

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 11 May 2016

Attendance list at end of document

The meeting started at 5.30pm and ended at 7.19pm

***220 Public Speaking**

Trevor Leahong spoke on agenda item 21 – Asylum seeker/Refugee support. Mr Leahong was encouraged to see the press release from the Council requesting private landlords to come forward with offers of homes for refugees under the Government's Syrian Vulnerable Persons Resettlement Scheme. However, the press release mentioned tenancy agreements for 5 years, giving the impression that landlords needed to be willing to provide a property for at least 5 years. In addition, the Cabinet report mentioned that the Scheme requirements were for properties to be available for 5 years. He understood that this was not an accurate reflection of the requirements and might act as a deterrent to many landlords. Whilst the overall commitment of the Scheme was to support refugees for 5 years, other local authorities and refugee support organisations had asked for properties from landlords for a minimum of one year with a preference for at least two years. What had been the response from landlords in East Devon so far? Had any suitable properties been identified and what further steps could be taken to encourage landlords to come forward?

This question submitted in advance was taken into account and answered later in the meeting - see minute 240.

***221 Minutes**

The minutes of the Cabinet meeting held on 6 April 2016 were confirmed and signed as a true record.

***223 Declarations**

Councillor Tom Wright – Minute 14
Interest: Personal
Reason: Social member of Budleigh Salterton Football Club

Councillor Geoff Pook – Minute 16
Interest: Personal
Reason: Councillor for Beer and Branscombe ward

Councillor Geoff Pook – Minute 18 (Cllr Pook left the Chamber during this discussion)
Interest: Pecuniary
Reason: Chairman of the Community Land Trust

Councillor Ian Thomas – Minute 22
Interest: Personal
Reason: Director of the Science Park

***224 Matters referred to the Cabinet**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committees.

***225 Exclusion of the public**

There were no confidential items that officers recommended should be dealt with in this way.

***226 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 June 2016 to 31 September 2016.

***227 Notes from Seaton Regeneration Board held on 17 March 2016**

Members received the action notes of the Seaton Regeneration Programme Board held on 17 March 2016.

***228 Notes of New Homes Bonus Panel held on 22 March 2016**

Members received the notes of the New Homes Bonus Panel held on 22 March 2016 and approved the Panel's recommendations.

***229 Minutes of the Recycling and Refuse Partnership Board held on 23 March 2016**

Members received the minutes of the Recycling and Refuse Partnership Board held on 23 March 2016.

RESOLVED (1) that the following be noted:

Minute 55 – Statistical information

Minute 56 - Sustainable waste service trial (Feniton & Exmouth) – update

Minute 57 - SUEZ Senior Contract Manager performance report

Minute 58 - Award of contract and finalising the legal contract

SUEZ had been awarded the contract on 23 February 2016.

Minute 64 – Dates of future meetings

RESOLVED (2) that the following recommendations be approved:

Minute 59 - Mobilisation plan and forming mobilisation teams to address early mobilisation tasks

1. that the Service Lead – StreetScene bring a written report on the mobilisation plan to the next meeting of the Recycling and Refuse Partnership Board;
2. that the Board consider the opportunities and associated costs of advertising on the new fleet of vehicles at a future meeting;
3. that the Council continue with the diesel fleet as specified in the bid due to reasons of economics and fuel economy.

Minute 61 – Communications Plan

that a communications plan be brought to the next meeting of the Recycling and Refuse Partnership Board.

Minute 62 - Partnership Charter, future of the Board and performance measures going forward

that a report on the Partnership Charter be brought to a future meeting of the Recycling and Refuse Partnership Board.

230 **Minutes of the STRATA Joint Executive held on 30 March 2016**

Members received and noted the minutes of the STRATA Joint Executive held on 30 March 2016.

RESOLVED (1) that the following be noted:

Minute 5 - Strata Budget Monitoring Quarter 3 2015/16

Minute 7 - Strata Implementation Progress March 2016

Minute 8 - Strata Board Work Plan

Minute 9 - Performance Management of the Chief Operating Officer

Minute 13 - Staff Engagement Survey

Minute 14 – Security Status Overview

RESOLVED (2) that the following resolutions be approved

Minute 8 - Strata Board Work Plan

(2) The Teignbridge Strata Director be requested to report to the next Strata Joint Scrutiny Committee meeting on mechanisms for increasing the transparency of Board business.

Minute 9 - Performance Management of the Chief Operating Officer

(2) A 'two tier' approach be used for the performance management for the Chief Operating Officer:

- Performance assessment – carried out by the Board collectively
- Performance management – carried out by one Board member.

Minute 10 - Family Friendly Policies

that the action of the Board be supported in agreeing these policies, in principle, so that they can be discussed and agreed with UNISON at the next Staff Joint Forum.

RECOMMENDED that the following recommendations be referred to

Council:

Minute 6 - Strata Budget 2016/17

The three Councils approve the Budget for 2016/17.

*231 **Notes from Exmouth Regeneration Board held on 31 March 2016**

Members received the action notes from Exmouth Regeneration Board held on 31 March 2016.

*232 **Minutes of Scrutiny Committee held on 14 April 2016**

Members received and noted minutes of the Scrutiny Committee held on 14 April 2016.

RESOLVED (1) that the following recommendations be approved:

Minute 63 – Broadband update

The committee regretted the move by CDS, and subsequent advice by BDUK, to ask the

council to enter into a non-disclosure agreement which would prevent the council publishing where, when or how funding is spent on this project. The committee request that Cabinet write to the three MPs covering the District to ask that they lobby on this issue as an issue of transparency.

RESOLVED (2) that the following decisions be noted:

Minute 63 – Broadband update

1. that the Portfolio Holder Central Services be supported in his endeavours for alternative solutions to meet the needs of the areas not covered by the CDS project;
2. that a progress report and revised timetable be requested from CDS;
3. that the committee receive a further update from the Portfolio Holder Central Services in approximately six months' time or as soon as there are further significant developments.

Minute 64 - Scoping for engagement and consultation

that further scoping work be undertaken on the following consultation exercises:

- a) Exmouth masterplan consultation of 2011;
- b) "Splash" and associated area excluding current pre-planning application work
- c) Beach hut consultation prior to hire charge changes, particularly on the timing of public meetings in relation to wider consultation;
- d) Inclusion of land at Sidford in the production process of the local plan;

Minute 65 – Scope for Website

that the Vice Chairman undertakes research on the website issues raised by Members, working closely with web editors to resolve issues where necessary and report back to a future meeting of the committee.

Minute 66 – Draft Annual Report

that the final version of the Scrutiny Committee Annual Report be agreed by the Chairman and Vice Chairman before submission to Annual Council in May 2016.

233 Sports & Activity Clubs Rent and Rent Support Grant Scheme

The Deputy Chief Executive provided an update on progress in delivering the recommendations of Cabinet on 17 June 2015. The new rent support scheme was ready to launch and members were being advised of the detail. This followed on from the Asset Management Forum's review of sports and activity clubs and the resulting recommendation that a clear rational was put in place about which tenants were afforded a rent subsidy.

Discussions included the following:

- more clarification concerning the canvassing of Members on the application form
- panel members should be independent
- councillors to be invited to the workshops

RECOMMENDED:

that the new rent support grant scheme be agreed

REASON:

To update members on progress to deliver the scheme.

*234 **Acquisition of former Reservoir, Holyford Woods, Colyton**

The Service Lead, Countryside and Leisure informed Members that the owners of a former reservoir known locally as 'Top Pool' or 'Lambs Pool' had offered to donate the ownership to East Devon District Council to form part of the Holyford Woods Local Nature Reserve.

Discussions included the following:

- the liabilities dealing with old reservoirs were great
- woodland and nature reserves were part of the Council's strategic assets
- not a big financial liability
- areas of this wood were already owned by the Council with a possible projective income coming from this part of the wood
- encourage endeavours to support future income streams with minimal risks
- this was free not costing the Council anything, with potential of attracting people and children to enjoy being outdoors with no real risk.

The Chairman passed on his appreciation for the wonderful work of the Countryside Team.

RESOLVED:

that the Council accept the transfer of 'Top Pool' or 'Lambs Pool', Holyford Woods to incorporate into the Holyford Wood Local Nature Reserve subject to the Senior Management Team being satisfied as to:

1. any risk of flooding being tolerable following the undertaking of a flood risk assessment by the Council's engineers
2. the cost implications for the Council in terms of the initial cost of works and future management were acceptable, which would be evidenced through a detailed costs breakdown
3. a satisfactory title position following a report on title to be provided by Legal Services.

With authority being given to the Deputy Chief Executive to agree the heads of terms and progress the transfer in consultation with the Strategic Lead (Legal, Licensing and Democratic Services).

REASON:

To decide whether or not the Council would accept the offer of the former reservoir.

Cllr Ian Thomas, Portfolio Holder Finance asked for his vote against this proposal to be recorded.

235 **Corporate Asset Management Plan 2014-17**

Members were asked to take forward the Asset Management Forum's proposals toward a new focus on the Council's property portfolio and associated service delivery.

The Portfolio Holder Finance commended the Chairman of the Asset Management Forum for his hard work in producing these new proposals.

RECOMMENDED:

that the Asset Management Forum's ambition to develop a new focus on the Council's property portfolio and associated service delivery be agreed.

REASON:

To seek member approval to take forward the Asset Management Forum proposals to review the council's approach to asset management and explore opportunities and implications of devolving services, with their associated assets to town and parish councils.

*236 **Monthly Performance reports – March 2016**

The report set out performance information for March 2016. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicators that were showing excellent performance:

1. Percentage of planning appeal decisions where the planning inspector has disagreed with the Council's decision
2. Percentage of Council Tax collected
3. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events

There were no performance indicators showing as concern.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2015/16 financial year for March 2016 be noted.

REASON:

The performance reports highlighted progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Development Control, Housing and Revenues and Benefits.

237 **Beer Community Land Trust Refinancing of Development Loan**

A request had been received from Beer Community Land Trust (CLT) asking the Council to refinance an element of the development loan due for repayment during June 2016. The request to refinance an element of the original loan was, in principle, consistent with the original paper presented to Cabinet in 2013. The underlying need for the loan had not changed and was in line with the Council's priorities to provide affordable housing to the community of East Devon. Consideration had been given to Beer CLT's business plan and the risks and rewards to EDDC of refinancing the loan. In addition, the required security measures had been identified.

RECOMMENDED:

that the refinancing £290,000 of the £305,000 principal currently outstanding on Beer CLT's development loan be agreed with the refinancing being on a maturity basis for a period of 5 years at an interest rate of 3.24%.

REASON:

A priority of the Council was to provide affordable housing for the local community. The initial development loan was instrumental in developing such housing for the community of Beer.

***238 Exemption from Contract Standing Orders - The appointment of Economic Consultants – Exmouth Coastal Community Team**

Members were asked to seek exemption from Contract Standing Orders for the appointment of Economic Consultants to support the Exmouth Coastal Community Teams Economic Plan submission to the Department for Communities and Local Government.

RESOLVED:

that the exemption from Contract Standing orders be agreed.

REASON:

To enable the preparation of the Exmouth Economic Plan by the deadline date of 31 January 2016 for submission to the Department for Communities and Local Government (DCLG).

***239 Stockland Neighbourhood Plan Submission**

The Service Lead, Planning Strategy and Development Management updated Members to the current consultation in the Stockland Neighbourhood Plan. He congratulated Stockland Parish Council for their hard work in producing this document. Stockland's Plan was only the second in East Devon to reach this stage in the process.

RESOLVED:

1. that Members note the formal submission of the Stockland Neighbourhood Plan and congratulate the producers of the plan on the dedicated hard work and commitment in producing the document
2. that the Council made the proposed representation set out at paragraph 5.4 in the report in response to the consultation.

REASON:

To ensure that the view of the District Council was recorded and informed the consideration of the neighbourhood plan by the Independent Examiner.

***240 Asylum seeker/Refugee support**

The Strategic Lead Housing, Health and Environment updated Members to the national framework for assisting asylum seekers and resettling Syrian refugees. The issues and challenges for the Council in contributing towards the national programme were identified. The Council anticipated securing accommodation for 5-10 Syrian refugee households per annum in East Devon, and the need to link effectively with partner agencies and the voluntary sector to ensure that resettlement was successful.

In response to the questions asked by Mr Leahong, the Strategic Lead Housing, Health and Environment confirmed that Devon County Council suggested the 5-year leases by landlords as asylum seekers and refugees had 5-year humanitarian protection. This could of course be flexible if necessary. A number of serious inquiries had been received in relation to the appeal for accommodation by the Council. Six of these were in advanced discussions with the housing team. The Council was prepared to put out further appeals and look into other ways to secure accommodation. Housing Association partners were being asked for their input. It was not a requirement for 5-year tenancies; the Council was just asking landlords to commit to five years.

The Council was working closely with Exeter and Plymouth City Councils who had more experienced of working with asylum seekers and refugees. Properties would be chosen from the private sector not council accommodation to avoid tension and conflict.

Discussion included the following:

- asylum seekers and refugees had been through a very traumatic experience and would have health and mental health issues which would need support
- access to voluntary services to include; schools and translating services
- the voluntary sector was key to the success of this scheme with their wide range of skills and experience
- asylum seekers and refugees would need to be welcomed and looked after
- the need to learn from the more experienced councils
- workshops for Members so they can properly support any asylum seekers and refugees in their wards
- keep the level of communication going out to the public
- the willingness was there, people were keen to help

RESOLVED:

that the approach to resettling asylum seekers as set out in the report, with initial efforts concentrated on the Syrian Vulnerable Persons Resettlement scheme be agreed.

REASON:

To consider the Council's contribution towards the national programme to resettle asylum seekers and refugees in the UK.

241 **Prospective Enterprise Zone**

The Principal Project Manager presented Members with an overview and update of the proposed Enterprise Zone. Enterprise Zone status had the potential to support the accelerated delivery of economic growth. This status would build upon previous investment initiatives, such as Regional Growth Fund and investment made into Science Park and Sky Park, as well as support the inward investment and marketing of the sites. However, before the zone could become operational significant work was required to investigate key issues, such as the implications of business rate retention, as well as understanding the full impact of the benefits.

Further papers and possible workshops would be provided to Overview and Cabinet as this progressed and further information was received from Government. The implications to business rates would be thoroughly investigated and reported back to Members.

RESOLVED:

1. that the outcome of the Enterprise Zone application submitted by the Heart of the South West Local Enterprise Partnership confirmed as part of the Autumn Statement be noted,
2. that the additional work that would need to be undertaken to develop a detailed business plan and defined geography, before the zone can be approved and operational be acknowledged,
3. that the Draft Memorandum of Understanding that needed to be signed before the zone becomes operational be noted.

RECOMMENDED:

that the request for £25,000 to support the development of the Enterprise Zone be agreed.

REASON:

The report provided an overview of the Enterprise Zone proposal, its background and the next steps. The report emphasised the proposed Enterprise Zone was not a live designation and considerable further work was required to develop a detailed business case and plan. Not least, this will need to address future governance arrangements.

Attendance list

Present:

Andrew Moulding Deputy Leader/Strategic Development and Partnership (in the Chair)

Portfolio Holders:

| | |
|------------|-----------------------------------|
| Tom Wright | Corporate Business |
| Iain Chubb | Environment |
| Jill Elson | Sustainable Homes and Communities |
| Phil Twiss | Corporate Services |
| Ian Thomas | Finance |

Cabinet Members without Portfolio

Geoff Pook
Eileen Wragg

Cabinet apologies:

| | |
|----------------|--------------------------|
| Paul Diviani | Leader |
| Philip Skinner | Portfolio Holder Economy |

Non-Cabinet apologies:

Mike Allen
Paul Carter
David Chapman
Maddy Chapman
Alan Dent
Steve Hall
Marcus Hartnell
Mike Howe
Brenda Taylor

Also present (for some or all of the meeting)

Councillors:

Megan Armstrong
Brian Bailey
David Barratt
Matt Booth
Colin Brown
John Dyson
Peter Faithfull
Steve Gazzard
Roger Giles
Graham Godbeer
Alison Greenhalgh
Ian Hall

Geoff Jung
Rob Longhurst
Dawn Manley
Cherry Nicholas
Helen Parr
Marianne Rixson
Mark Williamson

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead - Legal, Licensing and Democratic Services
Karen Jenkins, Strategic Lead - Organisational Development and Transformation
Ed Freeman, Service Lead - Planning Strategy and Development Management
Andrew Wood, East of Exeter Projects Director
Charlie Plowden, Service Lead - Countryside and Leisure
Naomi Harnett, Principal Project Manager
Jamie Buckley, Engagement & Funding Officer
Amanda Coombes, Democratic Services Officer

Chairman Date.....