

# EAST DEVON DISTRICT COUNCIL

## Minutes of a Meeting of the Council held at Knowle, Sidmouth on Wednesday, 8 December 2004

### Present:

Councillors:

Mrs A E Liverton (Chairman)

Miss V Ash	G K Liverton
Mrs M J Boote	S C Luxton
P W Burrows	Ms S M Merritt
D G Button	A T Moulding
G P Chamberlain	Mrs H E Parr
T A Cope	A S Pascoe
R H H Cross	R C Peachey
A E J Dinnis	Miss S M Randall Johnson
P A Diviani	A W J Reed
Lt Col A J M Drake	T G Reeves
Mrs C E Drew	Mrs L A Roden
Miss J M Elson	P J Skinner
J E D Falby	Mrs P A Stott
R G Franklin	Mrs B O Taylor
A R Giles	A J Toye
J H Glanvill	B J Toye
Mrs P A Graham	C H Wale
J P Halse	Dr H W Waterworth
B C J Hughes	A J Wilkinson
S Hughes	Mrs E E Wragg
D R H Hull	S C Wragg
B O Ingham	
H J Jeffery	
D R A Key	

The meeting started at 6.30 pm and ended at 9.05 pm

### \*18 **Minutes**

The minutes of the meeting of the Council held on 13 October 2004 were confirmed and signed as a true record.

### \*19 **Apologies**

Apologies for absence were received from Councillors Mrs K Bamsey (Vice Chairman), Mrs R E Burrow, D J Cox, K W George, M J L Green, Mrs M L Hardy, R Mudge, Mrs M A Rogers, N Rogers, N J Spence and P C Townsend.

Councillor Glanvill, who had suffered health problems, was welcomed to the meeting by the Chairman on behalf of the Council.

**\*20 Obituary: Late Councillor Bernard Clark**

The Chairman of the Council referred to the recent death of Councillor Bernard Clark, who was a serving member of the Council. The Chairman paid tribute to his service to the Council and District and his valued friendship. Councillors G Liverton, T Cope and A Pascoe also spoke warmly of Councillor Clark who they described as a gentleman, an ambassador for tourism and a friend to Sidmouth and East Devon. The Council stood in silence as a mark of respect.

**\*21 Civic and Non-civic protocols**

The Chairman reported that a Councillor had attended a civic event in East Devon as a representative of this Council. The attendance was reported in the local press and in the minutes of a local parish council meeting. The Council's protocol had not been followed in that only the Chairman or Vice Chairman, or a person nominated by them, had delegated authority to represent that Council at a civic event. The protocol for attending non-civic events on behalf of the Council also had to be observed. The Leader, Chief Executive or senior management would nominate persons officially representing the Council at a non-civic event.

**\*22 Computer Training**

The Leader urged Councillors to take advantage of the training available through the Council's ICT section. Training was currently being provided in Microsoft Outlook.

**\*23 Financial Settlement 2004/05**

The Leader reported that Central Government had confirmed its financial settlement for 2004/05 at 3.01% increase on the current year. Although this figure was the minimum settlement that could be made, the Leader advised that the Council had anticipated this level of support and had already based its budgets on this figure.

**\*24 A303/A303**

The Leader asked the Council to note the decision of the Secretary of State for Transport to dual the A358 and not adopt the A30/A303 scheme which the Council, County and Region had supported for economic and environmental reasons. The Leader advised that the County Council was making further endeavours to promote the A30/A303 scheme and asked Members for their support.

**RESOLVED**

- (1) that this Council express its concern that the scheme for the A30/A303, identified as important to the economic and environmental interests of the District, Devon and Cornwall had been abandoned, leaving Devon and Cornwall without a second strategic road route into the far South West;
- (2) that the appropriate Minister be invited to visit Devon to meet representatives of all those organisations who had campaigned for the dualling of the A30/A303, with the County Council's willingness to organise such a meeting being supported;
- (3) that, as no start date has yet been given for the Government's preferred option, the Minister be also asked to re-examine all the submissions made from Devon - taking into account the requirement that the present A30/A303 route needed very significant investment to improve safety and traffic flow;

**\*24 A303/A303 (cont)**

- (4) that, as the A30/A303 has suffered from a lack of investment to bring it up to the expected safe standards expected of a single carriageway trunk road (because dualling of the road had always been anticipated) and the poor accident record of the road, the necessary safety improvements on the road be undertaken and completed as a matter of urgency;
- (5) that the Devon Members of Parliament be asked to raise these concerns in the House of Commons at the earliest opportunity and ask, in turn, that Government should at least give an early indication of the additional funding that would be provided for essential improvements to the A30/A303;
- (6) that the Environment & Economy Overview/Scrutiny Committees be invited to examine the accident record of the A30/A303 in Devon and the frequency and effects of M5 closures south of Taunton;
- (6) that, given the importance attached by Government to Regional Assemblies, the Council also places on record its surprise that Government had ignored the democratic decision taken by the South West Regional Assembly.

**\*25 Exempt Information**

Concern was raised about the Medium Term Financial Plan and the prioritisation process being dealt with in Part B of the agenda. Some Members felt that there were elements within the process which could assist local councils when setting their own budgets for the forthcoming year. However it was deemed appropriate to consider the report as a whole when the press and public had been excluded. The Chief Executive advised that letters would be sent to the towns/parishes from the Council advising them of key decisions made which they could then taken into account when setting their budgets.

**RESOLVED** that the classification given to the minutes in respect of the implications of the Medium Term Financial Plan and the prioritisation process be confirmed (Para 1 Schedule 12a) and the matter be dealt with under Part B of the agenda.

**\*26 Presentation of Smithfield Awards**

The Chairman welcomed and introduced the owners and staff from Hayman's of Sidmouth who had achieved national success in the Guild of Q Butchers' biennial 'Smithfield Awards' Product Evaluation. The local butchers had been awarded 11 gold, 5 silver and 4 bronze awards. Stewart Hayman thanked the Chairman for presenting the awards and confirmed that the business aimed to continually improve and extend its range of products.

**\*27 Question**

The Leader of the Council, pursuant to Procedure Rules No. 8.2 and 8.5, answered questions by Councillor A R Giles in respect of the Government's decision not to approve dualling of the A30/A303. The Leader confirmed that the Council would campaign to ensure that the ever-increasing trend towards centralisation/regionalisation was reversed. Specific information about the Council's contribution to Regional Government would be supplied.

**Minutes of Executive Board and Committees****RESOLVED**

1. that the undermentioned minutes be received and the recommendations approved subject to consideration of Executive Board Minute 131 being deferred until the press and public had been excluded from the meeting.

Executive Board	Minutes	96-137
Development Control	Minutes	37-54
Planning Inspections	Minutes	16-22
General Licensing Sub	Minutes	29-37
Housing Allocations	Minutes	13-21
Standards Committee	Minutes	1-6

2. that the newly appointed membership of the Standards Committee be confirmed, namely:
  - Mr C Pole Carew and Mr P Bowden as town/parish representatives in addition to existing town/parish member Mr S Pollentine
  - Mr Butt as independent representative in addition to existing independent members Mrs J Durrant and Dr J Rees
 (Council membership to remain unaltered)

3. that the undermentioned minutes be received, Executive Board (Min. No. 115 refers) having noted or accepted the recommendations with or without amendment:-

Communities Overview	Minutes	13-25
Economy Overview	Minutes	22-30
Environment Overview	Minutes	36-48
Strategic Overview	Minutes	13-26

Arising from consideration of the above minutes:-

- (a) Future management arrangements for East Devon's Leisure Services – Options appraisal (Communities Overview Minute 20 refers)

The Portfolio Holder – Resources confirmed that all Council assets, including the Manor Pavilion, Sidmouth, would be assessed, examined and quantified by the Asset Management Forum as a matter of priority.

- (b) Local Democracy Week (Strategic Overview Minute 19 refers)

Members discussed the success of Local Democracy Week 2004 which had been organised by Member Services. It was felt to be a very useful event both for the Council and participating schools/colleges. It was suggested that the Overview Committee could look at other ways for the Council to actively promote local democracy and the democratic process.

**\*28 Minutes of Executive Board and Committees (cont)**

Arising from consideration of the above minutes (cont)

- (c) Planning Application: Exmouth Halsdon – Residential development at rear of Littlemead and Eight Bells (Planning Inspections Minute 18(d) refers).

In reply to a claim that the Inspections Committee had not been presented with all of the correct facts when determining the above application, the Chairman of the Inspections Committee presented a detailed account of the meeting and provided an explanation of the County Highway Officer's comments and assessment. He provided a detailed explanation of the disparities surrounding the recording of the accidents and fatalities. He reported that the Highways' Officer confirmed that in reaching his views on the merits of the new junction, he was aware of the accident record of the road and two junctions concerned and no new information had come to light that has caused him to change his view of the new junction or to change his recommendation.

The Chairman of the Inspections Committee advised that the road now had a 30 mph limit with a speed camera and further efforts to reduce traffic speed were being investigated. The application was in respect of housing development and associated access and the applicant had demonstrated how adequate access was to be provided. This information had been taken into account at the meeting of the Inspections Committee and had been re-examined following the meeting in response to concerns from local objectors. Based on this reasoned analysis of the situation, the Chairman of the Inspections Committee confirmed that it was not appropriate to take the matter back to the Committee for re-consideration and therefore the decision should stand.

(Councillor S Wragg declared a personal interest in this item as he was acquainted with the applicant.)

- (d) Protocol for Member and Officer relationships (Standards Committee Minute 4)

In reply to a question the Portfolio Holder – Communications confirmed that a meeting of the e-Government Member Panel would be held early in the new year.

**\*29 Exclusion of the Public**

**RESOLVED** that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the descriptions set out in the agenda, was likely to be disclosed.

**\*30 Implications of the Medium Term Financial Plan and the Prioritisation Process (Executive Board minute 131 of 24.11.04 refers)**

The report of the Chief Executive had been considered and debated at each of the Overview Committee meetings in the current cycle and the recommendations from those meetings had been considered by the Executive Board. The Chief Executive had prepared a paper summarising the recommendations of the Overview Committees and the Executive Board and this was circulated at the meeting. The aim of the process was to adopt measures and changes to services to ensure that a balanced budget for 2005/2006 could be prepared and delivered.

**\*30 Implications of the Medium Term Financial Plan and the Prioritisation Process (Executive Board minute 131 of 24.11.04 refers) (cont)**

**RESOLVED**

that the changes proposed in the report of the Chief Executive, considered by all Overview Committees and the Executive Board, be adopted subject to the following amendments:

- (a) Cemeteries - a revenue budget of approximately £38,000 being established,
- (b) Local Strategic Partnership - the scope for reduction in core funding to EDVSA on reduced delivery as a result of either a 25%/50%/75% or 100% cut in core funding be assessed,
- (c) Tourism Promotion/Economic Development - the adoption of an alternative option showing savings of approximately £220,000 provided that the £73,000 shortfall from the figures shown in the original report can be found elsewhere, with the Council further assessing the scope for reducing funding to the Heart of Devon Enterprise Agency,
- (d) Corporate Buildings and Security – a target of 8% savings to be included as well as a review by the Asset Management Forum,
- (e) Rural Aid – incorporate this into an East Devon Community Fund with Officers striving to achieve a target funding level of £45,000.
- (f) Citizens' Advice Bureaux – no cuts to be made at the current time but Officers to investigate the possibility of extending the remit of both CABs to include housing and benefits surgeries through negotiation of the existing service level agreements and with the funding of the CABs being considered as part of the planned review of the service,
- (g) Health and Safety enforcement and advice – increase target for savings to 12%,
- (h) Arts – keep the Thelma Hulbert Gallery open with Officers looking to reduce its costs/increase its income through seeking funding from educational links, sponsorship, the Arts Council, local artists and introducing charging for entry to and use of the gallery with the alternative option set out in appendix E of the original report (paragraph 3 or alternative option) being adopted.
- (i) Economic Development – retain some presence at Business South West,
- (j) Public Conveniences – relevant town/parish councils to be appraised of the proposals for public conveniences and the opportunities being offered through consultation to take over responsibility for facilities earmarked for closure or seasonal closing.

**\*30 Implications of the Medium Term Financial Plan and the Prioritisation Process (Executive Board minute 131 of 24.11.04 refers) (cont)**

The following Councillors declared a personal interest in this item:

Councillors Mrs C Drew, Mrs E Wragg, Mrs P Stott, G Chamberlain, A Toye, B Toye and Mrs L Roden due to their involvement with the CABs. Councillors Mrs B Taylor and D Hull due to their involvement in the EDVSA. Councillor A Wilkinson as a non-executive director of the Primary Care Trust).

(Councillor Button asked for his vote against a proposal for a minimum Rural Aid/East Devon Community Fund of £20,000 to be recorded).

Chairman ..... Date.....