

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 24 July 2019**

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

The meeting started at 6.00 pm and ended at 8.18 pm

#### **19 Public speaking**

There were two members of the public wishing to speak.

Clara Douglas, representing the Honiton and Axe Valley Labour Party wanted to comment on East Devon District Council's (EDDC) response to the Devon Climate Change Emergency Declaration. She said that the County Council declaration states "we will lead in the global response", but action could not wait for its carbon foot-printing plan, which would take 18 months to develop. Radical policies were needed in times of crisis and Labour was calling upon EDDC to achieve measurable reductions in carbon emissions immediately by taking the following steps in the following areas;

Energy, by using green energy providers, and by encouraging individuals and businesses in the district to use providers whose power is purchased directly from a renewable energy generator, and which retains the Renewable Energy Guarantee of Origin.

Housing, by ensuring that all new homes built from now on are zero carbon by robust planning restriction.

Transport, by ensuring that all communities are served with regular, local bus services. Improving bus services in rural areas would not only boost communities but would also help the environment through reduced car use.

She concluded by stating that East Devon was the farming heart, and stomach, of the country and all levels of government must help farmers achieve the National Farmers Union net zero carbon target of 2040.

Todd Olive, introduced himself as a climate change academic, coordinator of a West Midlands climate change organisation and a young person threatened by predicted climate changes, and commented that the response proposed by Devon was wholly inadequate to prevent a scientifically assessed reality from occurring. Earlier goals needed to be set and it was necessary to accept the moral responsibility to take difficult action. There was a greater responsibility on those who had benefited from the wealth generated from actions causing the problems now facing future generations to reduce the impacts predicted.

The Leader of the Council, Cllr Ben Ingham responded that EDDC was working with Devon County Council and other partners to produce a Devon wide action plan on climate change. The target date for zero carbon emissions was set currently for 2050, but with an ambition to become carbon neutral at the earliest opportunity. After the development of an EDDC action plan it would be possible to identify a realistic evidence based date which cannot be identified at present. He went on to state that the Council could review all of its existing policies at this point, and would re-evaluate progress each year to assess whether the target date could be brought forward. He referred to the debate at Cabinet in July when the meeting was addressed by a speaker from Extinction Rebellion, and confirmed that EDDC would be addressing a very challenging agenda on this issue.

20 **Minutes of the previous meeting**

Prior to approval of the minutes of Annual Council held on 22 May 2019, the Monitoring Officer, Henry Gordon-Lennox outlined that a change needed to be made.

In relation to the Budget Working Party composition (Appendix B on page 15) the Chair of the committee was agreed as the Finance Portfolio Holder and not the Leader. In consequence the appointments to that committee (Part C on page 24) also need to be amended to reflect the Chair being the Finance Portfolio Holder.

Subject to this amendment being made the Chairman signed the minutes of the Annual Council as a true record.

21 **Declarations of interest**

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Iain Chubb, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Emergency declaration.

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Ian Hall, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Declaration.

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Phil Twiss, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Declaration.

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Stuart Hughes, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Emergency declaration.

9d. Minutes of Overview Committee held on 28 March 2019 Minute numbers 24 - 30. Councillor Ian Hall, Personal, (Minute 28) As a Devon County Councillor involved in work on poverty at a County level.

9d. Minutes of Overview Committee held on 28 March 2019 Minute numbers 24 - 30. Councillor Mike Allen, Personal, (Minute 28) - Councillor involved in local Food Bank.

22 **Matters of urgency**

There are no matters of urgency.

23 **Announcements from the Chairman and Leader**

The Chairman wanted to make two announcements.

First, he announced the recent success of Honiton Rugby Club at Twickenham in May, by winning the RFU Senior Vase final, when over 500 people made the journey to watch them play.

He went on to say that the last 12 months had been a showcase of the town's sport, with the Club being promoted into the Western Counties league and then crowned Devon Intermediate Cup winners. A week later, winning the National Senior Vase at

Twickenham had capped off a successful season for them, beating a Yorkshire team in a high quality and entertaining game!

The Club has invested in its facilities to meet the needs of a growing membership, built by volunteers and supported by local business, as well as the small grants from the RFU and some locality funding, to support both Junior and Senior aspects of the club. It also offers coaching qualifications to all its junior coaches, ensuring they have high quality coaching to the 200+ juniors who train and play with them each week.

It is currently working with colleagues within EDDC to ensure that the playing facilities at Allhallows reflect the size of the club and the volume of rugby being played at a higher level.

The Chairman said that it is fitting since EDDC is now located in Honiton, that the Council celebrates the success of a local team. The Chairman was accompanied by Cabinet colleagues and Honiton Ward members and joined by players and officials of the club ahead of the Council meeting, to congratulate them on their recent success, and in order for them to join Members briefly at the start of Council.

Secondly, the Chairman announced that the Jeanne Edyvean Centre at the Norman Lockyer Observatory (NLO) will be formally opened by the BBC Sky at Night presenters, Pete Lawrence and Paul Abel at 5.30pm on Saturday August 10th during the South West Astronomy Fair at NLO. All Members are welcome to attend.

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

There were none.

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

Twelve questions had been submitted in accordance with Procedure Rule 9.2 - the questions and answers were circulated and published with the agenda. 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.

Q1 Supplementary - Cllr Moulding asked whether the Leader had construed the original question solely as relating to allowances for Shadow Cabinet Members.

In response, the Leader stated that when in opposition, some Members had requested that the controlling group offer them the transparency and involvement encouraged by Local Government legislation that a new opposition group now appeared to be seeking. There had always been an opportunity to form a shadow cabinet but not necessary for it to be formally recognised.

Q2 Supplementary - Cllr Moulding enquired further about the Leader's view on a shadow cabinet.

In response, the Leader stated that he considered the question seemed to represent a sudden shift in attitude on the part of some Members after the elections on 2 May to that held before to recognise a Shadow Cabinet in the light of changed circumstances.

Q4 Supplementary – Cllr Moulding stated that the conservative group had no desire to be involved in the preparation of draft reports, but asked on what grounds was the

Leader refusing access to Council agendas to conservative lead members at the same time as Portfolio Holders of the controlling group.

In response, the Leader responded that documents would be made available and released in the manner they always have been according to Nolan principles, and if anything further was required it was unlikely to be considered necessary at this point, if it had not been considered necessary during the previous 45 years. This was not an issue relating to transparency but good management, and the protocols of preparing and conducting business between officers and members of the controlling group.

Q5 Supplementary – Cllr Pratt stated that since the car parking charges had been increased across the District in June, it had had a negative impact on the amount of visitors to Ottery St Mary which benefitted from little tourism already. He requested that a meeting be held to discuss this with local ward councillors and Ottery Business Forum.

In response, the Leader stated that as the Council budget is reviewed over the coming year, it is likely that budgets will need to be tightened and funding found to meet the deficit of over £2m. Car parks and other services provide a means of generating income, and so the Council could not look at the situation in Ottery in isolation since other towns may be similarly affected and it would be unfair. The Council will be looking at where it can make savings and generate funds overall.

Q6 Supplementary – Cllr Pratt stated that the Town Clerk for Ottery St Mary had been trying to obtain a statement of the S106 funding available for two years and from the information given in response to the original question, a considerable sum was available. He said that the lack of communication on this matter was unacceptable.

In response, the Leader confirmed that this kind of information could be requested at any time by Members in their role as Ward Councillors.

Q7 Supplementary – Cllr Arnott stated that amongst his election pledges he had promised to look at the reform of council governance and scrutinise the disposal of the former Council HQ and procurement of the new building. In keeping with the response to the original question, he asked that if a Member of the Scrutiny Committee wanted to take on a piece of work to look at the issues involved, whether there would be any objection.

In response, the Leader said that there would not be. He also stated that within the budget allocated for relocation, EDDC is currently in a favourable position, but it will be necessary to wait for the project closure report at the one year anniversary of the project to look at the full project cost analysis.

Q8 Supplementary – Cllr Gardner stated that the three priorities outlined in the response to the original question did not seem to indicate an agreed approach or much ambition. She wanted to know how the Independent group would make a difference to the public.

In response the Leader stated that there will shortly be a new Council Plan and new Cabinet priorities. There will be continuity but also new challenges and priorities to deal with. He considered that tackling climate change would be challenging and alongside the need to address the budget deficit was serious and required immediate action. He referred also to the change in Prime Minister and situation relating to Brexit which would impact on the Council.

Q9 Supplementary – Cllr Gardner stated that the Council was obliged to balance the books following cuts imposed by a conservative government. Was the Leader prepared to address this by writing to the Local Government Association (LGA) and joining their campaign to tackle cuts to Local Government being faced by the Council.

In response the Leader said that he had already met the new Chairman of the LGA, who wanted to tackle the current government and get more funding for Local Councils.

Q10 Supplementary – Cllr Twiss asked whether any preliminary work had been undertaken since the launch of the Government's Tourism Sector Deal and when a report would come to Council outlining progress.

In response, the Chief Executive, Mark Williams, said that the HotSW LEP is expected to make a bid for a Tourism Zone which is anticipated to have more chance of delivering local benefits than a District-only application.

Q11 Supplementary – Cllr Hayward asked about the officer resource, and Financial and Accounting procedures in place to monitor Overage agreements.

In response, the Leader said that he would have to provide a detailed response outside the meeting since he did not have the information to hand.

Q12 Supplementary – Cllr Hayward asked for confirmation that adequate resources were in place to ensure that communities across East Devon could access S106 monies allotted to them, and about the mechanisms for drawing down such funds.

In response, the Leader stated that there was a commitment to ensure adequate resources were in place. The Chief Executive said that established financial processes were in place to access sums, but it was not usual practice to dispense funds in advance of work being undertaken unless there were exceptional reasons for doing so. However, it would be possible for the communities to make a case for this to happen.

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

Arising from consideration of the minutes:-

### ➤ **Cabinet of 10 July 2019, minute number 28 – Climate Change Emergency – Our Response**

Cllr Luke Jeffery wanted to propose amendments to the Recommendations made by Cabinet. This was seconded by Cllr Eileen Wragg.

Cllr Jeffery proposed to amend the current Recommendation 1 by replacing it with the following;

“to sign up to and endorse the Devon Climate Change Emergency Declaration, but, rather than the Devon-wide target of carbon neutrality by 2050, adopt a target of 2040, and commit to bringing the target of 2040 forward whenever new circumstances arise which make an earlier date viable and achievable”.

There followed debate which focussed on the key issue of whether to adopt the Devon wide approach with a target of carbon neutrality by 2050 or unilaterally adopt a target date of 2040. Comments also included the need to focus on the actions required to achieve the target rather than a target date itself which may change.

After a lengthy debate, the Chairman asked Cllr Jeffery to make any comments in summary before the meeting proceeded to a vote.

Following a summing up by Cllr Jeffery, which included comments about the need for EDDC to take the lead and be more ambitious, the Chairman asked the Leader for any summary comments. The Leader commented in favour of not making a commitment to a particular target date before necessary and the need to for an open dialogue on these issues with Leaders from other Councils in Devon.

As a result of the debate the Chief Executive called for a vote on whether to accept an amendment to Recommendation 1 on page 62 of the agenda. This was agreed by those present.

Councillor Arnott called for a recorded vote about the amendment itself. The Chairman and Chief Executive agreed. Following a recorded vote the amendment was carried by 30 for and 24 against.

Those in favour were Cllrs; Armstrong, Arnott, Bailey, Bickley, Chamberlain, Colman, Davey, Faithfull, Gardner, Hayward, Hookway, Jackson, Jarvis, Jeffery, Johns, King, Ledger, Loudoun, Manley, McLauchlan, Millar, Pratt, Rixson, Rowland, Rylance, Taylor, Whibley, Woodward, Wragg, C. Wright.

Those against were Cllrs; Allen, Barrow, Blakey, Bloxham, Bond, Brown, Chubb, De Saram, Dent, Hall, Hartnell, Hawkins, Hughes, Ingham, Jung, McCollum, Moulding, Parr, Pepper, Pook, Skinner, Thomas, Twiss, T.Wright.

The Chief Executive stated that following the amendment to recommendation 1 on page 62, members should be asked to agree recommendations 2, 3, 4 and 5 as a block since they were all linked and related to the work which would be undertaken as part of the action plan.

The Chairman asked members if they were in favour of the recommendations. Those present agreed.

The Chairman then put Cllr Jeffery's proposal to the meeting to replace Recommendation 6 on page 62 with the following;

“to embed tackling the Climate Emergency as a key strategic priority of all parts of East Devon District Council, and reflect this as a priority in the new Council Plan and future updates of Services Plans and relevant corporate policies”.

This was agreed by those present.

The Chairman invited comments from members on the inclusion of two new recommendations proposed by Cllr Jeffery.

The Chief Executive reminded members that the outcome of adding further recommendations would be to commit the Council to allocating resources, preparing additional plans and work when there is already a commitment to the development of an action plan.

The Chairman then put Cllr Jeffery's proposal to the meeting to add two further amendments as follows;

“to seek out and engage with regional and national stakeholders, including Extinction Rebellion, academics, Citizens' Action groups, the UK Climate Change Committee, and the UK Youth Climate Coalition”, and,

“to publicise the dangers posed by the Climate Emergency to the district and the planet through the council's social media and print media presence, with reference

to robust academic findings by the Intergovernmental Panel on Climate Change, the UK Climate Change Committee, and other institutions”.

Following discussion Members wanted to add “for as long as the Declaration is in force within the District”, to the first recommendation, and also include “MPs, Government and Global Organisations”.

The Chief Executive read out the wording and the Chairman put the two new recommendations for page 62 to the vote. This proposal was agreed by those present.

**RESOLVED;**

1. To sign up to and endorse the Devon Climate Change Emergency Declaration, but, rather than the Devon-wide target of carbon neutrality by 2050, adopt a target of 2040, and commit to bringing the target of 2040 forward whenever new circumstances arise which make an earlier date viable and achievable.
2. To embed tackling the Climate Emergency as a key strategic priority of all parts of East Devon District Council, and reflect this as a priority in the new Council Plan and future updates of Services Plans and relevant corporate policies.
3. To seek out and engage with regional and national stakeholders, including MPs, Extinction Rebellion, academics, Citizens’ Action groups, the UK Climate Change Committee, the UK Youth Climate Coalition, the Government, and global organisations, for as long as the Declaration is in force within the District.
4. To publicise the dangers posed by the Climate Emergency to the district and the planet through the council’s social media and print media presence, with reference to robust academic findings by the Intergovernmental Panel on Climate Change, the UK Climate Change Committee, and other institutions.

- (a) **Minutes of Cabinet held on 5 June 2019 Minute numbers 1 to 17**  
Cllr Ingham presented the minutes of Cabinet held on 5 June. These were agreed.
- (b) **Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35**  
Cllr Ingham presented the minutes of Cabinet held on 10 July with the amendments to Recommendations on page 62, (item 28), as agreed. These were agreed.
- (c) **Minutes of Scrutiny Committee held on 6 June 2019 Minute numbers 1 - 10**  
Cllr Dent presented the minutes of the Scrutiny Committee meeting held on 6 June. These were agreed.
- (d) **Minutes of Overview Committee held on 28 March 2019 Minute numbers 24 - 30**

Arising from consideration of the minutes:-

➤ **Overview Committee on 28<sup>th</sup> March 2019, minute number 28 – Poverty, homelessness, human rights and health and wellbeing in East Devon – Scoping report**

Cllr Allen expressed his disappointment that his proposals in the paper he tabled at the Overview Committee in November 2018 were not referred back to Overview Committee and Cabinet for action.

The Chief Executive stated that it was a matter for Council and the Chair of the Overview Committee to agree to debate this issue further and agree actions.

Cllr Hookway confirmed that he was happy to do so as Chair of the Overview Committee. The Leader confirmed that he would also be happy for this to happen.

There followed a debate by Members which touched on the negative impact of Universal Credit, delays with Housing Benefit and how the Council could mitigate the impact on poor people across the District of central government policies which disadvantaged the most vulnerable.

**RESOLVED:**

That the paper produced by Cllr Allen on tackling poverty included as page 76 of the agenda be referred back to the Overview Committee for further debate and action.

Cllr Hookway presented the minutes of the Overview Committee held on 28<sup>th</sup> March with the agreement to refer Cllr Allen's paper on poverty, appended to the minutes and on page 76 of the Council agenda be referred back to a future meeting of the Overview Committee. These were agreed.

- (e) **Minutes of Housing Review Board held on 28 March 2019 Minute numbers 63 - 85**  
Cllr McCollum presented the minutes of the Housing Review Board on 28 March 2019. These were agreed.
- (f) **Minutes of Housing Review Board held on 20 June 2019 Minute numbers 1 - 21**  
Cllr McCollum presented the minutes of the Housing Review Board on 20 June 2019. These were agreed.
- (g) **Minutes of Strategic Planning Committee held on 10 June Minute numbers 1-8**  
Cllr Bond presented the minutes of the Strategic Planning meeting held on 10 June. These were agreed.
- (h) **Minutes of Development Management Committee held on 30 April 2019 Minute numbers 67 - 79**  
Cllr McLauchlan presented minutes of the Development Management Committee held on 30 April. These were agreed.
- (i) **Minutes of Development Management Committee held on 11 June 2019 Minute numbers 1 - 11**  
Cllr McLauchlan presented minutes of the Development Management Committee held on 11 June. These were agreed.
- (j) **Minutes of Development Management Committee held on 18 June 2019 Minute numbers 12 - 16**  
Cllr McLauchlan presented minutes of the Development Management Committee held on 18 June. These were agreed.

**(k) Licensing & Enforcement Committee held on 3 July 2019 Minute numbers 1 - 8**

Cllr Jarvis presented the minutes of the Licensing & Enforcement Committee held on 3 July. These were agreed.

**(l) Licensing & Enforcement Sub Committee held on 10 April 2019 Minute numbers 53 - 58**

Cllr Jarvis presented the minutes of the Licensing & Enforcement Sub Committee held on 10 April 2019. These were agreed.

**(m) Minutes of Standards Committee held on 16 April 2019 Minute numbers 15 - 21**

Cllr Hughes presented the minutes of the Standards Committee held on 16 April 2019. These were agreed.

27 **Appointment of a non-voting Parish Council representative to the Standards Committee**

A number of Members wanted to speak to this item before a vote was taken. Cllr Arnott commented that he regarded the appointment as a political one with the result that a conservative councillor who had not been re-elected to the District Council was appointed to a role on the Standards Committee by a conservative Chairman.

Cllr Armstrong stated that there were a whole range of questions to be asked and she would like the process re-visited. There were issues about the process and the appropriateness of the individual for the role.

The Chief Executive wanted to encourage some caution about this matter, stating that if there are views on the appointment, there are proper ways to deal with it, including voting to confirm or not confirm the appointment, and to ask the Standards Committee if they would want to review the process. Comments about the suitability or otherwise of an individual and political points were not appropriate.

The Monitoring Officer gave an explanation of the process which took place, which was well established and had been used on many previous occasions.

The Chairman invited members present to vote on the appointment.

Those in support of the appointment – 27

Those against the appointment – 22

The Chairman declared that Cllr Pauline Stott was appointed as a non-voting Parish Council representative to the Standards Committee, and that the process of appointment could be discussed as an agenda item at the next meeting of Standards Committee on 13 August.

**RESOLVED:**

That the appointment of Cllr Pauline Stott as a non-voting Parish Council representative to the Standards Committee be confirmed.

28 **Motion - Electrical Charging points for Vehicles and light transport in East Devon District Council Car Parks across the District**

The Chairman invited the proposer of the motion, Cllr Rylance to speak.

Cllr Rylance made a number of comments in support of the motion, with a focus on reviewing the obstacles to more people not using electric vehicles, such as the cost of such vehicles and lack of charging points. She stated that it was possible to break the

deadlock which prevented the further use of electric or hybrid vehicles by looking at the range, costs and charging infrastructure, which were issues already reflected in the Council Plan.

Cllr Jeffery seconded the motion and referred to the fact that there were no charging points presently in some of the towns in East Devon.

Comments arising from the discussion included the following;

- Fitting charging points into car parks is very costly, and it is likely that EDDC would only be able to install them into long stay car parks.
- Elements of the motion are already set to be superseded by the work already going on in the Greater Exeter area and with the Innovator Project. A considerable amount of work is already underway. The Council is able to facilitate such work but it will be the commercial sector who will progress the actions because it is not a cheap option to pursue.
- Installing charging points whenever new homes are built is essential.
- There is a need to explore new technologies and energy sources.
- It would be helpful to have a report coming back to Council outlining what EDDC are trying to achieve – for example, a commercial venture to help fund the future deficit.
- It is a hugely complicated issue requiring serious consideration and the input of experts.
- The motion could be referred to the Overview Committee for further work as soon as possible and then on to Cabinet so that it can be included in the action plan for Climate Change.

The Chief Executive stated that the work suggested by this motion will go into the draft action plan on climate change, progressing through Overview Committee and Cabinet so that it is not isolated from work already underway.

Cllr Allen proposed that the motion now be put.

Cllr Twiss supported the proposal that the motion be put.

The Chairman invited those present to vote. The motion was carried. Accordingly the substantive motion was put to the vote.

### **RESOLVED:**

That in supporting the Devon Declaration on Climate Change Emergency this Council should;

1. Prepare a costed roll out 5 year programme that would ensure at least 10 electrical charging points for cars and light vans in all its principal car parks.
2. Assess the viability of charging points for all types of cycles
3. Have as a priority in both the Greater Exeter Structure Plan and the review of the Local Plan the provision of EV charging points for all properties where parking spaces are provided.

That this motion should be referred to the Overview Committee for further consideration, prior to being presented at Cabinet and for inclusion in the action plan being developed to tackle climate change.

**Attendance List**  
**Councillors present:**

S Hughes (Chairman)	D Ledger	M Armstrong
P Jarvis	J Rowland	I Hall
S Jackson	J Loudoun	M Hartnell
S Chamberlain	D Bickley	B Ingham
P Arnott	J Bailey	G Jung
K Blakey	K McLauchlan	H Parr
K Bloxham	P Hayward	C Pepper
F King	S Hawkins	G Pook
A Colman	A Moulding	G Pratt
P Millar	C Gardner	M Rixson
T Woodward	S Bond	E Rylance
N Hookway	M Allen	B De Saram
C Wright	D Manley	P Skinner
O Davey	C Brown	B Taylor
J Whibley	I Chubb	I Thomas
L Jeffery	A Dent	P Twiss
T McCollum	D Barrow	E Wragg
V Johns	P Faithfull	T Wright

**Honorary Aldermen in attendance:**

Christine Drew  
Frances Newth

**Officers in attendance:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Henry Gordon Lennox, Strategic Lead Governance and Licensing  
Susan Howl, Democratic Services Manager  
Tim Child, Senior Manager Property and Estates

**Councillor apologies:**

V Ranger  
F Caygill  
D Key  
M Chapman  
S Gazzard  
M Howe

**Honorary Alderman apologies:**

David Atkins	Trevor Cope	David Cox
Bernard Hughes	Stephanie Jones	Ken Potter
Bob Peachey	Graham Liverton	

Chairman .....

Date: .....