

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the Meeting of the Council held at**  
**Knowle, Sidmouth, on Wednesday, 28 July 2010**

**Present:**

**Councillors:**

Graham Liverton (Chairman)  
Tony Reed (Vice Chairman)

Vivienne Ash	Douglas Hull
David Atkins	John Humphreys
Ray Bloxham	John Jeffery
Roger Boote	Stephanie Jones
Graham Brown	David Key
Peter Burrows	Jim Knight
Derek Button	Ann Liverton
Bob Buxton	Graham Liverton
Geoff Chamberlain	Andrew Moulding
David Chapman	Frances Newth
Iain Chubb	Darryl Nicholas
Trevor Cope	Barry Nicholson
David Cox	Marion Olive
Andrew Dinnis	Helen Parr
Paul Diviani	Bob Peachey
Christine Drew	Ken Potter
Vivien Duval Steer	Sara Randall Johnson
Jill Elson	Tony Reed
Ray Franklin	Philip Skinner
Chris Gibbings	Pauline Stott
Roger Giles	Brenda Taylor
Graham Godbeer	Ian Thomas
Pat Graham	Graham Troman
Mike Green	Mark Williamson
Steve Hall	Tim Wood
Peter Halse	Eileen Wragg
May Hardy	Steve Wragg
Stuart Hughes	

**Also Present**

Honorary Aldermen Ron Mudge and Bernard Hughes

**Officers:**

Mark Williams, Chief Executive  
Denise Lyon, Deputy Chief Executive  
Karime Hassan, Corporate Director  
Diccon Pearse, Corporate Director  
Rachel Pocock, Head of Legal, Licensing and Democratic Services  
Nigel Harrison, Economic Development Manager  
Diana Vernon, Democratic Services Manager

**Apologies**

**Councillors:**

Councillors:  
Peter Bowden  
Malcolm Florey  
Ben Ingham  
Stuart Luxton

Hon Alderman Barry Willoughby

The meeting started at 6.30pm and finished at 8.23pm.

**\*23 Public question time**

There were no questions from the public raised at this point of the meeting.

**\*24 Minutes**

The minutes of the annual meeting of the Council held 19 May 2010 were confirmed and signed as a true record. (The minutes of the ordinary meeting of the Council held on 14 April 2010 had been signed at the annual meeting but had been included in the minute book for ease of reference.)

**\*25 Additional items for consideration**

The Chairman advised that a number of changes to membership of Committees, Forum and Panels had been put forward and would be considered at agenda item 11.

**\*26 Leader's up-dates**

The Leader advised that the Council's New Growth Team had submitted a letter with details of the new community and associated projects to comply with new Government funding arrangements; the projects were reliant on public money to be able to progress.

The Leader had attended a meeting of the Strategic Leaders' Board as EDDC representative and had been elected Vice Chairman. The Board would continue to scrutinise the work of the Regional Development Agency for as long as this was in existence. The RDA was to be replaced with Local Economic Partnerships but what areas these were to cover had yet to be confirmed.

The Leader advised that wifi (wireless broadband) had been installed in the Council Chamber and Committee Room to enable documents to be accessed on line. This move would pave the way for Councillor use of laptops at meetings. The Leader wanted to achieve paperless committees from May 2011 onwards.

**\*27 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	Section
<b>Carole Littlejohns</b>	10 years	Home Safeguard
<b>Andrew Seddon</b>	20 years	Legal
<b>Derek Smith</b>	20 years	Legal
<b>Dave Clode</b>	20 years	Environmental Health
<b>Jonathan Hetherington</b>	20 years	Rental

**\*28 Questions**

Printed questions and answers from the Chairman of Development Management Committee and the Portfolio Holder for Strategic Planning and Regeneration had been circulated to Members at the meeting pursuant to Procedure Rule 9.2.

Question 1 was about planning permissions for developments of over 100 units of accommodation. In his written reply, the Portfolio Holder – Strategic Planning and Regeneration advised that when planning permission was granted for developments that required works, a Section 106 Agreement would set out the works to be undertaken and facilities (or equivalent) to be provided. In most cases this would need to be provided before occupation.

**\*28 Questions (cont)..**

Question 2 was about the Sainsbury's planning application at Ottery St Mary. In his written reply the Chairman of Development Management advised that he had received no direct lobbying, had not discussed the proposal with any Sainsbury representative and there had been no declarations of lobbying of other members made at the meeting. In reply to a supplementary question, Councillor Diviani advised that he had not been involved with any informal Officer meetings with the applicant.

Question 3 was about the Local Development Framework processes. In his written reply, the Chairman of Development Management advised that the Planning System: General Principles provided advice on dealing with planning applications during the evolution of a new Development Plan Document and quoted specifically paragraphs 17,18 and 19. He added that any planning application received would always be considered against existing policies.

**\*29 Corporate Strategy - refresh**

The report explained that the current Corporate Strategy had been reviewed and refreshed for 2010/11. The exercise had led to the development of a much more concise document and the creation of separate Corporate Priority Delivery Plans. The Leader thanked Councillor Ray Bloxham for his involvement in the process. The Strategy would be reviewed again when the new Council was set up after the 2011 district elections.

**RESOLVED** that the refreshed Corporate Strategy and the accompanying Corporate Priority Delivery Plans be adopted.

**\*30 Minutes of Executive Board and Committees**

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

Executive Board	Minutes	202-219,1-45
Development Management	Minutes	79-92, 1-7
Planning Inspections	Minutes	17-20
Audit and Governance	Minutes	1-12
Standards	Minutes	1-7
Licensing and Enforcement	Minutes	1-4
Licensing and Enforcement Sub	Minutes	28-31, 1-8

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

The Executive Board (minutes 7 and 29) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

O/S Co-ordinating Committee	Minutes	1-11
O/S Economy Committee	Minutes	1-7
O/S Service Delivery/ Performance	Minutes	1-10
O/S Communities	Minutes	1-6
Housing Review Board	Minutes	65-74, 1-13

**Arising from consideration of the above minutes:-**

a) Independent Remuneration Panel ( Executive Board Minute 210 refers)

The Council was asked to determine when the changes proposed by the Independent Remuneration Panel to Members' allowances would become effective.

**RESOLVED** that the changes to the scheme of special allowances become effective from 1 June 2010 and the revised mileage rates become effective from 28 July 2010.

b) Declarations of Interest - (Executive Board)

It was noted that Councillor Vivienne Ash was no longer Mayor of Honiton Town Council and had declared her interest in Minutes 42 and 44 as a member of the Town Council. She was also a Trustee of the Honiton Development Trust and was the Council's elected representative on the Honiton Community and Arts Centre Project Working Group. She confirmed that she had declared her interest as prejudicial and left the Chamber for the entire debate, not being aware of the decision made until she read it in the Knowledge.

Councillor Stuart Hughes advised (Minute 218) that he was a Member of the Jurassic Coast Trust and not the Steering Board.

c) East Devon Volunteer Support Agency (Executive Board Minute 32 refers)

The Leader proposed that the Council grant £10,000 to the East Devon Volunteer Support Agency with conditions in respect of how this funding was to be used to achieve the greatest benefit for local organisations. She added that the work of the Agency would need to be closely monitored to achieve value for money and suggested this as a role for all Councillors, the Council's elected representative on the Agency and the appropriate Overview and Scrutiny Committee. She believed that the proposed level of contribution would make a positive difference to local organisations at grass roots level and, in partnership, help deliver the Government's vision for the Big Society.

**RESOLVED** that the East Devon Volunteer Support Agency be granted £10,000 with a service level agreement to ensure appropriate targeting of support given, with the work of the Agency being regularly monitored/scrutinised

Councillor Jill Elson declared a personal interest in this item as founder and chairman of Exmouth and District Community Transport Group and voluntary driver for Exmouth and Lympstone Hospice Care of which her sister was the full-time administrator.

Councillor Christine Drew declared a personal interest in this item as the Council's appointed representative on EDVSA.

Councillor Trevor Cope declared a personal interest in this item as Trustee of Exmouth and District Community Transport Group.

**Arising from consideration of the above minutes (cont):-**

d) Land at Grove Road, Whimple (Executive Board Minute 40)

The Leader advised that a revised report in respect of this item had been circulated to all Members. Although the printed decision in the minute book was correct, the pre-amble needed to be amended to reflect that the issue was about reducing the ground rent payable in order to make the scheme viable and deliver the affordable housing. Due to the need to correct the pre-amble, this decision had yet to be actioned.

**RESOLVED** that the proposed 125 year ground lease of land at Grove Road, Whimple to the Spectrum Housing Group Ltd, at a ground rent of £1 per annum, and at a nominal premium of £10, together with the granting of an 18 month 'Option Agreement', be agreed.

The Leader declared a personal interest in this item as a member of the Parish Council.

e) Transfer of land at Lace Walk car park, Honiton to Honiton Town Council for a Community Centre (Executive Board Minute 44 refers)

The Leader advised that this item had been 'called in' and would be re-considered at a special meeting of the Overview and Scrutiny Co-ordinating Committee on 19 August 2010.

f) Overview and Scrutiny Committees

The Chairman of the Service Delivery and Performance Overview and Scrutiny Committee advised that a new Planning Enforcement Officer had been appointed and would therefore help the team to address the backlog of cases following the retirement of two experienced Officers (Minute 7 refers).

The Portfolio Holder up-dated members on progress being made in respect of affordable and Council housing provision achieved through effective partnership working.

**RESOLVED**

- (1) that the Head of Legal, Licensing and Democratic Services advise the Vice Chairman of the Housing Review Board on procedures in respect of the appointment of Vice Chairmen following the annual meeting of the Council;
- (2) that Members of the Housing Review Board be invited to opening ceremonies of new Council housing projects,

g) Development Management Committee (Special Meeting – 15 April 2010)

The following corrections to the minutes were noted - Councillors Mike Green and Steve Wragg to be deleted from the attendance list and included on the list of apologies, Councillors David Atkins, Derek Button, Pauline Stott and Mark Williamson included on the list of those present and the reference to Seaton at the top of the second page amended to read Ottery St Mary.

Development Management Committee (Special Meeting – 15 April 2010) (cont)..

In reply to concern raised by Councillor Giles, Ward Member - Ottery St Mary Town, about the agreed size of the Sainsburys' store which he said was contrary to advice from consultees, the Chairman of the Development Management Committee, advised that the store would be an attraction for the town. He said that small stores in other towns had suffered because they had been too small to benefit the area. He advised that the feedback from consultees had been taken into account by the Committee, together with representations made at the meeting and on balance the Committee had made a reasoned and appropriate decision.

h) Licensing and Enforcement Committee (8 June 2010)

Councillor Gibbings, Chairman of the Licensing and Enforcement Committee advised that the Committee had been given a demonstration of a new device to detect alcohol on breath or in bottles of apparently innocuous liquids. He advised that the device would help the Police and would support the Licensing objectives and the requirements of the Child Protection Act. The minutes would be up-dated at the next meeting of the Committee to reflect this presentation and discussion.

**\*31 Standards Committee**

**RESOLVED** that David Mason's appointment as Parish Council representative on the Council's Standards Committee following interviews in July be approved, with the Monitoring Officer introducing David Mason to the Standards Committee members at its next meeting and outlining his background and suitability for the role.

**\*32 Changes to Membership on Committees, Forum and Panels.**

**RESOLVED**

- (1) that Councillor Vivien Duval-Steer continue to serve as a Member of the Rationalisation Panel;
- (2) that Councillor Frances Newth replace Councillor John Jeffery on the Licensing and Enforcement Committee;
- (3) that Councillor Steve Hall replace Councillor Bob Peachey on the East and Mid Devon Crime and Disorder Scrutiny Panel;
- (4) that Councillor Bob Buxton be added to the membership of the Economy Think Tank.

**\*33 Presentation re proposed off-shore shellfish farm**

Councillor Graham Brown, Portfolio Holder Environment, introduced Nick Prust (Chairman of SW Inshore Fisherman's Association) and Jim Newton (Chairman of East Devon's Fisherman's Association) who had requested the opportunity to raise specific environmental issues in respect of the Crown Estate's proposal to lease an area of seabed of the coast of East Devon for the installation of an off-shore shellfish (mussels) farm.

The Development Management Committee had been invited to comment on the Crown Estate's proposal as consultees. The period of consultation had been extended until the end of October.

\*33 **Presentation re proposed off-shore shellfish farm (cont)..**

Nick Prust gave a detailed presentation on the existing and anticipated restrictions to fishing in local inshore waters. He advised that the proposed off-shore mussel bed would further restrict fishing grounds available and as a result would adversely affect the livelihoods of local fishermen. He believed that the large scale operation could harm the existing small scale mussel businesses. In addition he felt the proposal was likely to pollute the area with excrement and affect the biodiversity of the area.

Jim Newton advised that the proposal could put local fishermen out of business. He was also concerned in respect of the potential environmental impact.

**RESOLVED** that the applicants of the off-shore shellfish farm in Lyme Bay be invited to a future meeting of the Council to advise all Members of their proposal so that Members would have a balanced view of the implications prior to the Council responding to Crown Estates as consultee.

Councillor Eileen Wragg and Stuart Hughes declared a personal interest in this item as Members of the County Council's Devon Sea Fisheries Committee.

Chairman .....

Date .....