

EXMOUTH TOWN COUNCIL

MINUTES OF THE MEETING OF EXMOUTH TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL, EXMOUTH ON MONDAY 23RD JANUARY 2012 AT 7.00 P.M.

PRESENT: Councillors: S Sutton (Mayor)
J Humphreys (Deputy Mayor)
B Cole T Cope
D Chapman M Chapman
T Dumper V Duval-Steer
L Elson S Gazzard
P Graham A Greenhalgh
W McConnell J Mitchell
M Mitchell C Nicholas
I Stewart P Stott
J Taylor R Turner
M Williamson S Wragg

Chief Executive EDDC, Mark Williams attending in an advisory capacity.

SPEAKER: Alistair Cope, Cycling for Prostrate Cancer

The Mayor welcomed the public and members to the meeting.

Roger Bourgein, Town Crier of Exmouth, was presented with a portrait of himself dressed in full ceremonial regalia by local artist Michael Long.

Before the start of Public Question Time the Chairman drew the attention of the public to certain matters of behaviour and quoted under Rules of Debate and Behaviour Section B, Item 13 – Conduct of Members of the Public. The public were also made aware of actions such as jeering, heckling, clapping, speaking to one another would be considered to be an interruption to proceedings. Employment Law would also not permit questions to be raised which related to any member of Town Council staff.

The Mayor welcomed Mark Williams, Chief Executive of East Devon District Council to the meeting in an advisory capacity.

PUBLIC QUESTION TIME

The Meeting was adjourned for Public Question Time.

Jenny Budden, Littleham Cross Residents Group, referred to item 7 of the agenda and the Plumb Park proposal to build 350 houses. Littleham Cross was already a congested area and the extra traffic generated by the proposal would create a gridlock situation as the road system was inadequate. Buckingham Drive and Broadway had inadequate visibility and presented a danger to road users.

Gillian Mann, Littleham Residents Association, acknowledged the shortage of affordable houses in Exmouth but felt that the thriving community of Littleham was insufficient to support 350 extra houses of which 140 were affordable. An ongoing survey had found that 72.5% of responses were concerned at extra traffic which would add to coaches and caravans that used the Littleham roads. Could consideration be given to construction of a coast road to Devon Cliffs which would alleviate some of the danger? Survey forms were still available should anyone wish to complete one.

Mr Richard Taylor, Douglas Avenue resident, had concern at the number of affordable homes to be built in the Littleham area when many affordable Exmouth properties were not currently sold and if that was the case would they be sold to Housing Associations. No school places would be available as schools were full. Had consideration been given to an alternative more accessible site East of Capel Lane as opposed to the Maer Valley?

Mr Richard Benford asked if Councillors present at the meeting had been aware of the overpayment of £5,000 to the TIC before October 2011 and if they were in what capacity? He requested a recorded vote be taken.

Jacque Haywood spoke on the proposed planning application for the Strand building and made reference to the 2011 Localism Bill which focused on views at a local level. Objections had been put forward from the local Town Council, Exmouth Residents Association, residents, traders and in particular the Police. The Police response had serious concerns that the building would encourage anti social behaviour and become a crime hot spot. CCTV coverage was inadequate and the smoked glass of the bus shelter prevented clarity. Would the Town Council with the backing of residents consider conducting a survey, similar to the one carried out in Budleigh, which would identify the view of residents and traders within the Town? She provided estimated costs of a survey.

Mr Geoff Morris, Exmouth Residents Association, made reference to a statement he had made had not been reported in the Public Question Time part of the Finance Committee minutes of the 9th January 2012 and that the italic section on page 20 did not reflect the full facts.

Mr Ron Roberts referred back to a question he had asked a previous Council meeting and requested a written response from the Chairman.

Note: The Mayor then reconvened the Council meeting.

Councillor T Cope reported that Alexander Belyaev the previous Mayor of the Russian town of Severodvinsk had died suddenly at the age of 59 from a heart attack and asked that the Town Council send their condolences. The links with Severodvinsk had been established through the Russian Convoy Veterans Association during the time when Councillor Cope was Mayor of Exmouth. It was AGREED to send a message of condolence.

64. APOLOGIES

Councillors B Nash, B Taylor & E Wragg

65. CYCLE RIDE TO RAISE FUNDS FOR PROSTRATE CANCER

Mr Alistair Cope attended the meeting on behalf of the Prostrate Cancer Charity. He spoke about the plan by the charity to make the start and finish of the Jurassic Classic

Prostrate awareness 100km cycle ride take place in Exmouth, following the success of the Tour of Britain Day last year, on 8th July 2012 and to make it an annual event. He hoped to attract between 1,500 and 2,000 riders and Exmouth Rugby Club had offered to host the start and finish and asked the Town Council to support the event for the benefit of the community. The Council wished to support the event and suggested that DCC and EDDC be approached on similar lines to commit support for the event where appropriate.

66. COUNCIL MEETING MINUTES

The Minutes of the Town Council meeting held on the 5th December 2011 were received and signed as a correct record.

67. URGENT BUSINESS

There were two items of urgent business.

(1) FREE TREES SCHEME

The free trees scheme had been over-subscribed this year and the budget set aside for the purchase of the trees was £200 so the Committee were asked if £520 could be released to fund this. Councillor T Cope reminded members that the scheme had been under subscribed last year and proposed that all requests be met.

RESOLVED to authorise a supplementary estimate in the sum of £520 to allow free trees to be provided to all applicants.

(2) SKATEBOARD SURVEY

Councillor M Mitchell had received an email from Jamie Buckley which asked for assistance on 4th February from Councillors to volunteer to support a survey which was to be carried out in the Town.

68. QUESTIONS UNDER STANDING ORDER 10

There were no questions under Standing Order 10.

69. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that under the Public Bodies Admission to Meetings Act 1960 the public and press be excluded in respect of Agenda item 12 (Minute 75 below) to be considered at the end of the meeting because it is not in the public interest for the discussion about nominations to be held in public.

Note: Councillor R Turner was taken ill and left the meeting.

70. EAST DEVON LOCAL PLAN – TASK AND FINISH FORUM

The notes from the meeting of the LDF Task and Finish Forum which contained the proposed changes to the Consultation Draft Plan together with the Exmouth pages of the Draft Local Plan (previously circulated) were discussed. Councillor A Greenhalgh proposed seconded by Councillor M Williamson that an amendment to the response to page 77 of the Draft Local Plan, page 2, 5c) Littleham Valley, be considered and was read to members. The amendment was considered a necessity in order to build in assurances which would support the local infrastructure and address the serious traffic congestion at Littleham Cross should the ‘Plumb Park’ development for 350 homes go ahead.

Plumb Park development was not contained in the first EDDC Draft Local Plan and as a result the people of East Devon had not been consulted. Councillor T Cope requested that the amendment be considered as supplementary evidence to better inform the LDF Panel.

The following amendment was considered

“that the Plumb Park amendment was not part of the LDFTAFF report and was an additional paper and that the Town Clerk be asked to make the necessary changes to the report to enable the amendment paper to be encompassed within the Town Council’s response to the LDF Panel so that it makes sense.”

A recorded vote was taken and the amendment was declared **CARRIED**.

Note: The vote on the amendment was as follows:-

For	Against	Abstain
D Chapman	S Gazzard	J Humphreys
M Chapman	S Wragg	
B Cole		
T Cope		
T Dumper		
V Duval-Steer		
L Elson		
P Graham		
A Greenhalgh		
W McConnell		
J Mitchell		
M Mitchell		
C Nicholas		
I Stewart		
P Stott		
S Sutton		
J Taylor		
M Williamson		

Note: Councillor J Humphreys wished it to be known that he did not support the increase from 190 homes to 350 and abstained from the vote.

Note: Councillor J Taylor left the meeting.

71. MINUTES OF THE PLANNING COMMITTEE

Councillor L Elson seconded by Councillor T Cope moved the acceptance of the minutes of the meetings of the Planning Committee held on 5th and 19th December 2011 and 9th January 2012 (as previously circulated).

RESOLVED that the minutes of the Planning Committee meetings held on 5th and 19th December 2011 and 9th January 2012 be received.

72. MINUTES OF THE REGENERATION & GENERAL PURPOSES COMMITTEE

Councillor P Stott seconded by Councillor M Chapman moved that the minutes of the Regeneration and General Purposes Committee meeting held on 19th December 2011 be received.

RESOLVED that the minutes of the Regeneration and General Purposes Committee meeting held on 19th December 2011 be received and the recommendation G61 contained therein be adopted.

Note: Councillor T Cope declared a personal interest in Recommendation G61 as his son worked for LED.

73. MINUTES OF THE FINANCE COMMITTEE

Councillor D Chapman wished to seek to correct an omission from the minutes, page 22 by the addition of recommendation (d) in minute F44 Budget 2012/13.

‘(d) the amounts shown in the detailed budget code 112 4204 Town Management £10,500 and code 112 4042 Business Improvement District £40,000 be combined into a new sub-code under code 112 Town Management’.

Note:- That revision has been made to the detailed budget shown as code 112 Town Management and sub-code 4226 Economy (Bid and TM Budget) £50,500 subject to confirmation by Council’.

As Vice-Chairman of the Finance Committee Councillor D Chapman seconded by Councillor T Cope sought to move the acceptance of the minutes of the meeting of the Finance Committee held on 9th January 2012 and the adoption of the recommendations contained therein as amended also encompassing:-

(a) amendments referred back from the Accounts Sub-Committee to minute F43 (Councillor Lynne Elson as Chairman of the Accounts Sub-Committee would bring those amendments forward when the meeting went through the minutes page by page)

(b) adoption of the budget recommendation as amended minute F44.

Councillor T Cope asked for clarification on the accuracy of the minutes in italics (Page 20) which followed a request by a member of the public that they were inaccurate. The Chief Executive stated that minutes were a record of material issue and that the minutes in italics were an overview of the disturbance.

Arising thereon:-

(1) Accounts Sub-Committee F43

The Accounts Sub-Committee reported back to the Council meeting. Resolution (j) had asked the Accounts Sub-Committee to meet before this Council meeting to look at the costs of an independent investigation and who should be requested to carry this out. Various options had been discussed and legal advice had been received in respect of recommendations:-

“(l) that the investigation should include actions of the TIC and Chamber of Trade and Commerce after the overpayment had been made and why the £5,000 was retained by the TIC;”

This was not an option the Town Council could pursue within its powers and the motion would no longer stand. Councillor M Mitchell who had put forward the original motion had agreed that this would be the case.

“(k) Due to the growing concerns of some Councillors on Exmouth Town Council, which have also been expressed by members of the public, as well as representatives of residents’ organisations, an independent investigation be costed and may then be carried out into the overpayment of £5,000 by Exmouth Town Council to the Tourist Information Centre to be chaired by a senior officer from another Principal Council or other Public Body which has not already been involved or consulted in this matter;”

Councillor Ian Stewart thought it was not ideal that an officer of a Public Body should investigate an officer of a Local Authority and the second option would require a member of the Local Authority to possess individual Professional Indemnity to allow them to carry out an independent investigation.

Councillor L Elson proposed seconded by Councillor I Stewart that the recommendations of the Finance Committee be amended as follows:-

‘That:-

(a) having taken account of legal advice recommendation (g) of the motion put forward by Cllr. Mitchell be removed on legal advice and recommendation (f) be removed on advice concerning professional indemnity;

That the following resolutions be added in their place:-

(f) an accountant be appointed to attend for a one day investigation;

(g) staff would be entitled to representation in recognition of employer’s duty of care;

(h) quotes be obtained from 3 firms of Accountants;

(i) timescales be identified – information would need to go to full council meeting on 5th March

(j) the scheduled meeting of the Accounts Sub-Committee to be held on 25th January 2012 at 6pm be postponed.

(k) the Chairman requested that there was a need for Councillors to be made more aware of Employment Law and asked that training in that area be sought in the near future’.

That recommendations (h) and (i) be changed to (l) and (m)

Councillor I Stewart had made enquiries of Exeter Accountancy firms as to the possible cost of the one day investigation which would involve a couple of hours of investigation followed by a report with an estimated cost of £1,000 plus vat. A specification would have to be drawn up to facilitate the tender process.

Discussion then took place on the motion and the following was added to the proposal:-

‘(l) the findings of the investigation be presented to the public and any questions to be allowed from Councillors and electors who wish to ask them.’

The Chief Executive stated that there was a right for the Town Council to acknowledge the interest of the public but it should leave itself scope for members to consider the content of the report before a decision was made for it to be placed within the public domain. The Chief Executive put forward a further addition to the motion which was accepted:-

(m) noting the level of public interest the Town Council make available, subject to legal advice, the contents of the report after it has been received and considered.

Councillor L Elson reminded the Council that it had a duty of care towards Town Council employees under Employment Law and should the report contain issues of a personal nature in respect of staff members or former employees the public would not be privy to that information.

On a vote being taken the motion was declared carried.

(2) Queens Diamond Jubilee F47

Councillor P Graham had been notified by Mark Pollard, EDDC that a Red Oak and a Beech could be made available for planting in Phear Park and this was AGREED at a cost for the trees in total of £677 plus VAT.

RESOLVED that the minutes of the Finance Committee held on the 9th January 2012 be received and the recommendations as amended above, including the budget recommendation as amended above be adopted.

Notes:-

- (i) Councillor Sutton declared a personal interest as her partner is Chairman of the Chamber of Trade and Commerce.
- (ii) Councillor Greenhalgh declared a personal interest as she is a friend of the Chairman of the Chamber of Trade and Commerce.

Budget 2012/13 F44

With the addition of recommendation (d) recommendations (a) to (d) were adopted.

74. REPORTS FROM LOCAL BODIES AND THE TOWN CLERK AS APPROPRIATE

- James Chubb was leaving EDDC to work for a local charity and a request was made for the Town Council to send a thank you for all the work he had carried out to support Exmouth's projects in particular the project on the Maer.
- Exmouth Tidy Group were in the process of carrying out an audit of all street furniture and wished an item to be placed on the Regeneration and General Purposes Committee for discussion.
- The meeting of Colp scheduled for the 31st January 2012 had been postponed until the new Town Clerk arrived.
- North Devon Health Trust consultation had been released and was available.
- Thank you to Exmouth in Bloom group who had planted 3,500 bulbs on an open area in Frazer Road to mark the Diamond Jubilee celebration. Councillor B Taylor had secured the finance for that.

- The revised refuse collection in the Colonies was an improvement.
- Dumping of rubbish had taken place on the empty plot at Mamhead which needed attention and highlighted the need for the appointment of the Town Council's street operative.
- CAB accommodation in the Town was still an issue and EDDC had been approached about the possibility of renting the old TIC building.
- A meeting had taken place at the Devoncourt to promote the Christmas lights fund raising group led by Laura Freeman and Brian O'Brien.
- An overseas representative would be in Exmouth for Fairtrade fortnight.

Note: The Public and Press were not present for the following item see minute 69 above.

75. DIAMOND JUBILEE OF HM THE QUEEN – 27th May 2012

An invitation from the HM Lord Lieutenant had been received (previously circulated) for nomination of an 'unsung hero' and their guest from within the community to attend the Cathedral Service and the garden party in the Bishop's Palace, Exeter. Councillor M Chapman proposed, seconded by Councillor C Nicholas John Wokersien, Exmouth Town Clerk for his service to the Town and its Mayors and for his relentless effort in raising funds for worthwhile causes. The majority of members wished to support the nomination.

RESOLVED that the Town Clerk John Wokersien be nominated to attend on behalf of the community to attend the Exeter Cathedral service and the Garden Party in May.

The meeting concluded at 9.10 p.m.

Signed..... Date
(Chairman)