

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Council held at Ocean Suite, Ocean, Queen's Drive, Exmouth, EX8 2AY on 22 February 2023**

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

The meeting started at 6.00 pm and ended at 8.45 pm

#### **57 Public speaking**

The Chair welcomed everyone to the meeting and explained that it was being held at Ocean in Exmouth following the decision made at the Council meeting in October that Council and all committees and sub-committees would be returning to physical meetings, unless current legislation permitted the holding of virtual meetings and until a new operating system for running meetings is installed in the Council Chamber.

The Chair then started the meeting by doing a roll call of those present, and confirmed that the meeting was quorate.

During the meeting the public would be able to participate if they had pre-registered to speak.

Four members of the public had pre-registered to speak at this meeting.

Cllr Jane Chanot who was a Cllr from Farringdon Parish Council, wanted to address Council in relation to items 10e – minutes of the Scrutiny Committee meeting on 2<sup>nd</sup> February, and 14 – the Motion entitled 'Recompiling the Local Plan'. She said that she and other Farringdon parishioners were pleased that the Scrutiny committee had raised the concerns with issues relating to aspects of the emerging Local Plan, particularly in the light of changes to government policy. There had been concerns about the Regulation 18 consultation and that it had been rolled out over the Christmas period. The Strategic Planning Committee in December had been shown detailed plans, and in February it had agreed to put the Plan on hold until there was a greater knowledge of what government plans entailed. As a result, it was to be hoped that the Plan and Regulation 18 consultation would be re-visited in the spring.

Cllr Rob Hatton who was a Cllr from Bishops Clyst Parish Council, also wanted to address Council in relation to items 10e – minutes of the Scrutiny Committee meeting on 2<sup>nd</sup> February, and 14 – the Motion entitled 'Recompiling the Local Plan'. He and other parishioners questioned the prudence of continuing with the local plan process until the revised National Planning Policy Framework (NPPF) had been issued by government. This was thought likely to permit reductions in housing numbers, and a number of other local authorities had suspended work on new local plans for this reason. He went on to say that the government had made provision for this to happen without disadvantaging councils, and had proposed some time-limited arrangements which would apply for a period of two years.

He went on further to say that the whole process needed reviewing in the light of a new NPPF, including the Sustainability Appraisal, Housing Needs Assessment and the Housing & Economic Land Availability Assessment (HELAA) which had all been prepared in line with the current NPPF.

In response to the two speakers, the Portfolio Holder and Chair of Strategic Planning, Cllr Dan Ledger, would comment when item 14 was discussed.

Oliver Russell wanted to speak on item 12, the Motion entitled 'Transgender Visibility.' He introduced himself as a Secondary school teacher at Cranbrook, and wanted to share his experience as a non-binary person living and working in East Devon. He said that he thought there were problems on the doorstep which people were unaware of, so he had spoken to a group of LGTBQ students and also asked the opinions of individuals on whether they thought East Devon was transphobic. Their view had been that it was, and they had talked about the bullying they had experienced outside the school walls. He went on to say that the school now dealt with these issues very well, but after many difficult conversations had been had to raise awareness and to discuss different views. He concluded that transphobia was a real issue to be dealt with.

Bethany Collins wanted to speak on Motion 12 Transgender Visibility. She introduced herself as a non-binary Teaching Assistant at a school in Exeter, and she lived in Ottery St Mary. She said that she had grown up without any references to gender identity. She saw nobody with diverse gender identity in her community or on TV. The school where she works is very diverse, with safe spaces for children to explore different identities and to make it more comfortable to speak. With the rise in hate crime against LGBTQ people, a culture of inclusivity was to be encouraged for children in all aspects of life, and visibility of people like herself was really important.

The Chair thanked all speakers for their contributions and said that Cllr Bonetta would be speaking later in the meeting at item 12.

## 58 **Minutes of the previous meeting**

The Chair invited comments from members on the minutes of the Council meeting held on 7th December.

Cllr Burhop wanted to point out that a correction was needed under minute number 56 relating to the Motion on Voter Identification, in that he was reported as saying that '800 people had turned out to vote for' him, which was incorrect. 800 had people had voted in the by-election, but not all for him. The Chair said that this would be amended.

Following a vote he then confirmed that the minutes of Council on 7th December were agreed as a true record.

## 59 **Declarations of interest**

64. Report: Council Tax resolution 2023/2024.

Councillor Paul Hayward, Affects Non-registerable Interest, Employment with three local authorities, All Sanits PC, Chardstock PC and Axminster Town Council.

64. Report: Council Tax resolution 2023/2024.

Councillor Sarah Jackson, Affects Non-registerable Interest, Member has a sensitive interest which does not have to be disclosed under S32 of the Localism Act 2011.

65a. Minutes of Cabinet held on 4 January 2023. Minute numbers 116 - 133.

Councillor Eleanor Rylance, Disclosable Pecuniary Interest, Owns a holiday let above her garage..

68. Motion: Civility and Respect Pledge.

Councillor Paul Hayward, Affects Non-registerable Interest, Employment with three local authorities. All Saints PC, Chardstock PC and Axminster TC.

68. Motion: Civility and Respect Pledge.

Councillor Sarah Jackson, Affects Non-registerable Interest, Member has a sensitive interest which does not have to be disclosed under S32 of the Localism Act 2011.

60 **Matters of urgency**

There were no matters of urgency.

61 **Announcements from the Chairman and Leader**

The Chair had a couple of announcements to make. He began by saying that Members had lost two former colleagues within the last six weeks.

Firstly Cllr Ken Potter who had passed on 19<sup>th</sup> January in hospital. He had been made an Honorary Alderman in 2015 in recognition of the eminent services he had given to East Devon. He went on to say that Ken Potter had been diligent and diplomatic in all his undertakings; as Chair of Audit & Governance, and as a Champion for rural Post Offices. He had been a very community minded member and was responsible for the building of West Hill Village Hall. He had set up the local shop in West Hill with his brother, which was still known by some as Potters' shop. He had also been a soldier, choir member and postmaster.

The Chair then spoke about former Cllr Paul Diviani. The Chair said that he had known Paul Diviani well, and as a former Leader of EDDC had served in his Cabinet. He had been a good ambassador for the Council due to his national work with the LGA and as a Devon County Councillor as well at District Council level where he had served for 20 years between 1999 and 2019, being Leader between 2011 and 2018, and becoming an Honorary Alderman in 2019. The Chair said that he had inherited a relationship with Exeter CC that had resulted in millions of pounds coming into the district to boost the economy, regeneration and strategic planning projects.

The Chair asked those present to join him in a moment of silent reflection for these two former colleagues.

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

There were none.

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

There were no questions received from Members of the Council at this meeting.

64 **Report: Council Tax resolution 2023/2024**

The Chair invited members to consider the report of the Council's Director for Finance, Simon Davey, the purpose of which was to enable the Council to calculate and set the Council Tax for 2023/24.

In agreeing to the Cabinet recommendations on the Revenue and Capital Budgets 2023/24 (Minute Number 145) on the 1<sup>st</sup> February 2023 this gives the Council Tax requirement for this Council of £9,974,222 resulting in a Council Tax Band D amount of £161.78. This is an increase of £5 a year (3.19%), within the threshold stipulated by government before triggering a council tax referendum.

In accordance with Section 25 of the Local Government Act 2003 the Chief Financial Officer (Director of Finance) has reported to the authority on the robustness of the 2023/24 budgets and was satisfied with the adequacy of the proposed financial reserves. The 2023/24 budget recommended by Cabinet was balanced with expenditure matched by available income.

There is a legal requirement for the Council to set a budget and associated Council Tax; the process for Council Tax Billing starts the day after the Council meeting in order to meet the necessary deadlines (bill printing, dispatch and appropriate direct debit notifications etc.). The obligation to make a lawful budget each year is shared equally by each Member. A similar deadline is associated with council house rent accounts.

The Council Tax setting process is that all preceptors (Devon County Council, Police and Crime Commissioner for Devon and Cornwall, Devon & Somerset Fire & Rescue Authority and town and parish councils) set their budgets and relevant council tax requirement and then this Council, as the billing authority, formally sets the Council Tax for the area to include all the amounts to be collected.

Members were reminded that in line with legislation that came into force on 25 February 2014, The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote would need to be taken on the budget decision.

Before moving to a vote, the Chair invited comments from members.

Cllr Skinner wanted to thank officers on behalf of the Conservative Group for the hard work which had gone in to achieving a balanced budget and deliver good services under the current economic circumstances. He said that a Council was measured by the way it delivered its services and the Conservatives considered many services were delivered well.

However, there were two frontline services with which they had concerns. In relation to Car Parking Charges, he said that whilst the previous Conservative administration could have done more over the last 10 years to increase charges, this administration had been very stringent in its recent application of increases when they had become necessary. In relation to Public Toilets, whilst recognising that this was not a mandatory service, in his opinion they were a vital service in a tourist area like East Devon, and so the Conservatives could not support the sweeping closures which had reduced the public toilets from 27 to 14.

Speaking in his role as Finance Portfolio Holder, Cllr Rowland thanked the Finance Team for undertaking superb work at the most difficult times faced by the Council in recent years. He said that over the last decade, the Council has lost over £50m in real terms in support from Central Government, but is not increasing any charges during the next financial year, despite external pressures to do so. So congratulations were in order with no service cuts being made, and an increase of 3.19% in the budget. He went on to say that in relation to Car Parking Charges, they had not been increased for 10 years, whilst VAT had increased from 17.5% to 20%, meaning that net income received had reduced at the same time as inflation had been increasing. In addition, charges had not been increased for all Car Parks in East Devon. Adjacent authorities had largely increased their charges for the forthcoming year. Accordingly, Cllr Rowland said that the administration had done well to protect frontline services.

As Portfolio Holder for Coast, Country & Environment, Cllr Jung, said that he was surprised that the Conservatives were concerned about proposals for Public Toilets, since they had been inherited from their administration. The current administration had

adopted and improved them and put more money into the provision of modern toilets for modern towns and holiday locations. He went on to say that many toilets had been past their sell-by date and were not suitable for people with disabilities. Government funding had been received to support improvements for people with disabilities which had been long needed and would improve many toilets.

The Chair then moved to put the recommendation in the report to the vote.

The proposal, to agree the formal Council Tax Resolution, as printed in Appendix A to the report was put to the vote and carried.

### **Recorded vote on the budget:**

Councillors Megan Armstrong, Paul Arnott, Jess Bailey, Denise Bickley, Jake Bonetta, Chris Burhop, Olly Davey, Peter Faithfull, Steve Gazzard, Sam Hawkins, Paul Hayward, Nick Hookway, Mike Howe, Sarah Jackson, Paul Jarvis, Vicky Johns, Geoff Jung, Dan Ledger, Dawn Manley, Marianne Rixson, Jack Rowland, Eleanor Rylance, Brenda Taylor, Ian Thomas, Joe Whibley, Tony Woodward, Eileen Wragg, Chris Wright - voted in favour – 28.

Councillor Mike Allen, Colin Brown, Alasdair Bruce, Fred Caygill, Maddy Chapman, Bruce De Saram, Alan Dent, Ian Hall, Marcus Hartnell, Stuart Hughes, Ben Ingham, Richard Lawrence, Andrew Moulding, Helen Parr, Philip Skinner, Tom Wright – abstained – 16.

### **RESOLVED:**

1. It be noted that on 4<sup>th</sup> January 2023 Cabinet (minute reference 125 refers) calculated the Council Tax Base 2023/24
  - (a) for the whole Council area as 61,653 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
  - (b) for dwellings in those parts of its area to which a Parish precept relates as detailed in Schedule 1 attached.
2. As a preliminary step, calculate that the Council Tax requirement for the Council's own purposes for 2023/24 (excluding Parish precepts) is £9,974,222.
3. That the following amounts be calculated for the year 2023/24 in accordance with Sections 30 to 36 of the Act:
  - (a) £100,206,828 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
  - (b) £85,211,023 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £14,995,805 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

- (d) £243.23 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) £5,021,582.59 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule 1).
- (f) £161.78 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (g) The amounts stated in column 5 of the schedule 1 attached given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area specified in column 1 of Schedule 1 divided in each case by the amount at 1(a) above, calculated by the Council in accordance with Section 34(3) of the Act, as the basic amounts of its Council tax for the year for dwellings in those parts of its area set out in column 1 of Schedule 1 to which one or more special items relate.
- (h) The amounts set out in Schedule 2 attached given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
4. That it be noted that for the year 2023/24 Devon County Council, Police and Crime Commissioner for Devon and Cornwall and Devon and Somerset Fire and Rescue Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

#### **Precepting Authority**

Valuation Bands	Devon County Council	Police & Crime Com for Devon & Cornwall	Devon & Somerset Fire & Rescue
A	£1,089.42	£174.37	£64.53
B	£1,270.99	£203.44	£75.28
C	£1,452.56	£232.50	£86.04
<u>D</u>	<u>£1,634.13</u>	<u>£261.56</u>	<u>£96.79</u>
E	£1,997.27	£319.68	£118.30
F	£2,360.41	£377.81	£139.81
G	£2,723.55	£435.93	£161.32
H	£3,268.26	£523.12	£193.58

5. That, having calculated the aggregate in each case of the amounts at 3 (h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of council tax for the year 2023/24 for each of the categories of dwellings shown in Schedule 3.
6. The Council has determined that its relevant basic amount of Council Tax for 2023/24 is **not** excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2023/24 is excessive and therefore the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

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

- (a) **Minutes of Cabinet held on 4 January 2023. Minute numbers 116 - 133**  
The Chair invited Cllr Arnott to move the minutes.  
Following a vote the Chair confirmed that the above minutes were agreed as a true record.
- (b) **Minutes of Cabinet held on 1 February 2023. Minute numbers 134 - 152**  
The Chair invited Cllr Arnott to move the minutes.  
Following a vote the Chair confirmed that the above minutes were agreed as a true record.
- (c) **Minutes of the Joint Budget meeting of Scrutiny & Overview Committees part 1 held on 11 January 2023. Minute numbers 64 - 74**  
The Chair invited Cllr Rylance to move the minutes.  
Following a vote the Chair confirmed that the above minutes were agreed as a true record.
- (d) **Minutes of the Joint Budget meeting of Scrutiny & Overview Committees part 2 held on 12 January 2023. Minute numbers 75 - 88**  
The Chair invited Cllr Johns to move the minutes.  
Following a vote the Chair confirmed that the above minutes were agreed as a true record.
- (e) **Minutes of the Scrutiny Committee meeting held on 2 February 2023. Minute numbers 89 - 99**  
The Chair moved the minutes in the temporary absence of Cllr Allen.  
Following a vote the Chair confirmed that the above minutes were agreed as a true record.
- (f) **Minutes of the Housing Review Board meeting held on 18 January 2023. Minute numbers 33 - 46**  
The Chair moved the minutes in the absence of Cllr Chamberlain.

Following a vote the Chair confirmed that the above minutes were agreed as a true record.

**(g) Minutes of the Planning Committee meeting held on 29 November 2022. Minute numbers 64 - 74**

The Chair invited Cllr Wragg to move the minutes.

Following a vote the Chair confirmed that the above minutes were agreed as a true record.

**(h) Minutes of the Planning Committee meeting held on 20 December 2022. Minute numbers 75 - 83**

The Chair invited Cllr Wragg to move the minutes.

Following a vote the Chair confirmed that the above minutes were agreed as a true record.

**(i) Minutes of the Planning Committee meeting held on 31 January 2023. Minute numbers 84 - 95**

The Chair invited Cllr Wragg to move the minutes.

Following a vote the Chair confirmed that the above minutes were agreed as a true record.

**(j) Minutes of the Licensing & Enforcement Committee meeting held on 7 December 2022. Minute numbers 17 - 26**

The Chair invited Cllr Whibley to move the minutes.

Following a vote the Chair confirmed that the above minutes were agreed as a true record.

**(k) Minutes of the Licensing & Enforcement Sub-committee meeting held on 24 January 2023. Minute numbers 16 - 20**

The Chair invited Cllr Whibley to move the minutes.

Following a vote the Chair confirmed that the above minutes were agreed as a true record.

**(l) Minutes of the Personnel Committee**

The Chair moved the minutes of both the Personnel Committee on 6 February and Interviewing (Chief Officers) sub-committee on 7 February since the latter is a sub-committee of the former. Accordingly on behalf of the sub-committee the Chair recommended the appointment of Melanie Wellman, currently Assistant Director for Legal and Governance and Monitoring Officer at Sedgemoor Council, as the new Director of Governance & Licensing and Monitoring Officer at EDDC.

Following a vote the Chair confirmed that the above minutes were agreed as a true record.

**66 Changes to governance arrangements**

The Chair asked Members to confirm the appointment of Cllr Bruce De Saram as a member of the Scrutiny Committee and as Chair of the Committee, following the recent resignation of Cllr Mike Allen as Chair and his standing down as a member of the committee. This is in order to maintain the political balance with a member of the Conservative Group replacing another.

Following a vote, the Chair was able to confirm the appointment.

67 **Motion: Transgender Visibility**

The Chair invited Cllr Bonetta as the proposer, to speak to the motion.

Cllr Bonetta referred to two siblings who had grown up together in East Devon, and recounted what had occurred when one of them had expressed their wish to permanently change their name and gender. He referred to the use of new pronouns and discussions which had taken place within their family to understand what was needed to support the sibling wanting to make changes.

He said that he had used the story to demonstrate that transgender and non-binary people have existed for millennia, presenting in different ways and needed to be recognised in policy. Being transgender is about the reassignment away from the sex assigned to one at birth, and so is not a simple choice.

He went on to say that although there is little scope for what can be done by a District Council, it can work to current legislation, improve its in-house services, and protect and celebrate any Officers or Members who go through any transitions.

Through the motion, EDDC could do the following:

- Provide visibility by flying the Transgender flag
- Agree to demonstrate its serious attitude towards equality through the Stonewall Diversity Champions Program
- Update its policies and training to ensure it uses current equalities legislation to its fullest extent
- Improve its homelessness policies to try and support young people facing homelessness due to being LGBT.

The Chair invited Cllr Whibley as the seconder, to speak to the motion.

Cllr Whibley said that he attended a vigil on Cathedral green in Exeter at the weekend in remembrance of Brianna Ghey, a 16year old who had been murdered recently by her contemporaries. He said that anything which differentiated or categorised people negatively was wrong, and that there had been 8 recorded violent attacks this year against the trans community. He went on to say that the media-fuelled campaign against this community is similar to the vilification of the gay community in the 1980's as a response to Aids. He said that the motion would not change health policies or stop attacks on people, but was a symbolic motion to show that the Council would champion all sections of the community.

Cllr Arnott referred to a number of renowned individuals in the public eye who had become great advocates for the people facing the challenges of going through a gender transition. He said that this was a controversial issue used badly by the press, social media and politicians. He said that the Council has an opportunity to signal its support, and show tolerance and respect to the trans community, and should be proud of doing so.

Cllr Dent expressed concerns about the motion in that a new and detailed policy with seven actions attached had not been considered by any committee and had been presented to Council at short notice. He said that all Cllrs had signed up to the Nolan Principles in Public Life and what was being considered in this motion could equally covered in the next motion on Civility and Respect.

He proposed an amendment to the motion as follows;

'That this motion be deferred until it can be fully considered by the Personnel Committee (as an appropriate committee) and a detailed summary and report could be submitted to Cabinet.'

The amendment was seconded by Cllr Caygill.

The Chair asked for comments on the amendment.

Comments included the following;

- Cllrs should have a good look at the recommendations which are largely symbolic but signalling a message of support rather than seeking major change to policy
- Colleagues have not read the motion properly and should understand that it is encouraging more interaction with trans communities to understand what issues exist for them
- The motion was presented within the same timescale as the other motions
- Some members commended the way that the motion was presented by Cllr Bonetta
- Training and education was the most important issue for older people in relation to such issues and to encourage understanding
- There was a huge amount of ignorance in the room about this issue, as well as across the wider community, but Cllrs are supposed to represent all members of their community and Cllrs present need to be inclusive rather than divisive

The Chair put the amendment to the vote. Following a vote the amendment was defeated.

The Chair then asked for comments on the motion.

Comments on the motion included the following;

- There were more commendations to Cllr Bonetta about the way he presented the motion
- Thanks were given to the proposers and supporters of the motion, and to the public speakers
- Having been brought up in a bigoted family background, it seems that our children are capable of teaching us more about these issues
- What would Jesus do – probably give trans-people a big hug
- Stonewall programme presents an issue of concern and that part of the motion should be amended
- There is an issue of timing. The Equality Act of 2010 has been enacted for 13 years but is clearly not working because people are not abiding by it. There is hate against people who want to change their gender, and people in the room who want to make pedantic changes in wording
- It's sad that this motion has to be brought to Council at all, let alone amending and kicked into the long grass.

The Chair invited Cllr Bonetta to sum up.

Cllr Bonetta wanted to thank colleagues who had spoken eloquently about the motion and made very good points. He clarified that there had been much discussion about the wording of the motion and the further work required if it was agreed, but it would be offering more support and protection to officers or members in future if agreed.

The Chair invited member to vote for the motion.

Following a vote the motion was carried by the majority of those present, 6 abstentions and no votes against.

**68 Motion: Civility and Respect Pledge**

The Chair invited Cllr Allen as the proposer, to speak to the motion. Cllr Allen addressed the Pledge initiated by the National Association of Local Councils (NALC), and how it could encourage better practice in EDDC in line with its Constitution, and in line with many other local authorities.

The Chair invited Cllr Moulding as the seconder, to speak to the motion. Cllr Moulding said it was gratifying to know that many town Councils had signed up to the Pledge already and hoped that EDDC would do likewise in order to encourage good standards of behaviour and mutual respect between Cllrs and the people they serve.

Cllr Hayward said that he was Clerk to three councils and was proud that one of them had already signed up to the pledge. However, whilst approving the motion in principle, he said that it was aimed primarily at Town and Parish Councils governed by NALC and not at District Councils which were not. He wanted to propose an amendment as follows;

‘EDDC will encourage all Town & Parish Councils to adopt the Civility and Respect Pledge’.

The Chair asked for a seconder. Cllr Allen said that he was happy to accept the proposed amendment and Cllr Moulding would second that. Following a vote, the Chair confirmed that the amendment was carried and had become the substantive motion.

Cllr Ledger confirmed that his Town Council had agreed the pledge and become the 1001<sup>st</sup> to do so.

Cllr Howe asked for the motion to be put and Cllr Ingham seconded this.

The Chair invited members to vote for the motion, which was carried unanimously.

**69 Motion: Recompiling the Local Plan**

The Chair invited Cllr Allen as the proposer, to speak to the motion. Cllr Allen said that the Consultation was put out with many deficits in supporting evidence and background information, and so was not compliant with the current NPPF. The software supporting the consultation also appeared to be problematic to use, and therefore led to distortions and errors in the results. He wanted to propose that the consultation was done again to engage more local residents and rectify the deficits.

The Chair invited Cllr Skinner as the seconder, to speak to the motion. Cllr Skinner said that at the last Strategic Planning Committee it was proposed to put the Local Plan on hold, which met with agreement from across the political spectrum. It also seemed sensible to wait until we had received the forthcoming government requirements and guidelines rather than ploughing on and having to make changes after the event in order to be working within a new NPPF.

As Portfolio Holder for Strategic Planning, Cllr Ledger responded by asking for clarification about the type of consultation being requested.

Cllr Allen stated that it would require a Regulation 18 consultation.

Cllr Ledger said that this would be impossible within the timeframe available when all the work was needed to be done by 2025. There was no time to do another consultation and EDDC did not have the resources or planners to do the work again without losing the data already collected and without losing the 5 year land supply. He went on to say that

the Local Plan was a fluid document that would progress incrementally with more consultations and more iterations, but he did not want to put communities at risk by allowing unsustainable developments to take place.

During the following debate comments included the following;

- It cannot be right to carry on if the evidential basis was wrong
- Residents feedback was that the consultation was fundamentally flawed
- Agreement was not reached on deferring the Plan but only to the land allocation for housing and employment land. Nothing else had changed. A statement of intent had been made by the Secretary of State, Michael Gove, but no legislation had yet come out, so all other work is continuing. Most consultations are flawed but this one had more public engagement than ever before, and a record number of responses. The motion could not be supported because the implications were too serious for the District, as outlined by Cllr Ledger.
- EDDC is in a better position than most Councils because it has a Local Plan.
- Government has called the policy but not replaced it, and due to its procrastination, we do not know what housing numbers we are looking at. As a result, work needs to continue with the accompanying public engagement and transparency. Figures will be corrected down the line as necessary.
- All Town and Parish Councils were consulted several times, and do not feel disenfranchised by the consultation. Many have Neighbourhood Plans and appropriate comments were included as part of the Local Plan consultation.
- If the rug were to be pulled on the process, there would be no figures or evidenced basis to prevent developers presenting unsustainable proposals in future.
- It was unfortunate Michael Gove made the comments he did, but Exmouth TC were consulted and responded. The motion could not be supported because EDDC has lots of information, lots of responses, and it would not be right to put local residents in a difficult position, and when multiple consultations would come as part of the ongoing work.
- The motion as it stands was throwing EDDC off a cliff if we did as it suggested. EDDC cannot go back or it would put us in a much worse situation. Consultation would have to happen again after the elections and when the new NPPF emerged.
- Ottery St Mary has a Neighbourhood Plan and responded to the consultation. It was central government that keeps changing its mind. Nobody was ever satisfied with site allocations because they were chosen by landowners.
- The public and Cllrs are confused by the issues involved, so another consultation is not going to help.
- Every Town and Parish council clerk received details of the consultation and had the opportunity to table an item on it to be discussed. If this did not happen it was down to the Clerk. Everyone moans about consultations and that government changes the ground rules on a regular basis. But this was an incredibly complex consultation. EDDC offered several ways to receive and analyse the responses including making bound paper copies available. This is complex because it will influence developments in East Devon for decades to come. This motion cannot be supported because everyone was given an opportunity to engage.

The Chair asked Cllr Allen to sum up.

Cllr Allen said that colleagues had not read the motion. All it was suggesting that since there were deficits in the information and poor software to support the consultation, there should be a second in-depth consultation carried out. The motion was simply requesting an opportunity to put it right.

The Chair then moved to a vote.

Following a vote the motion was defeated by a majority of those present.

The Chair thanked everyone for their attendance, including members of the public and speakers.

The meeting ended at 8.45pm

**Attendance List**

**Councillors present:**

M Armstrong	D Bickley	B Ingham
P Jarvis	J Bailey	G Jung
S Jackson	P Hayward	H Parr
P Arnott	S Hawkins	M Rixson
F Caygill	A Moulding	E Rylance
A Colman	M Allen	B De Saram
R Lawrence	D Manley	P Skinner
T Woodward	C Brown	B Taylor
N Hookway	M Chapman	I Thomas (Chair)
C Wright	A Dent	E Wragg
O Davey	P Faithfull	T Wright
J Whibley	S Gazzard	S Hughes
V Johns	I Hall	A Bruce
D Ledger	M Hartnell	J Bonetta
J Rowland	M Howe	C Burhop

**Officers in attendance:**

Simon Davey, Director of Finance  
Anita Williams, Interim Director of Governance and Licensing and Monitoring Officer  
Susan Howl, Democratic Services Manager  
Sarah James, Democratic Services Officer  
Andrew Hopkins, Communications Consultant

**Councillor apologies:**

S Chamberlain  
K Bloxham  
T McCollum  
J Loudoun  
D Key  
C Gardner  
I Chubb  
G Pratt  
P Twiss

Chair .....

Date: .....