

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the Meeting of the Council held at**  
**Knowle, Sidmouth, on Wednesday, 4 December 2013**

**Present:**

**Councillors:**

Graham Godbeer	(Chairman)
Christine Drew	(Vice Chairman)
David Atkins	Douglas Hull
Ray Bloxham	John Humphreys
Susie Bond	Ben Ingham
Roger Boote	John Jeffery
Peter Bowden	Stephanie Jones
Peter Burrows	Sheila Kerridge
Derek Button	Andrew Moulding
Bob Buxton	Frances Newth
Geoff Chamberlain	John O'Leary
David Chapman	Helen Parr
Maddy Chapman	Philip Skinner
Iain Chubb	Pauline Stott
Trevor Cope	Peter Sullivan
David Cox	Brenda Taylor
Deborah Custance Baker	Ian Thomas
Alan Dent	Graham Troman
Paul Diviani	Phil Twiss
Vivien Duval Steer	Chris Wale
Jill Elson	Mark Williamson
Martin Gammell	Tim Wood
Roger Giles	Eileen Wragg
Steve Hall	Claire Wright
Peter Halse	Tom Wright
Tony Howard	

**Hon Aldermen:**

Mike Green	David Scott
Ron Mudge	Dr Waterworth

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Denise Lyon, Deputy Chief Executive  
Rachel Pocock, Corporate Legal & Democratic Services Manager  
Diana Vernon, Democratic Services Manager

**Apologies**

**Councillors:**

Mike Allen  
Steve Gazzard  
Pat Graham  
Mike Howe  
Stuart Hughes  
David Key  
Jim Knight  
Geoff Pook  
Ken Potter  
Steve Wragg

**Honorary Aldermen:**

Vivienne Ash  
Bernard Hughes  
Ann Liverton  
Graham Liverton  
Bob Peachey  
Margaret Rogers  
Barry Willoughby

The Chairman introduced Revd Jeremy White, former vicar of Uplyme and invited him to say a prayer.

The meeting then started at 6.30 pm and ended 8.35 pm.

**\*44 Presentation – Rotary visit by EDDC’s Section 106 Officer**

The Chairman brought this item forward on the agenda to avoid the Officer having to stay until the end of the meeting.

Sulina Tallack, the Council’s Section 106 Officer had taken part in a Rotary exchange trip to South Korea. The exchange team had engaged in vocational visits to learn and exchange ideas and visit businesses and government departments to explore local issues and initiatives. Sulina had used her experience of major infrastructure projects as well as community involvement in decision making and the delivery of social projects. Her engaging presentation included fascinating photographs taken during the exchange and highlighted how well the visit had been received and lessons learnt.

**\*45 Public question time**

The Chairman welcomed members of the public to the meeting and invited their questions.

Angie Hurrin, Clerk to Broadclyst Parish Council emphasised that the basic premise in planning for the future was to allow communities/villages to retain their individuality/autonomy. She acknowledged the work and discussions that had been carried out over the past 15 years in all of the parishes within the Growth Point; this had been for the benefit of all. She said some residents with properties to the north of Cranbrook would be disenfranchised if included within the proposed Cranbrook parish. It would appear that the proposed Cranbrook boundary had been recommended for ease of administration rather than community based reasoning.

Councillor Lyn Askew, Chairman of Clyst Honiton Parish Council referred to the importance of communities and the value of local co-operative effort. She said that the proposed boundary for Cranbrook would disenfranchise members of the local community. The four existing parishes within the Growth Point had worked closely together and with dedication for the benefit of the whole area. They recognised the need for the interim Forum arrangements for Cranbrook and the development of a strong community. She said that if the ‘straight line’ boundary along the Rockbeare Straight was adopted it would divide the existing community for no good reason.

Cllr David Mason, Chairman of Rockbeare Parish Council detailed the planning processes and local decision making to preserve existing communities. He said that virtually every map considered within the process had taken account of properties along the Rockbeare Straight except the one included within the Cabinet papers last week. He said that the consultation based on leaflet distribution had been flawed. The final boundary should not split communities but enable residents to continue to be part of the parish with which they currently identified. The proposal did not reflect the boundaries within the Local Plan and adopting the ‘straight line’ boundary would have unintended consequences for residents and businesses.

\*45 **Public question time (continued)**

Councillor Peter Bowden, Broadclyst Ward Member, with permission from the Chairman, read out a letter from Paul Parnell, Owner and Proprietor of the Jack in the Green, Rockbeare who had been unable to attend the meeting due to work commitments. Mr Parnell's business would be within the Cranbrook parish if the Cabinet's proposed boundary was accepted. He wrote that his business had already suffered from the impact of the Cranbrook construction works and temporary changes to access arrangements over recent years. His business was of benefit to the local community and contributed positively through employment opportunities, serving the tourist industry and payment of business rates. He believed that the proposed boundary for Cranbrook was ill considered and indicated a lack of communication and consultation. The final decision should be discussed further with businesses and local communities. He said that neighbouring parishes had been promised that they would not be affected by Cranbrook.

Honorary Alderman David Scott was concerned that car parking charges were too high to sustain the local retail economy. He urged the Council to review car parking charges urgently. He also asked for Council to throw out the suggestion that Honorary Aldermen's parking passes should be discontinued.

Keith Northover, Chair of the Knowle Residents Association referred to the modified order for two footpaths through Knowle Grounds – he asked if the Council's arguments being used for the proposed office relocation were equally flawed.

In response, the Chief Executive referred to the two stage process in respect of the footpath orders; the appeal had resulted in Devon County Council being required to make an order which would be subject to possible objection by the relevant landowner.

Jessica Bailey asked for confirmation on the publishing of pre-application advice.

In response, the Chief Executive advised that the Council had been waiting for a decision on this issue from the Information Commission. The decision notice had endorsed the Council's approach and pre-application advice could now be published after an application had been submitted.

Jacqueline Green referred to a letter from Councillor Twiss which had been printed in the 29.11.13 edition of the Sidmouth Herald. She said that this insulted and showed disrespect to Independent Councillors. She asked the Chairman if he would disassociate himself from the content of the letter.

In response, the Chief Executive advised that the Council's Monitoring Officer had received a Code of Conduct complaint in respect of the letter and so it was inappropriate to comment at this stage.

\*46 **Minutes**

The minutes of the meeting of the Council held on 23 October 2013 were confirmed and signed as a true record.

Councillor Giles questioned why the emailed copy of the Chairman's response to Mr Thurlow (Minute 30 refers) had been sent to Councillors marked 'protect'.

**\*47 Declarations of interest**

<b>Councillor/ Officer</b>	<b>Minute number</b>	<b>Type of interest</b>	<b>Nature of interest</b>
Councillor Ray Bloxham	51(a)	Personal	Resident of Cranbrook
Councillors Alan Dent, Trevor Cope, Tony Howard, Douglas Hull, Pauline Stott and Peter Sullivan	52	Personal	Association with the British Legion and/or military/national security

**\*48 Chairman/Leader notices/announcements**

The Chairman invited Councillors and guests to join him for cake and a glass of wine in the Members' Area after the meeting to celebrate the festive season.

The Chairman said that he would send a card to Councillor Ken Potter on behalf of the Council with very best wishes for his speedy recovery.

**\*49 Questions (Procedure Rules 9.2 and 9.5)**

No questions had been submitted.

**\*50 Presentation – Open for Business**

The Chairman brought this presentation forward to avoid EDDC Officers having to wait until the end of the meeting.

The Portfolio Holder – Corporate Services introduced this presentation on the Council's Open for Business initiative. The Council was driving this project forward to make it easier for users to access Council services and carry out transactions electronically.

Francesco Ferrari (EDDC Systems Analyst) and James De Leiburne (EDDC Senior Graphic Designer) advised that the key principle behind the digital service initiative was to start with the needs of customer and then design processes to match diverse user behaviour and their preferences and expectations based on evidence and monitoring. The design would help to make the on-line processes simple, consistent and easily accessible from a range of electronic devices. The design was based on the Government Digital Service principles. Processes would be monitored and changes made to achieve on-going improvements. On-line business arrangements would run alongside the Council's existing traditional communication links.

The Officers were thanked for their positive and clear presentation.

**\*51 Minutes of Cabinet and Committees**

**RESOLVED** (1) that the under-mentioned minutes be received and the recommendations approved

Cabinet	Minutes	90-111, 112-138
Development Management	Minutes	34-38
Planning Inspections	Minutes	11-13
Audit and Governance	Minutes	19-29
Licensing & Enforcement	Minutes	8-11
Licensing & Enforcement Sub	Minutes	26-27, 28-29

(2) that the under-mentioned minutes be received.

The Cabinet (minutes 96, 119 and 120) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

Overview and Scrutiny Committee	Minutes	22-32
Housing Review Board	Minutes	32-48

**Arising from consideration of the above minutes:-**

- a) **Cranbrook – Community Governance Review (Cabinet minute 122)**  
Councillor Peter Bowden, Ward Member for Broadclyst summarised the issues raised during public question time and referred to the strong arguments made. He spoke against Cabinet's recommendation and proposed an amendment to take account of the concerns voiced by parishes within the Growth Point area.

He proposed that the Cabinet's recommendation be not accepted but amended to take account of the concerns voiced by residents of East Devon; that the boundaries of Cranbrook shall not wilfully nor by default consume homes and businesses already existing within their historical parish or settlements, excepting by the full and public agreement of those concerned.

This proposal was seconded by Councillor Pauline Stott who said that it was wrong to split existing parishes for the benefit of the new community.

Councillor Derek Button, Ward Member for Broadclyst also supported the proposed amendment to the Cabinet recommendations. He referred to the huge disappointment in the local community who felt let down by the proposed 'straight line' boundary along the Rockbeare Straight which failed to take into account existing properties along the route. Although he and former councillor Ruth Burrows had fought against the building of the new community, they had been won round and had worked hard to try to achieve an acceptable outcome for everyone. He said that the Council had given assurances that it would not accept a coalescence of the existing villages with Cranbrook. He asked the Council not to fragment existing parishes and to establish functioning communities rather than straight line administrative areas.

\*51 **Minutes of Cabinet and Committees (continued)**  
**Arising from consideration of the above minutes (continued)**

**Cranbrook – Community Governance Review (continued)**

The Chief Executive said that he had been surprised by how few substantive replies had been received through the initial consultation process. The proposed boundaries were:

- the northern boundary was bordered by the railway line
- the western boundary reflected that of the Broadclyst Neighbourhood Plan
- the eastern boundary reflected that set out in the draft Local Plan
- the southern boundary was the contentious one which followed the line of the old A30 (Rockbeare Straight) with some exceptions.

He went on to advise that the Council could not vote on the proposal as the statutory process had already been started and would continue until May 2014. Councillor Bowden's proposal was too constraining. The Council had the option to start the process again or agree to allow the second round of the consultation process to progress with the intention of reaching agreement at the end of the process.

Councillor Moulding, Portfolio Holder – Strategic Development and Partnerships supported Councillor Peter Bowden's stance and the Council's early planning intention to comply with the interests of the local communities. He believed that the properties along the old A30 (Rockbeare Straight) should be aligned to Rockbeare to retain their current parish allegiance. He proposed that the alternative boundary identified in the plan, which had been circulated at the Cabinet meeting, should be the one used in the second phase of the consultation. This amendment was supported by Councillor Derek Button and seconded by Councillor Phil Twiss.

Councillor Bowden explained that the local communities had not objected to the proposals for Cranbrook because the leafleting arrangements had been flawed; maps had showed the southern boundary taking into account individual properties. Had residents been made aware of the 'straight line' proposal, there would have been significant and earlier objection. He supported Councillor Moulding's amendment. The Leader said that the interests of the parishes must come first.

The recommendations of the Cabinet were therefore amended.

- RESOLVED**
- (1) that a new Parish Council be established for the area known as 'Cranbrook' and that this proposal be formally published with a 3 month period of consultation;
  - (2) that the proposed boundary be as set out in the amended plan (reflecting the delineation as set out in the draft East Devon Local Plan but retaining the individual properties along the Rockbeare Straight within Rockbeare parish);

\*51 **Minutes of Cabinet and Committees (continued)**  
**Arising from consideration of the above minutes (continued)**

**Cranbrook – Community Governance Review (continued)**

- (3) that the new Parish Council be known as 'Cranbrook Town Council';
- (4) that the Parish Council Membership comprise 12 councillors;
- (5) that no warding provisions be incorporated in the Town Council.

**b) Pre-application advice - confidentiality (Overview and Scrutiny Committee minute 30)**

In response to a question, the Chief Executive advised that the Committee had resolved to await the outcome of the Information Commission's investigation before revisiting the issue of pre-application advice. The Council had now received that advice which upheld the Council's stance - the appropriate time to publish pre-application advice was when a planning application had been submitted. The Committee Chairman, Tim Wood, confirmed that pre-application advice would be published at the appropriate time.

**c) Affordable housing acquisition proposal (Housing Review Board minute 47)**

Councillor Pauline Stott, Chairman of the Housing Review Board drew Members' attention to this minute. This was the first time that the Council had purchased a purpose built small block of flats. Councillor Stott congratulated the Council's Housing Enabling Officer (Paul Lowe) for the effective work he was carrying out. The team was also looking at the potential for redeveloping garage sites for additional affordable accommodation.

\*52 **Motion 1 – British Nuclear Test Victims**

The following motion (in the names of Councillors Paul Diviani, Andrew Moulding, Alan Dent, Brenda Taylor and Ben Ingham) was proposed by Councillor Paul Diviani and Seconded by Councillor Andrew Moulding:

"That this Council:

1. Notes that its commitment to the Armed Forces Community Covenant ensures the needs of those residents of East Devon who serve, or who have served, the country are recognised and supported at a local level;
2. Further notes that many other residents have, though a range of professions, served the country in equally significant measure, such as in national security and defence – including those who participated in the test of Britain's nuclear weapons in the 1950s and 1960s;
3. Welcomes that, following a Ministry of Defence commissioned Health Needs Analysis in 2011 of British nuclear test veterans, the NHS have introduced a number of practical measures to support them;

\*52 **Motion 1 – British Nuclear Test Victims (continued)**

4. Believes that other parts of the public and voluntary sector should seek to introduce similar measures to support nuclear test veterans – and that the Council should lead this at a local level by extending the provisions of the Armed Forces Community Covenant to those veterans who live in East Devon;
5. Urges the Government to support the campaign of the British Nuclear Test Veterans Association by:
  - Officially recognising the unique service of these veterans and acknowledge the nations continuing debt to them; and
  - Supporting the intention to establish a Benevolent Fund of £25 million to provide assistance for those veterans and their descendants in need.
6. Agrees to ask our Members of Parliament to back this campaign and join East Devon District Council in urging the Government to support the requests outlined in (5) above.”

The proposer, Councillor Paul Diviani, spoke of the physical and emotional damage caused by the testing. He referred positively to the benefits that could be achieved through the Government’s proposed Benevolent Fund.

The seconder, Councillor Andrew Moulding, supported the motion and referred to work already being carried out to support serving members and veterans of the armed forces and their families. Councillor Pauline Stott referred to work being carried out by the Council’s housing service.

The Chairman of the Council reminded Members of his chosen charity – The C Group - the Royal Marines charity which inspired business to support Royal Marines in need whilst they are serving, in transition to civilian life and thereafter.

The motion as printed was put to the vote and carried.

**RESOLVED** that this Council supports the content and intent of the motion as printed.

\*53 **Motion 2 – Probity in Planning report**

The following motion (in the names of Councillors Claire Wright, Roger Giles, Trevor Cope, Ben Ingham and Susie Bond), was proposed by Councillor Claire Wirght and Seconded by Councillor Roger Giles:

"This Council acknowledges the importance and supports the principle of complete openness and transparency in local government. The Council therefore agrees to accept in full with immediate effect all the recommendations within the Probity in Planning report jointly produced by the Local Government Association and the Planning Advisory Service in April 2013.

In particular the Council will implement the guidance that pre-application advice issued should be publicly available."



**\*53 Motion 2 – Probity in Planning report (continued)**

In proposing the motion, Councillor Claire Wright said that much of the content of the motion had already been addressed. She asked Members to adopt the remainder of the guidance in the Probity in Planning report and believed that there was nothing in the document that the Council would not wish to adopt.

Councillor Roger Giles, as seconder, confirmed his support for the motion.

The Portfolio Holder – Corporate Business said that the second paragraph of the motion was in conflict with Council practice as it referred to issuing pre-application advice whether a formal application for development was subsequently made or not. Councillor Helen Parr, Chairman of Development Management Committee added that the Council already held Member Advisory Panel meetings to which Councillors were invited. This was part of the pre application process aiming to improve the quality of submitted applications.

The Leader proposed an amendment to reflect when pre application advice should be made public. This amendment was seconded by Councillor Andrew Moulding and accepted by Councillor Claire Wright.

**RESOLVED** that the motion be agreed as printed subject to the second paragraph now reading: ‘in particular the Council will implement the guidance that pre-application advice issued should be publically available once an application is lodged.’

**\*54 Motion 3 – Car Park Charges**

The following motion (in the names of Councillors Roger Giles, Claire Wright, Trevor Cope, Susie Bond and Ben Ingham, was proposed by Councillor Roger Giles and Seconded by Councillor Claire Wright:

"This Council faces increasing difficulty in providing services for the people of East Devon as a result of reductions in Government local government financial settlements. Car parking charges continue to be an important source of income for the Council, but high charges are unpopular with East Devon residents, and an obstacle for business, particularly for small shopkeepers.

In an attempt to protect council services and raise income in as fair a way as possible, this Council therefore agrees to introduce car parking charges at The Knowle as soon as practically possible. The Council also agrees to consider removal of the entitlement to lifelong free car parking in EDDC car parks for Honorary Aldermen."

The Leader called this motion in to Cabinet for full consideration and debate. Cabinet and the Overview and Scrutiny Committee were already debating car park issues – the Council was not the right place to debate this issue at the current time.

**RESOLVED** that the motion be called in to Cabinet for detailed consideration.

**\*55 Councillor appointments**

**RESOLVED**

that Councillor Tom Wright be appointed as EDDC's representative on the Police and Crime Panel – Devon and Cornwall with the Leader to be appointed as substitute.

(Councillor Tom Wright had been EDDC's substitute to the Leader on this Panel.)

Chairman .....

Date.....