

WINKLEIGH PARISH COUNCIL

The minutes of the extraordinary meeting of the Parish Council held on Wednesday 12th June 2013, 7.30pm at Winkleigh Community Centre

Present: Cllrs Flockhart, Knight, Turner, Sansom, Griffiths, Bowers & Hodgson

Apologies : Cllrs Stutt & Gledhill

Ex1.6.13 The minutes of the meeting held on 29th May 2013 were put forward for ratification . **The Chairman proposed that the minutes be amended to read that the Chairman had declared a personal interest due to a shared boundary – 2nd Cllr Knight: voting 5 for, 0 against, 2 abstention: MOTION CARRIED**

The minutes were then confirmed and signed as a correct record following this amendment.

EX2.6.13 Declarations of Interest in matters to follow:

Cllr Turner requested that the following to be formally recorded in the minutes:

At the extraordinary parish council meeting held on the 29th May 2013 I declared a non pecuniary interest under section 13 of Winkleigh Parish Council's Code of Conduct, with regards to 3 areas of land to the north of the village which were submitted as potential SHLAA sites for housing, as they are owned by my family and duly left the meeting while this land was discussed/voted on.

I was therefore surprised and vexed to learn that during my absence from the meeting other land, (belonging to Mr Rogers) was also discussed and voted on, land in which I do not have a conflict of interest. As a result of this exclusion from the discussion and vote on this land I sought advice from Mr Ken Miles (TDC Solicitor), who advised me that although I could not take part in discussions or votes related to family owned land there was no legal reason why I should not have been informed that Mr Roger's land was under discussion, so that I could take part in both the discussion and the vote.

The second matter on which I sought advice from Ken Miles on is as follows: Our Code of Conduct states;

“13. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate, the member shall disclose the nature of the interest and withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting.”

I therefore queried if I should have been informed that the formal council meeting had been closed and that public period was in session so that I could have participated as a member of the public should I have wished to do so. Ken Miles could also on this subject not see any legal reason why I was excluded from the public period held during my absence from the meeting.

As a result of this I feel that I was purposely and unjustly excluded from both the discussion/vote on Mr Roger's Land and the public period which took place while I was absent from the room to enable the council to discuss/vote on the land submitted by my family.

The Chairman responded and apologised for the situation that had occurred. Cllrs discussed and agreed that Cllr Turner had not been purposely excluded.

Public Period

Members of the public asked if as in previous meetings there would be opportunity for public comment later in the meeting when everyone was aware of the information available to Cllrs to assist in agreeing the PC's formal response to TDC. The Chairman stated that she did not believe that this should be the case. The Chairman then advised the public of the additional information received by the Council to be considered at the meeting. Members of the public were then asked if they wished to make any further comments prior to the Council session formally starting again.

The Chairman proposed that there be no further public period – 2nd Cllr Bowers: voting: 5 for, 2 against: MOTION CARRIED.

The Clerk then read out a letter from a parishioner querying the Chairman's position regarding declared interests and charring and voting on an issue at the last Parish Council meeting. The Chairman responded that she was clear regards her position on this matter and was entitled to take part as she had done.

Ex3.6.13. Current business matters

a) TDC Local Plan Part 3

The Chairman had already advised of the additional information received from TDC with respect to the PC's response for the 1st June deadline regards the viability of one of the preferred sites and the submission of two further SHLAA sites in the Parish. Cllr Hodgson queried the information previously received regarding the size of the Mid Devon Motors site stating that the PC had been advised that the land was 0.5hec when in fact it is only 0.18 so therefore could not accommodate the 15 homes proposed. Cllr Hodgson also stated that he felt that it needs to be demonstrated that the garage & workshop facility could be relocated within a reasonable distance before any agreement to develop the site for housing to resist the loss of a local facility. Cllrs agreed that TDC's comments indicate that the site is unlikely to deliver the proposed homes and that therefore an alternative location is required.

The Chairman stated that the PC now have 3 options available to them: to allocate the remaining 15 homes to a new location, to locate the full 5% allocation to one site or to locate the 5% allocation over multiple sites. Cllrs discussed at length.

Cllr Hodgson said he felt that to gain a maximum return of affordable properties and benefits for the community then development on one site is required and that he had considered the best location for development early in the process prior to any SHLAA sites coming forward and still believed that the previously agreed site to the North of the village adjacent to the A3124 is the most appropriate to develop at this time. Cllr Turner declared an interest and left the meeting at this point.

Cllrs discussed the benefits of this site put forward by Cllr Hodgson particularly vehicle and pedestrian access.

The Chairman said to ensure fairness asked if there were any matters that should be raised regarding the alternative sites put forward . Cllrs discussed the site below the bypass and agreed that this would not be appropriate for development. Cllrs discussed points raised in support of the site on Townsend Hill . Cllrs discussed the possibility of having a priority of sites put forward. Following discussions Cllr Hodgson proposed that the Parish Council select one site for development to be put to TDC with no second option or priority list – 2nd Cllr Knight: voting 5 for, 1 against: MOTION CARRIED..

Following further discussion Cllr Hodgson proposed that the Parish Council accept extending the existing site agreed under resolutions Ex2.5.13 d,e & f from the eastern site of the village (off old Chulmleigh Road) adjacent to existing development to accommodate the agreed allocation of 5% (27 homes). That the development boundary is redrawn but limited to accommodate the agreed allocation of 5%, that the development is to have adequate infrastructure, design controls, housing types to meet community needs including starter and affordable homes and provision of a pedestrian access to the sports centre and that within the agreed site there should be provision for a public car park – 2nd Cllr Sansom: voting: 4 for, 1 against, 1 abstention : MOTION CARRIED.

Cllr Turner returned to the meeting.

PUBLIC PERIOD II

Ex4.6.13 Late Items at the Chairman’s discretion

Cllr Bowers proposed that the Parish Council consider the applications for the two casual vacancies on Winkleigh Parish Council at the PC’s Scheduled meeting on 26th June and that voting is by way of ballot paper- 2nd Chairman: A.I.F: MOTION CARRIED

The Chairman proposed that the deadline for applications is noon on 25th June and that each applicant would be requested to provide a short written resume prior to the deadline for circulation to Councillors and that each would give a short introduction to the PC at the meeting on 26th June – 2nd Cllr Bowers: A.I.F: MOTION CARRIED.

Part II

Council moved into Part II to discuss a query regarding the Burial Ground.

There being no further matters to discuss the meeting was declared closed at 9.45pm