

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of the Council held at Knowle, Sidmouth on 15 October 2014

Attendance list at end of document

The meeting started at 6.30pm and ended at 7.45pm.

***26 Public Speaking**

The Chairman welcomed Councillors and members of the public present.

Mr Arnott expressed surprise that the Chief Executive had not widely publicised his invitation to attend a meeting of the Commons Select Committee on voter engagement in the UK. The Chief Executive in his role as Electoral Registration Officer (ERO) had been interviewed by a cross-party panel of MPs. Mr Arnott asked why the Chairman of the Council's Overview and Scrutiny Committee had not been made aware of this.

The Chief Executive responded by advising that other EROs who had also been invited to attend the meeting had regarded it as a routine, straight-forward matter.

Mr Freeman referred to the July Council meeting where he had criticised the Council's Electoral Registration Officer. He said that the response by the Chief Executive had been that Mr Freeman's facts were incorrect. However Mr Freeman said that the Commons Select Committee had questioned EDDC's lack of door-step canvassing and whether sufficient alternative action was being taken to find 'missing' electors. He also questioned the practice of adjusting closed registers on the day of election to enable unregistered residents to vote. A subsequent EDDC press release advised that no voters had been deselected.

The Chief Executive responded by thanking Mr Freeman for highlighting this matter as it had given him the opportunity to speak to the Select Committee. The Chief Executive had found that nationally the average electoral registration rate was 84% compared with the much higher Devon figures of 95% and more. The Chief Executive thought that the problem was far more acute in other parts of the country.

Councillor Douglas Hull advised that he had taken a telephone call from a named representative of the North Devon Healthcare Trust who said that Axminster Hospital would lose its beds in January 2015. He said that it appeared that a decision had been made before the close of the consultation period. Councillor Andrew Moulding acknowledged local concern about the possible loss of Axminster hospital beds. However, he had attended a consultation/drop-in event in Kilmington that day to meet with doctors and other health representatives; no mention had been made of the loss of beds in January. The service was aware that Axminster was a growing community and would need additional health resource.

***27 Petition**

The Council received a petition of over 900 signatures presented by Seaton Town Councillor Steve Williams and Vanessa Coxon.

Petition subject – No to more retirement homes

“The residents of Seaton would like to inform East Devon District Council that they wish to see a growing vibrant town with an opportunity for tourism and trade to expand. We petition East Devon District Council to only provide permission for a Hotel/Holiday accommodation on the Harbour Road/Tesco regeneration site.”

In presenting the petition, Town Councillor Williams said that it represented the views of the majority of Seaton residents. They were against a potential development of retirement flats and asked the Council to honour promises made to regenerate the town and turn down the application when received.

In Ward Member, Councillor Peter Burrows' absence, Councillor Douglas Hull said that Councillor Burrows supported the sentiments of the petition and that a hotel would serve the Jurassic Centre's visitors and help to regenerate Seaton.

Ward Member, Councillor Jim Knight also supported the petition. He had serious concerns about the possibility of another retirement complex in Seaton. He said that it was important for a strong argument to be put forward against such a development should the application be submitted.

***28 Minutes**

The minutes meeting of the Council held on 23 July 2014 were confirmed and signed as a true record.

***29 Declarations**

Cllrs Stuart Hughes and Eileen Wragg declared personal interests in Cabinet minute 61 (Exmouth and Dawlish Beach Management Scheme) as they were both members of the South West Regional Flood and Coastal Committee.

***30 Chairman/Leader notices/announcements**

The Chairman advised that the Council photograph was now available and any Councillor wanting a copy should sign the order form in the Members' Area.

***31 Awards – Revenues and Benefits teams**

The Chairman was proud to announce the success of the Revenues and Benefits teams in the Teams of the Year awards as judged by the Institute of Revenues Rating and Valuations. The Council had entered teams separately as there was not a combined Revenues and Benefits award. EDDC's Benefits Team was awarded silver in the Benefits Team of the Year and EDDC Revenues Team was awarded bronze in the Revenues Team of the Year. For both teams to be award winners was a great achievement. The news was an acknowledgement of the exceptional work that takes place in this Council's Revenues and Benefits teams. Particular thanks and congratulations were extended to Libby Jarrett, Revenues and Benefits Manager.

The Chairman presented the Revenues and Benefits Manager with the awards and certificates from the Institute of Revenues Rating and Valuations.

***32 Long service awards**

The Chairman praised the loyalty of long-serving staff. He highlighted the achievements of three members of staff who were then awarded certificates.

Leila Parker, Building Cleaner, Property Services – 30 years

Sue Bewes, Landlord Services Manager, Housing – 20 years

Paul Lowe, Housing Development and Enabling Officer, Housing - 10 years

***33 Best Kept Village Competition**

The Chairman thanked all villages that had taken part in the competition; the level of success reflected well on the villages within the district. He recognised the community effort and hard work involved and extended the Council's congratulations. This Council formally recognises the villages who have achieved success in the Devon-wide competition with a certificate. The highest scoring villages in East Devon, which had not won in the Devon-wide completion, were recognised by this Council and awarded cups and certificates in both the large and small village categories.

The Chairman advised that this year the Council was privileged to welcome Dr Margaret Hall, Chairman of the Campaign for the Protection of Rural England (CPRE) – East Devon District Group. The Chairman invited Dr Hall to address the Council. Dr Hall thanked the Council for celebrating the competition and congratulated the winning villages. She emphasised the community involvement in the competition and extended thanks to all involved including the judging panel.

Kilminster: Devon-wide winner in large village category (past winner category)
 Musbury: Runner-up in Devon-wide large village category
 Dalwood: Devon-wide winner in small village category (past winner category)
 Offwell: Runner-up in Devon-wide small village category (past winner category)
 Lymington: Runner-up in the Devon-wide new entry category

The Chairman then presented the certificates and cups to the East Devon villages who had not won Devon-wide awards but who had achieved high scores.

East Budleigh: Large village - winner of EDDC Baker Cup
 Talaton: Small village – winner of EDDC Glanvill Cup
 Axmouth: Runner-up – large village
 Hawkchurch: Runner-up – small village

***34 Questions (Procedure Rules 9.2 and 9.5)**

Six questions had been submitted in accordance with Procedure Rule 9.2 - [the printed questions and answers](#) were circulated in advance of the meeting. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). There were no supplementary questions in respect of questions 1,3,4 and 6. The responses to the supplementary questions are set out below.

a) Question 2 – Information commissioner appeal process

In response to a supplementary question about publicising costs of the appeal process, the Deputy Chief Executive stated that the process was still on going but that the information would be published when the process had been concluded.

b) Question 5 – Strategic Housing Market Assessment report

In response to a supplementary question, the Deputy Leader acknowledged that the process was taking time but that the Council was in the hands of the Inspector and the SHMA process. A full up-date would be presented to the Development Management Committee on 21 October 2014.

*35 **Minutes of Cabinet and Committees**

RESOLVED

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

Cabinet

Minutes 51-70, 71-91

Development Management Committee

Minutes 12-15, 16-21, 22-26

Planning Inspections Committee

Minutes 7-9, 10-12, 13-15

Audit and Governance Committee

Minutes 14-24

Licensing and Enforcement Committee

Minutes 4-6

Licensing and Enforcement Sub Committee

Minutes 6-8, 9-10, 11-13

RESOLVED

2. that the under-mentioned minutes be received.

Cabinet (minutes 57, 77 and 78) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

Overview and Scrutiny Committee

Minutes 18-24, 25-34

Housing Review Board

Minutes 21-40

Arising from consideration of the above minutes:-

a) Strata – governance and scrutiny (Cabinet minute 86 refers)

The Chief Executive advised that the three partner authorities (EDDC, Exeter City and Teignbridge District Council) needed to agree the terms and rules for the joint Executive and Scrutiny Committees for the project to proceed. Teignbridge DC had raised a couple of issues relating to the terms of reference and rules of procedure that it wanted incorporated into the legal agreement. The Chief Executive advised that the adjustments were reasonable. The arrangements needed to be in place by 1 November 2014 - when the details were available and if timely, the Chief Executive would consult with Group Leaders.

RESOLVED:

that (together with Teignbridge and Exeter Councils), this Council resolves to amend its Constitution to:

1. Appoint a Joint Scrutiny Committee;
2. Agree the Terms of Reference and Rules of Procedure for the Joint Executive Committee and Joint Scrutiny Committee, with the Chief Executive being given delegated authority to approve the final version,
3. Appoint 3 members of each Council to sit on the JSC in compliance with the rules of political balance,
4. Give delegated authority to the Chief Executive to appoint the Council's director to the Strata Board.

b) Designation of Feniton Neighbourhood Area (Cabinet minute 65 refers)

Ward Member, Councillor Susie Bond, thanked the Council on behalf of Feniton Parish Council for approving Feniton as a Neighbourhood Area. She also took the opportunity to thank the Council and particularly the Leader for the robust response to the planning enforcement issue currently being faced by Feniton. In the light of Feniton's flooding problems, she said that the Council's stance against the developer who did not comply with a condition imposed by the Planning Inspectorate was to be applauded.

c) Housing Review Board

In presenting the minutes, the Chairman, Councillor Pauline Stott reported that Home Safeguard had achieved the industry's service award with flying colours.

d) Emerging work on defining an objectively assessed housing number for East Devon - Development Management Committee (minute 18 refers)

Councillor Roger Giles emphasised the importance of planning and ensuring that adequate services were in place to serve growth. He asked the Chairman of the Overview and Scrutiny Committee to invite a health representative to the following day's meeting. In response, Councillor Wood advised that a health consultation meeting for Councillors had recently been held and the recommendations from that meeting would be referred to the meeting of Overview and Scrutiny for further discussion. He asked all Councillors to attend this meeting on 16 October 2014 to put their views forward. Councillor Wood said that he would extend an invitation to a representative from the North Devon Healthcare Trust to attend the meeting if possible.

e) Applications for Planning Permission- Development Management Committee (minute 26 refers)

Councillor Giles emphasised the importance of decisions taking into account the capacity of local services during determination of applications for development.

f) Enhancement and planning policy monitoring systems (5-year land supply) – Audit and Governance Committee (Minute 22 refers)

Councillor Tony Howard presented the Committee's minutes on behalf of the Committee Chairman, Ken Potter who had given his apologies. Councillor Howard moved that the recommendation at Minute 22 be reworded.

In seconding this proposal, Councillor Moulding welcomed the clarification and emphasised the need for improved monitoring of the 5-year land supply. The Council's funding bid to the Department for Communities and Local Government's site delivery fund had been successful and would be used towards the cost of funding the proposed officer post to monitor the land supply and liaise with developers.

Councillor Giles proposed an amendment, seconded by Councillor Ben Ingham: 'delete 'that progress to date in achieving the objectives set out by the Committee be noted' and replace with 'the Council expresses its concern at the further delay in the completion of the Strategic Housing Market Assessment and the further delay in achieving an adopted Local Plan as this continues to place communities under threat from inappropriate development'.

The amendment was put to the vote and lost.

The amended wording to the printed recommendation as proposed by Councillor Howard and seconded by Councillor Moulding was put to the vote and carried.

RESOLVED:

1. that progress to date in achieving the objectives set out by the Committee be noted;
2. that a further report be presented to the November Audit and Governance Committee to detail progress on mitigating the risks related to the lack of a 5 year land supply;
3. that the land supply be monitored by the planning policy team on an ongoing basis;
4. that an officer post be resourced to monitor the land supply and liaise with developers to ensure that the land supply is consistent with the Local Plan.

g) Licensing and Enforcement Committee

In presenting his Committee's minutes, the Chairman, Councillor Steve Hall said that a recent appeal against a Sub-Committee decision in respect of a Hackney Driver's Licence had been lost, (the case was won by the Council). He said that Councillor Jim Knight, Vice Chairman, had attended the court with Council Officers where the Council's decision had been robustly and successfully defended. He said that the Council's 100% success rate in respect of defending its licensing decisions reflected well on the Council and the effective training in place.

The Chairman also referred to cases of youth sexual exploitation elsewhere in the country and the involvement of taxi drivers. He asked Members to be vigilant to any similar behaviour in East Devon. He advised that any information passed to the licensing team would be dealt with sensitively and in confidence.

***36 Strata – governance and scrutiny (Cabinet minute 86)**

RESOLVED:

that Councillors Alan Dent and Tim Wood, (Conservative) and Martin Gammell (Liberal Democrat) be appointed to sit on the Strata Joint Scrutiny Committee in compliance with the rules of political balance;

***37 Housing Review Board – tenant and/or leaseholder representatives**

RESOLVED:

that the following appointments of tenant/leaseholder representatives to the Housing Review Board be confirmed:

Harry Roberts
Joyce Ebborn

***38 Development Management**

RESOLVED:

that Councillor Bob Buxton be appointed to the Development Management Committee in place of Councillor Ken Potter.

Attendance list

Councillors present:

Graham Godbeer, Chairman
Christine Drew, Vice Chairman
David Atkins
Ray Bloxham
Susie Bond
Roger Boote
Bob Buxton
David Chapman
Maddy Chapman
Iain Chubb
Trevor Cope
David Cox
Deborah Custance Baker
Alan Dent
Vivien Duval Steer
Martin Gammell
Steve Gazzard
Roger Giles
Pat Graham
Steve Hall
Peter Halse
Tony Howard
Mike Howe
Stuart Hughes
Douglas Hull
John Humphreys
Ben Ingham
John Jeffery
Sheila Kerridge
David Key
Jim Knight
Andrew Moulding
Frances Newth
Helen Parr
Geoff Pook
Philip Skinner
Pauline Stott
Brenda Taylor
Ian Thomas
Graham Troman
Phil Twiss
Tim Wood
Eileen Wragg
Claire Wright
Tom Wright

Also present:

Honorary Alderman Bernard Hughes

Officers:

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

Councillor apologies:

Mike Allen, Peter Bowden, Peter Burrows, Derek Button, Geoff Chamberlain, Paul Diviani,
Jill Elson, Stephanie Jones, John O'Leary, Ken Potter, Peter Sullivan, Chris Wale, Mark
Williamson, Steve Wragg

Chairman Date.....