

Attendance list at the end of document.

The meeting started at 6.30pm and ended at 8.43pm.

*20 Public speaking

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

There were seven questions from the public.

Nick Hookway wanted to ask the council about the process involved in developing the Seafront Facilities on Queen's drive in Exmouth and when local people would be in a position to know about it.

Mark Myer asked a question also related to the issue of proposed developments on Queen's Drive, Exmouth. He expressed a view that the current proposals do not appear to reflect the needs of local people. As a regular user of current facilities available, he stated that there was already a range of affordable, accessible and family friendly facilities on the seafront at Exmouth and wanted reassurances that the proposals would take account of prevailing social, environmental and economic factors affecting local communities. He indicated that there was distrust locally of the proposed closure of current facilities and people wanted proper consultation.

Mrs Daphne Currier also asked a question about Queens Drive, Exmouth. She stated that Exmouth was about to lose its current Fun Park in favour of an ambitious alternative plan, and wanted to know where the Business Plan for the proposed Water Sports Centre could be found. She expressed a view that the plans of Grenadier seemed to be contrary to the plans for a mixed-use development and that local people were being misled. She asked whether the public would have free access to the new centre or have to pay for facilities in future.

The Portfolio Holder for Economy, Councillor Philip Skinner responded to these questions. As Chair of the Exmouth Regeneration Board he recognised that the discussions about the Water Sports Centre at the Regeneration Board had been going on for some time, but the Plans were due to be received soon, at which point full consultation would occur. As Chair, he had every confidence that it will be good for Exmouth and EDDC had identified funding for the car park and road which would support the new centre.

Michael Temple asked a question on behalf of Alison Kerruish who was not present at the meeting. He asked about the questionnaire which had been designed for use as part of the consultation about Port Royal, which he felt was unclear and asked for clarification from the council. For example, one question requested views on five storey developments. He wanted to know if any other funding options were being considered and who had designed the questionnaire. A response was already available on this topic in relation to questions put by Councillors under Procedure Rule 9.2, and the Deputy Chief Executive, Richard Cohen, was able to confirm that he had already responded in writing to the questions from Ms Kerruish. He further added that the EDDC and Sidmouth Town Council had jointly commissioned independent consultants to carry out a scoping study as a first step toward the renewal of Port Royal, and which would include extensive consultation locally.

J. Green put a question to the council about 'Your Future Care'. She stated that at a previous council meeting, Councillor Mike Allen had stated that Care in the Community was not working but it appeared that the Leader of East Devon District Council appeared to have voted against the wishes of the council at a meeting at Devon County Council yesterday.

Stephen Craddock asked a question relating to the same topic. As a member of several groups in Honiton working to support the retention of Hospital beds across the district, he wanted an explanation from the Leader about the vote against the motion to extend consultation and refer to the Secretary of State, against the expressed wishes of East Devon District Council. He expressed a view that councillors appeared to be taking no notice of local views.

Mrs Diana Nason stated that she had been very impressed by the standard of questioning to CCG representatives at the last meeting of the Scrutiny Committee meeting, but regardless of this, the CCG had reached the conclusion that hospitals should be closed. She asked why the Leader of the council had not taken note of the views of local people and expressed a view that the decision at Devon County was disgraceful in this respect. She stated that the CCG were likely to sell the hospital which had been supported by the unpaid work of volunteers and as such, any sale would be regarded as 'legalised theft' from local people.

The Leader of the Council, Councillor Paul Diviani, responded to these questions. He explained that he was present at the meeting held at Devon County Council in the role of representing the eight Leaders of all district Councils across Devon. He agreed with the principles already expressed at this meeting and previously when this debate was held, but Devon cannot afford to fund the hospitals and the Secretary of State has ultimate power on this issue. He stated that the difficulty was due to the fact that the system needed an overhaul and more funding, but we need to show locally how we can pay for hospitals if that is our priority. He stated that the service to local residents is of paramount importance, but it may not be provided via hospitals and alternative services were needed. Practical solutions are now required.

*21 Minutes

The minutes of the Extra Ordinary Council meeting and Annual Council meeting of held on 17 May 2017 were confirmed and signed as a true record.

*22 Declarations of interest

Councillor Mark Williamson – Item 11

Type of interest – Personal interest

Reason – Councillor was a former Chair of Governors and Director of Children Services, and has 4 grandchildren.

Councillor Stuart Hughes – Item 11

Type of interest – Personal interest

Reason – Councillor is a Member of Devon County Council and has separately made representations to the Secretary of State.

Councillor Jill Elson – Item 11

Type of interest – Personal interest

Reason – Councillor is Chair of Exmouth Community College.

Councillor Phil Twiss – Item 11

Type of interest – Personal interest
Reason – Councillor is a member of Devon County Council

Councillor Iain Chubb – Item 11
Type of interest – Personal interest
Reason – Councillor is a member of Devon County Council

Councillor Marcus Hartnell – Item 11
Type of interest – Personal interest
Reason – Has children at schools in Seaton and Axminster

Councillor Douglas Hull – Item 12
Type of interest – Personal interest
Reason – Governor at RD&E Hospital

Councillor Ian Hall – Item 12
Type of interest – Personal interest
Reason – Councillor is a member of Devon County Council

Councillor Cherry Nicholas – Item 12
Type of interest – Personal interest
Reason – Councillor's son is employed by the CCG

- *23 Chairman/Leader notices/announcements
The Chair wanted to bring Council's attention to the Moor Otters Trail, a new art trail designed to support conservation projects on Dartmoor. Artists from the region had been commissioned to develop 100 pieces of art in the form of painted otters constructed to a height of 5 feet, placed around Dartmoor, gateway towns and other locations. This has been supported by members of the business community. There is a competition to find as many as possible, with prizes, and concluding in an auction of the otters later in the year to raise more funds for local projects. A pamphlet was available at the meeting for those attending.
- *24 Questions (Procedure Rules 9.2 and 9.5)
Nine questions had been submitted in accordance with Procedure Rule 9.2 - the printed [questions and answers](#) were circulated at the meeting. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). The response to the supplementary question asked is set out below.
- a) Question 1 – In response to the question by Cllr Roger Giles about the processing of Green waste in East Devon, Cllr Roger Giles confirmed that he had no supplementary question.
 - b) Question 2a – In response to the supplementary question by Cllrs Manley and Gardner about the current consultation for Port Royal, the Portfolio Holder for Strategic Developments & Partnerships advised that there is currently no development proposal for Port Royal and he would not be able to provide a more detailed response to that already provided without prejudging the consultation.
 - c) Question 2b - In response to the supplementary question by Cllrs Manley and Gardner about consultation on the contents of the consultation prior to it being

presented to the public, the Portfolio Holder for Strategic Developments & Partnerships advised that after the professional advice from the consultants had been received, the reference Group and others including Sidmouth Town Council would be able to respond appropriately.

- d) Question 3a – In response to the supplementary question by Cllrs Booth and Rixson about the Port Royal Scoping Study, the Portfolio Holder for Strategic Developments & Partnerships advised that consultants and council officers from both councils had worked together collaboratively on the consultation documents.
- e) Question 3b – In response to the supplementary question by Cllrs Booth and Rixson about the Port Royal Scoping Study consultation report, the Portfolio Holder for Strategic Developments & Partnerships advised that the report will be available online and that the timing of publication will be considered by both councils depending on the decisions required.
- f) Question 3c – In response to the supplementary question by Cllrs Booth and Rixson about financial implications of flood risk designation, the Portfolio Holder for Strategic Developments & Partnerships advised that since we were still at a consultation stage he was unable to give any indication of the level of any financial contribution the LPA would be requiring towards sea defences.
- g) Question 3d – In response to the supplementary question by Cllrs Booth and Rixson about the extent of the involvement of all tenants in the scoping study, the Portfolio Holder for Strategic Developments & Partnerships advised that the Scoping Study report would reflect on opportunities and constraints and the views of local people in due course. The Deputy Chief Executive confirmed that all tenants had been consulted.
- h) Question 4a – In response to the supplementary question by Cllr Armstrong about the source of funding for the road realignment on Queen's Drive in Exmouth, the Leader advised that the funding is set out in the council's capital programme and has an approved budget of £3,120,000 which was confirmed at Full Council in December 2016.
- i) Question 4b – In response to the supplementary question by Cllr Armstrong about how Condition 6 could be discharged if no Phase 3 proposal, the Chief Executive detailed the process that was being gone through and that it would be capable of being discharged due to the sequencing and timing.

*25 Minutes of Cabinet and Committees

RESOLVED

1. that the under-mentioned minutes be received and the recommendations approved

Cabinet

Minutes 215 – 235, 1 – 20, 21 – 41

Strategic Planning Committee

Minutes 1 - 8

Development Management Committee

Minutes 47 – 50, 1 – 4, 5 – 8

Audit and Governance Committee

Minutes 1 – 15

Licensing and Enforcement Committee

Minutes 16 – 19, 1 – 3

Licensing and Enforcement Sub Committee

Minutes 24 – 26, 1 – 6, 7 – 10, 11 - 13

2. that the under-mentioned minutes be received.

Cabinet (minutes 222, 224, 8, 29, 32) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

Scrutiny Committee

Minutes 47 – 53, 54 – 60, 1 – 7

Overview Committee

Minutes 20 – 25

Housing Review Board

Minutes 1 – 15

Arising from consideration of the above minutes:-

➤ **Cabinet, 14 June – Minute *4c – Letter to the Health & Adult Care Scrutiny Committee**

Cllr Val Ranger wanted to bring attention to the Leader's commitment to represent the views of this council as stated in this minute. The Leader had previously confirmed that he was sitting on the Health & Adult Care Scrutiny Committee as the District Councils' Network representative and would make sure that the views of this council would be put to the committee as well as those of other councils. At this meeting he reiterated that he was empowered only to represent the views of other Leaders and not act as a delegate, and all of the issues had to be weighed carefully before being put to a vote.

*26 Contract Standing Orders

The Chairman invited the Audit and Governance Chairman, Councillor Mark Williamson, to introduce the report seeking approval for revised Contract Standing Orders. Cllr Williamson stated that the Orders were part of this council's constitution and it was a requirement to review and update them to ensure they are kept up to date and relevant. He referred members to the Brief Guide on pages 8 and 9 of the report to indicate that the Orders need to be followed to the letter. The S151 Officer had got training for staff in hand.

RESOLVED: that the revised Contract Standing Orders be adopted.

*27 Motion – National Funding for Schools Consortium

The following motion was proposed by Councillor Matt Booth, seconded by Councillor Cathy Gardner and supported by Councillors Ben Ingham, Marianne Rixson, Susie Bond and Dawn Manley.

'That this Council supports the response of Devon County Council as the local education authority, and the objection of Hugo Swire MP, to the National Funding for Schools Consultation and calls upon the Secretary of State for Education to address this serious issue that is affecting schools, parents and pupils in East Devon and ensure fair funding for our schools across the district.'

The proposer of the motion, Councillor Matt Booth, spoke about the fact that schools on Devon were among the lowest funded in the country with each pupil receiving far less than the national average, demonstrating the disparity between funding for rural areas compared to schools in urban areas.

The seconder of the motion, Councillor Ben Ingham, listed the seventeen schools across East Devon who would receive less funding in future due to the proposed funding formula and how it would impact on future generations.

Councillor Mark Williamson proposed an amendment to the motion in order to strengthen it and bring it up to date by referring to the announcement by the Secretary of State on 17th July. He pointed out that this issue was one which should be taken out of politics and having an Independent Commission who could consider a new formula would be likely to do this.

Councillor Jill Elson seconded the amendment and declared her interest as Chairman of Exmouth Community College. She confirmed that Devon has the fifth lowest funding per pupil across the UK. She stressed that school funding needed an overhaul because the running costs remained the same regardless of fluctuating pupil numbers. Young people with special needs require more staff time but due to a shortfall in the Education Health Care Plan, Devon County Council top sliced all schools with the result that these young people are less likely to receive the support they require. There are many demands on schools which do not receive the funding for different support needs, such as to help young people with mental health problems.

The Chairman put the amendment to the motion to the vote and it was carried. It then became the substantive motion.

The amended motion was then put to the vote and agreed.

RESOLVED: that this Council thanks our MPs and County Council colleagues on their campaign for fairer funding for Devon's schools, and welcomes the Secretary of State for Education's announcement for a further £1.3bn for schools.

The Council calls on the Secretary of State to establish an Independent Commission on a National Formula which ensures that school funding is needs led, objective and transparent.

*27 Motion – NHS NEW Devon CCG

The following motion was proposed by Councillor Ben Ingham, seconded by Councillor Cathy Gardner and supported by Councillors Marianne Rixson, Val Ranger, Megan Armstrong and Geoff Jung.

'That this Council is concerned that the NHS NEW Devon CCG takes little or no notice of public opinion or the views of elected councillors. When consultations are held, the NHS NEW Devon CCG does not appear to follow the considered and constructive responses, and presses ahead with its intended decision even in the face of considerable opposition.

This Council therefore calls on National Government to ensure that all NHS CCGs are completely open and transparent, and fully embrace the important principles of democratic accountability.'

The proposer of the motion, Councillor Ben Ingham, spoke about the impact of CCG decisions on the residents of east Devon, which did not seem to take

account of a higher than average ageing population and the future care needs in this area.

The seconder of the motion, Councillor Marianne Rixson, referred to specific situations where local people had been let down by the health system and the worsening effect on such situations if the CCG decision goes ahead with the closure of hospital beds.

The following issues were raised by Councillors during consideration of the motion:

- That the CCG was not a body made up of people who were elected to represent local communities and despite representations from many Councillors and local people, the CCG was able to take decisions without any appropriate form of accountability to the communities they served
- That ultimately the Secretary of State for Health would make the decisions affecting East Devon
- That practical solutions about the future of local services were required

Councillor Geoff Pook proposed an amendment to the motion to extend and strengthen it.

Councillor Eileen Wragg seconded the amendment.

The Chairman put the amendment to the motion to the vote and it was carried. It then became the substantive motion.

The amended motion was then put to the vote and agreed.

RESOLVED:

- 1. That this Council is concerned that the NHS NEW Devon CCG takes little or no notice of public opinion or the views of elected councillors. When consultations are held, the NHS NEW Devon CCG does not appear to follow the considered and constructive responses, and presses ahead with its intended decision even in the face of considerable opposition.**
- 3. The Council calls on Devon County Council and will itself seek to ensure the CCG fully and enthusiastically engages with community groups to develop viable solutions.**
- 4. The council requests that our MPs lobby the Secretary of State to force the CCG to engage positively with community groups.**

Attendance list

Councillors present:

Andrew Moulding (Chairman)

David Key (Vice Chairman)

Megan Armstrong

Brian Bailey

David Barratt

Susie Bond
Matt Booth
Colin Brown
Jenny Brown
Peter Burrows
Paul Carter
Maddy Chapman
Iain Chubb
Paul Diviani
John Dyson
Jill Elson
Mark Evans-Martin
Peter Faithfull
Steve Gazzard
Roger Giles
Graham Godbeer
Pat Graham
Simon Grundy
Ian Hall
Steve Hall
Marcus Hartnell
Stuart Hughes
Douglas Hull
John Humphreys
Ben Ingham
Jim Knight
Rob Longhurst
Dawn Manley
Bill Nash
Cherry Nicholas
John O'Leary
Helen Parr
Christopher Pepper
Geoff Pook
Val Ranger
Marianne Rixson
Eleanor Rylance
Phil Skinner
Pauline Stott
Brenda Taylor
Phil Twiss
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Frances Newth
Ann Liverton

Officers:

Richard Cohen, Deputy Chief Executive

Simon Davey, Strategic Lead - Finance
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Mark Williams, Chief Executive
Susan Howl, Democratic Services Manager
Debbie Meakin, Democratic Services Officer

Councillor apologies:

Mike Allen
Darryl Nicholas
Dean Barrow
Alan Dent
Bruce de Saram
Cathy Gardner
Geoff Jung
Ian Thomas
Mike Howe

Honorary Aldermen apologies:

Trevor Cope
Stephanie Jones
Bob Peachey
Ken Potter
Tim Wood
Graham Liverton
David Atkins

Chairman Date