

Report to: Council



Date of Meeting 16 July 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Motion on Notice – Newton Poppleford Settlement Boundary

Report summary:

The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and at least 3 members and submitted not later than 10 clear days before the date of the meeting.

Motions must be about matters for which the council has a responsibility, or which affect East Devon District Council and will be listed on the agenda in the order in which notice received.

Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Motion on Notice –Newton Poppleford settlement boundary is debated and determined by Council.

Reason for recommendation:

The constitution makes provision for motions on notice to be debated and decided by Council.

Officer: Andrew Melhuish, Democratic Services Manager (andrew.melhuish@eastdevon.gov.uk)

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

The impact is low as this report is dealing with the submission of motions on notice. Any work undertaken following the consideration of the motion on notice would be subject to an equalities impact assessment being undertaken.

Climate change Low Impact

Risk: Low Risk; A risk assessment would need to be completed on any works or further investigations resulting from the motions of notice.

Links to background information N/A

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
- ☐ Carbon neutrality and ecological recovery
- ☐ Resilient economy that supports local business
- ☐ Financially secure and improving quality of services

Report in full

Motion 4: Newton Poppleford Settlement Boundary

Proposed by Cllr Chris Burhop

Seconded by Cllr Paul Hayward

Motion supported by: Cllrs Stuart Hughes, Colin Brown, Yehudi Levine, Ben Ingham, Ian Barlow, Jess Bailey

At the Strategic Planning Committee (SPC) meeting of 22nd November 2024 when settlement boundaries were discussed, the SPC minutes record the following in relation to Newton Poppleford's proposed settlement boundary;

“Newton Poppleford – raising the issue of consistency, concern was raised on the proposed Settlement Boundary in that the area described as excluded in stage 2 on the map should be included. Road safety concerns were also raised. A proposal to support the report recommendation failed. Therefore, a proposal to have the settlement boundary as the area shown as Stage 2 with the inclusion of area adjacent to Exmouth Road was supported.”

Recommendation (f) of that minute went on to state “Newton Poppleford – that the Settlement Boundary be drawn as including Stage 2 plus area adjacent to Exmouth Road, with the exact boundary to be drawn by officers for delegated approval by the Assistant Director and the Chair of Strategic Planning Committee.”

Whilst the thought process given at the time of expanding the settlement boundary to “make the settlement boundary more even over the geographical area of the village” was on the face of it understandable, the discussion, which excluded the District Councillor for the village, ignored the fact that all of the village's amenities are located to the Eastern end of the village, which is why historically the settlement boundary was set to expand only to include the two proposed development sites Newt 04 and Newt 05 to the East of Exmouth Road, per officers' recommendation.

The revised boundary, attached as a file to this motion, was presented at the subsequent SPC on 11th December at which I spoke in respect of the errors in the thoughts about expanding the settlement boundary to the West of Exmouth Road, namely that the lack of footpath provision makes expansion on the Western side of Exmouth Road inaccessible. This debate is covered in pages 6 & 7 of the minutes (minute 249). They record that “During discussions some members concurred that unless the footpath was installed the western side of the village would be unsafe and there was nothing to confirm at this stage that the footpath would happen. It was suggested that a condition could be imposed to ensure that no development could take place until there was a suitable footpath”.

However legal advice obtained at that meeting confirmed that no decision taken by a committee of the council could be moved within 6 months of the original decision unless the motion to amend is signed by 15 or more councillors. In other words errors identified in any council condition need 25% of the council to sign up to an amendment at full council in order to be corrected. I resolved to draw up such a motion to propose a correction.

Subsequent to the meeting I was told by the Chair of the SPC that, as the plans had now been submitted for Regulation 19 consultation, then again they could not be amended until the consultation ended. I have requested that the proposed amendment be included in the agenda of the Strategic Planning Committee of 8th July however the published agenda did not include this proposal.

I therefore submit the following motion to full council;

Motion

The settlement boundary for Newton Poppleford submitted in the Regulation 19 Consultation in the Draft Local Plan contained a material error and should now be amended per the proposed map, being officers' original recommendation.

Financial implications:

To be confirmed, subject to the outcome of the consideration on the Motion on Notice.

Legal implications:

The motions on notice have been submitted in accordance with the Part 4 of the Council's Constitution – Rules of Procedure 10.1 Notice: Except for motions which can be moved without notice under Rule 11, written notice of every motion, signed by at least 5 members, must be delivered to the Chief Executive not later than 10 clear days before the date of the meeting.