

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the meeting of Cabinet held**  
**at Knowle, Sidmouth on 5 April 2017**

**Attendance list at end of document**

The meeting started at 5.30pm and ended at 8.28pm

**\*182 Public Speaking**

There were six members of the public present who wished to speak.

One speaker spoke at the appropriate agenda item, Minute 200 - Cranbrook Community Questionnaire and Community Development and Minute 201 - Appointment of Space Syntax to analyse and review the masterplan for Cranbrook

Honorary Alderman Graham Liverton, Chairman of the Manor Pavilion Theatre Management Steering Committee spoke on Minute 198 - East Devon Parking Places Order Update. Honorary Alderman Liverton was concerned that the Manor Pavilion Car Park was too small to be used as a Pay and Display. The 3-hour maximum stay was not long enough as well as the barrier closing at night. He understood the need to make money but stressed that all theatres had to have subsidies. He was disappointed there had been no meeting with the Steering Group and no discussion with the Theatre's stakeholders. He asked that the many letters of complaints to this proposal be taken into consideration.

Elizabeth Hammond, the representative for Sidmouth Amateur Dramatic Society spoke on Minute 198 - East Devon Parking Places Order Update. The Society hired the Theatre for 1 month every year to put on the pantomime. Volunteers spent long days preparing for the shows and should not be penalised with parking charges. Larger lorries needed to manoeuvre freely in and out of the car park. The front of house team was also volunteers providing welcome support to visitors on behalf of the Theatre. The Sidmouth Amateur Dramatic Society's long association with the Manor Pavilion Theatre could end because of the parking charges.

Brian Rees, represented Musical Theatre spoke on Minute 198 - East Devon Parking Places Order Update. Mr Rees was concerned that the 3-hour maximum stay was not long enough for theatregoers. He reminded Members there was no on street parking nearby. Two regional theatres had free parking – the Octagon in Yeovil and the Brewhouse Theatre and Arts Centre in Taunton.

Barry Lister, spoke on Minute 198 - East Devon Parking Places Order Update. Mr Lister was concerned that theatre production staff would be penalised for their hard efforts to produce quality productions at the Theatre.

Councillor Ian McKenzie-Edwards, represented Sidmouth Town Council spoke on Minute 198 - East Devon Parking Places Order Update. Councillor McKenzie-Edwards said the Town Council was only informed of this last week and had had no time for proper consultation. At the last Town Council meeting, there was concern for the Theatre's voluntary groups. He asked if this scheme was financially viable with the car park only having 20 spaces. He reminded Members that rehearsals took place during the day so volunteers and cast would be penalised. Councillor McKenzie-Edwards asked the Scrutiny Committee to consider this proposal again.

\*183 **Minutes**

The minutes of the Cabinet meeting held on 8 March 2017 were confirmed and signed as a true record.

\*184 **Declarations**

Councillor Stuart Hughes – Minute 194

Interest: Personal

Reason: Member of DCC Flood and Coastal Committee

Councillor Eileen Wragg – Minute 194

Interest: Personal

Reason: Member of DCC Flood and Coastal Committee

Councillor Eileen Wragg – Minute 196

Interest: Personal

Reason: Member of DCC Exmouth Regeneration Board

Councillor Phil Skinner – Minute 196

Interest: Personal

Reason: Chairman of the Exmouth Regeneration Board

\*185 **Matter of urgency**

The Chairman agreed to this late item for Notes of the New Homes Bonus Panel held on 23 March 2017, requested by the Community Engagement and Funding Officer. The recommendations in the minutes were a matter of urgency for towns and parishes to use the funding once agreed.

**RESOLVED (1) that the following recommendations be approved**

**Minute 16 - Application from Cranbrook Town Council, Broadclyst, Clyst Honiton and Rockbeare Parish councils – Chelsea’s Choice – child sexual exploitation play - £1,125.82**

Cranbrook Town Councils application for a £1,625.82 be supported and an additional £3,164.08 be provided from previous years underspent funding for funding performances of “Chelsea’s Choice” in other secondary schools in East Devon. A condition of the funding was that all those involved work together to get some good publicity for the project when it actually happened, crediting money from the Parishes Together Fund.

**Minute 17 - Application from Otterton and Woodbury Parish Councils – Educational countryside signage - £3,289.50**

**Minute 18 - Application from Seaton Town Council– Tourism app and booklet projects- £7,124.70**

A condition of the funding was that Seaton Town Council get in touch with Honiton town Council and Exmouth Town Council, who were also running tourism projects with their Parishes Together Funding next financial year, to share any tips and lessons learnt.

**Minute 19 - Application from Plymtree and Talaton Parish Councils Community marquee project - £520**

**Minute 20 - Application for Sidmouth Town Council – Wildflowers Project - £8,532.38**

Councillors stated that they wanted the grant offer letter to state that they would not look favourably on projects of a similar vein (lengthsman duties) from Sidmouth Town Council working together with other town and parish councils.

**Minute 21 - Application from Cranbrook Town Council, Aylesbeare, Plymtree and Talaton Parish Councils – Noticeboards - £1,509.30**

Subject to the addition of signage on the noticeboard's saying that these had been provided the Parishes Together Fund. The cost of this additional work to be paid for from previous years underspent funding.

**Minute 22 - Application from Broadclyst, Clyst Honiton and Poltimore Parish Councils and Cranbrook Town Council – Community heli-pad - £2,829.82**

**Minute 23 - Application from All Saints and Chardstock Parish Councils and Axminster Town council – Defibrillators - £7,236.90**

**Minute 24 - Application from Buckerell Parish Council – Drainage - £233.20**

To carry out drainage and ditch work.

**Minute 25 - Clyst St George Parish Council – Drainage - £658.90**

To enable the clearing of ditches and gullies within the parish.

**Minute 26 - Colaton Raleigh Parish Council Drainage - £627**

To carry out drainage and ditch work.

**Minute 27 - Cotleigh Parish Council- Drainage - £193.60**

To carry out drainage work.

**Minute 28 - Gittisham drainage - £1,457.50**

To carry out drainage and ditch work.

**Minute 29 - Luppitt drainage - £421.30**

To carry out drainage and ditch work.

**Minute 30 - Lypstone Parish Council – Drainage -£1,722.60**

To carry out drainage and ditch work.

**Minute 31 - Newton Poppleford Parish Council – Drainage - £1,905.20**

To carry out drainage and ditch work.

**Minute 32 - Payhembury Parish Council – drainage - £614.90**

To carry out drainage and ditch work.

**Minute 33 - Stockland Parish Council – Drainage - £580.80**

To carry out drainage and ditch work.

**Minute 34 - Upton Parish Council–Drainage - £587.60**

To carry out drainage and ditch work.

**Minute 35 - Kilmington Parish Council drainage - £755.70**

To carry out drainage and ditch work.

**Minute 36 - Dalwood Parish Council – Drainage - £392.70**

To carry out drainage and ditch work.

**Minute 37 - Feniton Parish Council – Drainage - £1,653.30**

To carry out drainage and ditch work.

**Minute 38 - Membury Drainage - £396**

To carry out drainage and ditch work.

**\*186 Matters referred to the Cabinet**

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

**\*187 Exclusion of the public**

There was one confidential item that officers recommended should be dealt with in this way.

**\*188 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 May 2017 to 31 August 2017.

**\*189 Notes of the Community Fund Panel held 20 February 2017**

Members received the Notes of the Community Fund Panel held 20 February 2017.

**RESOLVED (1) that the following recommendations be approved**

**Minute 11 Consideration of applications received**

1. Peek Hall, Combyne Rousdon – new floor in hall area - £1,675
2. Clyst Hydon Village Hall - repair flat roof into the storage area at village hall - £1,558.27.  
The Panel raised a query about paying to repair damage caused by water in an insured building and whether this could have been covered by the Hall's insurance. They wished to approve the application subject to confirmation that the repair work was not covered under insurance.
3. Woodbury Village Hall – painting and refurbishment works to village hall - £2,800.  
The Panel felt that a lot of the proposed costs were for routine maintenance such as painting. In line with the eligibility criteria for the fund, routine maintenance could not be funded. They deferred the application for clarification of capital and maintenance costs of the project and subject to this satisfactory confirmation of capital costs and gave delegated authority to the Chairman in consultation with the Engagement and Funding Officer to approve.

**\*190 Minutes of the Recycling and Waste Partnership Board held on 22 February 2017**

Members received and noted the Minutes of the Recycling and Waste Partnership Board held on 22 February 2017. The Portfolio Holder Environment reminded Members that the roll out for the new Recycling and Waste contract would start on 12 June 2017 across all the district.

**RESOLVED (1) that the following be noted**

**Minute 58 - Mobilisation update**

**Minute 59 - Joint contract review and operational update**

**Minute 61 – Risk register**

**RESOLVED (2) that the following decisions be supported**

**Minute 64 - Green waste collection update**

a representative from Otter Rotters be invited to attend the next meeting of the Recycling and Waste Partnership Board.

**\*191 Minutes of the Scrutiny Committee held on 2 March 2017**

Members received the Minutes of the Scrutiny Committee held on 2 March 2017.

**RESOLVED (1) that the following recommendations be approved**

**Minute 45 - Broadband update**

the Council continued to work with CDS and other partners with a view to going beyond the government target of 95% to a full coverage for the whole of the District. This would benefit members of society both in their individual and business use in either rural or urban areas.

\*192 **Notes of the Asset Management Forum held on 9 March 2017**

Members received the Notes of the Asset Management Forum held on 9 March 2017. The Chairman of Asset Management Forum informed Members that meetings were now going to be held quarterly.

\*193 **Minutes of the Housing Review Board held on 9 March 2017**

Members received the Minutes of the Housing Review Board held on 9 March 2017.

**RESOLVED (1) that the following recommendations be approved**

**Minute 68 - Charging private users of sewage treatment**

private users of sewage treatment works to be charged at a 15% management fee on top of the amount charged for the actual costs incurred.

\*194 **Sidmouth and East Beach Management Plan**

The Strategic Lead - Housing, Health and Environment presented the report, which sought adoption of the Sidmouth and East Beach Management Plan (SEBMP) that would allow procedure to the next stage of the project - namely the production of an outline business case, leading towards the implementation of engineering works to maintain flood and coastal protection.

The Steering Group for the Sidmouth and East Beach Management Plan project met on 15 March 2017. The Steering Group were asked to agree to the BMP as it stands to go forward to Cabinet for approval – the plan had previously been tabled for the 8 March 2017 Cabinet meeting. The report had been put back to the Group following the request for the opportunity for more discussion by the Group on the draft BMP.

The Deputy Leader thanked David Turner, John Golding, the Steering Group and CH2M (formerly Halcrow) for their hard work into the Plan.

Discussions included the following:

- This was the best that could be done - Steering Group gave unanimous support
- How would rocks for the groynes be transported in?

**RESOLVED:**

that the Sidmouth and East Beach Management Plan be adopted.

**REASON:**

To adopt SEBMP and progress a Sidmouth Beach Management Scheme so that there was an integrated, justifiable and sustainable approach to:

1. Maintaining the 1990s' Sidmouth Coastal Defence Scheme Standard of Service (protection against flooding and erosion);
2. Reducing the rate of beach and cliff erosion to the east of the River Sid (East Beach);
3. Ensure that EDDC had the best possible case for Flood and Coastal Erosion Risk Management Grant in Aid from DEFRA to finance the necessary flood mitigation and coastal protection works.

195 **Relocation Report**

The Deputy Chief Executive and the Strategic Lead - Finance advised Members of progress on the relocation plans. Members were asked to consider options towards achieving full relocation to both Exmouth and Honiton and sale of the Knowle site. Following the refusal of planning permission and appreciating the continued strategic and operational drivers for relocation, the Office Accommodation Executive Group tasked officers with taking a refreshed review of the Council's options. The Strategic Lead – Finance provided an update on the modelling and presented an additional table, which demonstrated that the worst-case scenario in Option 1 was better than the position presented in the report.

There would be a Joint Audit and Governance, Overview, and Scrutiny Committees meeting on 18 April to discuss this matter further before going onto Council on 26 April 2017.

Discussions included the following:

- The need to know the outcome of the Pegasus planning appeal in order to alleviate the risks
- Betterment was connected to fluctuating energy prices
- Report should include maximising present assets
- Future developers may not match the present offer as aware of keenness to sell
- A cavalier approach to spending public money
- The joint committees meeting should look into the element of risk
- The Knowle was unfit for purpose – transformation and new working practices need a new Headquarters to thrive
- The land at the Knowle was an asset - the building was a liability
- Option 1 was favoured as still have the Knowle as an asset.
- Sooner the building of the new HQ starts the better
- Do not want to rely on planning approval
- Need to provide staff a modern office which they deserve

**RECOMMENDED** to Council that;

1. i. Option 1, as detailed in the report, be adopted and that the Council proceeds with the construction of a new HQ building at Honiton Heathpark, and
  - ii. The Deputy Chief Executive – Development, Regeneration and Partnerships be granted delegated authority; in consultation with the Office Accommodation Executive Group, to commence works and deliver the new HQ building.
  - iii. A budget be agreed of £8,692,000 to provide a new HQ building at Honiton Heathpark, which when added to the approved Exmouth Town Hall refurbishment budget of £1,669,000 gave a total gross budget of £10,361,000.
2. a further sum of £225,000 be allocated to fund the addition of a direct access road to the new HQ building past the East Devon Business Centre. This was a more direct approach to the building rather than bringing traffic through the Heathpark Business Park south of the building and did not affect the conclusions in the report, in relation to viability and ranking of options for the sale of the Knowle site.

**REASON:**

The Council had identified the need to move from its existing premises in Sidmouth to refurbished and new offices in Exmouth and Heathpark respectively. Following the planning refusal of development proposals for the Knowle site in December 2016 officers; on the direction of the Office Accommodation Executive Group, had been considering viability options with a view to advising Cabinet and Council on ways forward.

196 **Exmouth Regeneration Board report**

The Deputy Chief Executive presented the report, which sought agreement regarding proposed changes to the membership and terms of reference of the Exmouth Regeneration Board.

Discussion included the following:

- more flexibility in getting the right people on the Board
- Members were not allowed to attend meetings – no transparency
- Board should show their budgets and expenditure in the minutes of meetings
- This was not a decision-making Board – all recommendation go through Cabinet
- Exmouth councillors had consulted with residents over the years. The Board allows for discussions with Exmouth representatives
- Members had been elected by the public but were discounted by the Board
- Listen to the views of young people, as this was their future. Need a representative from Exmouth Community College
- No regional body representative
- This was not a council meeting. The meetings were for the Council to engage with the private and community sectors in partnership to bring betterment to Exmouth

**RECOMMENDED** to Council that;

1. the changes to the Terms of Reference and Membership of the Exmouth Regeneration Programme Board proposed be agreed; with the exception of Clinton Devon Estates not being a voting member, and
2. the Chief Executive be granted delegated authority in consultation with the Chair and Vice Chair of the Regeneration Board and Strategic Lead (Governance and Licensing) to prepare and finalise the protocol for eligibility for non-voting membership.

**REASON:**

The Exmouth Regeneration Board had been in existence since 2008. It had provided an important advisory function on the development and delivery of regeneration interventions for Exmouth. To maintain its value in supporting regeneration in Exmouth it was important to review the membership of the Board to maintain its strength and representative scope.

\*197 **Enforcement and Prosecution Policy**

The Council had a number of service specific policies relating to how it would carry out regulatory enforcement action in that service. Not all services that carry out regulatory enforcement had a specific policy. Equally, there was no overarching policy that applied across the whole Council. The policy sought to overcome these issues by providing a comprehensive policy applicable to all regulatory enforcement and prosecution actions.

**RESOLVED:**

1. that the Enforcement and Prosecution Policy (Appendix 1) be adopted,
2. that authorisation be granted to the Strategic Lead (Governance and Licensing) in consultation with the Senior Management Team, to approve any service specific strategies

or procedures to sit under the Enforcement and Prosecution Policy and to update Section 8 of the Policy accordingly as and when appropriate.

**REASON:**

To ensure a consistent and lawful approach to carrying out the Council's regulatory enforcement and prosecution actions.

**\*198 East Devon Parking Places Order Update**

Members were asked to approve changes to the legal Order used by East Devon District Council to manage its public car parks in accordance with Civil Parking Enforcement rules. Proposals had been carefully considered with the Council having the right to grant concessions.

Discussion included the following:

- The Manor Pavilion Theatre was a wonderful asset to Sidmouth and East Devon
- Charges should be up to 6pm with a maximum 4-hour stay
- The process had not been done effectively
- The Theatre should be allowed to control the car park as it had only 21 spaces
- Theatre volunteers must be looked after
- Income needed to be generated, what was the problem with paying for parking?
- Important to listen to everyone's views

The Chief Executive confirmed that some of the issues raised would be looked at as part of the ongoing management of the car park.

**RESOLVED:**

1. that the boundary of Exmouth's Camperdown Terrace long stay car park be extended to offer additional parking spaces and trailer storage by extending the car parking areas onto adjacent land recently vacated by Devon County Council's Highways service, and
2. that public pay and display parking in Sidmouth's Manor Pavilion car park be offered, and
3. that Mamhead Slipway, Exmouth be designated as a parking place with just two parking bays and the remainder of the area be enforced for loading and unloading only, allowing vehicles to enter and remain for the purposes of launching and recovering water craft from the slipway but prohibiting the parking of vehicles and the leaving of trailers.

**REASON:**

Section 122 of the Road Traffic Regulation Act 1984 sets out the duties of all local authorities in respect of a range of traffic related functions including the provision of off-street parking. Careful consideration to the needs of the community as a whole in arriving at these recommendations that sought to represent a balance of differing priorities and points of view.

These proposals would not interfere with the security of (or access to) any other premises and they would not be prejudicial to the amenity of the locality. They were in all other material respects consistent with the Council's legal duties and responsibilities to its communities.

**\*199 Greater Exeter Design Support Panel - request for exemption from standing orders**

The purpose of the report was to seek authorisation to enter into a contract with Design Council/Cabe to establish a Design Support Panel for the Greater Exeter area.



**RESOLVED:**

1. that entering into a contract with Design Council/Cabe to establish a Design Support Panel for the Greater Exeter area be authorized and delegated authority be granted to the Strategic Lead (Governance and Licensing), to negotiate and complete the contract in consultation with the Growth Points Project Director, and
2. that an exemption from Standing Orders to allow the Panel to be procured be agreed.

**REASON:**

The Design Support Panel would benefit the delivery of strategic developments in the District and help to ensure high quality development.

\*200 **Cranbrook Community Questionnaire and Community Development**

Councillor Kevin Blakey represented Cranbrook Town Council spoke on this item. Councillor Blakey stated the results of the community questionnaire were no surprise, as the town was getting bigger it was inevitable that fewer people would feel part of the community. Cranbrook Town Council could see no need for a Community Development Strategy and would not support or part finance one.

The report outlined the results of the Cranbrook Community Questionnaire 2016, which was undertaken jointly between Organisational Development at EDDC and the Cranbrook Community Development Worker at EDVSA. This was the fourth such annual questionnaire, it was accompanied by a questionnaire specifically aimed at young people in the town. The paper put forward a proposal to commission the production of a Community Development Strategy and sought an exemption from standing orders in order to appoint Action East Devon to coordinate this work.

**RESOLVED:**

1. that the results of the latest Cranbrook Community Questionnaire be noted, and
2. that the commissioning of a Community Development Strategy for the town and a financial contribution of up to £20,000 towards this, and
3. that an exemption from standing orders to allow Action East Devon to coordinate this work be agreed.

**REASON:**

This consultation had been designed to help inform decisions regarding Cranbrook. The first Cranbrook Community Questionnaire was carried out in 2013 and provided vital feedback to help evaluate and plan.

\*201 **Appointment of Space Syntax to analyse and review the masterplan for Cranbrook**

Councillor Kevin Blakey represented Cranbrook Town Council spoke on this item. Councillor Blakey thought this appointment was a poor use of time and money.

An exemption to standing orders had been applied in order to appoint Space Syntax to model, analyse and provide design and development recommendation on the proposed masterplan for Cranbrook, that would underpin the forthcoming Development Plan Document for Cranbrook. NHS England had provided grant funding under the Healthy New Towns' programme to engage Space Syntax specifically.

Space Syntax provided a unique service based on research developed over the last 25 years modelling and analysing the streets and spaces in existing and proposed urban areas. They work around five key issues in spatial layout:

1. Modelling and understanding the distribution of vehicle, pedestrian and cycle movement
2. Understanding the deep level of influence spatial location had on land use
3. Identifying areas of risk and showing how places could be made safer
4. Demonstrating the influence of movement networks and spatial plans on property economics
5. Understanding the contribution of spatial layout on environmental impact

At Cranbrook the focus would be on creating a Healthy New Town and community. The analysis and recommendations would initially work with the masterplan being developed by the masterplanning team led by Savills Urban Design and would focus on optimising the masterplan to create a healthy environment. The analysis would include the wider determinants of ill-health, such as providing quality jobs and social cohesion so would provide recommendations designed to enhance the social, economic and environmental value of the development.

Space Syntax would work on the next draft of the masterplan for Cranbrook, to provide recommendations to the masterplanning team for the next and final iteration of the design. This needed to be complete by the end of April so that programmed delivery of the Development Plan Document could be achieved.

**RESOLVED:**

that the exemption to Contract Standing Orders to enable the appointment of Space Syntax to undertake modelling and analysis, and provide recommendations to the draft masterplan for Cranbrook be noted.

**REASON:**

To ensure that Space Syntax was able to carry out the analysis and provide the recommendations necessary to enable the masterplan for Cranbrook.

**\*202 Monthly Performance reports – February 2017**

The report set out performance information for February 2017. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were five indicators that were showing excellent performance:

- Percentage of Council Tax Collected
- Percentage of Non-domestic Rates Collected
- Days taken to process Housing Benefit / Council Tax Benefit new claims and change events
- % of invoices paid in 10 working days
- Working days lost due to sickness absence

There was one performance indicator showing as concern:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse - Following a period of receiving a number of disappointing allowed appeals, we have in the last couple of weeks received a number of dismissed appeals that will again reduce the percentage of appeals allowed. If this trend continues then the indicator should not be red when assessed over the whole year. The Development Manager is in the process of assessing all the appeal decisions to establish any trends that can be identified, learnt from and addressed. It is proposed

that these findings be presented to the Strategic Planning Committee as part of the annual report into our performance on appeals in the new financial year.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2016/17 financial year for February 2017 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.

**\*203 Electronic Bathing Water Signs**

The report advised Cabinet that exemption to standing orders had been applied in order to install four new electronic signs on the East Devon beaches that were designated bathing waters; similar to the sign provided in 2016 at Budleigh Salterton.

**RESOLVED:**

that the use of standing orders exemption powers in this case be noted.

**REASON:**

To note the selection of a supplier for these signs who was already working with and approved by the Environment Agency and DEFRA.

**\*204 Alternative models for building repairs and maintenance – to note use of exemption to contract standing orders**

The report informed of the use of exemption to contract standing orders for consultancy work regarding the renewal of the repairs contract and investigation of alternative models for building repairs and maintenance. Echelon were lead consultants operating in a specialist environment and had engaged their services to achieve better value for money as well as improving services to tenants.

**RESOLVED:**

that the exemption to Contract Standing Orders to enable the services of Echelon Consultants to carry out an options appraisal of repairs and maintenance service be noted.

**REASON:**

To ensure a full review of the service and the options for alternative models for building repairs and maintenance.

**\*205 Urgent removal of asbestos material to enable lift replacement works**

The report advised that exemption to standing orders had been relied upon and had been used to deal with the urgent removal of AIB asbestos material which was discovered during the removal of the existing passenger lift as part of the lift replacement project at Morgan Court, Exmouth. The company appointed to carry out the work had undertaken similar works for the Council recently and had proved to be competitive and reliable.

The lift replacement works had been on hold and could not continue until works to remove the asbestos material and a full environmental clean of the area had been completed. It is estimated that the works to remove the asbestos material in accordance

with the Control of Asbestos Regulations would add approximately 5 weeks to the project.

**RESOLVED:**

that the exemption to Contract Standing to undertake the removal of the asbestos material, to ensure the area was safe to enable the lift replacement works to recommence be noted.

**REASON:**

The removal works and a full environmental clean of the lift shaft area were urgently required to enable the lift replacement works to re-commence, thus reducing the likelihood of any adverse financial, health & safety and reputational impact associated with any further delays.

**\*206 Appointment of Wessex Community Housing Project to support with the allocation of funding from the Community Housing Fund – request for exemption from standing orders**

Members were advised that exemption to standing orders had been applied, in order to appoint Wessex Community Housing Project to work on the allocation of funding from the Community Housing Fund. They were the only local organisation which had the required knowledge and expertise to work in the community and deliver community led housing.

**RESOLVED:**

that the exemption to standing orders to appoint Wessex Community Housing Project to support with the allocation of funding from the Community Housing Fund be noted.

**REASON:**

To ensure appropriate use of the Community Housing Fund.

**\*207 Appointment of Inspector to Examine the Yarcombe & Marsh Neighbourhood Plan**

Members were advised that exemption to standing orders had been applied in order to appoint an independent examiner to examine the Yarcombe & Marsh Neighbourhood Plan. In order to secure a speedy examination and to accord with the wishes of the plan producers, the services of Mary O'Rourke had been secured. Justification for her appointment was detailed in the report. Early adoption of the Neighbourhood Plan would help to establish a positive planning policy framework for the parish to inform determination of planning applications in Yarcombe. The Examination was scheduled to commence on 3 April 2017.

**RESOLVED:**

that the exemption to Contract Standing Order to enable the appointment of the examiner to undertake the Examination of the Yarcombe & Marsh Neighbourhood Plan be noted.

**REASON:**

To ensure that an independent examiner was in place and appointed.

**\*208 Appointment of Inspector to Examine the Uplyme Neighbourhood Plan**

Members were advised that exemption to standing orders had been applied in order to appoint an independent examiner to examine the Uplyme Neighbourhood Plan. In order to secure a speedy examination and to accord with the wishes of the plan producers, the services of John Mattocks had been secured. Justification for his appointment was detailed

in the report. Early adoption of the Neighbourhood Plan would help to establish a positive planning policy framework for the parish to inform determination of planning applications in Uplyme. The Examination was scheduled to commence on 3 April 2017.

**RESOLVED:**

that the exemption to Contract Standing Order to enable the appointment of the examiner to undertake the Examination of the Uplyme Neighbourhood Plan be noted.

**REASON:**

To ensure that an independent examiner was in place and appointed.

**\*209 Appointment of Inspector to Examine the Chardstock Neighbourhood Plan**

Members were advised that exemption to standing orders has been applied in order to appoint an independent examiner to examine the Chardstock Neighbourhood Plan. In order to secure a speedy examination and to accord with the wishes of the plan producers the services of Robert Yuille had been secured. Justification for his appointment was detailed in the report. Early adoption of the Neighbourhood Plan would help to establish a positive planning policy framework for the parish to inform determination of planning applications in Chardstock. The Examination was scheduled to commence on 3 April 2017.

**RESOLVED:**

that the exemption to Contract Standing Order to enable the appointment of the examiner to undertake the Examination of the Chardstock Neighbourhood Plan be noted.

**REASON:**

To ensure that an independent examiner was in place and appointed.

**\*210 Appointment of Inspector to Examine the Budleigh Salterton Neighbourhood Plan**

Members were advised that exemption to standing orders had been applied in order to appoint an independent examiner to examine the Budleigh Salterton Neighbourhood Plan. In order to secure a speedy examination and to accord with the wishes of the plan producers the services of Jill Kingaby had been secured. Justification for his appointment was detailed in the report. Early adoption of the Neighbourhood Plan would help to establish a positive planning policy framework for the parish to inform determination of planning applications in Budleigh Salterton.

**RESOLVED:**

that the exemption to Contract Standing Order to enable the appointment of the examiner to undertake the Examination of the Budleigh Salterton Neighbourhood Plan be noted.

**REASON:**

To ensure that an independent examiner was in place and appointed.

**\*211 Introduction of a new Public Space Protection Order – Anti-Social Behaviour and Controlled Drinking in Exmouth and Sidmouth**

The report asked for approval to introduce a Public Space Protection Order (PSPO) to target antisocial behaviour within Exmouth town centre and the surrounding area, and to replace existing Designated Public Places Orders to control the consumption of alcohol within areas of Exmouth and Sidmouth. The facility to introduce PSPOs was included within the Anti-Social Behaviour Crime and Policing Act 2014. The required consultation

process, agreed by Cabinet in February 2017, had been completed and no changes to the draft order had been found to be necessary or justified.

**RESOLVED:**

that the introduction of the new PSPO as required by the Anti-Social Behaviour Crime and Policing Act 2014 be agreed.

**REASON:**

In order to meet the requirements of the Act to replace existing Designated Public Places Orders with PSPOs.

**\*212 Adoption of two new Public Space Protection Orders incorporating existing Dog Controls throughout East Devon and on the Seashores and Promenades**

The report asked for approval to introduce two Public Space Protection Orders (PSPOs) to incorporate existing dog control orders. These would include a number of amendments to the existing regime suggested by officers and Town and Parish councils, and a requirement not to feed seagulls on the town beaches and promenades. The facility to introduce PSPOs was included within the Anti-Social Behaviour Crime and Policing Act 2014. A consultation period had now concluded and some additional amendments had been made as a result.

**RESOLVED:**

that the introduction of two new PSPOs under the provisions within the Anti-Social Behaviour Crime and Policing Act 2014 be agreed.

**REASON:**

In order to meet the requirements to incorporate existing dog control orders into new Public Space Protection Orders, and to review them during the process.

**213 Exclusion of the public**

that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

**\*214 1 & 2 Pankhurst Close**

A landowner had acquired the freehold interest of 1 & 2 Pankhurst Close. 1 Pankhurst Close was subject to an overage payment to EDDC due on the grant of planning permission. Both properties were subject to further covenants in favour of EDDC. An offer to settle overage negotiations and release specified covenants had been proposed.

**RESOLVED:**

that the overage settlement based on the terms set out in this report be accepted.

**REASON:**

The proposed offer was considered a fair settlement figure to compensate the Council.

**Attendance list**

**Present:**

Paul Diviani                      Leader  
Andrew Moulding              Deputy Leader/Strategic Development and Partnership

**Portfolio Holders:**

Iain Chubb                      Environment  
Jill Elson                      Sustainable Homes and Communities  
Phil Twiss                      Corporate Services  
Philip Skinner                  Economy  
Tom Wright                      Corporate Business

**Cabinet Members without Portfolio:**

Geoff Pook  
Eileen Wragg

**Cabinet apologies:**

Ian Thomas                      Finance

**Non-Cabinet apologies:**

Brian Bailey  
Matt Booth  
Colin Brown  
Jenny Brown  
Graham Godbeer  
Steve Hall  
Alan Dent  
Bill Nash  
Mike Allen  
Steve Gazzard  
Brenda Taylor

**Also present (for some or all of the meeting)**

**Councillors:**

Megan Armstrong  
David Barratt  
Maddy Chapman  
John Dyson  
Peter Faithfull  
Cathy Gardner  
Roger Giles  
Ian Hall  
Marcus Hartnell  
Stuart Hughes  
Ben Ingham  
Geoff Jung  
Rob Longhurst  
Dawn Manley  
Cherry Nicholas  
John O'Leary  
Val Ranger  
Marianne Rixson  
Pauline Stott  
Mark Williamson

**Also present:**

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead – Finance  
Henry Gordon Lennox - Strategic Lead - Governance and Licensing  
John Golding. Strategic Lead – Housing, Health and Environment  
Karen Jenkins, Strategic Lead – Organisational Development and Transformation  
Charlie Plowden, Service Lead - Countryside & Leisure  
Andrew Ennis, Service Lead - Environmental Health and Car Parks  
Jay Lambe, Service Lead – Regeneration and Property  
Andy Wood, East of Exeter Projects Director  
Steve Pratten, Relocation Manager  
Jules Waddington, Project and Facilities Manager  
Donna Best, Principal Estates Surveyor  
Jamie Buckley, Community Engagement and Funding Officer  
Amanda Coombes, Democratic Services Officer

Chairman ..... Date.....