

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 24 April 2019

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.07 pm

58 Public speaking

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

The first speaker was J. Bleasdale who wanted to address item 10 of the agenda relating to climate change. She wanted to ask the Council what efforts it would be making locally to reduce carbon emissions, and how it would use its unique position to bring about electrification of its own vehicle fleet and those of the companies it does business with. This could be very effective locally and have a significant impact over the next twenty years.

In response, the Portfolio Holder for the Environment, Cllr Tom Wright, stated that the Council takes this issue very seriously. There are currently problems involved with making changes to the councils existing vehicles, until technology provides better solutions, but one of the largest council contractors, SUEZ, are actively pursuing an alternative supply of electrical vehicles for rubbish collection. There are currently no manufacturers who make a suitable vehicle for this purpose. There are electric car charging points at the Council's offices and there will soon be charging points in all council car parks. There was a decision at the last Council meeting to take environmental factors into account in all future decisions, and it will continue to press for industry and technology to come up with required solutions.

The next speaker was Richard Eley who wanted to discuss the Sidmouth Beach Management Plan, which was also related to climate change. He outlined the situation facing Sidmouth in terms of rapid erosion and the likely risk of flooding, with a severe storm potentially bringing about inundation of the town centre. He stated that there needed to be a serious discussion about how to progress this in the face of unlikely assistance from the government. He had resigned from the Group two years ago but stated that there was now more data available and greater understanding of possible solutions available in order to generate effective change. He wanted to thank John Golding and Dave Turner for their hard work.

In response, the Portfolio Holder for the Environment, Cllr Tom Wright, stated that he had been chairing the Sidmouth Beach Management Plan Group for the last year. A fully designed and costed Plan is currently being prepared which will be brought to a meeting next month, which it is hoped will satisfy the Environment Agency and assist the Group in getting funds to prevent flooding. The nature of the meetings has much improved and Cllr Wright stated that he was confident a Plan will be produced which will safeguard Sidmouth from the risk of flooding in future.

The next speaker was D. Rochester who introduced himself as a scientist by profession and who also wanted to discuss climate change. He stated that East Devon was uniquely exposed to climate change, which would have a dramatic impact on the district. He wanted to ask;

1. Whether the Council is prepared to adopt a Motion that EDDC aspires for the district to be carbon neutral by 2030, and
 2. Whether as a Council it would make all reasonable efforts to achieve this.
- He stated that it was necessary to take action now.

The final speaker was Patricia Bell, who stated that she had come to the meeting because of the nearness of the climate change catastrophe, which is only nine years away. She wanted to ask the Council to look at all aspects of climate change and to inform all of its committees about what can be done so that it can take measures accordingly.

59 **Minutes of the previous meeting**

The minutes of the meeting of the Council held on 27 February 2019 were confirmed and signed as a true record.

60 **Declarations of interest**

No declarations of interest were advised.

61 **Matters of urgency**

There were no matters of urgency.

62 **Announcements from the Chairman and Leader**

The Chairman stated that since the Council was approaching the end of the current civic year, with an Election at District and Town & Parish Councils on 2nd May, he wanted to make an announcement about those councillor colleagues who will not be standing for re-election this year, some of whom he had known for a long time.

There are ten current District Councillors who are standing down this year.

They are;

Matthew Booth – A councillor representing Sidmouth Town since 2015, and a member of the Overview, Licensing & Enforcement and Strategic Planning Committees amongst other responsibilities.

John Dyson - Another councillor representing Sidmouth Town since 2015. A member of the Licensing & Enforcement Committee, Budget Working Group, Vice Chairman of Audit & Governance and involved with the Port Royal Project Steering Group.

Roger Giles – A councillor representing Ottery St Mary and first elected in 1995. He has also been a Devon County Cllr for many years. Roger has been on many committees during his political career, including being Vice Chair and Chairman of the Scrutiny Committee until the present date, an invaluable function of any healthy authority, as well as sitting on a variety of Panels, Joint Bodies and Think Tanks.

Graham Godbeer – A councillor representing Coly Valley and first elected in 2007.

Graham is a former Council Chairman and has also been a member of many committees, working groups and Think Tanks; being a Vice Chair and Chairman of Overview committee until the present date and involved in the AONB (Area of Outstanding Natural Beauty) Partnership and the GESP (Greater Exeter Strategic Plan) process.

Simon Grundy – A councillor representing Exe Valley since 2015. A member of Scrutiny, Development Management and Audit & Governance committees.

John Humphreys – A councillor representing Exmouth Littleham and first elected in 2007. He has been a Member Champion and Lead Cllr on various topics and has also been a member of many committees and outside bodies, only standing down briefly in 2012 to perform his duties as Mayor of Exmouth.

Jim Knight – A councillor representing Seaton and first elected in 2003. He is another councillor who has been on many committees, outside bodies and forums during his time in office.

Darryl Nicholas – A councillor representing Exmouth Brixington and elected in 2016. He has been a member of the Scrutiny and Licensing & Enforcement Committees, making a valuable contribution during his relatively short time with EDDC.

John O’Leary – A councillor representing Honiton St Pauls and first elected in 2011. John is currently Vice chair for the Licensing & Enforcement Committee, and has also been a member of the Overview & Scrutiny committee as it was and the HRB (Housing Review Board). He has been a committed supporter of Arts & Culture locally.

Mark Williamson – A councillor representing Exmouth Littleham and first elected in 2007. Mark is currently Chair of the Audit & Governance Committee, has also been a Member Champion and Lead Cllr on various topics, including Procurement, Neighbourhood Planning and becoming a Director of the Queens Drive Exmouth Community Interest Company, apart from sitting on a range of committees, Outside Bodies, and Think Tanks. The Chairman stated that the individual and combined loss of this wealth of experience and knowledge from EDDC will be sorely missed, and that it was his hope that some will manage to find time to support new Councillors who have yet to arrive, but also wished them a happy retirement from the Council. He thanked all of them for the contributions they have made.

The Leader, Cllr Ian Thomas, also took the opportunity to wish everyone the best for the coming years.

63 **Confidential/exempt item(s)**

There are no confidential or exempt items.

64 **To answer questions asked by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5**

One question had been submitted in accordance with Procedure Rule 9.2 - the question and answer was circulated with the agenda and printed copies were available at the meeting. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). A summary of the supplementary question asked and response is set out below.

Question – Cllr Gardner stated that contrary to the answer provided to her original question, she had not confused two different systems, but was concerned about the specific situation relating to businesses with accommodation over them, which resulted in them paying both Council Tax and Business Rate. She requested that confirmation is provided in all such cases that Businesses are not being penalised by having to pay extra Council Tax when empty residential accommodation is included on their premises, which needs renovating.

In response, the Chief Executive, Mark Williams, stated that in view of the clarification provided on the specific situation identified, officers would have to look into it further and provide Cllr Gardner with a written answer.

Reports from the Cabinet and the Council's Committees and questions on those reports

Arising from consideration of the minutes of Cabinet on 3 April:-

➤ **Cabinet, minute number 193 – Environmental sustainability and climate change emergency**

Councillor Roger Giles wanted to propose an amendment to the minute. The Chief Executive clarified that the discussion at Cabinet had resulted in a resolution, and was not, therefore, susceptible to amendment. He went on to point out that if members were unhappy with a resolution from Cabinet, the Scrutiny Committee has a call-in procedure which enables the resolution to be debated further, with the possibility of an alternative resolution being put to Cabinet. This has been a procedure at EDDC for many years.

There followed a debate arising from the issues above. Cllr Giles expressed concern that he had submitted a Notice of Motion for the meeting on time, according to procedure and on a topic relevant to the Council. It was subsequently rejected by the Chief Executive on the basis of being superfluous.

Cllr Giles referred to the school girl Greta Thunberg, who had got the attention of all political parties in Sweden. With reference to the report to Cabinet on 3 April, many initiatives were referred to but the subsequent proposals were too modest and lacked urgency and did not address the seriousness of the situation. By proposing an amendment, Cllr Giles had hoped to generate more decisive action but stated that councillors had instead been told that they could not debate issues which were important to all parties. He referred to the amendment he wanted to propose which included declaring a climate emergency, and also referred to having support from Conservative Cllrs as well as Independents.

Cllr Gardner commented that the date of 2050 to ensure a carbon neutral Devon was ridiculous. Teignbridge Council had committed to a date of 2025 to achieve this, so the fact that EDDC was committed to the date proposed by Devon County Council was not logical.

Cllr Rixson referred to recent reports by experts which concluded that we had ten years to take effective action, rather than 30 years which would take us to 2050.

Cllr Rylance commented that she had also recently tried to submit two motions which would have supported climate change measures, which were also rejected.

Cllr Gazzard stated that he was disappointed not to have heard Cllr Giles' Motion at the meeting, pointing out that this generation owes it to young people to put right the situation in relation to the planet, and to set a new target date. He stated that the debate at Cabinet had been good and he recalled Cllr Thomas saying that a new target date would be considered.

Cllr Allen stated that there was no complacency in the Council about this issue and referred to Cllr Wright's earlier comments about measures EDDC was taking already. He expressed disappointment with national and international leaders, but that EDDC needed to come up with practical solutions.

Cllr Howe agreed with Cllr Giles that there was a need to be more ambitious and disagreed that some councillors were merely being troublesome before an election. Exeter and Teignbridge councils have put more ambitious dates on their work, so EDDC should also develop a cost effective and timely framework for actions on climate change.

Cllr Godbeer referred to the fact that having been a climate change sceptic, he had accepted the science and experience now evident. At a recent Overview Committee they had had an excellent debate with an expert about the issues

involved, but no non-Committee members attended. He expressed a view that during the next sitting Council, councillors should take part in such discussions and listen to the information.

Cllr Elson gave examples of a number of environmentally friendly measures which had been implemented by Housing but not necessarily promoted as supporting measures to address climate change. She went on to confirm that the Housing Review Board had also been discussing modular buildings which are sustainable and environmentally friendly, as well as how to realistically achieve progress within affordable means.

Mark Williams referred to the second bullet point of the resolution by Cabinet which specifically committed EDDC to considering a more ambitious date for becoming carbon neutral and a report coming back to Cabinet.

He went on to say that he and John Golding had been working with Dr Newton at Exeter University to prepare a report for the new Council, which would be presented to the first or second Cabinet of the next civic year. However, he pointed out that councillors needed to understand the possible ramifications of actions required. For example, to take effective action could mean refusing planning applications, closing car parks or discouraging tourism.

Cllr Thomas stated that he did not agree with plucking random dates against which to set targets without the evidence to do so, and that EDDC needed to understand the implications of the carbon balance specifically in its own area, houses and roads. The new Council year will have a new report with an effective implementation plan and specific actions to support it. This will become part of the officers' work plan, with responsibilities and realistic timescales. The topic will also become part of the Transformation Portfolio Holder's responsibility. He confirmed that the minute from Cabinet was accurate, albeit not particularly explicit.

- (a) **Minutes of Cabinet held on 6 March 2019 Minute numbers 162 to 181**
These were moved and agreed.
- (b) **Minutes of Cabinet held on 3 April 2019 Minute numbers 182 to 194**
These were moved and agreed.
- (c) **Minutes of Scrutiny Committee held on 7 March 2019 Minute numbers 51 to 59**
These were moved and agreed. Apologies were to be included for Cllr Wright, and thanks were expressed to the officers and councillors who had supported the work of the Committee.
- (d) **Minutes of Strategic Planning Committee held on 26 March 2019 Minute numbers 50 to 59**
These were moved and agreed.
- (e) **Minutes of Development Management Committee held on 5 March 2019 Minute numbers 51 to 57**
These were moved and agreed.
- (f) **Minutes of Development Management Committee held on 2 April 2019 Minute numbers 58 to 66**
These were moved and agreed.

- (g) **Minutes of Audit & Governance Committee held on 21 March 2019**
Minute numbers 48 to 57
These were moved and agreed. Cllr Williamson stated that minute 54 indicated the first time that the committee had received an audit on Strata, and asked councillors to note the discussion points included.
- (h) **Minutes of Licensing & Enforcement Committee held on 20 February 2019**
Minute numbers 16 to 22
These were moved and agreed.
- (i) **Minutes of Standards Committee held on 22 January 2019**
Minute numbers 7 to 14
These were moved and agreed.

66 **Motion - Government support requested for financial contributions from utility companies to flood and coastal protection schemes**

The following motion was proposed by Councillor Stuart Hughes, seconded by Councillor David Barratt and supported by Councillors Phil Twiss, Ian Hall, Colin Brown, Jenny Brown, John Dyson and Iain Chubb.

‘This Council is leading and coordinating coastal protection schemes in Sidmouth, Exmouth and Seaton. There is an expectation, based on current funding models, for significant amounts of partnership funding to be raised. An example of this is the circa. £13 million project for Sidmouth which has identified £3 million of partnership funding to be raised before the scheme can progress.

This necessary work will protect not just homes and businesses but also important infrastructure and utilities. In Sidmouth, for example, the SWW infrastructure and other utilities will be protected from the incursion of the sea and erosion when the scheme is delivered.

It seems fair and reasonable that all utility companies contribute towards the cost of coastal and flood protection works.

Therefore, I ask Council to support the motion that ‘The Government ensures that where assets and infrastructure will be protected by a flood and coastal protection scheme all utility companies are required to make a proportionate and appropriate mandatory level of financial contribution towards that scheme. ‘

The proposer of the motion, Councillor Stuart Hughes, reiterated the fact that EDDC is engaged in coastal defence projects in several parts of the District, with the expectation that considerable partnership funding will need to be raised via Local Authorities, agencies and EU partners. Based on the current funding models, the project in Sidmouth will require £3m of partnership funding before the scheme can go ahead. He pointed out that it could be impossible to raise this level of funds. However, the necessary work will protect the critical infrastructure and assets of utilities companies such as South West Water (SWW), so it seems only fair that they should contribute towards it. He stated that North Norfolk and several other Councils are pursuing this type of action to assist them in their work and have written to the government, so EDDC would not be a lone voice on this issue.

The seconder of the motion, Councillor David Barratt stated that he strongly supported the motion and pointed out that it was clear that SWW in particular should be contributing to the scheme in Sidmouth since they will be a major

beneficiary, whose assets will be safeguarded on the sea front. Since it is suggested that a letter be sent to government, he stated that efforts should also be strengthened to persuade SWW locally to contribute, as well as pursuing funding from other partners. He confirmed that it was desperately urgent to progress this before Sidmouth falls into the sea.

The following comments were made by Councillors during consideration of the motion:

Cllr Wragg has been involved in issues with SWW and consultative committees for many years and is familiar with the topic. She was worried about the costs of the utility companies contributing to such schemes being loaded back onto the customers, and suggested a slight amendment by re-wording the motion to safeguard against this.

The Chairman asked Cllr Hughes and Cllr Barratt if they were happy for a slight re-wording of the motion, to which they agreed.

Cllr Gardner had been involved with the Sidmouth Beach Management Plan Group, but had also resigned due to lack of progress and no sight of a scheme which was affordable, or which was likely to achieve government support or which utilities companies would contribute to. She would support the Motion because it would affect her ward, without conviction that it would change matters.

Cllr Ingham commented that if EDDC tried to prescribe how SWW raised the funds to contribute to schemes they would not agree. It was inevitable that they would pass on costs to the customer.

Cllr Wright stated that he supported the Motion but clarified that the funding gap was now £2m rather than £3m. He was confident that a full Business case would soon be available to be put to Council which would help in obtaining the necessary funding.

The Chairman asked Cllr Hughes to give his right to reply.

Cllr Hughes stated that in North Norfolk, Anglian Water had acted positively by endorsing the fact that they should be contributing to coast and flood defence schemes.

The Chief Executive read out the amended motion with a slight re-wording as follows;

‘That the Government ensures that where their assets and infrastructure will be protected by a flood and coastal protection scheme all utility companies are required to make a proportionate and appropriate mandatory level of financial contribution towards that scheme, and subject to the costs of any contribution not being borne by the utilities customers’.

Having agreed the re-wording the Chairman put the motion to the vote.

RESOLVED

that following a vote, the motion proposed by Councillor Stuart Hughes and seconded by Councillor David Barratt was carried with 2 against.

Attendance List
Councillors present:

A Moulding (Chairman)	J Elson	J O'Leary
D Key (Vice-Chairman)	P Faithfull	H Parr
C Gardner	M Armstrong	G Pook
S Bond	S Gazzard	G Pratt
M Allen	R Giles	V Ranger
P Stott	G Godbeer	M Rixson
D Manley	S Grundy	E Rylance
C Brown	I Hall	P Skinner
J Brown	M Hartnell	B Bailey
P Burrows	M Howe	B Taylor
P Carter	S Hughes	I Thomas
Chapman	D Barratt	M Williamson
I Chubb	B Ingham	E Wragg
A Dent	G Jung	T Wright
P Diviani	R Longhurst	
D Barrow	C Nicholas	

Officers in attendance:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager

Councillor apologies:

T Dumper
J Dyson
M Evans-Martin
S Hall
J Knight
M Booth
D Nicholas
C Pepper
B de Saram
P Twiss

Chairman

Date: