

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 13 December 2017**

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

The meeting started at 6.30pm and ended at 8.30pm.

In the absence of the Chairman, Councillor David Key acted as Chairman for the meeting and Members confirmed their agreement that Councillor Helen Parr would act as Vice Chairman.

#### **\*47 Public speaking**

The Chairman welcomed all those present to the meeting present and invited members of the public to address the Council. There were two members of the public wishing to address the Council.

David Daniel wanted to ask the Council about the accuracy of the detail contained in the Heart of the South West (HOTSW) Productivity Strategy.

The Portfolio Holder for Strategic Development & Partnerships, Councillor Phil Twiss, responded that HOTSW needed to aim high in its objectives to increase prosperity across the area, given the level of uncertainty which Mr Daniel had accurately reflected.

Jacqueline Green wanted to ask the Leader two questions about whether his Register of Interests was up to date and reflected his business interests, and also whether his entries on the hospitality register were correct.

Councillor Diviani was delayed in arriving at the meeting and was not present when this question was put, however, it was agreed to provide a written answer after the meeting.

#### **\*48 Minutes**

The minutes of the Council meeting held on 25 October 2017 were confirmed and signed as a true record.

In relation to Minute 38, Councillor Douglas Hull asked the Chief Executive if he had received a response to a letter sent to Mr Coleville MP on behalf of the Council following the meeting of Council on 21 December 2016 (Minute 52), in relation to the quality of house building in East Devon and the role of the National House Builders Council (NHBC). If no response had been received, Councillor Hull requested that the process be restarted. The Chairman responded that this would be followed up.

#### **\*49 Declarations of interest**

Councillor Jill Elson – Item 13

Type of interest – Personal interest

Reason – Chair of Community Transport

Councillor Phil Twiss – Item 13

Type of interest – Personal interest

Reason – Member of Devon County Council

Councillor Douglas Hull – Item 13

Type of interest – Personal interest

Reason – Member of the RD&E Hospital Board of Governors

Councillor Graham Godbeer – Item 14

Type of interest – Personal interest

Reason – Owns a drone

**\*50 Matters of Urgency - Appointment of a Tenant Representative on the Housing Review Board.**

Members were asked to confirm the Appointment of a Tenant Representative on the Housing Review Board, following the recent resignation of one of the tenant representatives. The reason for this being an Urgent Item is due to the fact that the appointment has to be confirmed by Council before the next meeting of the Housing Review Board due to be held on 11 January 2018.

**RESOLVED:** that Susan Saunders be formally appointed to fill the vacant tenant representative position on the Housing Review Board.

**\*51 Chairman/Leader notices/announcements**

The Chairman wanted to make two announcements. The first to announce the intention of Councillor Pat Graham to resign from East Devon District Council with effect from December 31<sup>st</sup> 2017. The Chairman thanked Councillor Graham for the valuable contribution she had made to the Council over the many years of her involvement as a Councillor for Exmouth Town Ward, and stated that she could retire knowing that she had made a first class contribution to the well-being of EDDC. The second announcement was to invite those present to join him after the meeting in reflecting on how much EDDC had achieved during 2017.

**\*52 Questions (Procedure Rules 9.2 and 9.5)**

Four 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 questions asked are set out below.

- a) Question 1 – In response to the question by Cllr Cathy Gardner about the Ceramtec brownfield site in Colyton, Cllr Jill Elson confirmed that she expected affordable homes to be delivered wherever possible.
- b) Question 2 – In response to the supplementary question by Cllr Gardner about working with the Homes & Community Agency to develop affordable housing, Councillor Jill Elson responded that the Council's Housing service working in collaboration with the local Housing Company expect to provide affordable homes. Properties acquired to date will be made available for sale or rent at an affordable level.
- c) Question 3 – In response to the supplementary question by Cllr Gardner about proposals for the Heart of the South West and the Council's new HQ, Councillor Phil Twiss stated that the new Council offices in Honiton are currently on time and on budget as with the refurbishment of Exmouth Town Hall.
- d) Question 4 – In response to the supplementary question by Cllr Rixson about due diligence in relation to Pegasus Life, Councillor Phil Twiss confirmed that a due diligence exercise had been undertaken and that he was as satisfied as he could be by the information provided by experts on behalf of the Council in this respect.

**\*53 Minutes of Cabinet and Committees**

**RESOLVED**

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

**Cabinet**

Minutes 94 – 107, 108 – 135

**Development Management Committee**

Minutes 25 – 28

**Strategic Planning Committee**

Minutes 9 – 15, 16 - 23

**Audit and Governance Committee**

Minutes 27 – 36

**Licensing and Enforcement Committee**

Minutes 9 – 12,

**Licensing and Enforcement Sub Committee**

Minutes 29 – 31, 32– 36, 37 – 39

2. that the under-mentioned minutes be received.

Cabinet (minutes 103,117, 119) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

**Scrutiny Committee**

Minutes 19 – 23

**Overview Committee**

Minutes 8 – 13, 14 - 20

Arising from consideration of the above minutes:-

➤ **Cabinet; minute number \*104 – Heart of the South West Joint Committee**

Councillor Cathy Gardner raised the need to review the HOTSW Productivity Strategy and requested that a group from the Council undertake more work on the detail contained in the strategy. The Chief Executive referred Councillor Gardner to the recommendation arising from Minute 19 of the Overview Committee of 7 November, indicating that such work was underway and that EDDC would be contributing to a joint response with other authorities.

Councillor Marianne Rixson referred to the comments already made by David Daniel, Councillor Gardner and Councillor Twiss and commented that HOTSW seemed to have modelled itself on a pantomime horse giving rise to the question of who was at the front end and who was at the back.

Councillor Roger Giles also commented on Cabinet minute 104 in relation to the ambition of the HOTSW strategy and whether a report could be requested on the achievability of its optimistic projections. The Chief Executive stated that the consultation period had been extended and an appropriate time to bring this back to Council would be when the report was received following the consultation, in order to reflect further on the direction proposed.

➤ **Cabinet; minute number \*121 – Exmouth Regeneration Update, Queens Drive**

Councillor Megan Armstrong wanted to make an amendment to this item by adding a sixth clause to the resolutions. The Chief Executive stated that as Cllr Armstrong was seeking to amend a Resolution of Cabinet this could not be done without a motion being brought to Council. The Cabinet minutes were agreed unchanged.

**\*54 Appointment of two Members to act as Directors of the Queens Drive Exmouth Community Interest Company**

Councillor Pauline Stott, Councillor Mark Williamson and Councillor Megan Armstrong were all nominated for the position.

A vote was taken by show of hands.

The Chairman stated the outcome of the vote as being 16 votes for Councillor Armstrong, 25 votes for Councillor Stott, 27 votes for Councillor Williamson.

**RESOLVED:** that following a vote, Councillor Stott and Councillor Williamson be appointed to act as Directors of the Queens Drive Exmouth Community Interest Company.

**\*55 Amendment to appointments on LED Leisure Management Ltd and Citizens Advice East Devon**

By a show of hands members confirmed the amendment to the appointments.

**RESOLVED:** that Councillor Steve Hall to replace Councillor Alan Dent on Citizens Advice East Devon and Councillor Alan Dent to replace Councillor Steve Hall on LED Leisure Management Ltd.

**\*56 Motion – Broadband progress**

The following motion was proposed by Cllr Bruce de Saram, seconded by Cllr John Humphreys and supported by Cllr Brian Bailey, Cllr Maddy Chapman and Cllr Cherry Nicholas.

“That this council as part of its ongoing commitment to the heart of the Southwest Joint Committee’s aims and objectives, specifically “Connectivity and infrastructure”, takes this opportunity to write to Connecting Devon and Somerset (CDS) to ask them to strongly lobby BT Openreach in recognition that more businesses are being run from homes and that by doing so we will achieve more than the 95% set by government for the whole of the District. This will benefit every member of society both in their individual and business use in either rural or urban areas as per the Scrutiny Committee’s recommendation of 2<sup>nd</sup> March 2017 and the subsequent acknowledgement from the East Devon Infrastructure Delivery Plan”.

The proposer of the motion, Councillor de Saram, advised that he wished to amend the Motion to delete references to ‘BT’ and insert ‘all Broadband suppliers’ in its place. He referred to the fact that this issue had been discussed at Scrutiny Committee in March, and expressed the view that poor Broadband was undermining rural society due to the poor facilities driving people into towns and

cities to work. The seconder of the motion, Councillor Humphreys added that this was an issue affecting local communities as well as businesses. Cllr Twiss noted that the correct body to be writing to was the Heart of the South West Local Enterprise Partnership rather than CDS. Following discussion it was agreed that the motion could be strengthened with some changes as discussed but that the final wording be left to the Chief Executive to finalise.

The motion with delegated authority given to the Chief Executive to finalise the wording was proposed by Councillor Bruce de Saram and seconded by Councillor John Humphreys.

**RESOLVED:** "That this council as part of its ongoing commitment to the heart of the Southwest Joint Committee's aims and objectives, specifically "Connectivity and infrastructure", takes this opportunity to write to the Heart of the South West Local Economic Partnership (LEP) to ask them to strongly lobby all Broadband suppliers in recognition that more businesses are being run from homes and that by doing so we will achieve 100% rather than the 95% set by government for the whole of the District, through the most appropriate technical solutions. This will benefit every member of society both in their individual and business use in either rural or urban areas as per the Scrutiny Committee's recommendation of 2<sup>nd</sup> March 2017 and the subsequent acknowledgement from the East Devon Infrastructure Delivery Plan".

**\*57 Motion - The effects on Rural Communities of the Sustainability Transformation Partnership (STP) actions in East Devon**

The following motion was proposed by Councillor Mike Allen, seconded by Councillor Ian Hall and supported by Councillor Dean Barrow, Councillor Stuart Hughes, Councillor Brian Bailey, Councillor Mark Williamson, Councillor Mike Howe, Councillor Iain Chubb, Councillor Simon Grundy, Councillor Graham Godbeer, Councillor Tom Wright, and Councillor Jenny Brown.

"To ask the Leader of East Devon District Council to request Sarah Wollaston, Chair of the Parliamentary Health Select Committee, to investigate the effects on Rural Communities of the STP actions and to test if Rural Proofing Policies have been correctly applied to these decisions in order to protect these communities".

The proposer of the motion, Councillor Mike Allen raised the issue of protecting rural hospitals and had circulated background papers prior to the meeting. He had spoken to Neil Parrish MP and referred to the local knowledge of Sarah Wollaston in terms of her being able to understand rural proofing. Since this was a government policy, it was important to get the views from East Devon to her Health Committee. The seconder of the motion, Councillor Ian Hall stated that he wanted to be reassured that all the details of proposals around rural hospitals had been properly scrutinised.

Councillor Dean Barrow referred to the lack of Community provision on discharge from care homes and how this was not working well in Honiton. Councillor Phil Twiss commented on issues related to the delivery of services in rural areas, mental health issues, ageing and the role of the RD&E Hospital in Exeter. Councillor Jill Elson commented on transport issues and travel to treatment times and distances.

Councillor Marcus Hartnell referred to the lack of provision in Seaton and Axminster, and how the two hospitals were trying to work together. Councillor Pauline Scott commented on bed blocking and hospital discharge, and that there were insufficient care at home services. Councillor Paul Carter raised the issue generally of rural proofing and that it required a systematic review of services. Councillor Iain Chubb commented that Blackdown was a challenging geographic area to travel in to receive health care.

Councillor Paul Diviani noted he was on the Board of Devon Councils Network and considered that STP actions had not yet been rural proofed. He advised that as well as Sarah Wollaston, the Council should contact the Rt Hon Sajid Javid as Secretary of state for Communities & Local Government, as well as Michael Gove as Secretary of State for the Environment Food & Rural Affairs, as their briefs cross over rural responsibilities and affect the health and well-being of all our communities.

Councillor Roger Giles referred to the Scrutiny Committee meeting on 22 June when the CCG attended. Councillor Cathy Gardner had reservations about the possible impact of the motion.

The Chairman asked Councillor Allen to give his right to reply. Councillor Allen stated that a rigorous scrutiny exercise could result in reversing some of the decisions which had been made, and urged Members to agree the motion in order to keep the pressure high on these issues. The seconder, Councillor Ian Hall agreed with the comments of Councillor Allen.

The Chairman put the motion to the vote and it was carried.

**RESOLVED:** "To ask the Leader of East Devon District Council to request Sarah Wollaston, Chair of the Parliamentary Health Select Committee, to investigate the effects on Rural Communities of the STP actions and to test if Rural Proofing Policies have been correctly applied to these decisions in order to protect these communities, and that this request will also be sent to the Rt Hon Sajid Javid as Secretary of State for Communities & Local Government, and Rt Hon Michael Gove as Secretary of State for the Environment Food & Rural Affairs ".

**\*58 Motion - The use of drones on Council land**

The following motion was proposed by Councillor Rob Longhurst, seconded by Councillor Ben Ingham and supported by Councillor Alan Dent; Councillor Susan Bond; Councillor Geoffrey Jung; Councillor Cathy Gardner; Councillor Marianne Rixson; Councillor Dawn Manley; Councillor Simon Grundy.

"In the light of concerns that are being raised we request that the Council prepares a policy with regard to the use of drones on its land and also considers whether any changes are required to the current legislative and enforcement framework to deal with concerns about the potential misuse of drones and resulting nuisance to members of the public'.

The proposer of the motion, Councillor Longhurst, advised that he had circulated a paper at the meeting to advise Members of current legislation. At present UK laws

are regulated by the Civil Aviation Authority (CAA). He outlined concerns about the use of drones as toys as well as the many positive uses to which they could be put by various authorities. He referred to areas of misuse including crime, use in areas where there were children, and to invade the privacy of neighbours.

In the absence of the seconder of the Motion Councillor Bond spoke in favour of the Motion.

Councillor Godbeer agreed that the Council should develop a policy on the use of drones on Council land and would include it on the agenda of the Overview Committee.

The Chairman asked Councillor Longhurst to give his right to reply. Councillor Longhurst spoke to points in favour of the Motion. Councillor Bond agreed with the comments of Councillor Longhurst and seconded the motion.

The Chairman put the motion to the vote and it was carried

**RESOLVED:** that "In the light of concerns that are being raised we request that the Council prepares a policy with regard to the use of drones on its land and also considers whether any changes are required to the current legislative and enforcement framework to deal with concerns about the potential misuse of drones and resulting nuisance to members of the public'.

The Chairman declared the meeting closed.

## **Attendance list**

### **Councillors present:**

David Key (Acting Chairman/Vice Chairman)

Helen Parr (Acting Vice Chairman)

Mike Allen

Megan Armstrong

Brian Bailey

David Barratt

Dean Barrow

Susie Bond

Matt Booth

Colin Brown

Jenny Brown

Peter Burrows

Paul Carter

Iain Chubb

Alan Dent

Paul Diviani

John Dyson

Jill Elson

Peter Faithfull

Cathy Gardner

Steve Gazzard

Roger Giles

Graham Godbeer

Simon Grundy

Ian Hall  
Steve Hall  
Marcus Hartnell  
Stuart Hughes  
Douglas Hull  
John Humphreys  
Geoff Jung  
Jim Knight  
Rob Longhurst  
Dawn Manley  
Cherry Nicholas  
John O'Leary  
Marianne Rixson  
Eleanor Rylance  
Bruce de Saram  
Phil Skinner  
Pauline Stott  
Brenda Taylor  
Ian Thomas  
Phil Twiss  
Mark Williamson

**Honorary Aldermen:**

David Cox  
Christine Drew  
Frances Newth  
David Scott

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead – Housing, Health and Environment  
Henry Gordon Lennox, Strategic Lead – Governance and Licensing  
Sue Howl, Democratic Services Manager

**Councillor apologies:**

Mark Evans-Martin  
Pat Graham  
Mike Howe  
Ben Ingham  
Andrew Moulding  
Bill Nash  
Darryl Nicholas  
Chris Pepper  
Geoff Pook  
Val Ranger  
Eileen Wragg  
Tom Wright

**Honorary Aldermen apologies:**

David Atkins  
Bernard Hughes  
John Jefferies  
Steph Jones  
Ann Liverton  
Graham Liverton  
Bob Peachey  
Ken Potter  
Tim Wood

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