

EAST DEVON DISTRICT COUNCIL

Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 27 July 2016

Attendance list at the end of document.

The meeting started at 6.30pm and ended at 7.40pm

***21 Cllr David Chapman – Obituary**

The Chairman formally reported, with great sadness, that David Chapman had passed away in June. David had been elected onto the Council in May 2007 and represented Exmouth Brixington Ward. During his time on the Council he had served on a number of Committees – including Scrutiny, Development Management, Licensing and Enforcement and Standards. David had been a great supporter of sport and therefore his appointment as Member Champion for Sport and Recreation in October the previous year had been an ideal match – he had already made a difference and developed partnerships across the district, finding ways to promote sport for all. David was a much respected Member of this Council and would be greatly missed. Deepest sympathy and best wishes were extended to David's wife, Maddy, his family and friends at this very sad time.

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

***22 Public speaking**

The Chairman welcomed those present and invited members of the public to speak to the Council.

Carol Bray spoke on the proposed motion regarding fair transitional state pension arrangements for all women born on or after 6 April 1951. She explained that significant changes had been imposed on women by the Pensions Acts of 1995 and 2011 to increase the State Pension Age with a lack of, or in some cases no, appropriate notification given to women affected. She advised that had they been advised earlier they would have been able to make adjustments and alternative financial plans for retirement. She spoke of the devastating consequences and dire financial hardship that the changes were having due to the loss of income of pension. She wished to make it clear that it was the injustice of the implementation of the changes, not the equalisation of the pension arrangements that was being disputed. She asked East Devon District Council to help bring justice to those women that had borne the financial burden of equalisation of the State Pension Age by supporting the motion.

Sandra Broadbent also spoke on the proposed motion regarding fair and transitional state pension arrangements for all women on or after 6 April 1951. She represented WASPI (Women Against State Pension Inequality), a campaign group fighting the injustice to women regarding the changes to their State Pension Age, and read out lyrics to the 'WASPI Anthem'. The anthem raised awareness of the dire consequences facing those women affected as outlined by the previous speaker.

The Chairman thanked the two speakers and advised that their comments would be taken into consideration when the motion was debated later in the agenda.

Louise MacAllister spoke on the regeneration of Exmouth seafront and asked the Council for an update following the letter it would have received about the results of the recent town poll.

In response, the Portfolio Holder – Economy advised that the results of town poll were being looked into. The Chief Executive advised that a similar question had been raised by Cllr Ben Ingham under agenda item 9 to which an answer had been provided.

***23 Minutes**

The minutes (with appendices) of the annual meeting of the Council held on 18 May 2016 were confirmed and signed as a true record.

***24 Declarations of interest**

Councillor Matt Booth; Minute No. 27 (Questions - Procedure Rules 9.2 and 9.5)
Type of interest – Personal interest
Reason – Director of Sidmouth Drill Hall

***25 Matters of urgency**

One matter of urgency had been identified.

The Chairman formally welcomed Jenny Brown (Honiton St Michaels Ward) and Bruce de Saram (Exmouth Littleham Ward) onto the Council following the two recent District by-elections. The matter of urgency identified related to the outstanding appointments on committees and this will be dealt with under a later agenda item (minute *32)

***26 Chairman/Leader notices/announcements**

The Chairman spoke of the success of this year's Devon Youth Games, the South West's biggest annual youth sports event, which had taken place in Okehampton on 3 July. He advised that the Games, which had over a thousand participants from across the County, sought to inspire children and young people to take up regular sporting activities. East Devon had achieved 3 gold medals and 3 silver medals in the event. The Chairman passed on congratulations to everyone that had taken part.

***27 Questions (Procedure Rules 9.2 and 9.5)**

Eight questions had been submitted in accordance with Procedure Rule 9.2 - the printed [questions and answers](#) were circulated at the meeting. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). The responses to the supplementary questions are set out below.

- a) Question 1 – No supplementary question was asked.
- b) Question 2 – In response to the supplementary question the Leader advised that the Premier Inn in Exmouth provided an excellent accommodation option for those visiting the District. He advised that competition in the market was a good thing.
- c) Question 3 – In response to the supplementary question the Leader advised that the designation of National Parks and AONBs were not about financial gains.

- d) Question 4 – In response to the supplementary question the Portfolio Holder – Economy advised that that the Exmouth Regeneration Board sought to deliver the objectives and vision of the Local Plan. He advised that it would not be appropriate to open the meetings up to all Members and members of the public, however the minutes of the Regeneration Board meetings were referred to Cabinet.
- e) Question 5 – In response to the supplementary question the Leader confirmed that Sidmouth Town Ward Members would be involved in the regeneration of Port Royal and Eastern Town.
- f) Question 6 – In response to the supplementary question the Leader advised that the Council was continually reviewing how it did things and would not become complacent, however did not agree that there was a lack of consultation by the Council.
- g) Question 7 – In response to the supplementary question (e) the Leader advised that it was important to look forward to the future and was satisfied that due diligence had been carried out in respect of the Moirai Capital Investments.
- h) Question 8 – In response to the supplementary question the Portfolio Holder – Corporate Business advised that one of the main issues regarding Broadband provision was funding and how this was found. Regarding phase 2 procurement, invitations to tender had only just been issued and this process was being run by Connecting Devon and Somerset (CDS) as outlined in the briefing note circulated to Members. He then advised of progress being made by one supplier outside if the invitation to tender process.

***28 Minutes of Cabinet and Committees**

RESOLVED

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

Cabinet

Minutes 220 - 241, 1 - 18, 19 – 35

Strategic Planning Committee

Minutes 1 - 7

Development Management Committee

Minutes 73 - 78, 79 - 85, 86 - 87, 1 - 2, 3 - 6, 7 - 10

Audit and Governance Committee

Minutes 1 - 14

Licensing and Enforcement Sub Committee

Minutes 37 - 40

that the under-mentioned minutes be received.

Cabinet (minutes 232, 27) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

Overview Committee

Minutes 1 - 8

Scrutiny Committee

Minutes 60 - 66, 1 - 6

Housing Review Board

Minutes 1 - 20

Arising from consideration of the above minutes:-

- a) **Cabinet (minute 31 – Heart of the South West Formal Devolution Bid**
Councillor Mike Allen advised that the Council had previously approved an oversight group to help drive the devolution bid forward however to his knowledge this group had not been convened. In response the Leader advised that the oversight group had met and the latest information was the project was still moving forward, however there were a number of issues to resolve following the decision to leave the European Union. A further oversight group was scheduled for the beginning of October.

- b) **Overview (minute *5 – Local Government Committee for England Electoral Review Programme 2015 – 2019)**
Councillor Mike Allen raised concern that the draft submission report in respect of the boundary review was based on 2011 data and that more up to date data was available and should be used. In response the Chief Executive advised the electoral information provided was based on 2016 data projected forward to 2022.

The Chairman advised that recommendation 1a should read that there was a need to ensure an appropriate work/life balance for all councillors not just new councillors.

RESOLVED:

1. **that the appropriate number of Councillors for the District of East Devon to be recommended to the LGBCE was 60 and that the justification for this was:**
 - a. **The need to ensure an appropriate work/life balance for all Councillors;**
 - b. **The need for enough members to ensure effective scrutiny and properly represent the full diversity of the district;**
 - c. **The role of the district councillor was seen to be a more active and demanding role as a consequence of developments in ICT and social media together with an increased interest in local democracy, planning and general societal changes;**
 - d. **Increased role of councillors resulting from changes in devolution and the funding of services;**
 - e. **The need to reflect the growth in population in East Devon both at Cranbrook and generally.**
2. **that a revised and updated draft submission based on that attached to the report be approved for the purposes of submission to the LGBCE;**
3. **that the Chief Executive, in consultation with the Group Leaders, be given delegated authority to make any recommended changes by the LGBCE to the draft submission following its consideration by the LGBCE.**

c) **Scrutiny**

Before presenting the minutes of the Scrutiny Committee, the Chairman, Councillor Roger Giles, spoke of his sadness regarding the loss of Alison Greenhalgh and David Chapman. He advised that they had both been valued members of the Scrutiny Committee and the Council and would be greatly missed.

d) **Audit and Governance Committee (minute 11 – Annual Review and Capital Outturn report 2015/16)**

Councillor Cathy Gardner queried how the outturn position for 2015/16 could be approved when the election income and expenditures, which came from EDDC and Parish/Town Council funds, were not open to review, check or internal audit. In response the Audit and Governance Committee Chairman advised that the outturn report was not being approved until September and that he would ensure that an informative to Members was included on that particular matter. The Chief Executive advised that opportunities to query the expenditure, as set out in the accounts, had been made available at both Audit and Governance Committee and Cabinet, however had not been taken.

Councillor Marianne Rixson queried the audit checks for how public funds were spent. In response the Chief Executive explained the reporting of election expenses and reiterated that Members had not been denied the opportunity of reviewing the expenditure, with opportunities given at both Cabinet and Audit and Governance Committee. He welcomed the Members concerned to come and discuss the matter with him if there was still confusion.

e) **Licensing and Enforcement Committee**

Prior to presenting the minutes, the Chairman, Councillor Steve Hall, spoke of the sad loss of Alison Greenhalgh, who had been a much valued member of the Committee.

*29 **Constitutional update**

The report to Members sought approval to further update the Constitution in light of recent events (as detailed in the committee report), to update the scheme of delegations to address a gap in officer powers, and to permit the Monitoring Officer to make changes to reflect when changes to Councillors occur.

RESOLVED:

that the Constitutional changes as detailed in paragraph 9 of the committee report be agreed.

*30 **Motion: fair transitional state pension arrangements**

The following motion was proposed by Councillor Andrew Moulding, seconded by Councillor Peter Bowden and supported by Councillors Mike Allen, Alan Dent, Bill Nash, David Key and Jim Knight.

“This Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no/personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The Council calls upon the Government to reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.”

The proposer of the motion, Councillor Andrew Moulding, thanked the WASPI campaign group for bringing the matter to the Council's attention and for their comments earlier in the meeting. He fully supported the Campaign's cause and considered that the Government should be called upon to reconsider the arrangements to ensure that the women affected did not live in hardship as result of changes which they were not informed of until it was too late.

The seconder of the motion, Councillor Peter Bowden, commented that he hoped the Government would take notice of the motion and review the arrangements without delay.

The need for fairer arrangements was echoed by Councillors during discussion.

The proposal was put to the vote and carried.

RESOLVED: that the Council writes to local MPs and to the relevant Government department with a request that they reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

*31 **Motion: diversity and equality**

The following motion was proposed by Councillor Mike Howe, seconded by Councillor Mark Williamson and supported by Councillors Susie Bond, Jill Elson and Ian Hall.

“That this Council publically states its pride in its diverse community, and that racism, xenophobia and hate crimes have no place in our country. East Devon District Council condemns racism, xenophobia and hate crimes unequivocally - we will not allow hate to become acceptable.

East Devon District Council’s diversity and equality policy shows that this Council already believes that equality brings quality for everyone and the creation of a fairer society where everyone can participate and achieve their potential.

East Devon District Council will work proactively with local bodies and programmes to fight and prevent racism and xenophobia so that all people within the community of East Devon are reassured that they are valued and respected whatever their age, disability, gender, race, religion or belief, sex or sexual orientation.”

The Proposer of the motion, Councillor Mike Howe, advised that the motion spoke for itself. He stressed the need to stamp out any kind of racism or xenophobia which had no place in society. There was a need for the Council to give a clear message that no discriminatory behaviour would be tolerated.

The seconder of the motion, Councillor Mike Williamson, echoed the comments of the proposer. He advised that as Councillors they had an opportunity to uphold the values of the Council and hoped that the motion would be well publicised.

Strong support for the motion was expressed during discussion.

The proposal was put to the vote and carried.

RESOLVED: that the Council publicises the following:

“East Devon District Council publically states its pride in its diverse community, and that racism, xenophobia and hate crimes have no place in our country. East Devon District Council condemns racism, xenophobia and hate crimes unequivocally - we will not allow hate to become acceptable.

East Devon District Council’s diversity and equality policy shows that this Council already believes that equality brings quality for everyone and the creation of a fairer society where everyone can participate and achieve their potential.

East Devon District Council will work proactively with local bodies and programmes to fight and prevent racism and xenophobia so that all people within the community of East Devon are reassured that they are valued and respected whatever their age, disability, gender, race, religion or belief, sex or sexual orientation.”

*32 **Committee appointments**

RESOLVED:

1. that Councillor Helen Parr be appointed onto the Development Management Committee.
2. that Councillor Jenny Brown and Councillor Bruce de Saram be appointed onto the Licensing and Enforcement Committee and Scrutiny Committee.
3. that Councillor Jenny Brown be appointed Member Champion/Lead Member for Tourism.

Note – the outcome of agreeing to (2) above is that the interim arrangement of 2 Liberal Democrats being brought onto these committees at the 2016 Annual Council meeting (whilst there were 2 Council vacancies to be filled) will revert to 1 Liberal Democrat member on each of these committees (Scrutiny and Licensing and Enforcement).

Attendance list

Councillors present:

Stuart Hughes (Chairman)
Helen Parr (Vice Chairman)

Mike Allen
Megan Armstrong
Brian Bailey
David Barratt
Dean Barrow
Matthew Booth
Susie Bond
Peter Bowden
Colin Brown
Jenny Brown
Peter Burrows
Paul Carter
Iain Chubb
Alan Dent
Paul Diviani
John Dyson
Jill Elson
Peter Faithfull
Cathy Gardner
Steve Gazzard
Roger Giles
Graham Godbeer
Pat Graham
Simon Grundy
Steve Hall
Marcus Hartnell
Mike Howe
Douglas Hull
John Humphreys
Ben Ingham

David Key
Jim Knight
Rob Longhurst
Dawn Manley
Andrew Moulding
Bill Nash
Cherry Nicholas
John O'Leary
Geoff Pook
Val Ranger
Marianne Rixson
Philip Skinner
Pauline Stott
Brenda Taylor
Phil Twiss
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Christine Drew
Ann Liverton
Graham Liverton
Frances Newth

Officers:

Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead – Legal and Democratic Services
Mark Williams, Chief Executive
Hannah Whitfield, Democratic Services Officer

Councillor apologies:

Maddy Chapman
Bruce de Saram
Ian Hall
Geoff Jung
Chris Pepper

Honorary Aldermen apologies:

Trevor Ffloukes
Stephanie Jones
Bob Peachey
Ken Potter
Margaret Rogers
Tim Wood

Chairman Date