

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 10 May 2017

Attendance list at end of document

The meeting started at 5.33pm and ended at 6.10pm

***215 Public Speaking**

There were no members of the public present who wished to speak.

***216 Minutes**

The minutes of the Cabinet meeting held on 5 April 2017 were confirmed and signed as a true record.

***217 Declarations**

Councillor Paul Diviani – Minute 227

Interest: Personal

Reason: Member of District's Health and Wellbeing Scrutiny Committee

Councillor Geoff Pook – Minute 231

Interest: Personal

Reason: Member of the Construction Industry

Councillor Phil Twiss – Minute 235

Interest: Personal

Reason: Member of Exeter Airport Consultative Committee on behalf of EDDC

***218 Matter of urgency**

None

***219 Matters referred to the Cabinet**

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

***220 Exclusion of the public**

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

***221 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 June 2017 to 30 September 2017.

***222 Minutes of the Overview Committee held on 28 March 2017**

Members received the Minutes of the Overview Committee held on 28 March 2017.

RESOLVED (1) that the following recommendations be approved
Minute 24 East Devon Local Economy

1. the East Devon Local Economy report formed the basis of an Action Plan and further work to confirm the priorities, projects and financing arrangement for a future pipeline of Local Economic Development activity,

2. a report be submitted to Cabinet to agree the direction and detail of the Council's Local Economic Development activity to include rural economic development,
3. a report be presented in Autumn 2017 as part of the preparation of a future Economic Development Investment Plan for the Council within the overall budget planning for 2018/19 onwards.

Minute 25 Housing Delivery Task and Finish Forum

1. Overview welcomed the Cabinet decision to support the proposal for establishing a Local Housing Company for the Council, as a means of delivering more housing,
2. Council continue to maintain as a priority the delivery of affordable homes in its Council Plan,
3. Cabinet ask relevant officers to undertake further research into the financial model of affordability, considering new practices emerging in other local authorities, to report back to the Overview Committee,
4. Cabinet ask relevant officers to look at means of attracting other registered providers to the District in order to have a wider choice of providers than the dominant Devon and Cornwall Homes (DCH),
5. Council explore how it could better support existing Community Land Trusts, and help bring forward new Trusts, through using partner organisations such as the Wessex Community Housing Project, and regular promotion of successful projects,
6. Cabinet explore investment into property as a means of better financial return on reserves,
7. the forthcoming District Design Guide (under the adopted Local Plan) was developed not only to improve the quality of new buildings, but to be innovative in seeking high quality of design, sustainability, and build, in order to drive a higher quality of planning applications submitted,
8. Consideration be given to encouraging the use of off-site manufacture for both developers in the area and for those interested in self-build, and
9. Council ensures a robust response to the government on the Housing White Paper including a request for a more coherent national housing policy; a return to a grant providing scheme of funding to stimulate growth; and practical solutions to deliver more diversity in the housing market.

***223 Minutes of the South East Devon Habitat Regulations Executive Committee held on 29 March 2017**

Members received and noted the Minutes of the South East Devon Habitat Regulations Executive Committee held on 29 March 2017.

***224 Minutes of the Scrutiny Committee held on 30 March 2017**

Members received the Minutes of the Scrutiny Committee held on 30 March 2017.

***225 Notes of the Exmouth Regeneration Programme Board held 30 March 2017**

Members received the Notes of the Exmouth Regeneration Programme Board held 30 March 2017.

***226 Sidmouth Beach Management Plan**

The Strategic Lead - Housing, Health and Environment presented the report, which primarily intention was to secure authority to enter into contracts for the next stage of the project.

RESOLVED:

1. that necessary works to produce the Outline Business Case for consideration by the Environment Agency be progressed within the allocated budget, and
2. that the Strategic Lead Governance and Licensing, and Strategic Lead Housing, Health and Environment be authorised to enter into contracts for provision of the consultancy and surveying services required to do so.

REASON:

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

- Maintaining the 1990's Sidmouth Coastal Defence Scheme Standard of Service (protection against flooding and erosion); and
- reducing the rate of beach and cliff erosion to the east of the River Sid (East Beach); and
- to 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.

This required the appointment of a consultant (and associated surveyors) with appropriate experience and expertise to produce an Outline Business Case so that EDDC could seek formal Environment Agency approval for Sidmouth Beach Management Scheme.

***227 Cranbrook Healthy New Town Programme: summary of first year's activities 2016/17**

The Strategic Lead - Housing, Health and Environment presented the report. The summary gave an overview of the progress on NHS England's national Healthy New Town [HNT] Programme for Cranbrook, through which five priority areas were selected to make a positive difference to Cranbrook residents' health and wellbeing.

RESOLVED:

that the achievements of the programme to date be recognized, and to note the change in emphasis towards new care models and the programme lead role being passed to Devon County Council's Director of Public Health.

REASON:

To help ensure that members and staff across the Council were aware of this national programme and able to support activities which support health and wellbeing in Cranbrook.

228 Street Trading – Designation of Streets Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982

The item was deferred until a later date.

***229 Seaton Beach Management Plan**

The Strategic Lead - Housing, Health and Environment presented the report, which required agreement for the procurement of services to progress the Seaton Beach Management Plan.

RESOLVED:

that the Strategic Lead Governance and Licensing, and Strategic Lead Housing, Health and Environment be authorised to enter into a contract with CH2M for provision of the services to produce a Beach Management Plan for Seaton.

REASON:

To progress a Beach Management Plan for Seaton so that there was an integrated, justifiable and sustainable approach to managing the risk of flooding and coastal erosion from the Axe Estuary to Seaton Hole.

***230 Monthly Performance reports – March 2017**

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

There were four indicators that were showing excellent performance:

- Percentage of Council Tax Collected
- Percentage of Non-domestic Rates Collected
- % of invoices paid in 10 working days
- Working days lost due to sickness absence

There were two performance indicator showing as concern:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse - The Development Manager was in the process of assessing all the appeal decisions to establish any trends that could be identified, learnt from and addressed. It was proposed that these findings would be presented to the next meeting of the Strategic Planning Committee as part of the annual report into the performance on appeals.
- Days taken to process Housing Benefit / Council Tax Benefit new claims and change events - March was the assessment team's busiest month assisting customers and receiving a large volume of new claims. The increase in NI181 was due to the impact of this additional work pressure on resources. The reduced performance in March 2017 compared with March 2016 was a reflection of these additional pressures.

The Portfolio Holder Sustainable Homes and Communities congratulated Health and Local Food for Families (HALFF) Axminster for winning the People's Projects vote.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2016/17 financial year for March 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 Management, Housing and Revenues and Benefits.

***231 Housing White Paper – Fixing our broken housing market**

The Service Lead, Planning Strategy and Development Management presented the report, which set out the main elements of the Housing White Paper published in February, which set out the government's thinking in respect of national housing policy for the future. The four principle themes of the White Paper were outlined. The White Paper contained an Annex, which posed a series of questions. The report provided a proposed set of responses to the questions, which were recommended to form the submission by the Council.

Discussions included the following:

- Sustainable Development criteria sometimes stopped villages getting the development they actually need
- A 5 Year Land Supply should not necessarily mean developments happen by submitting to developers' demands just because it is a key indicator. Some communities end up with houses they did not want
- The White Paper encouraged sub-division of bigger plots which conflicted with the Conservation Areas' restrictions
- The White Paper did not help Councils with their own housing stock
- Affordable housing was not just needed for young people, older people were desperate to downsize but developments for over 55s were too expensive

RESOLVED:

that the responses to the questions set out in the Housing White Paper as detailed in the report were noted and endorsed having already been forwarded to Government.

REASON:

To ensure that the Council provided feedback to the Government in respect of the White Paper.

***232 Response to Dunkeswell Neighbourhood Plan Submission**

To agree the response by the Council to the current consultation for the Dunkeswell Neighbourhood Plan.

RESOLVED:

1. that Members note the formal submission of the Dunkeswell Neighbourhood Plan and congratulate the producers of the plan on the dedicated hard work and commitment in producing the document, and
2. that the Council make the proposed representation set out at paragraph 5.2 in the report in response to the consultation.

REASON:

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

***233 Contract Standing Order Exemption for Locum Legal cover**

The report advised Cabinet that exemption to standing orders had been applied in order to appoint a locum solicitor to cover the period whilst a new permanent solicitor was hired, following the resignation of a solicitor. A candidate had been identified who had the right mix of skills required and had been engaged through a reputable agency, which had been used previously. It was envisaged that a replacement solicitor would start in June.

RESOLVED:

that the exemption to Contract Standing Order to enable the appointment of a locum solicitor be noted.

REASON:

To ensure that sufficient legal resources were in place to deliver a first rate legal service.

***234 Camperdown seawall**

An exemption from standing orders was sought for urgent repairs to the estuary wall adjacent to Camperdown Creek, Exmouth, as well as capital funding for urgent repairs to the estuary wall adjacent to Camperdown Creek, Exmouth.

RESOLVED:

that the following be agreed;

1. an exemption from standing orders for urgent repairs to the estuary wall at Camperdown Creek.
2. £30,000 of capital funding for urgent repairs to the estuary wall at Camperdown Creek.

REASON:

To prevent further collapse of EDDC land in advance of the Exmouth Tidal Defence Scheme. Failure to undertake repairs was likely to result in further collapse of the wall and result in:

- Washout of made ground behind
- Collapse of boats stored in the area onto the foreshore below
- A public safety hazard to people using the area above and below the wall

***235 To approve the appointment of Cyrrus to identify the upgrade works required to the existing Instrumental Landing System at Exeter International Airport.**

The East of Exeter Projects Director advised that exemption to standing orders had been requested to appoint Cyrrus to analyse of the existing Instrumental Landing System (ILS) for Exeter International Airport, and the works required to upgrade the ILS to enable continued development in the West End of East Devon.

Cyrrus provide a specialist consultancy service on instrumental landing systems for civil aviation. This was the current provider for Exeter International Airport with knowledge of the airport operation. It was unlikely that the consultancy support could be procured from another provider. The estimated cost of the contract is £25,000.

RESOLVED:

that the exemption to Contract Standing Order to enable the appointment of Cyrrus to undertake the analysis of the current Instrumental Landing System and identify works required for upgrade to enable continued development in the West End of East Devon, be agreed.

REASON:

To ensure that East Devon were able to support the continued development of employment space in the West End of the district without adverse impact upon Exeter International Airport.

The Chairman welcomed newly elected Councillor Eleanor Rylance and Sue Howl, the new Democratic Services Manager.

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
Ian Thomas Finance
Tom Wright Corporate Business

Cabinet Members without Portfolio:

Geoff Pook
Eileen Wragg

Non-Cabinet apologies:

Ian Hall
Mike Howe
Pat Graham
Val Ranger
Brenda Taylor
Mark Williamson

Officer apologies:

Mark Williams, Chief Executive

Also present (for some or all of the meeting)

Councillors:

Megan Armstrong
Brian Bailey
Colin Brown
Jenny Brown
Maddy Chapman
Bruce de Saram
Alan Dent
John Dyson
Peter Faithfull
Steve Gazzard
Roger Giles
Graham Godbeer
Steve Hall
Marcus Hartnell
John Humphreys
Geoff Jung
Rob Longhurst
John O'Leary
Eleanor Rylance
Pauline Stott

Also present:

Officers:

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

Ed Freeman, Service Lead – Planning Strategy and Development Management

Andy Wood, East of Exeter Projects Director

Sue Howl, Democratic Services Manager

Amanda Coombes, Democratic Services Officer

Chairman Date.....