

Agenda for Council

Wednesday, 24 February 2016; 6.30pm



To: [All elected Members of the Council](#); Honorary Aldermen

Venue: Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

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Prior to the formal start of the meeting, the Chairman will invite Revd Robin Laird to say a prayer.

Dear Sir/Madam

Meeting of the Council of the District of East Devon on Wednesday 24 February 2016 at 6.30 pm

You are called upon to attend the above meeting to be held in the Council Chamber, Knowle, Sidmouth. It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers expedient.

Yours faithfully

A handwritten signature in black ink, appearing to read "Mark Williams".

Chief Executive

Note: This meeting is being audio recorded by EDDC for subsequent publication on the Council's website.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Agenda:

1 Honorary Alderman Barry Willoughby

Members are invited to stand at the start of the meeting as a mark of respect for Honorary Alderman Barry Willoughby who passed away in December.

2 [Public speaking](#)

3 Minutes of the Ordinary Council meeting held on [16 December 2015](#) and Extra Ordinary meeting of the Council held on [28 January 2016](#)

4 Apologies

5 [Declarations of interest](#)

6 [Matters of urgency](#) – none identified

7 Announcements from the Chairman and Leader

8 Confidential/exempt items – there are no items which Officers recommend should be dealt with in this way but if confidential minutes from Cabinet and/or the Council's Committees are being discussed, Officers may recommend consideration in the private part of the meeting.

9 Presentation of Long Service Awards

10 Revenue Estimates, Capital Programme & Council Tax 2016/17 (pages 4-12)

- a) To consider the report of the Council's Section 151 Officer, Strategic Lead - Finance, and the recommendations contained therein which include approval of the recommendations of the Cabinet on 10 February 2016 relating to the Council's Revenue and Capital Estimates for 2016/17 and precept details of the parish and town councils, Devon County Council, Devon and Cornwall Police Authority and the Devon and Somerset Fire and Rescue Authority.
- b) To approve the calculations for setting the Council Tax in accordance with the Local Government Finance Act 1992 as amended by the Localism Act 2011. These calculations form the basis of the formal setting of the Council Tax for the District.

Note 1 The precept levels of other precepting bodies are detailed in the report. Devon County Council meet to agree their Council Tax requirement on the 18 February and Devon & Somerset Fire & Rescue Authority meet on the 19 February. Therefore the amounts in the report are based on recommendations only at this stage. If amendments are made to these provisional figures then the report will be updated and circulated accordingly.

Note 2 a recorded vote will be taken of the vote on this item so that there is a record of how Members have voted in budget setting (legislation which came into force on 25 February 2014 - The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014).

11 To answer questions asked by Members of the Council pursuant to Procedure Rules No 9.2 and 9.5.

12	Reports from the Cabinet and the Council's Committees and questions on those reports:		
	Cabinet	Minutes	142 -163, 164 - 188
	†Overview Committee	Minutes	24 - 29
	†Scrutiny Committee	Minutes	41 - 44
	†Overview and Scrutiny Committees – joint meeting	Minutes	15 - 20, 21 - 26, 27 - 32
	†Housing Review Board	Minutes	49 - 63
	Development Management Committee	Minutes	52 - 56, 57 - 62
	Audit and Governance Committee	Minutes	33 - 39
	Standards Committee	Minutes	9 - 17
	Licensing and Enforcement Sub Committee	Minutes	25 - 28, 29 - 30, 31 - 33

†The recommendations of these meetings have already been referred to Cabinet for consideration

13 Motion: financial settlements for local authorities

"This Council is concerned that successive governments have made financial settlements for local authorities in Devon which are disadvantageous compared with the settlements for councils elsewhere. The Council therefore agrees to seek the support of the three Members of Parliament representing East Devon in pressing government to ensure that East Devon District Council receives a fair settlement which reflects the needs of East Devon for the 2016/17 and successive financial years."

Proposed by Councillor Roger Giles, Seconded by Councillor Susie Bond and supported by Councillors Marianne Rixson, Val Ranger, Cathy Gardner and Peter Faithfull.

14 Compulsory Purchase Order exchanging inalienable land in the ownership of the National Trust with land owned by the Diocese of Exeter at the request of the Parish Council of Branscombe to provide an extension to the St Winifred's graveyard (pages 13-14)

Confirmation of the making of a Compulsory Purchase Order in the parish of Branscombe.

Please note that under Procedure Rule 9.2, Councillors may submit written questions to Council Leader or specific Portfolio Holders

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

Report to: Council
Date of Meeting: 24 February 2016
Public Document: Yes
Exemption: None



Review date for release

Agenda item: 10

Subject: Council Tax Resolution 2016/17

Purpose of report: The purpose of this report is to enable the Council to calculate and set the Council Tax for 2016/17.

In agreeing to Cabinet recommendations on the Revenue and Capital Estimates 2016/17 (Minute Number 176) on the 10 February 2016 this gives the Council Tax requirement for this Council of £7,150,899 resulting in a Council Tax Band D amount of £126.78. This is an increase of £5 a year (4.1%); the first increase for 5 years and within the threshold stipulated by government before triggering a council tax referendum. East Devon District Council currently has the 14th lowest Council Tax out of 202 other like authorities. For comparison a £5 increase in the current year would have placed it at the 21st lowest.

The Council Tax setting process is that all preceptors (Devon County Council, Police and Crime Commissioner for Devon and Cornwall, Devon & Somerset Fire & Rescue Authority and town and parish councils) will set their budgets and relevant council tax requirement and then this Council, as the billing authority, will formally set the Council Tax for the area to include all amounts to be collected. This report sets out the details of this Council's Council Tax requirement and the precepts for other bodies.

Recommendation: To approve the formal Council Tax Resolution at Appendix A

Reason for recommendation: The Council as a billing authority is required to set the Council Tax for 2016/17

Officer: Simon Davey, Strategic Lead – Finance (CFO/S151)
sdavey@eastdevon.gov.uk; 01395 517490

Financial implications: This report sets the Council's Council Tax requirement for 2016/17 which is derived from its Budget Requirement as previously debated and finally recommended by Cabinet on 10 February 2016.

Legal implications: There are no legal observations required

Equalities impact: Low Impact

Risk: Low Risk

Links to background information:

Link to Council Plan: Funding approval to meet the Council Plan

Report in full

1 Council Tax Resolution 2016/17

1.1 The precept levels of other precepting bodies are detailed below. **Devon County Council meet to agree their Council Tax requirement on the 18 February and Devon & Somerset Fire & Rescue Authority meet on the 19 February; therefore the amounts below are based only on recommendations at the stage of writing this report.** If amendments are made to these provisional figures then this report will be updated and circulated to Council accordingly.

- **Town & Parish Councils**

The Town & Parish Council Precepts for 2016/17 are detailed in Schedule 1 and total £2,739,404.64. The increase in the average Band D Council Tax for Town and Parish councils is 15.42% and results in an average Band D Council Tax figure of £48.57 for 2016/17.

- **Devon County Council**

Devon County Council precept set at £68,114,598.48. This results in a Band D Council Tax of £1,207.62. This is a total increase of 3.99%; which includes a new charge for adult social care services representing 2% of the increase.

- **Police and Crime Commissioner for Devon and Cornwall**

Police and Crime Commissioner for Devon and Cornwall set their precept at £9,748,867.36. This results in a Band D Council Tax of £172.84, being a 1.99% increase on the previous year.

- **Devon & Somerset Fire & Rescue Authority**

Devon & Somerset Fire & Rescue Authority set their precept at £4,511,191.92. This results in a Band D Council Tax of £79.98, being a 1.99% increase on the previous year.

1.2 This Council's calculations are set out in the formal Council Tax Resolution in Appendix A. This follows Cabinet's recommendation to Council on the 2016/17 budget.

- 1.3 This recommendation is reflected in the formal Council Tax Resolution at Appendix A and the total Band D Council Tax will be as follows:

COUNCIL TAX LEVIES	2015/2016	2016/2017	Variation
	£	£	%
East Devon District Council	121.78	126.78	4.1
Parish & Town Councils (Average)	42.08	48.57	15.42%
Sub Total	163.86	175.35	-
Devon County Council	1,161.27	1,207.62*	3.99%
Police and Crime Commissioner for Devon and Cornwall	169.47	172.84	1.99%
Devon & Somerset Fire & Rescue Authority	78.42	79.98	1.99%
TOTALS	£1,573.02	£1,635.79	3.99%

* This increase of 3.99% includes a new charge for adult social care services representing 2% of the increase.

The Council is recommended to resolve as follows:

1. It be noted that on 6 January 2016 the Cabinet (minute reference 159 refers) calculated the Council Tax Base 2016/17
 - (a) for the whole Council area as 56,404 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as detailed in Schedule 1 attached.
2. As a preliminary step, calculate that the Council Tax requirement for the Council's own purposes for 2016/17 (excluding Parish precepts) is £7,150,899
3. That the following amounts be calculated for the year 2016/17 in accordance with Sections 30 to 36 of the Act:
 - (a) £94,910,412 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £85,020,108 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £9,890,304 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £175.35 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £2,739,405 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule 1).
 - (f) £126.78 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
 - (g) The amounts stated in column 5 of the schedule 1 attached given by adding to the amount at 3(f) above the amounts of the special item

or items relating to dwellings in those parts of the Council's area specified in column 1 of Schedule 1 divided in each case by the amount at 1(a) above, calculated by the Council in accordance with Section 34(3) of the Act, as the basic amounts of its Council tax for the year for dwellings in those parts of its area set out in column 1 of Schedule 1 to which one or more special items relate.

- (h) The amounts set out in Schedule 2 attached given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted that for the year 2016/17 Devon County Council, Police and Crime Commissioner for Devon and Cornwall and Devon and Somerset Fire and Rescue Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands	Precepting Authority		
	Devon County Council	Police & Crime Com for Devon & Cornwall	Devon & Somerset Fire & Rescue
A	£805.08	£115.23	£53.32
B	£939.26	£134.43	£62.21
C	£1,073.44	£153.64	£71.09
<u>D</u>	<u>£1,207.62</u>	<u>£172.84</u>	<u>£79.98</u>
E	£1,475.98	£211.25	£97.75
F	£1,744.34	£249.66	£115.53
G	£2,012.70	£288.07	£133.30
H	£2,415.24	£345.68	£159.96

5. That, having calculated the aggregate in each case of the amounts at 3 (h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of council tax for the year 2016/17 for each of the categories of dwellings shown in Schedule 3.

The Council has determined that its relevant basic amount of Council Tax for 2016/17 is **not** excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2016/17 is excessive and therefore the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

SCHEDULE 1 2016/17					
Parish	Parish Precept	Tax Base	Basic Parish Tax	Basic Tax Parish + EDDC	Basic Tax + DCC + Fire Authority + Police & Crime Comm D&C
	£		£	£	£
All Saints	9,295.00	249	37.33	164.11	1,624.55
Awliscombe	3,914.00	231	16.94	143.72	1,604.16
Axminster	147,367.00	2536	58.11	184.89	1,645.33
Axmouth	11,361.00	244	46.56	173.34	1,633.78
Aylesbeare	6,814.00	261	26.11	152.89	1,613.33
Beer	16,354.00	667	24.52	151.30	1,611.74
Bishops Clyst	22,740.00	515	44.16	170.94	1,631.38
Brampford Speke	6,291.00	154	40.85	167.63	1,628.07
Branscombe	7,500.00	334	22.46	149.24	1,609.68
Broadclyst	199,698.00	1344	148.58	275.36	1,735.80
Broadhembury	7,731.00	305	25.35	152.13	1,612.57
Buckerell	3,075.00	109	28.21	154.99	1,615.43
Budleigh Salterton	101,533.00	2739	37.07	163.85	1,624.29
Chardstock	5,656.00	404	14.00	140.78	1,601.22
Clyst Honiton	6,020.00	104	57.88	184.66	1,645.10
Clyst Hydon	2,298.00	121	18.99	145.77	1,606.21
Clyst St George	6,054.00	361	16.77	143.55	1,603.99
Clyst St Lawrence	-	44	0.00	126.78	1,587.22
Colaton Raleigh	6,954.00	300	23.18	149.96	1,610.40
Colyton	48,275.24	1410	34.24	161.02	1,621.46
Combe Raleigh	1,160.00	96	12.08	138.86	1,599.30
Combpyne-Rousdon	3,550.00	201	17.66	144.44	1,604.88
Cotleigh	3,549.00	104	34.13	160.91	1,621.35
Cranbrook	100,000.00	1128	88.65	215.43	1,675.87
Dalwood	6,139.00	209	29.37	156.15	1,616.59
Dunkeswell	25,473.00	576	44.22	171.00	1,631.44
East Budleigh with Bicton	21,504.68	503	42.75	169.53	1,629.97
Exmouth	545,908.00	12378	44.10	170.88	1,631.32
Farringdon	3,575.00	149	23.99	150.77	1,611.21
Farway	1,957.00	128	15.29	142.07	1,602.51
Feniton	16,774.50	655	25.61	152.39	1,612.83
Gittisham	7,630.00	238	32.06	158.84	1,619.28
Hawkchurch	6,921.00	258	26.83	153.61	1,614.05
Honiton	236,408.00	3786	62.44	189.22	1,649.66
Huxham	-	41	0.00	126.78	1,587.22
Kilminster	10,584.00	392	27.00	153.78	1,614.22
Luppitt	10,685.00	207	51.62	178.40	1,638.84
Lympstone	42,000.00	826	50.85	177.63	1,638.07
Membury	6,911.00	266	25.98	152.76	1,613.20
Monkton	5,500.00	76	72.37	199.15	1,659.59
Musbury	5,229.00	236	22.16	148.94	1,609.38
Netherexe	-	26	0.00	126.78	1,587.22
Newton Poppleford	37,500.00	888	42.23	169.01	1,629.45
Northleigh	1,779.00	82	21.70	148.48	1,608.92
Offwell	2,724.00	183	14.89	141.67	1,602.11
Otterton	10,100.00	296	34.12	160.90	1,621.34
Ottery St Mary	165,651.00	3626	45.68	172.46	1,632.90
Payhembury	5,665.00	289	19.60	146.38	1,606.82
Plymtree	4,050.00	252	16.07	142.85	1,603.29
Poltimore	5,710.00	129	44.26	171.04	1,631.48
Rewe	8,892.00	186	47.81	174.59	1,635.03
Rockbeare	20,300.00	337	60.24	187.02	1,647.46
Seaton	229,841.00	3031	75.83	202.61	1,663.05
Sheldon	500.00	84	5.95	132.73	1,593.17
Shute	4,679.00	289	16.19	142.97	1,603.41
Sidmouth	419,135.00	6922	60.55	187.33	1,647.77
Southleigh	1,940.00	106	18.30	145.08	1,605.52
Stockland	5,891.00	320	18.41	145.19	1,605.63
Stoke Canon	7,800.00	235	33.19	159.97	1,620.41
Talaton	8,564.56	246	34.82	161.60	1,622.04
Uplyme	20,239.97	858	23.59	150.37	1,610.81
Upottery	12,656.00	317	39.92	166.70	1,627.14
Upton Pyne	6,328.69	219	28.90	155.68	1,616.12
Whimble	12,326.00	716	17.22	144.00	1,604.44
Widworthy	2,129.00	137	15.54	142.32	1,602.76
Woodbury	59,415.00	1377	43.15	169.93	1,630.37
Yarcombe	5,200.00	218	23.85	150.63	1,611.07
	2,739,404.64				

SCHEDULE 2 2016/17
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS (Town and Parish tax)

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	109.41	127.64	145.87	164.11	200.58	237.05	273.52	328.22
Awliscombe	95.81	111.79	127.75	143.72	175.65	207.60	239.53	287.44
Axminster	123.26	143.81	164.34	184.89	225.97	267.07	308.15	369.78
Axmouh	115.56	134.82	154.08	173.34	211.86	250.38	288.90	346.68
Aylesbeare	101.93	118.92	135.90	152.89	186.86	220.84	254.82	305.78
Beer	100.87	117.68	134.49	151.30	184.92	218.55	252.17	302.60
Bishops Clyst	113.96	132.96	151.94	170.94	208.92	246.92	284.90	341.88
Bramford Speke	111.75	130.38	149.00	167.63	204.88	242.14	279.38	335.26
Branscombe	99.49	116.08	132.65	149.24	182.40	215.57	248.73	298.48
Broadclyst	183.57	214.17	244.76	275.36	336.55	397.75	458.93	550.72
Broadhembury	101.42	118.33	135.22	152.13	185.93	219.75	253.55	304.26
Buckerell	103.33	120.55	137.77	154.99	189.43	223.88	258.32	309.98
Budleigh Salterton	109.23	127.44	145.64	163.85	200.26	236.68	273.08	327.70
Chardstock	93.85	109.50	125.13	140.78	172.06	203.35	234.63	281.56
Clyst Honiton	123.11	143.63	164.14	184.66	225.69	266.73	307.77	369.32
Clyst Hydon	97.18	113.38	129.57	145.77	178.16	210.56	242.95	291.54
Clyst St George	95.70	111.65	127.60	143.55	175.45	207.35	239.25	287.10
Clyst St Lawrence	84.52	98.61	112.69	126.78	154.95	183.13	211.30	253.56
Colaton Raleigh	99.97	116.64	133.29	149.96	183.28	216.61	249.93	299.92
Colyton	107.35	125.24	143.13	161.02	196.80	232.59	268.37	322.04
Combe Raleigh	92.57	108.01	123.43	138.86	169.71	200.58	231.43	277.72
Combpyne-Rousdon	96.29	112.35	128.39	144.44	176.53	208.64	240.73	288.88
Cotleigh	107.27	125.16	143.03	160.91	196.66	232.43	268.18	321.82
Cranbrook	143.62	167.56	191.49	215.43	263.30	311.18	359.05	430.86
Dalwood	104.10	121.45	138.80	156.15	190.85	225.55	260.25	312.30
Dunkeswell	114.00	133.00	152.00	171.00	209.00	247.00	285.00	342.00
East Budleigh with Bicton	113.02	131.86	150.69	169.53	207.20	244.88	282.55	339.06
Exmouth	113.92	132.91	151.89	170.88	208.85	246.83	284.80	341.76
Farringdon	100.51	117.27	134.01	150.77	184.27	217.78	251.28	301.54
Farway	94.71	110.50	126.28	142.07	173.64	205.22	236.78	284.14
Feniton	101.59	118.53	135.45	152.39	186.25	220.12	253.98	304.78
Gittisham	105.89	123.55	141.19	158.84	194.13	229.44	264.73	317.68
Hawkchurch	102.41	119.48	136.54	153.61	187.74	221.88	256.02	307.22
Honiton	126.15	147.17	168.19	189.22	231.27	273.32	315.37	378.44
Huxham	84.52	98.61	112.69	126.78	154.95	183.13	211.30	253.56
Kilmington	102.52	119.61	136.69	153.78	187.95	222.13	256.30	307.56
Luppitt	118.93	138.76	158.57	178.40	218.04	257.69	297.33	356.80
Lympstone	118.42	138.16	157.89	177.63	217.10	256.58	296.05	355.26
Membury	101.84	118.82	135.78	152.76	186.70	220.66	254.60	305.52
Monkton	132.77	154.90	177.02	199.15	243.40	287.66	331.92	398.30
Musbury	99.29	115.85	132.39	148.94	182.03	215.14	248.23	297.88
Netherexe	84.52	98.61	112.69	126.78	154.95	183.13	211.30	253.56
Newton Poppleford	112.67	131.46	150.23	169.01	206.56	244.13	281.68	338.02
Northleigh	98.99	115.49	131.98	148.48	181.47	214.47	247.47	296.96
Offwell	94.45	110.19	125.93	141.67	173.15	204.64	236.12	283.34
Otterton	107.27	125.15	143.02	160.90	196.65	232.41	268.17	321.80
Ottery St Mary	114.97	134.14	153.29	172.46	210.78	249.11	287.43	344.92
Payhembury	97.59	113.85	130.11	146.38	178.91	211.44	243.97	292.76
Plymtree	95.23	111.11	126.97	142.85	174.59	206.34	238.08	285.70
Poltimore	114.03	133.03	152.03	171.04	209.05	247.06	285.07	342.08
Rewe	116.39	135.80	155.19	174.59	213.38	252.19	290.98	349.18
Rockbeare	124.68	145.46	166.24	187.02	228.58	270.14	311.70	374.04
Seaton	135.07	157.59	180.09	202.61	247.63	292.66	337.68	405.22
Sheldon	88.49	103.24	117.98	132.73	162.22	191.72	221.22	265.46
Shute	95.31	111.20	127.08	142.97	174.74	206.52	238.28	285.94
Sidmouth	124.89	145.70	166.51	187.33	228.96	270.59	312.22	374.66
Southleigh	96.72	112.84	128.96	145.08	177.32	209.56	241.80	290.16
Stockland	96.79	112.93	129.05	145.19	177.45	209.72	241.98	290.38
Stoke Canon	106.65	124.42	142.19	159.97	195.52	231.07	266.62	319.94
Talaton	107.73	125.69	143.64	161.60	197.51	233.43	269.33	323.20
Uplyme	100.25	116.96	133.66	150.37	183.78	217.20	250.62	300.74
Upottery	111.13	129.66	148.17	166.70	203.74	240.79	277.83	333.40
Upton Pyne	103.79	121.09	138.38	155.68	190.27	224.87	259.47	311.36
Whimble	96.00	112.00	128.00	144.00	176.00	208.00	240.00	288.00
Widworthy	94.88	110.70	126.50	142.32	173.94	205.58	237.20	284.64
Woodbury	113.29	132.17	151.05	169.93	207.69	245.46	283.22	339.86
Yarcombe	100.42	117.16	133.89	150.63	184.10	217.58	251.05	301.26

SCHEDULE 3 2016/17								
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS, DEVON COUNTY COUNCIL, POLICE AND CRIME COMMISSIONER FOR DEVON & CORNWALL and DEVON & SOMERSET FIRE & RESCUE AUTHORITY								
Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	1,083.04	1,263.54	1,444.04	1,624.55	1,985.56	2,346.58	2,707.59	3,249.10
Awliscombe	1,069.44	1,247.69	1,425.92	1,604.16	1,960.63	2,317.13	2,673.60	3,208.32
Axminster	1,096.89	1,279.71	1,462.51	1,645.33	2,010.95	2,376.60	2,742.22	3,290.66
Axmouth	1,089.19	1,270.72	1,452.25	1,633.78	1,996.84	2,359.91	2,722.97	3,267.56
Aylesbeare	1,075.56	1,254.82	1,434.07	1,613.33	1,971.84	2,330.37	2,688.89	3,226.66
Beer	1,074.50	1,253.58	1,432.66	1,611.74	1,969.90	2,328.08	2,686.24	3,223.48
Bishops Clyst	1,087.59	1,268.86	1,450.11	1,631.38	1,993.90	2,356.45	2,718.97	3,262.76
Brampford Speke	1,085.38	1,266.28	1,447.17	1,628.07	1,989.86	2,351.67	2,713.45	3,256.14
Branscombe	1,073.12	1,251.98	1,430.82	1,609.68	1,967.38	2,325.10	2,682.80	3,219.36
Broadclyst	1,157.20	1,350.07	1,542.93	1,735.80	2,121.53	2,507.28	2,893.00	3,471.60
Broadhembury	1,075.05	1,254.23	1,433.39	1,612.57	1,970.91	2,329.28	2,687.62	3,225.14
Buckerell	1,076.96	1,256.45	1,435.94	1,615.43	1,974.41	2,333.41	2,692.39	3,230.86
Budleigh Salterton	1,082.86	1,263.34	1,443.81	1,624.29	1,985.24	2,346.21	2,707.15	3,248.58
Chardstock	1,067.48	1,245.40	1,423.30	1,601.22	1,957.04	2,312.88	2,668.70	3,202.44
Clyst Honiton	1,096.74	1,279.53	1,462.31	1,645.10	2,010.67	2,376.26	2,741.84	3,290.20
Clyst Hydon	1,070.81	1,249.28	1,427.74	1,606.21	1,963.14	2,320.09	2,677.02	3,212.42
Clyst St George	1,069.33	1,247.55	1,425.77	1,603.99	1,960.43	2,316.88	2,673.32	3,207.98
Clyst St Lawrence	1,058.15	1,234.51	1,410.86	1,587.22	1,939.93	2,292.66	2,645.37	3,174.44
Colaton Raleigh	1,073.60	1,252.54	1,431.46	1,610.40	1,968.26	2,326.14	2,684.00	3,220.80
Colyton	1,080.98	1,261.14	1,441.30	1,621.46	1,981.78	2,342.12	2,702.44	3,242.92
Combe Raleigh	1,066.20	1,243.91	1,421.60	1,599.30	1,954.69	2,310.11	2,665.50	3,198.60
Combpyne-Rousdon	1,069.92	1,248.25	1,426.56	1,604.88	1,961.51	2,318.17	2,674.80	3,209.76
Cotleigh	1,080.90	1,261.06	1,441.20	1,621.35	1,981.64	2,341.96	2,702.25	3,242.70
Cranbrook	1,117.25	1,303.46	1,489.66	1,675.87	2,048.28	2,420.71	2,793.12	3,351.74
Dalwood	1,077.73	1,257.35	1,436.97	1,616.59	1,975.83	2,335.08	2,694.32	3,233.18
Dunkeswell	1,087.63	1,268.90	1,450.17	1,631.44	1,993.98	2,356.53	2,719.07	3,262.88
East Budleigh with Bicton	1,086.65	1,267.76	1,448.86	1,629.97	1,992.18	2,354.41	2,716.62	3,259.94
Exmouth	1,087.55	1,268.81	1,450.06	1,631.32	1,993.83	2,356.36	2,718.87	3,262.64
Farringdon	1,074.14	1,253.17	1,432.18	1,611.21	1,969.25	2,327.31	2,685.35	3,222.42
Farway	1,068.34	1,246.40	1,424.45	1,602.51	1,958.62	2,314.75	2,670.85	3,205.02
Feniton	1,075.22	1,254.43	1,433.62	1,612.83	1,971.23	2,329.65	2,688.05	3,225.66
Gittisham	1,079.52	1,259.45	1,439.36	1,619.28	1,979.11	2,338.97	2,698.80	3,238.56
Hawkchurch	1,076.04	1,255.38	1,434.71	1,614.05	1,972.72	2,331.41	2,690.09	3,228.10
Honiton	1,099.78	1,283.07	1,466.36	1,649.66	2,016.25	2,382.85	2,749.44	3,299.32
Huxham	1,058.15	1,234.51	1,410.86	1,587.22	1,939.93	2,292.66	2,645.37	3,174.44
Kilmington	1,076.15	1,255.51	1,434.86	1,614.22	1,972.93	2,331.66	2,690.37	3,228.44
Luppitt	1,092.56	1,274.66	1,456.74	1,638.84	2,003.02	2,367.22	2,731.40	3,277.68
Lympstone	1,092.05	1,274.06	1,456.06	1,638.07	2,002.08	2,366.11	2,730.12	3,276.14
Membury	1,075.47	1,254.72	1,433.95	1,613.20	1,971.68	2,330.19	2,688.67	3,226.40
Monkton	1,106.40	1,290.80	1,475.19	1,659.59	2,028.38	2,397.19	2,765.99	3,319.18
Musbury	1,072.92	1,251.75	1,430.56	1,609.38	1,967.01	2,324.67	2,682.30	3,218.76
Netherex	1,058.15	1,234.51	1,410.86	1,587.22	1,939.93	2,292.66	2,645.37	3,174.44
Newton Poppleford	1,086.30	1,267.36	1,448.40	1,629.45	1,991.54	2,353.66	2,715.75	3,258.90
Northleigh	1,072.62	1,251.39	1,430.15	1,608.92	1,966.45	2,324.00	2,681.54	3,217.84
Offwell	1,068.08	1,246.09	1,424.10	1,602.11	1,958.13	2,314.17	2,670.19	3,204.22
Otterton	1,080.90	1,261.05	1,441.19	1,621.34	1,981.63	2,341.94	2,702.24	3,242.68
Ottery St Mary	1,088.60	1,270.04	1,451.46	1,632.90	1,995.76	2,358.64	2,721.50	3,265.80
Payhembury	1,071.22	1,249.75	1,428.28	1,606.82	1,963.89	2,320.97	2,678.04	3,213.64
Plymtree	1,068.86	1,247.01	1,425.14	1,603.29	1,959.57	2,315.87	2,672.15	3,206.58
Poltimore	1,087.66	1,268.93	1,450.20	1,631.48	1,994.03	2,356.59	2,719.14	3,262.96
Rewe	1,090.02	1,271.70	1,453.36	1,635.03	1,998.36	2,361.72	2,725.05	3,270.06
Rockbeare	1,098.31	1,281.36	1,464.41	1,647.46	2,013.56	2,379.67	2,745.77	3,294.92
Seaton	1,108.70	1,293.49	1,478.26	1,663.05	2,032.61	2,402.19	2,771.75	3,326.10
Sheldon	1,062.12	1,239.14	1,416.15	1,593.17	1,947.20	2,301.25	2,655.29	3,186.34
Shute	1,068.94	1,247.10	1,425.25	1,603.41	1,959.72	2,316.05	2,672.35	3,206.82
Sidmouth	1,098.52	1,281.60	1,464.68	1,647.77	2,013.94	2,380.12	2,746.29	3,295.54
Southleigh	1,070.35	1,248.74	1,427.13	1,605.52	1,962.30	2,319.09	2,675.87	3,211.04
Stockland	1,070.42	1,248.83	1,427.22	1,605.63	1,962.43	2,319.25	2,676.05	3,211.26
Stoke Canon	1,080.28	1,260.32	1,440.36	1,620.41	1,980.50	2,340.60	2,700.69	3,240.82
Talaton	1,081.36	1,261.59	1,441.81	1,622.04	1,982.49	2,342.96	2,703.40	3,244.08
Uplyme	1,073.88	1,252.86	1,431.83	1,610.81	1,968.76	2,326.73	2,684.69	3,221.62
Upton Pyne	1,084.76	1,265.56	1,446.34	1,627.14	1,988.72	2,350.32	2,711.90	3,254.28
Whimple	1,077.42	1,256.99	1,436.55	1,616.12	1,975.25	2,334.40	2,693.54	3,232.24
Widworthy	1,069.63	1,247.90	1,426.17	1,604.44	1,960.98	2,317.53	2,674.07	3,208.88
Woodbury	1,068.51	1,246.60	1,424.67	1,602.76	1,958.92	2,315.11	2,671.27	3,205.52
Yarcombe	1,086.92	1,268.07	1,449.22	1,630.37	1,992.67	2,354.99	2,717.29	3,260.74
Yarcombe	1,074.05	1,253.06	1,432.06	1,611.07	1,969.08	2,327.11	2,685.12	3,222.14

Report to: Council

Date of Meeting: 24 February 2016

Public Document: Yes

Exemption: None



Review date for release None

Agenda item: 14

Subject: **Compulsory Purchase Order exchanging inalienable land in the ownership of the National Trust with land owned by the Diocese of Exeter at the request of the Parish Council of Branscombe to provide an extension to the St Winifred's graveyard.**

Confirmation of the making of a Compulsory Purchase Order in the parish of Branscombe.

Recommendation: **That Council having been consulted recommends to Cabinet the confirmation of the Compulsory Purchase Order.**

Reason for recommendation: To progress the matter so that the two parcels of land can be conveyed between the National Trust and the Diocese of Exeter.

Officer: Giles Salter, Solicitor
gsalter@eastdevon.gov.uk

Financial implications: The only cost to the Council is the Final Public Notice confirming the Compulsory Purchase Order.

Legal implications: In line with the requirements of EDDC Constitution Council is required to be consulted on the making of a CPO and its confirmation recommended to Cabinet. The confirmation of the Order is required to be published in a local newspaper and the confirmed order served on all parties with an interest in the land. The Secretary of State has powers to revoke the Order at any time.

Equalities impact: Low Impact

Risk: Low Risk
The CPO can be revoked at anytime by the Secretary of State but the Order has been reviewed by the National Planning Casework Unit.

Links to background information:

Link to Council Plan: Living in this outstanding place.

Purpose of report:

1 Main Body of the Report

1. The churchyard of St Winifred's, Branscombe has two burial plots remaining before the graveyard is full. The St Winifred's Parochial Church Council in consultation with Branscombe Parish Council has been exploring the possible options for a number of years to seek an alternative burial site. The Parish Council and the Parochial Church Council requested that East Devon should assist and acquire the land by Compulsory Purchase Order in 2013.
2. This has been achieved by compulsorily purchasing an inalienable parcel of land from the National Trust and swapping it with land provided by the Diocese of Exeter.
3. The legal process has now concluded and the Council received confirmation from the National Planning Casework Unit on 14/01/2016 that this Council could confirm the CPO. The Order can be viewed at the link to this report.

Meeting of the Council – 24 February 2016

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EAST DEVON DISTRICT COUNCIL

Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 16 December 2015

Attendance list at the end of document.

The meeting started at 6.30 pm and ended at 8.05 pm

***41 Public Speaking**

The Chairman welcomed those present and invited members of the public to speak to the Council.

One question had been received with notice under the terms of 'questions and statements by the public' in respect of broadband provision in the area. The Chairman asked the member of the public to read out his questions to Council.

Question received with notice – Graham Long.

The Council may be aware that at their Phase 2 Supplier Day in Taunton on December 4, Connecting Devon & Somerset announced that it is proposing to include the whole of the East Devon Area in one "lot" along with half of Mid Devon and part of Taunton Deane for suppliers to bid for in the Phase 2 ITT they intend to publish in February.

Because CDS failed to secure a Phase 2 contract before June 30, 2015, the EU Competition Commissioner is now requiring the large area of the two counties to be broken into smaller lots and the East Devon/Mid Devon/Taunton Deane lot is one of 6 Phase 2 lots that CDS now envisage running open market tenders for, funded by the BDUK £22.75M Phase 2 allocation plus local match funding. Please answer the following questions:

1. Will EDDC be claiming the East Devon component of the £22.75M Phase 2 allocation from BDUK for its "pivotal broadband project" announced at the 2 December Cabinet meeting or is EDDC content to forgo that funding, allowing it to go to other areas of Devon & Somerset and rely solely on funding from the BDUK Innovation Fund?

2. If EDDC is successful in obtaining funding from the BDUK Innovation Fund, will EDDC also invest in the programme? If so what level of investment is EDDC envisaging making and what level of investment, if any, does EDDC envisage raising from the public sector?

Councillor Ian Thomas, Portfolio Holder, Finance, responded to the questions put by Mr Long, advising that they should be directed to Connect Devon and Somerset. He advised that there were two broad pieces of work – the Phase 2 project was intended to provide 95% Broadband coverage across the area, up from the 90% in the current contract. This was fundamentally different to the extra money that was being sought by the Council to extend coverage to 100%, rather than 95% - the two were not necessarily exclusive. Regarding the splits into smaller lots, which were a result of the EU Commissioner's intervention, this was an expectation expressed by Connecting Devon and Somerset some months ago. This was due to BT not being likely to want to take on the larger geographic area, and also, if it was envisaged that smaller contractors and suppliers were going to

take up the work, there would only be a few capable of taking on the whole of the geographic area.

The Chairman advised that under the Council's terms in respect of questions submitted in advance, the questioner now had the right to ask a supplementary question relevant to the original question printed above.

Mr Long advised that in the second part of his question he had asked about the funding that the District Council envisages investing and at what level – he said that this had not been answered. In response Cllr Thomas advised that he would follow the questions up with the Portfolio Holder responsible, who unfortunately was not able to be present at the meeting, and would provide a written answer. However, he could advise that in relation to the BDUK innovation fund, the District Council had made an expression of interest which was a positive step and, in relation to the match funding of Phase 2, as far as he was aware, no District Council had yet put forward funds.

The Chairman thanked Mr Long for his questions. Five other members of the public had indicated they wished to address the Council and the Chairman invited each of them forward in turn. As all of the questions and statements related to the development of Exmouth seafront, the Chairman advised that an answer would be provided after all the speakers had been heard.

Honorary Alderman Trevor Cope highlighted the rapid changes within Exmouth. He asked that when plans relating to the redevelopment of the seafront became available they should be published in the public domain without delay.

Lousie MacAllister spoke about the Exmouth Seafront Survey produced by Cllr Megan Armstrong. She advised that as a researcher she had considered the results of survey – respondents had included both residents and visitors - and prepared a report. She asked for the opportunity to be able to present the data to the Council. She advised that she did not feel that some Councillors had taken the results of the survey seriously and asked how the results would be used when making decisions regarding the seafront redevelopment.

Kellishea Gillard referred to the consultation undertaken at Exmouth Community College regarding plans for the redevelopment of the seafront, which she advised had included a water park. She felt that students had been misled, as since the consultation the plans had changed. She asked the Council how they could justify supporting plans for the redevelopment of the seafront which were so different from those that had been consulted on.

Malcolm Marrett advised that during a consultation in December 2012 on the redevelopment of Exmouth seafront, the public had been advised that there would be no new residential accommodation. However, proposals revealed in August 2015 showed an area between the Bowling Green and Lifeboat station with two three storey blocks to include flats and retail with no local recreation areas. He advised that the public had been misled and that the public should be re-consulted if it was now the Council's intention to provide residential accommodation in the area.

Alec Huett referred to the maintenance and clearance of the large amounts of sand build up on Queen's Drive, which was currently being undertaken by the Council, and asked who would be responsible for the maintenance if the area was redeveloped.

The Chairman thanked the members of the public for their questions and invited the Deputy Chief Executive to respond. In response the Deputy Chief Executive advised that:

- The Council had received, and would continue to receive, a lot of correspondence relating the redevelopment of the seafront.
- With regard to plans for the redevelopment, early drawings had been in circulation - however beyond that there were no firm proposals at this stage.
- Cllr Armstrong's Exmouth Seafront survey had been circulated to all Members. Alongside the Council's formal consultation it further showed the breadth of opinions of residents and visitors and it would be made available to the development partners.
- EDDC had gained a lot of constructive suggestions from the students at Exmouth College. This had been part of an extensive mix of consultation undertaken by EDDC regarding the developing plans for Queens Drive.
- Regarding the residential proposals, this was not something that had been originally included for the area in question within the outline planning permission. Any proposals to include residential use by developers would need to be agreed through the planning process. This would include consultation and the opportunity for the public to comment.
- This was a seafront with two miles of sandy beach and sand blew over the sea wall. Businesses had and would continue to operate right on the seafront. Any development in the area would involve cleaning and maintenance solutions.

***42 Minutes**

The minutes of the meeting of the Council held on 21 October 2015 were confirmed and signed as a true record.

***43 Declarations of interest**

Councillor Steve Gazzard; Minute No.49

Type of interest – Personal

Reason – Exeter City Football Club Trust Member and season ticket holder

Councillor Stuart Hughes; Minute No.49

Type of interest – Personal

Reason – Exeter City Football Club Trust Member

Councillor Roger Giles; Minute No.49

Type of interest – Personal

Reason – Exeter City Football Club Trust Member and season ticket holder

***44 Exclusion of the public**

Officers recommended that consideration of Cabinet Minute 133 – Heart of the South West Devolution be discussed in Part B due to it relating to the business affairs of the Council and the details of the bid being embargoed.

***45 Matters of urgency**

No matters of urgency had been identified.

***46 Chairman/Leader notices/announcements**

- a) The Chairman advised with sadness that former Councillor Ken Turner had passed away in October. Ken was elected in 1991 and represented Exmouth Withycombe Raleigh Ward until 1999, when he decided not to seek re-election. During his time on the District Council, Ken had served on a range of Committees including Policy, Exmouth Town, Planning, Amenities and Public Health. He also served this Council on a number of Sub-Committees which dealt with sports and culture. The Chairman invited Members to stand in silence as a mark of respect.
- b) The Chairman invited Members, Honorary Aldermen, partners and Offices to join him for his Christmas reception at the close of the meeting.
- c) The Chairman reminded Members to check their pigeon holes for post before leaving the offices.

***47 Questions (Procedure Rules 9.2 and 9.5)**

Nine questions had been submitted in accordance with Procedure Rule 9.2 - the printed [questions and answers](#) were circulated at the meeting. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). The responses to the supplementary questions are set out below.

- a) Question 1 – Before asking his supplementary question Cllr Longhurst advised that he did not feel that his questions had been adequately answered. In response, the Deputy Chief Executive commented on each of the questions asked:
 - a. It was reiterated that there were legal proceeding that prevented consultations proceeding at this stage.
 - b. Response to the question gave endorsement.
 - c. There would be public consultation in advance of any planning permission being granted.
 - d. Consultations would be proceed as soon as possible, however as advised there were legal proceeding that had to be adhered to first.

In response to the supplementary question, the Leader confirmed that the consultation would be fair and impartial and that there was no reason that Members from the opposition party/group could respond into any consultation process.

- b) Question 2 – In response to the supplementary question the Deputy Chief Executive clarified that the Exmouth Regeneration Executive Group was made up of Officers and Members and was chaired by the Portfolio Holder – Strategic Development and Partnerships. The role of the Group was to take forward the decisions of Cabinet and Council relating to the regeneration of Exmouth and inform the Regeneration Board.

- c) Question 3 – In response to the supplementary question the Deputy Chief Executive advised that the Council had agreed a budget for enabling infrastructure relating to Queen's Drive. Negotiations would continue to secure capital receipts from future development.
- d) Question 4 – In response to the supplementary question, the Leader advised that he was not aware of any Councillor using their representation on an outside body to promote their private interest. However, he would follow this up with the Councillor concerned.
- e) Question 5 – No supplementary question asked.
- f) Question 6 – In response to the supplementary question, the Portfolio Holder – Environment referred the Councillor to the answer given regarding difficulties with composting at the depots and issues with debris. He highlighted that EDDC had one of the highest recycling rates in the Country.
- g) Question 7 – No supplementary question asked.
- h) Question 8 – In response to the supplementary question, the Deputy Chief Executive advised that future documents relating to the relocation from the Knowle would be provided on a 'real time' basis. He congratulated officers for publishing the documents to date in such a short time frame, having had to check confidentiality and completeness – this was on top their other work responsibilities.
- i) Question 9 – In response to the supplementary question, the Leader advised that there was £10m of funding available from April 2016 which had not yet been allocated.

***48 Minutes of Cabinet and Committees**

RESOLVED

1. that the under-mentioned minutes be received and the recommendations approved

Cabinet

Minutes 107 – 121, 122 – 141 (excluding minute 133 which was considered in Part B)

Development Management Committee

Minutes 44 - 51

Audit and Governance Committee

Minutes 25 - 32

Licensing and Enforcement Committee

Minutes 13 - 18

Licensing and Enforcement Sub Committee

Minutes 21 - 24

2. that the under-mentioned minutes be received.

Cabinet (minutes 115, 130, 131, 132) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

Overview Committee

Minutes 14 - 23

Scrutiny Committee

Minutes 25 – 33, 34 – 40

Overview and Scrutiny Committees – joint meeting

Minutes 9 – 14

Housing Review Board

Minutes 34 - 48

Arising from consideration of the above minutes:-

a) South East Devon Habitat Regulations Joint Committee (Cabinet Minute 120, recommendation 4)

The Strategic Lead – Legal, Licensing and Democratic Services advised Members that since Cabinet had put forward the recommendations at its meeting on 4 November, due to the position adopted by Teignbridge District Council and no action by Exeter City Council, further discussion was required with Exeter City Council and Teignbridge District Council regarding the scrutiny arrangements for the Joint Committee. The matter was therefore deferred.

b) Scrutiny Committee

In presenting the minutes, the Chairman, Cllr Roger Giles, wished to thank members of the Committee and officers, particularly Debbie Meakin, for their work over the past few months.

c) Licensing and Enforcement Committee

In presenting the minutes, the Chairman, Cllr Steve Hall, drew Members' attention to minute 16 – Licensing Act 2003 as a recommendation to the Council – this was not clear from the minutes.

***49 Changes to representation on Outside Body**

Members were asked to formally allocate Councillors (one member, plus two substitutes) to formally represent the Council at future meetings of the Salisbury-Exeter Lineside Consortium of Authorities (SELCA). Formal representation from the Council would appropriately acknowledge the importance of rail transport to the district and help to promote future improvements to the service.

RESOLVED

that Councillor David Foster be appointed to represent the Council at meetings of the Salisbury-Lineside Consortium of Authorities (SELCA) and Councillors Brian Bailey and Phil Twiss be appointed a substitute representatives.

***50 Presentation – Football in the Community, Exeter City Football Club**

Member received a presentation from Julian Tagg and Jamie Vittles from Exeter City Football Club on the Club's Football in the Community scheme. The presentation included details of this 'not for profit scheme' and the positive work carried out for the benefit of the wider community including hard to reach groups. The Council was asked to work with the Club as a key partner. The strategic aims of the Community Scheme, which were far broader than football provision, were:

- Sports participation
- Education
- Inclusion
- Health and well being

The Chairman thanked Mr Vittles and Mr Tagg for their informative and positive presentation.

***51 Exclusion of the public**

that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, being information relating to the business affairs of the Council, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B).

***52 Heart of the South West Devolution – (Cabinet minute 133)**

The Leader presented the minute which included a recommendation to Council that the Leader to be given delegated authority to sign the proposed Devolution Bid on behalf of EDDC. The item had been taken in Part B (Private Session) to allow Members to question the detail of the Bid as this was currently embargoed.

The Chairman invited questions – there were none.

The approval of the minute and related recommendation would be held over to an appropriate meeting of the Council in the New Year.

Attendance list

Councillors present:

Stuart Hughes (Chairman)
Helen Parr (Vice Chairman)
Mike Allen
Megan Armstrong
Brian Bailey
David Barratt
Dean Barrow
Matthew Booth
Peter Bowden
Colin Brown
Paul Carter
David Chapman
Iain Chubb
Matt Coppel
Paul Diviani
John Dyson
Jill Elson

Peter Faithfull
David Foster
Cathy Gardner
Steve Gazzard
Roger Giles
Graham Godbeer
Pat Graham
Alison Greenhalgh
Simon Grundy
Maria Hale
Steve Hall
Marcus Hartnell
John Humphreys
Ben Ingham
Geoff Jung
David Key
Jim Knight
Rob Longhurst
Dawn Manley
Andrew Moulding
John O'Leary
Christopher Pepper
Geoff Pook
Val Ranger
Marianne Rixson
Philip Skinner
Pauline Stott
Brenda Taylor
Ian Thomas
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Trevor Cope
Ann Liverton
Frances Newth
Tim Wood
Steve Wragg

Officers:

Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead – Legal and Democratic Services
Hannah Whitfield, Democratic Services Manager

Councillor apologies:

Susie Bond
Peter Burrows
Maddy Chapman
Alan Dent
Ian Hall
Mike Howe
Douglas Hull
Bill Nash
Phil Twiss

Honorary Aldermen apologies:

David Cox
Christine Drew
Stephanie Jones
Graham Liverton
Bob Peachey
Margaret Rogers

Chairman

Date

EAST DEVON DISTRICT COUNCIL

Minutes of the Extra Ordinary Meeting of the Council held at Knowle, Sidmouth, on Thursday, 28 January 2016

Attendance list at the end of document.

The meeting started at 6.30 pm and ended at 8.24 pm

***53 Public Speaking**

The Chairman welcomed those present and invited members of the public to speak to the Council.

Stephanie Jones, Clerk to Musbury Parish Council, spoke of the Parish Council's support for the Local Plan, with the exception of Strategy 27 and the definition of a sustainable village – Musbury was not identified as a sustainable village within the Strategy. She advised that Musbury was a thriving community with a number of viable facilities and services. The Parish Council was in the process of preparing a Neighbourhood Plan and consultations with the community had shown a desire to see low level development within the parish, not necessarily restricted to the main village centre. Although this approach of delivering housing would be in minor conflict with Strategy, it would meet the main overall objectives of the Plan and therefore it was felt that the evidenced Neighbourhood Plan should take precedence.

Peter Whitfield spoke on the allocation of employment land at Sidford and asked two questions. He advised that in the Local Plan the allocation was identified as 5 hectares, however in the evidence submitted by the Council to the Inspector in 2014 it showed the allocation to be 5.97 hectares - he asked which figure would be used when considering planning applications? The second question related to whether the Inspector had visited the Alexandria Industrial Estate site or relied on the description in the employment land review which was submitted by the Council as evidence.

Richard Ely spoke on behalf of the Save our Sidmouth campaign. He spoke of the Local Plan being a frustrating process for the town of Sidmouth and the lack of Sidmouth Ward Member representatives on key decision making committees. The allocation of the Sidford site had been strongly opposed by residents in the Sid Valley and by the County, District and Town Councillors for Sidmouth. Despite the District Council removing the allocation at the later stages of the Plan process, the Inspector had left in the allocation which Mr Ely considered to be ill judged and undemocratic. He paid thanks to the residents of Sidmouth, Sidford and Sidbury for supporting the Save our Sidmouth campaign. He highlighted other issues within the town, such as the lack of a Beach Management Plan and no solution to parking problems. He also spoke of the need to rebuild relationships between the town and the District Council and take a more positive approach.

Tony Green spoke on behalf of the Chairman of the East Devon Alliance. He questioned the presentation of evidence to the Local Plan Inspector in respect of the Sidford employment allocation and the inclusion of Chardstock as a sustainable village. He also spoke on the lack of credible evidence to support the draft Devolution Bid and the ability of the Leader and Chief Executive to represent the District in the process.

Jeremy Woodward referred to the Local Plan as being a deeply flawed document. He made reference to a representation submitted to the Inspector by the Vision Group for Sidmouth regarding the unsound evidence submitted by the Council to support employment figures for the District.

The Chairman thanked the speakers for their contributions and invited the Chief Executive to respond. The Chief Executive's response included:

- The Neighbourhood Plan process was a way of delivering appropriate development in villages;
- The Sidford employment allocation was 5 hectares;
- Confirmation that the Inspector had visited the Alexandria Industrial Estate;
- Commented on the reasons for the Plan's delayed adoption;
- The Plan was not deeply flawed, having been found sound by the Inspector, subject to modifications.

***54 Declarations of interest**

There were none.

***55 Matters of urgency**

No matters of urgency had been identified.

***56 East Devon Local Plan and CIL Charging Schedule – Inspector's Report and Proposed Adoption**

Members considered the report of the Service Lead – Strategic Planning and Development Management which:

- Outlined the receipt of the Inspector's Local Plan Examination report and of its content,
- Sought authority for the Council to agree the main modifications proposed by the Inspector and to formally adopt the Plan;
- Identified key issues and areas of work to ensure the delivery of the Plan;
- Advised Members of the Inspector's findings on the Community Infrastructure Levy (CIL) charging schedule.

The Chief Executive referred Members to the recommendations set out in the report. He reassured Members that no planning permissions were being granted through the adoption of the Plan – the Plan was a guidance document setting out strategic allocations and policies. The Plan complied with national planning policy set by Government, and would provide sound guidance for determining future planning applications. The options available to Members were limited to adopting the Plan, with the main modifications, or not adopting the Plan and starting again. The latter would have significant planning implications.

The Chief Executive advised that he had helpfully received questions in advance of the meeting relating to the production of the Villages Development DPD, which would sit alongside the Local Plan. The answers to the questions were outlined:

- The DPD would be produced during the summer and autumn and a key aspect would be the consultation carried out with communities. The DPD would have to be examined by an Inspector in much the same way as the Local Plan. The examination and adoption was likely to take place in the early part of next year.
- The existing BUABs (Built-up Area Boundaries) would be used for the villages identified as having a BUAB in Strategy 27 until such time that the Villages Development DPD could carry significant weight.

- If a village had a Neighbourhood Plan the BUAB would be as agreed in the Neighbourhood Plan.
- The intention was that the Villages DPD would be produced in consultation with the communities and their neighbourhood planning groups. This would hopefully avoid any conflict between the DPD and any Neighbourhood Plans. The key aspect is that the DPD would form part of the Local Plan and Neighbourhood Plans have to be compliant with the Local Plan.
- A draft criteria to be used for producing the BUABs had already been consulted on and the responses were in the process of being considered. A report was due to be presented to the Development Management Committee in March.
- Upon adoption of the Plan those villages not listed as having a BUAB in Strategy 27 would cease to have a BUAB.
- For villages without a BUAB (not listed in Strategy 27) any development should be pursued through a Neighbourhood Plan, whilst being mindful of the need to demonstrate how the development would promote the objectives of sustainable development as required by Strategy 27.

A report would be presented to the next Council meeting in respect of the adoption of the CIL charging schedule.

Councillor Mike Howe proposed the recommendations as set out in the committee report, which was seconded by Councillor Geoff Pook. Councillor Howe spoke of the necessity to adopt the Local Plan for the benefit of the whole of the District as it provided certainty going forward. The adoption of the Plan, which had been endorsed by the Inspectorate, would help to strengthen the Council's position in respect of ongoing appeals and protect against inappropriate development.

Comments raised during the debate included:

- Disappointment at the inclusion of the Sidford employment site despite the objection by residents and Councillors representing the area of Sidmouth. The views of the community had been ignored. The decision to include the site was considered by some to be undemocratic and unsound.
- Due care should be taken in respect of the 37 gypsy and traveller site allocations required to meet the identified need – up to 30 of these were currently proposed to be sited at Cranbrook. Consideration needed to be given as to whether this was the most appropriate location, including whether the educational needs could be met. Open communication needed to be maintained throughout the process of site allocation with Councillors, the Town Council and neighbouring parishes.
- Thanks paid to officers, particularly the Planning Policy Manager and his team, for their hard work and dedication in getting the Plan to adoption stage.
- Questioned whether the Local Plan was the right blueprint for the District and whether it was based on sound evidence.
- There were many lessons to be learnt from the Plan production process.
- The Local Plan allocated 50 homes to the Knowle site, however 118 were proposed – the Council should commit to numbers within the Plan.
- Neighbourhood Plans had an important role to play in shaping villages and towns and should not be underestimated.
- Importance of delivering Suitable Alternative Natural Green Space (SANGS) highlighted.
- Sidford employment allocation would result in increased commuting to the town and no justification of need. The site had been put forward at a late stage in the Plan production with limited supporting documentation.

- Questioned why the Council had not sent evidence to the Inspector in respect of the removal of the Sidford employment site. In response Members were advised that as the Plan had been submitted for examination the Council was not permitted to remove the allocation. The Council's recommendation that the site be removed had been passed to the Inspector and his comments regarding the allocation were set out in his final report.
- Concern raised about the implications if housing was not delivered at the projected rates as set out in the Plan.
- Disappointment expressed at some of the main modifications made by the Inspector.
- All allocated sites would be subject to planning permission and the necessary legal processes would need to be adhered to.
- Thanks paid to all those in the district who had engaged in the Plan process.
- The Plan would be reviewed every 5 years.
- Due to the site being in the AONB the visual appearance of any buildings on the Sidford employment site would be key.
- The Port Royal was a landmark site for Sidmouth and therefore it was important that the District and Town Council worked together to deliver the right development for the area.
- Concern that the ancillary retail use on the Sidford employment site could not be enforced and would impact on the viability of the town. In response Members were advised that it was stated in the policy that any retail was ancillary to the primary use of the unit.
- In response to a number of questions raised relating to Exmouth seafront and coastline, the Councillor was advised that written answers would be provided.
- Adoption of the Plan offered greater protection of the district.

Councillor Tom Wright proposed a recorded vote, seconded by Councillor Philip Skinner. The proposal was put to the vote and carried.

RESOLVED:

that the Council:

- 1. adopts the Local Plan 2013 – 2031 as of 28 January 2016, incorporating all of the Inspector's proposed main modifications;**
- 2. formally recognises the need to attach some weight to the existing Local Plan Built-up Area Boundaries (as adopted in 2006) for those villages featuring under Strategy 27 of the new Plan until such time as the Villages DPD can carry significant weight;**
- 3. notes that a further report will be brought to the Council meeting in February 2016 to address the adoption of the Community Infrastructure Levy charging schedule.**

For: Councillors Parr, Diviani, Allen, Armstrong, Bailey, Barrow, Bond, Booth, Bowden, Brown, Burrows, Chapman, Chubb, Faithfull, Foster, Gazzard, Godbeer, Graham, Greenhalgh, Hale, Hall (Ian), Hartnell, Howe, Humphreys, Jung, Key, Knight, Longhurst, Moulding, Nash, Nicholas, O'Leary, Pook, Ranger, Skinner, Stott, Taylor, Thomas, Twiss, Williamson, Wragg, Wright. (42)

Against: None

Abstentions: Councillors Hughes, Barratt, Coppel, Dyson, Gardner, Giles, Manley, Rixson. (8)

***57 Heart of the South West Devolution – (Cabinet minute 133)**

This matter was held over from the December meeting. The Heart of the South West (HotSW) had submitted its devolution Statement of Intent to Government in September 2015. A key aim being to develop a local solution to deliver better services compared with the current centralised approach, which would help to achieve 'joined up' delivery of services, such as health and social care, built around people and the places where they live. The delivery would have improved regulation with embedded prevention, support and self-management and financial sustainability to achieve best use of resources. Over the past few months the partners (which consisted of 17 local authorities, two National Parks, the Local Enterprise Partnership (LEP) and the three Commissioning Groups) had been working on a prospectus and were now in a position to commence detailed negotiations with Government on a devolution deal.

Prior to the meeting the Chief Executive had circulated a draft prospectus for productivity and a copy of a presentation given at the meeting of Leaders and Chief Executive held the previous week.

The Chief Executive guided Members through each of the recommendations. He advised that the Government had set the aim of addressing productivity, an area in which the South West lagged behind. The process was lengthy and at this stage Members were being asked whether they wished to engage – they were not being asked to sign up to a final deal.

Comments raised during discussion included:

- Potential for improved efficiencies acknowledged, however concern that with increasing cuts from Central Government, funds would need to be found locally, such as through increased council tax or the sale of assets. Changes to business rates alone would not be sufficient.
- Members needed to have sufficient information and a clear understanding on the proposals in order to properly represent their constituents. Frequent communication was important.
- Details relating the proposals and process were too vague and it was considered that there was currently a lack of transparency.
- Concern that the emphasis would be on major projects and that the smaller villages and infrastructure would be forgotten.
- Members would be consulted throughout the process.
- There was an increasing need for a more efficient way of delivering services, particularly in relation to health and social care.

Members noted that following on from the December meeting clear objectives had been set, an oversight group had been established and had met, and also that rural proofing had been included through the involvement of the National Parks and the Devon Local Nature Partnership.

Councillor Roger Giles proposed a recorded vote, seconded by Councillor Tom Wright. The proposal was put to the vote and carried.

Councillor Andrew Moulding proposed the recommendations, seconded by Councillor Philip Skinner. In proposing the recommendations Councillor Moulding referred to the current prospectus being a broad document and a starting point for negotiations on how the area could be best served through the devolvement of powers from Central Government.

RESOLVED: that the Council approve the prospectus for productivity and that the Leader be given delegated authority to sign the prospectus and continue negotiations on behalf of EDDC.

For: Councillors Hughes, Parr, Diviani, Allen, Bailey, Barratt, Barrow, Booth, Bowden, Brown, Burrows, Chapman, Chubb, Dyson, Faithfull, Foster, Gazzard, Godbeer, Graham, Greenhalgh, Hale, Hall (Ian), Hartnell, Howe, Humphreys, Jung, Key, Knight, Longhurst, Moulding, Nash, Nicholas, O'Leary, Pook, Skinner, Stott, Taylor, Thomas, Twiss, Williamson, Wragg, Wright (42)

Against: Councillors Armstrong, Coppel, Gardner, Giles, Manley, Ranger, Rixson (7)

Abstentions: Councillor Bond (1)

Attendance list

Councillors present:

Stuart Hughes (Chairman)
Helen Parr (Vice Chairman)
Mike Allen
Megan Armstrong
Brian Bailey
David Barratt
Dean Barrow
Susie Bond
Matthew Booth
Peter Bowden
Colin Brown
Peter Burrows
David Chapman
Iain Chubb
Matt Coppel
Paul Diviani
John Dyson
Peter Faithfull
David Foster
Cathy Gardner
Steve Gazzard
Roger Giles
Graham Godbeer
Pat Graham

Alison Greenhalgh
Maria Hale
Marcus Hartnell
Mike Howe
John Humphreys
Geoff Jung
David Key
Jim Knight
Rob Longhurst
Dawn Manley
Andrew Moulding
Bill Nash
Cherry Nicholas
John O'Leary
Geoff Pook
Val Ranger
Marianne Rixson
Philip Skinner
Pauline Stott
Brenda Taylor
Ian Thomas
Phil Twiss
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Christine Drew
Stephanie Jones
Frances Newth

Officers:

Richard Cohen, Deputy Chief Executive
Matt Dickins, Planning Policy Manager
Ed Freeman, Service Lead – Strategic Planning and Development Management
Amanda Coombes, Democratic Services Officer
Henry Gordon Lennox, Strategic Lead – Legal and Democratic Services
Chris Rose, Development Manager
Graeme Thompson, Planning Policy Officer
Hannah Whitfield, Democratic Services Officer
Mark Williams, Chief Executive
Andy Wood, East of Exeter Projects Director

Councillor apologies:

Paul Carter
Maddy Chapman
Alan Dent
Jill Elson
Ben Ingham
Steve Hall
Douglas Hull
Simon Grundy
Chris Pepper

Honorary Aldermen apologies:

Ann Liverton
Graham Liverton
Trevor Cope
Bill Waterworth

Chairman Date

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 6 January 2016

Attendance list at end of document

The meeting started at 5.30pm and ended at 7.21pm

***142 Public Speaking**

Peter Fox spoke on agenda item 20 – PSPO Consultation Results, Shelly Beach and Belshers Slipway. He spoke of the lack of bylaws and speed limits for Personal Water Crafts and speed boats and stressed he was not seeking a ban of these. He said the consultation failed to address anti-social behaviour and that community assets were protected elsewhere so why not here.

Roy Pickering spoke on agenda item 20 – PSPO Consultation Results, Shelly Beach and Belshers Slipway. He said he was disappointed with the methodology of the consultation with it losing sight of what the issues were. These issues being the extreme anti-social behaviour by an identifiable group of users, to a point where serious injury could occur to other beach users. The Public Space Protection Order dealt with problems with particular issues and did not ban everything. He said bylaws were needed so they could be enforced through the court.

Jo Frith spoke on agenda item 18 – Draft Revenue and Capital Budgets. She spoke of the Beach Management Plan (BMP) officer funding being stopped as of April 2016. Officer time was required to work on the Plan to its completion in 2016. The outcome of the Beach Management Plan for Sidmouth was a proposed Coastal Defence Plan. This would require preparing an application to the Environment Agency (EA) for funding. If this was not done following the completion of the project, it was possible the BMP would need updating therefore incurring consultancy fees before an application was made. She also noted the removal of the River Sid training wall and the implications to other coastal defences; she suggested the BMP budget be reviewed.

In response to this the Deputy Leader stated the BMP project was coming to an end and future funds if required would be funded from existing budgets. The budget did allow for officer time, which included the new Engineering Project Officer. EDDC were committed to seeing the project through in order to submit the application to the EA to achieve a successful outcome.

Jeff Turner spoke on agenda item 17 – Sidmouth, Eastern Town Scoping Study. He asked for support for the project, as Sidmouth needed the improvements and wanted to move on from the Council's relocation from the Knowle. He confirmed the town council's decision to engage in the development of a Neighbourhood Plan for Sidmouth with the priority area being the regeneration of eastern town. He eagerly awaited the outcome of the BMP. He confirmed the town council was fully committed to support the scoping study as this was essential and the only option to move the town forward.

***143 Minutes**

The minutes of the Cabinet meeting held on 2 December 2015 were confirmed and signed as a true record subject to the inclusion of a correction made by the Service Lead for Environmental Health and Car Parks at Minute 137 – Sidmouth Mill Street Car Park. The Service Lead had apologised to Richard Eley (who had left the meeting at that point), for incorrectly attributing comments within the Car Park report to the Chamber of Commerce when they had been made by Mr Eley as an individual.

***144 Declarations**

Councillor Iain Chubb – Minute 20
Interest: Personal
Reason: He owns a speed boat

***145 Exclusion of the public**

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

***146 Matters referred to the Cabinet**

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

The Leader read the following statement with regard to the Local Plan examination:

‘The Council has just received what is known as the Fact Check Reports from the Local Plan Inspector in relation to both the Local Plan and the Community Infrastructure Levy (CIL) charging schedule. These documents provide us with what the Planning Inspectorate’s guidance describes as “tentative final report”. The guidance is clear that it is not for us to question the Inspector’s conclusions and that the report is not for publication. We can simply respond within 2 weeks for clarification or to address any factual issues. I can however say that the report concludes that both the Local Plan and CIL charging schedule are sound and can move to adoption subject to main modifications. Unfortunately I am unable to give any further details at this time but can assure you that when we receive the Inspector’s final report it will be published as soon as possible following receipt.’

The Leader also confirmed that the supermarket Lidl was set to buy Sainsbury's land holding at Clyst Honiton near Exeter as a distribution centre, with the potential to create 450 jobs for local people.

***147 Forward Plan**

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

***148 Exmouth Regeneration Programme Board held on 24 November 2015**

Members received the action notes of the Exmouth Regeneration Programme Board held on 24 November 2015.

149 Minutes of the STRATA Joint Executive Committee held on 24 November 2015

Members received and noted the minutes of the STRATA Joint Executive Committee held on 24 November 2015. In addition to the reports for note and resolutions made by the Committee, the Cabinet considered the Committee’s recommendations and proposed the following:

RECOMMENDED (1) that the following be referred to Council for determination

Minute 23 – adoption of Idox Uniform in Exeter

that East Devon District Council, Exeter City Council and Teignbridge District Council approve a budget for the implementation of Uniform within Exeter City Council. The budget requirement is:

		% contribution		15/16 (£000s)	16/17 (£000s)	17/18 (£000s)
Uniform implementation	EDDC	36.7	Capital	£34.9	£19	£19
	ECC	35.9	Capital	£34.4	£19	£19
	TDC	27.4	Capital	£30.2	£14	£14
	Total	100		£99.5	£52	£52
Data improvements	ECC	100	Capital	£100	£0	£0

Minute 26 - Business case update

that the three Councils (EDDC, ECC and TDC) approve the following additions to their capital programmes subject to a 10% contingency to allow the 2016/17 convergence plan to be delivered.

	% contribution	16/17 (000s)	Inclusive of 10% contingency
EDDC	36.7	£132.85	146.14
ECC	35.9	£129.96	142.96
TDC	27.4	£99.19	109.11
Total	100	£362.00	398.21

*150 **Member Development Working Party held on 25 November 2015**

Members received and noted the report of the Member Development Working Party held on 25 November 2015. The Working Party had considered the Councillor feedback following the roll out of the initial 3-month welcome/induction programme – May, June, July 2015. Detailed consideration included learning points, what worked well, what could be done differently next time and what learning/training/refreshers were still required. The recommendations in respect of the 2019 welcome/induction programme would be taken into account at the relevant time. The following recommendations of the Working Party with immediate relevance were supported by Cabinet:

RESOLVED

1. that ways of providing councillors with staff contact details, by service, together with up-dates when staff leave and their replacement, be explored;
2. that the Chief Executive be asked to give 6-monthly briefings to councillors on Council business initiatives, challenges and future plans – it was suggested that these could be held before meetings of the full Council;
3. that the 2016 Member Development programme reflect the suggested areas proposed by the Working Party which included more on social media, IT skills, standards and planning processes.

*151 **New Homes Bonus Panel held on Thursday 26 November 2015**

Members received the notes of the New Homes Bonus Panel held on Thursday 26 November 2015.

RESOLVED

that the recommendations of the Panel in respect of applications received under the scheme be agreed.

***152 Meeting of the Leisure East Devon Joint Working Party held on 26 November 2015**

Members received the notes of a Meeting of the Leisure East Devon Joint Working Party held on 26 November 2015.

RESOLVED

that an annual service fee requirement of £898,710 for 2016-2021 be agreed for the Service Level Agreement with LED.

153 Minutes of the Capital Strategy and Allocation Group held on 1 December 2015

Members received and noted the minutes of the Capital Strategy and Allocation Group held on 1 December 2015.

RECOMMENDED that the following be referred to Council to be considered during the annual budget process:

1. that the Housing Revenue Account Capital Programme be agreed,
2. that following the repayment of a £1.4 m loan during the year, a loan application be made to the PWLB for a 30 year fixed rate loan for £700,000 to address the deficit within the Housing Revenue Account as a result of the Government initiative to cut housing rent by 1%.
3. that the Housing Revenue Account, Capital Programme and PWLB loan be kept under review by the Housing Review Board and Cabinet.
4. that the Capital Programme process and evaluation/scoring forms be reviewed to improve the phasing of the programme and to help decision making in respect of new bids, giving proper weight to key issues such as health and safety considerations.
5. that the capital scheme bid recommendations be agreed.

***154 Minutes of the Joint Overview and Scrutiny held on 10 December 2015**

Members received and noted the minutes of the Joint Overview and Scrutiny held on 10 December 2015 to consider the recycling trial. The Committees had voted separately on recommendations which recognised the positive feedback from the trials, the successful project planning and communications and the importance of monitoring and evaluation.

RESOLVED (1) that the following recommendations be noted:

the improved recycling trial in The Colony, Exmouth and new Feniton

RESOLVED (2) that the following recommendations be taken into account when Cabinet consider agenda item 16 – ‘I’m on Board’ – Improved recycling trial in The Colony Exmouth and New Feniton:

1. that the officers and communities involved be congratulated on the success of the trial;
2. that the anticipated increase in recycling be welcomed;
3. that consideration be given to the trial service method when evaluating the final bids for the new waste and recycling contract;

4. that the assistance of town and parish councils be sought both in early involvement prior to implementation of a new contract, and during implementation of a new contract to help educate and inform their communities of the new service adopted;
5. that the successful project planning and communication approach be replicated for any further rollout of the service change;
6. that the trials continue and the monitoring and evaluation process be maintained;
7. that detailed cost implications of any proposed change in service, including the impact on the recycling credit income to the Council, be sought.

***155 Minutes of the Scrutiny Committee held on 10 December 2015**

Members received and noted minutes of the Scrutiny Committee held on 10 December 2015.

A question was asked to why in Minute 44, the Principal Solicitor stated the letter in question was sub judice and therefore could not be discussed concerning the Queens Drive proposals in Exmouth. The Strategic Lead - Legal, Licensing and Democratic Services responded that the Council was a party to the proceedings and hence sub judice applied. Other people and social media could still make comments but as a party involved and one making decisions going forward, it was inappropriate to discuss the content of the case in open forum until after the judgment.

RESOLVED (1) that the following decisions be noted:

Minute 43 - Mill Street Press Release of 17 September 2015

1. the Committee's reaffirmation of its endorsement of the existing media protocol;
2. the continued use of a press template for officers in preparing a press release for forwarding to the communications team.

Minute 44 - Scrutiny Forward Plan

that a review of public consultation related policy be scoped and reported back to the Committee.

***156 Review of the Refuse and Recycling Trial**

The Strategic Lead Housing, Health and Environment updated members on the results from the trial, which had been running since mid September 2015 in The Colony Exmouth and New Feniton. The trial was being run to test the improved recycling scheme ahead of the appointment of a new recycling and waste collection contractor in June 2016. The findings had been very successful with a 19% reduction in residual waste disposal. Food recycling disposal had increased considerably with some residents using this service for the first time. An Absorbent Hygiene Products service had been available but the demand was not forthcoming. The 'I'm On Board' branding made for excellent communication. The Council was at the stage of evaluating best and final offers for the new recycling and waste collection contract and the results of the trial would inform the ongoing contract.

The Portfolio Holder Environment thanked the Waste Team and the residents participating in the trial, for their hard efforts in making the trial so successful. He wished to thank the ward members for their support in this matter.

The Deputy Leader reported that at a recent meeting at Devon County Council, East Devon came third out of 200 local authorities with minimum waste arising going to landfill. He hoped that with the new systems in place to improve recycling and reduce residual waste this position could place the council on top.

RESOLVED:

1. that the joint committee recognition of the positive results of the trial in both The Colony & New Feniton (Increase in recycling from 37 to 55% and 41 to 58%, and respective reduction in residual waste, with only 10 service issues raised by residents.) be noted;
2. that given the success of the improved recycling rate (from 39% before the trial to 56% during) Officers use the trial results to influence the evaluation of tenders for the new recycling and waste collection contract;
3. that the successful project planning and communications effort be noted and the approach replicated for any further rollout of the service change;
4. the trials and the monitoring and evaluation process be continued and maintained.

REASON:

The trial had been a great success; it had increased the average kerbside recycling rate from 39% to 56%. It resulted in a 19% reduction in residual waste being sent for disposal from 7.9 tonnes per week (before the trial) to 6.4 tonnes per week presently. There had been concern from some residents and the media prior to the trial about how families would cope with the reduced residual collection frequency. However due to extensive communications and strong planning, there were only ten reported issues concerning bin space, smells or ability to cope that have been dealt with.

***157 Sidmouth – Eastern Town Scoping Study**

The Deputy Chief Executive thanked Councillor Jeff Turner from Sidmouth Town Council (STC) for his commitment to working in partnership with EDDC as an important step forward for the two councils. As principal landowner EDDC proposed to undertake a scoping exercise in respect of the Port Royal vicinity at the eastern end of Sidmouth seafront. This was to investigate ways to bring about investment and development to renew the area and create a high quality mix of uses.

Discussions included whether the Sidmouth Vision Group survey data would be used as well as any new data gathered. The Deputy Chief Executive confirmed that previous data history would not be disregarded. EDDC and STC would appoint an appropriate professional consultancy to undertake the study and presently had no one in mind.

RESOLVED:

1. EDDC would work with Sidmouth Town Council to prepare a brief and commission appropriate professional consultancy. This was to scope out the detailed work required and options to fully plan the tasks and process, to achieve the regeneration of Port Royal
2. to add to the offer of £2,000 from Sidmouth Town Council a sum of up to £8,000 from EDDC's existing towns regeneration fund
3. to delegate responsibility to take this project forward to the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Development and Partnerships

REASON:

To respond to the request from Sidmouth Town Council to work in partnership on the renewal of a key location on, and behind the town's seafront.

***158 Draft Revenue and Capital Budgets 2016/17**

The Strategic Lead Finance presented the report of the draft revenue and capital budgets for 2016/17 for adoption by the members, before it was considered by a joint meeting of the Overview and Scrutiny Committees, the Housing Review Board and the business community.

One of the most significant impacts on the Council's finances had been government funding cuts to local authorities as part of its deficit reduction policy. In the first three years of reductions from 2011/12 to 2013/14, the Council had a third of its overall government funding cut by £2.3m. 2014/15 saw a further 14% reduction in funding of £0.794m and 2015/16 a further 15% reduction of £0.781m. This had resulted in the Council adopting a proactive Transformation Strategy to sit alongside the Council Plan and Financial Strategy.

The Portfolio Holder Finance thanked Simon Davey and his team for all their hard work.

RESOLVED:

that the draft revenue and capital estimates be adopted and forwarded to a joint meeting of the Overview and Scrutiny Committees and Housing Review Board for consideration.

REASON:

There was a requirement for 2016/17 to set balanced budgets, to levy a Council Tax and to set Council House Rents.

***159 Council Tax Base 2016/2017**

The report set out the tax base for 2016/17 and included the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax would be based. This was an important component in the Council's budget setting process for 2016/17.

RESOLVED:

1. that the tax base for 2016/17 at 56,404 Band D equivalent properties, and
2. the amount for each parish as the amount shown against the name of that parish as detailed under section 3 of the report, be confirmed.

REASON:

The calculation of the tax base was prescribed under the Local Authorities (Calculation of Council Tax Base)(England) Regulations 2012. This was made under powers of the Local Government Finance Act 1992. The Council Tax Base is defined as the number of Band D equivalent properties in a local authority's area. The tax base is necessary to calculate Council Tax for a given area.

***160 PSPO Consultation Results: Shelly Beach and Belshers Slipway**

The Strategic Lead – Legal, Licensing and Democratic Services updated members on the public consultation returns from 1 to 31 August 2015 on issues of nuisance and annoyance at Shelly Beach and Belshers Slipway. He apologised to residents if they felt the consultation was not what they had hoped for. He reiterated that bylaws always came down to enforcement and this was very resource intensive and hard to enforce. The patrol boat option was more appropriate and the reopening of the Mamhead Slipway would also help alleviate the situation.

Feedback had been sought from residents in the vicinity, users of the beach and slipway and those with local interest including user groups, the police, and town and district councillors, and Devon County Council. The feedback was used to consider the potential for introducing a Public Space Protection Order to address any anti-social behaviour issues linked to localised use of Personal Water Craft. Members were advised that the feedback had indicated that this was not required.

Discussions included:

- beach bylaws were already in place to silence noisy boats
- ward members to be informed of future consultations
- residents' views to be considered
- Exmouth beach problematic as vehicles could be driven on the beach
- local PWC users group wished to work with officers to draw up a code of conduct to help residents and users.
- the Council would do everything it could to make life better for local residents

RESOLVED:

1. that there was currently no requirement for a Public Space Protection Order (PSPO) at Belshers Slipway or over Shelly Beach.
2. that the Council seeks to pursue an alternative strategy which may include part-funding a Harbour Patrol Boat.
3. that the Service Lead, Environmental Health and Car Parks meet with the local PWC users group and residents for a roundtable discussion with the aim of identifying solutions to resolve concerns.

REASON:

The results of the public consultation suggested there was little or no requirement for a PSPO as it would limit access to the water, and there were already issues with limited safe access to the water in the estuary and on the seafront.

161 East Devon Public Health Implementation Plan 2015/16

The Public Health Project Officer presented the report for Members to consider the Public Health Implementation Plan which stated the Council's ambitions for thirty-five activities, grouped in four priority areas, aiming to make a positive difference to people's physical health and mental wellbeing across East Devon. It was highlighted that dementia awareness was new to the plan this year. Council teams were keen to work in Cranbrook and had been shortlisted in NHS England's 'Healthy New Towns' initiative.

RECOMMENDED:

that the East Devon Public Health Implementation Plan be agreed.

REASON:

To help ensure that staff across the Council make the best possible use of resources to enable activities that support health and wellbeing across East Devon.

***162 Exemption to standing orders – Homemaker contract**

Members were asked to note the reasons for the approval of an exemption to Contract Standing Orders in order to continue the provision of a financial advice and support service by Homemaker.

RESOLVED:

that the exemption to standing orders to facilitate this continued provision of a financial advice and support service by Homemaker, be agreed.

REASON:

Welfare reforms introduced by the Government were having a financial impact on a number of households both in the private and social sectors. These reforms were causing financial hardship, emotional, and social problems for households, which in turn affected the Council's income collection in respect of Rent, Council Tax and overpaid Housing Benefit. The reforms also had an impact on the number of households becoming homeless. Universal Credit for working age single person households commenced in East Devon on 9 November 2015 and there was yet to be an announcement for the roll out of other categories of households to qualify or switch to this benefit.

Providing a financial advice and support service was vital in trying to prevent and offset the impact of these reforms, helping tenants to remain in their homes and sustain their household finances.

***163 Monthly Performance reports – November 2015**

The Deputy Chief Executive presented the report setting out performance information for November 2015. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicators that showed excellent performance:

1. Percentage of planning appeal decisions where the planning inspector has disagreed with the Council's decision
2. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
3. Creditor Days - % of invoices paid in 10 working days.

There was no performance indicator showing as concern.

RESOLVED:

that the progress and proposed improvement action for performance measures for November 2015 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.

Attendance list

Present:

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

Portfolio Holders:

Tom Wright	Corporate Business
Iain Chubb	Environment
Jill Elson	Sustainable Homes and Communities
Philip Skinner	Portfolio Holder Economy

Phil Twiss Corporate Services
Ian Thomas Portfolio Holder Finance

Cabinet Members without Portfolio

Eileen Wragg

Cabinet apologies:

Geoff Pook

Non-Cabinet apologies:

Mike Allen

Pat Graham

Simon Grundy

Ian Hall

Steve Hall

Marcus Hartnell

Brenda Taylor

Mark Williamson

Also present:

Councillors:

Megan Armstrong

Brian Bailey

David Barratt

Matt Booth

Colin Brown

Paul Carter

David Chapman

Maddy Chapman

Alan Dent

John Dyson

Peter Faithfull

Cathy Gardner

Steve Gazzard

Roger Giles

Graham Godbeer

Alison Greenhalgh

John Humphreys

Ben Ingham

Geoff Jung

Dawn Manley

Bill Nash

Cherry Nicholas

John O'Leary

Helen Parr

Marianne Rixson

Pauline Stott

Also present:

Officers:

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
Andrew Ennis, Service Lead - Environmental Health and Car Parks
Amy Gilbert, Property and Asset Manager
Helen Wharam, Public Health Project Officer
Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 10 February 2016

Attendance list at end of document

The meeting started at 5.30pm and ended at 9.30pm

***164 Public Speaking**

Tony Howard, spoke on agenda item 16 – West Hill Community Governance Review. Mr Howard gave apologies on behalf of Dr Margaret Hall chairman for West Hill Parish Council Campaign Group who could not attend the meeting. The Governance review was well received by the Group with Ottery St Mary and West Hill both gaining from this. West Hill would be empowered to control its parish's growth. The financial reserves should be pro rata based on the number of council tax payers from each community.

Cllr Jo Talbot spoke on agenda item 16 – West Hill Community Governance Review. As a founder member of West Hill Parish Council Campaign Group she had voted for an independent council. She did have concerns in respect of the boundary and financial reserves. West Hill had grown over the years but without its own Parish Council. Ottery St Mary's growth should be the sole focus of Ottery St Mary Town Council.

Mayor Glyn Dobson from Ottery St Mary Town Council spoke on agenda item 16 – West Hill Community Governance Review. He agreed that West Hill should have its own parish council but stated there would be financial implications to this. Facilities such as the public toilets were provided to West Hill by Ottery St Mary Town Council, which meant the Town Council would be subsidising this provision. Mayor Dobson agreed to the suggested new boundary. He said that the name of the new parish council should be left for the new parish council to decide.

John Harding from Tipton St John spoke on agenda item 16 – West Hill Community Governance Review. Mr Harding said there had been no clear information sent to residents as to whether this was a good or bad decision. He asked that the Council provided the residents with an understanding of these effects during the next round of consultations. He accepted the proposals to the boundary change.

Councillor Paul Carter, Ward Member for Ottery St Mary Rural agreed the proposed boundary fitted well and the comments received by residents outlined where they wanted it to be.

The Chief Executive confirmed he had reviewed all comments sent in and the decision to make this new parish council would be made at the next full Council meeting later this month. He informed the meeting that funding for the new parish council would come from the council tax precept; this was the case for all parish councils.

***165 Minutes**

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

***166 Declarations**

Councillor Jill Elson – Minute 14 and Minute 22

Interest: Personal

Reason: Sits on the board of Exmouth Community College

Councillor Andrew Moulding – Minute 11
Interest: Personal
Reason: Son has used the Handy Person Scheme

Councillor Phil Twiss– Minute 19
Interest: Personal
Reason: Runs an IT business but not involved with BT

Councillor Eileen Wragg – Minute 20
Interest: Personal
Reason: On Health and Wellbeing Board DCC

Councillor Paul Diviani – Minute 20
Interest: Personal
Reason: On Health and Wellbeing Board DCC

Councillor Paul Diviani – Minute 17
Interest: Personal
Reason: Sits on South West Energy and the Environment Group (SWEED)

***167 Matters referred to the Cabinet**

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

***168 Exclusion of the public**

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

***169 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 March 2016 to 30 June 2016.

***170 Seaton Regeneration Programme Board held on 3 December 2015**

Members received the action notes of the Seaton Regeneration Programme Board held on 3 December 2015.

***171 Notes of the Community Fund Panel held on 12 January 2016**

Members received the notes of the Community Fund Panel held on 12 January 2016 and supported the recommended financial support for applications received for Awliscombe Parish Hall and Kilmington Village Hall.

172 Minutes of the Joint Overview and Scrutiny held on 13 January 2016

Members received and noted the minutes of the Joint Overview and Scrutiny held on 13 January 2016 to consider the Draft Revenue and Capital Budgets 2016/17 and Service Plans.

RECOMMENDED (1) that the following be taken into account during the budget setting process (agenda item 14 refers):

1. that the Council increases the Council Tax for 2016/17 by £5 per year (equivalent to 4.1%);
2. that the draft revenue budget be recommended to Council with the following inclusion of special item bids:
 - a. Exmouth Beach Management Plan at £50k
 - b. Seaton Beach Management Plan at £50k
 - c. Seaton East of West Walk gabions at £5k
 - d. Trimble GEO 7X asset surveying tool at £8k
 - e. Exmouth Orcombe Point steps at £5k
 - f. Annis's Knob Beer Cliff works at £15k
 - g. Sidford Rugby Club rabbit fencing works at £4k
 - h. Recycling and Refuse assuming new scheme roll out to mirror success of trial experience at £172k
 - i. On site building manager at Younghayes Centre at £10k
 - j. Implications of National Living Wage – implementation of grade differentials and implications with apprentices at £18k
 - k. Additional one FTE recourse in the tree service at £27k
3. that the special item bid for the Gov Delivery - multimedia messaging system at £9k be funded from the transformation budget.
4. that the service plans be recommended to Council including a minor amendment to reporting of two performance indicators within the Growth Point Team service plan;
5. that the draft Capital budget be recommended to Council

6. RECOMMENDATION of the Overview Committee

That the additional post of Research and Funding Officer, at £29,588 per annum plus 25% on cost, be made to the Regeneration and Economic Development service, and the remaining elements of the bid with additional staff and purchase of additional skills for the service be further debated by Cabinet

7. RECOMMENDATION of the Scrutiny Committee

That the proposal of three additional staff and purchase of additional skills for the Regeneration and Economic Development service be debated further by Cabinet.

173 Minutes of the Housing Review Board held on 14 January 2016

Members received and noted the minutes of the Housing Review Board held on 14 January 2016.

Councillor Pauline Stott informed members that the Handy Man Scheme had been extended for six months and was free to all people over the age of 70.

The Portfolio Holder Sustainable Homes and Communities reminded members that the Council needed to sell four council houses in order to buy one new home to put on its register.

RESOLVED (1) that the following be noted:

Minute 55 – Forward Plan update (1)

Minute 61 - Garage review - progress to date

Minute 63 - Budget monitoring report

the variances identified as part of the HRA revenue and capital monitoring process up to month eight.

RESOLVED (2) that the following recommendations be agreed:

Minute 53 - Energy South West initiative

1. that the project be supported and encouraged and the benefits of the scheme be advertised to tenants.
2. that consideration of the transfer of the management of void properties to Energy South West be deferred until after the pilot has taken place and the results are available for the Board.

Minute 54 - Start time of Housing Review Board meetings

that the Housing Review Board meetings start at 2:30pm for the 2016/17 civic year.

Minute 55 – Forward Plan update (2)

that a Task and Finish Forum be established to consider the 30 year Housing Revenue Account Business Plan. Membership of the TaFF would include Councillor Stott, Pat Rous, Christine Drew, Councillor Douglas Hull, Harry Roberts and Mike Berridge.

Minute 59 - Repair timescales

that following the completion of the pilot project changes be implemented to priority repairs timescales to improve the system further.

Minute 60 - Extension to handy person scheme

that the handy person scheme be extended for a further six months until the end of August 2016.

Minute 61 - Garage review

that the disposal of three rural garage sites at Bakers Mead, Shute, Plymtree and Luppitt.

RECOMMENDED (1) that the following be taken into account during the budget setting process (agenda item 14 refers):

Minute 56 - Draft Housing Revenue Account budget 2016/17

RECOMMENDED (2) that the following be referred to Council for determination:

Minute 57 - Draft Housing Service Plan 2016/17 – for approval.

Minute 58 – that the revised Asbestos Management Plan and procedures applicable to Council homes be approved.

Minute 62 - Pets policy and leaflet – for approval.

Minute 63 - Budget monitoring report

that the Overview Committee be asked consider the strategic planning issues relating to how and where the Council should build future affordable housing.

***174 Minutes of the Recycling and Refuse Partnership Board held on 20 January 2016**

Members received and noted minutes of the Recycling and Refuse Partnership Board held on 20 January 2016

RESOLVED (1) that the following be noted:

Minute 40 – Statistical information – update report.

Minute 42 - SITA Senior Contract Manager update - performance

Minute 43 - Sustainable waste service trial (Feniton & Exmouth) – update – with thanks **extended to the teams involved.**

Minute 44 - Devon County Council textile contract – update

Minute 49 - Procurement of new recycling, waste collection and associated services contract – progress report

RESOLVED (2) that the following recommendation be agreed:

Minute 45 - Otter Rotters update

1. that an examination of Otter Rotters' health and safety working practices take place as a matter of urgency,
2. that further investigation of the legal status of the partnership with Otter Rotters be undertaken,
3. that officers meet again with Otter Rotters to explain the Council's concerns on the lack of auditable data provided by them,
4. that should Otter Rotters fail to provide the information required then consideration be given to the Council ceasing its support.

Minute 46 - Avoided disposal costs

that Officers pursue avoided disposal costs with Devon County Council and report back to the Board following DCC's March Cabinet meeting.

***175 Recycling and Refuse Collection Contract**

The Strategic Lead – Housing, Health & Environment and the Service Lead, Streetscene presented the report which outlined the final stages of the procurement process in respect of the contract for recycling, waste collection and associated services. Members were asked to select a contractor and a service delivery option (Lot) for the next 7+ years.

The report set out the evaluation of Best and Final Offers, including the evaluation criteria used to score the submissions under a Price/Quality 60/40% split framework. It explained how the trials in Feniton and Exmouth (the Colony) had influenced the recommendations and demonstrated that an enhanced weekly kerbside recycling collection service combined with a three-weekly residual waste collection arrangement was viable for most households. In conclusion, the report made a recommendation for an award of contract based on the Tender Evaluation Panel's scoring as set out in the report.

The Portfolio Holder Environment congratulated and thanked the Waste and Communication Teams for their hard work to getting to this final stage of the contract for recycling, waste collection and associated services. Other positive comments were the saving of £300K on such an important contract and how excellent the procurement process had been.

The recommendations of both the Overview Committee and Scrutiny Committee on 9 February 2016 were taken into account during the debate, namely:

1. that, based on the evaluation of tenders for the Recycling, Waste Collection and Associated Services contract by the Tender Evaluation Panel, Bidder A be appointed to deliver and operate the services specified in the contract and tender documents;
2. that the tender be awarded on the basis of Lot 3 (enhanced weekly kerbside recycling and a three-weekly residual collection service);
3. agree to a three month extension to the current contract to enable the contract to commence in July 2016, giving an appropriate mobilisation timeframe, with a corresponding extension of the depot lease;
4. that delegated authority be given to the Strategic Lead (Housing, Health and Environment) and Strategic Lead (Legal, Licensing and Democratic Services) to negotiate and complete the contract and depot lease extensions and new waste contract.
5. request that Devon County Council provide the information on cost per tonne for disposal of residual waste to this and other authorities in the county, in the next two months.

RESOLVED:

- 1) that based on the evaluation of tenders for the Recycling, Waste Collection and Associated Services contract the Tender Evaluation Panel recommend the appointment of Bidder A to deliver and operate the services specified in the contract and tender documents,
- 2) that the Tender Evaluation Panel also recommended that the Council award the tender on the basis of Lot 3 (enhanced weekly kerbside recycling and a three-weekly residual collection service) for the reasons stated in the report,
- 3) that delegated authority be given to the Strategic Lead (Housing Health and Environment) and Strategic Lead (Legal, Licensing and Democratic Services) to negotiate and complete the contract and depot lease extensions and also the new waste contract,
- 4) that a three month extension to the current contract be agreed to enable the contract to commence in July 2016, giving an appropriate mobilisation timeframe, with a corresponding extension of the depot lease.
- 5) that Devon County Council be asked to provide the information on cost per tonne for disposal of residual waste to this and other authorities in the county, in the next two months.

REASON:

To select a suitable contractor for the collection of recycling, waste and associated services for the period 2016 – 2023, with the possibility of a further three years extension of contract.

176 Revenue and Capital Estimates 2016/17

The Strategic Lead – Finance informed Cabinet of the adopted draft Revenue and Capital Estimates for 2016/17 at its meeting on 6 January 2016. A meeting of the Overview and Scrutiny Committees reviewed those budgets on 13 January and the Housing Review Board considered the Housing Revenue Account budgets on 14 January.

Proposals from those meetings were detailed in the report and the minutes of those meetings were contained on the agenda. It was for Cabinet to consider those comments and proposals and to make final recommendations to Council.

As part of the Prudential Code for Capital Finance in Local Authorities, the Council was required to set prudential indicators as part of its budget setting process. These indicators were detailed in the Treasury Management Strategy 2016/17 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy.

The government announced on 9 February 2016 the final 2016/17 Local Government Finance Settlement. There was one change in the final settlement which was the Council would receive an additional £0.186m in other grant funding from the Rural Services Delivery Grant and Transition Grant. Another government announcement concerned the 1% reduction for council house rents which for a one-year exemption did not include sheltered housing. The standard rent increase still applied to sheltered housing. This gave the Housing Revenue Account a revised balance of £213k.

Discussions around the new post of Economic Development Officer included the following:

- the post was not necessary, as no business case had been put forward
- the need for this new post was necessary in order to gain funding to improve the towns in the district
- the new post would allow for bid applications to be made with the research backing this
- this resource would allow for redevelopment opportunities
- over a thousand young people leave school locally each year for which work and job opportunities must be provided
- business sites need marketing
- long term outcomes could be judged by the new Officer's achievements
- work needed to be done to access the value of the post
- the Council was run as a business therefore the business case must be proven
- fund a post of a Research and Funding Officer as a very minimum
- the Asset Management Forum to give suggestions for the new post's job specification
- The debate also included an endorsement of the view that the special item bid for Regeneration and Economic Development resources be considered at a future Budget Working Party.

RECOMMENDED:

1. that the Net Revenue General Fund Estimate of £14.265m be approved.
2. that Special Item Bids – One off Costs totalling £0.309m (identified in 2.2.1 of the report) be added to the Net Revenue General Fund Estimates (recommendation 1 above) in line with the Overview and Scrutiny Committees recommendation.

3. that Special Item Bids – Ongoing Costs (identified in 2.2.2 of the report) be added to the Net Revenue General Fund Estimates (recommendation 1 above) in line with

Overview Committee's recommendation to include £0.101m into the 2016/17 budget, which included £0.037m for the Research and Funding Officer in the Regeneration and Economic Development area, and a future debate to be held on the total bid submitted from this area.
4. that the Council Tax level be raised by £5 (4.1%) for 2016/17.
5. that the Housing Revenue Account Estimates with a net surplus of £0.213m be approved and that assuming sheltered accommodation rents were excluded from the 1% reduction the standard increase of September CPI plus 1% be applied to these properties.
6. that the Net Capital Budget totalling £18.541m be approved.

REASON:

There was a requirement for the Council to set a balanced budget for both the General Fund and Housing Revenue Account and to levy a Council Tax for 2016/17.

177 Treasury Management Strategy 2016/17 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy

Claire Mitchell, Accountant presented the report stating the Chartered Institute of Public Finance and Accountancy (CIPFA) produce a Code of Practice for Treasury Management for Public Services. One of the main recommendations of this code was the requirement for an annual Treasury Management Strategy to be formally adopted by the Council. There was also a requirement to set prudential indicators relating to all treasury activities that the authority would undertake in the forthcoming financial year.

Two amendments were made to the report on page 101 for item 4.3 - Specified and Non-Specified Investments:

1. The reclassification of corporate bonds with a credit rating of AAA and a duration of less than one year from non-specified to specified investments.

The addition of the following:

2. The Council limits non-specified treasury investments to 10% of the value of its investment portfolio at the point of investment, with the maximum amount invested being in line with criteria.

RECOMMENDED:

that Council approve and adopt:

1. the Treasury Management Strategy including the Prudential Indicators for 2016/17;
2. the Minimum Revenue Provision Policy Statement;
3. the approach to borrowing in advance of need; and,
4. the updated list of counterparties.

REASON:

The Council was required to formally adopt a Treasury Management Strategy and set prudential indicators before the beginning of the financial year.

178 West Hill Boundary Review

The Chief Executive reported that at its meeting in July 2015, Cabinet agreed that a Community Governance Review be undertaken following a request from the 'West Hill Parish Council Campaign'. Following publication of the Terms of Reference and the first phase of consultation a decision was now required on whether to proceed to the second stage of the Community Governance Review. The report appends a summary of the various views that were received and recommends the formal publication of draft proposals.

RECOMMENDED:

1. that having regard to the relevant statutory criteria and the results of the first phase of consultation, a new Parish Council be established for the area known as 'West Hill' and that the proposal be formally published with a 3 month period for representations.
2. that the proposed boundary be as set out in Appendix D to the report (reflecting comments made by local residents in the consultation).
3. that the new Parish Council be known as 'West Hill Parish Council' with a membership of 7 councillors and that no warding provisions be incorporated.

REASON:

In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews.

179 EScO Energy Services

Andy Wood, East of Exeter Projects Director gave a presentation to update members. The report recommended the formation of an Energy Service Company (ESCo) in partnership with the RD&E NHS Trust, University of Exeter, Devon County Council, Exeter City Council and Teignbridge District Council. The purpose of this was to procure a private sector partner(s) to enable investment in further District Heating Networks to connect the city centre of Exeter with the Royal Devon and Exeter hospital sites and to utilise heat from the Energy from Waste plant at Marsh Barton to serve new development at South West Exeter.

Tony Norton from the University of Exeter and Naomi Harnett, Principal Projects Manager answered members' questions. The main issue was the huge investment without much notice being given. The scheme could be accepted in the future but presently it was thought the money could be better spent. 25 years was a long time in a world where technologies were constantly changing.

RECOMMENDED:

that the Council agrees to become a shareholder of the public sector Energy Services Company (ESCo) subject to the Chief Executive, Strategic Lead (Finance), Strategic Lead (Legal, Licensing and Democratic Services) and Portfolio Holder Finance being satisfied that the legal and financial governance arrangements of the ESCo are appropriate and protect the Councils' interests.

REASON:

The proposed Energy Services Company and two district heating networks would:

1. deliver a financial return to EDDC
2. provide low carbon energy at a reduced cost to public sector partners
3. support a rate of financial return and reduced project risks such that it would, with the benefit of investment from the public sector partners, be attractive to a private sector partner.

***180 Seaton Town Hall – Asset Transfer update**

The Portfolio Holder Finance reminded members that in July 2015 Cabinet considered and agreed a report to transfer Seaton Town Hall to Seaton Town Council. Some of the details of that transfer contained in the report had now changed and although this did not alter the resolution of Cabinet, it was considered appropriate to update members on these amendments and the transfer progress.

These amendments were to the original initiative outlined to Cabinet in July but were not seen as fundamental requiring Cabinet to revisit its resolution. The variations did not directly affect this Council as the asset transfer was still to the Town Council; the variation was around the relationship between the Town Council and Seaton's Voice and improvements to the Hall:

- The Town Council was now to vacate the Town Hall and to use Marshlands, another property within Seaton, as its offices.
- The Town Council would grant Seaton's Voice a long lease to occupy the Town Hall and to continue to operate the Hall as a community facility. A lease would also to be granted by the Town Council to the Seaton Museum for its element of the building.
- Seaton Town Council would contribute to the running of the Hall in relation to landlord costs but Seaton's Voice would determine and finance improvements to the facilities; thereby not requiring the Town Council to seek consultation on obtaining a Public Works Loan.

In addition, it was agreed for this Council to support the organisations involved over the coming months leading to the transfer and where necessary and appropriate to provide professional support to facilitate the transfer. From this Council the Finance Portfolio Holder and the Chairman of the Asset Management Forum had played a vital role in facilitating the asset transfer. Councillor Marcus Hartnell had been a key contact for the Town Council. On reflection and consideration to future proposals for asset transfers, the need to give sufficient and timely support to keep projects on track must be ensured.

As of this week and with considerable effort from Councillor Marcus Hartnell aided by Councillor Peter Burrows, Seaton Town Council had agreed the Heads of Terms to this transfer. This prompt conclusion should allow the transfer to be completed by 31 March 2016.

RESOLVED:

that the current position with the transfer of Seaton Town Hall to the Town Council be noted.

REASON:

To provide an update position for members relating to the transfer of an asset to a Town Council.

***181 East Devon Broadband**

The Portfolio Holder Corporate Services updated members on a bid that had been made to Broadband Delivery UK (BDUK), part of the Department for Culture, Media and Sport. To support connectivity in the South West, the government had allocated £10m to the broadband programme from April 2016. The fund would be available for local projects to bid into.

At this stage the bid did not commit the Council, a request had been made for funding to see if this scheme would be supported by BDUK either through grant or possible investment. The outline case was for joint-venture between the Council and Broadway Partners, co-investors in East Devon Broadband to provide superfast broadband capability to as many of the 'final 10%, or 5%' of residents and businesses of East Devon, who would not be covered by the Connecting Devon & Somerset (CD&S) roll-out of superfast broadband. The 'final 10%, or 5%' of properties was an unknown figure but it was envisaged by working with BDUK and hopefully CD&S this would become clearer.

RESOLVED:

that Members were informed of the details contained in a bid made to BDUK for a scheme to improve superfast broadband coverage within the District.

REASON:

To update members

182 Thelma Hulbert Gallery update

The Service Lead – Countryside & Leisure informed Cabinet of the progress made by the Thelma Hulbert Gallery (THG) since its January 2015 Cabinet meeting. The report detailed progress made in securing grants and income as well as the successes made in its outreach work which provided a significant social value to the local community and the Council. He thanked Andrew Ennis, Service Lead Environmental Health and Car Parks for his help in achieving the new THG signage in the grounds and car parks.

Angela Blackwell, Gallery Curator/Manager gave a presentation on the work and achievements THG had made during 2015 to date.

Councillor John O'Leary, Arts and Culture Champion, confirmed the successful year for THG. There had been successful arts exhibitions, outreach work and delivering a core part of the Council's health and wellbeing agenda. He thanked Charlie Plowden, Angela Blackwell and their team for their hard work towards this success.

Discussions included the following:

- Great gardens with the bonus of an art gallery attached
- Weight of commercial and social value immense
- Activities needed to go further west of the district for more residents to benefit

RECOMMENDED:

that the proposed budget set for 2016/17 to enable the Thelma Hulbert Gallery to continue to achieve an improved financial performance, be agreed.

REASON:

The recent budget setting process for 2016/17 had scrutinised the recent grant awards for the THG and considered the potential for driving up its income potential. The process had also noted and incorporated the potential for income growth for 2016/17 based upon the financial performance of its shop sales, donations and sponsorship year to date. The budget was therefore set to continue to challenge the excellent progress the THG had made in reducing its overall cost to the Council by a further reduction of costs of £4,680 for 2016/17. The proposed budget for 2016/17 was £110,420 (above the recharges line it is £73,080). This equated to a further 6.02% saving on the 2015/16 budget and would achieve a total of £20,600 operational savings to the Council since agreeing the THG Business Survival Strategy in 2014/15. This performance if achieved was a clear demonstration of the improving financial performance of the THG and the continued success of its new team in securing grants and new income streams that helped reduce the annual contribution made to its running costs.

***183 Financial Monitoring Report 2015/16 - Month 9 December 2015**

The report gave a summary of the Council's overall financial position for 2015/16 at the end of month nine (31 December 2015).

Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level.
- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- There was a sufficient Capital Reserve to balance this year's capital programme.

RESOLVED:

that the variances identified as part of the Revenue and Capital Monitoring process up to month nine be acknowledged.

REASON:

To update members on the overall financial position of the Authority following the end of each month and included recommendations where corrective action was required for the remainder of the financial year.

***184 Honiton and Exmouth Pitches project – Stage 1**

Graeme Thompson, Planning Policy Officer updated Cabinet on progress in relation to the identification of sites to deliver sports pitches in Honiton and Exmouth (following on from adoption of the Playing Pitch Strategy (PPS) and related resolution by Cabinet in June 2015). He highlighted the process ahead and resource implications, and requested clarity on how Cabinet saw the implementation of any future recommendations being delivered.

Discussions included the following:

- Schools in Exmouth had no playing pitches
- Possibly create a policy for interest free loans to fund bid applications to sporting associations
- Workshops were available for all parties concerned

Members thanked Graeme for his continual hard work with this project.

RESOLVED:

1. that progress to date in identifying and discounting certain sites on feasibility grounds be noted
2. that the work programme moving forward be agreed
3. that the resource implications of continuing with this work be recognised
4. that the possibility of compulsory purchasing land for the delivery of sports pitches if no other suitable alternative exists, be agreed

REASON:

To ensure that Cabinet were up to date on the:

1. progress of this work and understood and agreed the processes in place as well as the resource implications of this work
2. to ensure that if in the future it was determined that compulsory purchase was necessary, that there had been an in-principle agreement to this approach at an early stage.

***185 Enforce sales of properties**

To seek resolutions from Cabinet to enforce the sale of five properties in the same ownership which were empty and in poor condition. Formal actions had been taken by the council in order to attempt to renovate and bring these properties back into use but engagement with the owner both informal and formal had failed. Actions in default had been carried out and costs accrued. Debts were outstanding; the Council had the formal powers to recover the debts by enforcing the sale of these properties.

Enforced sale had been identified as the most appropriate action to take regarding the five properties identified in the report. A further report would be submitted to Cabinet at a later date outlining what options the Council could consider to bring the outstanding two properties back into use.

RESOLVED:

that the five resolutions to enforce the sale of five properties in the same ownership which were empty and in poor condition be agreed.

REASON:

To confirm the resolutions for the five properties identified to enable the council to recover the outstanding debts.

***186 Seaton Jurassic update**

The report updated members on the progress with Seaton Jurassic. Information was provided on the additional funding that has been identified over the last 12 months.

Seaton Jurassic will open to the public on 26 March 2016 and expects to welcome 60,000 visitors per year.

The Deputy Chief Executive thanked Councillor Graham Godbeer in particular for the all the work he had put in to get this important visitor attraction to happen.

RESOLVED:

that the report be noted

REASON:

To acknowledge the current position with Seaton Jurassic

***187 Exemption to standing orders – SJ Kitchen and Cafe**

The report by the Senior Manager Regeneration & Economic explained the reasoning and the process of appointment of Fruition and Bartlett for the cafe and kitchen fit outs respectively at Seaton Jurassic with an exemption to the contract standing order process.

With the completion of the main build work for Seaton Jurassic and the installation of the internal and external exhibition materials well under way it was necessary to commission the fit out works for the cafe, shop and kitchen in order to ensure their timely completion. The Project Team was advised by the project manager and employer's agents, Ward Williams Associates. The quote received from Fruition to undertake the cafe fit out works was for the sum of £87,408.79 and the final quotation from Bartlett for the kitchen & servery fit-out was for £59,359.00, bringing the total contract value of the combined works to £146,767.79.

Cafe and Shop Fit-Out.

The design works for the café and shop fit-out work were previously tendered and three quotes for the works were received. The Project Steering Group chose Fruition to carry out the works based on their experience, cost and ability to deliver the client's vision for the café. Once the design works were completed to the satisfaction of the Project Steering Group it was necessary to instruct a contractor to do the fit-out works.

Kitchen and Servery Fit-Out

The kitchen fit-out works were tendered by the main contractor Kier. Two firms responded and Bartlett was selected due to their cost, experience and local ability to provide back up. However, for programming reasons the works were not awarded through the Kier main contract. It was also significantly cheaper to award the contract to Bartlett directly.

With the purpose of respecting the delivery programme of Seaton Jurassic the Project Team identified that it would offer best value to appoint Fruition and Bartlett to undertake these works without the need for further tendering. An exemption report was therefore prepared and duly signed by the Procurement Officer and others.

RESOLVED:

that the exemption to contract standing orders be agreed for the reasons given in the report.

REASON:

The appointment of Fruition is an extension to the existing design contract for the purpose of achieving best value. Bartlett submitted the lowest of two tenders and appointing them directly was significantly cheaper than doing it through the main contractor.

***188 Monthly Performance reports – December 2015**

The Deputy Chief Executive presented the report setting out performance information for December 2015. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicators that showed excellent performance:

1. Percentage of planning appeal decisions where the planning inspector had disagreed with the Council's decision
2. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
3. Creditor Days - % of invoices paid in 10 working days.

There was one performance indicator showing as concern:

1. Working days lost due to sickness absence – Sickness for December last year was 7.61 per. Based on the current outturn of 7.24 FTE days the final absence figure was projected to be 9.65 FTE days per person.

RESOLVED:

that the progress and proposed improvement action for performance measures for December 2015 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.

Attendance list

Present:

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

Portfolio Holders:

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

Cabinet Members without Portfolio

Geoff Pook
Eileen Wragg

Cabinet apologies:

Philip Skinner	Portfolio Holder Economy
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Non-Cabinet apologies:

Matt Booth
Peter Bowden
Ian Hall
Steve Hall
Marcus Hartnell

Dawn Manley
Brenda Taylor

Also present:

Councillors:

Mike Allen
Megan Armstrong
Brian Bailey
David Barratt
Colin Brown
Paul Carter
David Chapman
Maddy Chapman
Alan Dent
John Dyson
Peter Faithfull
David Foster
Steve Gazzard
Roger Giles
Graham Godbeer
Alison Greenhalgh
John Humphreys
Geoff Jung
Bill Nash
Cherry Nicholas
John O'Leary
Helen Parr
Pauline Stott
Mark Williamson

Honorary Alderman

David Cox

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
Angela Blackwell, Gallery Curator
Andrew Hancock, Service Lead Streetscene
Naomi Harnett, Principal Projects Manager
Alison Hayward, Senior Manager - Regeneration & Economic Development
Claire Mitchell, Accountant
Tony Norton, University of Exeter
Susan Percival, Accountant
Charlie Plowden, Service Lead Countryside
Graeme Thompson, Planning Policy Officer
Andy Wood, East of Exeter Projects Director
Amanda Coombes, Democratic Services Officer

Chairman Date.....

Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 26 January 2016

Attendance list at end of document

The meeting started at 6.00pm and ended at 9.00pm.

***24 Chairman's introduction**

The Chairman welcomed the Committee members to the meeting

***25 Public speaking**

There were no public speakers at this point of the meeting.

***26 Minute confirmation**

The minutes of the Overview Committee held on the 17 November 2015, were confirmed as a true record. Councillor Rob Longhurst raised the issue arising from the minutes on local consultation obtained for the Exmouth Beach Management Plan.

***27 Enterprise Zone update**

Members received an update from Andy Wood, East of Exeter Projects Director, updating Committee members on progress on the Enterprise Zone.

There had been an announcement in the Chancellor's autumn statement last November that the proposed Enterprise Zone submission from the Heart of the South West Local Enterprise Partnership had been successful. This included four sites in East Devon (Skypark, Science Park, Cranbrook and Airport Business Park extension) alongside a site in Sedgemoor District.

Members noted that the Chancellor's announcement in the autumn budget did not automatically confer operational Enterprise Zone status, rather that considerable further work needed to be undertaken over the course of the next 12 months. This would be to develop a detailed business case and agree specific arrangements, not least future governance arrangements.

It was clear that the Enterprise Zone proposal had the potential to accelerate the achievement of growth objectives and to bring forward new job creation. However, it was noted that there were also potential downsides and risks that would need to be carefully understood. These would need to be considered within the context of forthcoming changes to the way in which business rate revenues relate to Local Government financing.

The Enterprise Zone had the following benefits

- potential to accelerate delivery of the largest growth area in Devon & Somerset;
- accrue benefits across a wide part of the LEP area, including the remainder of East Devon;
- capitalise on the existing initiatives and investments;
- give the ability to respond quickly to occupier demand;
- present a strong geographical, sectoral and thematic focus on a national and international stage

The next steps were a report to Cabinet, followed by development/delivery of a business plan, agreements of governance arrangements, a checkpoint regarding Business Rate

retention and agreement for site areas/incentives sought. Subject to successfully negotiating these stages the Zone could then become operational in April 2017.

During discussions, the following points and questions were raised:

- the employment sites could be marketed more forcefully;
- there were additional benefits to the District that would be brought in from the Enterprise Zone;
- how much was the Enterprise Zone dependent on the Heart of the South West Devolution? Officers advised that it was not dependent on devolution.
- how would the Enterprise Zone help with the development of small businesses in rural areas;
- was there any way of priority funding business rates for achieving a second passing loop on the Exeter/Waterloo rail line?
- how could 'M5 hopping' be reduced? Officers advised that this would be achieved through the 'Gateway' policy at the Science Park but was an area that would need to be considered further;
- have we looked at the potential for the Enterprise Zone to assist with house sales in Cranbrook? Officers advised that these two should be linked in the sense that the a strong labour market would help to underpin house sales;
- would the Enterprise Zone take jobs from the Axminster area? Officers advised that that they could not categorically advise that this wouldn't be the case but that there were measures that could be employed to help bring forward new jobs at Axminster e.g. provision of workspace;
- the local economy was not dependent on one industry and had a good range of sectors and this diversity would help with the district's resilience to any economic downturn;
- contributions from developers could significantly help with the £50m cost of the second passing loop on the South West Main Line;
- the need for a rural economic strategy to help the economy in the rural areas.

Only new buildings constructed after the start of the designation in April 2017 would qualify for the business rate incentive. Andy Wood, East of Exeter Projects Director reported that a report would be brought to the Cabinet meeting on 9 March including further details on the financial issues surrounding the Enterprise Zone.

- 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 Government's Autumn statement, be noted;
 2. that the additional work that will be needed to be undertaken to develop a detailed business case and defined geography before the Zone can become operational, be noted.

***28 South West Trains franchise consultation**

The Committee received a presentation from Andy Wood, East of Exeter Projects Director, on the South West Trains franchise consultation, which was expected to run from June 2017 for 7 years.

The objectives of the franchise were

- Support the economy of the franchise area with high quality services that reflected the specific requirements of the different markets;
- Increase capacity to meet demand and future growth;

- Deliver excellent experience for passengers;
- Secure whole industry efficiencies;
- Support local communities to deliver local transport integration, local regeneration and investment;
- Improve social and environmental sustainability.

Key issues for East Devon included:

- Connectivity to London;
- Travel to work – across the District;
- Travel to Learn;
- West End growth – including 2nd Cranbrook station;
- Service frequency/capacity;
- Stopping patterns;
- Links to the Airport.

Debate on the issue included:

- Importance of establishing a half hourly clock face service from Axminster to Exeter;
- priority should be the establishment of a second passing loop near Whimple and this should be emphasised to the Department for Transport;
- Importance of capacity issues on the line and provision of more modern rolling stock for the line;
- A second Cranbrook station could take even more stopping services from Feniton and Whimple stations;
- 7 years was too short a time frame for the franchise;
- Best long term solution for the line would be double track all the way to Salisbury;
- What steps could be taken to improve the resilience of the service?

Andy Wood, East of Exeter Projects Director was thanked for presentation.

RESOLVED

that the report be noted.

***29 Overview forward plan**

The Committee discussed items for the forward plan, and agreed the following topics to be scoped before further consideration on how to proceed:

RESOLVED

That the forward plan include:

9 February 2016 – additional meeting on the Refuse and Recycling contract award.

22 March 2016 – Sustainability. Update on Flood Risk Management and Shoreline Management Plan, Update on Economic Development and Draft Annual Report.

First meeting after 1 May 2016 – EDDC policy on providing Affordable/Starter Homes

Attendance list

Councillors Present:

Graham Godbeer (Vice Chairman in the Chair)

Mike Allen

Matthew Booth

Peter Faithfull

Maria Hale
Rob Longhurst
Christopher Pepper

Councillors Also Present:

Megan Armstrong
John Dyson
Roger Giles
Geoff Jung
Andrew Moulding
Phil Twiss
Tom Wright

Councillor Paul Bull from Exeter City Council

Officers

Anita Williams, Principal Solicitor
Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Andrew Wood, East of Exeter Projects Director
Chris Lane, Democratic Services Officer

Councillor Apologies:

Peter Bowden (Chairman)
Paul Diviani
Jill Elson
Pat Graham
Ian Hall
Ben Ingham,
PaulineStott

Councillor Rosie Denham of Exeter City Council
Councillor Keith Owen of Exeter City Council
Councillor Rachel Sutton of Exeter City Council
Councillor Dennis Smith of Teignbridge District Council
Councillor Mike Haines of Teignbridge District Council
Councillor Humphrey Clemens of Teignbridge District Council
Councillor Stuart Barker of Teignbridge District Council
Councillor John Goodey of Teignbridge District Council
Councillor George Gribble of Teignbridge District Council
Councillor Silvia Russell of Teignbridge District Council
Councillor Andrew Leadbetter of Exeter City Council

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of the Scrutiny Committee held at Knowle, Sidmouth on 10 December 2015

Attendance list at end of document

The meeting started at 8:12pm and ended at 21:35pm.

***40 Chairmanship of the meeting**

Councillor Roger Giles thanked his fellow committee members, particularly his Vice Chairman, for the work undertaken during the year. He asked the committee, in the interests of team work and to develop the skills of the vice chairman, if they would agree for the meeting to be chaired by Councillor Dent and he would take the vice chairman role.

The committee agreed and Councillor Dent acted as Chairman for the duration of the meeting.

***41 Public speaking**

There were no public speakers.

***42 Declarations of Interest**

There were none.

***43 Mill Street Press Release of 17 September 2015**

Councillor Cathy Gardner had an raised issue at the October meeting of the committee in relation to the issue of a draft press release to Ward Members shortly before the press deadline. She supplied some specific questions relating to notice, consulting Ward members, urgency and authority to issue.

The responses to her specific questions had been set out in the report to the committee.

She reminded the committee of her concern about the urgency of the press release, which left her with minimal time to respond before it was issued; she also explained to the committee the consequences of the press release, with a knock on effect of adverse publicity. She also felt that the existing media protocol was not fit for purpose.

In response, the Portfolio Holder for Central Services outlined the work pressures of the communications team, and the wording in the current protocol which stipulates that:

“the work of local councillors is recognised as an important contributor to the council’s community leadership role. Ward councillors can be quoted in press releases and can be a contact for the media on initiatives in their ward that promote the policies and services of the council, in consultation with the relevant portfolio holder.”

Both the Portfolio Holder and the Strategic Lead Organisational Development and Transformation stressed the practicalities of dealing with press enquiries. The previous meeting earlier that evening had shown the excellent work of the communications team in dealing with the recycling trial. The example of the particular press release in question did not reflect the service delivery of communications as a whole.

Debate by the committee included:

- the perception of how press releases and subsequent coverage by the media (either quoting in full or in part) may be perceived by the public;

- Involvement of ward members in relevant work was a key factor and responsibility of each strategic lead and service manager;
- So that the communications team can check that ward members have been involved and informed this is an element in the press release template. It includes prompts to help officers build the content of a press release and a reminder about ward member involvement;
- The media protocol itself was based on Local Government Association good practice, and had already been discussed by the committee on the 30 July 2015, where the committee resolved that it endorsed the protocol;
- Options for handling the media including holding statements where appropriate, a practice which is already in place and used where necessary;
- Ward member involvement was taking place, but the communications team were only the conduit – it was the responsibility of officers to ensure that the appropriate member involvement was in place.

RESOLVED

- 1. that the committee reaffirms its endorsement of the existing media protocol**
- 2. that the continued use of a press template for officers in preparing a press release for forwarding to the communications team be welcomed.**

***43 Strata Joint Scrutiny Minutes**

The committee noted the minutes from the joint scrutiny committee. The Chairman highlighted the recent publication online of the recent meeting held on 3 December 2015.

***44 Scrutiny forward plan**

Cllr Roger Giles as vice-chairman circulated a letter sent to him relating to the development of Exmouth seafront, to ask the committee of their view towards the request for the committee to look into the matter.

The committee were advised by the Democratic Services Officer that:

- Planning applications cannot be reviewed by the committee as the Overview and Scrutiny (England) Order 2012 prevents it;
- Reviewing any public consultation conducted back in 2012 on a masterplan that had now changed would not be relevant work for the committee to undertake some three years later;
- Questions relating to the issue have already been submitted to full Council on 16 December on the topic and would be answered there.

The Principal Solicitor advised the committee that:

- Litigation relating to the area concerned in the letter was still sub judice, and therefore could not be discussed;
- The constitution prevents the committee from considering planning applications;
- The issue referred to in the letter related to a decision already made by Cabinet and Council;
- Questions relating to the issue had already been submitted to Council on 16 December 2015.

Whilst some members of the committee were keen to discuss the seafront development, including particular aspects of the application that had changed to include residential development, they were again reminded that the committee had no remit to pursue discussions of that nature. Once a detailed planning application was out for consultation, views could be expressed through that mechanism as per the planning process.

In conclusion of the debate, the committee were minded to instruct a scoping exercise for how public consultation is conducted, in light of how they felt previous decisions had been made on a consultation process in relation to Exmouth seafront which received a low response rate. The committee were advised that any scoping exercise was likely to show that under the constitution, this would be likely to fall within the remit of the Overview committee. The committee wanted to explore if the implementation of existing policy was in place.

Members were advised of a training session on the morning of 8 January 2016 to familiarise councillors with the budget book, service plans and links to the Council Plan. This was in preparation for the discussion on the draft budget on the 13 January where the Overview and Scrutiny Committees were asked to recommend a draft budget to Cabinet, with Cabinet's recommendations then being referred to Council in February.

RESOLVED

That a review of public consultation related policy be scoped and reported back to the Committee

Attendance list

Scrutiny Committee members present:

Roger Giles (Vice Chairman)
Alan Dent (Chairman)

Brenda Taylor
Marianne Rixson
Dean Barrow
Bill Nash
Cathy Gardner
Val Ranger
Simon Grundy

Other Members present:

Megan Armstrong
Phil Twiss
Rob Longhurst
Peter Bowden
Peter Faithfull

Officers present:

Anita Williams, Principal Solicitor and Deputy Monitoring Officer
Debbie Meakin, Democratic Services Officer

Karen Jenkins, Strategic Lead Organisational Development and Transformation
Simon Davey, Strategic Lead Finance

Committee Members

David Chapman
Maddy Chapman
Marcus Hartnell
Alison Greenhalgh
Cherry Nicholas

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a joint meeting of the Overview and Scrutiny Committees held at Knowle, Sidmouth on 10 December 2015

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.05pm.

***15 Election of Chairman**

Councillor Peter Bowden was elected Chairman of the joint meeting.

The Chairman welcomed Councillors to the joint meeting and reminded the Overview and the Scrutiny Committee Members that voting on any proposed recommendations would be conducted separately for each committee.

***16 Appointment of Vice Chairman**

Councillor Roger Giles was appointed Vice Chairman of the joint Committee.

***17 Public speaking**

There were no public speakers.

***18 Declarations of Interest**

No declarations were given.

***19 Exclusion of the public**

RESOLVED:

that the classification given to the documents to be submitted to the Cabinet be confirmed; there were no items which officers recommended should be dealt with in Part B.

***20 Improved recycling trial in The Colony Exmouth and new Feniton**

The Chairman welcomed officers both from the Streetscene and Communications services to the meeting to present to the committee the results of the recent trial.

An improved recycling service has been trialed, and continues to run, in the areas of The Colony in Exmouth, and in part of Feniton. The recycling kerbside service in those areas expands the current recycling materials to include:

- household plastic bottles
- mixed plastic containers
- clean and dry cardboard

The areas have also been provided with an additional recycling sack, and the collection of waste from the grey bins has been changed to every three weeks.

The existing SITA collection contract for collection of the District's waste ends on 31 March 2016, and a number of reports on the new contract have been before the Overview and Scrutiny Committee and Cabinet. The new contract will now commence from June 2016. The report before the committees outlined the resident desire for inclusion of cardboard and missed plastics, and the need to increase the recycling rate by 2020 to 50%. Good practice from other authorities had been taken into account before the revised service concept for the trial was produced.

Undertaking a trial gave the service valuable feedback and helped to predict a level of waste and recycling if adopted across the district. It also helped to tease out issues that could be dealt with before a full scale roll out.

The committees were updated on the results of the feedback from residents, which concluded on 30 November. The feedback overall showed a very successful trial and identified small areas for review, such as the type of recycling bag to be used. The committee were shown the BBC report interviewing residents who took part in the trial, showing the change from scepticism amongst some, to positive embracing of the service.

Many members, including the Ward Member for Feniton, Councillor Susie Bond; and Cllr Bill Nash, Ward member for Exmouth Town, commended the work of officers in their preparations and implementation of the trial, including the communications. There was real value in the work of officers meeting face to face with users of the service to help them fully take part in the trial.

The committees discussed elements of the service, including:

- How staffing resource would be managed in rolling out a new service across the district: budget covers a one-off cost for additional staff resource in the form of 10 waste management officers, two additional staff in the Customer Service Centre (CSC) and additional support in communications for a six month period, to cover the lead into and early implementation of a new service;
- Increasing the type of materials permitted in recycle bins but leaving a two-weekly waste collection service in place would mean an increase in cost overall for the service; moving to a three-week waste collection would lead to a cost saving and provide an incentive for improved recycling and awareness of how waste is treated overall;
- Cannot confirm at this stage if new service will be phased roll out or single date roll out, as differing options had been provided by bidders;
- Estimated costs had included on-costs for staffing and other issues;
- Many changes to operational systems were in place because of the work of the trial, but there was still some work to undertake before a full roll out; however huge value from the trial in understanding the type of enquiries likely and what information the public would need before a new service is implemented;
- In-cab service was a separate cost to the new service as that had been undertaken previously to tackle missed collections as effectively as possible;
- Options for recycling receptacles, with professional advice of existing contractor being that the additional sack was the better option for practicable use, but further work recognised in providing a sack that perhaps also had a rain flap and was slightly larger than the one utilised in the trial;
- Use local parish and town members to help educate people on what could be recycled and how important it was to have it clean and dry;
- Work had already been carried out and would continue to promote the options available to young families on using real nappies as opposed to disposable nappies;
- Roadshows for the trial had worked well and these would be used for the new service roll out;
- “Romaquip” vehicles were tested during the trial and would result in less loose recycling material to potentially get blown off the vehicle than present vehicles used in the existing service. Some separation of recycling by the householder is likely to be necessary for the new service;
- Polystyrene was not economically viable to recycle;

- Recycling credit arrangement with the County Council was under negotiation and the service was looking for a fair share of the expected savings from that arrangement when the new service was in place

The Overview and Scrutiny Committees voted separately on recommendations.

The Overview Committee:

RECOMMENDED

1. To note and welcome the positive trial results in the areas of The Colony, Exmouth and New Feniton;
2. That the officers and communities involved be congratulated on the success of the trial;
3. That the anticipated reduction in waste going for disposal be welcomed;
4. That the anticipated increase in recycling be welcomed;
5. That Cabinet considers the trial service method when evaluating the final bids for the new waste and recycling contract;
6. That the assistance of town and parish councils is sought both in early involvement prior to implementation of a new contract, and during implementation of a new contract to help educate and inform their communities of the new service adopted;
7. That the successful project planning and communications effort be noted and the approach replicated for any further rollout of the service change;
8. That the trials continue and the monitoring and evaluation process is maintained.

The Scrutiny Committee:

RECOMMENDED

1. To note and welcome the positive trial results in the areas of The Colony, Exmouth and New Feniton;
2. That the officers and communities involved be congratulated on the success of the trial;
3. That the anticipated reduction in waste going for disposal be welcomed;
4. That the anticipated increase in recycling be welcomed;
5. That Cabinet considers the trial service method when evaluating the final bids for the new waste and recycling contract;
6. That the assistance of town and parish councils is sought both in early involvement prior to implementation of a new contract, and during implementation of a new contract to help educate and inform their communities of the new service adopted;
7. That the successful project planning and communications effort be noted and the approach replicated for any further rollout of the service change;
8. That the trials continue and the monitoring and evaluation process is maintained;
9. That Cabinet seek detailed cost implications of any proposed change in service including the impact on the recycling credit income to the Council

Attendance list

Overview Committee members present:

Peter Bowden
Graham Godbeer
Peter Faithfull
Maria Hale
Ian Hall
Rob Longhurst

Scrutiny Committee members present:

Roger Giles
Alan Dent
Dean Barrow
Cathy Gardner
Simon Grundy
Bill Nash
Cherry Nicholas
Val Ranger
Marianne Rixson
Brenda Taylor

Other Members present:

Jill Elson
John Dyson
Susie Bond
Megan Armstrong
Phil Twiss
David Barratt

Officers present:

Andrew Hancock, Service lead Streetscene
David Feltham, Senior Waste Management Officer
Steve Joyce, Waste Management Officer
Steve Maclure, Waste Management Officer
Alison Stoneham, Communications and Public Affairs Manager
John Golding, Strategic Lead Housing and Environment
Anita Williams, Principal Solicitor and Deputy Monitoring Officer
Simon Davey, Strategic Lead Finance
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Debbie Meakin, Democratic Services Officer

Committee Members apologies:

Overview

Pat Graham
Matt Booth

Scrutiny

David Chapman
Maddy Chapman
Marcus Hartnell

Alison Greenhalgh

Other Member apologies:

- Iain Chubb
- Geoff Jung
- Paul Diviani
- Geoff Pook

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a joint meeting of the Overview and Scrutiny Committees held at Knowle, Sidmouth on 13 January 2016

Attendance list at end of document

The meeting started at 9am and ended at 12.33pm.

***21 Election of Chairman**

Councillor Peter Bowden was elected Chairman of the joint meeting.

***22 Appointment of Vice Chairman**

Councillor Roger Giles was appointed Vice Chairman of the joint Committee.

***23 Public speaking**

There were no public speakers.

***24 Declarations of Interest**

Cllr Jill Elson – Min no. 20

Personal interest

Reason: Member of Exmouth and District Community Transport

Cllr Graham Godbeer - Min no. 20

Personal interest

Reason: Chairman of AONB; Member of Axminster Town Council.

Cllr Alan Dent – Minute no. 20

Personal interest

Reason: Member of Exmouth and District Community Transport

Cllr Cherry Nicholas – Min no.20

Personal interest

Reason: Member of Exmouth and District Community Transport

Cllr Peter Bowden – Min no. 20

Personal interest

Reason: Dispensation obtained to discuss flooding issues

Cllr Matt Booth – Min no. 20

Personal interest

Reason: Director Sidmouth Drill Hall Hub Community Interest Company

***25 Exclusion of the public**

RESOLVED:

that the classification given to the documents to be submitted to the Cabinet be confirmed; there were no items which officers recommended should be dealt with in Part B.

***26 Draft Revenue and Capital Budgets 2016/17**

The Chief Executive and the Strategic Lead for Finance set the scene for the committees, illustrating the presented balanced budget which included a council tax increase of 1.99%. The committees were asked to bear in mind the impact that the future Recycling and Refuse contract would have on the council's finances, in terms of actual savings delivered. With this in mind, the committees were asked to consider alongside the draft budgets, special item bids.

The Housing Revenue Account was also in a good position and would be considered by the Housing Review Board for recommendation to Council.

The following special item bids were presented to the committee, debated and recommended:

1. Exmouth Beach Management Plan at £50k

The plan was already in place and endorsed by the Overview Committee; the bid was clarified as covering improved monitoring of the site and works to help maintain coastal defence assets as a one-off cost for that financial year. There was a mixed response from Members as to the merits of the plan and what work should take priority for the site; overall the bid was recommended by the committees to be included in the budget for 2016/17.

2. Seaton Beach Management Plan at £50k

This bid was to work towards and create a beach management plan, which, when in place, enabled the council to bid for money from DEFRA for works to the beach. The bid would cover the cost of technical advice and research that the council does not have in-house. The Vice Chairman commented on the need to invest in this now in order to bring more funding to the project in the future. The committees agreed to recommend inclusion in the budget.

3. Seaton East of West Walk gabions at £5k

Original gabion baskets had been destroyed in the storms of 2014, and needed replacement to maintain coastal defence and before on starting on the production of the beach management plan. The committees agreed to recommend inclusion in the budget.

4. Trimble GEO 7X asset surveying tool at £8k

The committees agreed to recommend inclusion in the budget.

5. Exmouth Orcombe Point steps at £5k

The committees agreed to recommend inclusion in the budget.

6. Annis's Knob Beer Cliff works at £15k

An outline of the issues at this location was given to the committee. The bid included improved monitoring and installation of arrest fencing part-way up the cliff to help mitigate impact should the cliff collapse. The committees agreed to recommend inclusion in the budget.

7. Sidford Rugby Club rabbit fencing works at £4k

Funding had already been committed against the works required by the rugby club on council owned land. The installation of rabbit proof fencing was considered the most expedient way of dealing with the problem following the success of installation at other grounds. The committees agreed to recommend inclusion in the budget.

8. Recycling and Refuse assuming new scheme roll out to mirror success of trial experience at £172k

This bid would only apply if the new Recycling and Waste Collection contract option chosen matches the trial method recently tested. The committee were reminded of the success of the recent trial at Feniton and the Colony Exmouth, due to a combination of communications, branding, staff in the area of the trials and contribution from the current contractor. The committees agreed to recommend inclusion in the budget.

9. On site building manager at Younghayes Centre at £10k

The site at Cranbrook required an on-site presence outside of normal office hours, both for security of the site and to manage the cleanliness of the building and its facilities. It was hoped that in the future this resource would be funded by the Town Council if they agreed to take that on. The committees agreed to recommend inclusion in the budget.

10. Regeneration & Economic Development – request for 3 additional staff (Development Surveyor, Research & Funding Officer and Senior Economic Development Officer. In addition extension to temporary contracts and additional hours. Also a request for initial budget of £150,000 to buy in additional skills (Total bid £288K).

Whilst there was a strong support for the bid to help progress the economic status of the District, some councillors argued that the total bid figure was high and would impact greatly on the draft budget. The committees were also advised to bear in mind the impact of the new recycling and refuse contract in terms of what may be delivered in savings from that contract, currently only predicted. Advice was given that the committees may wish for further debate on the requirements of the service after that contract was in place and other key financial risks and uncertainties listed in the budget report were more certain.

The committees discussed what other factors influenced the economic status of the district and individual settlements, other than the input from the economic development service. How planning applications for industrial sites were handled was another factor that the Council could examine in order to help facilitate the growth of business. Members discussed phased options to start to bring in additional resource to the service to allow some service improvements to take place, such as the preparation of bids for external funding. Additional discussion could then take place on further enhancing the service once other outcomes, such as the recycling and refuse contract, and the enterprise zone status, were known.

With differing opinions, the committees undertook separate recommendations on this

special item bid.

11. Gov Delivery - multi media messaging system at £9k

Following a suggestion by the Vice Chairman of Overview, the committees agreed to recommend the project be funded from the transformation budget.

12. Implications of National Living Wage – implementation of grade differentials and implications with apprentices at £18k

The proposal was explained to cover some savings at the national minimum wage level but to increase the level at the scale 2 point of the pay scale by one increment to help the differential between that and the lower level. The committees agreed to recommend inclusion in the budget.

13. Additional one FTE recourse in the tree service at £27k

Previous work both in a systems thinking review of the service, and an extensive Task and Finish Forum on the evaluation and protection of trees, had produced a number of policy aspects that now needed implementation. The aspirations of the TaFF, supported by the Cabinet and Council, could not be achieved without additional resource. The committees agreed to recommend inclusion in the budget.

Capital Budget

The Capital budget was outlined to the committees as in a healthy position, with the caveat that the position may shift depending on any change in decision nationally on the new homes bonus.

Service Plans

Questions were put by the committee on some aspects of the draft service plans presented. In respect of the Finance service plans, some performance monitoring indicators were now deemed no longer necessary to report to the Scrutiny Committee because service changes had now been put in place and established over a long period that they were no longer required. The Scrutiny committee retained the right to call to committee any service aspect that they felt needed investigation if required.

An amendment to the period of reporting relating to performance management indicators for the Growth Point service plan was requested, as it was felt that reporting “as required” left the option vulnerable to infrequent reporting. The committees were advised that the work of that team was on a project basis, so specified frequency for reporting was not always relevant, and the team regularly report progress on projects to the Growth Board.

Council Tax level

The committees also discussed the options on increasing the level of Council Tax, anywhere between 0% and the £5 (equivalent to a rise of 4.1%) limit imposed. Concern was expressed on recommending the maximum increase in light of no increase in council tax over the past five years. Any increase in council tax level would not provide “reserves” but enable a smaller draw on the funding from the new homes bonus. Members would be in a position to debate the level further at full Council in February, when the position over a preferred contractor for the recycling and refuse contract would be known.

RECOMMENDED by both the Overview Committee and Scrutiny Committee

1. That the Council increases the Council Tax for 2016/17 by £5 per year (equivalent to 4.1%);
2. That the draft revenue budget be recommended to Council with the following inclusion of special item bids:
 - a. Exmouth Beach Management Plan at £50k
 - b. Seaton Beach Management Plan at £50k
 - c. Seaton East of West Walk gabions at £5k
 - d. Trimble GEO 7X asset surveying tool at £8k
 - e. Exmouth Orcombe Point steps at £5k
 - f. Annis's Knob Beer Cliff works at £15k
 - g. Sidford Rugby Club rabbit fencing works at £4k
 - h. Recycling and Refuse assuming new scheme roll out to mirror success of trial experience at £172k
 - i. On site building manager at Younghayes Centre at £10k
 - j. Implications of National Living Wage – implementation of grade differentials and implications with apprentices at £18k
 - k. Additional one FTE recourse in the tree service at £27k
3. That the special item bid for the Gov Delivery - multi media messaging system at £9k e funded from the transformation budget.
4. That the service plans be recommended to Council with the following amendment with a minor amendment to reporting of two performance indicators within the Growth Point Team service plan;
5. That the draft Capital budget be recommended to Council

RECOMMENDED by the Overview Committee

That the additional post of Research and Funding Officer, at £29,588 per annum plus 25% on cost, be made to the Regeneration and Economic Development service, and the remaining elements of the bid with additional staff and purchase of additional skills for the service be further debated by Cabinet

RECOMMENDED by the Scrutiny Committee

That the proposal of three additional staff and purchase of additional skills for the Regeneration and Economic Development service be debated further by Cabinet

Attendance list

Overview Committee members present:

Peter Bowden
Graham Godbeer
Ian Hall
Rob Longhurst
Peter Faithfull
Matt Booth
John Humphreys

Scrutiny Committee members present:

Roger Giles
Alan Dent
David Chapman
Simon Grundy
Maddy Chapman
Cherry Nicholas
Dean Barrow

Other Members present:

Jill Elson
Tom Wright
John Dyson
Geoff Jung
Ben Ingham
Megan Armstrong
Ian Thomas
Andrew Moulding
Phil Twiss
Paul Diviani
Mike Howe
Pauline Stott
Phil Skinner
Brian Bailey
Helen Parr

Officers present:

Henry Gordon Lennox, Strategic Lead Legal Licensing & Democratic Services and Monitoring Officer
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing and Environment
Andrew Hancock, Service Lead Streetscene
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Laurelie Gifford, Financial Services Manager
Charlie Plowden, Service Lead Countryside and Leisure
Mark Williams, Chief Executive
Debbie Meakin, Democratic Services Officer

Committee Members apologies:

Overview

Maria Hale
Mike Allen
Christopher Pepper

Scrutiny

Marcus Hartnell
Brenda Taylor

Marianne Rixson
Cathy Gardner
Alison Greenhalgh
Bill Nash
Val Ranger

Other Member apologies:

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a joint meeting of the Overview and Scrutiny Committees held at Knowle, Sidmouth on 9 February 2016

Attendance list at end of document

The meeting started at 6pm and ended at 6.58pm.

***27 Election of Chairman**

Councillor Roger Giles was elected Chairman of the joint meeting.

***28 Appointment of Vice Chairman**

Councillor Peter Bowden was appointed Vice Chairman of the joint Committee.

***29 Public speaking**

There were no public speakers.

***30 Minutes confirmation**

The minutes of the joint committees on 13 January 2016 were confirmed as a true record.

***31 Declarations of Interest**

Cllr John Humphreys – Min no. 26

Personal interest

Reason: Contractor who disposes of garden waste

***32 Recycling, waste collection and associated services contract**

The two committees considered the report prepared for Cabinet, outlining the final stages of the procurement process of the contract.

The evaluation of the Best and Final Officers, along with the successful results of the trials in Feniton and Exmouth (The Colony), had led to the recommendation of provider for the contract.

The committee discussion included:

- Why the amount Devon County Council pay as a cost per tonne for disposal could not be disclosed to the council in order to provide an accurate figure for the amount of waste being diverted through the enhanced recycling scheme and provide a clearer estimate of the saving potential. Officer outlined the efforts made to secure that information from DCC but had been unsuccessful, and therefore an estimate had been used with a suggested sharing formula of 50%. Less waste going to landfill reduced disposal costs for DCC, and officers felt that the council should share in those savings;
- Bidders had provided method statements covering all aspects of the service, which would form part of the contract. The contract would also contain clauses to help protect the council by ensuring that the performance of the service met the required standard;
- Lot 4, whilst having a less frequent refuse collection, held an upfront cost of providing 240L wheeled bins to every householder in the district;
- Advice had been taken on providing the capital funding of the vehicle fleet requirement, with savings identified in taking this option rather than the more expensive option of bidders purchasing the fleet and recovering their costs through the contract;

- Vehicle lead in time from order to delivery was expected to be approximately six months, so the current fleet would be utilised until the new vehicles were ready for deployment;
- Year on year increase in Landfill Tax was expected and had been taken into account in calculation of costs;
- A small number of other authorities had implemented a three-weekly refuse collection service and their experiences had been taken into account when designing the trial service in 2015. This would be a pioneering service and be keenly observed by neighbouring authorities;
- Bidder A had included the recycling of tetrapaks; a two-weekly collection of AHP would be available if required;
- In future years as refuse quantity continues to decrease, the council could consider less frequent collection of refuse with the selected contractor if costs permit.

RECOMMENDED unanimously by the Overview Committee and Scrutiny Committee

1. that, based on the evaluation of tenders for the Recycling, Waste Collection and Associated Services contract by the Tender Evaluation Panel, Bidder A be appointed to deliver and operate the services specified in the contract and tender documents;
2. that the tender be awarded on the basis of Lot 3 (enhanced weekly kerbside recycling and a three-weekly residual collection service);
3. Agree a three month extension to the current contract to enable the contract to commence in July 2016, giving an appropriate mobilisation timeframe, with a corresponding extension of the depot lease;
4. Delegated authority be given to the Strategic Lead (Housing, Health and Environment) and Strategic Lead (Legal, Licensing and Democratic Services) to negotiate and complete the contract and depot lease extensions and new waste contract;
5. Request that Devon County Council provide the information on cost per tonne for disposal of residual waste to this and other authorities in the county in the next two months.

Attendance list

Overview Committee members present:

Peter Bowden
Graham Godbeer
Peter Faithfull
Maria Hale
John Humphreys
Rob Longhurst

Scrutiny Committee members present:

Roger Giles
Dean Barrow
David Chapman
Maddy Chapman
Alison Greenhalgh
Simon Grundy
Marcus Hartnell

Val Ranger
Brenda Taylor

Other Members present:

Geoff Jung
Iain Chubb
Tom Wright
Pauline Stott
Jill Elson
David Barratt
Paul Diviani
Phil Twiss

Officers present:

John Golding, Strategic Lead Housing, Health and Environment
Andrew Hancock, Service Lead Streetscene
Henry Gordon Lennox, Strategic Lead Legal, Licensing and Democratic Services
Debbie Meakin, Democratic Services Officer

Committee Members apologies:

Overview

Matt Booth
Pat Graham
Mike Allen
Ian Hall

Scrutiny

Alan Dent
Marianne Rixson
Cathy Gardner
Bill Nash
Cherry Nicholas

Other Member apologies:

Andrew Moulding
Mike Howe

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 14 January 2016

Attendance list at end of document

The meeting started at 2.30pm and ended at 4.52pm.

***49 Public Speaking**

Councillor Pauline Stott, Chairman of the Board welcomed all those present and invited everyone to introduce themselves. Councillor Douglas Hull asked whether there would be any effect on East Devon District Council resulting from the Government's recent announcement that they would be demolishing some council estates and rebuilding them. The Strategic Lead – Housing, Health and Environment replied that he thought it was unlikely that EDDC would have any involvement in this.

***50 Minutes**

The minutes of the Housing Review Board meeting held on 5 November 2015 were confirmed and signed as a true record.

***51 Declarations of Interest**

Mike Berridge: Personal interest - family member lives in a Council owned property; housing tenant.

Julie Bingham: Personal interest – employee of Devon and Cornwall Housing.

Joyce Ebborn: Personal interest - housing tenant

Cllr Steve Gazzard: Personal interest – housing tenant

Cllr Ian Hall: Personal interest – family member lives in a Council owned property and uses Home Safeguard

Sylvia Martin: Personal interest – housing tenant.

Harry Roberts: Personal interest – housing tenant.

Pat Rous: Personal interest - housing tenant.

***52 Matters of urgency**

There were no matters of urgency identified.

***53 Energy South West initiative**

The Board received a presentation from Neil Biddicombe and Thomas Storey from Advantage South West (ASW) on the Energy South West scheme, how the project had been developed and what the advantages would be for tenants and the organisation.

ASW have recognised that fuel poverty is a major issue for social housing tenants and have been keen to work with members to look at this and wider issues. As a result ASW teamed up with the energy supplier OVO and have formed the initiative Energy South West. The presentation outlined the benefits to tenants of switching to Energy South West as their main supplier. The main benefits of the scheme included:

- A 'local' tariff that would be consistently low and available to non internet users,
- Excellent customer service,
- No tie-ins,
- Access to Warm Homes Discount
- Smart Meters as an option

The Board were asked to support the project so that the Council could promote the benefits of the scheme to tenants.

The project also included the switching of energy supplies in void properties to OVO (this was currently undertaken by British Gas). The Property and Asset Manager reported that this would be considered at a future point following the initial launch of the void service, reflecting on the experiences of other housing providers. The current arrangement with British Gas worked well, but it was important to consider reputational factors of setting tenants up on a tariff that showed lower levels of customer service and having a more expensive option than rival energy suppliers.

RECOMMENDED:

1. that the project be supported and encouraged and the benefits of the scheme be advertised to tenants.
2. that consideration of the transfer of the management of void properties to Energy South West be deferred until after the pilot has taken place and the results are available for the Board.

***54 Start time of Housing Review Board meetings**

The start time of HRB meetings was changed from 6pm to 2:30pm in May 2015 for a trial period. Board members were asked to decide whether they wished the meetings to commence at 2:30pm, 4pm, or 6pm. A ballot of Board members was undertaken to determine the most popular option.

RECOMMENDED: that the Housing Review Board meetings start at 2:30pm for the 2016/17 civic year.

***55 Forward Plan**

The Strategic Lead, Housing, Health and Environment presented the forward plan and advised Members that the forward plan would act as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either himself or the Democratic Services Officer.

RESOLVED:

1. that the forward plan be noted
2. that a Task and Finish Forum be established to consider the 30 year Housing Revenue Account Business Plan. Membership of the TaFF would include Councillor Stott, Pat Rous, Christine Drew, Councillor Douglas Hull, Harry Roberts and Mike Berridge.

***56 Draft Housing Revenue Account budget 2016/17**

The Strategic Lead – Housing, Health and Environment's report provided the Housing Review Board with details of the draft Housing Revenue Account for 2016/17. This account showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a Housing Revenue Account was a statutory requirement for Councils who managed and owned their housing stock, and therefore a key document for the Board to influence.

2012/13 saw the major reform to social housing finance and a move to self-financing, which involved the Council taking on debt rather than paying a subsidy to government from tenants' rents. As a result, a healthy HRA balance was showing going into the new financial year. The budget had been produced in accordance with Housing Revenue Account Business Plan assumptions.

The Council had a timetable for the production of its budgets for 2016/17, which involved the development of draft estimates and scrutiny by various member and officer groups. This report presented an opportunity for the Housing Review Board to input into this process.

Members raised various issues including:

- the door replacement programme,
- estate inspections and tenant involvement,
- garage rents,
- retention of Right to Buy receipts and the struggle to match fund receipts,
- tenant participation grant,
- potential housing development at Axminster,
- legionella testing,
- road repairs and off street parking,
- damp proofing and damp penetration to properties.

RECOMMENDED: that the 2016/17 Housing Revenue Account be approved.

***57 Draft Housing Service Plan 2016/17**

The Strategic Lead – Housing, Health & Environment's report presented the draft Service Plan for the Housing Service covering the period 2016-2017. The Service Plan was produced annually and sets out the key achievements over the past year and the forthcoming issues to be faced by the Service. A range of Service improvements were identified, performance data reported, consultation proposals outlined, budget information provided, and so on.

The Service Plan was presented in draft form for the Board's consideration.

RECOMMENDED: that the Housing Service Plan for 2016-17 be approved.

***58 Asbestos policy update**

The Property and Asset Manager's report outlined the progress that had been made in relation to the management of asbestos within the housing stock.

In November 2014 members agreed the revised asbestos policy and procedures. This document would be reviewed on an annual basis in order to reflect good practice and consider any changes in legislation. In November 2015 members agreed to a 2 year programme to capture all remaining management surveys across the Council's housing stock. This information would then update the Asbestos Register, which the Council was required to hold to ensure it had up to date information in relation to where asbestos was present across the housing stock.

RECOMMENDED: that the revised Asbestos Management Plan and procedures applicable to Council homes be approved.

***59 Repair timescales**

The Property and Asset Manager's report asked the Board to consider the success of a pilot project which introduced changes to the housing repairs priority timescales and appointment system. The changes were made in line with the Systems Thinking approach to service delivery with the following purpose 'to do the right repair at the right time, get it right first time, and stay fixed'.

Previously, when a tenant reported a repair, a works order was issued with a timescale for completion and then the contractor contacted the tenant to arrange an appointment within that deadline. Five timescales were used.

Following approval to trial a new way of operating (doing what matters for the customers) the timescales had been changed to offer just two repair timescale options;

a. Emergency priority (E) – contractor on site within 2 hours and work complete or made safe within 4 hours.

b. Routine priority – all repairs other than (E) priority. The day/time to be agreed between the tenant and the contractor. The repair should be completed within 30 days. This offered tenants more flexibility and control around appointment times, simplified the process and reduced costs.

The Property and Asset Manager reported that although satisfaction levels were high there were a couple of areas to improve upon. Further efficiencies could be found, but overall tenants and contractors were happy with the arrangements.

Councillor Hall thanked the Property and Asset Manager for her report and gave an example of excellent repairs service, which had been received on Boxing Day.

RECOMMENDED: that following the completion of the pilot project changes be implemented to priority repairs timescales to improve the system further.

***60 Extension to handy person scheme**

The Board received a report from the Property and Asset Manager in November 2015 on the success of the first two months of the trial handy person scheme and agreed to extend the trial across the whole district. The trial scheme was currently open to all tenants in sheltered accommodation, all tenants over 70 years of age or with a disability, and all tenants on the individual garden maintenance scheme.

The pilot scheme was being carefully monitored with tenant feedback and how it was helping people to stay in their homes, as well as being evaluated for financial viability. A further £50,000 was requested for a six month extension to the scheme, which would allow the housing service to fully assess the uptake of the scheme by tenants.

A further report would be brought to the Board with proposals on how to progress the handy person scheme, following a careful review of the trial.

RECOMMENDED: that the handy person scheme be extended for a further six months until the end of August 2016.

***61 Garage review**

The Housing Project Officer's report provided the Board with an update on progress on the agreed actions following the Garage Task and Finish Forum, and recommendations for further action to be taken.

Progress, albeit slowly, had been made on the sites identified with development potential following the last report to the Board in September 2013. Officers would continue to work up schemes on sites with development potential. However, there was a need to be mindful following the announcement of rent reductions of the cost of doing this, where funding would come from to build these schemes, and the level of housing need in the areas concerned.

The report recommended that a number of rural garage sites be sold. In areas where little or no income was being generated by the garages and repairs were not being carried out, if they continued to be left the garages would deteriorate further and lose value. The Council would be taking a more pro-active approach to trying to let some of the vacant garages. However, in some cases the poor state of repair to the garages prevented the garages being let at the current rent levels.

Councillor Douglas Hull made a specific request for the garage site at Prestor, Axminster to be evaluated and suggested alternative uses for the land.

RECOMMENDED: that the disposal of three rural garage sites at Bakers Mead, Shute, Plymtree and Luppitt be agreed.

RESOLVED: that the progress made to date be noted.

***62 Pets policy and leaflet**

The report of the Tenant and Communities Manager sought approval for the new pet policy and pet leaflet, which was in accordance with the Council's new tenancy agreement. The policy:

- defined the meaning of a 'pet',
- set out what was expected from tenants,
- gave details about running a pet related business from a council property,
- covered the burying of pets,
- explained how the Council would deal with complaints about pets,
- explained that there were a few properties that were deemed unsuitable for pets,
- gave the addresses of other helpful agencies.

RECOMMENDED: that the pet policy and draft pet leaflet be agreed.

***63 Budget monitoring report**

The Board was presented with a summary of the overall financial position on the Housing Revenue Account, HRA Capital Programme and the Business Plan for 2015/16 at the end of month eight (November 2015).

Regular monitoring was intended to highlight any areas of concern or unforeseen expenditure in the HRA and associated capital programme, enabling corrective action to be taken as required. Any variances would be reflected in the Business Plan.

Current monitoring indicated that:

- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- The position on the HRA Business Plan remained healthy.

The Housing Accountant reported that a few over and under spends had been identified but it was looking likely that the HRA would come in on budget. She warned that although previously the Council had been ahead of schedule spending Right to Buy receipts, time was now getting tighter and members needed to be aware of this. The Housing Enabling Officer explained that the Council had to more than match fund Right to Buy receipts by 70%. He would be reporting to Senior Management (SMT) on options to avoid handing back the 30% Right to Buy receipts (with interest) to Government.

The Strategic Lead – Housing, Health and Environment added that it was the Council's ambition to provide more housing but highlighted the issue of its ability to fund the 70% required. He added that it was important to build properties in areas where they would then be easily rented out. Any future developments must be self-financing and must not add to the HRA financing problem.

It was suggested that Overview Committee should review these strategic planning issues.

RECOMMENDED: that Overview Committee consider the strategic planning issues relating to how and where the Council should build future affordable housing.

RESOLVED: that the variances identified as part of the HRA revenue and capital monitoring process up to month eight be noted.

Attendance list

Present:

Cllr Pauline Stott (Chairman)
Cllr Megan Armstrong
Cllr Ian Hall
Cllr Douglas Hull

Co-opted tenant members:

Pat Rous (Vice Chairman)
Mike Berridge
Joyce Ebborn
Harry Roberts

Independent community representatives:

Julie Bingham
Christine Drew

Officers:

Sue Bewes, Landlord Services Manager
Emma Charlton, Housing Projects Officer
Mark Dale, Senior Technical Officer - Day to Day Repairs
Amy Gilbert, Property and Asset Manager
Mike Glendenning, Asbestos Surveyor
John Golding, Strategic Lead - Housing, Health and Environment
Paul Lowe, Housing Enabling Officer
Andrew Mitchell, Housing Needs & Strategy Manager
Giles Salter - Solicitor
Alethea Thompson, Democratic Services Officer
Melissa Wall, Housing Projects Officer
Mandy White, Accountant

Also present:

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities
Cllr David Barratt
Cllr Steve Gazzard
Sylvia Martin - Tenant Scrutiny Panel

Neil Biddiscombe – Procurement Manager, Advantage South West
Thomas Storey – Resident Cost Manager, Advantage South West

Apologies:

Angela Bea - tenant
Cllr Tom Wright

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 8 December 2015

Attendance list at end of document

The meeting started at 10am and ended at 3.13pm (the Committee adjourned for lunch at 12.05pm and reconvened at 2pm).

***52 Minutes**

The minutes of the Development Management Committee meeting held on 3 November 2015 were confirmed and signed as a true record.

***53 Declarations of interest**

Cllr Matt Coppel; 15/1694/FUL; Personal interest; Brother lives close to the site.

Cllr Mike Allen; 15/1991/MRES; An objector to the application attends the same Church as the Councillor.

Cllr Paul Carter; 15/1991/MRES, 15/1694/FUL, 15/2090/OUT; Personal interest; Ottery St Mary Town Councillor.

Cllr Paul Carter; 15/1051/FUL; Personal interest; Applicant is known to the Councillor.

Cllr Peter Burrows; 15/1924/OUT, 15/2166/FUL; Personal interest; Seaton Town Councillor.

Cllr Steve Gazzard; 15/1826/FUL, 15/2414/VAR; Personal interest; Exmouth Town Councillor.

Cllr Alison Greenhalgh; 15/1826/FUL, 15/2414/VAR; Personal interest; Exmouth Town Councillor.

Cllr Steve Gazzard; 15/1826/FUL, 15/2414/VAR; Personal interest; Exmouth Town Councillor.

Cllr Mark Williamson; 15/1826/FUL, 15/2414/VAR; Personal interest; Exmouth Town Councillor.

Cllr David Barratt; 15/1051/FUL, 15/2270/FUL; Personal interest; Sidmouth Town Councillor.

Cllr Colin Brown; 15/2170/FUL; Pecuniary interest; Applicant.

Cllr David Key; 15/1051/FUL; Personal interest; Applicant is an acquaintance.

***54 Planning appeal statistics**

The Committee received and noted the Development Manager's report setting out appeals recently lodged and four appeal decisions notified - three had been allowed and one had been dismissed.

The Committee noted that the increase in the number of appeals lodged was the result of a backlog at the Planning Inspectorate, rather than the result of a greater number of applications having been refused.

The Development Manager also highlighted that the applicant of application 15/0753/MOUT (seeking outline planning permission for access for up to 44 dwellings to the rear of 62-82 Douglas Avenue, Exmouth), which had been deferred by the Committee at the last meeting had since lodged an appeal against non-determination. The application would be referred back to the Committee for a site inspection for Members to advise whether or not they would be minded to approve the application when the appeal had been accepted by the Inspectorate.

***55 Local Plan update**

The Planning Policy Manager advised the Committee that the consultation on the main modifications within the draft Plan had concluded on 30 November – all comments had been submitted to the Local Plan Inspector. Subject to receiving the Inspector's final report by the end the year/beginning of next year, it was hoped that the Council would be in a position to adopt the new East Devon Local Plan early in 2016.

***56 Applications for Planning Permission and matters for determination**

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 9 – 2015/2016.

Attendance list

Present:

Committee Members

Councillors:

Cllr David Key (Chairman)
Mike Howe (Vice Chairman)
Mike Allen
David Barratt
Susie Bond
Colin Brown
Peter Burrows
Paul Carter
Matt Coppell (morning only)
Alan Dent
Steve Gazzard
Alison Greenhalgh
Simon Grundy
Ben Ingham
Chris Pepper
Mark Williamson

Officers

Richard Cohen, Deputy Chief Executive (afternoon only)
Matt Dickins, Planning Policy Manager
Paul Lowe, Housing Enabling Officer (afternoon only)
Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Hannah Whitfield, Democratic Services Officer

Also present

Councillors:

Peter Faithfull

Roger Giles

Steve Hall

Marcus Hartnell

Geoff Jung

Jim Knight

Ian Thomas

Apologies:

Councillor Andrew Moulding

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 19 January 2016

Attendance list at end of document

The meeting started at 10am and ended at 5.20pm (the Committee adjourned for lunch at 1.40pm and reconvened at 2pm).

***57 Minutes**

The minutes of the Development Management Committee meeting held on 8 December 2015 were confirmed and signed as a true record.

***58 Declarations of interest**

Cllr Steve Gazzard; 15/1818/MFUL, 15/2079/FUL, 15/2308/FUL; Personal interest; Exmouth Town Councillor.

Cllr Alison Greenhalgh; 15/1818/MFUL, 15/2079/FUL, 15/2308/FUL; Personal interest; Exmouth Town Councillor.

Cllr Mark Williamson; 15/1818/MFUL, 15/2079/FUL, 15/2308/FUL; Personal interest; Exmouth Town Councillor.

Cllr Peter Burrows; 15/2477/ADV; Personal interest; Seaton Town Councillor.

Cllr Paul Carter; 15/2543/OUT, 15/2052/OUT; Personal interest; Ottery St Mary Town Councillor.

Cllr Alan Dent; 15/1890/FUL, 15/2136/FUL; Personal interest; Budleigh Salterton Town Councillor.

Cllr Paul Diviani, 15/2026/FUL; Personal interest; Chairman of Blackdown Hills AONB Partnership.

Cllr Matt Coppel; 15/2172/MRES; Declared that although he had objected to the outline application prior to becoming a District Councillor, he did not consider himself predetermined in respect of the Reserved Matters application. He advised that he would take part in discussions, however would abstain from the vote on the application.

***59 Planning appeal statistics**

The Committee received and noted the Development Manager's report setting out appeals recently lodged and five appeal decisions notified - four had been dismissed and one had been allowed.

The Committee's attention was drawn to the appealed allowed on land at Badgers End, Broad Oak Road, West Hill. The Inspector had overruled countryside protection and amenity reasons for refusal and concluded that the proposal would not have a significant adverse effect on the character and appearance of the surrounding area and that the adverse impacts would not significantly or demonstrably outweigh the benefits of the proposal.

***60 Response to consultation on proposed changes to the national planning policy**

The Committee considered the Development Manager's report outlining the Department for Communities and Local Government's consultation on proposed changes to national planning policy and a recommended comprehensive response from the Council to the consultation, which included input from the Strategic Lead – Housing, Health and Environment.

The consultation covered the following areas:

- Broadening the definition of affordable housing to expand the range of low cost housing opportunities;
- Increasing the density of development around commuter hubs, to make more efficient use of land in suitable locations;
- Supporting suitable new settlements, development on brownfield land and small sites, and delivery of housing in Local Plans;
- Supporting delivery of starter homes;
- Transitional arrangements.

Discussion on the consultation and proposed responses included:

- Under delivery - include a suggestion that a tax on undeveloped land could be introduced;
- Concern raised about the release of employment land in order to deliver starter homes - importance of creating/maintaining sustainable and balanced communities, which included employment provision, needed to be emphasised;
- Include reference to the high protection status of the AONB in the response to the questions regarding as to whether or not communities should have the opportunity to allocate small scale developments of starter homes in the Green Belt.
- The Council should be supporting the principle of prioritising the development of brownfield land for housing.
- Clear and robust countryside protection policies were required - concern was raised that these could be eroded through the proposals.

The Development Manager was thanked for his well-considered responses to the proposals.

RESOLVED: that the responses, as detailed in the Committee report, be submitted as the Council's formal response to the Department for Communities and Local Government's consultation on proposed changes to the national planning policy subject to some minor amendments to strengthen some of the responses in line with the Committee's discussions.

***61 Local Plan update**

The Service Lead – Strategic Planning and Development Management advised the Committee that the Council had now received the Inspector's final Local Plan examination report and, subject to a number of main modifications, the Plan was sound. The Council could now move forward to formally adopted the Plan on 28 January 2016.

The Committee noted the Inspector's main findings which were:

- The end date of the Plan be extended to 2031;
- The target of 17,100 new homes between 2013 and 2031 was an appropriate housing need for the district and will meet the needs identified in the Council's studies.
- The district had a five year housing land supply and this position would improve upon adoption of the Plan. Settlement boundaries could therefore be more rigorously defended.

- The identified need for 37 gypsy and traveller pitches was based on robust and reliable evidence.
- The Sidford employment site be included in the Plan – the Inspector had concluded that there was a need for the employment land and that there was no other site more suitable.

The Inspector had also found the Community Infrastructure Levy (CIL) charging schedule to be sound subject to modifications, primarily relating to Cranbrook.

Comments and questions raised during discussion included:

- In response to a question about the implications of the Inspector's findings on outstanding appeals, the Service Lead advised that Inspector's considering appeals were required to base their decisions based on the most up to date information/policies available.
- Disappointment expressed at the inclusion of the Sidford employment site.
- The Inspector had removed Chardstock and Dunkeswell from Strategy 27 – this was consistent with the evidence submitted for sustainable settlements. There were now 15 sustainable settlements identified in Strategy 27.
- The Inspector had raised some concern about the distribution of housing and the emphasis of housing within the Growth Point area. The shortfall in housing would need to come forward under Strategy 27 via Neighbourhood Plans and windfall sites.
- There were two options regarding Plan adoption which were to either adopt the Plan with the main modifications or not adopt the Plan, the latter of which would have significant implications in planning terms.
- Any development at the Sidford employment site would be subject to planning permission, and as part of that process, there would be public consultation.
- Officers, particularly the Service Lead, Planning Policy Manager and his Team were thanked for their hard work in getting the Plan to the stage where it was now ready for adoption.
- Built-up Area Boundaries (BUABs) in the 2006 adopted Plan would continue to carry weight until superseded by the Villages DPD.
- Sidmouth employment site would lead to increased commuting and exacerbate congestion problems in that area. Flooding was also a major concern.
- The Inspector had received all the representations submitted during the consultation on the main modifications.

***62 Applications for Planning Permission and matters for determination**

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 10 – 2015/2016.

Attendance list

Present:

Committee Members

Councillors:

Cllr David Key (Chairman)

Mike Howe (Vice Chairman)

Mike Allen

David Barratt

Susie Bond

Colin Brown
Peter Burrows
Paul Carter
Matt Coppel
Alan Dent
Steve Gazzard
Alison Greenhalgh
Simon Grundy
Chris Pepper
Mark Williamson

Officers

Ed Freeman, Service Lead – Strategic Planning and Development Management (AM only)
Paul Lowe, Housing Enabling Officer (AM only)
Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Janet Wallace, Principal Environmental Health Officer (AM only)
Hannah Whitfield, Democratic Services Officer

Also present

Councillors:

Megan Armstrong
Brian Bailey
Peter Bowden
David Chapman
Paul Diviani
Jill Elson
Peter Faithfull
Graham Godbeer
Steve Hall
Rob Longhurst
Andrew Moulding
Cherry Nicholas
Geoff Pook
Val Ranger
Marianne Rixson
Brenda Taylor
Tom Wright

Apologies:

Committee members:
Councillor Ben Ingham

Non-committee members

Councillors:
Ian Hall

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Audit & Governance Committee held in the Council Chamber at Knowle, Sidmouth on 7 January 2016

Attendance list at end of document

The meeting started at 2.30pm and ended at 3.23pm.

***33 Chairman's welcome**

The Chairman welcomed everyone to the meeting.

***34 Public Speaking**

There was no public speaking.

***35 Minutes**

The minutes of the Audit and Governance Committee meeting held on 19 November 2015 were confirmed and signed as a true record.

***36 Declarations**

None

***37 Internal Audit Plan – Review of 2015/16 Quarter 3 – SWAP**

Jo George from SWAP presented the Internal Audit Plan. The Audit and Governance Committee agreed the 2015/16 Internal Audit Plan at its June 2015 meeting. This report updated the position at the end of Quarter 3. There were no High Priority Findings identified from the work completed so far in Quarter 3.

Audit Area updates were:

- Home Safeguard – at draft stage with no significant findings, one area highlighted was that the Safeguarding Children and Vulnerable Adults policies were out of date.
- S106 Planning Obligations – audit been delayed while waiting for the adoption of the Local Plan and Community Infrastructure Levy CIL, will delay this audit until April 2016.
- Enforcement Agent follow up – now started with the report coming to the March committee meeting.
- Debt Management – audit would be started shortly with the report coming to the March committee meeting.
- Building Control Fees – finalised, awarded with reasonable assurance. One main finding was there was no evidence to demonstrate current fee charges.
- Leisure East Devon - finalised with reasonable assurance. It was identified that some literature being handed out was not up to date; such as the complaints procedure as well as not having reference to safeguarding regulations on information to hire out facilities. LED had agreed to update these documents.
- Treasury Management - finalised, awarded with substantial assurance.
- Protective Marking – at draft stage.
- Mobile Support officers (Wardens) – would be finalised next week, awarded with reasonable assurance.

Discussions included:

- The Strategic Lead, Finance to arrange for Member training for audit reports.
- That LED provided documentary evidence of updated literature.

The Chairman on behalf of the committee thanked Jo for her report.

RESOLVED:

that the Internal Audit Plan be noted

***38 Certification Report - Grant Thornton**

Barrie Morris, Director, Grant Thornton explained the external auditors were required to certify certain claims and returns submitted by the Council. This certification typically took place six to nine months after the claim period and represented a final but important part of the process to confirm the Council's entitlement to funding. One claim for the financial year 2014/15 had been certified; the Council's Housing Benefits return, which covered expenditure of £31.6 million. Barrie stated that EDDC had done very well with the production of the Housing Benefits claim form.

There were no significant issues arising from the certification work. Grant Thornton was satisfied that the Council had appropriate arrangements to compile the return for audit certification.

The indicative fee for 2014/15 for the Council was based on the final 2012/13 certification fees. Fees for schemes no longer requiring certification under the Audit Commission regime (such as the national non-domestic rates return and pooling housing capital receipts return) had been removed. Where the Council required certification of other claims, such as pooling of housing capital receipts, these were undertaken as a separate engagement. The indicative scale fee set by the Audit Commission for the Council for 2014/15 was £10,810.

The Chairman on behalf of the committee thanked Simon Davey and officers concerned with the publication of the Housing Benefits claim form

Barrie highlighted the publication 'Reforging local government' published by Grant Thornton. Grant Thornton had also been working with the Chartered Institute of Public Finance and Accountancy to produce a software package. The software allowed for all councils across England, Wales and Scotland to gather each other's financial performances and compare this with socio-economic data and services outcomes.

The Chairman on behalf of the committee thanked Barrie for his last important report to EDDC, and for all his contributions to the audit work at EDDC over the past few years as the external auditor.

RESOLVED:

that the certification work be noted

***39 Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2015/16.

Items to be considered at the March Committee included:

- Annual Audit Plan 2016/17
- External Audit Plan
- Audit Committee update
- Accounting Policy Update

RESOLVED:

that the Forward Plan be noted.

Attendance list

Present:

Councillors
Mark Williamson (Chairman)
Dean Barrow (Vice Chairman)
Steve Gazzard
Steve Hall
Ben Ingham
Bill Nash

Paul Diviani, Leader

Apologies:

Ian Thomas, Portfolio Holder Finance
Darren Gilbert, Director, KPMG
Tara Westcott, Senior Manager, KPMG

Officers:

Simon Davey, Strategic Lead – Finance
Barrie Morris, Director, Grant Thornton
Jo George, Assistant Director, SWAP
Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Standards Committee held at Knowle, Sidmouth on Tuesday, 26 January 2016

Attendance list at the end of the document

The meeting started at 10.00am and ended at 10.45am

***9 Public speaking**

There were no questions asked.

***10 Minutes**

The minutes of the meeting of the Standards Committee held on 29 September 2015 were confirmed and signed as a true record.

***11 Declarations of interest**

There were none.

12 Whistleblowing Policy Review

Members noted that the Council's Whistleblowing Policy required updating to reflect a change in the law; it had also been given an overall review. The revised policy was presented to the Committee with a recommendation that it was referred to Audit & Governance Committee for adoption.

RECOMMENDED: that the revised Whistleblowing Policy be recommended to Audit & Governance Committee for adoption.

***13 Complaint update**

The Committee considered and noted the report of the Monitoring Officer, which provided an update for the Committee on new Code related cases received since 1 May 2015.

RESOLVED:

that the report be noted.

***14 Review of Code of Conduct for Employees and Relationship between Officers and Member Protocol**

The Strategic Lead Legal, Licensing and Democratic Services (and Monitoring Officer) presented a report on the Review of Code of Conduct for Employees and Relationship between Officers and Member Protocol.

Members noted that the Council regularly reviews the policies, codes and procedures that govern the way it operates. The report focused on two such documents, being (1) the Code of Conduct for Employees, and (2) Relationship between Officers and Member Protocol. As both of these documents formed part of the Council's Constitution they can only be amended, if required, by Full Council.

The Code of Conduct for Employees governs how staff must conduct themselves when working for the Council. It was a condition of employment that staff adhere to this Code. The Code was updated relatively recently to include reference to 'not acting as an agent for people pursuing planning matters within the Council's area', but otherwise has remained unchanged for a period of time. There have been no

reported issues, which would suggest that the Code was defective or ineffective at this time.

The Relationship between Officers and Member Protocol governs the way Members and Officers interact when carrying out their respective roles and governs a fairly wide range of topics. As with the Code of Conduct for Employees there have been no reported issues or incidents that would suggest that this protocol is ineffective or defective at this time.

There had not been any national changes (legislation or guidance) that would necessitate any changes being made to either the Code or Protocol. Accordingly, the recommendation was that the Code and Protocol be agreed as fit for purpose and left unchanged.

RESOLVED:

that the Code of Conduct for Employees and the Relationship between Officers and Members protocols are considered fit for purpose; no changes need to be recommended.

15 Review of Public Speaking Arrangements

The Committee considered the report of the Monitoring Officer, which reviewed the public speaking arrangements introduced to Development Management Committee in October 2014. The arrangements were being trialled in order to try to address the length of meetings and the waiting time experienced by representatives wishing to speak on an item.

A member requested that further information be provided in the report to Development Management Committee on review of public speaking arrangements on the length of previous Committee meetings.

RECOMMENDED: that the success of the trial be acknowledged and that the public speaking arrangements be continued unchanged for a further year (to see whether the new Local Plan adoption had an effect on the number of applications referred to the Committee) but with a view to permanent adoption thereafter if the arrangements continue to be fit for purpose. .

16 Review of Code of Conduct of Complaints Procedures

The Committee consider the report of the Monitoring Officer which reviewed the Code of Conduct procedures and considered whether any changes were required.

RECOMMENDED:

that there be no change to the Councillor Complaint Procedure, but that the revised Sub Committee Hearing Procedure be adopted.

***17 Forward Plan**

The Committee noted the contents of the forward plan and future meeting dates.

The following items would be included for consideration at the March meeting:

- Review of Code of Practice on planning matters and lobbying.
- Recording of councillor attendance at meetings
- Complaints update
- Forward Plan.

First Committee post 1 May 2016:

- Annual report
- Complaints update
- Forward Plan.

Attendance list

Present:

Councillors:

Stuart Hughes (Chairman)

Graham Godbeer

Douglas Hull

Dawn Manley

Pauline Stott

Co-opted non-voting members:

Cllr Courtney Richards, Co-opted Parish/Town Council member

Ray Davison, Co-opted Independent member

Cllr David Mason, Co-opted Parish/Town Council member

Also present:

Alison Willan, Independent Person

Councillors:

Susie Bond – substitute Committee member

Roger Giles

Alan Dent – substitute Committee member

Officers:

Henry Gordon Lennox, Monitoring Officer and Strategic Lead - Legal, Licensing & Democratic Services

Anita Williams, Deputy Monitoring Officer and Principal Solicitor

Chris Lane, Democratic Services Officer

Apologies:

Tim Swarbrick, Co-opted Independent member

John Walpole, Independent Person

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 16 December 2015 in the Committee Room

Present:	Councillors: Jim Knight (Vice Chairman in the Chair) Pat Graham Cherry Nicholas
Also present:	Councillors: Steve Hall
Apologies:	Councillors: Colin Brown John O'Leary
Officers:	Giles Salter – Solicitor John Tippin - Licensing Manager Elizabeth Scofield – Licensing Officer Chris Lane – Democratic Services Officer

The meeting started at 9.30 am and ended at 11.20am.

*25 Minutes

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 14 October 2015, were confirmed and signed as a true record.

*26 Hackney Carriage Vehicle Suitability

Consideration was given to the report of the Licensing Officer which set out the District Council's policy that on initial licensing as a Hackney Carriage a vehicle should be no more than four years old from the date of first registration. Vehicles should not normally be licensed in the case of ordinary cars beyond eight years old and purpose built hackney carriages beyond ten years of age. Members were asked to consider licensing a vehicle as a hackney carriage which was 11 years and 5 months old. It was noted that the applicant had commissioned an RAC report which had highlighted a number of faults with the vehicle. The vehicle was a personal import, first registered in the UK on 1 October 2015.

RESOLVED

that the application to licence a Mercedes Viano registration number HL04 ZGF as a hackney carriage vehicle, be refused as the Sub Committee had concerns that there were a number of issues evidenced indicating that it was not a suitable vehicle to be licensed. These included:

1. The vehicle mileage could not be verified at this time;
2. The mechanics of the vehicle were 12 years old. The Sub Committee were concerned that the RAC Inspection picked up issues with corrosion on the brake linings, and engine oil seepage;
3. The RAC Inspection indicated there was 'Advisory' on the warning lights.

The vehicle fell outside of the guidelines of the Council's policy and it was considered that it did not satisfy the conditions of licensing.

***27 Private Hire Vehicle Suitability**

Consideration was given to the report of the Licensing Officer which set out the District Council's policy that on initial licensing a Private Hire vehicle should be no more than four years old from the date of first registration. Vehicles should not normally be licensed in the case of ordinary cars beyond eight years old and purpose built hackney carriages beyond ten years of age. Members were asked to consider licensing a vehicle as a hackney carriage which was 4 years and 9 months old. The vehicle was wheelchair accessible and it was noted that there was a shortage of wheelchair accessible hackney carriage/private hire vehicles in East Devon.

Heathpark commercials had carried out an independent assessment of the vehicle which had only highlighted a small number of advisory issues. The applicant reported that his coach business had its own workshops which carried out six weekly inspections of all vehicles in his fleet.

RESOLVED

that the application to licence a Ford Transit registration number YR11 FGD as a private hire vehicle, despite falling outside of the criteria required by East Devon District Council, be granted as an exception because it had Disability Access it was considered to be an exception to the policy and the Sub Committee were satisfied that it could be licensed. There was a need for this type of vehicle in the District and the Sub Committee hoped that it would be offered for general hire to the public other than to fulfil Devon County Council contracts.

Members requested that the inspection 'Advisories' were taken seriously and the applicant was reminded of the enhanced Duty of Care when conveying the general public in the vehicle and the responsibilities to the Council.

(Councillor Jim Knight declared a non pecuniary interest in this item as Chairman of Devon County Council School Transport Committee)

***28 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**

The Sub Committee gave consideration to an application for the grant of a premises licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background of the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

JK's Bistro, 7 New Street, Honiton.

Agreed position reached by the parties:

Following mediation the applicant and the Devon and Cornwall Constabulary had agreed that they consider a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. Reduce the proposed hours for alcohol sales on Mondays to Sunday to end at 23.00 instead of midnight and on New Year's Eve to end at 01.30 hrs instead of 02:00.
2. No person carrying open or sealed bottles or glasses will be admitted to the premises at any time.
3. No customers will be permitted to take open containers of alcoholic or soft drinks from the premises.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 6 January 2016 in the Committee Room

Present: Councillors:
Steve Hall (Chairman)
Jim Knight (Vice Chairman)

Apologies: Councillors:
Colin Brown
John O'Leary

Officers: Neil McDonald - Licensing Officer
Chris Lane – Democratic Services Officer

The meeting started at 9.30 am and ended at 9.35am.

***29 Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 16 December 2015, were confirmed and signed as a true record.

***30 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**

The Sub Committee gave consideration to an application for the grant of a premises licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background of the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

The Volunteer Inn, Broad Street, Ottery St Mary, Devon, EX11 1BZ.

Agreed position reached by the parties:

Following mediation the applicant and the Devon and Cornwall Constabulary and the Council's Environmental Health Service had agreed that they consider a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. Withdraw the application for recorded music outside the premises.
2. Amend the premises opening hours to close 30 minutes earlier in all the standard, seasonal and non standard timings requested.
3. No person carrying open vessels containing alcohol will be admitted to the premises.
4. No customers will be permitted to take open vessels containing alcohol from the premises.
5. CCTV will be installed operated and maintained to the satisfaction of the Licensing Authority and Chief Officer of Police.
6. Images will be maintained for a minimum of 14 days copies of which will be supplied to the Licensing Authority or Police on request.
7. Notices will be on display advising customers CCTV is in operation.
8. The premises will operate a Challenge 21 policy. The only acceptable forms of ID will be passport, photo driving licence, military ID bearing photo and date of birth and government approved pass card.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 27 January 2016

Present: Councillors:
Steve Hall (Chairman)
Colin Brown
John O'Leary

Apologies: Councillors:

Officers: Neil McDonald - Licensing Officer
Chris Lane – Democratic Services Officer

The meeting started at 9.30 am and ended at 9.35am. **Please note that there was no audio recording of the meeting as it was held in the Committee Room.**

***31 Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 6 January 2016, were confirmed and signed as a true record.

***32 Declarations of interest**

Councillor John O'Leary
Minute 33
Disclosable Pecuniary Interest – personal licence holder

- *33** Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary
The Sub Committee gave consideration to an application for the grant of a premises licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background of the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

The Rusty Pig, Yonder Street, Ottery St Mary, Devon, EX11 1HD.

Agreed position reached by the parties:

Following mediation the applicant and the Devon and Cornwall Constabulary and four local residents had agreed that they consider a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. The request for recorded music will be withdrawn from the application.
2. Live music will be restricted to Friday and Saturdays only.
3. On the annual Tar Barrels event we will employ a SIA registered door staff from 6pm until close. On all other occasions when the premises hold an event the Premise Licence Holder or Designate Premises Supervisor will risk assess the need for door staff.
4. On the annual Tar Barrels event the premises will use plastic or toughened glass and all bottles will be decanted. On all other occasions the premises hold an event the Premises Licence Holder or Designated Premises Supervisor will risk assess the need for plastic or toughened glass.
5. the premises will adopt a challenge 21 policy, the only acceptable forms of ID will be passport, photo driving licence or government approved pass card.
6. The premises will keep an incident book where all incidents, refusals or challenges will be recorded.

Chairman Date