

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 20 April 2016**

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

The meeting started at 6.30pm and ended at 7.20pm

#### **\*71 Public Speaking**

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

Dot Turner spoke on the Devon Partnership Trust's (DPT) proposed closure and sale of St John's Court – a Mental Health and Recovery Unit - in Exmouth. As a mother of a service user of the Unit she knew firsthand the life line that the Unit provided. The closure was being driven by the DPT's need to make significant savings. However, the reasons for the closure of this particular unit were advised to be incorrect. The Unit was advised to be underused by the DPT, but there was currently a three month waiting list. She spoke of the disastrous consequences the closure would bring, particularly for Exmouth as a military town. She asked the Council to please support the campaign to save the Unit and advised that MP Hugo Swire was behind the campaign group.

The Chairman thanked the speaker for her contribution and invited Portfolio Holder – Sustainable Homes and Communities, Councillor Jill Elson to respond. Councillor Elson spoke of the importance of having a local facility. There were concerns about the DPT's proposal for current service users to use the GP services as many GP services were already at capacity. She advised that it was an issue 'being pushed up the agenda'.

#### **\*72 Minutes**

The minutes (with Council Tax Schedules 1, 2 and 3) of the Council meeting held on 24 February 2016 were confirmed and signed as a true record.

#### **\*73 Declarations of interest**

Councillor Geoff Pook; Minute No. 78 (Adoption and implementation of the Community Infrastructure Levy (CIL) Charging Schedule)

Type of interest – Pecuniary interest

Reason – Councillor's business involved the construction industry.

Councillor Pook left the Chamber during the discussion and voting on this item.

#### **\*74 Matters of urgency**

No matters of urgency had been identified.

#### **\*75 Chairman/Leader notices/announcements**

The Chairman spoke of the successful official opening of Seaton Jurassic by the Princess Royal the previous week. He advised that it was a marvellous attraction which would bring many visitors to Seaton.

**\*76 Questions (Procedure Rules 9.2 and 9.5)**

Five 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 responses to the supplementary questions are set out below.

- a) Question 1 - In response to the supplementary question the Deputy Leader advised that he had recently attended, on behalf of the Council, a meeting of the Devon Districts Forum where there had been an update on the Syrian VPR Scheme. He advised that the Government had already identified several dispersal areas and were looking to extend to other areas. He invited Councillors to feedback to the Council any suitable vacant properties in their wards.

Portfolio Holder – Sustainable Homes and Communities, Councillor Elson, advised there would be an update report on the Scheme, including proposed future steps, on the next Cabinet agenda. She spoke of the need to identify properties which could accommodate 4 – 5 people which had the necessary services nearby to support families – there was significant criteria which had to be met.

- b) Question 2 – In response to the supplementary question the Deputy Leader reiterated the consultation and partnership working to date as outlined in the response to the original question. He advised that there had been engagement with Exmouth Councillors throughout the process and that a meeting of Exmouth Town and District Councillors had been arranged the following week by Cllr Elson.
- c) Question 3 - In response to the supplementary question the Portfolio Holder – Environment referred to the current long beach hut waiting list in Seaton and advised that if there were a number of vacant huts at the end of the year then a review of the charges would be undertaken.
- d) Question 4 – No supplementary question was asked.
- e) Question 5 – In response to the supplementary question the Environment Portfolio Holder gave assurance that the transfer of Windsor Gardens to the Town Council would be progressed.

**\*77 Minutes of Cabinet and Committees****RESOLVED**

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

**Cabinet**

Minutes 189 - 202, 203 - 219

**Development Management Committee**

Minutes 63 - 67, 68 - 72

**Audit and Governance Committee**

Minutes 40 - 49

**Licensing and Enforcement Committee**

Minutes 19 - 22

that the under-mentioned minutes be received.

Cabinet (minutes 197, 206, 210, 212) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

**Overview Committee**

Minutes 30 - 37

**Scrutiny Committee**

Minutes 45 - 53, 54 – 59 (The preamble of minute No.58 had been amended at the subsequent meeting of that Committee)

**Housing Review Board**

Minutes 64 - 77

Arising from consideration of the above minutes:-

**a) Scrutiny (minute 57– Beach hut update and minute 58 – Scope for Dunkeswell and Chardstock Built-up Area Boundary)**

In presenting the minutes, the Chairman, Councillor Giles, expressed disappointment that Cabinet had only noted the Committee's recommendations in respect of minutes 57 and 58. He thanked the Scrutiny Committee members and officers, particularly Debbie Meakin, Democratic Services Officer, for their hard work.

In response the Chief Executive advised that in respect of the recommendations regarding the scope for Dunkeswell and Chardstock Built-up Area Boundary (minute 58) the Committee had focused on a very small part of the Local Plan process and therefore to adopt the recommendations was premature (pending the review of process by Audit and Governance). In respect of recommendations regarding the beach hut update (minute 57) he advised that there were implications on existing policies and committee report timetables which didn't appear to have been taken into account. 'Noting' the recommendations was most appropriate response.

**b) Audit and Governance**

In presenting the minutes, the Chairman, Councillor Williamson, advised that KPMG were the Council's newly appointed external auditors and that the Council had made a significant saving from the appointment.

**c) Licensing and Enforcement Committee**

In presenting the minutes, the Chairman, Councillor Hall, reported that Steve Saunders had now taken over the role of Licensing Manager following John Tippin's retirement. He wished for John's valuable contribution to the Council to be noted.

\*78 **Adoption and implementation of the Community Infrastructure Levy (CIL) Charging Schedule**

The report to Members sought the necessary resolutions to satisfy the CIL regulations and enable the adoption of the CIL Charging Schedule and associated Regulation 123 List of infrastructure from September 2016. The content of the documents had been previously agreed by Members and were found to be sound at the CIL examination. An early review of the Schedule, which was already three years old, was also recommended, having been discussed at the examination.

The Chief Executive advised that Charging Schedule was recommended to come into effect from 1 September 2016. This would allow those affected to understand the implications of the Schedule before it was introduced.

Councillor Hull raised concerns about the standard of some of the new homes across the district and asked that this be looked into. In response the Deputy Leader advised that he would refer the matter to a joint Think Tank of Strategic Developments and Partnerships and Economy Portfolios, with an invitation to Building Control and NHBC to attend.

In response to a question from Councillor Allen, the Chief Executive advised that the Regulation 123 list sets out the strategic infrastructure that Council intends to be wholly or partly funded by CIL and any site specific infrastructure/services not included on the Regulations 123 list could be obtained through a Section 106 Agreement if appropriate. Infrastructure listed within the 123 list could not be secured in part or full through Section 106 contributions.

Councillor Dent proposed the recommendations, which were seconded by Councillor Twiss. The proposal was put to the vote and carried.

**RESOLVED:**

- 1. that the East Devon CIL Charging Schedule, the Regulation 123 List of infrastructure to be funded in whole or in part by CIL, and the Compliance Report which detailed how the adopted Charging Schedule had been amended in light of the Examiner's modifications be approved and adopted;**
- 2. that the Charging Schedule be brought into effect from 1 September 2016;**
- 3. that a budget of £30,000 to enable a review of the Charging Schedule and associated viability evidence underpinning it (which could be claimed back from future CIL receipts) be agreed.**

**Attendance list**

**Councillors present:**

Stuart Hughes (Chairman)  
Helen Parr (Vice Chairman)

Mike Allen  
Megan Armstrong  
Brian Bailey  
David Barratt  
Dean Barrow

Matthew Booth  
Susie Bond  
Peter Bowden  
Colin Brown  
Peter Burrows  
Paul Carter  
Iain Chubb  
Alan Dent  
Jill Elson  
Peter Faithfull  
David Foster  
Roger Giles  
Graham Godbeer  
Pat Graham  
Alison Greenhalgh  
Simon Grundy  
Maria Hale  
Steve Hall  
Marcus Hartnell  
Douglas Hull  
John Humphreys  
Ben Ingham  
Geoff Jung  
Jim Knight  
Dawn Manley  
Andrew Moulding  
Bill Nash  
Cherry Nicholas  
Chris Pepper  
Geoff Pook  
Val Ranger  
Marianne Rixson  
Philip Skinner  
Brenda Taylor  
Ian Thomas  
Phil Twiss  
Mark Williamson  
Eileen Wragg  
Tom Wright

**Honorary Aldermen:**

Frances Newth  
Tim Wood

**Officers:**

Richard Cohen, Deputy Chief Executive  
Ed Freeman, Service Lead – Strategic Planning and Development Management  
Henry Gordon Lennox, Strategic Lead – Legal and Democratic Services  
Mark Williams, Chief Executive  
Hannah Whitfield, Democratic Services Officer

**Councillor apologies:**

Maddy Chapman  
David Chapman  
Matt Coppell  
Paul Diviani  
Cathy Gardner  
Steve Gazzard  
Ian Hall  
Mike Howe  
David Key  
Rob Longhurst  
John O'Leary  
Pauline Stott

**Honorary Aldermen apologies:**

Trevor Cope  
Bob Peachey  
Ken Potter

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