

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the Council held
at Knowle, Sidmouth on Wednesday, 12 October 2005

Present:

Councillors:

Lt Col A J M Drake	(Chairman)
G P Chamberlain	(Vice-Chairman)
Miss V Ash	J A Knight
Mrs K J Bamsey	Mrs A E Liverton
Mrs M J Boote	G K Liverton
P W Burrows	S C Luxton
D G Button	Ms S M Merritt
T A Cope	A T Moulding
D J Cox	R Mudge
R H H Cross	Mrs F I Newth
A E J Dinnis	J B Nicholson
P A Diviani	Mrs H E Parr
Mrs C E Drew	R C Peachey
Miss J M Elson	Miss S M Randall Johnson
J E D Falby	A W J Reed
C F A Gibbings	T G Reeves
A R Giles	P C Townsend
Mrs P A Graham	A J Toye
M J L Green	B J Toye
Mrs M L Hardy	Dr H W Waterworth
B C J Hughes	A J Wilkinson
S Hughes	S C Wragg
D R H Hull	
B O Ingham	
H J Jeffery	

The meeting started at 6.30 pm and ended at 7.10 pm

***35 Minutes**

The minutes of the Council meeting of 13 July 2005 and of the special meeting of the Council held on 14 September 2005 were confirmed and signed as a true record subject to 'recommended' at minute 34 being corrected to 'resolved'.

***36 Apologies**

Apologies for absence were received from Councillors R G Franklin, K W George, J H Glanvill, J P Halse, Mrs L A Roden, Mrs M A Rogers, P J Skinner, N J Spence, Mrs P A Stott, Mrs B O Taylor, C H Wale, Mrs E E Wragg.

***37 Announcements by Chairman or Leader**

The Leader drew Councillors' attention to the EDDC 'Your Housing – your voice counts' leaflet which had been sent to all Members as the final consultation phase of the Stock Options Appraisal. Dates of the information drop-in sessions and road-shows were included within the leaflet.

*38 **Sidmouth Town and Seaton Wards – Returning Officer’s report**

The report of the Returning Officer was received for the two elections held on 22 September 2005. One was the election of a Councillor for the Sidmouth Town Ward at which C F A Gibbings was elected to fill the vacancy caused by the resignation of Alan Pascoe. The second was the election of a Councillor for Seaton at which J A Knight was elected to fill the vacancy resulting from the death of Noel Rogers. Changes in the political balance of the Council and resultant changes to appointments on Committees, etc, were considered later in the meeting (minute 43 refers).

The Chairman congratulated the two new councillors and welcomed them to the meeting.

*39 **Best Kept Village Competition 2005**

The Chairman presented the Cups of the Best Kept Village Competition 2005. The Baker Cup was presented to Kilmington (as the highest scoring large village in East Devon) and the Glanvill Cup was presented to Dalwood (as the highest scoring small village in East Devon). Winners and runners-up in each category were presented with a certificate by the Chairman. The runners-up were East Budleigh with Bicton (large village category) and Hawkchurch (small village category). Both winners and runners-up in each category would also receive a tree of their choice and plaque.

The Chairman introduced Commander Tim Hale, Chairman of the Council for the Protection of Rural England, who presented Dalwood with a certificate as runner up in the small village section within Devon.

In receiving the Baker Cup, the Chairman of Kilmington Parish Council thanked the Council for supporting the competition which was a good incentive that brought the village together.

In receiving the Glanvill Cup, the Chairman of Dalwood Parish Council said that although his village was only small, the Council always treated it in a fair and even-handed way. He thanked the Council for this on behalf of Dalwood.

The Chairman congratulated the winning villages for their achievement and thanked them for taking part in the competition.

*40 **Questions**

The Leader of the Council, pursuant to Procedure Rule No. 8.2 and 8.5 answered questions by Councillor P Burrows by suggesting that Seaton Town Council could consider part funding the public convenience provision at Seaton to possibly keep the facilities open over the winter period.

Councillor J B Nicholson, Deputy Portfolio Holder, Environment with responsibility for Streetscene, pursuant to Procedure Rule No. 8.2 and 8.5 answered questions by Councillor P Burrows. He advised that, when available, the costs of supplying a water tap for hirers of the beach huts at Seaton would be forwarded direct to Councillor Burrows for information.

41 Minutes of Executive Board and Committees*RESOLVED**

1. that the under-mentioned minutes be received and the recommendations approved

Executive Board	Minutes	25-56
Development Control	Minutes	5-21
Planning Inspections	Minutes	3-10
Licensing and Enforcement Sub	Minutes	4-6
General Licensing Sub	Minutes	11-28
Licensing and Enforcement Subs A-E	Minutes	A-E
Audit and Accounts	Minutes	1-5

2. that the under-mentioned minutes be received, the Executive Board (Mins 28 and 46 refer) having noted or accepted the Overview Committee recommendations with or without amendment. (Council at its special meeting on 14 September had already considered the recommendations of the special meeting of the Corporate Overview Committee in respect of the conclusions of the Refuse and Recycling contract evaluation).

Corporate Overview	Minutes	3-11
Scrutiny Committee	Minutes	2-4

Arising from consideration of the above minutes:-

- (a) Petition re Exmouth estuary development (Executive Board, Minute 29)

The Leader confirmed that the recommendation of the Corporate Overview Committee (Minute 13 of 6.10.05 refers) to go to public consultation on four options for the development of the Estuary Side would be considered by the Executive Board at its meeting on 19 October 2005. If the public consultation exercise was approved, the feedback from the process would be taken fully into account.

- (b) Car Parking Charges – Reserved Spaces (Executive Board, Minute 35)

Concern was expressed that the reduction in use of car parking spaces could be linked to the increase in charges. Fewer visitors meant that the economy of towns was adversely affected. Axminster was given as an example. The Leader reminded Members that reduction in car park charges would result in a loss of valuable revenue which would impact on Council Tax levels.

- (c) Up-date on the implementation of the Freedom of Information Act (Executive Board, Minute 40)

The Leader advised that if Councillors wanted to know specific information about Council property letting arrangements, they should contact the relevant Council Officer. It would be too bureaucratic and time consuming for Officers to supply information to Ward Members each time there was a change of tenancy.

Arising from consideration of the above minutes:-

(d) Musbury Flood Alleviation Scheme (Executive Board, Minute 53)

Members discussed the recommendation of the Executive Board and budget issues. The Leader advised that commitment from DEFRA was essential to the scheme. Future flood alleviation schemes would be considered on their own merit. There was a need for greater support and feedback from the Environment Agency on planning applications with more account being taken of potential flooding and problems associated with surface water run off.

(e) East Devon Citizens Advice Bureau – Service Level Agreement

The reduction in service within the Seaton area was acknowledged. The Council already supported the initiative with substantial grant aid. Application for further funding could be made to the County Council or Town Council.

(f) Exe Estuary Partnership Memorandum of Agreement

Councillor G Liverton, Chairman of the Corporate Overview Committee, agreed that Councillor Reeves would be given information on the progress of the partnership negotiations. The Chief Executive up-dated Councillor Reeves on progress after the close of the meeting.

(g) Scrutiny Committee – 27 July 2005

It was confirmed that Councillor Button and Mrs M A Rogers had given their apologies for this meeting and that their names should be deleted from the list of those present.

(h) Development Control Committee (Minute 13)

That the reason given for Councillors G P Chamberlain and K George's declaration of personal interest be amended to read 'the applicant is a personal friend'.

(i) Licensing Committee

The Chairman thanked Councillor Cross, the Committee and Officers for their work in effectively progressing the requirements of the Licensing Act.

Councillor Cross advised that there had been 576 applications and the Sub Committees to date had sat 22 times to consider 47 individual cases which reflected the effective work carried out by the Licensing team in mediating cases without the need for a hearing. Only 2 appeals had been received from sub-committee decisions to date. Councillor Cross acknowledged the way in which the Licensing, Legal and Member Services teams had dealt with the processes and thanked them for their hard work and dedication.

(j) Audit and Accounts Committee

Councillor A R Giles' name to be included in the list of apologies.

***42 Anti-Social Behaviour Order – extension**

Consideration was given to a request from the Devon and Cornwall Constabulary to extend the Section 30 powers to disperse groups under the Anti-Social Behaviour Act from Exmouth Town Centre for a further 6 months until 29 April 2006. The original Order had been agreed on a 6 trial basis by the Executive Board at its meeting on 6 April 2005 (Minute 202 refers).

RESOLVED that approval be given to the Devon and Cornwall Constabulary to use anti-social behaviour legislation to make the Strand area of Exmouth an exclusion zone for a further period of 6 months commencing on 1 November 2005.

***43 Committees, Sub-Committees, etc**

Revised appointments to reflect changes to the political balance of the Council following the elections on 22 September 2005.

- RESOLVED**
1. that Councillors C F Gibbings (C) and J A Knight (C) be appointed to the Corporate Overview Committee to replace Councillor S C Wragg (LD) and to fill the vacancy left by the resignation of Councillor A Pascoe (C),
 2. that Councillor Mrs L A Roden (I + 1) be appointed to the Scrutiny Committee to replace Councillor D G Button (LD),
 3. that Councillor D G Button be appointed to the Housing Review Committee to replace Councillor Mrs L A Roden,
 4. that Councillor C F Gibbons be included on the membership of the Communities Think Tank to fill the vacancy left by Councillor Pascoe,
 5. that Councillor J A Knight replace Councillor Mrs P A Graham (LD) on the Environment Think Tank. (Mrs Graham had been a member of 2 Think Tanks and would retain her membership of the Culture Think Tank).

***44 Revised Committee, Forum, etc., appointments**

Members considered requests from Members for revised appointments and the alternative nominations that had been put forward.

- RESOLVED**
1. that Councillor C H Wale be appointed to replace Councillor N J Spence on Development Control with Councillor A W J Reed being appointed Vice-Chairman,
 2. that Councillor J A Knight be appointed to replace Councillor Ms S M Merritt on the Licensing and Enforcement Committee,
 3. that Councillor J A Knight be appointed to replace Councillor H J Jeffery on the Seaton Town Hall Advisory Forum,

***44 Revised Committee, Forum, etc., appointments**

4. that Councillor J E D Falby be appointed to replace Councillor Miss V Ash as one of the two district council representatives on the Exeter Area Rail Project Working Party,
5. that the decision of the Devon and Cornwall Health and Safety Council to disband be noted – Councillor Mrs C E Drew was currently Chairman and EDDC representative on this Outside Body,
6. that Councillor P Townsend be appointed to replace Councillor Mrs M Boote as EDDC representative on the East Devon Volunteer Support Agency.

***45 Transport Working Forum – Budleigh Salterton**

Nominations had invited for the above Forum to assess traffic problems in Budleigh Salterton.

RESOLVED that no action be taken until the Forum has been properly constituted with Devon County Council taking the lead as the relevant Highways and Traffic Orders Committee.

***46 Manor Pavilion and Arts Centre Management Steering Committee**

- RESOLVED**
1. that the draft Constitution for the new Steering Committee (which would replace the existing Manor Pavilion and Arts Centre Forum) be agreed,
 2. that Councillor G K Liverton be appointed to represent EDDC on the new Steering Committee.

Chairman Date.....