

SEATON TOWN COUNCIL

COUNCIL MEETING MINUTES

10th September 2007

PRESENT: Cllr Mrs Semple (Chairman)
Cllrs P Burrows, Mrs P Collins, L Garner, G Jones, J Meakin,
Miss S O'Connell, R Palacio, Mrs J Roebuck, Mrs C Wise

APOLOGIES: Cllrs M Greenyer, J Knight

QUESTIONS FROM THE PUBLIC

Mr Buskin asked whether any progress had been made on a BMX track

Mrs Jacky East referred to the consultation on EDDC's Statement of Licensing Policy. She said that the Seaton Licensed Victuallers Association would appreciate the Council consulting with their members prior to putting forward any comment or recommendations to EDDC.

Mrs East then referred to the alcohol-free designated areas of Seaton. She said that, again, the SLA would appreciate being consulted if any changes were proposed in the future.

272/07 APOLOGIES

Apologies were accepted and approved

273/07 DECLARATIONS OF INTEREST

The Clerk gave advice to Members who were supporters of Stand Up 4 Seaton in respect of agenda item (6) planning application 06/3400/MOUT additional information land adjoining Harbour Road, Seaton. She said she had consulted with EDDC Monitoring Officer who had advised that those Members could be deemed to have pre-determined any additional information submitted on 06/3400/MOUT because of the very public campaign that they had conducted against the application, and their subsequent election as councillors on that one issue. They were also reminded of the need to be seen to be operating a transparent and open decision-making process that preserves public confidence in a fair and even-handed process, and to ensure that general principles of public office are followed

The chairman responded by saying that she and Cllrs Palacio, Mrs Roebuck, Mrs Wise and Mrs Collins recognised that they had a personal interest in application 06/3400/MOUT which they had included in the Register of Interests, but said that they had received conflicting advice that they could not be considered to have predetermined any additional information on that application. Mrs Semple stated that she would consider any additional information fully, and respond accordingly.

Cllr Jones stated that he had not registered an interest in Stand Up 4 Seaton but as a supporter, he declared a personal interest. He said he objected to the statement that he had been elected to the Council on a single issue and took exception to the inference that he was not able to consider other matters. He said he would speak and vote.

Cllr Miss O'Connell said would abstain from voting on agenda item 6 planning application 06/3400/MOUT because she did not feel that she had fully absorbed all the information submitted and therefore was not in a position to make a decision.

274/07 TO CONFIRM AND ADOPT THE MINUTES OF THE FINANCE & GENERAL PURPOSES COMMITTEE OF 9th JULY 2007

The Minutes of the Finance & General Purposes Committee meeting of 9th July 2007 were confirmed and adopted.

275/07 TO NOTE AND APPROVE THE SCHEDULE OF PAYMENTS SINCE 20 AUGUST 2007

The schedule of payments since 20 August 2007 were noted and approved.

276/07 TO NOTE BUDGET AND BANK BALANCES TO DATE

The budget and bank balances to date were noted.

Cllr Burrows enquired whether any payments had been made to the Youth Town Council. The Clerk replied that there had not been any specific requests for financial support during the current financial year, although general costs had been incurred and adjustments would be noted in due course.

277/07 TO CONSIDER PLANNING APPLICATION 06/3400/MOUT ADDITIONAL INFORMATION, LAND ADJOINING HARBOUR ROAD, SEATON

It was unanimously agreed that the documents under consideration, the Sequential Test and Exception Test submitted by the consultants Jubb, contained many factual errors as well as statements that were not supported by evidence. Members said that the documents were therefore not as comprehensive as they should be, making it impossible for them to submit a response.

Details of errors contained in the documents and of statements that were unsubstantiated were circulated, discussed and agreed. They are appended to these minutes. Additional points raised were:

- a) It was agreed that clarification on the use of the word "vicinity" was required in respect of whether such a development could take place on an alternative site, i.e. could the proposed houses be built on sites outside the centre of Seaton - in Axmouth, Beer, Colyton, Colyford or further afield;

- b) There was no explanation on the decision for the type of fill proposed;
- c) Members noted that the documents had not established the need for the current proposed development;
- d) responsibility for maintenance and drainage had not been established, with no explanation for procedure and responsibility should problems arise with the drainage after the development;
- e) concern was expressed that it was the applicants who selected consultants rather than being independently appointed;
- f) there was clear confusion by Jubbs relating to the Sequential Test because they had applied both PPS25 and PPG25;
- g) on re-doing calculations Jubbs were adding another 100ml to previously stated levels but had not adjusted the increase in lorries or fill that would result;
- h) source of fill and route is not defined;
- i) the land is not under-used. The Youth & Community Centre is being displaced because of the proposed development, not because it is under-used; the holiday village currently successfully trades throughout the year;
- j) It is almost certain that had Liatris not purchased the Blue Waters site, it would have continued to trade;
- k) Member question whether all the land should be regarded as brownfield – some of the site has *never* been built on and it is also debatable whether chalets and caravans constitute “previously developed land”;
- l) There is a difference between holiday homes being flooded and permanent homes being flooded; properties in Harbour Road were already uninsurable;
- m) The life of housing on the site has now decreased from 75 years to 64 years. This is a material consideration and there should be assurance and evidence that not only is this site suitable for development now, it must also be suitable for redevelopment beyond the stated life of this development

It was Resolved by 9 votes and 1 abstention (Cllr Miss O’Connell) that due to errors in fact and lack of evidence to support statements made, recommendations and comments could not be submitted on these

documents. It is recommended that the documents should therefore be referred back to the developer for correction and re-submission.

278/07 TO CONSIDER AND AGREE RESPONSE TO PROPOSED CHANGES TO EDDC STATEMENT OF LICENSING POLICY

It was agreed that this Statement be considered by Cllrs Knight, Mrs Semple, Jones and Mrs Collins, who should also consult with Seaton Licensed Victuallers Association, and report back to the October Council meeting.

279/07 TO NOTE INVITATION TO DAPC ANNUAL GENERAL MEETING 29th SEPTEMBER 2007, AGREE AND APPROVE ATTENDANCE

It was agreed that the Clerk ask if Cllr Greenyer wished to attend; if so, the chairman would attend with him but if not, the chairman and Cllr Mrs Collins would attend.

280/07 TO CONSIDER AND AGREE RESPONSE TO REGIONAL ASSEMBLY REVIEW OF ADDITIONAL PITCH PROVISION FOR GYPSIES AND TRAVELLERS IN THE SOUTH WEST

It was agreed that Cllrs Meakin and Palacio would consider this document and report back.

281/07 CORRESPONDENCE

a) Mr B Cox – traffic in Fore Street

Mr Cox had written drawing Members' attention to the problem of traffic accessing Fore Street. It was noted that this matter was under consideration by the Traffic Group and the Clerk was requested to respond accordingly.

These Minutes confirmed thisday of2007

Presiding Chairman