

WEST DEVON PLANNING AND LICENSING COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Planning and Licensing Committee** held on **Monday, 24th April, 2017 at 10.00 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Sanders
Vice Chairman

Cllr Baldwin
Cllr Moyse

Cllr Mott
Cllr Pearce
Cllr Yelland

Cllr Roberts

In attendance:

Councillors:
Cllr Leech

Officers:
CoP Lead – Development Management
CoP Lead – Environmental Health
Specialists – Development Management
Solicitor
Case Manager - Licensing

63. **Apologies for Absence**

***P&L 63**

Apologies were received from Cllrs Parker, Cann OBE and Hockridge.

64. **Declarations of Interest**

***P&L 64**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllrs Moyse, Roberts and Pearce all declared a personal interest in agenda item 5 (Minute *P&L 67 below refers) by virtue of knowing or

having known the applicant. They remained in the meeting and took part in the debate and vote thereon;

Cllr Sanders declared a personal interest in agenda item 5 (Minute *P&L 67 below refers) by virtue of knowing the author and her husband of a reference presented to Committee in support of the applicant. He remained in the meeting and took part in the debate and vote thereon;

Cllr Yelland declared a personal interest in agenda item 5 (Minute *P&L 67 below refers) following reference to the Citizens Advice Bureau during the debate, by virtue of being a member of the Citizens Advice Bureau. She remained in the meeting for the remainder of the debate and took part in the debate and vote thereon.

65. **Confirmation of Minutes**

***P&L 65**

The Minutes of the Planning and Licensing Committee Meeting held on 7th March 2017 were confirmed and signed by the Chairman as a correct record.

66. **Exclusion of Public and Press**

***P&L 66**

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

67. **Determination of whether to revoke, suspend or refuse to renew a Hackney Carriage and Private Hire driver licence**

***P&L 67**

Consideration was given to an exempt report which sought to determine whether a licensee remained a 'fit and proper' person to hold a Hackney Carriage Driver Licence with this Authority in accordance with section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Case Manager introduced the report. The Licensee was in attendance at the meeting and given the opportunity to address the Committee. Some Members asked questions of the Licensee and the Licensing Case Manager.

(At this point, the Chairman adjourned the meeting to enable the Committee to make a decision. The Solicitor remained in the meeting in an advisory capacity).

The Decision

The meeting reconvened and the Chairman then proceeded to announce the decision.

68. **Readmittance of Public and Press**
***P&L 68**

RESOLVED

That the public and press be re-admitted to the meeting.

69. **Planning Performance Indicators**
***P&L 69**

The COP Lead Development Management presented the latest set of Performance Indicators and outlined the key information for Members consideration. He advised Members that the month of March 2017 had been particularly busy for receipt of applications.

Members raised a number of questions regarding enforcement matters. The COP Lead updated Members on staffing levels and also confirmed that he would present a more detailed breakdown of outstanding incomplete cases that were being dealt with by the backlog team. One Member noted an increasing trend in the number of enforcement cases being reported but accepted that some enforcement cases were complex and took a significant amount of time to reach a conclusion. He also asked that the minutes reflect that West Devon Borough Council and Dartmoor National Park Authority were now working together on a particular enforcement issue which was beneficial.

Members also asked if officers were routinely following up section 106 agreements, and the position regarding discharge of condition applications prior to commencement. The COP Lead advised that in respect of the discharge of conditions that were applied to approved applications there was not the officer resource to visit and actively check each application, and a key link had been lost now that building control work was open to other providers. In terms of section 106 agreements, there had been weaknesses in the system but the monitoring of agreements was being reviewed and as part of the process it was proposed to actively engage Locality Officers.

70. **Planning Applications and Enforcement Reports**
***P&L 70**

The Committee considered the application prepared by the Development Management Specialists and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports and summarised below, and **RESOLVED**:

(a) Application No: 4058/16/FUL Ward: Exbourne

Site Address: Risdon Farm, Okehampton, Devon EX20 3AJ

Installation of a 13.2kW ground mounted photovoltaic array

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Conditional Approval

71.

Planning Appeals Update

***P&L 71**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals.

The Meeting concluded at 12.40 pm

Signed by:

Chairman
