

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the Extra Ordinary Meeting of the Council held at Knowle, Sidmouth, on Thursday, 28 January 2016**

**Attendance list at the end of document.**

The meeting started at 6.30 pm and ended at 8.24 pm

#### **\*53 Public Speaking**

The Chairman welcomed those present and invited members of the public to speak to the Council.

Stephanie Jones, Clerk to Musbury Parish Council, spoke of the Parish Council's support for the Local Plan, with the exception of Strategy 27 and the definition of a sustainable village – Musbury was not identified as a sustainable village within the Strategy. She advised that Musbury was a thriving community with a number of viable facilities and services. The Parish Council was in the process of preparing a Neighbourhood Plan and consultations with the community had shown a desire to see low level development within the parish, not necessarily restricted to the main village centre. Although this approach of delivering housing would be in minor conflict with Strategy, it would meet the main overall objectives of the Plan and therefore it was felt that the evidenced Neighbourhood Plan should take precedence.

Peter Whitfield spoke on the allocation of employment land at Sidford and asked two questions. He advised that in the Local Plan the allocation was identified as 5 hectares, however in the evidence submitted by the Council to the Inspector in 2014 it showed the allocation to be 5.97 hectares - he asked which figure would be used when considering planning applications? The second question related to whether the Inspector had visited the Alexandria Industrial Estate site or relied on the description in the employment land review which was submitted by the Council as evidence.

Richard Ely spoke on behalf of the Save our Sidmouth campaign. He spoke of the Local Plan being a frustrating process for the town of Sidmouth and the lack of Sidmouth Ward Member representatives on key decision making committees. The allocation of the Sidford site had been strongly opposed by residents in the Sid Valley and by the County, District and Town Councillors for Sidmouth. Despite the District Council removing the allocation at the later stages of the Plan process, the Inspector had left in the allocation which Mr Ely considered to be ill judged and undemocratic. He paid thanks to the residents of Sidmouth, Sidford and Sidbury for supporting the Save our Sidmouth campaign. He highlighted other issues within the town, such as the lack of a Beach Management Plan and no solution to parking problems. He also spoke of the need to rebuild relationships between the town and the District Council and take a more positive approach.

Tony Green spoke on behalf of the Chairman of the East Devon Alliance. He questioned the presentation of evidence to the Local Plan Inspector in respect of the Sidford employment allocation and the inclusion of Chardstock as a sustainable village. He also spoke on the lack of credible evidence to support the draft Devolution Bid and the ability of the Leader and Chief Executive to represent the District in the process.

Jeremy Woodward referred to the Local Plan as being a deeply flawed document. He made reference to a representation submitted to the Inspector by the Vision Group for Sidmouth regarding the unsound evidence submitted by the Council to support employment figures for the District.

The Chairman thanked the speakers for their contributions and invited the Chief Executive to respond. The Chief Executive's response included:

- The Neighbourhood Plan process was a way of delivering appropriate development in villages;
- The Sidford employment allocation was 5 hectares;
- Confirmation that the Inspector had visited the Alexandria Industrial Estate;
- Commented on the reasons for the Plan's delayed adoption;
- The Plan was not deeply flawed, having been found sound by the Inspector, subject to modifications.

**\*54 Declarations of interest**

There were none.

**\*55 Matters of urgency**

No matters of urgency had been identified.

**\*56 East Devon Local Plan and CIL Charging Schedule – Inspector's Report and Proposed Adoption**

Members considered the report of the Service Lead – Strategic Planning and Development Management which:

- Outlined the receipt of the Inspector's Local Plan Examination report and of its content,
- Sought authority for the Council to agree the main modifications proposed by the Inspector and to formally adopt the Plan;
- Identified key issues and areas of work to ensure the delivery of the Plan;
- Advised Members of the Inspector's findings on the Community Infrastructure Levy (CIL) charging schedule.

The Chief Executive referred Members to the recommendations set out in the report. He reassured Members that no planning permissions were being granted through the adoption of the Plan – the Plan was a guidance document setting out strategic allocations and policies. The Plan complied with national planning policy set by Government, and would provide sound guidance for determining future planning applications. The options available to Members were limited to adopting the Plan, with the main modifications, or not adopting the Plan and starting again. The latter would have significant planning implications.

The Chief Executive advised that he had helpfully received questions in advance of the meeting relating to the production of the Villages Development DPD, which would sit alongside the Local Plan. The answers to the questions were outlined:

- The DPD would be produced during the summer and autumn and a key aspect would be the consultation carried out with communities. The DPD would have to be examined by an Inspector in much the same way as the Local Plan. The examination and adoption was likely to take place in the early part of next year.

- The existing BUABs (Built-up Area Boundaries) would be used for the villages identified as having a BUAB in Strategy 27 until such time that the Villages Development DPD could carry significant weight.
- If a village had a Neighbourhood Plan the BUAB would be as agreed in the Neighbourhood Plan.
- The intention was that the Villages DPD would be produced in consultation with the communities and their neighbourhood planning groups. This would hopefully avoid any conflict between the DPD and any Neighbourhood Plans. The key aspect is that the DPD would form part of the Local Plan and Neighbourhood Plans have to be compliant with the Local Plan.
- A draft criteria to be used for producing the BUABs had already been consulted on and the responses were in the process of being considered. A report was due to be presented to the Development Management Committee in March.
- Upon adoption of the Plan those villages not listed as having a BUAB in Strategy 27 would cease to have a BUAB.
- For villages without a BUAB (not listed in Strategy 27) any development should be pursued through a Neighbourhood Plan, whilst being mindful of the need to demonstrate how the development would promote the objectives of sustainable development as required by Strategy 27.

A report would be presented to the next Council meeting in respect of the adoption of the CIL charging schedule.

Councillor Mike Howe proposed the recommendations as set out in the committee report, which was seconded by Councillor Geoff Pook. Councillor Howe spoke of the necessity to adopt the Local Plan for the benefit of the whole of the District as it provided certainty going forward. The adoption of the Plan, which had been endorsed by the Inspectorate, would help to strengthen the Council's position in respect of ongoing appeals and protect against inappropriate development.

Comments raised during the debate included:

- Disappointment at the inclusion of the Sidford employment site despite the objection by residents and Councillors representing the area of Sidmouth. The views of the community had been ignored. The decision to include the site was considered by some to be undemocratic and unsound.
- Due care should be taken in respect of the 37 gypsy and traveller site allocations required to meet the identified need – up to 30 of these were currently proposed to be sited at Cranbrook. Consideration needed to be given as to whether this was the most appropriate location, including whether the educational needs could be met. Open communication needed to be maintained throughout the process of site allocation with Councillors, the Town Council and neighbouring parishes.
- Thanks paid to officers, particularly the Planning Policy Manager and his team, for their hard work and dedication in getting the Plan to adoption stage.
- Questioned whether the Local Plan was the right blueprint for the District and whether it was based on sound evidence.
- There were many lessons to be learnt from the Plan production process.
- The Local Plan allocated 50 homes to the Knowle site, however 118 were proposed – the Council should commit to numbers within the Plan.
- Neighbourhood Plans had an important role to play in shaping villages and towns and should not be underestimated.

- Importance of delivering Suitable Alternative Natural Green Space (SANGS) highlighted.
- Sidford employment allocation would result in increased commuting to the town and no justification of need. The site had been put forward at a late stage in the Plan production with limited supporting documentation.
- Questioned why the Council had not sent evidence to the Inspector in respect of the removal of the Sidford employment site. In response Members were advised that as the Plan had been submitted for examination the Council was not permitted to remove the allocation. The Council's recommendation that the site be removed had been passed to the Inspector and his comments regarding the allocation were set out in his final report.
- Concern raised about the implications if housing was not delivered at the projected rates as set out in the Plan.
- Disappointment expressed at some of the main modifications made by the Inspector.
- All allocated sites would be subject to planning permission and the necessary legal processes would need to be adhered to.
- Thanks paid to all those in the district who had engaged in the Plan process.
- The Plan would be reviewed every 5 years.
- Due to the site being in the AONB the visual appearance of any buildings on the Sidford employment site would be key.
- The Port Royal was a landmark site for Sidmouth and therefore it was important that the District and Town Council worked together to deliver the right development for the area.
- Concern that the ancillary retail use on the Sidford employment site could not be enforced and would impact on the viability of the town. In response Members were advised that it was stated in the policy that any retail was ancillary to the primary use of the unit.
- In response to a number of questions raised relating to Exmouth seafront and coastline, the Councillor was advised that written answers would be provided.
- Adoption of the Plan offered greater protection of the district.

Councillor Tom Wright proposed a recorded vote, seconded by Councillor Philip Skinner. The proposal was put to the vote and carried.

**RESOLVED:**

**that the Council:**

- 1. adopts the Local Plan 2013 – 2031 as of 28 January 2016, incorporating all of the Inspector's proposed main modifications;**
- 2. formally recognises the need to attach some weight to the existing Local Plan Built-up Area Boundaries (as adopted in 2006) for those villages featuring under Strategy 27 of the new Plan until such time as the Villages DPD can carry significant weight;**
- 3. notes that a further report will be brought to the Council meeting in February 2016 to address the adoption of the Community Infrastructure Levy charging schedule.**

For: Councillors Parr, Diviani, Allen, Armstrong, Bailey, Barrow, Bond, Booth, Bowden, Brown, Burrows, Chapman, Chubb, Faithfull, Foster, Gazzard, Godbeer, Graham, Greenhalgh, Hale, Hall (Ian), Hartnell, Howe, Humphreys, Jung, Key, Knight, Longhurst, Moulding, Nash, Nicholas, O'Leary, Pook, Ranger, Skinner, Stott, Taylor, Thomas, Twiss, Williamson, Wragg, Wright. (42)

Against: None

Abstentions: Councillors Hughes, Barratt, Coppel, Dyson, Gardner, Giles, Manley, Rixson. (8)

**\*57 Heart of the South West Devolution – (Cabinet minute 133)**

This matter was held over from the December meeting. The Heart of the South West (HotSW) had submitted its devolution Statement of Intent to Government in September 2015. A key aim being to develop a local solution to deliver better services compared with the current centralised approach, which would help to achieve 'joined up' delivery of services, such as health and social care, built around people and the places where they live. The delivery would have improved regulation with embedded prevention, support and self-management and financial sustainability to achieve best use of resources. Over the past few months the partners (which consisted of 17 local authorities, two National Parks, the Local Enterprise Partnership (LEP) and the three Commissioning Groups) had been working on a prospectus and were now in a position to commence detailed negotiations with Government on a devolution deal.

Prior to the meeting the Chief Executive had circulated a draft prospectus for productivity and a copy of a presentation given at the meeting of Leaders and Chief Executive held the previous week.

The Chief Executive guided Members through each of the recommendations. He advised that the Government had set the aim of addressing productivity, an area in which the South West lagged behind. The process was lengthy and at this stage Members were being asked whether they wished to engage – they were not being asked to sign up to a final deal.

Comments raised during discussion included:

- Potential for improved efficiencies acknowledged, however concern that with increasing cuts from Central Government, funds would need to be found locally, such as through increased council tax or the sale of assets. Changes to business rates alone would not be sufficient.
- Members needed to have sufficient information and a clear understanding on the proposals in order to properly represent their constituents. Frequent communication was important.
- Details relating the proposals and process were too vague and it was considered that there was currently a lack of transparency.
- Concern that the emphasis would be on major projects and that the smaller villages and infrastructure would be forgotten.
- Members would be consulted throughout the process.
- There was an increasing need for a more efficient way of delivering services, particularly in relation to health and social care.

Members noted that following on from the December meeting clear objectives had been set, an oversight group had been established and had met, and also that rural proofing had been included through the involvement of the National Parks and the Devon Local Nature Partnership.

Councillor Roger Giles proposed a recorded vote, seconded by Councillor Tom Wright. The proposal was put to the vote and carried.

Councillor Andrew Moulding proposed the recommendations, seconded by Councillor Philip Skinner. In proposing the recommendations Councillor Moulding referred to the current prospectus being a broad document and a starting point for negotiations on how the area could be best served through the devolvement of powers from Central Government.

**RESOLVED: that the Council approve the prospectus for productivity and that the Leader be given delegated authority to sign the prospectus and continue negotiations on behalf of EDDC.**

For: Councillors Hughes, Parr, Diviani, Allen, Bailey, Barratt, Barrow, Booth, Bowden, Brown, Burrows, Chapman, Chubb, Dyson, Faithfull, Foster, Gazzard, Godbeer, Graham, Greenhalgh, Hale, Hall (Ian), Hartnell, Howe, Humphreys, Jung, Key, Knight, Longhurst, Moulding, Nash, Nicholas, O'Leary, Pook, Skinner, Stott, Taylor, Thomas, Twiss, Williamson, Wragg, Wright (42)

Against: Councillors Armstrong, Coppell, Gardner, Giles, Manley, Ranger, Rixson (7)

Abstentions: Councillor Bond (1)

## **Attendance list**

### **Councillors present:**

Stuart Hughes (Chairman)  
Helen Parr (Vice Chairman)  
Mike Allen  
Megan Armstrong  
Brian Bailey  
David Barratt  
Dean Barrow  
Susie Bond  
Matthew Booth  
Peter Bowden  
Colin Brown  
Peter Burrows  
David Chapman  
Iain Chubb  
Matt Coppell  
Paul Diviani  
John Dyson  
Peter Faithfull  
David Foster  
Cathy Gardner

Steve Gazzard  
Roger Giles  
Graham Godbeer  
Pat Graham  
Alison Greenhalgh  
Maria Hale  
Marcus Hartnell  
Mike Howe  
John Humphreys  
Geoff Jung  
David Key  
Jim Knight  
Rob Longhurst  
Dawn Manley  
Andrew Moulding  
Bill Nash  
Cherry Nicholas  
John O'Leary  
Geoff Pook  
Val Ranger  
Marianne Rixson  
Philip Skinner  
Pauline Stott  
Brenda Taylor  
Ian Thomas  
Phil Twiss  
Mark Williamson  
Eileen Wragg  
Tom Wright

**Honorary Aldermen:**

Christine Drew  
Stephanie Jones  
Frances Newth

**Officers:**

Richard Cohen, Deputy Chief Executive  
Matt Dickins, Planning Policy Manager  
Ed Freeman, Service Lead – Strategic Planning and Development Management  
Amanda Coombes, Democratic Services Officer  
Henry Gordon Lennox, Strategic Lead – Legal and Democratic Services  
Chris Rose, Development Manager  
Graeme Thompson, Planning Policy Officer  
Hannah Whitfield, Democratic Services Officer  
Mark Williams, Chief Executive  
Andy Wood, East of Exeter Projects Director

**Councillor apologies:**

Paul Carter  
Maddy Chapman  
Alan Dent  
Jill Elson  
Ben Ingham  
Steve Hall  
Douglas Hull  
Simon Grundy  
Chris Pepper

**Honorary Aldermen apologies:**

Ann Liverton  
Graham Liverton  
Trevor Cope  
Bill Waterworth

Chairman ..... Date .....