

TORRIDGE DISTRICT COUNCILFULL COUNCIL MEETINGCaddsdow Business Support Centre - BidefordMonday, 11 April 2022 - 6.30 pm

PRESENT Councillor D Bushby (Chair)
 Councillor P Christie (Vice-Chair)
 Councillors R Boughton, D Brenton, M Brown, R Clarke,
 R Craigie, A Dart, J Gubb, P Hames, S Harding, R Hicks,
 C Hodson, D Hurley, T Inch, K James, D Jones, S Langford,
 N Laws, C Leather, R Lock, J Manley, D McGeough, J McKenzie,
 S Newton, R Wiseman and C Woodhouse

ALSO PRESENT S Dorey - Head of Legal & Governance (Monitoring
 Officer)
 S Kearney - Head of Communities & Place
 D Heyes - Finance Manager (Section 151 Officer)
 J Williams - Public Health & Housing Manager
 T Vanstone - Senior Electoral & Democratic Services
 Officer
 S Cawsey - Democratic Services Officer

Mr L Bach – Independent Member

313. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Pennington,
 K Hepple, C Bright, C Hawkins, P Watson, P Hackett, J Hutchings and
 C Cottle-Hunkin.

314. COUNCIL MINUTES

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

Resolved: That the minutes of the meeting held on 31 January 2022 be confirmed
 as a correct record.

(Vote: For 26, Abstentions 1)

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

Resolved: That the minutes of the Budget Special meeting held on 21 February
 2022 be confirmed as a correct record.

(Vote: For 24, Abstentions 3)

315. PUBLIC CONTRIBUTIONS

Josie Holt, Nicholas Radford and Bideford Town Councillor Kaye Corfe addressed the meeting speaking in support of Councillor Craigie's Notice of Motion.

Josie Holt said she attended the meeting as a member of Bideford Empty Homes Working Group and had joined the Group because of concerns she had with the housing crisis. She gave details of what other areas had been doing to address the issue of empty homes and referred to the detrimental effect that empty homes have on neighbours and on people's mental health.

Nicholas Radford mentioned the number and income the Council receives from properties paying long term council tax. Each empty home becomes a worsening issue for the community environment. He urged the Council to create an empty homes officer position to track empty homes and for the Council to listen to residents.

Bideford Town Councillor Kaye Corfe addressed the meeting giving details of her experiences and her employment with Encompass. The issue of homelessness cannot be fixed by one action, it requires a multi-faceted approach. She highlighted the need to look forward, to work together and to refuse to let the housing crisis continue to cause damage.

316. 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.

317. AGREEMENT OF AGENDA ITEMS PART I AND II

It was proposed by Councillor Hodson, seconded by Councillor Clarke and –

Resolved: That the Agenda as circulated be agreed.

(Vote: For – Unanimous)

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

There were no matters brought forward.

319. TO ANSWER QUESTIONS SUBMITTED UNDER PROCEDURAL RULE A9

Questions had been submitted by Councillor Bright, Councillor Ford and two from Councillor Hawkins under Procedural Rule A9.

In accordance with the Constitution a written answer to Councillor Bright and to one of Councillor Hawkins questions had been circulated to Members.

The second question from Councillor Hawkins had been rejected as it does not meet the requirements of Torridge District Council's Constitution to be heard. As Councillor Hawkins had given his apologies for the meeting the Head of Legal & Governance will convey the reasons for rejecting the question directly to him.

Councillor Ford's question had also been rejected as he had been advised on numerous occasions that the Council had concluded all matters relating to the Standards Hearing and the 101 form and will, therefore, not respond further on this subject. If Councillor Ford wishes to pursue it will be a matter to be discussed and take legal advice, not for Full Council.

Question from Councillor Bright

Can members be given a verbal update on progress with transferring Jubilee Wood from TDC to Great Torrington Town Council. And can you clarify the position with regards to the proposed path?

Answer

The legal documents required to complete the transfer have been sent to Great Torrington Town Council and we await their response and or comments.

The footpath had been shown as a linkage from an adjacent housing development toward the town. However, the developer has advised that this is no longer required.

Steve Hearse – Chief Executive

Question from Councillor Hawkins

Under current legislation would it be possible for a neighbouring Authority to oversee a Standards Hearing of another Authority.

Answer

The Localism Act 2011 states

Councils have a Duty to promote and maintain high standards of conduct

[Section 27](#) places a duty on a relevant authority to ensure that its members and co-opted members maintain high standards of conduct and requires such authorities to adopt a code of conduct for their members.

[Section 28](#) requires a relevant authority to adopt a code whose contents must be consistent with the seven 'Nolan' principles of standards in public life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership), and must set out the rules that the authority wants to put in place with regard to requiring members to register and disclose pecuniary and non-pecuniary interests. It requires an authority to put in place arrangements under which it can investigate an

allegation of a breach of a code made in writing and, if it is considered that an investigation is warranted, requires the authority to appoint at least one independent person whose views must be sought after it has made an investigation and before it takes a decision. It allows members who have had an allegation made against them to seek the views of the independent person if they wish.

Full Council delegates these arrangements to our own Standards Committee who have the following roles and functions:-

1. Promote and maintain high standards of conduct by the Members and co-opted Members of the Council;
2. Assist Members and Co-Opted Members of the Council to observe the Members' Code of Conduct;
3. Advise Full Council on the adoption or revision of the Members' Code of Conduct;
4. Monitor the Members Code of Conduct;
5. Advise, train or arrange training for Members and Co-Opted Members on matters relating to the Members' Code of Conduct;
6. Grant dispensations to District Council Members and Co-Opted Members from the requirements relating to interests set out in the Members Code of Conduct;
7. Deal with any reports relating to Member complaints received by The Head of Legal and Governance and Monitoring Officer;
8. Provide the same functions in relation to Parish Councils as in relation to Torridge District Council and Members of Torridge District Council

Therefore, the arrangements that TDC have in place adequately cover the requirements of the Localism Act 2011

320. PETITIONS

There were no petitions.

321. PRESENTATION FROM BIDEFORD RAILWAY HERITAGE CENTRE

The Chair introduced Mr Tim Steer, Director of Bideford Railway Heritage Centre, to the meeting.

Mr Steer had attended to give a presentation to Members on why Bideford now needs to have its railway service restored. The informative slides detailed the following:

- History – the scheduled passenger service finished in 1965.
- Positive reasons as to why the services should be restored
- Devon County Council's Bideford to Barnstaple railway safeguarding – in 1999 a team carried out a feasibility study (the Maunsell Report).
- A map showing the main line rail link from Barnstaple to Bideford
- Stations and approx. populations and station usage 2019-2020 on the Tarka line

- Why Bideford?
- The need for Bideford re-joining the national network to be added to the new ND and Torridge Local Plan.

The next steps to be taken are:

- Form a Bideford Town Council ACE Rail Committee
- Include Torridge and ND Councils
- Ask DCC and Peninsula Transport for support
- Include Network Rail and GWR in meetings
- To part fund an independent specialist adviser to prepare a Prospectus for ACE Rail as a basis for an initial business case
- Railfuture may also part-fund

A question and answer session followed during which Members thanked Mr Steer for an informative and interesting presentation.

322. PRESENTATION FROM NORTH DEVON BIOSPHERE

Mr Andy Bell from the North Devon Biosphere gave a slide presentation on the Ecological Crisis in Torridge and North Devon.

The information provided on the slides included the following:

Our Biosphere –

3 special qualities: Biodiversity and landscape
Communities who have taken sustainable steps
Economy and culture still strongly linked to environment

3 core functions: Conservation
Research and Education
Sustainable Development

Final Report of the North Devon Marine Natural Capital Plan (June 2020)

Charts showing reasons as to why there is a decline of -

- woodland specialist birds
- Rough grasslands/scrub specialist birds
- Bees (moss, brown banded carder bees)

Nature Recovery Plan – Vision for nature by 2030 –

“By 2030, nature is recovering across northern Devon. There is more wildlife-rich habitat for us all to enjoy - covering 30% of the land area – in our fields and woods, on the moors and coast, along our rivers and across the sea. Wildlife has the space it needs to flourish. Thriving farming, fishing and forestry are helping nature to recover right across the Biosphere area. Communities, councils and businesses are putting nature back into our towns and villages. Declining species like salmon, hedgehog, cuckoo, skylark, lapwing, swift and house martin are recovering – and once again there are myriads of wildflowers and insects to enjoy in the countryside

and marine wildlife is thriving. Ambitious projects have helped bring back icons like beaver, pine marten, chough, white-tailed eagle and osprey. Our quality of life, the economy and our response to climate change are stronger for it. More is required, but we are proud to be playing our part in tackling the global ecological emergency”.

Delivery mechanisms -

- Planning Policy e.g. Net Gain, Building with Nature Standards,
- Improved public realm
- Community Campaigns
- Biosphere Projects e.g. Devon Woods, Natural Solutions
- Agri Environment schemes
- Private Investment

Summary –

- We are still losing biodiversity
- It takes partnership and good planning to resolve it.
- TDC has a more important role to play thanks to the Environment Act
- Planning and proper use of Biodiversity Net Gain
- Leadership by the authority in showing the way in public spaces
- Working in partnership is critical

A question and answer session followed. It was agreed that the slide presentation be circulated to Members.

The Chair, on behalf of Members, thanked Andy Bell for an interesting and informative presentation.

323. MEMBER BUDGET OPTIONS WORKING GROUP

The purpose of the report, presented by Councillor James, Leader, was for Full Council to approve membership to a Budget Working Group to report to Community & Resources Committees, options for building resilience into the Council’s medium term Financial Strategy.

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

Resolved:

That a Budget Working Group be established, made up of a total of 6 Members and to comprise:

- The Leader of the Council
- The Lead Member for Finance & Audit – Cllr Hodson
- Cllr Brenton
- Cllr Bright
- Cllr Christie
- Cllr Lock

In the event for any reason a Member is no longer part of the working group, the Leader of the Council be delegated to appoint a replacement.

(Vote: For – Unanimous) - two Members out of the room

324. GYM EQUIPMENT/MOBILISATION COSTS - ACTIVE TORRIDGE

The Finance Manager & S151 Officer presented the report, the purpose of which was to seek Member approval to add the acquisition and installation of gym equipment at Torridge Leisure Centre to the 2021/22 capital programme, and to carry forward the balance on the leisure mobilisation budget.

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

Resolved:

- That the sum of £111,040 be added to the Council's capital programme funded from the implementation budget of £250k.
- That the unspent balance on the mobilisation budget at the end of the financial year 2021/22 be set aside into reserve to be utilised as outlined in the report post April 2022.

(Vote: For – Unanimously)

325. DOG PSPO

The Public Health & Housing Manager presented the report, the purpose of which was to seek designated dog control Public Spaces Protection Orders for defined locations across Torridge under Section 59 of the Antisocial Behaviour, Crime and Policing Act 2014.

During the discussion Members emphasised the need for more enforcement action to be taken on those individuals or groups who commit antisocial behaviour or nuisance in a public space, and are contravening the provisions of the PSPO.

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

Resolved:

That the Public Space Protection Order for dog Control under Section 59 of the Antisocial Behaviour, Crime and Policing Act 2014 be approved.

(Vote: For – Unanimous)

326. ARMED FORCES COVENANT

The Lead Member for Housing and Armed Forces Lead presented the report of the Public Health and Housing Manager, the purpose of which was for:

- Member approval to the Council's recommitment to the Armed Forces Covenant and signing of the same
- Member approval to the development of the commitment through a range of actions proposed within the report

It was proposed by Councillor Clarke, seconded by Councillor Inch and –

Resolved:

- That the Armed Forces Covenant be signed.
- That the proposals given in the report for developing the Covenant within Torridge District and wider Northern Devon areas be noted and approved.

(Vote: For – Unanimous)

327. NOTICES OF MOTION

There were five Notices of Motion.

- (a) Written Notice of Motion from Councillor Inch

Written Notice of Motion from Councillor Inch

That a DCC Councillor be invited to attend on a rotating basis, each Full Council to report on their division and to be allocated a slot of 10 minutes.

The Head of Legal & Governance advised Councillor McGeough did not need to declare an interest because he is a County Councillor.

Councillor Inch presented his Motion. Following a brief discussion, the Motion was seconded by Councillor Christie.

(Vote: for 11, Against 16)

The Motion was lost.

- (b) Written Notice of Motion from Councillor Hodson

Written Notice of Motion from Councillor Hodson

Council are requested to support the expansion of the qualifying criteria for applicants to the Member's Council Grant funding for 2022/23. The scheme is not prescribed by legislation but is determined and set in this Council's policy.

The current guidance allows for grants to be made for specific projects.

With the increasing financial pressures that our community is experiencing the proposal is that any application for funding from any non-commercial constituted organisation to deliver goods or services to alleviate hardship or address health inequalities, becomes eligible for assistance.

Councillor Hodson presented her Notice of Motion and considered that to extend the flexibility of the scheme would make better use of the Grants.

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

Resolved: That Councillor Hodson's Notice of Motion be agreed.

(Vote: For – Unanimous)

(c) Written Notice of Motion from Councillor Hodson

Written Notice of Motion from Councillor Hodson

Motion for the Ocean to help this Council play their part in realising a clean, healthy and productive ocean and all of the direct economic, health and wellbeing benefits it will bring.

This Council agrees to declare an urgent need for Ocean Recovery and adopts the Motion for the Ocean by committing to:-

1. Review within twelve months the actions and projects that have been undertaken to promote ocean recovery for the coast of Torridge District.
2. Consider Ocean recovery in our strategic decisions, plans, budgets and approaches to decisions by the Council (particularly in planning, regeneration, skills and economic policy),
3. Ensure that the North Devon Biosphere Nature Recovery Plan strives to support ocean recovery.
4. Work with partners locally to deliver increased sustainability in marine industries and develop a sustainable and equitable blue economy that delivers ocean recovery and local prosperity.
5. Promotes communication through our social media of actions which are being taken to aid ocean recovery progress, signpost ocean literacy development opportunities, and marine citizenship pledges.

6. Writes to the Government asking them to put the ocean into net recovery by 2030 endorsing the requests for action listed in the circulated documentation.

Councillor Hodson presented her Notice of Motion. She proposed that the Motion be referred to Community & Resources Committee, not for financial commitment, but for agreement to embed the principles into operational practices and future coastal education and decision making.

When discussing the Motion, Councillor Jones raised concerns in relation to point 6 – lobbying the Government as this is not a lobbying group. He asked whether Councillor Hodson would consider amending her Motion to remove that point. Councillor Hodson explained that the Local Authority Special Interest Group, who are a national body, had put together the Notice of Motion which has been adopted and is being promoted within the Group of members.

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

Resolved:

That the Notice of Motion be referred to Community & Resources Committee.

(Vote: For – Unanimous)

- (d) Written Notice of Motion from Councillor Ford

Written Notice of Motion from Councillor Ford

It is not compulsory for TDC Members to have DBS checks and in light of recent convictions of Councillors from other Authorities, I propose that TDC approach Devon wide Councils in relation to their DBS Policy and with a view to the possibility of joint working to see if we could firm up our Policy on DBS checks for Members.

As Councillor Ford was not present at the meeting his Notice of Motion was not presented.

- (e) Written Notice of Motion from Councillor Craigie

Written Notice of Motion from Councillor Craigie

In recognition of the housing crisis and the market failure to provide affordable and social housing, TDC should immediately implement an Empty Homes Policy. It is a dereliction of duty for TDC not to be

utilising all the powers under the Housing Act 2004, which includes forced sale, compulsory purchase and Empty Dwelling Management Orders (EDMOs).

1. Empty Homes Council Tax Premium should be ring fenced to employ an Empty Homes Officer(s)
2. Community Groups should be enabled to do the refurbishment and retrofitting of houses under the Empty Dwelling Management Orders to provide homes for local people.
3. The avoidance of Empty Homes Council Tax premium should be tackled by properly investigating and recording empty dwellings around the district

Empty and abandoned buildings are a blight on the area and the local community and have a significant negative impact on our vital tourism industry. We as a council must do all within our power to change the current situation of neglect.

Councillor Craigie presented her Notice of Motion.

Councillor James stated that although he was supportive of the Motion in principle, he had concerns it would not achieve what is required. He referred to point 1 and explained that the monies received from the Empty Homes Council Tax Premium would not be sufficient to employ an Empty Homes Officer(s).

Councillor James recommended that Councillor Craigie meets with him to discuss the matter and for the Motion to be deferred.

It was proposed by Councillor Craigie, seconded by Councillor Langford and –

Resolved:

That the Notice of Motion be deferred for further discussion.

(Vote: For – Unanimous)

328. EXCLUSION OF PUBLIC

It was proposed, seconded 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.

(Vote: For – Unanimous)

329. PART II - (CLOSED SESSION)

330. TEMPORARY ACCOMMODATION

The Public Health & Housing Manager introduced this item and updated Members on amendments to the recommendations.

Following discussion, it was proposed by Councillor Manley, seconded by Councillor Clarke and –

Resolved:

That the amended recommendations be approved.

(Vote: For – Unanimous)

It was proposed, seconded and -

Resolved:

That the press and public be readmitted.

(Vote: For – unanimous)

The meeting commenced at 6.30pm and closed at 8.35pm