priorities, which have been agreed with the Police and Crime Commissioner and Community Safety Partnerships. Specific mention was made of:

- Violence against women and girls
- County Lines
- Road safety

Finally Superintendent Davies highlighted work taking place to tackle persistent anti-social behaviour (ASB). The impact of ASB was recognised, as well as the importance of partnership work and local community engagement.

Inspector Seer then introduced himself to members and provided some background on his career in the Police. He explained his role and highlighted work taking place

with TDC colleagues. Inspector Seer invited members to visit the team and see the work taking place.

A discussion with members followed.

There was a query regarding the Marshall scheme and whether the evening time patrols over the summer would be extended. Superintendent Davies explained this was funded using Police and Crime Commissioner money, and continuation funding was needed.

There was a query in relation to the status of Bideford Police Station and Superintendent Davies confirmed that he would guarantee parity for all. He explained the various ways everyone is able to contact the Police and how to contact the Neighbourhood Beat Team for non-urgent matters.

Following a question raised around perceived Anti-Social Behaviour in the area around Bideford Quay public toilets Superintendent Davies highlighted a new pilot website called Street Safe - <https://www.police.uk/streetsafe>. This provides people with an opportunity to report areas where they don't feel safe, but where there are no incidents to report. The collected data is then used for mapping. Inspector Seear stated they were aware of the concerns at this location and provided an overview of some of the work taking place, highlighting the need for a community response.

There was a query in relation to the Speed Watch initiative in Parishes. Superintendent Davies was asked to confirm how the money for this initiative was being used by Devon & Cornwall Police. Superintendent Davies agreed to pass on member's feedback on Speed Watch and frustrations around set up time outside meeting.

Following feedback on reporting incidents, 101 and Police follow up, Superintendent Davies explained the variety of ways the public are now able to report. It was explained how this would free up the 101 service more for those who do not have access to social media or the internet. He also highlighted Community Messaging, which provides users with updates on crimes and scams in their area - he mentioned this would be useful for those in isolated areas.

It was explained why information passed to the Police may not result in visible follow up, but Superintendent Davies stated information would be held and could be used in the future.

Finally there was a discussion about recent media coverage and a person's right to ask an officer to identify themselves. Superintendent Davies confirmed the advice that had been provided in recent months.

Chair thanked Superintendent Davies and Inspector Seear for attending and updating members.

Councillor Ford left the meeting at 19:25

259. HOUSING PROVISION - OPTIONS REPORT

Ian Winslet, from ARK Consultancy and Jon Walter, Strategy, Performance & ICT Manager introduced the report to members.

It was explained that members agreed an action within the Strategic Plan to investigate the feasibility of becoming a direct housing provider. As part of this the Leader and Chief Executive liaised with Local Government Association (LGA), and ARK Consultancy were employed to provide this options report.

The Strategy, Performance & ICT Manager and the consultant from ARK provided members with background to the options report, which was written following 2 member workshops in July.

The consultant from ARK provided a summary of the options report. He highlighted the key areas/drivers identified through the member workshops and explained how these were used to develop the 6 key priorities and recommendations in the report.

Members were asked if they had any questions about the report.

There was a discussion around whether the Local Plan should be amended so that the viability assessment takes place when a landowner puts forward a potential site.

An amendment to the recommendation on viability assessments was proposed by Councillor Hames and Councillor Christie seconded:

'review the process of viability assessment at the SHLAA stage and the planning stage of planning applications...'

Following a query regarding timescales the Strategy, Performance & ICT Manager explained that no firm dates had been set as this was awaiting the outcome of Full Council, but project plans are being prepared and discussion are underway.

Cllr Brenton proposed to move the recommendations on page 21 of the report.

There was discussion regarding planning and the use of the community infrastructure levy. The consultant from ARK confirmed that this still exists and is used by some Local Authorities still. The Head of Communities & Place confirmed that Torrington does not use the community infrastructure levy.

There was a request to add an additional bullet point to the report recommendations about liaising and networking with Local Authorities working through the process. Councillor James confirmed that he and the Chief Executive made links with Teignbridge at the recent DCN conference and provided feedback on a Zoom Meeting with Mid-Devon and South Hams.

Councillor James went on to provide members with an update regarding the work already taking place on the recommendations listed in the report and confirmed that Viability was on the agenda for the Local Plan working group to look at.

Councillor Hames confirmed that he was proposing an amendment to the first conclusion on page 20 of the report regarding viability and confirmed the wording as

'review the process of viability assessment at the development land allocation stage (SHLAA) and at planning stage....'

It was confirmed that when these cases come forward they will be heard at the Local Plan working group and viability would be look at. Councillor Hames requested that the amendment still be written into the report.

It was proposed by Councillor Hames, seconded by Councillor Christie and a vote was taken - the motion was lost.

(Vote: For – 10, Against 21, Abstentions 2)

Councillor Gubb was not present for the vote.

It was proposed by Councillor Brenton, seconded by Councillor Newton and Resolved:

That the recommendations of the report be agreed and officers instructed to:

- Review the process of viability assessment at Planning stage of planning applications that are submitted with less than policy compliant affordable housing provision.
- Undertake an assessment of land and buildings in the Council's ownership and score with a site assessment tool the likelihood of a site being deliverable for housing and rank sites accordingly.
- Investigate funding opportunities to help with housing delivery i.e., from One Public Estate and Homes England.
- Arrange a Strategic session with Councillors using the results of the above recommendations to develop a 'Strategic Housing Delivery Plan' with an agreed model for delivery and our preferred partner(s).

(Vote: For - Unanimous)

260. APPOINTMENT OF INDEPENDENT PERSONS FOR HARBOUR BOARD

The Head of Communities & Place provided members with a summary of the report.

It was confirmed that the recommendations were to re-appoint Non-elected Representatives Mr. Norman Hardaker and Mr. Tim Gibbs following the end of their current term of office. As well as to appoint Mr. John Puddy, following his involvement on the working group for the last 2 years representing Bideford Chamber of Commerce.

Councillor Hicks, Chair of Harbour Board, provided his support to the recommendations.

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

Resolved:

That Full Council appoint to Bideford Harbour Board Working Group as follows:

- a) Mr Norman Hardaker to the role of Independent Person for a term of 4 years, pursuant to section 28 of the Localism Act 2011;
- b) Mr Tim Gibbs to the role of Independent Person for a term of 4 years, pursuant to section 28 of the Localism Act 2011.
- c) Mr John Puddy to the role of Independent Person for a term of 4 years, pursuant to section 28 of the Localism Act 2011.

(Vote: For – Unanimous)

261. TDC & ACTIVE TORRIDGE LEISURE - STRATEGIC OBJECTIVES

The Chief Executive presented a report to members. It was explained the aim would be to consider and approve the strategic vision for the provision of Leisure Services within the District. This was the next step following the establishment of the Local Authority Trading Company (LATC) in July and the member workshop in August.

The Chief Executive went on to highlight the 10 strategic objectives listed in the report and how these will be used to build the service specification. It was clarified that Active Torridge, as an independent company, will then set out how they will meet the Council's objectives as part of the next phase in the process.

Following a short discussion, the Chief Executive confirmed that consultation would take place, but explained the need to set the services up and get them running, so it would need to be done at a later stage.

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

Resolved:

That the draft Strategic Objectives proposed in the report, with the inclusion of an objective encompassing the Council's Climate Emergency declaration, be approved and taken forward to form the basis of a Service Specification, Business Plan and Financial Model.

(Vote: For 31, Abstentions 1)

Councillor Inch was not present for the vote.

Councillor Cottle-Hunkin left the meeting at 20:04.

262. CYCLE OF COMMITTEE MEETINGS 2022/23

The Chief Executive explained to members that the Cycle of Committee Meeting report was to confirm the Committee meeting dates for 2022/23.

There was a query regarding the North Devon Crematorium meeting dates and whether these could be added to the schedule, as well as Property & Major Projects. It was explained there is a meeting of North Devon Crematorium Committee later this week where future meeting dates will be discussed; once these dates are confirmed they will be added to the Committee cycle. In relation to Property & Major Projects it was explained the schedule is for Public Committee meetings only.

The Senior Democratic & Electoral Manager (Interim Deputy Monitoring Officer) explained that once the schedule was confirmed Outlook calendar invites would be sent for all the planned meetings for the year and any changes would be updated as and when they occur. It was confirmed that members would receive meeting invites for all committees and the working groups they sit on.

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

Resolved:

That the proposed programme of committee dates for 2022/23 be approved.

(Vote: For - Unanimous.)

263. PETITIONS

There were no petitions.

264. NOTICES OF MOTION(a) **Written Notice of Motion from Councillor Christie**

Given the recent IPCC Report on global warming it is proposed that Torridge supports the Climate and Ecological Emergency Bill.

The Bill -

- a) requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees C above pre-industrial temperatures;
- b) ensures that all the UK's consumption emissions are accounted for;
- c) includes emissions from aviation and shipping;
- d) protects and restores biodiverse habitats along overseas supply chains;
- e) restores and regenerates the UK's depleted soils, wildlife habitats

- and species populations to healthy and robust states, maximising their capacity to absorb CO2 and their resistance to climate heating;
- f) sets up an independent Citizens' Assembly, representative of the UK's population, to engage with Parliament and Government and help develop the emergency strategy

Councillor Peter Christie
8.10.2021

Councillor Christie introduced his Notice of Motion and made mention of the presentation from Cathy Slaughter at the start of the meeting. He asked members for their support and provided additional context on the 6 issues highlighted. Councillor Christie requested a recorded vote.

Members provided their views and discussed the Notice of Motion.

Chair confirmed that a request for a recorded vote needed the support of 5 members. When members were asked to show their support more than 5 raised their hand.

It was proposed by Councillor Christie, seconded by Councillor Brenton and

Resolved:

That members support the Climate & Ecological Emergency Bill.

(Vote - Yes 17, Against 16)

COUNCILLOR	FOR	AGAINST	ABSTAIN
BOUGHTON, R		X	
BRENTON, D G	X		
BRIGHT, C	X		
BROWN, M		X	
BUSHBY, D	X		
CHRISTIE, P S	X		
CLARKE, M		X	
COTTLE-HUNKIN, C			
CRAIGIE, R	X		
DART, A L	X		
FORD, L			
GUBB, J	X		
HACKETT, P J W		X	

HAMES, P	X		
HARDING, S		X	
HAWKINS, C	X		
HEPPLE, K		X	
HICKS, R H		X	
HODSON, C	X		
HURLEY, D		X	
HUTCHINGS, J		X	
INCH, A T	X		
JAMES, K J	X		
JONES, D		X	
LANGFORD, S	X		
LAWS, N	X		
LEATHER, C		X	
LOCK, R A		X	
MANLEY, J	X		
McGEOUGH D A D	X		
McKENZIE, J	X		
NEWTON, S		X	
PENNINGTON, P W		X	
WATSON, P		X	
WISEMAN, R		X	
TOTAL - 33	17	16	

(b) **Written Notice of Motion from Councillor Gubb**

This motion is to adopt the Motor Neurone Disease (MND) Charter, which sets out the care and support that people living with MND and their carers deserve and should expect.

The MND Charter is made up of 5 points:

1. The right to an early diagnosis and information
2. The right to access quality care and treatments
3. The right to be treated as individuals and with dignity and respect
4. The right to maximise their quality of life
5. Carers of people with MND have the right to be valued, respected,

listened to and well-supported.

By adopting the MND Charter, this council agrees to promote the Charter and make it available to all councillors, council staff, partner organisations and health and social care professionals who deliver services for the council.

We will raise awareness of MND and what good care looks like for those living with this devastating disease, as stated in the Charter, and do everything we can as the council to positively influence the quality of life for local people with MND and their carers living in our community.

Councillor J Gubb
13 October 2021

Councillor Gubb introduced her Notice of Motion for debate. Following a brief discussion between members she requested that amendments were made so the Notice of Motion would cover anyone with a life limiting illness and be taken to Community & Resources Committee.

Following a brief discussion on the amendment Councillor Gubb was advised by the Chair that the amendment was too extensive and would change the Notice of Motion too substantially. Councillor Gubb was advised members would need to vote on the original notice, or it could be withdrawn. Councillor Gubb requested the Notice of Motion be withdrawn.

It was proposed by Councillor Watson, seconded by Councillor Hackett and –

Resolved:
That the Notice of Motion be withdrawn.

(Vote: For, Unanimous.)

The meeting commenced at 6.30 pm and closed at 8.31 pm

Chair:

Date: