

TORRIDGE DISTRICT COUNCILCOMMUNITY & RESOURCES MEETINGTown Hall - Bridge Street, Bideford, EX39 2HSMonday, 15 April 2024 - 10.00 am

PRESENT Councillor R Hicks (Chair)
Councillor A Dart (Vice-Chair)
Councillors D Brenton, L Bright, K James, C Leather, R Lock,
L Piper and J Whittaker

ALSO PRESENT S Hearse - Chief Executive
S Dorey - Head of Legal & Governance (Monitoring
Officer)
S Kearney - Head of Communities & Place
J Wynne - Estates Manager
H Smith - Planning Manager
D Sibley - Climate & Sustainability Officer
T Vanstone - Senior Electoral & Democratic Services
Officer
K Brown - Democratic Services Officer

Councillors C Hodson and P Pennington

417. APOLOGIES FOR ABSENCE

No apologies were received.

418. MINUTES OF THE COMMUNITY & RESOURCES COMMITTEE MEETINGS

It was proposed by Councillor C Leather, seconded by Councillor R Lock
and -

Resolved: That the Minutes of the meeting held on 29th February 2024 be signed
as a correct record.

(Vote: For – 8, Against – 0, Abstention – 1)

It was proposed by Councillor C Leather, seconded by Councillor J Whittaker
and -

Resolved: That the Minutes of the meeting held on 4th March 2024 be signed as a
correct record.

(Vote: For – 7, Against – 0, Abstention – 2)

419. ACTION LIST

No actions were outstanding.

420. PUBLIC CONTRIBUTIONS

There were no public contributions.

421. FORWARD PLAN

The Forward Plan was noted.

422. DECLARATIONS OF INTEREST

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

423. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

It was proposed by Councillor R Lock, seconded by Councillor K James and –

Resolved: That the Agenda as circulated be agreed.

(Vote: For - unanimous)

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

There were no urgent matters brought forward.

425. THE DEVON, CORNWALL AND ISLES OF SCILLY ADAPTATION STRATEGY

The Chair introduced the report, the purpose of which was to inform the Committee of the publication of a Devon, Cornwall and Isles of Scilly Adaptation Strategy.

The Chair asked Members for any questions or comments.

A lengthy discussion proceeded where Members expressed their thoughts on the Strategy.

In response to a query regarding the Comms post at Devon Climate Emergency Partnership, the Sustainability & Climate Officer advised this was recently agreed at the Councillor Climate Working Group to be funded through their budget. The post is currently going through the recruitment process and once developed more information would be reported back. The Sustainability & Climate Officer also advised she could return to a future meeting to give an update on the actions.

The Sustainability & Climate Officer confirmed TDC's focus would be on the 6 action points listed in the report.

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

Resolved:

That Devon, Cornwall and Isles of Scilly Adaption Strategy be noted.

(Vote: For 5, Against 4)

The motion was carried.

426. BIODIVERSITY NET GAIN - HABITAT BANKS & BIODIVERSITY NET GAIN MONITORING FEES

The Planning Manger presented the report, the purpose of which was to consider approval to accept habitat banks within Torridge District and to seek agreement to s106 monitoring fees for biodiversity net gain.

A discussion followed where some concern was raised to the loss of land in the area however Members recognised other benefits to the scheme.

It was confirmed that following the end of the 30-year lease, the habitat bank would be well established. The s106 monitoring fees are secured upfront which mitigates the risk if developers were to fold.

The Planning Manager advised the scheme is in its infancy, more would be learnt as it progresses and there are provisions in National Policy to protect agricultural land.

Advice was given that TDC could apply further criteria to the scheme and there would be a service agreement between TDC and DCC. It was confirmed that enforcement would become the responsibility of TDC which raised concern with some Members due to the current workload and resources to manage additional work.

The Planning Manager confirmed how the scheme would be implemented and monitored.

The Chair proposed an addition to the recommendations, that those Habitat Banks graded 1, 2 & 3 be brought back to Community & Resources Committee for approval.

It was advised that the fees would be kept under regular review and that amendments and/or additional conditions could be brought back to the Community & Resources Committee for approval.

The Chief Executive advised that the Community & Resources Committee are responsible for setting the fees and charges and this could be incorporated into the annual report.

It was proposed by Councillor C Leather, seconded by Councillor L Piper and –

Resolved:

That

- the Council does seek, in principle, to enter into agreement with Habitat Bank providers to secure Habitat Bank sites through s106 agreements.
- That any such Habitat Bank proposals be subject to rigorous assessment before entering into a s106, by reference to the DCC checklist (contained at Appendix 1) and seeking guidance from DCC's Biodiversity Net Gain Officer.
- That authority for approving a Habitat Bank site to enter into a s106 be delegated to the Head of Communities and Place in consultation with the Lead Member for Planning and relevant ward councillors. However, those Habitat Banks graded 1, 2 & 3 will be brought back to Community & Resources Committee for approval.
- That the DCC derived S106 monitoring fees be adopted as set out above, but subject to ongoing review.

(Vote: For – 7, Against – 1, Abstentions – 1)

427. EXCLUSION OF THE PUBLIC

It was proposed by Councillor K James, seconded by Councillor L Piper and –

Resolved:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information by virtue of paragraph 2 of Part 1 and paragraph 10 of Part 2 of Schedule 12A of the Local Government Act 1972.

(Vote: For – unanimous)

428. PART II (CLOSED SESSION)

429. LANDLORD CONSENT MATTERS ON LAND OWNED BY TORRIDGE DISTRICT COUNCIL

The Estates Manager presented the report, the purpose of which was to report to the Community & Resources Committee in relation to matters relating to activity on a Council owned asset and to seek Committee approval to proceed per the recommendations in the report.

A brief discussion took place where the Estates Manager and the Head of Legal & Governance (Monitoring Officer) responded to questions raised by Members.

It was proposed by Councillor R Hicks, seconded by Councillor A Dart and –

Resolved:

That the recommendations in the report be approved.

(Vote: For – 8, Against – 0, Abstentions – 1)

LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

It was proposed by Councillor R Hicks, seconded by Councillor C Leather and –

Resolved: That the press and public be readmitted.

(Vote: For – Unanimous)

The meeting commenced at 10.00 am and closed at 11.23 am

Chair:

Date: