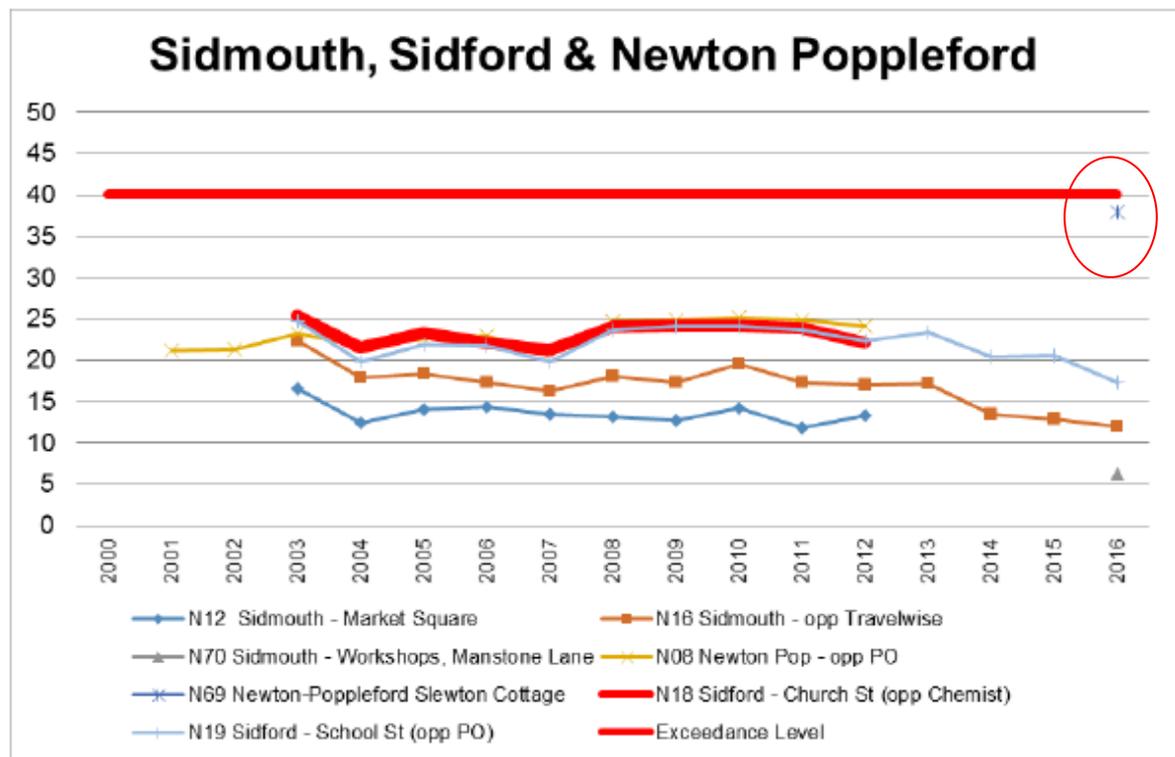


Quick Report – full details further below

1. **At an Extraordinary Meeting of EDDC on 13th September 2017 Tory councillors unanimously support EDDC Leader Paul Diviani** – despite him failing to represent either the views of residents or EDDC cllrs at the Health and Adult Care Scrutiny Committee in July. The chance to refer our local hospital bed closures to the Secretary of State was lost. A clear case of party political loyalty over welfare of residents and representation of their views.
2. **Motion to allow the Fun Park in Exmouth to continue to operate until EDDC come up with other plans for the site** – this vote was also lost 26/21 votes and so the site has been closed and will be derelict for the foreseeable future. It is hard to comprehend why EDDC prefer a derelict site to a functioning and popular business.
3. **Air Pollution Survey for Newton Poppleford. The first results are available:**

Figure 15 – NO₂ Tubes – Sidmouth, Sidford, and Newton Poppleford



I think this confirms what we know, that heavy traffic through the village is taking its toll on air quality. I am told that we need to take a long term view of the results, but given the rate of development in the area, I cannot see how this result will improve.

- 4 **Scrutiny 21 September 2017** – whilst EDDC are very pleased with their progress on recycling – despite new vehicles having to be bought owing to the surprising amount of rubbish being recycled... the matter of charging at DCC Recycling Centres was raised. This is counter to government policy. I also raised the issue of which vehicles are allowed or not allowed on site to deliver the waste. Fly-tipping is on the increase and there is concern that this is due to residents being charged for disposal of normal household waste.

EDDC are looking at a new green waste collection service.

5 A3052 and Four Elms Hill

The local police have confirmed that they are aware that there are almost daily accidents on Four Elms Hill

My FOI questions to both Devon and Cornwall Police and Devon on the public website What Do They Know show the woeful discrepancy between records of accidents. They both showed that the number of accidents on the hill since 2012 were 7 minor accidents apart from the recent fatality. The fact is that 7 is more close to the weekly number of accidents on the hill.

I initially wrote to Devon County Council back in 2015 after I became Ward Councillor for Newton Poppleford, raising concerns about safety on the A3052. I raised a number of issues including:

- trees overhanging the road from the south side, which cause a dappling and sometimes dazzling effect of alternating dark and light as one travels the hill.
- Raised and uneven drains and intermittent curbs which can catch out cyclists, motor-cyclists and drivers also on the south side.
- When travelling from the East towards the hill, the speed changes from a 40 mph limit to the national speed limit, just at the time drivers are approaching a 12% hill and a blind bend.
- The 60 mph limit is in place for approximately 600 yards until entering the village at the bottom of the hill, where it drops to 30mph, just as drivers are negotiating a dark road and bends.
- This 30mph limit is frequently ignored, making life for those exiting side roads onto the A3052 on the bend at the bottom of the hill treacherous.

In addition:

- The mirrors mists up and is often dirty
- The sign to Harpford is now overgrown

I now think we should also have rumble strips on the south side of the road coming down the hill to remind motorists to slow down and rumble strips on the north side approaching the hill.

My concerns were not taken seriously. The Parish Council has also often raised its concerns with Devon and Cornwall Police about safety on this road. I have now sent a Freedom of Information request to Devon County Council asking for numbers of recorded accidents on Four Elms Hill and more importantly what their intervention point is, ie how many accidents will it take before safety on this stretch of road is addressed.

I would like to see:

- double white lines up the entire length of Four Elms Hill,
- a continuation of the 40mph limit from the Bowd straight down the entire hill,
- overhanging trees on the south side cut right back (as they are on the north side) so there is light on the road,
- foliage that restricts visibility for those exiting higher way cut right back.
- the intermittent curbs made highly visible so drivers/cyclists do not accidentally clip them
- the uneven drains made safe.
- The mirror should be cleaned regularly
- The signpost to Harpford should be kept clear of plants and trees
- Rumble strips should be put on both the south side of the A3052 approaching the 30 mph sign AND approaching the base of the hill after the bridge travelling east.

The cost of these measures would be offset against the cost of managing the number of accidents and accompanying road closures we currently face.

Val Ranger Ward Councillor NPHPC Sept 2017

Further reading

Vote of No Confidence in EDDC Leader Paul Diviani – 13th September 2017

Following my complaint to DCC about the conduct of Councillors at the DCC Health and Adult Care Scrutiny Committee (attached) and further to the EDDC Scrutiny Committee recommending that there should be no further closure of hospital beds unless and until suitable care was put in place and further to the Motion put to Full council in May 2017 *'that this Council condemns the decision of the NEW Devon CCG to close community hospital beds in Seaton and Honiton and calls on our County Councillors and MPs to oppose further cuts to services in East Devon as part of the ongoing Sustainability and Transformation Plan'* (proposed by Councillor Cathy Gardner and seconded by Councillor Marianne Rixson and supported by Councillors Val Ranger, Matt Coppell and Megan Armstrong):

An amendment was put forward and it was with **full cross party support** it was RESOLVED:

1. that this Council (EDDC) condemns the decision of the NEW Devon CCG to close community hospital beds in Seaton and Honiton and to begin these changes before putting in place effective home care resources.
2. that this Council requests Devon County Council Health and Wellbeing Scrutiny, at its meeting on 7 July 2017:
 - a) Demands independent evidence is provided by the CCG, providing beyond all doubt the home care option is working, to at least the care standard offered by the in-patient beds and that a similar letter goes to the new MPs immediately following the election; and
 - b) That other health services such as the Minor Injuries Unit and maternity unit in Honiton remain 'ring fence' protected for a period of time to be determined, before review in 3 years;
 - c) That the NEW Devon CCG keep its commitment to ensure effective home care services are in place before closing these beds.

However, at the DCC Health and Adult Care Scrutiny Committee Cllr Paul Diviani, delegate of ALL District Councils voted not to refer the matter to the Secretary of State and the vote was lost by 7 votes to 6.

When asked at EDDC Full council in July 2017 if Cllr Diviani (who was supposed to be representing ALL District Councils), has asked for the view of other District Councils, he said 'no'.

A number of Independent and Lib Dem Cllrs therefore called for a Vote of No Confidence in Paul Diviani. An Extraordinary meeting was called on 13th September to debate this.

The upshot was that ALL Tory Councillors backed Paul Diviani as their leader, despite the fact that he did not represent the view put forward at Full Council.

Here are the results of the recorded vote:

The Councillors in support of the motion comprised; Megan Armstrong, Susie Bond, Peter Burrows, Matt Coppell, John Dyson, Peter Faithfull, Cathy Gardner, Steve Gazzard, Roger Giles, Douglas Hull, Ben Ingham, Geoff Jung, Jim Knight, Dawn Manley, Val Ranger, Marianne Rixson, Eleanor Rylance, Brenda Taylor

The Councillors against the motion comprised; Andrew Moulding, David Key, Paul Diviani, Brian Bailey, Dean Barrow, Colin Brown, Jenny Brown, Maddy Chapman, Iain Chubb, Bruce De Saram, Jill Elson, Mark Evans-Martin, Graham Godbeer, Pat Graham, Simon Grundy, Ian Hall, Steve Hall, Mike Howe, Stuart Hughes, John Humphreys, Cherry Nicholas, John O'Leary, Helen Parr, Christopher

Pepper, Geoff Pook, Pauline Stott, Ian Thomas, Phil Twiss, Mark Williamson, Eileen Wragg, Tom Wright.

In the second Extraordinary meeting that followed the following Motion was put forward by Megan Armstrong:

'that in order to prevent further unnecessary dereliction, and to save the current community and visitor offer, this motion proposes that the closure of the Fun Park is postponed and that: a) this remaining business is offered a licence agreement under the same terms as the Harbour View café on either an ongoing or periodic basis until such time as there is a developer and planning application for the site in place, and b) the timing for site works has been confirmed.'

This was a much closer vote. Megan and members of the public argued that the Fun Park in Exmouth should be allowed to continue trading rather than be shut down allowing the site to become derelict. At present EDDC have no alternative use for the site and therefore have shown they prefer a derelict site to allowing a business that has run on that site for 40 years to continue. It was a very sad day to see the swan boats and other items from the business go to auction.

Appendix A – my statement at the Extraordinary Meeting 13/09/2017

1. Paul Diviani has accused me in the press of having nothing positive to offer and simply making a political point. You are all now aware of his words on 16th April 2017, just 18 days before the DCC elections, when he publically donated £50, on the Just Giving website and wrote : **'if they persist in this drastic action we will all be the worse for it'**; a cynic could ask if this was a political move?
2. ON 3rd March this year Head of NHS England Simon Stevens announced:
3. *..there shouldn't be a reflex reaction opposing each and every change in local hospital services. But he concluded:*
4. *"on the other hand, more older patients inevitably means more emergency admissions, and the pressures on A&E are being compounded by the sharp rise in patients stuck in beds awaiting home care and care home places. So there can no longer be an automatic assumption that it's OK to slash many thousands of extra hospital beds – unless and until there really are better alternatives in place for patients. (Head of NHS England Simon Stevens 03 March 2017 <https://www.england.nhs.uk/2017/03/new-patient-care-test/>)*
5. On 4th March 2017 I joined the protest march in London against local hospital bed closures. The most incredible thing about that day was the hundreds of thousands of people who came from all over England, marching in cross-party harmony and friendship, united in one cause.
6. Paul Diviani does not seem to understand the role of Health Scrutiny, part of his own government's policy and I quote:
7. *Health scrutiny is a fundamental way by which democratically elected local councillors are able to voice **the views of their constituents**, and **hold relevant NHS bodies and relevant health service providers to account.***
(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/324965/Local_authority_health_scrutiny.pdf)
8. Here in East Devon we relied on Paul Diviani to voice the views of residents, and this council, at the DCC Health and Adult Care Scrutiny Committee
9. The purpose of DCC referring the decision to close yet more local hospital beds to the Secretary of State is not to ask him to overturn his own policies as stated by Paul Diviani but to ensure that major changes to local healthcare services are only implemented once **robust evidence** has been provided that this will improve health services and promote good health. That is the policy of his own government and is stated in the guidance document. The local CCG has failed to provide this evidence and Paul Diviani has failed to address the concerns of the public and of this council and insist that they do. Regardless of the DCC investigation, he is culpable in that. Paul Diviani has let this council and the residents of East Devon down badly and he should resign.

Appendix B – My letter of Complaint to DCC re Paul Diviani

Coombe Down
Lower Way
Harpford
Sidmouth
Devon
EX10 0NQ

07 August 2017

Jan Shadbolt
County Solicitor
Devon County Council
County Hall
Topsham Road
Exeter
Devon EX2 4QD

Dear Ms Shadbolt

Voting and Decision taken at the Health and Adult Care Scrutiny Committee meeting Tuesday 25th July 2017 – whether to refer a decision to close 72 community hospital beds in Eastern Devon to the Secretary of State for Health.

I am writing to express my concerns about the vote taken at the above meeting.

In the East Devon District Full Council meeting on Wednesday 26th July 2017 Councillor Paul Diviani, who appears on your minutes as the person representing District Councils, admitted that he had not asked the opinion of other District Councils about whether they wished to refer the decision to close local hospital beds to the Secretary of State and could offer no evidence on that basis that he was representing their views.

This arose from my Calling a Minute from the EDDC Cabinet meeting of 14th June 2017:

Cabinet minute 4 of 14 June (c):

c) Letter to the Health and Adult Care Scrutiny Committee.

In response to a question about the recent motion at Annual Council regarding the NEW Devon CCG Sustainability and transformation plan, the Chief Executive confirmed that a letter setting out the concerns raised by councillors had been sent to the Chairman of the Health and Adult Care Scrutiny Committee.

Cllr Diviani confirmed that he would be sitting on the (Health and Adult Care Scrutiny) Committee as the District Councils Network representative and he would be making sure that this Councils views, echoed by other District Councils, would be put to the Committee.

Cllr Diviani did not do this, as the Minutes from the EDDC Full Council Meeting of [Wednesday 26th July 2017 show](#).

The link to the EDDC recording where he admitted this is here:

<http://eastdevon.gov.uk/recordings/council/260717councilrecording.mp3>

The words I am referring to occur from 50 minutes – 58 minutes into the audio recording of the EDDC meeting.

56 minutes into the meeting – **Cllr Giles asked the question: “had Cllr Diviani undertaken any consultations on this matter with other district councils in order to represent their views at the DCC Health and Adult Care Scrutiny Committee meeting”. Cllr Diviani stated ‘No’. Cllr Diviani** continued that he was a representative of the other District councils, not the delegate and was empowered to make decisions on behalf of other leaders.

He said he voted not to refer the decision to the Secretary of State because it was unlikely that the Secretary of State would overturn the decision.

This seems duplicitous on two counts:

- a) Failing to adequately represent the views of the District Councils.
- b) Assuming the role of the Secretary of State by stating there was no point in referring the matter to him as he was unlikely to overturn the decision.

At the EDDC Scrutiny Committee on 22 June EDDC’s views and recommendations were very clear, the CCG has failed to provide the evidence needed to support their plans. I attach a press release by EDDC following that meeting. However, Cllr Diviani failed to represent those views or the views of other District Councils as he did not seek them. He has admitted he voted independently of both EDDC and other District Councils, thus rendering his vote as entirely without integrity in his role at the DCC meeting.

The vote that took place at DCC’s Health and Adult Care Scrutiny Committee on Tuesday 25th July 2017 is an entirely unsafe and undemocratic way of conducting business and brings both EDDC and DCC into disrepute.

I believe this matter needs thorough investigation.

Yours sincerely

Val Ranger
EDDC Ward Councillor
Newton Poppleford and Harpford

CC Phil Norrey, Chief Executive
Cllr Claire Wright

Attached: EDDC Press release following EDDC Scrutiny Meeting of 22 June 2017

Press Release:

East Devon Scrutiny committee puts pressure on NEW CCG representatives

Motion passed in favour of maintaining existing number of community hospital beds in East Devon

Representatives of the NEW Devon Clinical Commissioning Group attended a recent meeting on 22 June 2017 of East Devon District Council's Scrutiny committee, whose members had asked for assurances that packages of care for patients will be both adequate and in place before any inpatient bed closures commence.

Dr Simon Kerr, who currently chairs the Eastern Locality of the NEW Devon CCG and John Finn, Deputy Chief Operating Officer for Planned Care and Programmes, who was attending on behalf of Chief Operating Officer Rob Sainsbury, were robustly questioned on the value of their evidence, which was used in the decision made to close inpatient beds. The committee also queried those actions of the health service, which appeared to be deliberately reducing patient referrals to those hospitals indicated as losing beds once the new model of care implementation went ahead.

At the end of the debate, Dr Kerr reiterated that current care levels would only get worse if no action was taken, and that no beds would be closed until implementation was confirmed as safe and in place to deploy.

The Scrutiny Committee agreed the following resolutions:

- The Committee reiterates its strongly held view that the existing level of community hospital beds in East Devon should be retained, and that there should be no further closure of community hospitals in East Devon.
- The Committee expresses its great concern at the proposed drastically reduced level of hospital beds in East Devon, particularly in view of general population growth projections, and projected increases in the population of elderly people - already some of the highest levels in the country.
- The Committee is greatly concerned that the NEW Devon CCG decision, if implemented, would result in no community hospital beds east of Sidmouth, which would leave residents in a huge swathe of rural East Devon remote from the nearest hospital facility and with poor public transport connections to the nearest hospital.
- The Committee is greatly concerned that evidence of satisfactory replacement care services, and detailed financial costings, has not been provided by the NEW Devon CCG, despite being requested to provide such information by the Devon County Council Health and Wellbeing Scrutiny Committee on 7 March 2017, and by East Devon District Council Scrutiny Committee on 24 November 2016.
- The Committee is greatly concerned that the NEW Devon CCG appears determined to press ahead with closure of beds and hospitals in east Devon, despite lack of evidence to justify closure and establishment of care at home services.
- The Committee is still of the view that the comparison to Northern and Western Devon areas is unfair as the demographics are not the same in Eastern Devon.
- The Committee agrees to write to the Devon County Council Health and Adult Care Scrutiny Committee, urging it to refer the NEW Devon CCG decision to the Secretary of State for Health, as a matter of urgency, because of a lack of assurances or evidence of the practicality of the proposals. The letter will also express concern that a lack of early submission will result in NEW Devon CCG going ahead with its unpopular, unjustified and damaging proposals;

- The letter will also reiterate a request that other health services such as the Minor Injuries Unit and maternity unit in Honiton remain 'ring-fence' protected for a period of time to be determined, before review in three years.

Councillor Roger Giles, Chairman of East Devon District Council's Scrutiny Committee, said:

"I would like to thank Mr Finn and Dr Kerr for attending and answering questions. I would also like to thank the Committee for their robust debate. However, I am particularly disappointed that the CCG have failed to provide evidence that an adequate replacement care at home service can be provided. The case made by the CCG just does not stand up to scrutiny. The CCG admitted on 22 June that they are unaware of how many staff will be needed for the new service - yet claimed a figure of savings that would result. The CCG has completely failed to address previously expressed concerns. East Devon District Council's Scrutiny members strongly urged the CCG not to proceed with its highly unpopular and damaging proposals."

Devon & Cornwall Police Response to my FOI

Record 1

Freedom of Information Act Request No: 003368/17

Version Date: 24/08/2017

Under the Freedom of Information Act I would like to know how many road accidents have been recorded by the police on the section of the A3052 called Four Elms Hill, Newton Poppleford between May 2015 to date.

How many of these were subsequently reported to DCC?

I would like you to include all incidents/collisions/RTAs including:

**accidents recorded but with no personal injury
bicycle accidents,
Motor bike accidents
motor car accidents,
pedestrian accidents,
accidents involving commercial vehicles.**

| Date | Severity | Location Area | Vehicle Type | Total Collisions | Total Casualties | Total Vehicles | Total Fatalities | Collision Description |
|------------|----------|---|--------------|------------------|------------------|----------------|------------------|---|
| 29/09/2015 | Slight | Newton Popplford / A3052 / Four Elms Hill | Car | 1 | 1 | 1 | 0 | V1 Travelling Uphill Collided With Pedestrian |
| 07/11/2015 | Slight | Sidmouth - A3052 - Four Elms Hill | Car | 1 | 3 | 2 | 0 | Veh1 Has Drifted Onto The Opposite Side Of The Road. Oncoming Veh2 Has Gone Around Left Hand Bend And Seen Veh1 Veering Onto The Wrong Side Of The Road. Veh2 Has Then Taken Evasive Action By Swerving Onto The Opposite Side Of Road. Veh1 Swerved Back Across And Collided Head On With Veh2. |
| 30/11/2015 | Slight | Sidmouth, A3052 Four Elms Hill, At Junction With An Unclassified Road | Car | 1 | 2 | 3 | 0 | Veh's Travelling Down Four Elms Hill Towards Sidmouth From Newton Popleford Direction. There Was A Truck Stopped In The Road. Veh 2 Has Performed An Emergency Stop Veh 1 Has Been Unable To Stop And Gone Into The Back Of Veh 2. Veh 3 Was Pulling Out Of A Lay By. Veh 2 Stopped But Veh 1 Did Not Stop In Time And Collided With Veh 2. |
| 29/08/2016 | Slight | Four Elms Hill, Harpford | Car | 1 | 2 | 2 | 0 | Veh 1 Was In Collision With Veh 2. |
| 21/10/2016 | Slight | Four Elms Hill, Newton Popleford | Car | 1 | 1 | 2 | 0 | V1 Had First Been Stolen And Passed V2 A Police Vehicle., V1 Reacted To Police Vehicle And Made Off Losing Control And Flipping On Its Roof. |

| | | | | | | | | |
|------------|--------|-----------------------|-----|---|---|---|---|--|
| 03/06/2017 | Slight | Four Elms Hill | Car | 1 | 2 | 1 | 0 | V1 Travelling Up Four Elms Hill Just Outside Newton Poppleford, Has Crossed Onto The Opposite Side Of The Road And Then Left It On The Offside And Collided With Trees Causing Significant Damage To The Front Of V1. |
| 28/07/2017 | Fatal | A3052, Four Elms Hill | Car | 1 | 3 | 4 | 1 | Veh1 Was Travelling Uphill Towards Sidmouth And Engaged In An Overtake On The Offside Of The Carriageway. It Attempted To Overtake Four Vehicles But Struck Veh2 Which Was Travelling In The Opposite Direction. Veh1 Rebounded Into Veh3. Veh2 Has Gone To The Offside Downhill And Collided With Veh4. |

Devon County Council would automatically be informed of a collision.

Please note that we would only hold data on reportable collisions.

How many times has the A3052 at Four Elms Hill, Newton Poppleford been closed or had to have traffic management intervention as a result of a collision?

Why is the speed limit on this hill 40 mph along the Bowd straight and increasing to national speed limit down Four Elms Hill suddenly reducing to 30 mph upon entry to the village.

Are you aware of an intervention level on this road whereby your accident prevention team deem it would be appropriate to take some action to reduce accidents on this road.?

The setting of speed limits is nothing to do with us and is the sole responsibility of the Highway Authority, Devon County Council. They are best placed to explain the rationale.

We haven't got an Accident Prevention Team. There is a Peninsula Casualty Reduction Partnership, run by Devon County Council.

The Force believes that the remainder of your request would be better directed to Devon County Council's FOI Team, of which their contact details are as follows:

<https://new.devon.gov.uk/accesstoinformation/freedom-of-information-request>