

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 13 July 2017

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.04pm.

***21 Public Speaking**

Mr Roger Sherriff and Councillor Chris Kitson wished to speak on agenda item 18 relating to Budleigh Salterton Neighbourhood Plan Examiner's report.

***22 Minutes**

The minutes of the Cabinet meeting held on 14 June 2017 were confirmed and signed as a true record.

***23 Declarations**

None

***24 Matters of urgency**

None

***25 Matters referred to the Cabinet**

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

***26 Exclusion of the public**

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

***27 Forward Plan**

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

***28 Minutes of the Recycling and Waste Partnership Board held on 25 May 2017**

Members received the Minutes of the Recycling and Waste Partnership Board held on 25 May 2017. The prospect of future green waste collections for the district was discussed.

***29 Minutes of Housing Review Board held on 15 June 2017**

Members received the Minutes of Housing Review Board held on 15 June 2017.

RESOLVED (1) that the following recommendations be noted:

Minute 7 Procurement of the housing responsive repairs and works to void properties contract

1. the final options report from echelon and consider the models proposed for the renewal of the responsive repairs and work to void properties contract.

Minute 11 Communal cleaning

1. the current position and future plans for the cleaning of communal housing areas.

Minute 12 Spending Right to Buy receipts

1. the update report on the use of Right to Buy receipts and Housing Revenue Account funding to secure suitable property to add to the Council's housing stock.

RESOLVED (2) that the following recommendations be agreed:

Minute 7 Procurement of the housing responsive repairs and works to void properties contract

2. the outsourcing option as the preferred approach to procuring a new contract and securing service improvements.

Minute 9 Housing strategy update

Minute 10 Decommissioning of sheltered housing update

1. the decision to cease the process of decommissioning certain sheltered properties,
2. those properties already decommissioned were re-commissioned.

Minute 11 Communal cleaning

2. the appointment of two further members of cleaning staff.

Minute 12 Spending Right to Buy receipts

2. delegated authority to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities, and Chair of the Housing Review Board to approve further purchases to meet 2017/18 and 2018/19 Right to Buy spending deadlines using the Housing Revenue Account funding, or other such funding, as match funding.
3. a new form for Right to Buy applications designed to counter fraudulent claims.

Minute 13 Housing Revenue Account outturn report 2016/17

1. the Housing Revenue Account outturn position for 2016/17.
2. an adopted range between £2.1m and £3.1m was determined for the HRA balance, and £3.977m held above this level was transferred to a new reserve called 'future housing development fund',
3. £2.8m was transferred from the HRA business plan volatility fund into the future housing development fund.

***30 Minutes of the STRATA Joint Scrutiny Committee held on 15 June 2017**

Members noted the Minutes of the STRATA Joint Scrutiny Committee held on 15 June 2017

***31 Minutes of the STRATA Joint Executive Committee held on 20 June 2017**

Members noted the Minutes of the STRATA Joint Executive Committee held on 20 June 2017.

RESOLVED (1) that the following recommendation be agreed:

Minute 21 Strata Budget Monitoring Out-Turn Report 2016/17

3. the three Councils approved the appointment of two Project Managers and one Supplier Engagement Manager on fixed term contracts for two years. The cost was estimated at £132,000 a year, with the balance of funding coming from anticipated additional savings generated by the Supplier Engagement Manager.

***32 Minutes of the Scrutiny Committee held on 22 June 2017**

Members received the Minutes of the Scrutiny Committee held on 22 June 2017.

RESOLVED (1) that the following recommendation be noted:

Minute 7 Scrutiny Forward Plan

the Chief Executive's report to Cabinet on his two priority areas after the Parliamentary Election included explanation of the postal vote issue of 25 May 2017 that did not have an official security mark visible on the front of the ballot paper.

33 Electoral Review of East Devon – Final Recommendations

Members noted the Local Government Boundary Commission for England had now published its final recommendations for the new electoral arrangements for East Devon.

***34 Monthly Performance reports – May 2017**

The report set out performance information for the 2017/18 financial year for May 2017. This allows Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

There were three indicators that showed excellent performance:

- Percentage of Non-domestic Rates Collected
- Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
- 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 - Two appeal decisions were received during May, one appeal was allowed and one was a split decision. Seven decisions had now been received which was only a small sample of the total number of appeals received over the year. The decisions were being monitored, although it was anticipated that as the number of appeal decisions increase, the performance figure would stabilise.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for May 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.

***35 Corporate Counter Fraud and Compliance Strategy – 2017-2020**

The Strategic Lead - Finance presented the report, which asked Members to approve the new strategy relating to the Council's Corporate Counter Fraud and Compliance work. Not adopting this strategy would mean there would be no clear corporate direction of travel for this area of work. This would risk the aims of the Anti-Fraud, Theft and Corruption Policy and also Regulatory Enforcement and Prosecution Policy not being met.

RESOLVED:

that the Corporate Counter Fraud and Compliance Strategy for 2017-2020 be agreed.

REASON:

Adopting the strategy would give assurance to the Audit and Governance Committee and give a robust approach to fraud and error within East Devon.

***36 Annual Treasury Management Review 2016/17 – 1 April 2016 to 31 March 2017**

The Strategic Lead - Finance highlighted the report, which detailed the overall position and performance of the Council's Treasury Management Strategy during 2016/17.

RESOLVED:

that the investment values and performance for the year to 31 March 2017 be reviewed and noted.

REASON:

The Council was required by regulations issued under the Local Government Act 2003 and the Code of Practice on Treasury Management in Public Services published by the Chartered Institute of Public Finance & Accounting (CIPFA) to produce an annual review of its treasury management activities and performance.

***37 Broadclyst Neighbourhood Area – redesignation**

The report proposed that the Broadclyst Neighbourhood Area should be redesignated to cover the whole Parish.

RESOLVED:

that the designation of the whole Parish of Broadclyst as a Neighbourhood Area be agreed.

REASON:

In October 2013 Members agreed to designate part of the parish of Broadclyst as a Neighbourhood Area. The agreed area was smaller than that originally proposed by the Parish Council as Members felt that strategic planning areas should be excluded. Since then, a new Parish boundary had been agreed through a boundary review and the legislation had changed so that the District Council could not object to the designation of neighbourhood areas which followed parish boundaries.

***38 Budleigh Salterton Neighbourhood Plan Examiners Report**

Mr Roger Sheriff Chairman of Budleigh Salterton Neighbourhood Plan Steering Group, thanked EDDC for all the help and support they had received, especially Tim Spurway and Claire Rodway who responded to their requests of support quickly and professionally.

Councillor Chris Kitson said he was not mandated to speak on behalf of the Town Council although there were no adverse comments from the Town Council on the Examiner's report. He repeated the Plan's aims to support housing and business development as well as improve medical services.

Councillor Steve Hall, Ward Member stated this was a well-executed document. Although the Steering Group would have liked control of 100% of the hospital gardens, they were happy to work with the 50% set by the Examiner.

Councillor Tom Wright, Ward Member congratulated Roger Sherriff and his team for getting the Plan to this stage.

The Budleigh Salterton Neighbourhood Plan referendum would be held in September 2017 to avoid the August holidays where participation could be affected.

The report provided feedback and set out proposed changes following the examination of the Budleigh Salterton Neighbourhood Plan.

RESOLVED:

1. that the examiners recommendations on the Budleigh Salterton Neighbourhood Plan, be endorsed,
2. that a 'referendum version' of the Neighbourhood Plan (incorporating the examiners modifications) should proceed to referendum and a decision notice to this effect be published, be agreed,
3. that the Neighbourhood Plan group be congratulated on their hard work.

REASON:

The legislation required a decision notice to be produced at this stage in the process. The Neighbourhood Plan was the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications, which, in most part, were accepted by the Town Council. One modification was not accepted by the Town Council and Members were asked to consider whether there were grounds to disregard the Examiners recommendation in this respect.

***39 East Budleigh with Bicton Neighbourhood Plan to be formally 'made'**

The East Budleigh with Bicton Neighbourhood Plan had now passed referendum and it must be formally 'made' by East Devon District Council for it to form part of the development plan.

RESOLVED:

1. that the East Budleigh with Bicton Neighbourhood Plan was 'made' so it forms part of the development plan,
2. that the Neighbourhood plan group be congratulated on all their hard work and advised that once 'made' the East Budleigh with Bicton Plan would carry its full weight in the planning decision making process.

REASON:

The East Budleigh with Bicton Neighbourhood Plan received a majority 'yes' vote in the referendum as required by the regulations and there was no substantive reason not to 'make' the Plan.

***40 Additional capital budget for new recycling and waste collection service mobilisation**

The Strategic Lead – Housing, Health and Environment requested an additional capital budget of £152,116 in order to complete the capital mobilisation of the new recycling and waste collection contract. Originally a capital budget of £6m was set for the capital elements of the new service roll out. It looked like the original spend was going to be under £5m for all the capital elements, so a portion of the original budget was offered as a saving.

The report showed why the request for an amount of this saving back to complete the capital parts of this large project was being asked for. This was mostly because of additional recycling sacks required for the mobilisation due to high levels of participation and for an improved electricity supply at the Greendale depot to power larger scale bailing equipment. This would cope with the higher than predicted amounts of recycle being collected under the new scheme (25% higher than modelled).

RESOLVED:

that the additional capital spend of £152,116 for the new recycling & waste service roll out be agreed.

REASON:

To allow the successful capital mobilisation of the new collection service, giving the best chance of it succeeding and collection partner Suez being able to keep on top of processing the recyclate being collected.

*41 **Corporate Health and Safety Policy**

The Service Lead - Environmental Health and Car Parks asked Members to consider and approve the Council's revised policy, which set out how a culture of safe workplaces and safe systems of working throughout the organisation would be promoted.

RESOLVED:

that the revised policy be approved.

REASON:

The Council was a major employer and was legally required to comply with the Health and Safety at Work etc. Act 1974. Alongside general duties to protect the health, safety and welfare of employees and anyone else affected by its activities, there was an express legal requirement to produce a written policy. This should set out what arrangements were made for complying with the law and specify who was responsible for implementing these arrangements.

Attendance list

Present:

Paul Diviani Leader

Portfolio Holders:

Ian Thomas Finance
Tom Wright Environment
Marcus Hartnell Deputy Portfolio Holder Environment
Iain Chubb Corporate Services
Phil Twiss Deputy Leader/Strategic Planning and Developments

Cabinet Members without Portfolio:

Geoff Pook
Eileen Wragg

Cabinet apologies:

Jill Elson Sustainable Homes and Communities
Phil Skinner Economy

Non-Cabinet apologies:

Rob Longhurst
Mark Williamson
Roger Giles
Simon Grundy
Alan Dent
John Dyson

Steve Gazzard
Colin Brown
Jenny Brown
Brenda Taylor

Also present (for some or all of the meeting)

Councillors:

Brian Bailey
Bruce de Saram
Steve Hall
Geoff Jung
Pauline Stott
Mike Howe
Cherry Nicholas
Ian Hall
Maddy Chapman
John O’Leary
Cathy Gardner
Marianne Rixson
Helen Parr
David Barratt
Andrew Moulding
Eleanor Rylance

Also present:

Officers:

Mark Williams, Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead – Housing, Health and Environment
Karen Jenkins, Strategic Lead – Organisational Development and Transformation
Andrew Ennis, Service Lead - Environmental Health and Car Parks
Ed Freeman, Service Lead - Planning Strategy and Development Management
Anita Williams, Principal Solicitor (& Deputy Monitoring Officer)
Amanda Coombes, Democratic Services Officer

Chairman Date.....