

Agenda for Council
Wednesday, 26 October 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 Handel Bennett to say a prayer.

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on
Wednesday 26 October 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

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Agenda:

- 1 [Public speaking](#)
- 2 [Minutes of the Council meeting held on 27 July 2016](#)
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#) – none identified
- 6 Announcements from the Chairman and Leader
- 7 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.
- 8 To answer questions asked by Members of the Council pursuant to Procedure Rules No 9.2 and 9.5.
- 9 Reports from the Cabinet and the Council's Committees and questions on those reports:

Cabinet	Minutes	36 – 52, 53 – 73
†Scrutiny Committee	Minutes	7 – 11, 12 – 18
†Housing Review Board	Minutes	21 – 36
Strategic Planning Committee	Minutes	8 – 14
Development Management Committee	Minutes	11 – 14, 15 – 18, 19 – 22
Audit and Governance Committee	Minutes	15 – 23
Standards Committee	Minutes	1 – 7
Licensing and Enforcement Committee	Minutes	1 – 3
Licensing and Enforcement Sub Committee	Minutes	1 – 3, 4 – 6, 7 – 10

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

10 Motion – Loss of community beds

“That this Council register its extreme concern at the impending loss of 71 Community beds in this part of Devon.

It is a well-known fact, particularly in coastal Devon, that there is an above average population of elderly people. Older people take longer to recuperate from illness, hospital admission and operations.

Community services are already overstretched and there is an acute lack of appropriate carers to care for people in their own homes.

Our District General Hospitals increasingly find it difficult to keep up with demand due to the fact that they cannot discharge people when they are ready because of the lack of community services.

All the Government advice has been to encourage the care of people close to their homes. So we therefore urge our 2 local MPs to consider the plight of Devon and speak on our behalf to reconsider this ill thought out decision which has come about only for financial reasons.”

Proposed by Councillor Peter Burrows, seconded by Councillor Douglas Hull and supported by Councillors Eileen Wragg, Pat Graham, Brenda Taylor and Steve Gazzard.

11 Housing Review Board appointment

Victor Kemp to be formally co-opted as a tenant/leaseholder representative on to the Housing Review Board.

12 Committee membership (page 4 to 5)

To confirm:

- the appointment of Cllr Darryl Nicholas on Scrutiny Committee (to replace Cllr Jenny Brown)
- removal of Cllr Marcus Hartnell from Licensing and Enforcement Committee to regularise the number of Members on that Committee (15)
- To confirm the appointment of Cllr Mike Howe on the Strata Scrutiny Committee, with Cllr Cherry Nicholas as his substitute

13 Member Champion/Lead Councillor appointment

To confirm the appointment of Cllr Darryl Nicholas as Lead Councillor for Sport and Recreation.

14 Representation on Outside Bodies

The Health and Wellbeing Champion (Cllr Cherry Nicholas) to be appointed to act as EDDC’s substitute on the Woodbury, Exmouth and Budleigh (WEB) Community Health and Wellbeing Board.

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

[Decision making and equalities](#)

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Membership of Committees 2016/17, updated October 2016

Members of Cabinet and Committees 2016/17	Cabinet 10	Scrutiny 15	Overview 11	Housing Review Board 5	Strategic Planning 15	Development Management 16	Standards 5	Audit & Governance 8	Interviewing (Chief Officers) 7	Employment Appeals 7	Licensing & Enforcement 15
Allen Mike											
Armstrong Megan											
Bailey Brian											
Barratt David											
Barrow Dean								Vice Chairman			
Bond Susie							Substitute				
Booth Matthew											
Bowden Peter			Chairman		Vice Chairman						
Brown Colin											
Brown Jenny											
Burrows Peter											
Carter Paul											
Chapman Maddy											
Chubb Iain											
Coppell Matt											
Dent Alan		Vice Chairman					Substitute				
De Saram Bruce											
Diviani Paul	Leader								Chairman		
Dyson John											
Elson Jill											
Faithfull Peter											
Gardner Cathy											
Gazzard Steve											
Giles Roger		Chairman									
Godbeer Graham			Vice Chairman								
Graham Pat											
Grundy Simon											
Hale Maria											
Hall Ian											
Hall Steve											Chairman
Hartnell Marcus											
Howe Mike						Vice Chairman					
Hughes Stuart							Chairman				
Hull Douglas											
Humphreys John											

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Ingham Ben											
Jung Geoff											
Key David						Chairman					
Knight Jim											Vice Chairman
Longhurst Rob											
Manley Dawn											
Moulding Andrew	Deputy Leader				Chairman				Vice Chairman	Chairman	
Nash Bill											
Nicholas Cherry											
Nicholas Darryl											
O'Leary John											
Parr Helen											
Pepper Christopher											
Pook Geoff											
Ranger Val											
Rixson Marianne											
Skinner Philip											
Stott Pauline				Chairman							
Taylor Brenda							Substitute				
Thomas Ian											
Twiss Phil											
Williamson Mark								Chairman			
Wragg Eileen											
Wright Tom											

Portfolio Holders: Strategic Development and Partnerships (and Deputy Leader) – Andrew Moulding, Corporate Business – Tom Wright, Corporate Services – Phil Twiss, Economy – Philip Skinner, Environment – Iain Chubb, Finance – Ian Thomas, Sustainable Homes and Communities – Jill Elson, Cabinet Members without Portfolio – Geoff Pook and Eileen Wragg

Meeting of the Council – 26 October 2016

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3. Housing Review Board	8 September 2016	38 – 44
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	6 September 2016	54 – 55
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EAST DEVON DISTRICT COUNCIL

Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 27 July 2016

Attendance list at the end of document.

The meeting started at 6.30pm and ended at 7.40pm

***21 Cllr David Chapman – Obituary**

The Chairman formally reported, with great sadness, that David Chapman had passed away in June. David had been elected onto the Council in May 2007 and represented Exmouth Brixington Ward. During his time on the Council he had served on a number of Committees – including Scrutiny, Development Management, Licensing and Enforcement and Standards. David had been a great supporter of sport and therefore his appointment as Member Champion for Sport and Recreation in October the previous year had been an ideal match – he had already made a difference and developed partnerships across the district, finding ways to promote sport for all. David was a much respected Member of this Council and would be greatly missed. Deepest sympathy and best wishes were extended to David's wife, Maddy, his family and friends at this very sad time.

The Chairman invited Members to stand as a mark of respect.

***22 Public speaking**

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

Carol Bray spoke on the proposed motion regarding fair transitional state pension arrangements for all women born on or after 6 April 1951. She explained that significant changes had been imposed on women by the Pensions Acts of 1995 and 2011 to increase the State Pension Age with a lack of, or in some cases no, appropriate notification given to women affected. She advised that had they been advised earlier they would have been able to make adjustments and alternative financial plans for retirement. She spoke of the devastating consequences and dire financial hardship that the changes were having due to the loss of income of pension. She wished to make it clear that it was the injustice of the implementation of the changes, not the equalisation of the pension arrangements that was being disputed. She asked East Devon District Council to help bring justice to those women that had borne the financial burden of equalisation of the State Pension Age by supporting the motion.

Sandra Broadbent also spoke on the proposed motion regarding fair and transitional state pension arrangements for all women on or after 6 April 1951. She represented WASPI (Women Against State Pension Inequality), a campaign group fighting the injustice to women regarding the changes to their State Pension Age, and read out lyrics to the 'WASPI Anthem'. The anthem raised awareness of the dire consequences facing those women affected as outlined by the previous speaker.

The Chairman thanked the two speakers and advised that their comments would be taken into consideration when the motion was debated later in the agenda.

Louise MacAllister spoke on the regeneration of Exmouth seafront and asked the Council for an update following the letter it would have received about the results of the recent town poll.

In response, the Portfolio Holder – Economy advised that the results of town poll were being looked into. The Chief Executive advised that a similar question had been raised by Cllr Ben Ingham under agenda item 9 to which an answer had been provided.

***23 Minutes**

The minutes (with appendices) of the annual meeting of the Council held on 18 May 2016 were confirmed and signed as a true record.

***24 Declarations of interest**

Councillor Matt Booth; Minute No. 27 (Questions - Procedure Rules 9.2 and 9.5)
Type of interest – Personal interest
Reason – Director of Sidmouth Drill Hall

***25 Matters of urgency**

One matter of urgency had been identified.

The Chairman formally welcomed Jenny Brown (Honiton St Michaels Ward) and Bruce de Saram (Exmouth Littleham Ward) onto the Council following the two recent District by-elections. The matter of urgency identified related to the outstanding appointments on committees and this will be dealt with under a later agenda item (minute *32)

***26 Chairman/Leader notices/announcements**

The Chairman spoke of the success of this year's Devon Youth Games, the South West's biggest annual youth sports event, which had taken place in Okehampton on 3 July. He advised that the Games, which had over a thousand participants from across the County, sought to inspire children and young people to take up regular sporting activities. East Devon had achieved 3 gold medals and 3 silver medals in the event. The Chairman passed on congratulations to everyone that had taken part.

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

Eight 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 – No supplementary question was asked.
- b) Question 2 – In response to the supplementary question the Leader advised that the Premier Inn in Exmouth provided an excellent accommodation option for those visiting the District. He advised that competition in the market was a good thing.
- c) Question 3 – In response to the supplementary question the Leader advised that the designation of National Parks and AONBs were not about financial gains.
- d) Question 4 – In response to the supplementary question the Portfolio Holder – Economy advised that that the Exmouth Regeneration Board sought to deliver the objectives and vision of the Local Plan. He advised that it would not be appropriate

to open the meetings up to all Members and members of the public, however the minutes of the Regeneration Board meetings were referred to Cabinet.

- e) Question 5 – In response to the supplementary question the Leader confirmed that Sidmouth Town Ward Members would be involved in the regeneration of Port Royal and Eastern Town.
- f) Question 6 – In response to the supplementary question the Leader advised that the Council was continually reviewing how it did things and would not become complacent, however did not agree that there was a lack of consultation by the Council.
- g) Question 7 – In response to the supplementary question (e) the Leader advised that it was important to look forward to the future and was satisfied that due diligence had been carried out in respect of the Moirai Capital Investments.
- h) Question 8 – In response to the supplementary question the Portfolio Holder – Corporate Business advised that one of the main issues regarding Broadband provision was funding and how this was found. Regarding phase 2 procurement, invitations to tender had only just been issued and this process was being run by Connecting Devon and Somerset (CDS) as outlined in the briefing note circulated to Members. He then advised of progress being made by one supplier outside of the invitation to tender process.

***28 Minutes of Cabinet and Committees**

RESOLVED

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

Cabinet

Minutes 220 - 241, 1 - 18, 19 – 35

Strategic Planning Committee

Minutes 1 - 7

Development Management Committee

Minutes 73 - 78, 79 - 85, 86 - 87, 1 - 2, 3 - 6, 7 - 10

Audit and Governance Committee

Minutes 1 - 14

Licensing and Enforcement Sub Committee

Minutes 37 - 40

that the under-mentioned minutes be received.

Cabinet (minutes 232, 27) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

Overview Committee

Minutes 1 - 8

Scrutiny Committee

Minutes 60 - 66, 1 - 6

Housing Review Board

Minutes 1 - 20

Arising from consideration of the above minutes:-

- a) **Cabinet (minute 31 – Heart of the South West Formal Devolution Bid**
Councillor Mike Allen advised that the Council had previously approved an oversight group to help drive the devolution bid forward however to his knowledge this group had not been convened. In response the Leader advised that the oversight group had met and the latest information was the project was still moving forward, however there were a number of issues to resolve following the decision to leave the European Union. A further oversight group was scheduled for the beginning of October.

- b) **Overview (minute *5 – Local Government Committee for England Electoral Review Programme 2015 – 2019)**
Councillor Mike Allen raised concern that the draft submission report in respect of the boundary review was based on 2011 data and that more up to date data was available and should be used. In response the Chief Executive advised the electoral information provided was based on 2016 data projected forward to 2022.

The Chairman advised that recommendation 1a should read that there was a need to ensure an appropriate work/life balance for all councillors not just new councillors.

RESOLVED:

1. **that the appropriate number of Councillors for the District of East Devon to be recommended to the LGBCE was 60 and that the justification for this was:**
 - a. **The need to ensure an appropriate work/life balance for all Councillors;**
 - b. **The need for enough members to ensure effective scrutiny and properly represent the full diversity of the district;**
 - c. **The role of the district councillor was seen to be a more active and demanding role as a consequence of developments in ICT and social media together with an increased interest in local democracy, planning and general societal changes;**
 - d. **Increased role of councillors resulting from changes in devolution and the funding of services;**
 - e. **The need to reflect the growth in population in East Devon both at Cranbrook and generally.**
2. **that a revised and updated draft submission based on that attached to the report be approved for the purposes of submission to the LGBCE;**
3. **that the Chief Executive, in consultation with the Group Leaders, be given delegated authority to make any recommended changes by the LGBCE to the draft submission following its consideration by the LGBCE.**

c) **Scrutiny**

Before presenting the minutes of the Scrutiny Committee, the Chairman, Councillor Roger Giles, spoke of his sadness regarding the loss of Alison Greenhalgh and David Chapman. He advised that they had both been valued members of the Scrutiny Committee and the Council and would be greatly missed.

d) **Audit and Governance Committee (minute 11 – Annual Review and Capital Outturn report 2015/16)**

Councillor Cathy Gardner queried how the outturn position for 2015/16 could be approved when the election income and expenditures, which came from EDDC and Parish/Town Council funds, were not open to review, check or internal audit. In response the Audit and Governance Committee Chairman advised that the outturn report was not being approved until September and that he would ensure that an informative to Members was included on that particular matter. The Chief Executive advised that opportunities to query the expenditure, as set out in the accounts, had been made available at both Audit and Governance Committee and Cabinet, however had not been taken.

Councillor Marianne Rixson queried the audit checks for how public funds were spent. In response the Chief Executive explained the reporting of election expenses and reiterated that Members had not been denied the opportunity of reviewing the expenditure, with opportunities given at both Cabinet and Audit and Governance Committee. He welcomed the Members concerned to come and discuss the matter with him if there was still confusion.

e) **Licensing and Enforcement Committee**

Prior to presenting the minutes, the Chairman, Councillor Steve Hall, spoke of the sad loss of Alison Greenhalgh, who had been a much valued member of the Committee.

*29 **Constitutional update**

The report to Members sought approval to further update the Constitution in light of recent events (as detailed in the committee report), to update the scheme of delegations to address a gap in officer powers, and to permit the Monitoring Officer to make changes to reflect when changes to Councillors occur.

RESOLVED:

that the Constitutional changes as detailed in paragraph 9 of the committee report be agreed.

*30 **Motion: fair transitional state pension arrangements**

The following motion was proposed by Councillor Andrew Moulding, seconded by Councillor Peter Bowden and supported by Councillors Mike Allen, Alan Dent, Bill Nash, David Key and Jim Knight.

“This Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no/personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The Council calls upon the Government to reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.”

The proposer of the motion, Councillor Andrew Moulding, thanked the WASPI campaign group for bringing the matter to the Council's attention and for their comments earlier in the meeting. He fully supported the Campaign's cause and considered that the Government should be called upon to reconsider the arrangements to ensure that the women affected did not live in hardship as result of changes which they were not informed of until it was too late.

The seconder of the motion, Councillor Peter Bowden, commented that he hoped the Government would take notice of the motion and review the arrangements without delay.

The need for fairer arrangements was echoed by Councillors during discussion.

The proposal was put to the vote and carried.

RESOLVED: that the Council writes to local MPs and to the relevant Government department with a request that they reconsider transitional arrangements for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

*31 **Motion: diversity and equality**

The following motion was proposed by Councillor Mike Howe, seconded by Councillor Mark Williamson and supported by Councillors Susie Bond, Jill Elson and Ian Hall.

“That this Council publically states its pride in its diverse community, and that racism, xenophobia and hate crimes have no place in our country. East Devon District Council condemns racism, xenophobia and hate crimes unequivocally - we will not allow hate to become acceptable.

East Devon District Council's diversity and equality policy shows that this Council already believes that equality brings quality for everyone and the creation of a fairer society where everyone can participate and achieve their potential.

East Devon District Council will work proactively with local bodies and programmes to fight and prevent racism and xenophobia so that all people within the community of East Devon are reassured that they are valued and respected whatever their age, disability, gender, race, religion or belief, sex or sexual orientation."

The Proposer of the motion, Councillor Mike Howe, advised that the motion spoke for itself. He stressed the need to stamp out any kind of racism or xenophobia which had no place in society. There was a need for the Council to give a clear message that no discriminatory behaviour would be tolerated.

The seconder of the motion, Councillor Mike Williamson, echoed the comments of the proposer. He advised that as Councillors they had an opportunity to uphold the values of the Council and hoped that the motion would be well publicised.

Strong support for the motion was expressed during discussion.

The proposal was put to the vote and carried.

RESOLVED: that the Council publicises the following:

"East Devon District Council publically states its pride in its diverse community, and that racism, xenophobia and hate crimes have no place in our country. East Devon District Council condemns racism, xenophobia and hate crimes unequivocally - we will not allow hate to become acceptable.

East Devon District Council's diversity and equality policy shows that this Council already believes that equality brings quality for everyone and the creation of a fairer society where everyone can participate and achieve their potential.

East Devon District Council will work proactively with local bodies and programmes to fight and prevent racism and xenophobia so that all people within the community of East Devon are reassured that they are valued and respected whatever their age, disability, gender, race, religion or belief, sex or sexual orientation."

***32 Committee appointments**

RESOLVED:

- 1. that Councillor Helen Parr be appointed onto the Development Management Committee.**
- 2. that Councillor Jenny Brown and Councillor Bruce de Saram be appointed onto the Licensing and Enforcement Committee and Scrutiny Committee.**
- 3. that Councillor Jenny Brown be appointed Member Champion/Lead Member for Tourism.**

Note – the outcome of agreeing to (2) above is that the interim arrangement of 2 Liberal Democrats being brought onto these committees at the 2016 Annual Council meeting (whilst there were 2 Council vacancies to be filled) will revert to 1 Liberal Democrat member on each of these committees (Scrutiny and Licensing and Enforcement).

Attendance list

Councillors present:

Stuart Hughes (Chairman)
Helen Parr (Vice Chairman)

Mike Allen
Megan Armstrong
Brian Bailey
David Barratt
Dean Barrow
Matthew Booth
Susie Bond
Peter Bowden
Colin Brown
Jenny Brown
Peter Burrows
Paul Carter
Iain Chubb
Alan Dent
Paul Diviani
John Dyson
Jill Elson
Peter Faithfull
Cathy Gardner
Steve Gazzard
Roger Giles
Graham Godbeer
Pat Graham
Simon Grundy
Steve Hall
Marcus Hartnell
Mike Howe
Douglas Hull
John Humphreys
Ben Ingham
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
Phil Twiss
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Christine Drew
Ann Liverton
Graham Liverton
Frances Newth

Officers:

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

Councillor apologies:

Maddy Chapman
Bruce de Saram
Ian Hall
Geoff Jung
Chris Pepper

Honorary Aldermen apologies:

Trevor Ffloukes
Stephanie Jones
Bob Peachey
Ken Potter
Margaret Rogers
Tim Wood

Chairman Date

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 14 September 2016

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.31pm

- *36 **Public Speaking**
There were no members of the public present wishing to speak.
- *37 **Minutes**
The minutes of the Cabinet meeting held on 13 July 2016 were confirmed and signed as a true record.
- *38 **Declarations**
Councillor Matt Booth – Minute 47
Interest: Personal
Reason: Director of Sidmouth Drill Hall
- *39 **Matter of urgency**
Agenda item 16 - Potential land purchase at Sowton; to be heard in Part B of the meeting.
- *40 **Matters referred to the Cabinet**
There were no matters referred to the Cabinet by the Overview and Scrutiny Committees.
- *41 **Exclusion of the public**
There was one confidential item that officers recommended should be dealt with in this way.
- *42 **Forward Plan**
Members noted the contents of the forward plan for key decisions for the period 1 October 2016 to 31 January 2017.
- *43 **Minutes of the Arts and Culture Forum held on 24 June 2016**
Members received minutes of the Arts and Culture Forum held on 24 June 2016. Councillor Peter Faithfull was appointed Vice Chairman of the Forum for the ensuing year.
- RESOLVED (1) that the following recommendations be agreed:**
Minute 4 - Constitution of the Arts and Culture Forum
Minute 5 - Recruitment of community representatives
- *44 **Minutes of the South East Devon Habitat Regulations Executive Committee held on 29 June 2016**
Members received minutes of the South East Devon Habitat Regulations Executive Committee held on 29 June 2016.

RESOLVED (1) that the following recommendations be noted:

Minute 4 – Arrangements for governance, operation and stakeholder interaction

Minute 5 – Financial report

Minute 6 - Annual Business Plan and Five-Year Delivery Programme

Minute 7 - Dawlish Warren Visitor Centre

Minute 8 - Joint Communications Strategy

Minute 9 - Forward Plan and programme of meetings

Minute 11 - Suitable Alternative Natural Green Space (SANGS) – introduction and options

Minute 12 - Suitable Alternative Natural Green Space (SANGS) – opportunity

***45 Minutes of the Scrutiny Committee held on 7 July 2016**

Members received the minute of the Scrutiny Committee held on 7 July 2016

RESOLVED (1) that the following be noted:

Minute 11 – Scrutiny forward plan

RESOLVED (2) that the following recommendations be noted:

Minute 9 – LGBCE Electoral Review Programme 2015 – 2019 report to Cabinet for 13 July 2016

that Cabinet retain a membership of 15 for the Scrutiny Committee in the submission to the LGBCE; and to note that the committee does not concur with the statement in the report that the committee “is at its most effective when it can reflect the level of the expertise and competence that is expected of Cabinet”.

Minute 10 – Scoping specific examples of public engagement and consultation identified by the committee

1. that consideration be given to refreshing the Exmouth Masterplan, with a view to a proposal for that work being put before them in the autumn of 2016;
2. that consideration be given, for the purposes of greater transparency, to the Exmouth Regeneration Board being constituted in a similar format to the current Asset Management Forum, whereby the Board meetings are held in public with a private session for dealing with confidential/commercially sensitive information as required; and that new Regeneration Boards be constituted in the same format;
3. that consideration be given to the issue of press statements on the meetings of the Exmouth Regeneration Board for circulation to appropriate bodies such as Exmouth Town Council;
4. that consideration be given to the creation of a consultation policy to replace the existing guide;
5. that planned service and/or fees and charges changes must include relevant Ward members and town and parish councils at the earliest opportunity.

***46 Notes of the New Homes Bonus Panel held on 20 July 2016**

Members received the Notes of the New Homes Bonus Panel held on 20 July 2016 and approved the Panel’s recommendations.

47 Port Royal, Sidmouth

The Deputy Chief Executive updated members on the progress of discussions with Sidmouth Town Council concerning the Port Royal redevelopment opportunity. Approval was sought for key documents relating to the joint work and next steps in taking the project forward through a Scoping Study. This would involve key information gathering, public and stakeholder consultation events and proposals for the further stages of

design, planning and development. Sidmouth Town Council had taken a similar report to its Council meeting on 5 September 2016.

Discussions included the following:

- the need to identify risks
- the use of the ongoing Neighbourhood Plan for Sidmouth as a way of getting feedback from residents
- the need for Port Royal to be included in the questionnaire relating to the Neighbourhood Plan
- was the public consultation a means of gathering opinion?
- the importance of gathering opinion from the students at Sidmouth Community College – the Town's future residents
- Sidmouth was more than just the town centre, Sidford and Sidbury were both part of the town

RECOMMENDED:

1. that the Terms of Reference for the joint working approach between the Council and Sidmouth Town Council as at appendix 1 be approved
2. that Cabinet recommend to Council the appointment of two Sidmouth District Council Ward Members; Councillor David Barratt and Councillor John Dyson as representatives of the Project Reference Group
3. that the Project Brief for the Scoping Exercise as included at appendix 2 be approved

These recommendations are in line with those included in a similar report being taken to Sidmouth Town Council.

REASON:

To enable progress to be made with the commencement of the joint working between the Council and Sidmouth Town Council on this important project for Sidmouth.

*48 **Bishops Clyst Neighbourhood Plan submission consultation - Officer Executive Decision taken**

Members were informed that an officer executive decision was taken to allow the Council to provide a response to the submission consultation of the Bishops Clyst Neighbourhood Plan.

RESOLVED:

1. that the formal submission of the Bishops Clyst Neighbourhood Plan be noted, and the producers of the plan be congratulated on the dedicated hard work and commitment in producing the document

2. that the officer executive decision taken and the response to the submission consultation be noted

REASON:

To ensure that the view of the District Council was recorded and informed the consideration of the Neighbourhood Plan by the independent examiner.

*49 **Financial Monitoring Report 2016/17 - Month 4, July 2016**

The Strategic Lead, Finance updated members of the Council's overall financial position for 2016/17 at the end of month 4 (31 July 2016).

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:

The variances identified as part of the Revenue and Capital Monitoring process up to Month 4 be acknowledged.

REASON:

The report gave the overall financial position of the Authority following the end of each month. It included recommendations where corrective action was required for the remainder of the financial year.

*50 **Monthly Performance reports – June 2016 and July 2016**

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

There were four indicators showing excellent performance:

1. Percentage of planning appeal decisions allowed against the authority's decision to refuse
2. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
3. % of invoices paid in 10 working days
4. Working days lost due to sickness absence

There were no performance indicators showing as concern.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2016/17 financial year for June and July 2016 be noted.

REASON:

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

*51 **Exclusion of the public**

RESOLVED:

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

is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

***52 Potential land purchase at Sowton**

Approval was sought to submit an informal tender for purchase of land at Sowton village for use as public open space. A recommendation to submit an informal tender was put to the vote and lost.

RESOLVED:

that an informal tender be not submitted in respect of land identified at Sowton.

REASON:

For budget reasons.

Attendance list

Present:

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

Portfolio Holders:

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

Cabinet Members without Portfolio:

Geoff Pook
Eileen Wragg

Cabinet apologies:

Paul Diviani Leader

Non-Cabinet apologies:

Mike Allen
Peter Bowden
Paul Carter
Maddy Chapman
Steve Gazzard
Pat Graham
Simon Grundy
Ian Hall
John Humpreys
Ben Ingham
Rob Longhurst
Cherry Nicholas
John O'Leary
Mark Williamson

Also present (for some or all of the meeting)

Councillors:

Megan Armstrong
Brian Bailey
David Barratt
Matt Booth
Colin Brown
Jenny Brown
Peter Burrows
Alan Dent
John Dyson
Cathy Gardner
Roger Giles
Graham Godbeer
Steve Hall
Mike Howe
Geoff Jung
Dawn Manley
Pauline Stott

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead – Finance
Henry Gordon Lennox, Strategic Lead - Legal, Licensing and Democratic Services
Karen Jenkins, Strategic Lead - Organisational Development and Transformation
Simon Bates, Green Infrastructure Project Manager, Growth Point Team
Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 12 October 2016

Attendance list at end of document

The meeting started at 5.30pm and ended at 7.00pm

***53 Public Speaking**

There were no members of the public present wishing to speak.

***54 Minutes**

The minutes of the Cabinet meeting held on 14 September 2016 were confirmed and signed as a true record.

***55 Declarations**

Councillor Tom Wright – Minute 20
Interest: Personal
Reason: Member of LED

Councillor Eileen Wragg – Minute 20
Interest: Personal
Reason: Member of LED

***56 Matter of urgency**

None

***57 Matters referred to the Cabinet**

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

***58 Exclusion of the public**

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

***59 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 November 2016 to 28 February 2017.

***60 Minutes of the Recycling & Refuse Partnership Board held on 20 July 2016**

Members received minutes of the Recycling & Refuse Partnership Board held on 20 July 2016. The Portfolio Holder Environment informed members there would be member briefing by the Waste Team to update all on the additional recycling being brought in across the district.

RESOLVED (1) that the following recommendations be agreed:

Minute 21 - Mobilisation planning working groups update

1. that there be a two-phase roll out of the new service
2. that the first phase of the new service commence on 16 February 2017
3. that the new vehicles be used as soon as they were available.

- *61 **Notes of the Asset Management Forum held on 1 September 2016**
Members noted the decisions of the Asset Management Forum held on 1 September 2016.
- *62 **Minutes of the Housing Review Board held on 8 September 2016**
Members received minutes of the Housing Review Board held on 8 September 2016

RESOLVED (1) that the following be noted:

Minute 26 – Forward Plan

Minute 27 - Annual report to tenants

Minute 28 - Review of housing service complaints April 2015 – March 2016

Minute 31 - Use of Right to Buy receipts update

1. the update report on the use of Right to Buy receipts and Commuted Sums to secure suitable property to add to the Council's affordable housing stock.

Minute 32 - HRA financial monitoring report 2016/17

RESOLVED (2) that the following recommendations be agreed:

Minute 29 - Sewage treatment plants

1. the necessary expenditure on the three sewage treatment plants needing urgent maintenance/replacement in the coming year.
2. officers investigate the possibility of passing some/all of the sites over to South West Water, acknowledging that this may involve potentially significant costs to bring the plants up to standard.
3. the charges made to both tenants and private owners as outlined in the report be reviewed and compensation be paid to tenants if this is felt appropriate.

Minute 30 - Lift replacements

the Housing Revenue Account capital expenditure be used for the replacement of the lifts at Albion Court and Morgan Court in Exmouth, with the lift size being increased where possible.

Minute 31 - Use of Right to Buy receipts update

2. delegated authority be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities, and Chair of the Housing Review Board to approve further purchases to meet the Right to Buy December 2016 spending deadline and extending into next quarter using either Housing Revenue Account funding or a loan from the Public Works Loan Board as match funding.

Minute 35 - Award of gas service and maintenance contract

the new four year gas service and maintenance contract be awarded to Liberty Group Ltd.

Minute 36 - Disposal of two council houses and land with planning permission for a two bedroom house at Normandy Close, Exmouth

the request to change a previous decision that enables officers to proceed to dispose of 24 & 26 Normandy Close, with planning permission to construct an additional dwelling on the open market.

- *63 **Minutes of the Budget Working Party held on 14 September 2016**
Members received the notes of the Budget Working Party held on 14 September 2016

RESOLVED (1) that the following decisions be noted:

Minute 3 - Medium Term Financial (MTFP) and Transformation Strategy

1. the current budget position be noted and proposed action for savings identified through the Transformation Strategy be supported,
2. the reduction in delivery in housing in Cranbrook be referred to the Strategic Planning Committee;
3. the Strategic Lead Finance reply on behalf of the Council to the Government consultation paper on 100% Business Rate retention and Fair Funding Review in consultation with the Leader, Portfolio Holder Finance and Chief Executive;
4. town and parish councils be advised of the anticipated reduction in the Council Tax Support Grant for 2017/18 as 56% maximum – in line with the reduction being made by the Government. The remaining funding be ring fenced for use by town/parish councils and the officers be requested to produce a report on the effect of this proposal

- *64 **Notes of the Exmouth Regeneration Programme Board held on 15 September 2016**
Members the noted the decisions of the Exmouth Regeneration Programme Board held on 15 September 2016. Discussions included the importance of putting a working party together to work with Exeter Deaf Academy on Rolle College and parking around Mamhead slipway.

*65 **Minutes of the South East Devon Habitat Regulations Executive Committee held on 21 September 2016**

Members received minutes of the South East Devon Habitat Regulations Executive Committee held on 21 September 2016.

RESOLVED (1) that the following resolutions be noted:

Minute 15 – Matter of urgency

the South East Devon Habitat Regulations Executive Committee agreed to bring forward funding (in the sum of £1000), identified in the 5 year Delivery Programme for years 2-5 to ensure the collection of data from the Wetland Bird Survey (WeBS) to year 1. For this funding to enable 2 WeBS surveys at low tide by boat on the Exe Estuary, every 5 years. The first survey would be undertaken in November 2016.

Minute 17 – Financial report

Minute 18 - Annual Business Plan and Five-Year Delivery Programme

Minute 20 - Suitable Alternative Natural Green Space (SANGS) – Scoring site options

Minute 21 - Suitable Alternative Natural Green Space (SANGS) – opportunity

1. the South East Devon Habitat Regulations Executive Committee agrees the following funding arrangements for specified land for Sustainable Alternative Natural Green Space :
 - a) Funding the purchase and instatement of land (shown in Appendix A to the report) for Suitable Alternative Natural Green Space at Dawlish at a cost of up to £2,923,000. Teignbridge District Council has separately approved forward funding this acquisition.

- b) Repaying Teignbridge District Council up to £643,000 by March 2020, and delegating authority to the Habitat Regulations Delivery Manager and the S151 Officers of East Devon District Council (accountable body) and Teignbridge District Council to agree arrangements and the final amount in accordance with proven expenditure.
 - c) Delegating authority to be given to the S151 Officer of East Devon District Council (accountable body), Teignbridge District Council and Exeter City Council, in consultation with the Habitat Regulation Delivery Officer and the Heads of Planning of the partner authorities, to agree the reduction in Teignbridge District Council's partnership contributions to SANGS mitigation until such time as the number of dwellings permitted in Teignbridge (when taken with other funding provided) balances the amount of forward funding provided by Teignbridge District Council for the Dawlish SANGS.
 - d) The Committee to receive quarterly financial reports reporting SANGS receipts at Teignbridge and which identify the residual balance due to Teignbridge under the arrangements set out in a – c above.
2. That the ongoing management of the specified land (detailed in the confidential committee report) be addressed through a future report to the Executive Committee.

***66 Minutes of the Scrutiny Committee held on 6 October 2016**

Members received and noted the minutes of the Scrutiny Committee held on 6 October 2016.

***67 Review of East Devon – Boundary Commission**

The Chief Executive updated members on the latest stage of this review. He proposed that the most effective way to prepare the Council's submission on ward boundaries to the Boundary Commission would be to hold a member workshop outlining the possible options and giving members the opportunity to express their views. These views could then be assessed and the Chief Executive would consult with Group Leaders before submitting the Council's proposals in accordance with the deadline of the 5 December. The Chief Executive reinforced the message that the Local Government Boundary Commission's main criteria was electoral equality.

RESOLVED:

that a member workshop be held and the Chief Executive be given delegated authority, in consultation with the Group Leaders, to make the Council's submission to the Boundary Commission.

REASON:

To comply with the LGBC's aim to draw up a new pattern of council wards for East Devon District Council.

68 Financial Plan and Transformation Strategy (2017 – 2022) and the Government's multi-year finance settlement offer

The Strategic Lead, Finance presented this report to update members of these two key documents for approval; Finance Plan and Transformation Strategy 2017 – 2022. Details of these documents were debated by the Budget Working Party on 14 September 2016, who agreed in principle with the proposed direction being outlined.

RECOMMENDED:

1. that the Financial Plan and Transformation Strategy be approved
2. to apply to Government to accept the multi-year settlement offer and to submit the Financial Plan and Transformation Strategy to meet the requirement of an efficiency plan.

REASON:

It was good practice in managing the finances of the Council to produce a Financial Plan looking at the future direction of the Council's budgets. By looking at the Council's budget over a longer period, action can be taken that would influence the direction and shape of future service delivery within a balanced budget.

The Transformation Strategy identified key strategic themes that underpin the transformational activity that helps achieve savings/efficiencies and to continue to protect front line services.

By accepting the Government's multi-year settlement offer this gave the Council certainty over elements of Government funding for the next 3 years, which would help ensure it has plans in place to deliver balanced budgets over the period of the Financial Plan 2017/18 to 2021/22

***69 East Budleigh Neighbourhood Plan- Submission**

Members were asked to agree the response by this Council to the current consultation for the East Budleigh with Bicton Neighbourhood Plan.

RESOLVED:

1. that the formal submission of the East Budleigh with Bicton Neighbourhood Plan be noted and the producers of the plan be congratulated on the dedicated hard work and commitment in producing the document;
2. that this council make the proposed representation set out at paragraph 5.4 of the report in response to the consultation.

REASON:

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

***70 Stockland Neighbourhood Plan Examiners Report**

This report provided feedback and set out proposed changes following the examination of the Stockland Neighbourhood Plan.

RESOLVED:

1. That members endorse the examiner's recommendations on the Stockland Neighbourhood Plan subject to a further amendment to Policy EE2 as set out at paragraph 2.9 below.
2. That members agree that a 'referendum version' of the Neighbourhood Plan (incorporating the examiner's modifications and the further amendment to Policy EE2) should proceed to referendum and a decision notice to this effect be published.
3. That members congratulate the Neighbourhood Plan group on their hard work.

REASON:

The legislation requires a decision notice to be produced at this stage in the process. The Neighbourhood Plan is the product of extensive local consultation and has been recommended to proceed to referendum by the Examiner subject to modifications, which, subject to additional changes to Policy EE2, are accepted in their entirety by the Parish Council.

*71 **Monthly Performance reports – August 2016**

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

There were four indicators that were showing excellent performance:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse
- Percentage of Council Tax collected
- Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
- Working days lost due to sickness absence

There were no performance indicators showing as concern.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2016/17 financial year for August 2016 be noted.

REASON:

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

72 **Additional Capital Budget contribution to LED towards Exmouth wet changing room improvements and refurbishment**

Members were asked to consider an increase in budget of £64,000 as a contribution to LED for the refurbishment of wet changing rooms at Exmouth Leisure Centre.

Peter Gilpin, Chief Executive LED thanked members for their support stating that over the last three years the bulk of the £3m spent to date had come from LED (£2.1m) and the National Lottery (£500k).

RECOMMENDED:

That the increase to the 2016/17 capital budget for the refurbishment of Exmouth Leisure Centre wet changing rooms by £64,000 to £328,000 be approved.

REASON:

The agreement to support these improvements have already been agreed by Council through its allocation in the Capital Budget for 2016/17, however there is now a requirement to increase the budget with members approval.

***73 Viewpoint Survey 2016**

This report summarised the responses received to the 2016 Viewpoint Survey and provided comment from the Service Leads in relation to the comments made by residents in the survey.

RESOLVED:

that Members note the feedback and agree officer responses/actions in relation to service provision which were identified in the survey.

REASON:

to ensure that the feedback provided by residents was circulated effectively to Members and Officers and that the Council was clear about the actions resulting from this feedback.

Attendance list

Present:

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

Portfolio Holders:

Tom Wright Corporate Business
Iain Chubb Environment
Jill Elson Sustainable Homes and Communities
Phil Twiss Corporate Services (Cllr Twiss left the meeting after agenda item 15)
Philip Skinner Economy

Cabinet Members without Portfolio:

Geoff Pook
Eileen Wragg

Cabinet apologies:

Paul Diviani Leader
Ian Thomas

Non-Cabinet apologies:

Mike Allen
Paul Carter
John Dyson
Maddy Chapman
Dawn Manley
John O'Leary
Brenda Taylor
Mark Williamson

Also present (for some or all of the meeting)

Councillors:

Megan Armstrong
Brian Bailey
Peter Bowden
Colin Brown
Jenny Brown

Alan Dent
Steve Gazzard
Graham Godbeer
Ian Hall
Marcus Hartnell
Rob Longhurst
Helen Parr
Pauline Stott

Officer apologies:

Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead - Legal, Licensing and Democratic Services

Also present:

Officers:

Mark Williams, Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead – Housing, Health & Environment
Karen Jenkins, Strategic Lead - Organisational Development and Transformation
Amanda Coombes, Democratic Services Officer

Peter Gilpin, Chief Executive LED

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 7 July 2016

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.11pm.

Prior to the business of the meeting, the Chairman spoke about the sad loss of David Chapman, and of his thoughts with David's wife Maddy at such a difficult time. He spoke about the diligent and constructive work he had achieved, whilst always acting as a gentleman even in the face of passionate debate. Cherry Nicholas also spoke about David's work and the friendships that had grown out of his dedication; his passion for sport and his willingness to pass on his skills to others. As a mark of respect, the committee stood for a period of silence to reflect and remember David.

***7 Public speaking**

There was no public speaking at this part of the meeting.

***8 Minutes**

The minutes of the Scrutiny Committee held on the 9 June 2016 were confirmed as a true record.

***9 Matters of urgency – LGBCE Electoral Review Programme 2015 – 2019 report to Cabinet for 13 July 2016**

The Chairman raised this item as a matter of urgency, the reason being that the debate at Overview Committee on 28 June 2016 took place after the publication of the agenda for this meeting and the submission to the LGBCE is due to be submitted in the week commencing 18 July 2016. The Chairman apologised for the late addition of the item.

The discussion paper put to the Overview Committee, and being presented to Cabinet on 13 July 2016, suggested that the total number of members on a Scrutiny Committee could be 10. The Chairman disagreed with this suggestion.

Other committee members discussed research they had made into the number at neighbouring authorities and felt that the present number of 15 was at the correct level. A question was also raised about the consideration of appropriate skill sets of elected members before appointment to committees. It was not felt necessary to have a reduced membership in order to be effective.

The committee were reminded that the report by the Chief Executive was purely to stimulate debate and proposed, for the purposes of debate, that the minimum number of councillors required for the Council was 45. No decision had been made on the final submission.

RECOMMENDED that Cabinet retain a membership of 15 for the Scrutiny Committee in the submission to the LGBCE; and to note that the committee does not concur with the statement in the report that the committee "is at its most effective when it can reflect the level of the expertise and competence that is expected of Cabinet".

***10 Scoping specific examples of public engagement and consultation identified by the committee**

The committee received a report from the Democratic Services Officer on four examples of consultation identified by the committee for further scoping. The report set out the timeline for each example and suggested where the committee might recommend to Cabinet any additional elements to future consultation.

The four examples were:

1. Exmouth masterplan consultation of 2011
2. Exmouth "Splash" and associated area, excluding current pre-planning application work
3. Beach hut consultation prior to hire charge changes, particularly on the timing of public meetings in relation to wider consultation
4. Inclusion of land at Sidford in the production process of the local plan.

The Chairman heard from local Ward Members on each of the examples before hearing from the committee members and undertaking debate on each issue.

Exmouth masterplan

Points made included:

- The regeneration board for Exmouth should be a public forum that all members can attend;
- Any future survey relating to the masterplan must include seeking visitor, business and resident opinion;
- Suggestion that the adopted consultation guide was not owned by the council;
- That questions in original consultations were biased and leading;
- That the LDA, commissioned to undertake the consultation, were not independent;
- That the Council was not trusted by the public;
- Could a councillor operate their own consultation that has not been commissioned by the Council or would that confuse the public, who may assume that the consultation was on behalf of the Council? In response, legal advice was that any such exercise undertaken by a councillor would have to be done with caution; be mindful of the code of conduct; and making clear to the public what role the councillor is taking in carrying out such an exercise;
- Consultation on Exmouth had been undertaken over a long period prior to the masterplan consultation; so taken as a whole, extensive consultation had been carried out to date;
- The Masterplan needing more than just a refresh, as it had been many years since it had been drawn up and consulted on; many constituents may have forgotten about the original consultation;
- Incorrect press statements, although subsequently corrected, did not make a good impression to the public and was damaging to the relationship Ward Members had with their constituents

The Deputy Chief Executive responded that:

- Regeneration Boards were hugely valuable because they did not facilitate as a formal committee, allowing representatives from a wider area than just councils to freely discuss matters. Representation included from the local community and local business. The minutes of the regeneration boards are published and presented to Cabinet. Overall the boards have a good balance and have democratic links back to the Council;
- In revisiting the Masterplan, consultation will engage with the sectors raised by

- councillors and will be extensive;
- Correspondence sent in referred to by Cllr Armstrong had been previously raised at Council on 24 Feb 2016 and responded to by the Deputy Leader, as set out in the minutes of that meeting. The latest correspondence will be checked and a response to the individual concerns made if new issues have been raised;
 - There was no reason to conclude that the original consultations were biased; consultation was undertaken by qualified officers and the diversity of responses to the consultation suggested that people felt free to express their views fully. Consultation was undertaken, not only at a practical street level asking for people's views, but with groups such as the Exmouth Community Association, Chamber of Commerce, and the College;
 - In the last year, 45 consultation exercises have been undertaken over a wide range of issues across the District, with feedback on how effective and engaging those exercises have been;
 - Understand the frustration, which was also felt by officers, in not being able to communicate some information with Ward Members because of constraints such as commercial sensitivity or ongoing litigation.

During debate, the committee discussed how the Exmouth Regeneration Board could be more open to the public, as well as the extent of consultation needed on a refreshed masterplan, with a view to making it relevant to how the town had changed since the Masterplan was first drafted. The importance of including visitors, business and local residents being involved in consultation was stressed.

Exmouth "Splash"

Many points relating in part to this consultation had already been made in relation to the Masterplan. Additional points included:

- Consider widening the membership of the Exmouth Regeneration Board to include more Exmouth Town councillors;
- Change the Board to a committee format, as has previously been undertaken with the Asset Management Forum, functioning with a "part B" private session for commercially sensitive and confidential information;
- The existing Board already had a number of Exmouth councillors, both District and Town as well as a wide spectrum of representatives from other sectors

In response, the Deputy Chief Executive re-iterated his view on the effectiveness of regeneration boards in the existing format.

Beach hut consultation

No specific debate was held on this consultation but comments were made on the adopted guide in place. Suggestions were made that this needed to be more specific, but no additions were forthcoming from the committee. Reference was made to other authorities with a consultation policy in place that could be considered.

The committee were reminded that any work on formulating a policy on consultation would be in the remit of the Overview Committee.

Ward Member inclusion was also discussed as needed at the earliest opportunity for any consultation project.

Inclusion of land at Sidford

Comments were made briefly on the inclusion and Cllr Rixson outlined, as at previous meetings, her dismay at the inclusion in the Plan. The Vice Chairman reminded the committee that the Plan was now adopted following independent examination by the Inspector and there were no options open to the committee to pursue it further.

RECOMMENDED to Cabinet

1. that consideration be given to refreshing the Exmouth Masterplan, with a view to a proposal for that work being put before them in the autumn of 2016;
2. that consideration be given, for the purposes of greater transparency, to the Exmouth Regeneration Board being constituted in a similar format to the current Asset Management Forum, whereby the Board meetings are held in public with a private session for dealing with confidential/commercially sensitive information as required; and that new Regeneration Boards be constituted in the same format;
3. that consideration be given to the issue of press statements on the meetings of the Exmouth Regeneration Board for circulation to appropriate bodies such as Exmouth Town Council;
4. that consideration be given to the creation of a consultation policy to replace the existing guide;
5. that planned service and/or fees and charges changes must include relevant Ward members and town and parish councils at the earliest opportunity.

RESOLVED that no further action be taken by the committee on the consultation undertaken on the Local Plan, specifically in relation to the site allocation at Sidford.

***11 Scrutiny forward plan**

Next scheduled meetings of 4 August and 1 September were not expected to be required unless an urgent matter came to light. Update reports from Portfolio Holders were being sought to be provided to the committee.

The committee were reminded of the date of the next website tour for Members – 13 July 2016 at 3pm in the Council Chamber. The Vice Chairman had made note of some areas difficult to access on the website and would follow up with web editors.

Suggestions for scoping put forward were:

- Mortgage companies approaching tenants to help them purchase the property under the Right to Buy scheme – this area could be vulnerable to such fraud because of the value of property in the District and the pending extension of Right to Buy to Housing Associations;
- Raising the profile of the Scrutiny Committee through publicity

The suggestion of due diligence on partners for the Council was advised as falling to the remit of the Audit and Governance Committee.

Attendance list (present for all or part of the meeting):

Scrutiny Members present:

Roger Giles
Alan Dent
Dean Barrow
Colin Brown
Cathy Gardner
Simon Grundy
Douglas Hull
Bill Nash
Cherry Nicholas
Val Ranger
Marianne Rixson

Other Members

Megan Armstrong
Ben Ingham
Geoff Jung
Jill Elson
Pauline Stott
Rob Longhurst
Tom Wright

Officers present:

Richard Cohen, Deputy Chief Executive
Anita Williams, Principal Solicitor and Deputy Monitoring Officer
Debbie Meakin, Democratic Services Officer

Scrutiny Member apologies:

Peter Burrows
Maddy Chapman
Marcus Hartnell

Other Member apologies:

John Dyson
Peter Bowden
Dawn Manley

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 6 October 2016

Attendance list at end of document

The meeting started at 6.00pm and ended at 08:58pm

Prior to the business of the meeting, the Chairman welcomed new Members to the committee, Councillors Jenny Brown and Bruce de Saram.

***12 Public speaking**

Members of the public present elected to speak prior to item 8 on the agenda, St Johns Court, Exmouth.

***13 Minutes**

The minutes of the Scrutiny Committee held on the 7 July 2016 were confirmed as a true record. Later in the meeting consideration was given to an email circulated to all Scrutiny Committee members on 5 October by Councillor Ranger.

***14 St John's Court, Exmouth**

The Chairman welcomed the Director of Operations David Summerfield; Deputy Director of Operations, Jacquie Mowbray-Gould; and the Programme Manager for SMART Kevin Grady, from the Devon Partnership NHS Trust (DPT).

Ian Cann, from a campaign group, informed the committee that there was an inaccuracy in the report provided by the DPT in that Councillor Eileen Wragg was not a member of the St John's Court Community Engagement Group. He advised the committee that information about the DPT premises portfolio had not been provided, and there was no evidence that the DPT had looked into alternative uses for the existing site. "Initial assessment" was now being carried out at Exeter, which only brought distress to patients due to travel and unfamiliar surroundings. Some patients dispute being given any choice about where to attend, and finding great difficulty in travelling on bus services between Exmouth and Honiton. He outlined the background to the campaign group and the offers they had made to reach a solution, but felt that there was no intention from the start to engage with others to reach resolution.

Keith Edwards, from the Save St John's Project Group, spoke to the committee about the concern locally from patients and carers about the future of the service provision. He informed the committee that there was no evidence of suitable alternative sites in Exmouth and the option of relocating the services to Exmouth Hospital was not viable due to the space required, although the recent CCG consultation on bed reductions may have an impact on the space at the hospital. Exmouth had been clearly identified as a growing town and it was short sighted to sell off a building that had the capacity to cope with that future growth. He also queried the published running costs of the building, in particular the paper exercise of depreciation.

The committee had already received a background paper on the transformation changes planned by Devon Partnership NHS Trust, which included making better use of the Trust's estate.

St Johns Court in Exmouth currently provides a number of outpatient services to patients with mental health needs, acting as a base for approximately 55 staff. The Trust intends to sell the site and relocate those services elsewhere to more affordable premises in the town.

The Trust is exploring alternative locations. The St Johns Court Community Engagement Group was established to hear views of local stakeholders and as a vehicle to provide updates – at present this group is suspended until the Trust has new information to report.

The Director of Operations gave the committee some background on the past use of the building, leading up to the current use as an administration base and treatment rooms. Until an alternative site was in place, the services provided would remain at St John's. He outlined the national and local context of extreme budget pressures that had brought about the need to review the buildings in the Trust's portfolio rather than make savings by cutting services.

The Portfolio Holder for Homes and Communities spoke about the increase in patients in need of mental health services, including the youth to adult care, and council tenants. The DPT has a very broad base of services to cover, but it was clear to her that there was a perception in Exmouth that there was a continuing request to travel to Exeter for services. She outlined the need to retain services within the town because of the large population, which was set to increase.

Questions and debate on the issue of supplying mental health services in Exmouth included:

- The DPT was willing to look into the impact of lengthy travel times from Exmouth to Honiton and what impact that was having on service users;
- The range of services available from the current location, including treatment of depression and anxiety, delivered by a range of professional staff;
- Occupancy was at 30% as at the date of the meeting; occupancy information had been previously published – both the administrative level and clinical intervention level was at a low occupancy rate. Operating costs had also been published;
- Acceptance that mental health services were £10m underfunded per year for Devon despite continued work to fight for more resources; 90% of cases were managed in GP surgeries – leaving the remaining severe conditions to be treated by other services such as those available at St John's; IAPT service primary care counselling service was being developed, assisted by some government funding;
- Rationalising premises elsewhere in the county has proved successful and has helped to join up more services to give complete care;
- Understanding that difficult decisions had to be made to continue to fund the existing service level
- Confirmation that current service provision will remain in Exmouth;
- 18 sites had been considered; there was still a possibility that the redevelopment of Rolle College may provide a solution. The option to build a new centre on the existing site, funded from capital receipt from premises and land, was not viable because the balance of capital could not be allocated to Exmouth – it would fall to the Trust capital fund for the whole of the county;
- Space required was estimated at enough for 40 FTE utilising hotdesking; and five consultation rooms. In response to a question, the number of frequent users of the site (requiring 12 or more interventions per year) was 70;
- Home visits, particularly for more rural areas, were recognised as an issue with both travel costs and travel time. Analysis had been undertaken to look at more clinic based care to increase productivity, but for some cases a home visit was a better choice for the patient;
- Following a meeting of the Health and Wellbeing Scrutiny Committee of Devon County Council in March, site visits had been made to service locations but no further report had been requested to that committee since then;

- DPT currently own St John's Court. In answer to a question, there was concern about what intervention NHS Property Services may make but currently the ownership remained with the Trust.

RESOLVED that the Scrutiny Committee

1. Asks that it remains the intention of the DPT to keep St John's Court Exmouth open until alternative accommodation is in place;
2. Asks that the existing level of service is at least maintained;
3. Asks that the DPT continues with ongoing engagement, including consultation, with local campaign groups and relevant stakeholders;
4. Ask that the DPT reviews the redevelopment plans for Rolle College as a matter of urgency because of the progress made in those plans;
5. Asks that the DPT keep the Scrutiny Committee updated once progress has been made.

The Chairman thanked the DPT representatives for attending and for responding fully to the questions and issues put by Members.

***15 Scope for raising the profile of the Scrutiny Committee**

The Democratic Services Officer presented her scoping report and asked the committee to consider in particular what outcomes they were looking to achieve and what actions they would need to undertake to achieve them.

Discussion included:

- Measureable outcomes, such as the number of topics suggested for scrutiny work were successfully scoped as work for the committee and completed;
- Information to public and all councillors, including at town and parish level, on what the Scrutiny Committee does – an example was outlined from Exeter City Council's website which sets out what each of their Scrutiny Committees covers;
- Use existing means of communication such as the Knowledge, through the Communications Team and through Ward Members advising their local town or parish council about upcoming topics of interest at Scrutiny Committee and requesting their questions or views be put forward; along with suggestions of topics for scrutiny work;
- Build momentum in scrutiny work by using a focus on key issues of interest to the public, such as the current New Devon Clinical Commissioning Group consultation on hospital beds, as a "hook" to engage them;
- Undertake work that matters to the public;
- Look to what has been achieved under the Council Plan as a starting point to narrow down potential topics to those that hold public interest and could make a real difference in tackling;
- The Knowledge was written as a newsletter for councillors, not for the general public, but did have a healthy readership;
- Audio recording quality was not currently good. The committee were advised that the current system was undertaken at minimal cost as no budget was available at the time; there is now a tender process in place to replace the current system with newer technology that would bring about a marked increase in quality of audio recordings of meetings. The number of audio downloads from the website remains very low;
- Press releases should still be encouraged for key topics;

- Means of social media communications should be explored for getting information about the work of the committee out to a wider audience.

The committee were reminded to be mindful of the terms of the constitution in terms of avoiding duplication with the work of the Overview Committee; and that topics must be scoped in order to give a clear indication of what work was required, what outcome was hoped to be achieved and that the work was in line with the terms of reference of the Scrutiny Committee.

RESOLVED that

- The Chairman and Vice Chairman of the Scrutiny Committee would undertake regular informal discussion with the Chairman and Vice Chairman of the Overview Committee to ensure that duplication was avoided and work was carried out as determined by the council's constitution;
- A draft document be prepared outlining the role of the committee and asking for suggestions for topics, in order for the committee to agree its content before it is disseminated via town and parish councils through Ward Members, and through the Knowledge;
- The upcoming Police and Crime Commissioner visit to Scrutiny on 3 November is publicised through the Knowledge and the communications team in order to encourage the public and town and parish councils to submit questions through their Ward Member;
- The above approach be applied to the current New Devon Clinical Commissioning Group consultation on hospital beds scheduled for the 24 November.

At this point of the meeting, the Chairman permitted discussion over the submission by Cllr Ranger of amendments to the minutes of the Scrutiny Committee held on the 7 July. The Chairman had read out the following statement at the start of the meeting:

“Before I ask the Committee if I can sign the minutes of the meeting of 7 July 2016 as a true record, I want to draw your attention to an email I have received from one of our Committee members – Val Ranger - raising various points about these minutes. As you know, the July minutes have already been referred to Cabinet. Can I please remind you that you are entitled to raise any issues on the minutes at a meeting of Cabinet when these are being considered?”

Looking at the useful comments raised by Councillor Ranger and comparing these with the printed minutes of the meeting, I can appreciate that Councillor Ranger wanted added emphasis and more detail to be given to the Council's approach to public consultation and to the way in which the Exmouth Regeneration meetings are run. However, the minutes do refer to the regeneration projects and associated consultation both in the preamble and in the recommendations to Cabinet. Minutes are written impartially and are not a verbatim record of the meeting. They refer to the main points of the debate and how the Committee reached its recommendations. It would not be good practice to include verbatim detail in the minutes but for information, the audio recording of the meeting is available on the Council's website.

Bearing these points in mind, can I now ask that the minutes before you be signed as a true record?”

A lengthy debate followed with mixed views expressed on the contents of the minutes. Some members content that the minutes as published were a reflection of the discussion. Others disagreed and wanted to see the inclusion of the points listed by Councillor Ranger. There was agreement that the minutes were accurate, but some members wanted a fuller

account to be recorded.

The committee were advised that the minutes had been to Cabinet and had been noted; they were not yet ratified by Council. The suggested additions to the minutes did not alter the recommendations set out that were considered by Cabinet. There was also some confusion amongst Members as to the process of minutes being considered by Cabinet before ratification at Council. The Chairman reiterated his advice to Members that they were welcome to accompany him to any Cabinet meeting when minutes of the Scrutiny Committee were being presented.

RESOLVED that

1. The amendments proposed by Cllr Ranger be included as an addendum to the minutes of the Scrutiny Committee on the 6 October 2016, subject to a check that that any specific facts stated in those amendments were correct and that they were clearly set out as comment made by Councillors, not as statement of facts;
2. That a brief report comes back to the Scrutiny Committee to set out for information the legalities of draft and final minutes within the committee timetable processes.

***16 Update on Strata Joint Scrutiny Committee**

The Vice Chairman updated the committee on the recent meeting of the Strata JSC held at Exeter on the 15 September 2016.

Roll out of the Global Desktop Infrastructure

- Software glitches have occurred and the GDI trial at EDDC postponed. To be restarted in the New Year
- Teignbridge currently migrating to the new system and should be complete by the end of the year.
- No anticipated problems with the roll out at Exmouth and Honiton
- This delay of almost 12 months has resulted in savings for current year being reduced from £254,000 to £97,000

Convergence Plan

The plan is the unifying of different systems used by individual councils, which covers software for:

- Planning, Building Control and Land Charges. So far Exeter only
- HR, Payroll. Time and attendance, Door access - all three councils now possess a common suite of software. (ITrent which was already being used by EDDC)
- Exacom for managing the Community Infrastructure Levy (CIL) currently being introduced to all three authorities
- and several other software applications

He outlined the next steps for the JSC, for which he is Chairman, to undertake some groundwork in talking to staff in the three authorities for their feedback on the changes so far, including the roll out of the new global desktop. This would then help set out and prioritise a future work plan for the JSC with regular reporting to each of the three authorities involved.

RESOLVED that regular updates be received from the Vice Chairman to the committee on the progress of the Strata JSC.

***17 Performance monitoring for first quarter 2016/17**

The Vice Chairman raised those indicators showing concern or variation for debate with the committee. Due to the committee not meeting since July, a number of updates were reported on some indicators.

Variation for “Enter into a new innovative recycling and waste collection contract extending the options for recycling and reducing waste that is incinerated or sent to landfill”. As work had progressed since the officer comments recorded for the first quarter, the committee were updated with the news that the new contract was in place and the new service elements of the contract started in Exmouth from February 2017 and for the rest of the District from July 2017.

Concern for “Promote inspection outcomes under the Food Hygiene Rating Scheme and to improve the ways in which we draw attention to those outcomes”. IT processes need developing to further this aim but is dependent on how it is prioritised for Strata to undertake this. The Vice Chairman commented that he would refer this issue to the Strata JSC to reach a solution.

Variation for “Seaton Beach Management Plan to produce a plan covering from Seaton Hole to Axmouth harbour”. A steering group for this work had now met in September and agreed terms, with the next meeting scheduled for December.

Variation for “Produce a renovation plan for Beach Gardens Exmouth”. Since the officer comment had been recorded, locations for the protected grasses had been identified and the work on the renovation plan could continue.

Concern for “Promoting use of Council assets as potential locations for joint venture energy generation” and “Work with local government and other sectors to identify shared service and shared resource opportunities with a view to savings and more efficient service delivery from, and of, assets”. The Council has been unable to recruit from the first round of interviews for the post of Property and Estates Manager, so a specialist agency is being used to hopefully secure the right person for the job in a very competitive market with the private sector.

Variation for “Implementation of revenues and benefits self-service modules and roll out to customers”. The existing self-service modules has received a recent software update. Once this has been evaluated, the team will decide if the purchase of another software module is necessary to complete the implementation of this service.

Variation for “Undertake a review of the process for writing the Local Plan in future”. Expanding on the officer comments set out in the report, the committee were informed that the review had been discussed with the South West Audit Partnership (SWAP) but it became apparent that they had not undertaken any similar work for other partners or had no real knowledge of the plan making process. The next step is for the Service Lead for Planning to find out if the Planning Advisory Service (PAS) are able and willing to undertake the review. As set out in the report, there is also concern that future plan production will be different in nature because of the decision to produce a joint Strategic Plan with Exeter City, Teignbridge, Mid Devon and Devon County, and a sub-level plan at local level with a much narrower scope. This review has already been identified by the Committee for some time and the offer of the Committee assisting in this review has been made. The Service Lead for Planning will come back to the Committee with a report in due course once he has some news from the PAS.

Issues raised from the report also covered:

- Query over new recycling and waste contract – with new vehicles due for delivery in November, why would it take until July 2017 for the entire district to be covered by the new service? There was agreement by the committee to request attendance by the PH to discuss this point and update the committee on the new service roll out;
- Variance or concern was a continual issue for the determination of planning applications in eight weeks – the committee requested an update on staff resources and the recent systems thinking review of the planning service;
- New CIL post was now filled

The committee were reminded that the purpose of the report was to monitor the variations and concerns of the agreed service plan elements and performance indicators. Any issue with the service plan elements could be debated at the draft Budget and Service Plan meeting held every January.

RESOLVED

1. that the PH Environment be invited to attend the Scrutiny Committee on the 24 November for an update on the roll out of the new service elements of the recycling and waste contract;
2. that the Service Lead – Planning be invited to attend a future meeting to discuss both the review of the process of the Local Plan; and the outcome of the recent systems thinking review, specifically relating to staff resource in dealing with planning applications within government target of eight weeks.

***18 Scrutiny forward plan**

The committee were reminded to provide questions for the Police and Crime Commissioner, due to visit the committee at their 3 November 2016 meeting.

Additions to the plan agreed were:

- Request the Portfolio Holder for Environment to attend the 24 November 2016 meeting to discuss the new recycling and waste service roll out;
- Draft document on the role of the committee for discussion at the 3 November 2016 meeting;
- To be allocated – Service Lead – Planning to attend on issues raised under minute 16;
- Broadband update when appropriate.

Topics requested for scoping were 3G coverage for mobile phones; and the work of the communications team.

Attendance list (present for all or part of the meeting):

Scrutiny Members present:

Roger Giles
Alan Dent
Dean Barrow
Colin Brown
Jenny Brown
Bruce de Saram
Cathy Gardner
Simon Grundy
Douglas Hull
Bill Nash
Val Ranger
Marianne Rixson

Other Members

David Barratt
Jill Elson
John Dyson
Pauline Stott
Tom Wright

Officers present:

Giles Salter, Solicitor
Debbie Meakin, Democratic Services Officer

Scrutiny Member apologies:

Maddy Chapman
Cherry Nicholas
Marcus Hartnell

Other Member apologies:

Andrew Moulding
Graham Godbeer
Dawn Manley

Chairman Date.....

Addendum:

Additional notes to minutes of the Scrutiny Committee 7 July 2016

Minute 9

That during discussion by the committee a comment was made by a councillor that a requirement of a skill set was not a requirement of any other committee.

Minute 10

That during discussion by the committee comments were made by some councillors that:

- All Exmouth residents should be invited to participate in any future survey relating to the master plan;
- Consultation on Exmouth had started in 2010;
- Publication of Exmouth Regeneration Board minutes had only recently happened in the last couple of years
- The officer group that meet on Exmouth Regeneration do not publish notes or action points from those meetings
- Some officers attend both the ERB and the officer group
- Axminster would soon undergo regeneration. It was hoped that this would not be lead 'top down', but rather by consultation from residents up
- Regeneration Board meetings should be run as Part A and Part B meetings so that public and press are only excluded when commercially sensitive information is discussed
- Greater openness by EDDC would improve public confidence in their decisions.
- The Regenerations Boards should run as a standard committee rather than as an invitation only board
- Many other District councils have consultation policies in place

- Examples given of surveys by other District Councils which showed when all consultations were open, closed, and the results of each. Some members felt that consultations were difficult to find on the EDDC website and there is no logic to them with an example given as the 2014 Viewpoint survey shows before the 2016 survey that was about to open. Two consultation banners were at that time running across the website homepage but others were also open and the Member felt this could be confusing
- The LGA offer support to councils to develop and improve consultation so it does not have to have a major cost attached to improve consultation
- After Regeneration Boards meet there should be a press release stating what took place and what will take place in the future
- That Councillor Rixson expressed her dismay at the inclusion of the Sidford land in the Local Plan with reference to the unsuitability of the site, in particular relating to the site being on a flood plain and with considerable traffic congestion.

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 8 September 2016

Attendance list at end of document

The meeting started at 2.30pm and ended at 4.05pm.

***21 Public Speaking**

There were no questions raised by members of the public.

***22 Minutes**

The minutes of the Housing Review Board meeting held on 16 June 2016 were confirmed and signed as a true record.

***23 Declarations of Interest**

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

Joyce Ebborn: Personal interest - housing tenant

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

Pat Rous: Personal interest - housing tenant.

***24 Matters of urgency**

Tenant recruitment

The Chairman welcomed Victor Kemp to the meeting. Following a recruitment process Victor had applied for the vacant tenant/leaseholder representative position on the Board and would be formally co-opted on to the HRB by Council in October 2016, as the only remaining applicant. The Chairman suggested that the “Getting Involved” tenant leaflet be taken to and distributed at the forthcoming tenants’ conference to encourage more tenants to come forward and express an interest in serving on the Board when vacancies arose. It was noted that a review of the tenant and independent community representative recruitment and selection processes would be added to the forward plan.

***25 Exclusion of the public**

To agree any items to be dealt with after the public (including press) have been excluded. There were two items that officers recommended should be dealt with in Part B.

RESOLVED: that there are two confidential items that officers recommended should be dealt with after the public (including press) have been excluded.

***26 Forward plan**

The Strategic Lead, Housing, Health and Environment presented the forward plan and advised Members that the forward plan acted 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.

The Portfolio Holder – Sustainable Homes and Communities advised the Board that Exe Bank and Danby House in Exmouth had now been sold to Devon and Cornwall Housing. Open market housing would be provided at the front of the site, with 13 shared ownership and social rent properties proposed at the back. A planning application was currently being considered and it was hoped that permission would be granted and work on the site would start soon.

RESOLVED:

1. that a review of the tenant and independent community representative recruitment and selection process be added to the forward plan.
2. that the forward plan be noted.

***27 Annual report to tenants**

The Housing Projects Officer's report asked the Board to comment on and approve the draft of the annual report to tenants. It was noted that the draft was currently in word text format but would be graphically designed once the wording had been finalised. The report would be sent out to all tenants with the December copy of Housing Matters magazine. It would be available on the Council's website from late October and would be emailed to all staff and councillors.

RESOLVED: that the draft annual report to tenants be noted.

***28 Review of housing service complaints April 2015 – March 2016**

The Housing Landlord Services Manager's report provided the Board with information on formal complaints received in relation to the housing service for the period 1 April 2015 – 31 March 2016. Formal and informal complaints were monitored carefully in order to learn from them and use them to improve services wherever possible.

Between April 2015 and March 2016 40 formal housing complaints were received. One complaint went straight to stage 2 (to be considered by the Monitoring Officer. 12 of the remaining 39 went straight from stage 1 (to be considered by the Strategic Lead) to stage 2. There was an increase in the number of new stage 1 complaints received and the time taken to issue a full response to all stage 1 complaints. There had been a slight increase in the number of complaints about staff and customer service, but predominantly the complaints were concerning repairs and maintenance, usually concerning damp or mould. The response time for investigating and replying to complaint at stage 1 was on average 21.5 calendar days. Formal housing complaints were now benchmarked through the HouseMark benchmarking club, and this demonstrated that EDDC took longer to deal with formal housing complaints than other social housing providers.

The main messages and learning points revealed by complaints received in 2015/16 were outlined in the report and noted by the Board. Complaints were monitored, recurring themes identified and mistakes learnt from. The Strategic Lead, Housing, Health and Environment advised the Board that he had discussed the report with the housing management team to ensure that staff learnt from the points identified in the analysis.

RESOLVED: that the number and type of complaints received during 2015/16, and the learning points arising that would be used to improve the Housing Service, be noted.

***29 Sewage treatment plants**

The Property and Asset Manager's report updated the Board on the current position regarding the sewage treatment plants (STPs) that serve council properties and sought approval on the proposed updating of some plants and the proposed changes to the way in which both tenants and private users linked to the STPs were recharged for the service.

The Housing Service currently owned and managed 15 STPs across the district. These served a total of 55 properties, 22 of which were council properties. The others were ex-council properties sold under Right to Buy

WCI Sewage Treatment Ltd recently undertook a survey of all the Council STPs, giving a very good idea of the current condition of each one and highlighted where there were some potential issues. 12 STPs should not need replacing for at least 10 years, many longer. Three of the STPs were identified as needing urgent attention within the next year:

- The STP at Brookside, Broadhembury required either immediate remedial work which would cost around £4,000 or full replacement costing about £21,000. The report suggested that remedial work is tried to see if it would prolong the life of the plant for a few more years.
- The STP at Porch Cottages, Smallridge requires replacement, costing in the region of £27,000.
- The STP serving 5 & 6 Peek Mead requires replacement, estimated to cost around £9,000.

The likely remedial work/replacement costs which would need to be met in the next few months would be in the region of £40,000. Quotations for the work were currently being obtained.

Officers were looking at the possibility that some or all of the STPs could be adopted by South West Water (SWW), however, this would involve significant cost. The report asked the Board to consider whether they would like officers to investigate further with SWW as to whether they would consider adopting any of the plants, understanding that this would involve further expenditure. It was noted that this was a core area of business for SWW and not necessarily a risk EDDC needed to be managing. There were significant risks from a compliance perspective in terms of day to day management of the STPs. The majority of STPs in the region were managed by SWW, who were industry experts. It was felt that once an STP was only serving private houses steps should be taken to pass the ownership and maintenance of this plant to the private properties.

The Property and Asset Manager's report also proposed that a full review of costs involved in managing the STPs be undertaken to ensure that tenants and private users were paying equal costs for the provision of sewage treatment. These costs should include an element for management and administration. The report also suggested that where it could be shown that tenants had paid considerably more for their sewage than private owners linked to the same STP, some form of compensation should be offered to the current tenants.

RECOMMENDED:

1. that the necessary expenditure on the three sewage treatment plants needing urgent maintenance/replacement in the coming year be agreed.
2. that officers investigate the possibility of passing some/all of the sites over to south West Water, acknowledging that this may involve potentially significant costs to bring the plants up to standard.
3. that the charges made to both tenants and private owners as outlined in the report be reviewed and compensation be paid to tenants if this is felt appropriate.

***30 Lift replacements**

The report of the Property and Asset Manager requested permission for the replacement of two passenger lifts at Albion Court, Exmouth and Morgan Court, Exmouth.

The lift at Morgan Court was installed in 1973 and although a new control panel and new signalisation was installed in 2002, the lift was now in major need of replacement. The number of reported failures in recent years had risen to an unacceptable level and visually the lift was showing obvious signs of wear and tear. Complete replacement of the lift would cost in the region of £85,000 - £90,000. For an extra £5,000 the current lift could be

increased in terms of size so instead of an eight-person capacity, the lift could be extended to thirteen-person capacity.

The lift at Albion Court had not experienced the same frequency of breakdowns as Morgan Court, however, a recent survey had outlined a similar situation with regards to the risk of failure at the site. There were obvious signs of corrosion on the lift doors at Albion Court, partly due to the outside location and exposure to the weather. Complete replacement of the lift would cost in the region of £80,000 - £85,000.

The report proposed using funding from the HRA capital budget for major improvements to existing properties. There was not a current lift replacement programme and it was recommended that the other six lift sites be considered for replacement within the next few years, and that this should form an element of the investment required to council housing stock in the refreshed business plan. There were also a number of properties that did not currently have a lift, where it could be shown that there was a need for one.

RECOMMENDED: that the Housing Revenue Account capital expenditure be used for the replacement of the lifts at Albion Court and Morgan Court in Exmouth, with the lift size being increased where possible.

***31 Use of Right to Buy receipts update**

The Housing Enabling and Allocations Officer's report provided an update on property currently being acquired using Right to Buy receipts and commuted sums. It also set out a proposal for future spending.

A number of properties that were considered suitable to add to the Council's housing stock were listed in the report. Members noted properties already purchased and those currently being purchased, which the Housing Enabling and Allocations Officer updated at the meeting. Based on the figures in the report the Council remained on target to meet deadlines to spend the Right to Buy receipts by 30 September 2016. There was a further £104,500 in receipts to spend by 30 December 2016, which was likely to amount to two additional properties.

Officers were also working on other options to spend the Right to Buy receipts beyond January 2017, which was the time the commuted sums that were currently match funding the property acquisitions would have run out. Options included working with Registered Providers to bid for the Right to Buy monies and possibly borrowing from the Housing Revenue Account and Public Works Loan Board.

Positive responses had been received from Registered Providers. However, officers were concerned that the restrictive requirement set out in the agreement with Secretary of State for spending the receipts may prevent the Registered Providers from being able to use the Right to Buy money. There was a real danger that next financial year the Council would be paying money back to the Government, with interest.

The Portfolio Holder – Sustainable Homes and Communities advised the Board that she would be lobbying the new Housing Minister on a number of issues, including relief on stamp duty and many of the proposals that would have a huge impact on the HRA. The Strategic Lead - Housing, Health and Environment had already written to the two local MPs highlighting issues raised in the CIH (Chartered Institute of Housing) and CIPFA (Chartered Institute of Public Finance and Accountancy) report "Investing in council housing – the impact on HRA business plans" and lobbying for support of the recommendations contained in that report.

RECOMMENDED:

1. that the update report on the use of Right to Buy receipts and Commuted Sums to secure suitable property to add to the Council's affordable housing stock be noted.
2. that delegated authority be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities, and Chair of the Housing Review Board to approve further purchases to meet the Right to Buy December 2016 spending deadline and extending into next quarter using either Housing Revenue Account funding or a loan from the Public Works Loan Board as match funding.

***32 HRA financial monitoring report 2016/17**

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 2016/17 at the end of month four (July 2016).

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.

Attention was drawn to the challenges that faced the Council regarding how much money must be spent on providing new social housing (only 30% of which could be funded by retained Right to Buy receipts) and the dates by which that expenditure must be incurred.

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

***33 Dates of future Housing Review Board meetings**

The Board noted the dates of forthcoming HRB meetings. These would start at 2:30pm and would be held in the Council Chamber, Knowle, Sidmouth. The dates were as follows:

Thursday 3 November 2016

Thursday 12 January 2017

Thursday 9 March 2017

***34 Exclusion of the public**

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

***35 Award of gas service and maintenance contract**

The Property and Asset Manager's report advised members on the results of the re-tendering of the gas service and maintenance works to gas appliances in council homes, and confirmed the award of the contract. The contract had been awarded to the contractor

with the highest combined score quality/price score with 50% of the total score based on quality and 50% price.

RECOMMENDED: that the new four year gas service and maintenance contract is award to Liberty Group Ltd.

***36 Disposal of two council houses and land with planning permission for a two bedroom house at Normandy Close, Exmouth**

The Housing Enabling and Allocation Manager's report sought support to change a previous decision made by the Housing Review Board on 6 March 2014 that proposed to appoint suitable contractor(s) to construct an additional house, demolish and rebuild and refurbish no's. 24 & 26 Normandy Close. Instead it was now recommended on financial viability grounds that Council dispose of 24 & 26 Normandy Close along with planning permission for an additional dwelling that adjoined the properties.

RECOMMENDED: that the request to change a previous decision that enables officers to proceed to dispose of 24 & 26 Normandy Close, with planning permission to construct an additional dwelling on the open market be approved

Attendance list

Present:

Cllr Pauline Stott (Chairman)
Cllr Megan Armstrong
Cllr Ian Hall
Cllr Brenda Taylor

Co-opted tenant members:

Pat Rous (Vice Chairman)
Mike Berridge
Joyce Ebborn

Independent community representatives:

Christine Drew

Officers:

Sue Bewes, Landlord Services Manager
Mark Dale, Senior Technical Officer
John Golding, Strategic Lead - Housing, Health and Environment
Marian Hitchcock, PA to Strategic Lead Housing, Health & Environment and Housing
Paul Lowe, Housing Enabling & Allocations Manager
Andrew Mitchell, Housing Needs & Strategy Manager
Alethea Thompson, Democratic Services Officer
Mandy White, Accountant

Also present:

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities
Cllr David Barratt

Victor Kemp – Tenant
Josie Ireland – Tenant Scrutiny Panel

Apologies:

Angela Bea, tenant
Julie Bingham , independent community representative
Cllr Steve Gazzard
Amy Gilbert, Property and Asset Manager
Giles Salter, Solicitor
Sylvia Martin, Tenant Scrutiny Panel

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 13 September 2016

Attendance list at end of document

The meeting started at 1.30pm and ended at 4.21pm.

***8 Public speaking**

The Chairman welcomed everyone present to the meeting.

There were no members of the public that wished to speak.

***9 Declarations of interest**

Cllr Paul Diviani; minute – *12 - A30 Honiton to Devonshire Inn – Highway Improvement Scheme

Interest - Personal

Reason: Lives on the section of the A30 being considered for highway improvement.

***10 Cranbrook Development Plan Document: Issues and Options Consultation**

The Committee considered the Service Lead – Planning Strategy and Development Management's report outlining the consultation results of the Issues and Options stage of the Development Plan Document, and setting out key areas for further work. The proposed further work would inform the preparation of the Preferred Approach Document, which was hoped would be consulted upon in early 2017, with submission of the DPD in late spring/early summer for examination.

Members noted that nearly 160 responses to the consultation had been received, which included a significant proportion from Cranbrook residents. The committee report included a summary of the responses received from key bodies and organisations.

Having considered the representations received it was considered that areas for further work would include:

- Further assessment in respect of airport noise;
- Producing a baseline landscape assessment;
- Undertaking a heritage assessment;
- Addressing outstanding transport issues;
- Developing a Green Infrastructure Strategy to plan ahead for open space and SANGs
- Commissioning further work in respect of the Sustainability Appraisal and Habitat Regulations Assessment

Points raised during discussion included:

- Concern was raised about the economic role being played within Cranbrook. In response, Members were advised that Officers were working with the Cranbrook Consortium to secure employment space within the town and that an application was expected imminently for the provision of an 'employment hub'. Employment land would be allocated to meet the needs of the town through the Cranbrook DPD. Discussions were being held with CABE and the Consortium in respect of the built form of the Town Centre, however it was recognised that there was a need to deliver short-term solutions until the Centre was completed – a report would be brought to a future committee on possible delivery models.

- There were issues to be resolved in respect of affordable housing delivery and concerns raised about the lack of community facility provision within the town.
- Update sought on the progress of introducing a passing loop at Whimble and second Cranbrook station. In response, Members were advised that there was a large amount of work to do and considerable costs involved, but it would be a key requirement for any expansion of the town to facilitate a modal shift from road to public transport in order to overcome capacity issues at Junction 29. Consideration needed to be given to a joined up transport system – bus and train – to encourage residents to use that mode of transport. It was not envisaged that the second rail station would be on the same scale as the existing station.
- Due to Cranbrook's elongated form a second station would be necessary.
- Suggestion that a tram/metro system be explored. In response, Members were advised that Devon County Council had been undertaking work looking into alternative transport systems, such as a metro system.

RESOLVED:

- 1. that the responses to the Cranbrook DPD – Issues and Options consultation and the main issues raised be noted.**
- 2. that the areas identified for further work, as outlined in the committee report, to allow the Preferred Option document to be prepared be endorsed.**

***11 Evidence base for the Cranbrook Development Plan Document**

The Committee considered the Planning Policy Manager's report which sought endorsement of the following strategies/documents to underpin the ongoing preparation of the Cranbrook Development Plan Document:

- Economic Development Strategy
- Cultural Development Strategy
- Health and Wellbeing Strategy
- Cranbrook – Housing Density
- Sports, Leisure and Recreation requirements for the expansion of Cranbrook

The Cranbrook DPD was intended to guide the future growth and development of the town and it was essential that a robust evidence base supported its policies and proposals.

The Development Manager drew the Committees' attention to a letter received by the East Devon New Community Partners raising concerns about the housing density paper. In response to the points raised, Members were advised that the comments would be taken on board and that housing density would be a key variable in the expansion of the town. Density was recognised as a sensitive issue and there was a need to balance the housing figures set out within the Local Plan with issues such as airport noise and landscape sensitivity. All the supporting evidence strategies/papers would be appended to the Preferred Approach Document and would therefore form part of the consultation on that Document.

Points raised during discussion included:

- There were times when a higher housing density was appropriate, such as when providing sheltered housing or for the town centre. Good design was key.
- With demand for sports pitch provision increasing focus should be placed on the delivery of these facilities. In response, Members were advised that permission had been granted for sports pitches and work on site had commenced. In the meantime sports clubs were making use of the facilities at the secondary school.
- Concern was raised that about the lack of community facilities and facilities for young people in the town. In response, it was advised that the town had an operational

Community Centre, which included the GP surgery. There was work to be done to ensure that sport/open space provision was kept on track.

- Getting the density right for the town centre would be crucial to its success – higher density could work when broken up with open space.
- Disappointment that the sports pitches granted permission did not meet Sports England standards.
- Minimum standards in respect of living space sizes should be adopted. In response, Members were advised that this would be addressed through the production of the design guide.
- Queried whether more could be done through the planning process to deliver renewable energy as part of the housing developments. In response, it was advised that work was being undertaken with Exeter University in respect of renewable energy provision and that a report would be brought to a future meeting of the committee. Renewable energy would be addressed in more detail within the Cranbrook DPD.
- The Economic Development Strategy was currently failing to be delivered. The need for smaller start-up units was highlighted.
- Concern was raised that lifetime homes and homes for disabled people were not currently being delivered.

RESOLVED: that the Economic Strategy, Cultural Development Strategy, Health and Wellbeing Strategy, Cranbrook – Housing Density paper and the Sports, Leisure and Recreation requirements for the expansion of Cranbrook be endorsed as a sound evidence base for the Cranbrook Plan.

***12 A30 Honiton to Devonshire Inn – Highway Improvement Scheme**

The Committee received a presentation from Dave Black, Devon County Council's Head of Planning, Transformation and Environment and Mike Smith of WSP on proposals for road improvements to the A30 Trunk Road from Honiton to Devonshire Inn. The proposals for improvements to the highway, which would form part of wider improvements to the A30/A303, were currently out for consultation. The A30 trunk road was managed and maintained by Highways England and the Department for Transport would be responsible for the final decision in respect of any improvement scheme, however Devon County Council were promoting options for improvements and were leading the consultation.

Dave Black outlined the background to and reasons for the proposed improvements, which was essentially to improve economic prosperity to the area through enhanced connectivity. Members were advised that a two into one scheme was being proposed; creation of a dual carriageway could not be justified for the level of traffic using the road. Having plotted the environmental constraints and assessed road alignments, two main routes were being promoted and these were outlined Members; both bypassed the village of Monkton.

A report had been prepared by the Service Lead – Strategic Planning and Development Management providing Members with commentary on the consultation from the District Council's perspective.

Comments and questions were invited on the proposals and included:

- Queried whether the existing road could be upgraded. In response, it was advised that there were typography challenges and that the engineering works required would make the option too expensive. The existing road would be kept as a local route as it was not proposed to have local roads joining or exiting the new highway.

- Concerns were raised about the impact of the proposed routes on the AONB and loss of agricultural land. In response, it was advised that the existing road was already within the AONB and that a lot of work had been done to try to plot routes to limit the impact. Mitigation measures would be imposed.
- Local people do not support a two into one arrangement due to accident concerns;
- Proposed orange route was very steep. In response, it was advised that the road complied with design standards.
- Queried why a dual carriageway could be justified from Honiton to Exeter but not from Honiton to Devonshire Inn. In response, it was advised that the traffic levels from Honiton to Exeter were much higher. Evidence did not support a dual carriageway on this section.
- Needed to be mindful that when the M5 was blocked this was the main route out and into the South West.
- Concern was raised about the impact on properties from the proposed routes. In response, it was advised that the main distinction between the two routes was that the blue route had a greater impact on properties and the orange route had a greater impact on the landscape.
- Improving the route would lead to a greater number of vehicles using the A30/A303.
- Suggestion that the road designs allowed for the possibility for the road to become a dual carriageway at a later stage. In response, it was advised that land purchase could only be made based on the land needed at the time.
- Concern that the two into one arrangement created additional static traffic. In response, it was advised the 'merge' issue only tended to happen at peak times.
- In order to reduce noise levels the road surface should not be concrete.
- Queried whether there would be service station provision. In response, it was advised that there were currently no proposals for provision any that any service station would need to be provided a private company.
- Support expressed for the improvements.
- Queried whether linking the A30 and A35 had been explored. In response, it was advised that the two roads were approximately 2km apart and that there would be a number of challenges involved.

RESOLVED:

1. That Devon County Council be advised that:

- a) support is given, in principle, to the proposals for improvements to the A30 from Honiton to Devonshire Inn.
 - b) the approach adopted by Devon County Council, developing a scheme within the context of the environmental constraints at and along the length of the route, is welcomed and that with in mind the Council's preference is for the orange route.
 - c) the final road scheme should be developed in a manner that ensures the highest levels of environmental mitigation and should avoid adverse impacts on residences and businesses.
- 2. that the detailed observations and comments highlighted in the committee report be presented to Devon County Council, in particular the need to discuss with EDDC Officers the potential to accommodate new playing pitch provision on the former showground site and provision of gypsy and traveller stopping places along the proposed route.**

(Cllr Mike Allen asked that his vote against the resolutions be recorded)

***13 Draft Gypsy and Traveller Supplementary Planning Document**

The Committee considered the Senior Planning Policy Officer's report, which sought agreement that the draft Gypsy and Traveller Supplementary Planning Document (SPD) be subject to a six week public consultation. The SPD, which accompanied Local Plan Policy H7, set out detailed technical considerations to inform planning applications for new gypsy and traveller pitches. Members noted that the SPD could be taken forwards as an DPD at a later stage.

The Committee discussed the proposed number of pitches per site (15), and suggested that sites should not exceed five pitches in unsustainable locations. In response, the Development Manager advised that the SPD had been drafted based on previous Government guidance, which had been supported by evidence.

RESOLVED: that the draft Gypsy and Traveller Supplementary Planning Document be subject to a six week consultation, in accordance with the Council's adopted Statement of Community Involvement for the Local Plan and other planning documents, subject to any minor typographical amendments and the insertion of diagrams and pictures, and the 'Number of pitches per site' section being amended to read:

- **The needs assessment suggests that small, family sized sites are usually preferred by Gypsies and Travellers and that larger sites in sustainable locations should not exceed 15 pitches.**

***14 East Devon Local List of Non-designated Heritage Assets**

The Committee considered the Development Manager's report, which sought agreement for the draft Local List Supplementary Planning Document to be subject to public consultation. The draft SPD sets out criteria for assessing whether locally important heritage assets should be placed on the East Devon 'Local List'. This process sought to update an existing out dated List.

Members noted that the impact of development proposals on all heritage assets placed on the 'Local List' would be considered when preparing plans, such as neighbourhood plans, and that any implications on the asset must be taken into account when a decision was taken on a planning application. The Development Manager advised that the establishment and maintenance of the List would place extra work on existing resource and that there might be the requirement for additional resources depending on the number of nominations submitted.

In response to a question about the assessment process, the Development Manager referred Members to the consultation document which outlined the process. It was proposed that the decision would be taken by a senior EDDC officer in association with the relevant Portfolio Holder or Chairman of the Strategic Planning Committee. The Planning Authority was required under the NPPF to have regard to non-heritage assets, however at present there was no formal way of identifying them.

Comments made during discussion included:

- Concerns raised about the resource implications for administering the List;
- Correction to appendix 2 - 'Otter Valley Association';
- Appendix 2 should include Fairlynch Museum (Budleigh Salterton);
- Suggestion that the existing List be used as a starting point;
- Nominations were already being received and therefore it was important that criteria were established.

RESOLVED: that consultation on the draft Local List Supplementary Planning Document to guide identification of non-designated heritage assets for inclusion on the East Devon Local List be deferred for further assessment of the resource implications, with a further report to be brought to a future meeting.

Attendance list

Committee Members:

Councillors

Andrew Moulding – Chairman

Peter Bowden – Vice Chairman

Mike Allen

Susie Bond

Peter Burrows

Jill Elson

Graham Godbeer

Mike Howe

Geoff Jung

David Key

Philip Skinner

Brenda Taylor

Mark Williamson

Also present (present for all or part of the meeting):

Councillors:

Brian Bailey

Alan Dent

Paul Diviani

John Dyson

Peter Faithfull

Simon Grundy

Tom Wright

Officers present:

Mark Williams, Chief Executive

Richard Cohen, Deputy Chief Executive

Ed Freeman, Service Lead – Strategic Planning and Development Management

Henry Gordon Lennox, Strategic Lead – Legal, Licensing and Democratic Services

Chris Rose, Development Manager

Hannah Whitfield, Democratic Services Officer

Apologies

Committee Members:

Councillor Matt Booth

Non-committee Members

Councillors

Colin Brown

Ian Hall

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 2 August 2016

Attendance list at end of document

The meeting started at 10am and ended at 4.48pm (the Committee adjourned at 1.05pm and reconvened at 2pm)

***11 Minutes**

The minutes of the Development Management Committee meeting held on 5 July 2016 were confirmed and signed as a true record, subject to the inclusion of Cllr Peter Burrows' declared interest:

Cllr Peter Burrows; 16/0435/MFUL; Personal Interest (remained in the Chamber during the debate and vote); Seaton Town Councillor

***12 Declarations of interest**

Cllr Paul Carter; 16/0205/FUL & 16/0206/LBC, 16/0239/OUT; Personal Interest; Ottery St Mary Town Councillor

Cllr Paul Carter; 15/2522/FUL, 16/0239/OUT; Personal Interest; Applicant's were known to his family

Cllr Mike Howe; 15/1473/VAR, 15/1512/FUL; Personal; Bishops Clyst Parish Councillor

Cllr David Barratt; 16/0268/FUL; Personal; Sidmouth Town Councillor

Cllr Peter Burrows; 16/0435/MFUL, 16/0997/MFUL; Personal Interest; Seaton Town Councillor

Cllr Steve Gazzard; 16/0787/MOUT, 15/2202/COU, 16/0969/FUL; Personal Interest; Exmouth Town Councillor

Cllr Brian Bailey; 16/0787/MOUT, 15/2202/COU, 16/0969/FUL; Personal Interest; Exmouth Town Councillor

Cllr Mark Williamson; 16/0787/MOUT, 15/2202/COU, 16/0969/FUL; Personal Interest; Exmouth Town Councillor

Cllr Mike Howe advised that he was predetermined in respect of applications 15/1473/VAR and 15/1512/FUL and would therefore withdraw from the Committee and speak only as Ward Member whilst those applications were considered.

***13 Appeal statistics**

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

The Development Manager drew Members' attention to the appeal allowed for alterations to of an existing bungalow to form four new dwellings at Foye River Front, Exton. The Inspector acknowledged the limited local facilities in the village and the site being located outside of the Built-up Area Boundary. However, on balance, he considered the site to be well located in relation to the railway station and considered it to be sustainable.

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

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 3 – 2016/2017.

Attendance list

Present:

Committee Members

Councillors:

David Key (Chairman)

Mike Howe (Vice Chairman)

Brian Bailey

David Barratt

Susie Bond

Colin Brown

Peter Burrows

Paul Carter (present for applications considered in the morning only. Apologies given for afternoon session)

Matt Coppell (did not vote on applications 16/0205/FUL & 16/0206/LBC as did not attend the site visit)

Alan Dent

Steve Gazzard

Simon Grundy

Ben Ingham (did not vote on applications 16/0205/FUL & 16/0206/LBC as did not attend the site visit)

Helen Parr (did not vote on applications 16/0205/FUL & 16/0206/LBC as did not attend the site visit)

Alan Dent

Chris Pepper (present for applications considered in the afternoon only. Apologies given for the morning session)

Mark Williamson

Officers

Amanda Coombes, Democratic Services Officer (PM only)

Graeme Thompson, Planning Policy Officer (PM only)

Chris Rose, Development Manager

Shirley Shaw, Planning Barrister

Hannah Whitfield, Democratic Services Officer (AM only)

Also present for all or part of the meeting

Councillors:

Peter Faithfull

Jim Knight

Andrew Moulding

Phil Twiss

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 6 September 2016

Attendance list at end of document

The meeting started at 10am and ended at 3.10pm (the Committee adjourned at 11.55pm and reconvened at 2pm)

***15 Minutes**

The minutes of the Development Management Committee meeting held on 2 August 2016 were confirmed and signed as a true record.

***16 Declarations of interest**

Cllr Ben Ingham; 15/2466/FUL; Applicant was known to the Councillor

Cllr Mark Williamson; 16/1585/FUL; Pecuniary Interest; Applicant

Cllr Mark Williamson; 16/1340/VAR & 16/1585/FUL; Personal Interest; Exmouth Town Councillor

Cllr Paul Carter; 15/2466/FUL; Personal interest; Has a family connection to the applicant

Cllr Mike Howe; 15/2466/FUL; Personal Interest; Applicant was known to the Councillor through the Councillor's (business supplies newspapers to the site)

Cllr Colin Brown; 16/1085/FUL; Personal Interest; Chairman of Monkton Parish Council

In accordance with the Council's constitution, the Vice-Chairman took over Chairmanship of the meeting during consideration of application 16/1085/FUL (Land to south east of Fairhaven, Monkton) as the application was in the Chairman's Ward.

***17 Appeal statistics**

The Committee received and noted the Development Manager's report setting out appeals recently lodged and thirteen appeal decisions notified, which twelve had been dismissed and one had been a split decision.

The Development Manager drew Members' attention to the appeal dismissed for a proposed dwelling on land to the rear of Chestnut House, Bunts Lane, Seaton. The Committee had visited the site and refused the application on highway safety grounds, which was upheld by the Inspector.

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

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 4 – 2016/2017.

Attendance list

Present:

Committee Members

Councillors:

David Key (Chairman)

Mike Howe (Vice Chairman)

Brian Bailey

David Barratt

Susie Bond

Colin Brown (left the room during consideration of application 16/1085/FUL)

Peter Burrows

Paul Carter (left the room during consideration of application 15/2466/FUL)

Simon Grundy

Ben Ingham

Helen Parr

Mark Williamson (left the room during consideration of application 16/1585/FUL)

Officers

Chris Rose, Development Manager

Shirley Shaw, Planning Barrister

Hannah Whitfield, Democratic Services Officer

Also present for all or part of the meeting

Councillors:

Megan Armstrong

Jill Elson

Geoff Jung

Rob Longhurst

Philip Skinner

Pauline Stott

Apologies:

Committee Members

Councillors:

Matt Coppell

Alan Dent

Steve Gazzard

Chris Pepper

Non-committee Members

Councillors

Steve Hall

Andrew Moulding

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 4 October 2016

Attendance list at end of document

The meeting started at 10am and ended at 4.30pm (the Committee adjourned for lunch at 12.30pm and reconvened at 2pm and adjourned at 2.25pm and reconvened at 2.30pm).

In the absence of the Chairman, Cllr Mike Howe, chaired the meeting. The Committee agreed to the appointment of Cllr Alan Dent to the position of Vice-Chairman for the meeting.

***19 Minutes**

The minutes of the Development Management Committee meeting held on 6 September 2016 were confirmed and signed as a true record.

***20 Declarations of interest**

Cllr Matt Coppel; 16/0218OUT and 16/1688/FUL; Personal Interest; Newton Poppleford and Harpford Parish Councillor

Cllr Paul Carter; 16/1265/MFUL; Personal Interest; Applicant was known to the Councillor

Cllr Paul Carter; 16/0622/OUT; Personal Interest; Ottery St Mary Town Councillor

Cllr Brian Bailey; 16/1022/MOUT; Personal Interest; Exmouth Town Councillor

Cllr Mark Williamson; 16/1022/MOUT; Personal Interest; Exmouth Town Councillor

Cllr Mike Howe; 16/1701/FUL; Personal Interest; Applicant was known to the Councillor

Cllr Peter Burrows; 16/1506/OUT; Personal Interest; Acquaintance of the applicant

In accordance with the Council's constitution, the Vice-Chairman took over Chairmanship of the meeting during consideration of application 16/1265/MFUL (Land off Blackmore Road, Hill Barton Business Park, Clyst St Mary) as the application was in the Chairman's Ward.

***21 Appeal statistics**

The Committee received and noted the report presented by the Service Lead – Strategic Planning and Development Management setting out appeals recently lodged and outlining the five appeal decisions notified. Members noted that despite the three appeals allowed and one split decision the Council maintained a good performance in respect of appeal decisions for the year to date.

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

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 5 – 2016/2017.

Attendance list

Present:

Committee Members

Councillors:

Mike Howe (Chairman for the meeting)
Alan Dent (Vice Chairman for the meeting)

Brian Bailey
David Barratt
Colin Brown
Peter Burrows
Paul Carter
Matt Coppel
Simon Grundy
Ben Ingham
Helen Parr
Mark Williamson

Officers

James Brown, Principal Planning Officer (Central Team) (AM only)
Jessica Crellen, Planning Officer (AM only)
Ed Freeman, Service Lead – Strategic Planning and Development Management (AM only)
Darren Roberts, Principal Planning Officer (Western Team) (AM only)
Shirley Shaw, Planning Barrister
Gavin Spiller, Principal Planning Officer (Eastern Team) (PM only)
Hannah Whitfield, Democratic Services Officer

Also present for all or part of the meeting

Councillors:

Megan Armstrong
Iain Chubb
Geoff Jung
Andrew Moulding
Geoff Pook
Val Ranger

Apologies:

Committee Members

Councillors:

Susie Bond
David Key
Steve Gazzard
Chris Pepper

Non-committee Members

Councillor Peter Bowden

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Audit & Governance Committee held in the Council Chamber at Knowle, Sidmouth on 22 September 2016

Attendance list at end of document

The meeting started at 2.30pm and ended at 3.29pm

***15 Chairman's welcome**

The Chairman welcomed everyone to the meeting.

***16 Public Speaking**

There was no public speaking.

***17 Minutes**

The minutes of the Audit and Governance Committee meeting held on 30 June 2016 were confirmed and signed as a true record; with corrections to Minute 11 being noted.

***18 Declarations**

None

***19 Internal Audit Activity – Quarter 1 & 2 2016/17**

Moya Moore Assistant Director, SWAP updated Members. The Committee agreed the 2016-17 Internal Audit plan at its March 2016 meeting. This report provided an update on the 2016/17 Internal Audit Plan Quarter 1.

The Chairman thanked Moya for her report.

RESOLVED:

that the content of the Internal Audit Progress Report be noted.

***20 Statement of Accounts 2015/16 and Governance Statement**

a) Report to those charged with Governance

Darren Gilbert from KPMG, presented the Council's external audit report, which highlighted key issues arising from the Council's financial statements for the year ending 31 March 2016.

The Chairman thanked KPMG for their report.

b) Statement of Accounts 2015/16

The Strategic Lead Finance presented the Council's Statement of Accounts for 2015/16.

The Auditors were anticipating issuing an unqualified audit opinion once the Accounts have been approved by the Audit & Governance Committee.

This report compared the final position on the council's accounts compared with the position presented to members at Outturn stage. No amendments had been made to affect the council's reported financial position given in the Outturn Report in June 2016.

c) Governance Statement

The Governance Statement had been updated from feedback from the Committee when presented as a draft statement at the June 2016 meeting. The Council was required to approve an Annual Governance Statement to accompany the Statement of Accounts. The report detailed the processes in place within the Council's governance framework and in compliance with its adopted Code of Corporate Governance. The Statement highlighted improvements made in Governance arrangements during 2015/16 to note include;

- 2015/16 was the first full year of the Council having Corporate Counter Fraud & Compliance Officer. In addition to the Council continuing to utilise the National Fraud Initiative (NFI) cross data matching service work was undertaken on Council Tax Single Person Discounts and Council Tax Support Cases.
- The Audit and Governance Committee continued to keep an eye on the process to be put in place in order to regularly monitor a 5-year land supply for strategic planning purposes. A recommendation had been made to form a strategic planning function in 2016/17 to help strengthen governance in this area.
- Following Government policy changes the Housing Revenue Account Business Plan needed to be updated. The importance of this work had been strengthened with members' involvement by the establishment of Task and Finish Forum on the topic.
- Audit review on committee decisions focusing on quality of information presented to members was given an audit opinion of substantial.

d) Letter of Representation

Members were asked to note the letter to KPMG in respect of the audit of the Financial Statements for the year ended 31 March 2016 confirming the council's position, documents produced and the sound processes in place.

RESOLVED:

that Members approve the 2015/16 Statement of Accounts.

***21 Technical update - KPMG**

The report provided an overview on progress in delivering responsibilities as the council's external auditors. The Chancellor of the Exchequer had proposed some radical reforms of local government finance. The proposals were that by the end of the decade, councils would retain all locally raised business rates but would cease to receive core grant from Whitehall. During discussions it was suggested that the retention of business rates be put on the council's risk register until it was clear what this would entail.

RESOLVED:

that the update from KPMG be noted.

***22 Review of the Anti bribery policy and the Anti fraud theft and corruption policy**

The Strategic Lead (Legal, Licensing and Democratic Services) and Monitoring Officer presented the council's Anti-Fraud Theft and Corruption and Anti-Bribery Policies which required reviewing. Revisions had been made to the policies although there had not been any substantive changes.

RESOLVED:

that the revised Anti-Fraud Theft and Corruption policies be agreed

***23 Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2016/17.

Items to be considered at the November Committee included:

- Annual audit letter
- Risk management review – half year review
- Internal Audit update – Quarter 2 2016/17
- Future of External Audit
- Partnership Register
- Analysis of consultants fees 2015/16
- Findings from objection raised to Statement of Accounts

RESOLVED:

that the Forward Plan be noted.

Attendance list

Present:

Councillors

Mark Williamson (Chairman)

Dean Barrow (Vice Chairman)

Steve Gazzard

Steve Hall

John Dyson

Ben Ingham

Bill Nash

John Humphreys

Ian Thomas Portfolio Holder Finance

Officers:

Mark Williams, Chief Executive

Simon Davey, Strategic Lead – Finance

Laurelie Gifford, Financial Services Manager

Darren Gilbert, Director, KPMG

Tara Westcott, Senior Manager, KPMG

Moya Moore, 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, 19 July 2016

Attendance list at the end of the document

The meeting started at 10.00am and ended at 10.45am

*1 **Public speaking**

There were no questions asked.

*2 **Minutes**

The minutes of the meeting of the Standards Committee held on 19 April 2016, were confirmed and signed as a true record.

*3 **Declarations of interest**

There were none.

*4 **Welcome to New Members of the committee**

The Chairman welcomed two of the three new co-opted non-voting members, Councillor Frances Newth and Martin Goscomb. Councillor Jessica Bailey had sent her apologies.

*5 **Annual Report**

Members considered the review of the work of the Standards Committee during 2015/16, which outlined:

- the key areas of work for committee members
- local review of our processes since the Localism Act 2011 changes
- analysis of Code of Conduct complaints.

In response to a question from a member, the Monitoring Officer confirmed that training for Development Management Committee members would happen at the September meeting. Councillor Alan Dent also reported on the issue of lobbying of Development Management Committee members and that there needed to be training on this and the correct declarations of interests. Councillor Susie Bond also raised the issue of the list of gifts and hospitalities on the Council's website.

The Chairman thanked the Monitoring Officer for his report.

RESOLVED: that the review of the 2015/16 year be noted.

*6 **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 2016.

Following discussion on some of the complaints received in 2015.-2016, a request was made that the Monitoring Officer prepare a report to the next meeting on options on the assessment of the naming of complainants and subject members in the complaint process and complain reporting. The Monitoring Officer reported that decision notices could be published on the website, although routinely this was not

done but the Subject Member could request that their decision notice was published if they wished, but in such case the complainant may not be identified if they have requested that their identity was kept confidential.

Members raised the issue of the link to the complaints procedure which is listed below:

<http://eastdevon.gov.uk/media/1795790/Councillor-Complaint-procedures-Feb-14.pdf>

RESOLVED:

1. that the report be noted;
2. that the Monitoring Officer bring a report to the next meeting on the assessment of the naming of complainants and subject members in the complaint process and complaint reporting.

***7 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 September meeting:

- Review of Members' Code of Conduct
- Assessment of the naming of complainants and subject members in the complaint process and complain reporting
- Forward Plan.

Attendance list

Present:

Councillors:

Stuart Hughes (Chairman)

Douglas Hull

Dawn Manley

Pauline Stott

Co-opted non-voting members:

Martin Goscomb, Co-opted Independent member

Frances Newth, Co-opted Parish/Town Council member

Tim Swarbrick, Co-opted Independent member

Also present:

Alison Willan, Independent Person

Councillors:

Susie Bond – substitute Committee member

Alan Dent – substitute Committee member

Officers:

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

Chris Lane, Democratic Services Officer

Apologies:

Councillor Graham Godbeer
Jessica Bailey

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Committee held at Knowle, Sidmouth on Wednesday, 24 August 2016

Attendance list at the end of the document

The meeting started at 9.30am and ended at 11.20 am

***1 Minutes**

The minutes of the meeting of the Licensing & Enforcement Committee held on 17 February 2016, were confirmed and signed as a true record.

***2 Declarations of interest**

Councillor Steve Hall

Minute 25

Disclosable Pecuniary Interest – Private Hire Licence Holder

Councillor John O’Leary

Minute 25

Disclosable Pecuniary Interest – Designated Premises Supervisor

Brian Bailey

Minute 25

Disclosable Pecuniary Interest – Hackney Carriage Licence Holder

John Dyson

Minutes 25

Involved with Street Collections for Sidmouth Folk Festival and Trustee of Folk Week

***3 Committee update – Licensing Act 2003, Gambling Act 2005 and General Licensing**

The Licensing Manager presented his report - the following issues were highlighted and discussed.

1. Licensing Act 2003

Following a request for licensing statistics from the Home Office (DCMS) in April, an annual mandatory return was provided giving data for all alcohol and late night licences. The data covered the year 2015/16 and showed that 610 Premises Licences, 55 Club Premises and 2087 Personal Alcohol Licences were administered by the team last year. In addition 824 Temporary Event Notices (TENs) were processed and issued. The data highlighted the volume of licences, notices and work achieved by the licensing team over the year.

The Licensing Manager highlighted the national deficit in the fees for licensing that had not kept up with costs. There was the possibility of consultation in 2017 regarding setting fees on a local level. In response to a question, the Licensing Manager reported that the number of outstanding fees owed to the licensing authority was minimal.

On 26 April 2016 an officer attended a joint meeting with the police at a licensed premise in Axminster following reports of disorder both inside and outside the premises. As a result of the visit the police have made late night visits and have been monitoring the premises. No further issues of disorder had been reported.

On 27 April 2016 the licensing manager attended the first meeting of the safety advisory group set up as a multi-agency forum for the Ottery St Mary Tar Barrels which is due to take place on 5 November 2016. On 19 June 2016 the officers attended the Elton John concert held in grounds of Westpoint. Despite re-planning event meetings there were issues over the siting and number of bars set up on the day. Members will also be aware of major traffic issues on the day caused by the number of people driving to the event.

On 7 July 2016 officers attended a licensed members club in Exmouth where the chairman was interviewed about allegations of breaching the Club Premises Certificate as well as running an unauthorised bar with amplified music outside the premises during the Euro 2016 football matches. As a result the club will be submitting a variation application and has been provided with a warning letter outlining the issues and possible offences together with expectations on the future operation of the club.

2. Gambling Act 2005

The Licensing Manager reported that a programme of visits to licensed premises and other premises where gaming was permitted continued and whenever a licensed premises inspection occurs, the existence of gaming machines and any issues of compliance were considered and inspected. On 4 May an officer and a member of the Gambling Commission conducted joint inspections to licensed gambling premises in the district. This was the first occasion that both organisations had worked jointly and five premises were inspected. No offences were detected and it was agreed that joint gambling inspections should take place annually.

3. Taxis

The Licensing team had continued the education based enforcement and monitoring approach to the Hackney Carriage and Private Hire drivers. Close liaison was maintained with partner agencies and the taxi trade to ensure that the principles of consistency, transparency and proportionality were maintained.

The period for renewing private hire licences ended on 31 May 2016 and saw a reduction in the number of private hire driver, vehicle and operator licences that were renewed in comparison with the previous year. The reduction was largely due to some private hire operators retiring from the trade along with one company deciding not to renew private hire licences for their drivers and vehicles.

The draft taxi licensing policy submitted to committee members on 17 February was circulated for formal public consultation, subject to incorporating amendments requested by members at the meeting. These points were in the process of being amended and the draft policy would then be circulated for consultation with the outcome to be finalised at the next committee meeting on 16 November. In response to a question the Licensing Manager confirmed that the licensing authority encouraged new applications for wheelchair accessible taxis; there were currently 4 in the district.

4. General Licensing

Periodic inspections had been completed for one of the six zoos that were licensed with EDDC. The inspections were carried out by Dr Jonathon Cracknell who was an advanced practitioner in veterinary anaesthesia and zoological medicine.

The existing policy concerning charitable street collections was due for review and a draft street collections policy had been finalised. This policy provided guidance for regulating charitable and other collections of money and explained how, when and where individuals and organisations may make a street collection in East Devon. The policy had been working well for the last 9 years and the changes proposed were not substantial. Councillor Dean Barrow reported on problems that had been experienced in Honiton with the seller of periodicals for alleged charitable purposes.

Members noted that there would be a meeting involving the chairman and Heads of Service, to consider the way forward for the proposed changes to the licensing of Street Trading shortly.

5. Consultations

The bi-annual taxi liaison meeting took place on Thursday 7 April 2016, this meeting was normally attended by the Chairman and Vice Chairman, but other members were welcome to attend. One point reported by the trade concerned delays by the DVLA when arranging taxi driver tests for new employees in the summer of 2015. The discussion prompted additional test appointments being made available by the DVLA this summer for new drivers. The next liaison meeting has been arranged for Thursday 27 October 2016 commencing at 2.30pm in the Council Chamber, Knowle, Sidmouth.

The Chairman reported on the prospect of a visit by the Licensing Service to Exmouth Town Council to give some training to town councillors on the Licensing Act 2003 in the autumn.

6. Training

The Licensing Manager reported that it was expected that training would be arranged for Councillors towards the end of the year, particularly as there were a number of new Councillors on the Committee.

RESOLVED: 1. that the report be noted;

2. that the Committee give approval for the draft Street Collection Policy attached as Appendix B to the agenda, to start the formal public consultation process.

Attendance list

Councillors present

Steve Hall (Chairman)
Jim Knight (Vice Chairman)
Megan Armstrong
Brian Bailey
Dean Barrow
Colin Brown
Jenny Brown
Bruce de Sarar
John Dyson
Steve Gazzard
John O'Leary

Officers present

Giles Salter Solicitor
Steve Saunders, Licensing Manager
Neil McDonald, Licensing Officer
Chris Lane, Democratic Services Officer

Apologies

Councillors:
Matt Booth
Douglas Hull
Geoff Jung
Cherry Nicholas

Chairman Date

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 27 July 2016

Attendance list at the end of the document

Please note that no recording was made of this meeting due to technical problems.

The meeting started at 9.30 am and ended at 9.35 am

*1 **Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 4 May 2016, were confirmed and signed as a true record.

*2 **Declarations of interest**

No declarations of interest were made.

*3 **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 Chairman and Vice Chairman 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:

Unit 3, Colliton Barton, Broadhembury, Devon, EX14 3LJ.

Agreed position reached by the parties:

Following mediation the applicant and the Devon and Cornwall Constabulary have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.

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

1. The business is an online business only and no members of the public must be able to call at the premises to purchase alcohol.

2. All alcohol must be secured in a locked and alarmed premise.
3. Customers ordering online must be required to enter their date of birth before purchase to prove that they are over 18 years of age.
4. All parcels sent out containing alcohol must be sent out by means of a 'signed delivery' and the person signing to accept delivery must be able to prove their age.
5. All parcels must be labelled to advise that it contains alcohol, and on delivery must not be left with anyone under the age of 18 years. A challenge 25 policy will be in place. If the driver considers the recipient of alcohol appears under 25 then ID will be requested. Suitable ID will be a passport, photo licence or a proof of age card bearing the PASS logo.

Attendance list

Councillors present:

Steve Hall (Chairman)
Jim Knight (Vice Chairman)

Also present:

Councillors
John Dyson
Douglas Hull

Officers present:

Giles Salter, Solicitor
Steve Saunders, Licensing Manager
Diana Vernon, Democratic Services Manager
Emily Westlake, Licensing Officer

Apologies

Councillors:
Brian Bailey
Steve Gazzard

Chairman Date

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 24 August 2016

Attendance list at the end of the document

Please note that no recording was made of this meeting due to technical problems.

The meeting started at 11.00 am and ended at 11.05 am

***4 Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 27 July 2016, were confirmed and signed as a true record.

***5 Declarations of interest**

No declarations of interest were made.

***6 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 Chairman and Vice Chairman 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:

Exmouth Country Lodge & Campsite, Maer Lane, Exmouth, Devon, EX8 5DB

Agreed position reached by the parties:

Following mediation the applicant and the three local residents have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.

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

1. . Reduce the times for any licensable activities that have been requested to end at 1am to end at 12 midnight and closing times from 1.30am to 12.30am.

Attendance list

Councillors present:

Steve Hall (Chairman)
Jim Knight (Vice Chairman)

Also present:

Councillors
Megan Armstrong
Brian Bailey
John Dyson
Steve Gazzard
Bruce de Saram

Officers present:

Giles Salter, Solicitor
Steve Saunders, Licensing Manager
Chris Lane, Democratic Services Officer
Neil McDonald, Licensing Officer

Apologies

Councillors:
Geoff Jung
Cherry Nicholas

Chairman Date

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the Licensing &
Enforcement Sub-Committee held at Knowle, Sidmouth on
Wednesday, 28 September 2016

Attendance list at the end of the document

The meeting started at 9.30 am and ended at 10.30 am

- *7 Minutes
The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 24 August 2016, were confirmed and signed as a true record.
- *8 Declarations of interest
Councillor Steve Hall
Minute 7
Disclosable Pecuniary Interest – private hire licence holder
- *9 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 Chairman and Vice Chairman 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 Hideaway, Hills Farm, Whitford Road, Kilmington, Devon, EX13 7NS

Agreed position reached by the parties:

Following mediation the applicant and the two local residents have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.

The application be approved as submitted subject to the following amendments:

1. The outside upper and lower patio areas as shown on the plan submitted to the Licensing Authority will close at 11pm daily.
2. Off sales of alcohol from the restaurant will be restricted to residents of the Hills Farm Complex.

3. Notices will be prominently displayed both inside and outside the premises requesting customers to keep the noise to a minimum and respect the residents and neighbours of the Hills Farm Complex.

*10 Hackney Carriage Suitability

The Sub Committee gave consideration to an application to license a 6 years and 5 month old Volkswagen Caddy car as a hackney carriage vehicle and to determine whether to refuse the application or to make an exception to the District Council's vehicle age policy and agree to license the vehicle. The vehicle fell outside of the criteria as agreed by the Council as it is over four years old from the date of registration. Members noted that the vehicle was wheelchair compliant and had previously been licensed by the applicant with Rochford District Council.

The Licensing Officer reported that there were only 10 other wheelchair compliant vehicles licensed in east Devon (only two in Exmouth where the applicant intended to work) and there was a large customer demand within the district for these vehicles. In response to a request for a sign on the taxi rank at The Strand, Exmouth saying there was a wheelchair vehicle available from a member of the Sub Committee, the Licensing Manager reported that he would speak to Devon County Council, over whether they would allow such a sign.

RESOLVED

that the application be granted as an exception to the District Council's vehicle age policy and agrees to license the vehicle.

Reasons

1. The vehicle supported the Council's equalities policy.
2. Need for wheelchair compliant vehicles in the community.
3. The vehicle was very well presented and in good condition with an AA report.
4. The vehicle had an existing licence with another Licensing Authority.

Attendance list

Councillors present

Steve Hall (Chairman)
Jim Knight (Vice Chairman)
Geoff Jung

Councillors apologies:

Steve Gazzard

Officers present

Giles Salter, Solicitor
Stephen Saunders, Licensing Manager
Neil McDonald, Licensing Officer
Emily Westlake, Licensing Officer
Chris Lane, Democratic Services Officer

Chairman Date