

EAST DEVON DISTRICT COUNCIL
Minutes of the Meeting of the Council held at
Knowle, Sidmouth, on Wednesday, 14 October 2009

Present:

Councillors:

Graham Liverton (Chairman)
Tony Reed (Vice Chairman)

Vivienne Ash
David Atkins
Ray Bloxham
R Boote
Graham Brown
Bob Buxton
Geoff Chamberlain
Iain Chubb
Trevor Cope
David Cox
Andrew Dinnis
Paul Diviani
Christine Drew
Vivien Duval-Steer
Jill Elson
Malcolm Florey
Ray Franklin
Chris Gibbings
Roger Giles
Graham Godbeer
Pat Graham
Steve Hall
Peter Halse
May Hardy

Stuart Hughes
Douglas Hull
John Humphreys
Ben Ingham
Stephanie Jones
Jim Knight
Ann Liverton
Stuart Luxton
Frances Newth
Barry Nicholson
Marion Olive
Helen Parr
Bob Peachey
Ken Potter
Sara Randall Johnson
Margaret Rogers
Philip Skinner
Pauline Stott
Brenda Taylor
Graham Troman
Mark Williamson
Tim Wood
Eileen Wragg

Also Present

Officers:

Mark Williams, Chief Executive
Denise Lyon, Deputy Chief Executive
Peter Jeffs, Corporate Director
Karime Hassan, Corporate Director
Diccon Pearse, Corporate Director
Diana Vernon, Democratic Services Manager

Apologies

Councillors:

Peter Bowden
Derek Button
David Chapman
Mike Green
John Jeffery

David Key
Andrew Moulding
Darryl Nicholson
Steve Wragg

The meeting started at 6.30 pm and finished at 8.50 pm.

***28 Public question time**

The Chairman welcomed members of the public and asked them if they had any questions.

Jeremy Bateson of Ottery Dogs questioned the reason why the Executive Board had not accepted the compromise recommended (the segregation of an area for dog walkers) at a local meeting held on 24 August in respect of the Winters Lane Playing Field. He said that imposing a dog ban on the Playing Field would have a major impact on the lives of people in Ottery St Mary. He asked the Council to listen to the views of the local community.

Adrian Forster, local resident and dog owner questioned why the Council had not taken heed of DEFRA guidance in respect of the use of Winters Lane Playing Field. He said that the Council was not acting consistently and that at other Playing Fields, such as at Sidford, dogs were allowed to be exercised. He asked the Council to take account of the consultation process.

Gordon Bridle, local resident, felt that the Board had been misinformed at its meeting on 7 October as the objections to a dog ban was not just a handful of people. He said that the Winters Lane Playing Field was a safe area for dog walking and recommending out-of-town walking was inappropriate.

Suzanne Heath, local resident, said that her son had mobility problems but that she could manage to take him to the Winters Lane Playing Field with her dog. She said East Hill was not a popular alternative because it was very isolated. She said that the Playing Field was kept clean by local people.

The Leader thanked the speakers for their comments and advised that the matter would be debated in full later on the agenda.

***29 Minutes**

The minutes of the meeting of the Council held on 29 July were confirmed and signed as a true record.

***30 Resignation of Trinity Ward Member**

The Chairman formally reported on the resignation, on health grounds of Ken George on 1 August 2009. Ken George had been elected in 2003 and represented Trinity Ward. He had served on a number of Committees including Development Control and Planning Inspections. The Chairman advised that he had written on behalf of the Council, sending best wishes and hopes that he would enjoy his retirement from office.

***31 Obituaries**

The Chairman formally reported the recent deaths of former Councillors Margaret Stokes and Derek Gent.

Margaret Stokes was Councillor for the Exmouth Littleham Rural Ward from 1987 and 1995. She had served on a number of Committees, Sub Committees and Outside Bodies.

Derek Gent was Councillor for Broadclyst from 1989 until 1999. He served on a range of Committees, Sub Committees and Working Parties.

Councillor Chamberlain read a tribute from fellow Ward Member, Derek Button, who had been unable to attend the meeting. He said that Derek Gent was widely respected and worked tirelessly on behalf of his constituents. He said that it had been an honour and privilege to know him as a friend and colleague. Councillor Chamberlain added that he was Gent by name, and gent by nature.

The Chairman invited Members to stand in silence as a mark of respect.

***32 Best Kept Village Competition - results**

The Chairman advised that the Council was now in receipt of the results of the 2009 Best Kept Village Competition and that presentations would be made at the December meeting of the Council.

East Devon has done well again with East Budleigh with Bicton winning the Past Winners Section and Talaton winning the New Entry Section. The competition organisers, Campaign for the Protection of Rural England (CPRE) and their sponsors would make or had made separate arrangements to make presentations to the Devon-wide winners of the competition.

Each year East Devon formally recognised the efforts made by villages within East Devon who have been given high points in the competition but who were not Devon-wide winners. At the December meeting the following presentations would be made:

Small Villages Section – Dalwood will be awarded the Glanvill Cup with Hawkchurch as runner up. (The Devon-wide winner was Clovelly)

Large Villages Section – Whimble will be awarded the Baker Cup with Colyford (new entry) as runner up. (The Devon-wide winner was Dunsford)

Certificates will be given to East Budleigh with Bicton and Talaton in recognition of their Devon-wide success.

***33 Children's Play**

The Chairman introduced and thanked Jane Sharp and Polly Mercer who had been employed as Play Workers by the Council on a 2 year fixed contract to generate and deliver 10 new play schemes within East Devon through Big Lottery funding. During their appointment, they trained local people to be play volunteers. They would leave a legacy of high quality sustainable play within East Devon. The Chairman referred to their enthusiasm and the effective way in which they had shown the benefits of play.

***34 Long Service Awards**

The Chairman awarded Long Service Awards to the following East Devon District Council staff. He spoke of their individual careers and their valued contribution to the Council.

	Length of service within local government	Section
Therasa Brett	10 years	Revenues and Benefits
Dudley Hill	10 years	Revenues and Benefits
Rob Speers	20 years	Estates
Jenny Thornton	20 years	Parking Services
Karime Hassan	25 years	Corporate Director
Leila Parker	25 years	Property Services

***35 Questions**

Printed questions and answers from the Leader and relevant Portfolio Holders had been circulated to Members at the meeting pursuant to Procedure Rule 9.2.

In reply to supplementary questions in respect of questions 1-4 (Rolle College), the Leader advising that these needed to be referred to the relevant authority, namely Devon County Council which had responsibility for education. The Leader added that it was important to make sure that Plymouth University left a legacy in the town for future generations. This Council would be investigating ways of using the Section 106 monies to bring benefits to the town.

Re supplementary question 5, the Leader advised that she could not comment on what specialist goods Tesco would sell in Seaton. In respect of youth provision in Seaton, (question 6) use of the Seaton Primary School site had been suggested. The County Council also had responsibilities for youth provision.

***35 Questions (cont)..**

The Leader stated, in reply to a supplementary question relevant to question 7, that it was vital for the regeneration of Seaton and Exmouth to progress and to reduce the number of people who needed to commute for work and leisure.

No response was available in time to address question 8 on assets at Elizabeth Road but this information would be progressed and provided.

***36 Minutes of Executive Board and Committees**

RESOLVED (1) that the under-mentioned minutes be received and the recommendations approved

Executive Board	Minutes	45-81
Development Management	Minutes	18-36
Planning Inspections	Minutes	5-6
Licensing and Enforcement Sub	Minutes	7-10

(2) that the under-mentioned minutes be received.

The Executive Board (minute 68) had noted or accepted the Overview/Scrutiny Committees' recommendations with or without amendment.

O/S Co-ordinating Committee	Minutes	9-17
O/S Economy Committee	Minutes	4-8
O/S Service Delivery/ Performance	Minutes	9-17
O/S Communities	Minutes	7-14
Housing Review Board	Minutes	18-31

Arising from consideration of the above minutes:-a) Dog Control Orders (Executive Board Minute 72 refers)

A letter from the Kennel Club had been circulated to all Members prior to the meeting.

The Deputy Leader read out the following statement for the benefit of those members who had not attended the last meeting of the Executive Board:

“Following a period of consultation, the Executive Board first considered the need for a Dog Exclusion Order at Winter’s Lane Playing Field, Ottery St Mary, at its meeting on 10 June 2009. In the light of the large number of representations received, both for and against the Order, an alternative option to segregate an area of the Playing Field to exercise dogs was proposed. The Board has been aware of the need to balance the needs of the whole community and of the level of support for and against the Order. In making its recommendation for an Exclusion Order to cover the whole of the Playing Field, the Board decided that, on balance, the risks to children of allowing dogs in the Playing Field outweighed those to dog walkers in having to use alternative dog exercise areas. The Board also felt that the costs involved in segregating an area could not be justified.”

Arising from consideration of the above minutes (cont)..

a) Dog Control Orders (Executive Board Minute 72 refers) (cont)..

Councillor Ray Bloxham reminded Councillors that a meeting had been held on 24 August to which District Councillors, Town Councillors and community representatives had been invited with the aim of achieving a compromise in respect of this matter. The meeting had recommended that a 20 metre strip of land at the south west end of Winters Lane Playing Field be designated for dog exercise, with dogs being excluded from the remainder of the Playing Field. It was felt that this proposed compromise would accommodate all users of the Playing Field and protect children. The segregated area would not impinge on the football/play area. He also reminded Members of the legal advice given, namely the requirement to establish 'need' when considering whether a Dog Control Order should be made and that, when coming to a decision, the interests of all parts of the community should be taken into account. He said that the evidence of 'need' had not been conclusive and that this was a concern. He suggested that the Executive Board be asked to re-consider its recommendation.

Councillor Roger Giles, Ward Member, referred to the strong views on each side of the debate within the community. He felt that the compromise recommended at the August meeting should be accepted. He thanked Councillor Bloxham for calling the meeting and the Officers and local representatives who had taken part.

Councillor David Cox, Ward Member, who supported a Dog Order on Winters Lane Playing Field, said that not all dog owners were responsible and that he wanted to see the area protected from dogs for the benefit of children.

The Portfolio Holder – Communities re-iterated the fact that Dog Control Orders were being introduced across the district as the Council wanted to be able to use fixed penalty notices rather than take offenders to court.

During discussion, Members considered whether the matter should again be referred to an Overview and Scrutiny Committee. The Deputy Leader suggested that it was appropriate to revisit the issue due to the level of public feeling and the close vote at the September Executive Board meeting.

Councillor Bloxham proposed that a 20 metre strip of land at the south western end of Winters Lane Playing Field be segregated for dog walkers and that a Dog Control Order be made on the remainder of the Playing Field. There would be a requirement for public consultation on this proposal. The Deputy Leader seconded the proposal.

The Leader advised that the vote would not be subject to any Party Whip.

The proposal was put to the vote and was carried.

RESOLVED that the public be consulted on a Dog Control Order for Winters Lane Playing Field (excluding a 20 metre strip of land at the south western end which would be segregated for the benefit of dog walkers) with the matter then being referred back to the Executive Board for further consideration and recommendation to Council.

b) Health and Health Equality Policy (O/S Co-ordinating Committee Minute 13 refers)

Councillor Giles, former Chairman of the Scrutiny Committee, outlined the issues raised by that Committee and its successful questioning of representatives from the Devon Primary Care Trust. He now raised concern about the temporary closure of hospital beds at Ottery St Mary hospital and suggested that these measures could be implemented in other local hospitals in the district.

The Portfolio Holder – Communities was aware of a planned deep clean of hospitals and understood that closure of beds was temporary. However the National Health Service was reviewing how it managed patients and there would be negotiation between the Royal Devon and Exeter hospital and the local hospitals in respect of capacity.

The Chairman of the Overview and Scrutiny – Co-ordinating Committee asked Councillor Christine Drew as this Council's representative on the Devon Country Council Community Services – Health Overview/Scrutiny Committee to determine the facts and report back to the Co-ordinating Committee.

c) Housing Review Board – 10 September 2009)

Councillor Marion Olive to be included in the list of those also present.

***37 Changes to Committee Membership**

RESOLVED that Councillor Mark Williamson replace Councillor Steve Hall on the Development Management Committee

***38 Presentation – Area of Outstanding Natural Beauty (AONB) Partnerships**

Linda Bennett (Blackdown Hills AONB) and Chris Woodruff (East Devon AONB) gave a joint presentation to up-date Members on the work of the AONB partnership and its achievements. They reminded Members that 66% of East Devon was covered by an AONB designation. There was evidence that a high quality environment enhanced quality of life. This rich asset had a positive impact on the local culture, community, social life and economy. The fact that AONBs were living landscapes was emphasised and the small teams worked closely with farmers and landowners for the benefit of the area.

The AONB Partnerships were multi-organisational and included the voluntary, private and public sectors. They have a Memorandum of Agreement with Natural England which provided 75% funding. They were supported by the National Association and Regional Protected Landscapes Forum. Their key role was to deliver management plans and influence policy development to co-ordinate conservation and enhancement whilst ensuring community involvement.

Members noted the grants available including the 'Making it Local' project which connected local economies, communities and sustainability. Other funding supported innovative projects and was used to 'pump prime' projects such as the Parishscapes initiative which helped to promote the area's heritage to the wider community.

***38 Area of Outstanding Natural Beauty (AONB) Partnership (cont)..**

Future projects included working with other agencies and authorities to progress initiatives such as off-road mountain biking, making sure that this was appropriate to the landscape and community needs.

Members were given the opportunity to ask questions. They recognised the value of the work carried out and the positive impact on the community and economy.

The Chairman thanked the AONB Managers for their presentation.

***39 Presentation – West End Initiative/Growth Point up-date**

Lesley Crocker, Communications Officer for the Exeter and East Devon Growth Point Delivery Team up-dated Members on the Growth Point initiatives including Cranbrook, Science Park, Flybe training academy, Exeter Airport, Sky Park, Junction 29 and other access improvements. This represented a huge level of growth.

Lesley set out the history of the development from 2005 when the Growth Point Partnership was established to deliver large scale sustainable growth until the present time. The project had secured significant funding which meant that the infrastructure could be put in place. A total of £50M+ funds had been secured and credit for this significant achievement was given to the Leader and Deputy Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration, Karime Hassan, Corporate Director and the Delivery Team hosted by East Devon District Council. They had a clear vision of what the Growth Point was going to deliver including housing, employment opportunities, improved transport links and public transport (frequent and reliable) provision. The aim was to create a sustainable community.

Lesley had been appointed to raise the profile of the Growth Point and advised that a website would be launched shortly: www.exeterandeastdevon.gov.uk

Members were given the opportunity to ask questions. Councillor Ray Franklin, Portfolio Holder for Strategic Planning and Regeneration said that he was proud to be part of this ‘trail blazing’ work which had national recognition.

The Chairman thanked Lesley for the enlightening presentation. He acknowledged the significant efforts of the Delivery Team, Karime Hassan and Councillor Ray Franklin.

Chairman

Date