

Agenda for Council

Wednesday, 28 February 2018; 6.30pm



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

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

[View directions](#)

Contact:

[Sue Howl](#), 01395 517541

[Amanda Coombes](#), 01395 517543

or group number, 01395 517546

Issued 19 February 2018

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

www.eastdevon.gov.uk

Prior to the formal start of the meeting, the Chairman will invite Pastor Darrell Holmes to say a prayer.

Dear Sir/Madam

Meeting of the Council of the District of East Devon on Wednesday 28 February 2018 at 6.30 pm

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

Yours faithfully

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

Chief Executive

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

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

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

Agenda:

- 1 [Public speaking](#)
- 2 Minutes of the [Council meeting](#) held on 13 December 2018
- 3 Apologies
- 4 Declarations of interest - Guidance is available online to Councillors and co-opted members on making [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 **Revenue Estimates, Capital Programme & Council Tax Resolution 2018/19**
 - a) To consider the report of the Council's Section 151 Officer, Strategic Lead - Finance, and the recommendations contained therein which include approval of the recommendations of the Cabinet on 7 February 2018 relating to the Council's Revenue and Capital Estimates for 2018/19 and precept details of the parish and town councils, Devon County Council, Devon and Cornwall Police & Crime Commissioner and the Devon and Somerset Fire and Rescue Authority.
 - b) To approve the calculations for setting the Council Tax in accordance with the Local Government Finance Act 1992 as amended by the Localism Act 2011. These calculations form the basis of the formal setting of the Council Tax for the District.

Note 1 The precept levels of other precepting bodies will be detailed in the report. The figures will be collated and the report sent out on Monday 19 February.

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

Note 3 Section 106 of the Local Government Finance Act 1992 precludes councillors from voting on the setting of the Council's budget / council tax where there is an outstanding council tax debt of over two months. It is also a requirement, where you attend any meeting to set the budget and this preclusion applies, that you must declare the fact you are precluded from voting. A failure to do this is a criminal offence.

- 10 Reports from the Cabinet and the Council's Committees and questions on those reports:

Cabinet	Minutes	136 – 150, 151 - 175
†Scrutiny Committee	Minutes	24 – 28
†Overview Committee	Minutes	21 – 26
Joint Overview & Scrutiny Committee	Minutes	1 – 4
†Housing review Board	Minutes	32 – 49
Strategic Planning Committee	Minutes	24 - 27

Development Management Committee	Minutes	29–32, 33–36, 37-40
Audit and Governance Committee	Minutes	37 – 46
Licensing and Enforcement Sub Committee	Minutes	40 – 44, 45 - 47
Standards Committee	Minutes	14 – 19

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

11 Motion – Reducing the use of single-use plastics by 2020

“That this Council resolves to lead by example to reduce the use of single-use plastic with a goal of zero single-use plastics by 2020. Washable options will be favoured and any unavoidable disposable goods purchased henceforth will be of the compostable variety. In addition Members commit to making alternative choices to reduce their own use of disposable plastic items and packaging.”

Proposed by Councillor Cathy Gardner
Seconded by Councillor Eleanor Rylance

Supported by Councillor Val Ranger, Councillor Peter Faithfull, Councillor Eileen Wragg, Councillor Marianne Rixson, Councillor Geoff Jung, Councillor Susie Bond, Councillor Dawn Manley, Councillor Peter Burrows, Councillor John Dyson, Councillor David Barratt, Councillor Matthew Booth, Councillor Megan Armstrong.

12 Motion – Queen’s Drive Regeneration Project

'Mindful of the Council's decision to progress the Visioning Exercise for Queen's Drive, and with a view to securing greater community support for the results of the Exercise, the Council confirms that a detailed and fully costed Business Plan for the full Exmouth Regeneration project be prepared following the conclusion of the Exercise, but prior to any decisions on what action the Council proposes to take in response to the Exercise, and that this Business Plan be the subject of independent and publicly available audit'.

Proposed by Councillor Megan Armstrong
Seconded by Councillor Geoffrey Jung

Supported by Councillor Marianne Rixson, Councillor Peter Faithfull, Councillor Eleanor Rylance, Councillor Matthew Booth, Councillor Dawn Manley, Councillor Ben Ingham, Councillor Cathy Gardner.

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

[Decision making and equalities](#)

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

Report to: Council
Date of Meeting: 28 February 2018
Public Document: Yes
Exemption: None



Review date for release 19 February 2018

Agenda item: 9 Revenue Estimates, Capital Programme & Council Tax Resolution 2018/19

Subject: Council Tax Resolution 2018/19

Purpose of report: The purpose of this report is to enable the Council to calculate and set the Council Tax for 2018/19.

In agreeing to Cabinet recommendations on the Revenue and Capital Estimates 2018/19 (Minute Number 166) on the 7 February 2018 this gives the Council Tax requirement for this Council of £8,024,746 resulting in a Council Tax Band D amount of £136.78. This is an increase of £5 a year (3.79%), within the threshold stipulated by government before triggering a council tax referendum.

Members should note the budget recommended by Cabinet required £0.187m to be used from the General Fund Balance, the Government have now published the final Local Government settlement which gave a further additional sum of £0.044m in the Rural Services Delivery Grant allocation to the Council. The budget presented as taken this additional sum into account and as the Council is a 100% business rate pilot the amount has been taken from business rate income to reimburse the General Fund. The amount required from the General Fund Balance in 2018/19 has now been revised to £0.143m.

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

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

Reason for recommendation: The Council as a billing authority is required to set the Council Tax for 2018/19

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

Financial implications: This report sets the Council's Council Tax requirement for 2018/19 which is derived from its Budget Requirement as recommended by Cabinet on 7 February 2018.

Legal implications: There are no legal observations required

Equalities impact: Low Impact

Risk: Low Risk

Links to background information:

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

Report in full

1 Council Tax Resolution 2018/19

1.1 The precept levels of other precepting bodies are detailed below.

- **Town & Parish Councils**

The Town & Parish Council Precepts for 2018/19 are detailed in Schedule 1 and total £3,814,054.19. The increase in the average Band D Council Tax for Town and Parish councils is 13.42% and results in an average Band D Council Tax figure of £65.01 for 2018/19.

- **Devon County Council**

Devon County Council set their precept at £78,099,586.11. This results in a Band D Council Tax of £1,331.19. This is a total increase of 4.99%; includes a charge for adult social care services representing 2% of the increase.

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

Police and Crime Commissioner for Devon and Cornwall set their precept at £11,046,199.32. This results in a Band D Council Tax of £188.28, being a 6.81% increase on the previous year.

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

Devon & Somerset Fire & Rescue Authority set their precept at £4,928,783. This results in a Band D Council Tax of £84.01, being a 2.99% increase on the previous year.

1.2 This Council's calculations are set out in the formal Council Tax Resolution in Appendix A. This follows Cabinet's recommendation to Council on the 2018/19 budget.

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

COUNCIL TAX LEVIES	2017/2018	2018/2019	Variation
	£	£	%
East Devon District Council	131.78	136.78	3.79%
Parish & Town Councils (Average)	57.32	65.01	13.42%
Sub Total	189.10	201.79	-
Devon County Council	1,267.92	1,331.19*	4.99%
Police and Crime Commissioner for Devon and Cornwall	176.28	188.28	6.81%
Devon & Somerset Fire & Rescue Authority	81.57	84.01	2.99%
TOTALS	£1,714.87	£1,805.27	5.27%

* This increase of 4.99% includes a charge for adult social care services representing 2% of the increase.

The Council is recommended to resolve as follows:

1. It be noted that on 3 January 2018 the Cabinet (minute reference 149 refers) calculated the Council Tax Base 2018/19
 - (a) for the whole Council area as 58,669 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as detailed in Schedule 1 attached.
2. As a preliminary step, calculate that the Council Tax requirement for the Council's own purposes for 2018/19 (excluding Parish precepts) is £8,024,746.
3. That the following amounts be calculated for the year 2018/19 in accordance with Sections 30 to 36 of the Act:
 - (a) £95,634,485 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £83,795,685 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £11,838,800 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £201.79 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £3,814,054 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule 1).
 - (f) £136.78 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
 - (g) The amounts stated in column 5 of the schedule 1 attached given by adding to the amount at 3(f) above the amounts of the special item

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

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

4. That it be noted that for the year 2018/19 Devon County Council, Police and Crime Commissioner for Devon and Cornwall and Devon and Somerset Fire and Rescue Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands	Precepting Authority		
	Devon County Council	Police & Crime Com for Devon & Cornwall	Devon & Somerset Fire & Rescue
A	£887.46	£125.52	£56.01
B	£1,035.37	£146.44	£65.34
C	£1,183.28	£167.36	£74.68
<u>D</u>	<u>£1,331.19</u>	<u>£188.28</u>	<u>£84.01</u>
E	£1,627.01	£230.12	£102.68
F	£1,922.83	£271.96	£121.35
G	£2,218.65	£313.80	£140.02
H	£2,662.38	£376.56	£168.02

5. That, having calculated the aggregate in each case of the amounts at 3 (h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of council tax for the year 2018/19 for each of the categories of dwellings shown in Schedule 3.

6

The Council has determined that its relevant basic amount of Council Tax for 2018/19 is **not** excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2018/19 is excessive and therefore the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

SCHEDULE 1 2018/19

Parish	Parish Precept	Tax Base	Basic Parish Tax	Basic Tax Parish + EDDC	Basic Tax + DCC + Fire Authority + Police & Crime Comm D&C
	£		£	£	£
All Saints	11,932.00	258	46.25	183.03	1,786.51
Awliscombe	4,971.00	241	20.63	157.41	1,760.89
Axminster	214,557.00	2731	78.56	215.34	1,818.82
Axmouthe	11,984.00	249	48.13	184.91	1,788.39
Aylesbeare	7,138.00	267	26.73	163.51	1,766.99
Beer	19,018.89	672	28.30	165.08	1,768.56
Bishops Clyst	26,814.00	540	49.66	186.44	1,789.92
Brampford Speke	7,000.00	155	45.16	181.94	1,785.42
Branscombe	7,500.00	339	22.12	158.90	1,762.38
Broadclyst	350,969.00	1568	223.83	360.61	1,964.09
Broadhembury	8,304.99	309	26.88	163.66	1,767.14
Buckerell	3,155.00	115	27.43	164.21	1,767.69
Budleigh Salterton	111,041.00	2798	39.69	176.47	1,779.95
Chardstock	15,000.00	416	36.06	172.84	1,776.32
Clyst Honiton	18,800.00	109	172.48	309.26	1,912.74
Clyst Hydon	2,582.00	123	20.99	157.77	1,761.25
Clyst St George	8,752.00	396	22.10	158.88	1,762.36
Clyst St Lawrence	-	49	0.00	136.78	1,740.26
Colaton Raleigh	7,830.00	308	25.42	162.20	1,765.68
Colyton	52,050.00	1436	36.25	173.03	1,776.51
Combe Raleigh	4,435.00	104	42.64	179.42	1,782.90
Combpyne-Rousdon	4,710.00	198	23.79	160.57	1,764.05
Cotleigh	3,583.00	108	33.18	169.96	1,773.44
Cranbrook	388,398.00	1517	256.03	392.81	1,996.29
Dalwood	6,479.00	214	30.28	167.06	1,770.54
Dunkeswell	30,500.00	598	51.00	187.78	1,791.26
East Budleigh with Bicton	22,578.70	507	44.53	181.31	1,784.79
Exmouth	747,843.00	12764	58.59	195.37	1,798.85
Farrington	5,930.00	154	38.51	175.29	1,778.77
Farway	1,986.00	133	14.93	151.71	1,755.19
Feniton	18,762.00	661	28.38	165.16	1,768.64
Gittisham	8,036.00	247	32.53	169.31	1,772.79
Hawkchurch	10,000.00	264	37.88	174.66	1,778.14
Honiton	277,637.00	3904	71.12	207.90	1,811.38
Huxham	-	44	0.00	136.78	1,740.26
Kilmington	13,296.00	401	33.16	169.94	1,773.42
Luppitt	10,894.00	217	50.20	186.98	1,790.46
Lympstone	46,564.00	910	51.17	187.95	1,791.43
Membury	10,892.00	275	39.61	176.39	1,779.87
Monkton	5,500.00	74	74.32	211.10	1,814.58
Musbury	7,140.00	244	29.26	166.04	1,769.52
Netherexe	-	23	0.00	136.78	1,740.26
Newton Poppleford	42,500.00	909	46.75	183.53	1,787.01
Northleigh	2,193.00	83	26.42	163.20	1,766.68
Offwell	3,516.00	186	18.90	155.68	1,759.16
Otterton	10,520.00	310	33.94	170.72	1,774.20
Ottery St Mary	129,000.00	2737	47.13	183.91	1,787.39
Payhembury	6,249.00	304	20.56	157.34	1,760.82
Plymtree	4,236.00	261	16.23	153.01	1,756.49
Poltimore	5,800.00	129	44.96	181.74	1,785.22
Rewe	8,964.00	193	46.45	183.23	1,786.71
Rockbeare	31,644.00	356	88.89	225.67	1,829.15
Seaton	317,330.20	3184	99.66	236.44	1,839.92
Sheldon	-	84	0.00	136.78	1,740.26
Shute	4,800.00	295	16.27	153.05	1,756.53
Sidmouth	488,467.00	7024	69.54	206.32	1,809.80
Southleigh	2,230.00	108	20.65	157.43	1,760.91
Stockland	8,352.00	327	25.54	162.32	1,765.80
Stoke Canon	9,933.00	240	41.39	178.17	1,781.65
Talaton	8,636.00	245	35.25	172.03	1,775.51
Uplyme	35,000.00	872	40.14	176.92	1,780.40
Upottery	12,885.00	325	39.65	176.43	1,779.91
Upton Pyne	9,713.41	226	42.98	179.76	1,783.24
West Hill	56,375.00	1134	49.71	186.49	1,789.97
Whimble	14,120.00	726	19.45	156.23	1,759.71
Widworthy	2,700.00	136	19.85	156.63	1,760.11
Woodbury	78,972.00	1413	55.89	192.67	1,796.15
Yarcombe	5,356.00	222	24.13	160.91	1,764.39
	3,814,054.19				

**SCHEDULE 2 2018/19
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS (Town and Parish tax)**

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	122.02	142.35	162.69	183.03	223.71	264.38	305.05	366.06
Awliscombe	104.94	122.43	139.92	157.41	192.39	227.37	262.35	314.82
Axminster	143.56	167.48	191.41	215.34	263.20	311.05	358.90	430.68
Axmouthe	123.28	143.81	164.36	184.91	226.01	267.09	308.19	369.82
Aylesbeare	109.01	127.17	145.34	163.51	199.85	236.18	272.52	327.02
Beer	110.06	128.39	146.74	165.08	201.77	238.45	275.14	330.16
Bishops Clyst	124.30	145.00	165.72	186.44	227.88	269.30	310.74	372.88
Bramford Speke	121.30	141.50	161.72	181.94	222.38	262.80	303.24	363.88
Branscombe	105.94	123.58	141.24	158.90	194.22	229.52	264.84	317.80
Broadclyst	240.41	280.47	320.54	360.61	440.75	520.88	601.02	721.22
Broadhembury	109.11	127.29	145.47	163.66	200.03	236.40	272.77	327.32
Buckerell	109.48	127.71	145.96	164.21	200.71	237.19	273.69	328.42
Budleigh Salterton	117.65	137.25	156.86	176.47	215.69	254.90	294.12	352.94
Chardstock	115.23	134.43	153.63	172.84	211.25	249.66	288.07	345.68
Clyst Honiton	206.18	240.53	274.90	309.26	377.99	446.71	515.44	618.52
Clyst Hydon	105.18	122.71	140.24	157.77	192.83	227.89	262.95	315.54
Clyst St George	105.92	123.57	141.22	158.88	194.19	229.49	264.80	317.76
Clyst St Lawrence	91.19	106.38	121.58	136.78	167.18	197.57	227.97	273.56
Colaton Raleigh	108.14	126.15	144.18	162.20	198.25	234.29	270.34	324.40
Colyton	115.36	134.57	153.80	173.03	211.49	249.93	288.39	346.06
Combe Raleigh	119.62	139.54	159.48	179.42	219.30	259.16	299.04	358.84
Combpyne-Rousdon	107.05	124.88	142.73	160.57	196.26	231.93	267.62	321.14
Cotleigh	113.31	132.19	151.07	169.96	207.73	245.50	283.27	339.92
Cranbrook	261.88	305.51	349.16	392.81	480.11	567.39	654.69	785.62
Dalwood	111.38	129.93	148.50	167.06	204.19	241.31	278.44	334.12
Dunkeswell	125.19	146.05	166.91	187.78	229.51	271.24	312.97	375.56
East Budleigh with Bicton	120.88	141.01	161.16	181.31	221.61	261.89	302.19	362.62
Exmouth	130.25	151.95	173.66	195.37	238.79	282.20	325.62	390.74
Farringdon	116.86	136.33	155.81	175.29	214.25	253.20	292.15	350.58
Farway	101.14	117.99	134.85	151.71	185.43	219.14	252.85	303.42
Feniton	110.11	128.45	146.81	165.16	201.87	238.56	275.27	330.32
Gittisham	112.88	131.68	150.50	169.31	206.94	244.56	282.19	338.62
Hawkchurch	116.44	135.84	155.25	174.66	213.48	252.29	291.10	349.32
Honiton	138.60	161.70	184.80	207.90	254.10	300.30	346.50	415.80
Huxham	91.19	106.38	121.58	136.78	167.18	197.57	227.97	273.56
Kilmington	113.30	132.17	151.06	169.94	207.71	245.47	283.24	339.88
Luppitt	124.66	145.42	166.20	186.98	228.54	270.08	311.64	373.96
Lypstone	125.30	146.18	167.06	187.95	229.72	271.48	313.25	375.90
Membury	117.60	137.19	156.79	176.39	215.59	254.78	293.99	352.78
Monkton	140.74	164.18	187.64	211.10	258.02	304.92	351.84	422.20
Musbury	110.70	129.14	147.59	166.04	202.94	239.83	276.74	332.08
Netherexe	91.19	106.38	121.58	136.78	167.18	197.57	227.97	273.56
Newton Poppleford	122.36	142.74	163.14	183.53	224.32	265.10	305.89	367.06
Northleigh	108.80	126.93	145.06	163.20	199.47	235.73	272.00	326.40
Offwell	103.79	121.08	138.38	155.68	190.28	224.87	259.47	311.36
Otterton	113.82	132.78	151.75	170.72	208.66	246.59	284.54	341.44
Ottery St Mary	122.61	143.04	163.47	183.91	224.78	265.65	306.52	367.82
Payhembury	104.90	122.37	139.86	157.34	192.31	227.27	262.24	314.68
Plymtree	102.01	119.00	136.01	153.01	187.02	221.01	255.02	306.02
Poltimore	121.16	141.35	161.54	181.74	222.13	262.51	302.90	363.48
Rewe	122.16	142.51	162.87	183.23	223.95	264.66	305.39	366.46
Rockbeare	150.45	175.52	200.59	225.67	275.82	325.97	376.12	451.34
Seaton	157.63	183.89	210.17	236.44	288.99	341.52	394.07	472.88
Sheldon	91.19	106.38	121.58	136.78	167.18	197.57	227.97	273.56
Shute	102.04	119.03	136.04	153.05	187.07	221.07	255.09	306.10
Sidmouth	137.55	160.47	183.39	206.32	252.17	298.02	343.87	412.64
Southleigh	104.96	122.44	139.94	157.43	192.42	227.40	262.39	314.86
Stockland	108.22	126.24	144.28	162.32	198.40	234.46	270.54	324.64
Stoke Canon	118.78	138.57	158.37	178.17	217.77	257.36	296.95	356.34
Talaton	114.69	133.80	152.91	172.03	210.26	248.49	286.72	344.06
Uplyme	117.95	137.60	157.26	176.92	216.24	255.55	294.87	353.84
Upottery	117.62	137.22	156.82	176.43	215.64	254.84	294.05	352.86
Upton Pyne	119.84	139.81	159.78	179.76	219.71	259.65	299.60	359.52
West Hill	124.33	145.04	165.77	186.49	227.94	269.37	310.82	372.98
Whimple	104.16	121.51	138.87	156.23	190.95	225.66	260.39	312.46
Widworthy	104.42	121.82	139.22	156.63	191.44	226.24	261.05	313.26
Woodbury	128.45	149.85	171.26	192.67	235.49	278.30	321.12	385.34
Yarcombe	107.28	125.15	143.03	160.91	196.67	232.42	268.19	321.82

Contents

Page

Council	13 December 2017	1-9
<hr/>		
1. Cabinet	3 January 2018	10 -15
	7 February 2018	16 - 27
<hr/>		
2. Scrutiny Committee	16 November 2017	28 - 32
<hr/>		
3. Overview	30 January 2018	33 - 36
<hr/>		
4. Joint Overview & Scrutiny Committee	17 January 2018	37 - 42
<hr/>		
5. Housing Review Board	11 January 2018	43 - 49
<hr/>		
6. Strategic Planning Committee	14 December 2017	50 - 54
<hr/>		
7. Development Management Committee	5 December 2017	55 – 56
	9 January 2018	57 – 58
	6 February 2018	59 - 60
<hr/>		
8. Audit and Governance Committee	18 January 2018	61 - 63
<hr/>		
9. Licensing and Enforcement Sub Committee	17 January 2018	64 – 66
	14 February 2018	67 - 68
<hr/>		
10. Standards Committee	23 January 2018	69 - 71

EAST DEVON DISTRICT COUNCIL

Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 13 December 2017

Attendance list at the end of document.

The meeting started at 6.30pm and ended at 8.30pm.

In the absence of the Chairman, Councillor David Key acted as Chairman for the meeting and Members confirmed their agreement that Councillor Helen Parr would act as Vice Chairman.

***47 Public speaking**

The Chairman welcomed all those present to the meeting present and invited members of the public to address the Council. There were two members of the public wishing to address the Council.

David Daniel wanted to ask the Council about the accuracy of the detail contained in the Heart of the South West (HOTSW) Productivity Strategy.

The Portfolio Holder for Strategic Development & Partnerships, Councillor Phil Twiss, responded that HOTSW needed to aim high in its objectives to increase prosperity across the area, given the level of uncertainty which Mr Daniel had accurately reflected.

Jacqueline Green wanted to ask the Leader two questions about whether his Register of Interests was up to date and reflected his business interests, and also whether his entries on the hospitality register were correct.

Councillor Diviani was delayed in arriving at the meeting and was not present when this question was put, however, it was agreed to provide a written answer after the meeting.

***48 Minutes**

The minutes of the Council meeting held on 25 October 2017 were confirmed and signed as a true record.

In relation to Minute 38, Councillor Douglas Hull asked the Chief Executive if he had received a response to a letter sent to Mr Coleville MP on behalf of the Council following the meeting of Council on 21 December 2016 (Minute 52), in relation to the quality of house building in East Devon and the role of the National House Builders Council (NHBC). If no response had been received, Councillor Hull requested that the process be restarted. The Chairman responded that this would be followed up.

***49 Declarations of interest**

Councillor Jill Elson – Item 13

Type of interest – Personal interest

Reason – Chair of Community Transport

Councillor Phil Twiss – Item 13

Type of interest – Personal interest

Reason – Member of Devon County Council

Councillor Douglas Hull – Item 13

Type of interest – Personal interest

Reason – Member of the RD&E Hospital Board of Governors

Councillor Graham Godbeer – Item 14

Type of interest – Personal interest

Reason – Owns a drone

***50 Matters of Urgency - Appointment of a Tenant Representative on the Housing Review Board.**

Members were asked to confirm the Appointment of a Tenant Representative on the Housing Review Board, following the recent resignation of one of the tenant representatives. The reason for this being an Urgent Item is due to the fact that the appointment has to be confirmed by Council before the next meeting of the Housing Review Board due to be held on 11 January 2018.

RESOLVED: that Susan Saunders be formally appointed to fill the vacant tenant representative position on the Housing Review Board.

***51 Chairman/Leader notices/announcements**

The Chairman wanted to make two announcements. The first to announce the intention of Councillor Pat Graham to resign from East Devon District Council with effect from December 31st 2017. The Chairman thanked Councillor Graham for the valuable contribution she had made to the Council over the many years of her involvement as a Councillor for Exmouth Town Ward, and stated that she could retire knowing that she had made a first class contribution to the well-being of EDDC. The second announcement was to invite those present to join him after the meeting in reflecting on how much EDDC had achieved during 2017.

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

Four 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 response to the supplementary questions asked are set out below.

- a) Question 1 – In response to the question by Cllr Cathy Gardner about the Ceramtec brownfield site in Colyton, Cllr Jill Elson confirmed that she expected affordable homes to be delivered wherever possible.
- b) Question 2 – In response to the supplementary question by Cllr Gardner about working with the Homes & Community Agency to develop affordable housing, Councillor Jill Elson responded that the Council's Housing service working in collaboration with the local Housing Company expect to provide affordable homes. Properties acquired to date will be made available for sale or rent at an affordable level.
- c) Question 3 – In response to the supplementary question by Cllr Gardner about proposals for the Heart of the South West and the Council's new HQ, Councillor Phil Twiss stated that the new Council offices in Honiton are currently on time and on budget as with the refurbishment of Exmouth Town Hall.
- d) Question 4 – In response to the supplementary question by Cllr Rixson about due diligence in relation to Pegasus Life, Councillor Phil Twiss confirmed that a due diligence exercise had been undertaken and that he was as satisfied as he could be by the information provided by experts on behalf of the Council in this respect.

*53 **Minutes of Cabinet and Committees**

RESOLVED

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

Cabinet

Minutes 94 – 107, 108 – 135

Development Management Committee

Minutes 25 – 28

Strategic Planning Committee

Minutes 9 – 15, 16 - 23

Audit and Governance Committee

Minutes 27 – 36

Licensing and Enforcement Committee

Minutes 9 – 12,

Licensing and Enforcement Sub Committee

Minutes 29 – 31, 32– 36, 37 – 39

2. that the under-mentioned minutes be received.

Cabinet (minutes 103,117, 119) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

Scrutiny Committee

Minutes 19 – 23

Overview Committee

Minutes 8 – 13, 14 - 20

Arising from consideration of the above minutes:-

➤ **Cabinet; minute number *104 – Heart of the South West Joint Committee**

Councillor Cathy Gardner raised the need to review the HOTSW Productivity Strategy and requested that a group from the Council undertake more work on the detail contained in the strategy. The Chief Executive referred Councillor Gardner to the recommendation arising from Minute 19 of the Overview Committee of 7 November, indicating that such work was underway and that EDDC would be contributing to a joint response with other authorities.

Councillor Marianne Rixson referred to the comments already made by David Daniel, Councillor Gardner and Councillor Twiss and commented that HOTSW seemed to have modelled itself on a pantomime horse giving rise to the question of who was at the front end and who was at the back.

Councillor Roger Giles also commented on Cabinet minute 104 in relation to the ambition of the HOTSW strategy and whether a report could be requested on the achievability of its optimistic projections. The Chief Executive stated that the consultation period had been extended and an appropriate time to bring this back to Council would be when the report was received following the consultation, in order to reflect further on the direction proposed.

➤ **Cabinet; minute number *121 – Exmouth Regeneration Update, Queens Drive**

Councillor Megan Armstrong wanted to make an amendment to this item by adding a sixth clause to the resolutions. The Chief Executive stated that as Cllr Armstrong was seeking to amend a Resolution of Cabinet this could not be done without a motion being brought to Council. The Cabinet minutes were agreed unchanged.

***54 Appointment of two Members to act as Directors of the Queens Drive Exmouth Community Interest Company**

Councillor Pauline Stott, Councillor Mark Williamson and Councillor Megan Armstrong were all nominated for the position.

A vote was taken by show of hands.

The Chairman stated the outcome of the vote as being 16 votes for Councillor Armstrong, 25 votes for Councillor Stott, 27 votes for Councillor Williamson.

RESOLVED: that following a vote, Councillor Stott and Councillor Williamson be appointed to act as Directors of the Queens Drive Exmouth Community Interest Company.

***55 Amendment to appointments on LED Leisure Management Ltd and Citizens Advice East Devon**

By a show of hands members confirmed the amendment to the appointments.

RESOLVED: that Councillor Steve Hall to replace Councillor Alan Dent on Citizens Advice East Devon and Councillor Alan Dent to replace Councillor Steve Hall on LED Leisure Management Ltd.

***56 Motion – Broadband progress**

The following motion was proposed by Cllr Bruce de Saram, seconded by Cllr John Humphreys and supported by Cllr Brian Bailey, Cllr Maddy Chapman and Cllr Cherry Nicholas.

“That this council as part of its ongoing commitment to the heart of the Southwest Joint Committee’s aims and objectives, specifically “Connectivity and infrastructure”, takes this opportunity to write to Connecting Devon and Somerset (CDS) to ask them to strongly lobby BT Openreach in recognition that more businesses are being run from homes and that by doing so we will achieve more than the 95% set by government for the whole of the District. This will benefit every member of society both in their individual and business use in either rural or urban areas as per the Scrutiny Committee’s recommendation of 2nd March 2017 and the subsequent acknowledgement from the East Devon Infrastructure Delivery Plan”.

The proposer of the motion, Councillor de Saram, advised that he wished to amend the Motion to delete references to ‘BT’ and insert ‘all Broadband suppliers’ in its place. He referred to the fact that this issue had been discussed at Scrutiny Committee in March, and expressed the view that poor Broadband was undermining rural society due to the poor facilities driving people into towns and

cities to work. The seconder of the motion, Councillor Humphreys added that this was an issue affecting local communities as well as businesses. Cllr Twiss noted that the correct body to be writing to was the Heart of the South West Local Enterprise Partnership rather than CDS. Following discussion it was agreed that the motion could be strengthened with some changes as discussed but that the final wording be left to the Chief Executive to finalise.

The motion with delegated authority given to the Chief Executive to finalise the wording was proposed by Councillor Bruce de Saram and seconded by Councillor John Humphreys.

RESOLVED: "That this council as part of its ongoing commitment to the heart of the Southwest Joint Committee's aims and objectives, specifically "Connectivity and infrastructure", takes this opportunity to write to the Heart of the South West Local Economic Partnership (LEP) to ask them to strongly lobby all Broadband suppliers in recognition that more businesses are being run from homes and that by doing so we will achieve 100% rather than the 95% set by government for the whole of the District, through the most appropriate technical solutions. This will benefit every member of society both in their individual and business use in either rural or urban areas as per the Scrutiny Committee's recommendation of 2nd March 2017 and the subsequent acknowledgement from the East Devon Infrastructure Delivery Plan".

*57 **Motion - The effects on Rural Communities of the Sustainability Transformation Partnership (STP) actions in East Devon**

The following motion was proposed by Councillor Mike Allen, seconded by Councillor Ian Hall and supported by Councillor Dean Barrow, Councillor Stuart Hughes, Councillor Brian Bailey, Councillor Mark Williamson, Councillor Mike Howe, Councillor Iain Chubb, Councillor Simon Grundy, Councillor Graham Godbeer, Councillor Tom Wright, and Councillor Jenny Brown.

"To ask the Leader of East Devon District Council to request Sarah Wollaston, Chair of the Parliamentary Health Select Committee, to investigate the effects on Rural Communities of the STP actions and to test if Rural Proofing Policies have been correctly applied to these decisions in order to protect these communities".

The proposer of the motion, Councillor Mike Allen raised the issue of protecting rural hospitals and had circulated background papers prior to the meeting. He had spoken to Neil Parrish MP and referred to the local knowledge of Sarah Wollaston in terms of her being able to understand rural proofing. Since this was a government policy, it was important to get the views from East Devon to her Health Committee. The seconder of the motion, Councillor Ian Hall stated that he wanted to be reassured that all the details of proposals around rural hospitals had been properly scrutinised.

Councillor Dean Barrow referred to the lack of Community provision on discharge from care homes and how this was not working well in Honiton. Councillor Phil Twiss commented on issues related to the delivery of services in rural areas, mental health issues, ageing and the role of the RD&E Hospital in Exeter.

Councillor Jill Elson commented on transport issues and travel to treatment times and distances.

Councillor Marcus Hartnell referred to the lack of provision in Seaton and Axminster, and how the two hospitals were trying to work together. Councillor Pauline Scott commented on bed blocking and hospital discharge, and that there were insufficient care at home services. Councillor Paul Carter raised the issue generally of rural proofing and that it required a systematic review of services. Councillor Iain Chubb commented that Blackdown was a challenging geographic area to travel in to receive health care.

Councillor Paul Diviani noted he was on the Board of Devon Councils Network and considered that STP actions had not yet been rural proofed. He advised that as well as Sarah Wollaston, the Council should contact the Rt Hon Sajid Javid as Secretary of state for Communities & Local Government, as well as Michael Gove as Secretary of State for the Environment Food & Rural Affairs, as their briefs cross over rural responsibilities and affect the health and well-being of all our communities.

Councillor Roger Giles referred to the Scrutiny Committee meeting on 22 June when the CCG attended. Councillor Cathy Gardner had reservations about the possible impact of the motion.

The Chairman asked Councillor Allen to give his right to reply. Councillor Allen stated that a rigorous scrutiny exercise could result in reversing some of the decisions which had been made, and urged Members to agree the motion in order to keep the pressure high on these issues. The seconder, Councillor Ian Hall agreed with the comments of Councillor Allen.

The Chairman put the motion to the vote and it was carried.

RESOLVED: "To ask the Leader of East Devon District Council to request Sarah Wollaston, Chair of the Parliamentary Health Select Committee, to investigate the effects on Rural Communities of the STP actions and to test if Rural Proofing Policies have been correctly applied to these decisions in order to protect these communities, and that this request will also be sent to the Rt Hon Sajid Javid as Secretary of State for Communities & Local Government, and Rt Hon Michael Gove as Secretary of State for the Environment Food & Rural Affairs ".

*58 **Motion - The use of drones on Council land**

The following motion was proposed by Councillor Rob Longhurst, seconded by Councillor Ben Ingham and supported by Councillor Alan Dent; Councillor Susan Bond; Councillor Geoffrey Jung; Councillor Cathy Gardner; Councillor Marianne Rixson; Councillor Dawn Manley; Councillor Simon Grundy.

"In the light of concerns that are being raised we request that the Council prepares a policy with regard to the use of drones on its land and also considers whether any changes are required to the current legislative and enforcement framework to deal with concerns about the potential misuse of drones and resulting nuisance to members of the public'.

The proposer of the motion, Councillor Longhurst, advised that he had circulated a paper at the meeting to advise Members of current legislation. At present UK laws

are regulated by the Civil Aviation Authority (CAA). He outlined concerns about the use of drones as toys as well as the many positive uses to which they could be put by various authorities. He referred to areas of misuse including crime, use in areas where there were children, and to invade the privacy of neighbours.

In the absence of the seconder of the Motion Councillor Bond spoke in favour of the Motion.

Councillor Godbeer agreed that the Council should develop a policy on the use of drones on Council land and would include it on the agenda of the Overview Committee.

The Chairman asked Councillor Longhurst to give his right to reply. Councillor Longhurst spoke to points in favour of the Motion. Councillor Bond agreed with the comments of Councillor Longhurst and seconded the motion.

The Chairman put the motion to the vote and it was carried

RESOLVED: that "In the light of concerns that are being raised we request that the Council prepares a policy with regard to the use of drones on its land and also considers whether any changes are required to the current legislative and enforcement framework to deal with concerns about the potential misuse of drones and resulting nuisance to members of the public'.

The Chairman declared the meeting closed.

Attendance list

Councillors present:

David Key (Acting Chairman/Vice Chairman)

Helen Parr (Acting Vice Chairman)

Mike Allen

Megan Armstrong

Brian Bailey

David Barratt

Dean Barrow

Susie Bond

Matt Booth

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

Simon Grundy

Ian Hall

Steve Hall

Marcus Hartnell
Stuart Hughes
Douglas Hull
John Humphreys
Geoff Jung
Jim Knight
Rob Longhurst
Dawn Manley
Cherry Nicholas
John O'Leary
Marianne Rixson
Eleanor Rylance
Bruce de Saram
Phil Skinner
Pauline Stott
Brenda Taylor
Ian Thomas
Phil Twiss
Mark Williamson

Honorary Aldermen:

David Cox
Christine Drew
Frances Newth
David Scott

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead – Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Sue Howl, Democratic Services Manager

Councillor apologies:

Mark Evans-Martin
Pat Graham
Mike Howe
Ben Ingham
Andrew Moulding
Bill Nash
Darryl Nicholas
Chris Pepper
Geoff Pook
Val Ranger
Eileen Wragg
Tom Wright

Honorary Aldermen apologies:

David Atkins
Bernard Hughes
John Jefferies
Steph Jones
Ann Liverton
Graham Liverton
Bob Peachey
Ken Potter
Tim Wood

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 3 January 2018

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.49pm

***136 Public Speaking**

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

***137 Minutes**

The minutes of the Cabinet meeting held on 29 November 2017 were confirmed and signed as a true record.

***138 Declarations**

Councillor Jill Elson: Minute 148; personal interest – Member of Exmouth Community Transport

***139 Matters of urgency**

None

***140 Matters referred to the Cabinet**

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

***141 Exclusion of the public**

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

***142 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 February 2018 to 31 May 2018.

***143 Minutes of the Scrutiny Committee held on 16 November 2017**

Members received the Minutes of the Scrutiny Committee held on 16 November 2017. The Vice Chairman of Scrutiny expressed his concerns over the minimum standards of room sizes in newly built domestic properties. He also highlighted that pdf plans sent from the planning portal were very slow to download, this was a particular problem for Town and Parish Councils due to poor download speeds.

RESOLVED that the following recommendations be approved as amended:

Minute 25 Development Management systems thinking refresh

the minimum standard of internal room sizes, as issued by Government, be considered by the Strategic Planning Committee in terms of the costs and timing of introducing minimum standards.

***144 Minutes of the Recycling and Waste Partnership Board held on 22 November 2017**

Members received the Minutes of the Recycling and Waste Partnership Board held on 22 November 2017.

The Portfolio Holder Corporate Services wished to thank the recycling team and SUEZ operatives for doing a fine job in the recent adverse weather conditions.

RESOLVED that the following recommendation be noted as having already been approved:

Minute 39 Garden waste collections

that Cabinet approve in principle the green waste collection service subject to any necessary amendments being made by officers following detailed analysis of the figures and service plan.

- *145 **Minutes of the Capital Strategy & Allocation Group held on 6 December 2017**
Members received the Minutes of the Capital Strategy & Allocation Group held on 6 December 2017.

RESOLVED that the following recommendations be noted:

Minute 6 Capital bids proposed for the 2018-19 Capital Programme

- a) East Devon Business Centre Phase 3 Workspace provision (£1,179,170)
That the project was approved subject to it being marked as indicative scheme in the Capital Budget thereby requiring a further report confirming final scheme costs and confirmation of grant funding to be received. The project cannot proceed until a further report was approved.
- b) Car park improvements – Victory Hall, Broadclyst (£26,500)
- c) Cliff and Beach Safety Works – Beer (£44,700)
- d) Exmouth Beach Access Steps Handrail Installation (£35,000)
- e) Seaton Beach Management Scheme Outline Business Case (£250,000)
- f) Clyst St Mary Flood Defence Improvements (£50,000)
That this bid can go ahead as part of the Capital Programme based on additional funding being identified.
- g) Parapet Wall Repair and Cliff Remedial Works – Jacob’s Ladder, Sidmouth (£65,000)
- h) Knowle Gardens Refurbishment (£22,500)
- i) Renewal of equipment, safety surfacing and perimeter fence in Glen Farm play area, Honiton (£50,000)
That all bids for play areas except Manstone, which was to be transferred to the Town Council should be referred to Cabinet to determine if the Council should be supporting this type of spend.
- j) Renewal of equipment and safety surfacing in St Mark’s play area, Honiton (£80,000)
The outcome under i) above relate also to this bid.
- k) Renewal of skate equipment in Phear Skate Park, Exmouth (£150,000)
- l) Renewal of equipment, safety surfacing and perimeter fence in Stowford Rise Play area, Sidmouth (£55,000)
The outcome under i) above relate also to this bid.

m) Manstone play area (£15,000)

That this bid be supported as part of the Capital Programme based on it being transferred to the local council.

n) Renewal of equipment and safety surfacing in Meadway play area, Seaton (£50,000)

The outcome under i) above relate also to this bid.

o) Sidmouth Beach Management Scheme (£6,900,000)

That this bid be supported as part of the Capital Programme as an Indicative Scheme pending a full report to CSAG and Cabinet seeking final approval.

Members debated on items i), j), k), l) and n) play area expenditure and supported their inclusion in the Capital Budget but agreed consultation should first take place with the relevant town/parish council on the suitability of the proposed scheme and any future aspirations on asset transfer.

***146 Minutes of the Asset Management Forum Committee held on 7 December 2017**

Members received and noted the Minutes of the Asset Management Forum Committee held on 7 December 2017.

***147 Minutes of the New Homes Bonus Panel held on 13 December 2017**

Members received the Minutes of the New Homes Bonus Panel held on 13 December 2017.

RESOLVED that the following recommendations be approved:

Minute 11 Request from West Hill Parish Council to be allowed its own funding for 2017/18 - £1,757.80

West Hill Parish Council be granted £1,757.80 funding from the Ottery St Mary Town Council allocation of Towns and Parishes Together fund for 2017/18.

Minute 12 (a) Application from All Saints, Chardstock Parish Councils and Axminster Town Council for Christmas Lights - £2,500

Minute 12 (b) Application from All Saints, Chardstock and Kilmington Parish Councils and Axminster Town Council for four heli-pads- £5,171.40

Minute 12 (c) Application from Colyton and Northleigh Parish Councils for Cycle racks - £340

Minute 12 (d) Application from Cranbrook Town Council, Broadclyst, Clyst Honiton, Poltimore and Whimble Parish Councils for Great Trees Project in Clyst Valley - £1,370.50

Minute 12 (e) Application from Hawkchurch Parish Council for Ditching and Drainage - £464

Minute 12 (f) Application from Newton Poppleford, East Budleigh with Bicton, Bishops Clyst and Woodbury Parish Councils for Defibrillators - £6,799

Minute 12 (g) Application from Southleigh Parish Councils for Ditching and drainage - £202

Minute 12 (h) Application from Stoke Canon and Rewe Parish Councils for Footpath - £951.50

Minute 12 (i) Uplyme Parish Council for Drainage - £1,555.40

148 Draft Revenue and Capital Budget 2018/19

The Strategic Lead Finance presented the draft revenue and capital budgets for 2018/19 for adoption by the Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board.

RESOLVED:

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

REASON:

There was a requirement to set balanced budgets and to levy a Council Tax for 2018/19. Cabinet will receive the final budget proposals on 7 February 2018 to recommend to Council.

***149 2018/19 Council Tax Base**

The Service Lead Revenues, Benefits and Corporate Fraud presented the report, which set out the tax base for 2018/19 and included the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax would be based. This was an important component in the Council's budget setting process for 2018/19.

RESOLVED:

1. that the tax base for 2018/19 at 58,669 Band D equivalent properties, and
2. the amount for each parish as detailed under section 3 of this report, be confirmed.

REASON:

The calculation of the tax base was prescribed in regulations and was a legal requirement. The council tax base was defined as the number of Band D equivalent properties in a local authority's area. The tax base was necessary to calculate council tax for a given area.

***150 Monthly Performance reports – November 2017**

The report set out performance information for the 2017/18 financial year for November 2017.

There were three indicators showing excellent performance:

1. Percentage of Non-domestic Rates Collected
2. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
3. 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 2017/18 financial year for November 2017 be noted.

REASON:

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

Attendance list

Present:

Portfolio Holders:

Phil Twiss	Deputy Leader/Strategic Planning and Developments (in the Chair)
Tom Wright	Environment
Iain Chubb	Corporate Services
Phil Skinner	Economy
Jill Elson	Sustainable Homes and Communities
Marcus Hartnell	Deputy Portfolio Holder Environment

Cabinet Members without Portfolio:

Geoff Pook

Cabinet apologies:

Paul Diviani	Leader
Ian Thomas	Finance
Eileen Wragg	

Non-Cabinet apologies:

Simon Grundy
Mark Williamson
Maddy Chapman
Cherry Nicholas
Darryl Nicholas
Peter Burrows
John O'Leary
Brenda Taylor
Jenny Brown
Eleanor Rylance
Roger Giles
Bruce de Saram

Also present (for some or all of the meeting)

Councillors:

Brian Bailey
David Barratt
Dean Barrow
Colin Brown
Alan Dent
Mike Howe
Steve Hall
Ian Hall

Pauline Stott
Geoff Jung
Peter Faithfull
Paul Carter
Rob Longhurst
Ben Ingham
Andrew Moulding
Graham Godbeer
Steve Gazzard

Also present:

Officers:

Mark Williams, Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead – Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead – Governance and Licensing, and Monitoring Officer
Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 7 February 2018

Attendance list at end of document

The meeting started at 5.32pm and ended at 7.45pm

***151 Public Speaking**

There were two members of the public who wished to speak.

One speaker spoke at the appropriate agenda item, Minute 169 - Port Royal Scoping Exercise.

Mr Ed Dolphin spoke on Minute 169, Port Royal Scoping Exercise. Mr Dolphin requested that the Council transfer their asset in Port Royal to Sidmouth Town Council, to create a unified approach to developing the area.

***152 Minutes**

The minutes of the Cabinet meeting held on 3 January 2018 were confirmed and signed as a true record.

***153 Declarations**

Councillor Ian Thomas: Minute 175; personal interest – Director of Exeter Science Park Ltd

Councillor Phil Skinner: Minute 175; personal interest – Shareholder of Exeter Science Park Ltd

Councillor Steve Hall: Minute 171; personal interest – permit holder for Camperdown Terrace car park

Councillor Rob Longhurst: Minute 171; personal interest – user and renter of Pavilion car park Exmouth

Councillor Iain Chubb: Minute 175; personal interest – DCC councillor

Councillor Phil Twiss: Minute 175; personal interest – DCC councillor

Councillor Paul Diviani: Minute 175; personal interest – member of Heart of the South West LEP

Mark Williams, Chief Executive: Minute 166; personal interest – family member has run workshops at the THG

***154 Matters of urgency**

None

***155 Matters referred to the Cabinet**

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

*156 **Exclusion of the public**

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

*157 **Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 March 2018 to 30 June 2018.

There was one addition to the Forward Plan – Heart of the South West Productivity Strategy from the HotSW Joint Committee.

*158 **Notes of the Exmouth Regeneration Board held on 14 December 2017**

Members received the Minutes of the Exmouth Regeneration Board held on 14 December 2017.

*159 **Minutes of the STRATA Joint Executive Committee held on 5 January 2018**

Members received the Minutes of the STRATA Joint Executive Committee held on 5 January 2018.

*160 **Minutes of the Housing Review Board held on 11 January 2018**

Members received the Minutes of the Housing Review Board held on 11 January 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 36 Draft Housing Revenue Account budget 2018/19

Minute 37 Draft Housing Service Plan 2018/19

Minute 38 Responsive repairs and works to void properties contract extension and procurement process - the extension of the current responsive day to day repairs and void work to council housing stock contract for a further six months, with a revised end date of 31 January 2019.

Minute 40 Universal Credit update

2. the council should invest in supporting tenants in order to mitigate the effects of Universal Credit on their own wellbeing as well as the impact on the Housing Revenue Account.
3. that two members of staff from Housing Benefits support the Housing Service through the rollout, with staff capacity required to manage the change being reassessed later in the financial year.

Minute 41 Rental exchange scheme - entering into a new contract for the provision of free, independent credit checks for tenants.

Minute 43 Rent deposit and bond scheme - amendments to the rent deposit and bond scheme and allows bonds to become lifetime bonds rather than fixed term.

Minute 44 Hillcrest, Exmouth bungalow purchase –

2. the use of Right to Buy Receipts and Housing Revenue Account housing development fund to purchase the property.

Minute 45 Safeguarding adults leaflet - the safeguarding procedure set out in the report

RESOLVED (2) that the following recommendations be noted:

Minute 40 Universal Credit update

1. the report on the preparations for the further roll out of Universal Credit during 2018/19

RESOLVED (3) that the following recommendations be supported:

Minute 44 Hillcrest, Exmouth bungalow purchase –

1. the proposal to enter negotiations with Devon County Council to agree a value and purchase price for Hillcrest Bungalow, Exmouth, with a view to redeveloping the site in the future.

161 **Minutes of the Joint Overview and Scrutiny Committees held on 17 January 2018**

Members received the Minutes of the Joint Overview and Scrutiny Committees held on 17 January 2018.

RECOMMENDED (1) that the following be taken into account during the budget setting process (agenda item 16 refers)

Minute 4 Draft service plans, Revenue Budget and Capital Budget for 2018/19

RECOMMENDED by the Overview Committee:

1. that the Council increases the Council Tax for 2018/19 by £5 per year;
2. that the draft Revenue Budget be recommended to Council, subject to the inclusion of:
 - a. Car Parks apprentice at ongoing cost, £20, 480 in 2018/19 for reason of succession planning;
 - b. New trailer for countryside service at one-off cost of £7000;
 - c. Grant to Action East Devon at £20,000 each year for 2018/19 and 2019/2020;
3. that the bid for grant for Clyst Honiton Parish Council extending the current funding to support the employment of a Parish Clerk be referred to the Budget Working Party for consideration, in that the Overview Committee is in support of the proposal but needs further work to establish realistic costs;
4. that the remaining additional bids as set out in Appendix 2 of the report not listed above be afforded effort to seek out and obtain other funding, recognising that these items could come forward for inclusion during the year if circumstances dictated that the priority had increased to an urgent need;
5. that the draft Capital Budget be recommended to Council;
6. that the Service Plans be recommended to Council, with the Overview Committee noting the recommendation made by the Scrutiny Committee in respect of the public toilet review.

RECOMMENDED by the Scrutiny Committee:

1. that the Council increases the Council Tax for 2018/19 by £5 per year;
2. that the draft Revenue Budget be recommended to Council, subject to the inclusion of:
 - a. New trailer for countryside service at one-off cost of £7000;
 - b. Grant to Action East Devon at £20,000 each year for 2018/19 and 2019/2020
3. that the bid for grant for Clyst Honiton Parish Council extending the current funding to support the employment of a Parish Clerk be referred to the Budget

Working Party for consideration, in that the Overview Committee is in support of the proposal but needs further work to establish realistic costs;

4. that the remaining additional bids as set out in Appendix 2 of the report not listed above be afforded effort to seek out and obtain other funding, recognising that these items could come forward for inclusion during the year if circumstances dictated that the priority had increased to an urgent need;
5. that the draft Capital Budget be recommended to Council;
6. that the Service Plans be recommended to Council, with the Scrutiny Committee specifically noting the review of public toilet provision in the service plan for Streetscene. The committee wish to ensure that the importance of public toilet provision is recognised and secured.

***162 Minutes of the Community Fund Panel held on 18 January 2018**

Members received the Minutes of the Community Fund Panel held on 18 January 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 10 Consideration of applications received

1. Woodbury Village Hall – new disabled access, ramp and porch with electric doors and alterations to interior to provide wider doors. £5000. The Panel were concerned that the application was incomplete in that the application for £25,000 funding had not been confirmed as being successful and further information was required. They deferred the application for demonstration of match funding to give delegated authority to the Chairman in consultation with the Engagement and Funding Officer to approve, subject to other members being notified by email.
2. Newton Poppleford Pavilion – Extension and kitchen refurbishment to be housed in the extension. £5000

***163 Minutes of the Standards Committee held on 23 January 2018**

Members received the Minutes of the Standards Committee held on 23 January 2018.

***164 Minutes of the South East Devon Habitat Regulations Executive Committee held on 24 January 2018**

Members received and noted the Minutes of the South East Devon Habitat Regulations Executive Committee held on 24 January 2018.

165 Programme of meetings 2018/19

The Cabinet considered the proposed timetable of meetings for the next Council year. There was a discussion to whether the Overview Committee should meet more than four times a year. In answer to this, the Chairman of the Overview Committee stated that more meetings were planned to be programmed in.

RECOMMENDED:

that the draft meetings timetable be referred for approval to the annual meeting of the Council.

RESOLVED:

that the 2018 Annual Council meeting be held on Wednesday 16 May.

REASON:

To meet the legal requirement to hold an annual meeting and also such other meetings as necessary for the conduct of the Council's business in accordance with its constitution.

166 **Revenue and Capital Estimates 2018/19**

The Strategic Lead, Finance informed Cabinet of the adopted draft Revenue and Capital Estimates for 2018/19 at its meeting on 3 January 2018. A joint meeting of the Overview and Scrutiny Committees reviewed those budgets on 17 January and the Housing Review Board considered the Housing Revenue Account budgets on 11 January.

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

As part of the Prudential Code for Capital Finance in Local Authorities the Council was required to set prudential indicators as part of its budget setting process, these indicators were detailed in the Treasury Management Strategy 2018/19 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy.

Discussions included the following:

- The need to look at the budget for Arts and Culture as a whole, when considering other budgetary requirements within the Council.
- THG had a large outreach programme and was not just about Arts and Culture.

RECOMMENDED:

That Cabinet recommends to Council:

1. the Net Revenue General Fund Budget as considered in 2.7 of the report be approved,
2. a Council Tax increase is approved of £5 a year giving a Band D council tax of £136.78 a year for 2018/19,
3. the Housing Revenue Account Estimates with a net surplus of £1.413m be approved,
4. the Net Capital Budget totalling £12.204m for 2018/19 be approved.
5. to include 3 special items listed in Appendix 2 of the budget report totalling £47,480 (implications of £61,590 expenditure in future years), this gives a Net Budget of £14.571m requiring £0.187m to be used from the General Fund Balance.

REASON:

There was a requirement for the Council to set a balanced budget for both the General Fund and Housing Revenue Account and to levy a Council Tax for 2018/19.

167 **Treasury Management Strategy 2018/19 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy**

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

RECOMMENDED:

That Council approve and adopt:

1. the Treasury Management Strategy including the Prudential Indicators for 2018/19;
2. the Minimum Revenue Provision Policy Statement;
3. the addition to the Investment Strategy of Alternative Investment Instruments (e.g. Property Funds)
4. the updated list of counterparties.

REASON:

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

168 **Financial Monitoring Report 2017/18 - Month 9, December 2017**

The report gave a summary of the Council's overall financial position for 2017/18 at the end of month nine (31 December 2017).

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.

RESOLVED:

1. the variances identified as part of the Revenue and Capital Monitoring process up to Month 9 be acknowledged,

RECOMMENDED:

2. Supplementary Estimate of £21,000 for staffing resource required to facilitate roll out of the digital mailroom be agreed.

REASON:

The report updated Members on the overall financial position of the Authority following the end of each month and included recommendations where corrective action was required for the remainder of the financial year.

*169 **Port Royal Scoping Exercise**

The Deputy Chief Executive provided an update to members on the outcome of the Scoping Exercise that was undertaken in 2017 in relation to the Port Royal Site. It described the activities that were taken as part of the Scoping Exercise including the research of relevant issues undertaken by the external advisors, the public consultation exercise and the findings of their work and recommendations for the next stage. The report made recommendations to members for a way forward that would lead to a positive outcome that can realistically be delivered.

Cllr Jeff Turner from Sidmouth Town Council spoke on this item. Cllr Turner stated he had previously been the Chairman of the Port Royal Study Phase and expressed his gratitude to being allowed to work together with the Council. He said this was a good working model for future cooperation for developing Sidmouth. The Town Council's main interest was to see the Port Royal Club flourish and with joint cooperation work to improve the facilities and lease period. The Council (EDDC) should maintain the public toilets at Port Royal as well as the Port Royal Club and lifeboat station and where possible enhance the facilities. Any future developer should support the social and economic benefits to the area. They should be encouraged to take into consideration

Sidmouth's historic buildings to the sea and designs should be aspirational to encourage community, heritage and cultural benefits. A mixed-use development would be preferable.

Cllr Turner concluded that the Town Council supported the recommendations from officers. The Town Council would focus on improvements and raising standards to the fishermen sheds and fish shop area. He asked that the marketing of the Drill Hall not start until 1 March 2018 to allow for the draft Sid Valley Neighbourhood Plan be taken into consideration.

Discussions included the following:

- it would be helpful if the Council could publish clear criteria for any future purchaser
- Sid Valley Neighbourhood Planning Team would make available their summary of community feelings
- this was the best that could be done at this stage.

The Deputy Chief Executive thanked the leading community groups and assured that the Council would look at a mixed criteria when considering purchase offers. The marketing period was for six months in order for commercial and non-commercial interests to come forward.

RESOLVED:

1. that the detailed research undertaken in the Scoping Exercise that provided a comprehensive and thorough analysis, including financial viability assessment of the complex issues related to future development within the Study Area be noted.
2. that the analysis in the report and in particular the following elements:
 - a. the risk of flood especially related to land outside of the area allocated within the Local Plan,
 - b. the lack of financial viability of development if on-site or off-sited affordable homes were included, and
 - c. the existing covenant impacting upon parts of the potential development site be noted.
3. that the following actions:
 - a. not to seek a comprehensive mixed use development of this site, and
 - b. to take to market the vacant Drill Hall site with a view to securing an appropriate development proposition and capital receipt for the benefit of taxpayers of East Devon, be agreed.
4. that the marketing exercise be carried out in such a way as to allow commercial and non-commercial bids to come forward, be agreed.

REASON:

To reflect the findings and analysis of the Scoping Exercise and seek a deliverable way forward toward the renewal of Port Royal within a meaningful timescale.

***170 Local Government Boundary Commission review outcomes**

The Chief Executive updated Members following the implementation of the Boundary Commission's review.

RESOLVED:

1. the changes that had been made to the Ward boundaries and number of Councillors which would apply to the District Council and Town and Parish elections in May 2019, and
2. that the Returning Officer would carry out a Polling Stations Review as a consequence of the amendments and in preparation for the 2019 elections, be noted.

REASON:

To ensure Members were aware of the changes which would affect and be operative for the 2019 elections.

***171 Consultation on a review of car parking charges**

The report requested members to consider changes to car park tariffs and parking permits, in advance of a public consultation exercise, to enable the car parks team to better manage supply and demand, and to align charges across the district more closely. The standard car parking tariff had remained static for eight years, and no change to this charge was being proposed.

Discussions included the following:

- increased charges from £40 to £134 were too high. Charges must cover the cost of running the car parks only
- increase costs by just a small amount for existing residents permits and as residents leave and move on new occupants could pay the new higher rates
- DCC should be in communication with the Council to find a way forward and link with improved on street parking provision
- increased charges would deter shoppers
- Sidmouth Town Council may wish to look into the Temple Street proposal to increase reserved parking as the public use these spaces when attending council meetings
- Concern about the cost and take up of the new business users proposal
- The Pavilion car park Exmouth should be included in the consultation exercise.

RESOLVED:

that consultation takes place with customers, residents and representatives of local businesses on the following:

1. revised car park tariff for Underhill car park, Lympstone,
2. revised car park tariff for Canaan Way car park, Ottery St Mary,
3. revised car park tariff for Church Street car park, Sidford,
4. revised car park tariff for Coombe Lane car park, Axminster,
5. revised car park tariff for Dolphin Street car park, Colyton,
6. discontinuing residents' parking permits for Dolphin Street car park, Colyton,
7. discontinuing residents' parking permits for Underhill car park, Lympstone,
8. discontinuing residents' parking permits for Camperdown Terrace car park, Exmouth,
9. replacing town/area permits with a separate permit for each town or village,
10. replacing economy and all East Devon permits with resident-all car parks and business permits,
11. converting eight short stay parking bays, and
12. that delegated authority be granted to the Chief Executive in consultation with relevant Portfolio Holders to look into whether the Pavilion car park Exmouth should be included in the consultation.

REASON:

Section 122 of the Road Traffic Regulation Act 1984 sets out the duties of all local authorities in respect of a range of traffic related functions including the provision of off-street parking. The Council has always been careful to balance the needs of its residents alongside the demand for parking from visitors and to consider the impact of any changes on our local businesses.

These proposals would not interfere with the security of (or access to) any other premises and it was believed that they would not be prejudicial to the amenity of the relevant localities. In all other material respects they were consistent with other relevant factors including the desire to support town centre economies.

***172 Charging for Food Hygiene Rating Scheme Revisits**

The Service Lead Environmental Health and Car Parks presented the report that asked members to consider the recent change in policy that would allow the Environmental Health Service to charge businesses the costs of carrying out revisits, for the purpose of rescoring for the Food Hygiene Rating Scheme.

RESOLVED:

that following the change in the Food Standards Agency charging policy, the Environmental Health Service introduce a cost recovery fee of £140 for a Food Hygiene Rating Scheme re-rating inspection requested by a Food Business Operator with effect from 1 April 2018.

REASON:

In partnership with the Food Standards Agency, the Environmental Health Service participate in the delivery of the national Food Hygiene Rating Scheme (FHRS). The scheme, which had been in place in East Devon since 2011, assisted consumers in making informed choices about where to eat and encouraged businesses to improve hygiene standards.

Businesses are rated between 0 (urgent improvement necessary) and 5 (very good). Those with a food hygiene rating of 4 or below can request a re-rating inspection. There was currently no charge for this visit but there were costs, in terms of officer and administration time which were currently absorbed by the service.

Following a trial of charging for requested FHRS re-rating inspections with some local authorities in England using existing powers in the Localism Act 2011, the Food Standards Agency had now confirmed a change in policy allowing use of these powers by local authorities in England to introduce fees on a cost recovery basis only for re-rating inspections.

***173 Monthly Performance reports – December 2017**

The report set out performance information for the 2017/18 financial year for December 2017 was supplied to allow Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicator showing excellent performance:

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

There was one performance indicator showing as concern:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse - Four appeals were decided during December; two were dismissed and two allowed. One of the dismissed appeals was in respect of an enforcement appeal which is not subject of the performance indicator.

RESOLVED:

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

REASON:

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

174 **Exclusion of the public**

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

175 **Exeter Science Park funding request**

Cabinet considered the case for additional investment proposed by the board of ESPL and the risk involved.

RECOMMENDED:

That Cabinet recommends to Council:

1. that the request for additional funding from the Board of Directors of Exeter Science Park Limited (ESPL) of £600,114; this would raise EDDC's shareholding in ESPL, be agreed and
2. that delegated authority be given to the Chief Executive in consultation with the Strategic Leads for Finance and Governance and Licensing to take forward decisions of Council in regard to ESPL and fellow shareholders.

REASON:

For consideration to the current status regarding the Science Park and decide whether or not to further invest in ESPL and under what terms to agree further investment.

Attendance list

Present:

Portfolio Holders:

Paul Diviani	Leader
Phil Twiss	Deputy Leader/Strategic Planning and Developments (in the Chair)
Tom Wright	Environment
Iain Chubb	Corporate Services
Phil Skinner	Economy
Marcus Hartnell	Deputy Portfolio Holder Environment
Ian Thomas	Finance

Cabinet Members without Portfolio:

Geoff Pook
Eileen Wragg

Cabinet apologies:

Jill Elson Sustainable Homes and Communities

Non-Cabinet apologies:

Bill Nash
Simon Grundy
Alan Dent
John Dyson
Ian Hall
Bruce de Saram
John O'Leary
Brenda Taylor
Darryl Nicholas
John O'Leary

Also present (for some or all of the meeting)

Councillors:

Mike Allen
Megan Armstrong
Brian Bailey
David Barratt
Colin Brown
Cathy Gardner
Marianne Rixson
Matt Booth
Susie Bond
Steve Hall
Pauline Stott
Geoff Jung
Peter Faithfull
Paul Carter
Rob Longhurst
Ben Ingham
Andrew Moulding
Graham Godbeer
Steve Gazzard
Mark Williamson
Maddy Chapman
Cherry Nicholas
Eleanor Rylance
Roger Giles

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead – Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead – Governance and Licensing, and Monitoring Officer

Karen Jenkins, Strategic Lead – Organisational Development and Transformation
Alison Hayward, Senior Manager – Regeneration and Economic Development
Tabitha Whitcombe, Democratic Services Officer
Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 16 November 2017

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.20 pm.

***24 Public speaking**

Paul Arnott sought clarification for why the scheduled report on Elections had not come before the committee at the meeting. He stated that he had seen correspondence dated 19 September from the Electoral Commission that made clear that the District Council would not be specifically referenced in the expected report, and therefore awaiting its publication was not necessary for the committee to proceed with review of the report.

***25 Minutes**

The minutes of the Scrutiny Committee held on the 19 October 2017 were confirmed and signed as a true record.

***26 Development Management systems thinking refresh**

The Service Lead, Planning Strategy and Development Management, updated the committee on work refining some of the internal procedures in dealing with planning applications. The committee had originally requested his attendance at committee in response to the concern on meeting targets for determination of planning applications. The performance monitoring report reflected a vast improvement, with the targets being met.

The systems thinking refresh had included:

- Setting up of a householder team
- Only undertaking site visits on householder applications when necessary
- Focus on pre-application
- Limiting negotiations
- Extensions of time introduced for minor approaches.

Discussion on the service changes implemented included:

- Concern that neighbours to applications do not object in order to avoid upsetting the neighbouring applicant, which could be missed if site visits were not carried out. In response, the committee were reminded that objectors could always put their views to the local Ward Member to make representation on their behalf;
- Considerable time had been saved in reducing site visits. Visits were still made if an objection was made by any objector, including Ward Member or town/parish council, and a significant proportion of applications still received a site visit. No recommendation was made on an application until officers were satisfied that they had all relevant information;
- A suggestion was made to inform the ward member and local town or parish if no site visit had been made. Whilst the Service Lead felt that this may only create demand (which was therefore preventable) he did agree to look into how feasible this would be;
- Negotiations in the past had, on some applications, become protracted. This led to many amendments to plans and a degree of consultation fatigue on those amendments. The revised approach expects submission of one pack of amendments to address issues with the application, after which a decision will be made.

The committee had also raised concern at their meeting on the 9 May on the impact of small internal room sizes, particularly in relation to converted larger buildings into home of multiple occupation. At the committee meeting of the 20 July, it was reported that Building regulations relating to internal room sizes only relate to buildings of student accommodation, hotels and schools. The only option identified at that time was the option for the committee to lobby government about their concerns.

The Service Lead reported that Government had now issued national minimum room sizes, which local authorities would have to research and evidence to support adoption through a local plan process. The national sizes came too late for the current Local Plan in place, but can be considered under the next review, which would take place once the Greater Exeter Strategic Plan (GESP) had progressed – this next review was expected to be in two years. Whilst minimum room sizes are a good concept for the welfare of house occupants, the Council needed to consider the impact of formally adopting the minimum, as it affected the size and cost of building houses. This in turn affects affordability.

The committee discussed options on lobbying in order to bring about better internal room sizes sooner, as there was great concern that domestic properties were being constructed with room sizes that were too small.

Discussion on the Housing and Employment Land Availability Assessment (HELAA) methodology and sites coming forward for allocation included:

- Concern that the methodology adopted for assessment had no mention of assessing agricultural land – how could it be guaranteed that high grade land will be protected? There was agreement that development of high grade land should be avoided, but there had to be a balance between maintaining that land and delivering the number of houses required;
- Concern that the call for sites was not widely known and therefore a number of sites would not be put forward, as historically one councillor commented that many parish councillors were also landowners and had put forward only their own land. In response, the Service lead outlined a number of means of publicising the call for sites currently used, with the process designed to be open and transparent;
- The HELAA Panel did include developers and land agents. This was necessary as part of the process was to establish the willingness of the development industry in developing sites. Developers and land agents on the HELAA panel did not dictate or control the process. The database of sites produced formed part of the evidence to inform the GESP; the final plan would be agreed by Members through Strategic Planning Committee and Council.

Questions were also put to the Service Lead on the HELAA methodology, and how sites came forward for consideration to be assessed, and it deemed correct, added to the database of potential sites for employment and residential development.

Other discussion generally covered:

- Regular monitoring of the delivery of sites that have planning permission is made to Development Management Committee, including a delivery forecast. The next annual report on this is due in the new year;
- Issues of poor quality plans specifically for Exmouth Town Council, with slow download speeds or lack of plans attached to application for consideration. Plans were currently scanned at 300dpi as best compromise between quality and file size, and some reduction in quality was inevitable when switching between mediums of paper copy and scanning. Just over half of applications are now submitted electronically by agents, which helps sustain a high quality of plan, and work

progresses in raising his number, but legislation does not permit the Council to insist on submission electronically only. A number of examples were quoted. The Vice Chairman agreed to raise Strata related issues with the joint scrutiny committee in order to seek prompt resolution of the issues;

- The zoom option was a useful tool when viewing plans on the website for complex plans;
- Work had been undertaken on a one to one basis with each town and parish council when moving from paper provided plans to electronic, with 90% taking this on successfully when first introduced. In response to a suggestion for a training session for all town and parish clerks, the Service Lead agreed to contact the clerks to ask if they needed any specific help, and then provide one to one assistance as this was felt to be the best method;
- The Portfolio Holder for Strategic Development and Partnerships alerted the committee to pending software updates that were required and receiving prompt attention to resolve download speed issues;
- Town and Parish Councils can always request additional time for consideration of applications, to fit around their meeting cycles if more time to review the application is required.

RECOMMENDED to Cabinet that the minimum standard of internal room sizes, as issued by Government, is adopted as a matter of priority by the authority.

RESOLVED that

- 1. The committee welcomes the improvement in performance against the government performance measures for the determination of planning applications;**
- 2. Strata be asked to**
 - a. Improve the link between the planning portal to the council back office systems as a priority;**
 - b. Investigate how PDF documents can be downloaded faster.**
- 3. That the planning service contacts town and parish clerks to follow up any outstanding issues with receiving electronic planning applications.**

***27 Quarterly monitoring of performance for second quarter 2017/18**

The Vice Chairman highlighted the following from the second quarter:

- Housing and Council Tax and Benefit Claims - note comments regarding peak work loads in February and again in August and September
- Affordable Homes delivered 122 LY 100 target TY. Officer comments clear;
- Beach Safety Officer resignation – carried over from old report. The Chairman expressed his disappointment at the incorrect information relating to this item, particularly as it was a key role of the committee to scrutinise performance, which must be undertaken on accurate data;
- Fly Tipping 2 instances this Qtr from 4 in Qtr 1. On target. Portfolio Holder is working with the relevant officers to work on a strategy for fly tipping, after a recent Devon Waste Board Partnership meeting;
- Cranbrook Masterplan - for consultation on Preferred Approach during November and December – covered by Strategic Planning Committee;

- GESP. Delay due to Mid Devon Local Plan examination. Draft plan before members in 2018;
- Green Space Plan - officer on maternity leave. Information board at Budleigh really interesting and informative and commended to the committee;
- Asset Mapping. Await progress with interest;
- Tree Team has now been increased. Request update in 2018 to the committee;
- District Design Guide. Delayed by workload and staffing issues;
- Streetscene Health and Safety. New Technical Officer needed. H&S to be a priority. High risk litter picking an issue, and Portfolio Holder aware of situation. Suggest support for dedicated post at draft budget meeting in January 2018;
- Releasing development sites. Officer contract ends November. In response to a question from the Chairman about a possible adverse impact on the District's 5 year housing land supply, the Service Lead for Planning Strategy and Development Management outlined a proposal being developed for replacement with a delivery team, detail of which in costing and scale would be presented in the draft budget meeting in January.

Debate covered:

- Concern on implications for tourism and leisure users of open spaces, in light of a key objective on developing events or providing booking facilities for open spaces;
- Query on the objective on the delivery of recently awarded Tesco bags for life grant award on supporting workshops and enhancing the garden – which garden?;
- Concern on overdevelopment of income streams relating to the Local Nature Reserves, and how that impacted on low income families;
- A new policy on viability was expected in the spring of 2018.

***28 Scrutiny Forward Plan**

Additional items to allocate to the forward plan were:

- Specific Portfolio Holder report on the delivery of affordable housing in the District;
- Update on the work of the Tree Team following an expansion of the team;
- Review of community engagement policy from other authorities.

Cllr Gardner also raised a number of specific questions in relation to the proofing of ballot papers, and maintaining secrecy of ballot, that she wished to have responses to when the committee received the Elections report now set for February 2018. Advice was given to provide the questions in detail and the Democratic Services officer would circulate these to the committee, and ask the Chief Executive to cover the questions in his updated report. Cllr Rylance also requested an update on the implementation of recommendations made by the Electoral Commission following the 2015 election.

County Councillors for the district would be requested to lobby the Cabinet Member for Adult Social Care and Health Services to attend a future committee meeting to discuss mental health services in the area.

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

Scrutiny Members present:

Cathy Gardner
Dean Barrow
Cherry Nicholas
Maddy Chapman

Roger Giles
Alan Dent
Bill Nash
Marianne Rixson
Eleanor Rylance
Douglas Hull

Other Members

Phil Twiss
Brian Bailey
Pauline Stott
Peter Faithfull
Rob Longhurst
David Barratt

Officers present:

Ed Freeman, Service Lead Planning Strategy and Development Management
Shirley Shaw, Planning Barrister
Debbie Meakin, Democratic Services Officer

Apologies from Scrutiny Members:

Bruce de Saram
Simon Grundy
John O’Leary
Darryl Nicholas
Val Ranger

Apologies from Non – Scrutiny Members:

Jill Elson
Tom Wright
Paul Diviani
Mike Howe

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 30 January 2018

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.26pm.

***21 Public speaking**

There were no public speakers at the meeting.

***22 Minute confirmation**

The minutes of the Overview Committee held on the 7 November 2017, were confirmed as a true record.

***23 Transformation Strategy update**

The Chief Executive reminded the committee of the challenges faced in the coming years, and the plan for dealing with those – the Transformation Strategy.

The strategy covers five themes, with some of the examples of that listed below:

- Deliver our Worksmart Strategy and transforming our culture through new ways of working underpinned by the right technology at the right time – as evidenced at the newly refurbished offices in Exmouth;
- Deliver improved online services through our Open for Business project – with 200 services available online and more to add;
- Implement systems thinking reviews across all services – evidenced with improvements in council tax collection and delivery of benefits;
- Maximise the value of our assets through commercial thinking with a focus on income generation, sustainability and developing local economies – most recently the pending introduction of a green waste service;
- Actively pursue alternative service delivery methods and models – evidenced by the corporate fraud and compliance team, the only in-house team in the County, through whom money was being identified by intelligent data.

The Chairman welcomed the reminder of the transformation concept and felt that the Council had now realised and accepted the need to be part of this process in order to deliver services in future years. He commended the work of officers for their hard work in improving services in the face of reducing budgets over his years as an elected Member.

Debate and questions on the transformation strategy included:

- Tours of Blackdown House construction would be available once the scaffolding was removed, to help enable Members and others to visualise how the building would be used;
- Concern about stability of the newly formed Housing Company in light of recent liquidation of Carillion – Members were reassured that the purpose of the newly formed company, with its modest first year target of acquiring and renting out ten properties, was not comparable to Carillion;
- It was possible that in future years the Housing Company would build their own properties. There was a risk that, if using HRA funding to build housing for letting to Council tenants, the property would fall under the Right to Buy legislation and the Council could end losing that asset;
- If limits in investment existed for local authorities that may prevent ambitious schemes – a pending announcement from the Secretary of State may dictate a limit;

- The Council did not show any appetite at present for investment outside of the district, which may yield better return on commercial property than on property inside the district;
- The Chairman of the Council voiced his wish to see the Council broaden their aspect and be ambitious in projects, taking advice from other Councils who had already done so, in order to protect the services of the authority for future years;
- Take a pragmatic view of what local businesses want in the form of the size and scale of business units;
- Consider a much longer term view in investment in projects, as undertaken by Clinton Devon Estates for periods of 50 to 60 years;
- Have clear picture of what income needs to be realised in future years to either maintain the current level of services, or move to further improve and increase them.

The Chairman thanked the Chief Executive for his informative presentation.

RESOLVED that the update on the Transformation Strategy be noted.

***24 Link Asset Services presentation**

The Chairman welcomed Adam Burleton of Link Asset Services to the meeting to present to the committee the financial limitations that Councils had to operate within, when undertaking projects such as setting up a trading company, or purchasing assets for income gain.

His presentation covered:

- Summary of commercial activity
- Overview of legal issues including State Aid implications;
- Due diligence requirements;
- Costs and benefits of financial implications;
- Examples of local authority commercial activity;
- Treasury management and prudential code, including the need for a Capital Strategy and Member approved schedule of non-treasury management investment;
- CLG overview of investment guidance consultation and proposed changes.

The [presentation from Link Asset Services](#) can be viewed online.

Questions and debate included:

- A council can take advantage of borrowing at a low fixed rate for up to a 50 year period. Whilst this is useful, it also has to be balanced against the ability of the project to cover that borrowing for the term of the agreement. Due diligence has to be undertaken to ensure that the money can be paid back;
- The need to set up a trading company for a service was dependent on a number of legal factors and the scale of the service, but was not necessarily needed to extending an existing service on a small scale;
- Commercial income was not limited, but it was more sensible and prudent to have income from across a number of sources rather than one large source – the risk being higher if that large source did not deliver the expected income and the consequences being more damaging to the authority as a result;
- Some authorities did operate a small level of peer to peer funding, or loan pools lending at a commercial rate;
- Would there be accepted measures of proportionality in the future, if highly geared authorities (where size of loan is bigger than value of asset) start to become prevalent? The current Government agenda is to bring about innovation in funding by

local authorities, and the investment framework will be developed to have rigour in place for an investment profile. Each local authority was required to undertake due diligence. The proposed changes by the CLG to the capital framework are in direct response to the increase in local authorities investment in commercial property in recent years, and to ensure that there are more checks and members involvement in the process;

- Worst case scenario to enable statutory services to continue was to consider not funding discretionary services and the risk appetite for closing such services;
- Need to keep a synergy between the income opportunities explored and the delivery of the agreed council plan;
- Not afraid to borrow in order to realise future savings or income – the key was for the project to be affordable, sustainable and prudent.

The Chairman thanked Mr Burleton for his informative presentation and for answering the questions of the Members.

RESOLVED that presentation be noted.

***25 Exploring transformation savings and income generation**

The Democratic Services Officer presented her report, outlining some examples of other local authorities that had realised savings or generated income by developing an in house service to extend delivery to others, or through investment in commercial property.

From the authorities listed, the committee selected some to request further information from, with a view to making arrangements for a visit from that authority or to travel to that authority for further dialogue.

RESOLVED that the Democratic Services Officer pursue further information with the selected local authorities in order to further develop the Committee's knowledge of good and successful practice elsewhere.

***26 Overview committee forward plan**

The forward plan was noted, with addition of an update from the Countryside Team on 13 March with findings from the Naturally Healthy Devon Schools project.

Attendance list

Councillors Present:

Graham Godbeer (Chairman)
Peter Faithfull
Rob Longhurst
Mike Allen
John Humphreys
Mark Evans-Martin

Councillors Also Present:

Paul Diviani
Ian Thomas
Phil Twiss
Andrew Moulding
Brian Bailey

David Barratt
John Dyson
John O'Leary
Geoff Jung

Officers

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
Tim Child, Property Services Manager
Adam Burleton, Link Asset Services
Debbie Meakin, Democratic Services Officer

Councillor Apologies:

Ian Hall
Jim Knight
Jill Elson
Tom Wright
Pauline Stott

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a joint meeting of the Overview Committee and Scrutiny Committee held at Knowle, Sidmouth on 17 January 2018

Attendance list at end of document

The meeting started at 9.00am and ended at 12.12pm.

***1 Election of Chairman**

Councillor Graham Godbeer was elected Chairman of the joint meeting, and appointed Councillor Roger Giles as Vice Chairman.

***2 Public speaking**

There were no questions from the public.

***3 Declarations of interest**

Minute 4: Councillor Jill Elson; personal interest: Community Transport

Minute 4: Councillor Ian Hall; personal interest: Cloakham Lawn Association

Minute 4: Councillor Graham Godbeer; personal interest: Chair of AONB Group

Minute 4: Councillor Alan Dent; personal interest: member of Asset Management Forum

Minute 4: Chief Executive; personal interest: Spouse has run courses at THG

***4 Draft service plans, Revenue budget and Capital Budget for 2018/19**

Service plans

The committees considered the service plans for 2018/19 and discussion arose as follows:

Countryside and Arts

- The team had developed a management proposal for the newly created Minerva Country Park on behalf of the developers but that would provide an income to the service;
- Consider review of the funding of the arts and culture service in light of the scale of budget set for the THG.

Environmental Health and Car Parks

- Streetscene operatives were now providing intelligence back to the Environmental Health team in respect of issues with dogs and dog mess;
- No specific budget is set aside for prosecutions for fly tipping but covered as and when such prosecutions come forward;
- There had been progress in the delivery of mobile software support for undertaking food hygiene inspections;
- Fixed penalty notices had increased. Figures would be provided to the committee. These were not considered as an income stream, because they were to act as a deterrent;
- Welcomed the continued review of pay and display signs in light of feedback received;
- Discussion over the merits of “greening” car parks and balancing with possible future need for green energy harvesting from the same sites for electric cars. Members were assured that the work was to optimise the use of the site, giving a balance of enhancing the environment with the practical use of the car park;
- Chip and pin car park machines had been introduced in six locations and further toll out would be considered depending on their success. Contactless technology for car park machines had just been approved nationally;

- Congratulations were passed onto the team with their parking offers, particularly welcomed by local business.

Streetscene

- Some concerns over using public parks for events and the impact that had on both local people and visitors. This area of work had already been agreed the previous year as part of the Transformation Strategy, with preparation of a detailed business case underway. Extensive research had been undertaken with other authorities using their assets in the same way, with a mix of both open and ticketed events in public parks and spaces. Some events had already taken place, with an example in Manor Gardens for a wedding event. Any damage to the open space would be recovered in costs;
- Work was underway in streamlining the process for permissions for events, covering street trading and clean up by Streetscene;
- Public toilet review was emotive and needed to be handled with care. Some councillors felt the wording in the service plan suggested, although was not explicit, that toilets could be closed. This was clarified as a review that examined all relevant issues, including upgrading and vandalism prevention;
- Charging developers for waste receptacles was in place in other authorities, including replacements. Some councillors felt that charging for replacements was a step too far;
- An update was given on asset mapping.

Housing

- There were successful examples in the district of community land trusts, aided both by the Housing Enabling Officer and the Wessex Trust. This work would continue to help communities that came forward to assistance in setting up their own trusts;
- Work was carried out with private landlords to point them to grants available for improving efficiency in housing, with the intent of helping tenants reduce their heating costs.

Finance

- There had been a significant shift in the use of online services, particularly in the Revenues and Benefits service that meant that staff budgets could be reduced because of more customers undertaking transactions and changes online.

Governance and Licensing

- No specific comments.

Organisational Development and Transformation

- Lack of detail in how the service plan elements would be financed.

Economy and Regeneration

- What evidence was there that spend in the budget for this service delivered significant benefit to local businesses, as opposed to national chain business.

Growth Point

- No specific comments.

Planning Services

- Why no reference to the relocation in the service plan? In response, the relocation was a cross cutting element for all services to cover.

Revenue and Capital Estimates report

The Strategic Lead for Finance highlighted from his Cabinet report of 3 January 2018:

- Medium term financial plan pressures
- Negative impacts on the budget included the expected reduction of income from recycled materials, the higher than expected pay award, and the benefit subsidy had reduced;
- Positive impacts were that the council tax base was higher than predicted and change in budgeting for vacancies;
- In order to balance the budget, a call had to be made on the General Fund, but this would still be within the accepted limit;
- Additional items were presented to the Committees – those officers felt had to be included due to priority, and those that were not deemed as a priority or affordable in the current budget. Two requests had been made from two external bodies – Clyst Honiton Parish Council and Action East Devon, which were not included in the budget but highlighted for debate.

Rural service delivery grant has increased by £42k, reducing the call on the General Fund to £140K. An assumption had been made that the £5 per year in Council Tax would be agreed in preparing the budget. Bid for 100% business rates pilot had been successful; initial modelling showed that this could yield an additional £1m for the Council, but further work had to be undertaken in assessing the government pilot publications with a report to the Budget Working party in March of this year to provide more detail. This additional money had to be allocated to the promotion of financial stability across the district, and investing and encouraging further growth. This was excellent news for the district.

The Portfolio Holder for Finance commended the work of the Strategic Lead Finance, Financial Services Manager and the finance team in preparing the budget before the Committees for consideration.

Discussion on the Revenue budget covered:

- Additional items listed under Appendix 2 that were not included in the current budget could come forward during the year for inclusion if circumstances dictated that the priority had increased. These would come before Cabinet for decision;
- The income predicted for Streetscene had been calculated prior to the news that China was no longer accepting some recycled plastics from other countries. It was explained this would not have a material effect on the draft 2018/19 budget as the income assumed from plastics was only £7k. The market for recycled material was already known to be volatile and best estimates had been made;
- Income from business rates that had a significant effect on the Council's finances came from commercial premises, such as supermarkets, hotels or the Growth Point area;
- The Chairman of the Council made a plea for assistance with the cost of development of a skatepark in Axminster, advising that a number of bodies had been involved in raising the finance to pay for the work but there may be a shortfall. Members were reminded that the Council welcomed partnership funding examples and could always consider proposals made to the Cabinet;
- Funding for the footbridge at Ottery St Mary was not seen as a priority and had not been included in the draft budget, but again partnership funding and alternative funding was encouraged to try to deliver the footbridge;

- Some additional items listed in Appendix 2 had not been prioritised because there were a special case for debate, such as those from outside bodies; or because further assessment needed to be done, with a referral to the Budget Working Party;
- Feasibility of referral of all additional items not currently included to the Budget Working Party; including a suggestion for all items rated as priority 3 to be referred, and priority 4 and 5 to be excluded;
- As local Ward Member, Councillor Eleanor Rylance informed the Committees of the increase in workload for Clyst Honiton Parish Council due to the extensive new commercial development in that parish. She asked for support for inclusion in the budget for an extension of the support to provide a Parish Clerk, supported by a number of Councillors at the meeting;
- The second external request, by Action East Devon, was outlined by Councillor Tom Wright, who informed the Committees about the work they undertake and the impact of reduced funding on the work they could deliver;
- Replacing beach signs had been discussed at the Exe Estuary Management Group;
- Suggestion to revisit budget allocation for the THG, with a view that many of the outreach services provided by the Gallery could be delivered at other venues throughout the District. Councillors were advised that it would be far better to consider the overall budget for Arts, Culture and Leisure in terms of prioritisation, for an overall perspective on the budget than single out one element. The Committees were reminded of the work of the Arts and Culture Forum, who monitored the budget extensively. Some Councillors spoke about the improved performance of the THG, including the Chairman, who expected their outreach work to continue to grow;
- Consider using the balance of the General Fund in order to pay for the additional items that had not been included in the draft budget. The Committees were reminded that the balance of the General Fund had to operate in the tolerances of £2.8m and £3.6m in order to have sufficient funds available for emergency costs;

RECOMMENDED by the Overview Committee:

1. that the Council increases the Council Tax for 2018/19 by £5 per year;
2. that the draft Revenue Budget be recommended to Council, subject to the inclusion of:
 - a. Car Parks apprentice at ongoing cost, £20, 480 in 2018/19 for reason of succession planning;
 - b. New trailer for countryside service at one-off cost of £7000;
 - c. Grant to Action East Devon at £20,000 each year for 2018/19 and 2019/2020;
3. that the bid for grant for Clyst Honiton Parish Council extending the current funding to support the employment of a Parish Clerk be referred to the Budget Working Party for consideration, in that the Overview Committee is in support of the proposal but needs further work to establish realistic costs;
4. that the remaining additional bids as set out in Appendix 2 of the report not listed above be afforded effort to seek out and obtain other funding, recognising that these items could come forward for inclusion during the year if circumstances dictated that the priority had increased to an urgent need;
5. that the draft Capital Budget be recommended to Council;
6. that the Service Plans be recommended to Council, with the Overview Committee noting the recommendation made by the Scrutiny Committee in respect of the public toilet review.

RECOMMENDED by the Scrutiny Committee:

1. that the Council increases the Council Tax for 2018/19 by £5 per year;
2. that the draft Revenue Budget be recommended to Council, subject to the inclusion of:
 - a. New trailer for countryside service at one-off cost of £7000;
 - b. Grant to Action East Devon at £20,000 each year for 2018/19 and 2019/2020
3. that the bid for grant for Clyst Honiton Parish Council extending the current funding to support the employment of a Parish Clerk be referred to the Budget Working Party for consideration, in that the Overview Committee is in support of the proposal but needs further work to establish realistic costs;
4. that the remaining additional bids as set out in Appendix 2 of the report not listed above be afforded effort to seek out and obtain other funding, recognising that these items could come forward for inclusion during the year if circumstances dictated that the priority had increased to an urgent need;
5. that the draft Capital Budget be recommended to Council;
6. that the Service Plans be recommended to Council, with the Scrutiny Committee specifically noting the review of public toilet provision in the service plan for Streetscene. The committee wish to ensure that the importance of public toilet provision is recognised and secured.

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

Overview Members present:

Graham Godbeer
Ian Hall
Rob Longhurst
Peter Faithfull
John Humphreys

Scrutiny Members present:

Bruce de Saram
Cathy Gardner
Dean Barrow
Cherry Nicholas
Maddy Chapman
Roger Giles
Alan Dent
Eleanor Rylance

Other Members

Brian Bailey
Pauline Stott
David Barratt
Jill Elson
Phil Skinner
Mike Howe
Iain Chubb
Marcus Hartnell
Ian Thomas
Tom Wright
Geoff Jung
John Dyson

Officers present:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
Henry Gordon Lennox, Strategic Lead Governance and Licensing
John Golding, Strategic Lead Housing and Environment
Ed Freeman, Service Lead Planning Strategy and Development Management
Andrew Ennis, Service Lead for Environmental Health and Car Parks
Andrew Hancock, Service Lead for Streetscene
Charlie Plowden, Service Lead Countryside and Leisure
Libby Jarrett
Laurelie Gifford, Financial Services Manager
Debbie Meakin, Democratic Services Officer
Tabitha Whitcombe, Democratic Services Officer

Apologies from Overview and Scrutiny Members:

Mike Allen
Marianne Rixson
Simon Grundy
Darryl Nicholas
Val Ranger
Mark Evans-Martin
Jim Knight

Apologies

Paul Diviani

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Exmouth Town Hall on 11 January 2018

Attendance list at end of document

The meeting started at 2.30pm and ended at 4.50pm.

***32 Public speaking**

There were no questions raised by members of the public. Tenant Mike Berridge complimented the recycling crews on their excellent work over the festive period and congratulated the Waste and Recycling Team for the high recycling rates.

The Chairman welcomed everyone to the meeting and invited those present to introduce themselves. She gave particular welcome to two new tenant representatives onto the Board, Sue Saunders and Peter Sullivan.

***33 Minutes**

The minutes of the Housing Review Board meeting held on 7 September 2017 were confirmed and signed as a true record.

***34 Declarations of Interest**

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

Joyce Ebborn: Personal interest – housing tenant.

Pat Rous: Personal interest - housing tenant.

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

Sue Saunders: Personal interest - family member lives in a Council owned property and a housing tenant.

Peter Sullivan: Personal interest – housing tenant.

***35 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.

RESOLVED: that the forward plan be noted.

***36 Draft Housing Revenue Account budget 2018/19**

The Strategic Lead – Housing, Health and Environment's report provided the Board with details of the year end forecast of the draft Housing Revenue Account (HRA) for 2017/18 and proposed budget for 2018/19. This account showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a Housing Revenue Account has been a statutory requirement for Councils who manage and own their housing stock for some time, and therefore was a key document for the Board to influence.

The report aimed to provide a rationale for the budget process undertaken in 2018/19 whilst also providing analysis and commentary on the year end forecast position of the HRA against 2017/18 budgets.

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

The Strategic Lead – Housing, Health and Environment explained that there was a reduction in the anticipated level of income due to the Government's rent reduction scheme. High rent collection performance was business critical. It was noted that the HRA was predicted to have a surplus of £415,000 by the end of 2018/19.

Areas of expenditure highlighted included:

- Programmed maintenance.
- Responsive maintenance.
- Cyclical maintenance programmes – including two additional programmes for internal and external decoration.
- Asbestos surveys and other areas of compliance.
- Increased staffing levels, including a Housing Service Lead.

RECOMMENDED: that Cabinet approve the Housing Revenue Account year-end forecast 2017/18 and draft budget for 2018/19.

***37 Draft Housing Service Plan 2018/19**

The Board was presented with the draft Service Plan for the Housing Service covering the period 2018-2019, for its consideration.

The Service Plan was a document produced annually and set out the key achievements over the past year and the forthcoming issues to be faced by the Service. A range of Service improvements were identified, performance data reported, consultation proposals outlined, budget information etc.

The Strategic Lead – Housing, Health and Environment highlighted the Homelessness Reduction Act as being a challenge. Preparations were advanced for this. Homelessness was well managed at East Devon, with a very proactive approach. Other challenges included maintaining the supply of local affordable housing, and the impacts of Universal Credit.

The Strategic Lead – Housing, Health and Environment was thanked for producing a thorough Service Plan, with a proactive approach to the challenges ahead.

RECOMMENDED: that Cabinet approve the Housing Service Plan for 2018/19.

***38 Responsive repairs and works to void properties contract extension and procurement process**

The Property and Asset Manager's report recommended to the Board that a further six month extension be awarded to the current responsive day to day repairs and void works to council housing stock contract, with a revised end date of January 2019. This would allow for the completion of the drafting of a new specification and the procurement process to take place, to secure future contracting arrangements for responsive repairs and void work to properties.

RECOMMENDED: that Cabinet approve the extension of the current responsive day to day repairs and void work to council housing stock contract for a further six months, with a revised end date of 31 January 2019.

***39 Appointment of procurement consultants for the renewal of the day to day repairs and void work to council housing stock**

The Property and Asset Manager's report updated the Board with regard to progress on the appointment of the procurement consultants to assist with drafting the specification for the day to day repairs and work to voids contract, and the tendering process. Time was being spent studying in depth the proposal of a 'price per property/price per void model'.

Tenant involvement opportunities were outlined in the report and the Property and Asset Manager explained the composition of the project team. The intention was to provide an update report to the Board at every meeting in 2018 in order to ensure members were being kept up to date with progress being made.

RESOLVED:

1. that the Housing Review Board note the appointment of Echelon Consultancy Limited as procurement consultants for the day to day repairs and work to voids contract.
2. that the Housing Review Board note the early stage progress that had been made on the procurement of the day to day to repairs and void work to council housing stock contract.

***40 Universal Credit update**

The Landlord Services Manager's report set out the latest information on the roll out of Universal Credit (UC) and described the actions being taken to mitigate, as far as possible, the potential loss to Housing Revenue Account (HRA) income.

Universal Credit was an entirely new benefit and the key features were outlined in the report. It would only affect working age people (18 years to 60.5 years). UC would be paid as a monthly payment per household, direct into a bank account. This amount would include the housing element. There was provision for housing providers to apply for the housing element of UC to be paid to them direct at the start of the claim if it could be proved that the tenant fell into one or more of a number of vulnerability categories.

There was a programme for UC rollout across the region. UC would go live for tenants with new claims with a Honiton postcode on 4 July 2018, and for those with Exeter postcodes on 26 September 2018.

Concerns about UC as a social landlord included:

- tenants would have to arrange with the landlord to start paying their own rent.
- some individuals may not be good at prioritising their bills or managing a budget and could easily get into debt.
- it could have a serious effect on rental income.
- potentially more people could be evicted for rent arrears, with the social landlord receiving more homeless applications, and finding themselves in a position where as a social landlord they have to do more with less income.

The Landlord Services Manager explained that careful preparations were underway, with a proactive approach being taken. With the help of the Benefits team tenants who may need help should they claim UC were being identified. Staff training had also been arranged. A series of 12 customer drop-ins had been set up across the district to explain to tenants what was happening and how the Council could help.

It was clear that staff needed to work much more closely and proactively with their customers if they were to help them manage their income effectively. The vulnerable in particular would require intensive support and close working across teams to achieve this. This greater demand for support was larger than the current resources available. It was estimated that an extra two members of staff would be required initially. Housing Benefits colleagues with expertise in this area would be facing a reduced workload and some free capacity. It was proposed that the equivalent of two full time members of staff from Housing Benefits support the Housing Service. This would be reviewed after a period when it was possible to assess the impact of UC on tenants.

RECOMMENDED:

1. that Cabinet note the report on the preparations for the further roll out of Universal Credit during 2018/19.
2. that Cabinet agree that the council should invest in supporting tenants in order to mitigate the effects of Universal Credit on their own wellbeing as well as the impact on the Housing Revenue Account.
3. that Cabinet agree that two members of staff from Housing Benefits support the Housing Service through the rollout, with staff capacity required to manage the change being reassessed later in the financial year.

***41 Rental exchange scheme**

The Board considered the report of the Rental Manager, which set out why the Council should consider joining the Rental Exchange. It was a free, independent service provided by Experian, whereby social housing tenants were able to build a positive credit history to gain equal access to financial services.

The Rental Exchange was set up in 2010 by Big Issue Invest and Experian. Together they were working with social housing providers to incorporate tenants' rent payment history into their credit files, with no cost to the housing provider or the tenant. This allowed tenants with little or no credit history to build a credit score in the same way that mortgage holders do. It also allowed them to create an on-line proof of identity, which was increasingly important when applying for good and services.

Concern was expressed that the Council could view the credit scores of their tenants. The Rental Manager explained that there were two parts to the scheme. The first part was free, but if the Council wanted to receive credit score information it would have to pay for the service. It was also noted that tenants could opt out of the scheme entirely and Experian would provide letters explaining to tenants how the scheme worked and how tenants could opt out of the service.

RECOMMENDED: that Cabinet approve entering into a new contract for the provision of free, independent credit checks for tenants.

***42 Tenancy fraud prevention**

The Strategic Lead – Housing, Health and Environment outlined the tenancy fraud prevention scheme. There was an amnesty to hand back keys throughout January 2018. There was an anonymous 24 hour service to report tenancy fraud. Housing staff were working closely with Housing Benefit colleagues on a whole programme of tenancy fraud measures.

RESOLVED: that the Housing Review Board note the tenancy fraud prevention scheme.

***43 Rent deposit and bond scheme**

The Board were made aware of planned revisions to the rent deposit and bond scheme. Amendments were needed to ensure that the scheme was up to date and fit for purpose.

The Council's rent deposit and bond scheme had been in operation since 2006 and had been a key tool in tackling homelessness. It had assisted several hundred households who had either been homeless or threatened with homelessness by providing resources and support to move into accommodation in the private sector. The scheme had evolved from a solely loan based system to a combination of loans and bonds. The main change now proposed was using lifetime bonds (the length of the tenancy) as opposed to fixed term bonds.

RECOMMENDED: that Cabinet note and approve amendments to the rent deposit and bond scheme and allows bonds to become lifetime bonds rather than fixed term.

***44 Hillcrest, Exmouth bungalow purchase**

The report of the Housing Enabling and Allocations Manager sought authority to enter into negotiations to purchase a surplus Devon County Council property using Right to Buy receipts and Housing Revenue Account funding. Purchasing the site would allow the Council to develop purpose built housing to meet specific needs. If the purchase was successful a further report would be brought to the Board to seek support on the type of accommodation that should be provided.

RECOMMENDED:

1. that Cabinet support the proposal to enter negotiations with Devon County Council to agree a value and purchase price for Hillcrest Bungalow, Exmouth, with a view to redeveloping the site in the future.
2. that Cabinet approve the use of Right to Buy Receipts and Housing Revenue Account housing development fund to purchase the property.

***45 Safeguarding adults leaflet**

The Strategic Lead – Housing, Health and Environment's report set out some good practice advice and a procedure to ensure that Housing had safeguarding embedded into its service delivery. It was noted that East Devon District Council had a safeguarding policy and procedure for its staff to follow. Board members and elected councilors also had safeguarding obligations.

RECOMMENDED: that Cabinet approve the safeguarding procedure set out in the report.

***46 What you need to know about the Autumn Budget**

Consideration was given to the Chartered Institute of Housing's publication 'What you need to know about the Budget 2017', which helpfully identified the content of the budget. It was noted that the Government was working on its housing agenda.

RESOLVED: that the Housing Review Board note the Chartered Institute of Housing's publication 'What you need to know about the Budget 2017'.

***47 HouseMark benchmarking 2016-17**

The Information and Analysis Officer's report presented the results of HouseMark's 2016/17 cost and performance benchmarking exercise. The report compared the Council's costs and performance across the housing service areas with its peers and 2015/16 data. It was noted that EDDC remained in the first quartile compared to its peers for the total rent arrears as a

percentage of rent due. The report also included a section on actions required in response to the benchmarking report findings.

RESOLVED: that the Housing Review Board note the HouseMark 2016/17 benchmarking report.

***48 Performance digest – quarter 2 monitoring report**

The Board was presented with the Housing Service performance indicator report for quarter 2 2017/18, with details of selected indicators measuring performance across the Housing Service.

The Board discussed various issues including rough sleepers, anti-social behaviour surveys, Devon Home Choice band A criteria and property re-let times. The work being undertaken to increase affordable housing was noted.

RESOLVED: that the Housing Review Board note the performance of the Housing Service.

***49 Date of the next Housing Review Board meeting**

The Board noted the date of the next HRB meeting:
Thursday 8 March 2018 – 2:30pm, Council Chamber, Exmouth Town Hall.

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
Sue Saunders
Peter Sullivan

Independent community representative:

Julie Bingham

Officers:

Sue Bewes, Landlord Services Manager
Natalie Brown, Information and Analysis Officer
Emma Charlton, Housing Projects Officer
Charles Derry, Tenant and Communities Section Leader
Amy Gilbert, Property and Asset Manager
John Golding, Strategic Lead - Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Jane Hayward, Benefits, Corporate Fraud and Compliance Team Leader
Tim Lawrence
Andi Loosemoore, Rental Manager
Paul Lowe, Housing Enabling and Allocations Manager
Andrew Mitchell, Housing Needs and Strategy Manager
Giles Salter, Solicitor
Alethea Thompson, Democratic Services Officer

Rob Ward, Housing Accountant

Also present:

Cllr Brian Bailey

Cllr David Barratt

Cllr Bruce De Saram

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities

Cllr Steve Gazzard

Cllr Simon Grundy

Cllr Mike Howe

Carol Bourne, tenant

Sue Dawson, tenant

Sylvia Martin, tenant

David Scott, tenant

Apologies:

None

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 14 December 2017

Attendance list at end of document

The meeting started at 3:00pm and ended at 4.25pm.

The meeting was not audio recorded due to there being no recording facility available in the meeting room.

***24 Public speaking**

The Chairman welcomed everyone present to the meeting. There were no members of the public present who wished to address the Committee.

***25 Minutes**

The minutes of the Strategic Planning Committee meeting held on 27 November 2017 were confirmed and signed as a true record.

***26 Declarations of interest**

Cllr Paul Skinner, Minute *27 – Main modifications to the East Devon Villages Plan Interest - Personal

Reason: Knows the owners of Greendale Business Park and Hill Barton Business Park

***27 Main modifications to the East Devon Villages Plan**

Prior to inviting the Service Lead – Planning Strategy and Development Management to introduce the item, the Chairman read out an email from Cllr Geoff Jung, which the Committee agreed to be appended (appendix 1) to the minutes of the meeting.

The East Devon Villages Plan, which was submitted to the Planning Inspectorate in June 2017 for examination, had been subject to oral hearing sessions in November 2017. Following on from these sessions, a schedule of main modifications had been produced by the Inspector for consultation. Members noted that modifications to Plans were not unusual and to be expected. The Inspector would consider any representations received during the consultation before finalising her report on the Plan - she had set out a timetable for the consultation on the main modifications to run from 18 December 2017 to 2 February 2018. The expectation was that subject to the main modifications being incorporated into the Plan, it should be fit for adoption in spring 2018.

Members considered the Service Lead – Planning Strategy and Development Management's report summarising the modifications and advising of the next steps to Plan adoption. The modifications did not seek to alter the broad approach taken in the Plan; they strengthened and clarified the approach, ensuring stronger policy links between the Villages Plan and the adopted Local Plan. The modifications included:

- A policy for Built-up Area Boundaries for villages;
- A policy for Greendale and Hill Barton Business Parks;
- Amendment to Beer and Colyton village/town centre vitality policies;
- Inclusion of a monitoring plan.

Points raised during discussion on the proposed modifications to the Villages Plan included:

- Clarification was sought as to where the Villages Plan sat in relation to the Local Plan and the Greater Exeter Strategic Plan (GESP). In response, the Service Lead advised that the Villages Plan formed part of the documents that sat alongside the Local Plan and the GESP would sit above the Local Plan. Some of the strategic policies within the Local Plan would eventually be superseded by policies in the GESP.
- The process for amending a Neighbourhood Plan Built up Area Boundary was queried. In response, the Service Lead advised that the legislation did not allow for 'made' Neighbourhood Plans to be changed and it would therefore need to be taken back through the Neighbourhood Plan process, including examination and a referendum.
- Concern raised that the words 'urban quality' were being used to describe the village of Sidbury - it was felt this implied the settlement was similar to a town or city. In response, the Service Lead advised that when the Plan was hopefully submitted to Council for adoption in the spring 2018, it was possible for very small/minor text amendments to be made, however, caution was given that the Council would want to be very careful about avoiding any challenges this could raise as a result.
- The inclusion of inset maps and policies for both Greendale and Hill Barton Business Parks were discussed at length:
 - It was considered that including BUABs for the two strategic employment sites was not in accordance with the Local Plan and the wording used within the policies would prevent the two sites from any expansion. In response, the Service Lead advised that the boundaries shown for both sites in the Villages Plan were for information purposes only and were not policy designations. Both sites were in the open countryside in the Local Plan and the Inspector was suggesting that the relevant policies within the Local Plan would be used to determine planning applications for both sites.
 - A couple of the Committee Members took issue with the reference to 'in particular Strategy 7 of the East Devon Local Plan (Development in the Countyside)' in the new proposed policies VP04 and VP05, as it was felt to be unnecessary. In response, the Service Lead advised that the legislation did not allow the Council at this stage of the examination process to challenge or amend the modifications put forward by the Inspector; however a submission could be sent from the Committee in response to the consultation advising of Members preferred wording to the policy.
 - It was suggested that the sites should be treated as brownfield employment sites and not greenfield sites and that there should be flexibility to allow for appropriate development within and expansion of the sites. The Service Lead advised that both sites were clearly brownfield but this did not change the fact that they were in the open countryside and that developments at them would be considered as development in the open countryside under the policies of the Local Plan.
 - It was commented that Members had not been given all the appropriate information regarding the economic importance of the sites as detailed in the Economic Development Manager's comments when they had made their decision for the sites to be included in the Villages Plan. In

response, the Service Lead and Economic Development Manager advised Members of the internal officer consultation/engagement process that was undertaken when developing documents such as the Villages Plan. The process had never entailed formal internal consultations and the reporting of these to Members.

- The owners of the two sites had not put forward representations for either sites expansion during the Local Plan process and it had been agreed by Council at that stage that the two sites should not have BUABs or allocated expansions to prevent inappropriate development from taking place – the Villages Plan reiterated this decision.
- Some Members felt that the sites were critical for delivering the employment required for the district and the Villages Plan policies, as written, would prevent this from happening – it was not felt that the economic argument had been put across strongly enough when balanced against the landscape policies.
- The Service Lead advised that there were a number of key strategic employment sites within the district and that the employment allocations within the Local Plan would more than deliver the required employment figures for the district. It was recognised that some of the sites were constrained, however work was being undertaken to unlock and deliver those sites. The Villages Plan reinforced what was already in the adopted Local Plan.
- It was queried whether the two sites were the only two business parks located in the open countryside. In response, the Service Lead advised that there were a number of business parks in the countryside, however these were a fraction of the size of the two sites being discussed.
- In response to a question, regarding when a review of the Local Plan would commence, it was advised that this would happen once the Greater Exeter Strategic Plan was sufficiently advanced. A lot of the evidence used to develop the Strategic Plan would inform the review of the Local Plan.
- It was acknowledged that the two sites were important to the district's economy, however they were both constrained by the road infrastructure and their impacts on neighbouring properties/settlements and the wider landscape. Any expansion needed to be appropriate and delivered in accordance with the Local Plan policies. Applications had previously been approved as departures from the Local Plan where they were considered appropriate and the benefits of the development outweighed the Local Plan policies.
- The Economic Development Manager advised that they were strategic employment sites for the district and constraining them would exacerbate the current under supply of employment delivery and therefore his recommendation, through the internal officer consultation process, had been that the two sites should be removed from the Villages Plan.
- In response to a request that representations received during the officer engagement process when producing documents such as the Local Plan be made available to Members, it was advised that the process could be reviewed to make the information available to Members. However, it was stressed that documents such as the Villages Plan were Council documents and were therefore prepared balancing all the expert views received and evidence available. The Service Lead agreed to

incorporate the comments from internal consultees into future reports when bringing forward policy documents for Members consideration.

RESOLVED:

1. that the main modifications to the East Devon Villages Plan, as set out in the committee report, and updated sustainability appraisal, be consulted upon from 18 December 2017 to 2 February 2018 (consultation responses received would be submitted straight to the Inspector for consideration in her final report).
2. that the Inspector be sent a submission from the Strategic Planning Committee during the consultation period on the main modifications to the Villages Plan asking her to consider excluding the words 'in particular Strategy 7 of the East Devon Local Plan (Development in the Countryside)' from the new policies VP04 and VP05, as the Committee did not consider this to be necessary as all relevant policies within the Local Plan would apply to the two employment sites concerned.

Attendance list

Committee Members:

Councillors

Phil Twiss - Chairman

Graham Godbeer – Vice Chairman

Mike Allen

Colin Brown

Jill Elson

Ian Hall

Mike Howe

Philip Skinner

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

Councillors:

Brian Bailey

David Barratt

Paul Carter

Paul Diviani

Peter Faithfull

Steve Hall

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

Matt Dickins, Planning Policy Manager

Ed Freeman, Service Lead – Planning Strategy and Development Management

Rob Murray, Economic Development Manager

Shirley Shaw, Planning Barrister

Hannah Whitfield, Democratic Services Officer

Mark Williams, Chief Executive

Apologies:

Councillors
Susie Bond
Geoff Jung
Rob Longhurst
Geoff Pook
Brenda Taylor
Mark Williamson

Chairman Date.....

Appendix 1

From: Cllr Geoffrey Jung
Sent: 13 December 2017 13:00
To: Cllr Phillip Twiss
Subject: Strategic Planning Meeting Tomorrow

Dear Phil.

Please accept my apologies for this meeting

As you know I very much would like to have attended the Strategic Planning meeting on the 14th Dec but due to a prior engagement in London I am unable to attend.

I have held a key interest in our Local Plan and the Villages Plan for a considerable time. We have now an approved local plan which is proving most efficient in providing clarity in determining planning applications.

The Village Plan will provide further clarity to the areas that were referred to in the Local Plan to be included in the proposed Villages Plan. There are so many references to the Villages Plan in our Local plan it would be a travesty not to proceed in agreeing the Planning Inspectors suggestions and to submit the Village Plan for a further consultation period, and then finally adopt the proposed final draft as early as possible in the new year.

Councillor Rob Longhurst and I sat through the whole of the Inspectors hearings and I would like to thank Linda Renshaw and Matt Dickens and his whole team for their sterling work on this plan, and for the thorough defense and tenacity in the 2 days of hearings with the Inspector and developer's agents who were robustly questioning various aspects of the Villages Plan. They served our District Council well and we are very lucky to have such officers providing such a substantive and well put together document that has been agreed by the inspector with only minor changes.

The Local plan and now the Village Plan will both now provide the guidance for developers and our planning teams the required policies for the whole of the district for many years to come.

I fully support the recommendation to approve the Main Modifications and for it to go out for consultation for a 7-week consultation period.

Thank you

Cllr Geoff Jung

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 5 December 2017

Attendance list at end of document

The meeting started at 10.30am and ended at 1.17pm.

***29 Minutes**

The minutes of the Development Management Committee meeting held on 31 October 2017 were confirmed and signed as a true record.

***30 Declarations of interest**

Cllr David Barratt; 17/1139/FUL; Personal interest; Sidmouth Town Councillor

Cllr Paul Carter; 16/1987/MFUL; Personal interest; Ottery St Mary Town Councillor

Cllr Paul Carter; 17/2222/VAR; Personal interest; Related to the owner of the application site (left the Chamber when the application was considered)

Cllr Alan Dent; 17/1812/VAR; Personal interest; Budleigh Salterton Town Councillor

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Cllr David Barratt advised that he been lobbied in respect of application 17/1139/FUL.

***31 Appeal statistics**

The Committee received and noted the report presented by the Development Manager setting out appeals recently lodged and outlining the 10 decisions notified - 3 decisions had been allowed, 6 had been dismissed and 1 was invalid.

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

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 7 – 2017/2018.

Attendance list

Present:

Committee Members present for all or part of the meeting

Councillors

Mike Howe (Chairman)

Colin Brown (Vice Chairman)

Mike Allen

David Barratt

Susie Bond

Peter Burrows

Paul Carter

Matt Coppell

Alan Dent

Bruce de Saram

Ben Ingham

David Key

Helen Parr

Mark Williamson

Officers present for all or part of the meeting

Amanda Coombes, Democratic Services Officer

Jeremy Ebdon, Principal Planning Officer

Henry Gordon Lennox, Strategic Lead – Governance and Licensing

Chris Rose, Development Manager

Also present for all or part of the meeting

Councillors:

Roger Giles

Geoff Jung

Tom Wright

Apologies:

Committee Members

Councillors

Brain Bailey

Steve Gazzard

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 9 January 2018

Attendance list at end of document

The meeting started at 10am and ended at 11.09am

***33 Minutes**

The minutes of the Development Management Committee meeting held on 5 December 2017 were confirmed and signed as a true record.

***34 Declarations of interest**

Cllr David Barratt; 17/2557/TRE; Personal interest; Sidmouth Town Councillor
Cllr Paul Carter; 16/0517/COU; Personal interest; Ottery St Mary Town Councillor
Cllr Colin Brown; 17/2336/MFUL; Personal interest; dealt with the applicant in the past

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Cllr Mike Howe advised that he was the Ward Member in respect of application 17/2336/MFUL so the Vice Chairman chaired the item.

***35 Appeal statistics**

The Committee received and noted the report presented by the Development Manager setting out appeals recently lodged and outlining the three decisions notified which had all been dismissed. The Development Manager advised Members that the appeal decision by the Planning Inspectorate for the site at Greendale Business Park had been challenged by the appellant in the High Court.

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

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 8 2017/2018.

Attendance list

Present:

Committee Members present for all or part of the meeting

Councillors

Mike Howe (Chairman)

Colin Brown (Vice Chairman)

David Barratt

Susie Bond

Peter Burrows

Paul Carter

Alan Dent

Bruce de Saram

David Key

Brain Bailey

Steve Gazzard

Officers present for all or part of the meeting

Amanda Coombes, Democratic Services Officer
Jeremy Ebdon, Principal Planning Officer
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Chris Rose, Development Manager
Janet Wallace, Principal Environment Health Officer

Also present for all or part of the meeting

Councillors:
Geoff Jung

Apologies:

Committee Members

Councillors
Mark Williamson
Matt Coppel
Ben Ingham
Mike Allen
Helen Parr

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 6 February 2018

Attendance list at end of document

The meeting started at 10am and ended at 11.58am

***37 Minutes**

The minutes of the Development Management Committee meeting held on 9 January 2018 were confirmed and signed as a true record.

***38 Declarations of interest**

Cllr Paul Carter; 17/2318/FUL; Personal interest; acquaintance of the landowner

Cllr Mike Howe; 17/2318/FUL; Personal interest; acquaintance of the landowner

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Cllr Mike Howe advised that he was the Ward Member in respect of application 17/2318/FUL so the Vice Chairman chaired the item.

***39 Appeal statistics**

The Committee received and noted the report written by the Development Manager setting out appeals recently lodged and outlining the four decisions notified which – one had been dismissed and three had been allowed.

The Service Lead for Planning Strategy and Development Management drew Members' attention to the Council Offices, Knowle planning appeal which had been allowed. The development will have a C2 use class and as a result will not lead to a requirement for affordable housing or payment of CIL. The Inspector considered that the overall scale, mass and height of the proposed development would not appear excessive or overbearing and would not harm the character appearance of the area or the setting of the listed summerhouse.

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

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 9 2017/2018.

Attendance list

Present:

Committee Members present for all or part of the meeting

Councillors

Mike Howe (Chairman)

Colin Brown (Vice Chairman)

David Barratt

Susie Bond

Helen Parr

Paul Carter

Bruce de Saram

David Key

Brain Bailey

Steve Gazzard
Mark Williamson

Officers present for all or part of the meeting

Ed Freeman, Service lead - Planning Strategy and Development Management
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Jeremy Ebdon, Principal Planning Officer (East)
Gavin Spiller, Principal Planning Officer (West)
Amanda Coombes, Democratic Services Officer
Tabitha Whitcombe, Democratic Services Officer

Also present for all or part of the meeting

Councillors:
Andrew Moulding
Rob Longhurst

Apologies:

Committee Members

Councillors
Alan Dent
Matt Coppell
Ben Ingham
Mike Allen
Peter Burrows

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Audit & Governance Committee held in the Council Chamber at Knowle, Sidmouth on 18 January 2018

Attendance list at end of document

The meeting started at 2.30pm and ended at 3.10pm.

***37 Chairman's welcome**

The Chairman welcomed everyone to the meeting.

***38 Public Speaking**

There were no members of the public present.

***39 Minutes**

The minutes of the Audit and Governance Committee meeting held on 16 November 2017 were confirmed and signed as a true record, subject to minute 31 being amended from 'Rob Andrews' to 'Darren Gilbert', who had attended from KPMG.

***40 Declarations of Interest**

There were no declarations of interest.

***41 Internal Audit Activity – Quarter 3 2017/18**

Following the recent collapse of Carillion, members sought reassurance on financial resilience of the council's contractors, and the measures in place to mitigate any risks. It was reported that Senior Management Team would be checking the record of all the council's key partners and contractors, and what the mitigations were. It was noted that most contracts worked on a partnership approach, with regular monitoring meetings, contingency plans and safeguarding policies that were appropriate to the contract.

Georgina Teale, Senior Auditor, SWAP gave a verbal update to the Committee on internal audit activity for quarter 3 2017/18. The Committee agreed the 2017-18 Internal Audit Plan at its March 2017 meeting. The report provided an update on the 2017/18 Internal Audit Plan Quarter 3. It was important that Members were aware of the status of all audits as this information helped place reliance on the work of the Internal Audit and its ability to complete the plan as agreed. Primarily the work included:

- Operational Audit Reviews
- Cross Cutting Governance Audits
- Annual Review of Key Financial System Controls
- IT Audits
- Grants
- Other Special or Unplanned Review

There were no 'Partial Assurance Opinion' audits or significant corporate risks identified in this quarter. However, there had been two substantial assurance opinions, which was positive to note. Overall, the report was very positive, with recommendations being implemented.

An update was given on the Data Protection risk, identified as significant in the quarter 4 2016/17 internal audit. Recommendations had been made and it was hoped that this risk would be 100% complete by the next meeting of the Audit and Governance Committee. It was noted that all listed quarter 4 audits would be completed. It was suggested that including start and end dates for the audits in the table would be useful.

RESOLVED:

that the content of the Internal Audit report be noted.

***42 Audit Committee Progress report**

Rob Andrew, Manager, KPMG provided the Committee with an overview on progress in delivering their responsibilities as the external auditors. It was noted one error had been found in the grant claims report. This has been highlighted to the DWP so that the claims could be issued.

The Chairman thanked Rob Andrews, on behalf of the Committee for his report.

RESOLVED:

that the content of the progress report be noted.

***43 Certification Report**

Public Sector Audit Appointments required its external auditors to prepare an annual report on the claims and returns certified for each audited body. This letter was the annual report for the certification work KPMG had undertaken for 2016/17.

In 2016/17 KPMG carried out certification work on only one grant claim, the Housing Benefit Subsidy claim. The certified value of the claim was £31.548 million, the work was completed and the claim certified on 30 November 2017.

RESOLVED:

that the certification work be noted.

***44 Risk Management half year review**

The report by the Management Information Officer provided Risk information for November 2017/18 financial year to allow the Committee to monitor the risk status of Strategic and Operational Risks. This follows the full review of risks by responsible officers during November 2017.

The Strategic Lead – Finance advised the Committee that the report highlighted one risk that scored as high. This was lack of funding to enable the delivery of required infrastructure through lack of sufficient income from the Community Infrastructure Levy (CIL) and that this holds up development. A report on this would be provided at the next meeting of the Audit and Governance Committee.

It was noted that the risk register process was up to date and taken seriously by managers. Apart from CIL, there were no major areas for concern in the risk register.

RESOLVED:

that the half year review be noted.

***45 Surveillance Commissioner's Report**

The Strategic Lead Governance and Licensing provided a strategic oversight of the Council's RIPA (Regulation of Investigatory Powers Act) function in order to update Members following receipt of the Investigatory Powers Commissioners Report and to seek adoption of the revised Policy.

RESOLVED:

1. that the report and actions being taken to address the Recommendations of the Investigatory Powers Commissioners Report be noted, and
2. that the revised RIPA Policy contained in Appendix A be approved and adopted.

***46 Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2017/18.

Items to be considered at the March 2018 committee included:

- Annual Audit Plan 2018/19
- External Audit Plan
- Audit Committee update
- Accounting Policies Approval
- CIL Methodology update
- Early closure of 2017/18 Accounts

RESOLVED:

that the Forward Plan be noted.

Attendance list

Councillors:

Mark Williamson (Chairman)
Dean Barrow (Vice Chairman)
John Dyson
Steve Gazzard
Steve Hall
John Humphreys
Rob Longhurst

Cllr Paul Diviani - Leader
Cllr Ian Thomas - Portfolio Holder Finance
Cllr Phil Twiss – Deputy Leader

Apologies:

Bill Nash
Cherry Nicholas
Ben Ingham

Officers present:

Simon Davey, Strategic Lead – Finance
Henry Gordon Lennox, Strategic Lead - Governance and Licensing
Mark Williams, Chief Executive
Alethea Thompson, Democratic Services Officer

Rob Andrews, Manager, KPMG
David Hill, Executive Director, SWAP
Georgina Teale, Senior Auditor, SWAP

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 17 January 2018

- Present:** Councillors:
Jim Knight (Chairman)
Geoff Jung
- Apologies:** Councillors John O’Leary
Steve Hall
Maddy Chapman
- Officers:** Neil McDonald – Licensing Officer
Chris Lane – Democratic Services Officer

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

*40 **Election of Chairman**

RESOLVED that in the absence of Chairman and Vice Chairman, Councillor Jim Knight be elected chairman for the meeting.

*41 **Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 29 November 2017, were confirmed and signed as a true record.

*42 **Declaration of interest**

Councillor Geoff Jung
Minutes *43 and *44
Disclosable Pecuniary Interest – Personal Licence Holder

*43 **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 a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to 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:

Northleigh Village Hall, Northleigh, Colyton, EX24 6BJ.

Agreed position reached by the parties:

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

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

Additional Conditions

1. All outside music both live and recorded to cease at 11pm.
2. All hours from Monday to Thursday on the application to be reduced by one hour.
3. SIA security staff shall be employed at the premises at the discretion of the Designated Premises Supervisor/Holder of the Premises Licence in accordance with their assessment of risk for events at the premises. A written risk assessment shall be prepared. The risk assessment shall be made available for inspection by the authorities on demand.
4. An incident book must be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded. The incident book must be kept on the premises at all times and must be made available for inspection by the Licensing Authority and the Police.
5. No customer carrying open vessels containing alcohol will be admitted to the premises at any time.
6. No customers will be permitted to take open vessels containing alcohol from the premises.
7. The premises will adopt a Challenge 21 policy. The only acceptable forms of ID will be Passport, Photo Driving Licence or Government Approved PASS Card.

Remove the following offered conditions –

Where drinks are going to be consumed in outdoor areas they must be served in plastic or toughened glass.

Free drinking water must be made available at all times the premises is open to the public.

Irresponsible drinks promotions must not be permitted, and the standards for the management of responsible drinks promotions including 'happy hours' produced by the British Beer and Pub Association will be complied with.

*44 **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 a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to 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:

Yarty Party Axminster Showground
A35 Western Approach
Axminster
Devon
EX13 7RA

Agreed position reached by the parties:

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

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

Amendment to offered condition of -

The Licence holder will comply with the event management plan throughout the event as submitted to and approved by the licensing authority.
Add 'and Safety Advisory Group'.

Additional Conditions

1. The final draft of the Event Management Plan (EMP) will be submitted to the Safety Advisory Group one month prior to the event taking place.
2. The premises will adopt a Challenge 25 policy. The only acceptable forms of ID will be Passport, Photo Driving Licence or Government Approved PASS Card.
3. SIA door staff will be employed at the event in such numbers and times as agreed with the police prior to the event taking place. Security schedules will be listed in the EMP.

Chairman Date

8EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 14 February 2018

- Present:** Councillors:
Steve Hall (Chairman)
John O'Leary
Bruce de Saram
- Apologies:** Steve Gazzard
- Officers:** Neil McDonald – Licensing Officer
Chris Lane – Democratic Services Officer

The meeting started at 10.30 am and ended at 10.45 am.

*45 **Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 17 January 2018, were confirmed and signed as a true record.

*46 **Declaration of interest**

Councillor John O'Leary

Minute *47

Disclosable Pecuniary Interest – Personal Licence Holder

*47 **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 a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to 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 Festival, Imperial Recreation Ground, The Royal Avenue, Exmouth, EX8 1DG.

Agreed position reached by the parties:

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

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

Amendment to offered condition of -

The Licence holder will comply with the event management plan throughout the event submitted to and approved by the licensing authority.

Add 'and Safety Advisory Group'.

Additional Conditions

1. The final draft of the Event Management Plan (EMP) will be submitted to the Safety Advisory Group (SAG) one month prior to the event taking place.
2. The premises will adopt a Challenge 25 policy. The only acceptable forms of ID will be Passport Photo, Driving Licence or Government Approved PASS Card.
3. SIA door staff will be employed at the event in such numbers and times as agreed with the Police prior to the event taking place. Security schedules will be listed in the EMP.
4. Plastic or toughened glass will be used.
5. All bottles containing alcohol will be decanted.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Standards Committee held at Knowle, Sidmouth on Tuesday, 23 January 2018

Attendance list at the end of the document

The meeting started at 10.00am and ended at 11.20am

***14 Public speaking**

There were no questions asked.

***15 Minutes**

The minutes of the meeting of the Standards Committee held on 17 October 2017, were confirmed and signed as a true record, subject to reference in minute *11 to debate on field numbers.

***16 Declarations of interest**

There were none.

***17 Councillor Gifts and Hospitality**

The Committee considered the report of the Monitoring Officer, which considered the Council's approach to Councillor Gifts and Hospitality and declarations in that regard. The Committee at its meeting on 17 October 2017 (minute *13 refers) had requested a report be brought before it for consideration.

Discussion included the following points:

- Reference to the Guidance on Gifts and Hospitality produced by Somerset County Council, which were considered to be very helpful;
- The Constitution would need to be altered to reflect changes to the way gifts and Hospitality were declared;
- Possible suggestion of a zero limit for Gifts and Hospitality. There were concerns raised over the practicality of the implementation of this limit;
- Councillors could also declare any gift or hospitality received under £25 and this could be considered to be good practice;
- It was also noted that members could decline any hospitality if it was felt that it would be inappropriate, irrespective of value;
- The issue was does declaring a gift or hospitality received make decision making by Councillors better?
- Importance of transparency for Councillors as a reassurance for the public.
- The new online Register of Gifts and Hospitality would be viewable by the public;
- It was discussed whether there should be regular training on Member's responsibility in relation to Gifts and Hospitality. It was noted that the compulsory training requirement, should be adopted in May, would cover this;
- The Monitoring Officer noted that he would prepare guidance, like that for Somerset County Council that would appear on a discrete section of the website in relation to Members, Gifts and Hospitality and this is where the online register would be found.

The Chairman thanked the Monitoring Officer for his report.

RESOLVED:

1. that the content of the report be noted;
2. that the Member's Code of Conduct and Register of Interests be amended in accordance with the details set out in the report as part of the changes to the constitution to be presented to annual Council.
3. that the Monitoring Officer review the approach to the online Register of Gifts and Hospitality with a view to finding a workable solution.

***18 Code Complaints 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 2017. A member raised concerns over the behaviour of some Councillors at Town Council meetings and whether these meetings being audio recorded would improve the behaviour and reduce the number of Code of Conduct complaints. It was agreed that recording would act as a way of improving conduct. It was noted that some Town Councils did already audio record their meetings. The Monitoring Officer noted that he could write to the towns and Parishes and recommend that meetings were recorded but this was as far as it could be taken.

RESOLVED: that the report be noted.

***19 Forward Plan**

Committee members were asked to advise of any items for the Forward Plan. Members discussed the issue of starring/non-starring of minutes, an issue which had been raised by Cllr Megan Armstrong following the last Council meeting. It was considered that this could be a confusing issue as to what could or could not be debated by members.

The Monitoring Officer reported that the use of 'starred items' was a local convention and was an approach which was used to help Members distinguish between resolved matters (which were not open to change) and recommendations (which were), it was noted that their use was not part of the formal procedures. Confusion in particular had arisen where one part of an unstarred minute was a resolution and therefore not available to change and another a recommendation and able to change. There was some concern that the general public also may not understand this system.

It was suggested that the Monitoring Officer prepare a briefing note for Members to explain the starring/non-starring of items in the Council minute book.

RESOLVED: that the, Monitoring Officer be requested to produce a briefing note for Members on the issue of starring/non-starring of items in the Council minute book and some of the procedures regarding decision making more generally.

Attendance list

Present:

Councillors:

Andrew Moulding (Chairman)

Graham Godbeer

Douglas Hull
Stuart Hughes

Co-opted non-voting members:

Martin Goscomb, Co-opted Independent member
Jessica Bailey, Co-opted Parish/Town Council member
Tim Swarbrick, Co-opted Independent member
Frances Newth, Co-opted Parish/Town Council member

Also present:

Alison Willan, Independent Person
Councillor Megan Armstrong

Councillors:

Susie Bond – substitute Committee member

Officers:

Henry Gordon Lennox, Monitoring Officer and Strategic Lead – Governance & Licensing
Chris Lane, Democratic Services Officer

Apologies:

Alan Dent – substitute Committee member
Dawn Manley

Chairman Date

East Devon District Council Meeting on 28 February 2018

Agenda Item No 8

Question 1: Procedure Rule 9.2 to the Chairman from Councillor Rob Longhurst

At the last Cabinet Meeting, 7th February, I stated an Interest as a user of Exmouth Pavilion and asked a very innocent question as to why the reversion of management of the Pavilion Car Park was not listed within Agenda Item 21 – Consultation on a review of car parking charges. The CEO responded although I accept he may not have held at the time all the necessary information.

The responses given by the CEO raised a number of procedural questions on which I would like clarification: -

- a. Which Committee or forum agreed to this initiative? I am a member of Asset Management, Overview, the LED User group and Strategic Planning and I was not aware of any discussion.

Answer:

I am mindful that Cllr Longhurst has a disclosable pecuniary interest in this matter. Nevertheless, in the interests of transparency I am happy to confirm that the car park is owned by the Council and is covered by a Parking Places Order that has authorised the council to manage this (and around 40 other car parks in East Devon) for public use with a pay and display tariff since 2008. Discussions regarding its ongoing maintenance and operation have been held via the EDDC/LED monitoring group on which there is member representation.

- b. If the car park has been run by the Pavilion for their own exclusive use since the formation of LED and to my knowledge for at least 15 years then what consideration was given to any “Terms implied by custom or usage” that may exist between EDDC and LED and LED and their users. I stated an Interest at the meeting.

Answer:

See the answer above. LED have always been aware that they do not own the car park and are in agreement with the actions that are being taken. They have been increasingly concerned about the abuse of the car park and it not being available for bone fide paying visitors to the Pavilion. The proposals ensure that the car park will be maintained to a fit and proper standard, properly enforced, generate an income to pay for maintenance, and continue a concession scheme.

c. Were the ward members made aware, in writing, of this "proposal"

Answer:

No.

d. "Reason for recommendation" para 1 of item 21 refers to Section 122 of the Road Traffic Act 1984 and "Legal implications" state a variation of the Council's Parking Places Order which requires 3 months' notice. Have these legal requirements been ignored?

Answer:

No statutory requirements are being ignored. Legal consultation will take place before any changes to the current scheme are introduced

e. In committing EDDC to re-surfacing this car park by a Capital Expenditure (£25,000) to start on 5th March was there any reference to any Committee or Cabinet? Why was this commitment made when EDDC did not have legal management of the facility or a legal obligation?

Answer:

See the answers above. There is an operational budget to carry out necessary re-surfacing in order to protect the Council from claims for personal injury and damage to property. As a consequence of this necessary work the pre-existing legal status is being confirmed. We have been in conversation with LED regarding the terms of a new dispensation scheme. This will form part of the consultation referred to above.

East Devon District Council Meeting on 28 February 2018
Agenda Item No 8

Question 2: Procedure Rule 9.2 to the Chairman from Councillor Douglas Hull

Re East Devon District Policy regarding the licensing of gambling casinos.

“Can clarification be given regarding East Devon’s policy of licensing gambling establishments, in particular, casinos? I ask this because I am concerned at the almost weekly media attention been given to the increasing number of young and vulnerable adults becoming addicted to gambling in the West Country”.

Answer:

The Council’s Statement of Licensing Policy under the Gambling Act 2005 was adopted by Full Council on 16th December 2015 and covers the period 31st January 2016 to 30th January 2019. This, in conjunction with the legislative requirements, provides a very clear and robust framework for the determination of any application for gambling, which covers a much wider range of activities than just casinos (adult gaming centres, family entertainment centres, bingo clubs, betting premises and race tracks). One of the objectives that has to be looked at when any application is considered is ‘the protection of children and other vulnerable persons from being harmed or exploited by gambling’. The Council is not able to become involved in the moral issues relating to gambling and will aim to allow the use of premises for gambling as long as we think it:

- meets any relevant codes of practice
- meets any relevant guidance issued by the Gambling Commission
- is reasonably consistent with the licensing objectives; and
- is in accordance with our statement of licensing policy.

If it was considered that an application was not consistent with the stated licensing objectives, including the protection of children and other vulnerable persons, then we would be at liberty to refuse an application. There is extensive consultation with responsible bodies (including the Police, Gambling Commission, Area Child Protection Committee and Local Safeguarding Children’s Board) as part of the application process which helps the Council determine whether an application is consistent with the objectives.

There are no casino premises licences in force within the District and, since 2005, East Devon is not in the list of areas permitted to have new casino.

East Devon District Council Meeting on 28 February 2018
Agenda Item No 8

Question 3: Procedure Rule 9.2 to the Sustainable Homes & Communities Portfolio Holder from Councillor Douglas Hull

Re Concern at the number of new council houses being needed to house the 4,000 plus families and individuals still awaiting housing on the housing list.

There were 3332 households on the Housing Register (Q2 report to the January HRB) not the 4,000 stated in the question. 1797 of the applicants were in Band E (no housing need) leaving 1535 households considered to be in housing need and seeking affordable housing through our Devon Home Choice housing register. For members information we currently have approximately 2,500 second/holiday homes in the district.

“Given the crisis now happening in the lack of council houses needed to house local families can I have clarification on the following concerns?

a. Has East Devon received the monies that the government statement at the last budget said would be made available for homes?

Answer:

No new money has been allocated to East Devon as a result of the Autumn budget statement. Officers’ assessment is that most monies announced in the budget would not make its way to local authorities as it is directed mainly at boosting private initiatives to build more affordable homes, increasing the housing infrastructure fund, new garden towns and land and planning initiatives. The Council would have to bid for funds through the Affordable Homes Programme administered by Homes England.

In relation to affordable housing the budget statement said – The government has already shown its commitment to increasing the supply of affordable homes:

- the Budget confirms the further £2 billion of funding for affordable housing announced in October, including funding for social rented homes. This takes the total budget for the Affordable Homes Programme from £7.1 billion to £9.1 billion to 2020-21. It is expected that this will provide at least 25,000 new affordable homes.

The Budget will lift Housing Revenue Account borrowing caps for councils in areas of high affordability pressure, so they can build more council homes. Local authorities will be invited to bid for increases in their caps from 2019-20, up to a total of £1 billion by the end of 2021-22. The government will monitor how authorities respond to this opportunity, and consider whether any further action is needed.

b. Against this background of housing need can I be given the figures of how many council houses have been sold in this financial year, how much monies were raised from these sales and how much monies, from these receipts did East Devon receive back as a result?

Answer:

We have sold 27 properties under the Right to Buy so far during 2017/18. The total value of Right to Buy sales is £4,574,500. This has resulted in total receipts after deducting the buyers discount of £2,617,260 of which East Devon retained £2,185,169. During the same period we have acquired 26 properties using Right to Buy receipts and funds from the Housing Revenue Account, with purchases on several more properties due to complete before the end of the financial year.

East Devon District Council Meeting on 28 February 2018
Agenda Item No 8

Question 4: Procedure Rule 9.2 to the Leader from Councillor Douglas Hull

Re **National Housebuilders.**

“Does East Devon District Council support an inquiry into the way NHB carry out inspections on new build? Grave concerns have been raised about them within East Devon. I, as a Councillor, have had many complaints. The common denominator has always been about the serious shortcomings of their working practices. Many householders suffering as a result of these poor standards would welcome, I believe such support. It is important, that East Devon is seen as a continuing beacon of good house building practices”.

Answer:

‘At this stage I think the most appropriate course of action is to press for dialogue with the Government on this issue that has previously been raised. I am still awaiting a reply to my most recent letter. When a reply is received we can assess it and then assess the scope for an inquiry.’

See attached;



Letter to Oliver
Colville MP re Qualit

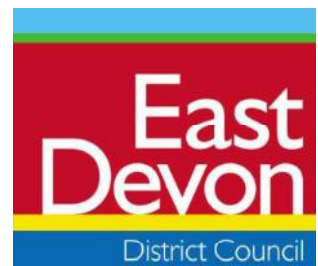
Letter to Oliver Colville MP re Quality of new Housing 2016



20180124 Leaders
Letter to Dominic Ra

Letter to Dominic Raab MP re quality of new Housing 2018

Date: 22 December 2016
Contact number: 01395 571695
E-mail: pdiviani@eastdevon.gov.uk
Our Reference: PD/MP
Your Reference:



Oliver Colville MP
House of Commons
London
SW1A 0AA

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

www.eastdevon.gov.uk

Dear Oliver

More Homes, Fewer Complaints – Report from the Commission of Inquiry into the quality and workmanship of new housing in England

I write further to the above mentioned report and the work of the all party group looking into these issues that you chaired. The issues highlighted in the report have been raising a great deal of concern among residents and Members in East Devon and we were very pleased to see that this was being addressed. We would like to strongly endorse all of the findings of the group and ask that you and the government take these forward as soon as possible.

East Devon has seen a significant increase in housing delivery in recent years as we form a major growth point on the edge of Exeter where Cranbrook new town and a number of other major new housing developments are being constructed. We have also seen major growth in many of our existing towns and villages and delivered over a thousand new homes in the last year. We consider ourselves to be at the forefront of increasing housing delivery in the South West and yet are troubled by the poor quality of the homes that are being built. We feel that action is urgently needed to address this as while increasing supply is vital it is important that high quality homes are provided if the problems in the housing market are to be successfully addressed.

In addition to endorsing the findings of your group there are a couple of additional recommendations that we would ask be considered and hope that you will also be able to put forward. These are:

- That external structures such as walls and fences and in particular retaining walls should be covered under all warranties and also covered under the building regulations to ensure that they are fit for purpose in the long term. A development built around 10 years ago in Axminster was constructed with split levels between gardens which were constructed using a timber retaining structure that has subsequently rotted away. We consider that there should be greater obligation on developers to construct such structures so that they are much longer lasting so that residents are not left with having to replace these structures such a relatively short time after they purchase the property.



Chief Executive: Mark Williams Deputy Chief Executive: Richard Cohen

- That some immediate measures should be put in place including providing a leaflet to all new purchasers advising them of their existing rights and what measures they can already take such as having a full survey carried out prior to completion to protect themselves. It is considered that this immediate measure could warn property purchasers straight away while longer term measures are put in place. Similarly housebuilder's should be immediately advised of what is expected of them as well and their obligations to provide a quality product.
- That there should be greater oversight and regulation of Approved Building Control Inspectors who are known to be doing too few inspections of new homes. We understand that they often do only two inspections during the construction of a new home whereas our own building control team often do many more. Two inspections cannot possibly ensure full compliance with the building regulations and leads to enforcement issues for Local Authority building control services who have to resolve issues that arise as a result. This has cost implications for local authority building control teams who cannot recover the costs of investigating and taking action on these issues.
- That there should be an in depth study into the National House Building Council (NHBC) and the checks that are carried out per 50 new homes. We believe that the Government should set up a team to monitor the NHBC and report for urgent action.

I hope that you will take the above additional recommendations on board and wish you the best of luck in pursuing the recommendations of your group through the house. If we can be of assistance or provide any further evidence or support please let me know.

Yours sincerely



Paul Diviani
Leader, East Devon District Council

CC: Sir Hugo Swire MP, Mel Stride MP, Neil Parish MP

Date: 24 January 2018
Contact number: 01395 571695
E-mail: mpearce@eastdevon.gov.uk
Our Reference: PD/MP
Your Reference:



Dominic Raab MP
Minister of State for Housing
House of Commons
London
SW1A 0AA

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

www.eastdevon.gov.uk

Dear Minister,

More Homes, Fewer Complaints – Report from the Commission of Inquiry into the quality and workmanship of new housing in England.

I write with reference to the attached letter sent in December 2016 to Oliver Colville.

As you will see my Council tried to engage in a conversation regarding the above named report but sadly to no avail as a response was never received.

I would be grateful if you could kindly consider the comments in my letter and let me know what, if any, action I can report back to my Council.

I look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read "Paul Diviani", is written over a light grey rectangular background.

Paul Diviani
Leader, East Devon District Council

East Devon District Council Meeting on 28 February 2018

Agenda Item No 8

Question 5: Procedure Rule 9.2 to the Leader from Councillor Cathy Gardner

Re Sidmouth Beach Management Plan

“Can the Leader explain how Sidmouth will be protected from catastrophic flooding should funding for the proposed Beach Management Plan not be forthcoming this year?”

Answer:

Notwithstanding the alarmist wording of this question and the impact it may have on local residents, I can confirm that Sidmouth is and has been protected from ‘catastrophic flooding’ by the existing coastal defence measures which were installed in the 1990s. Members of the public will also have noticed the ongoing maintenance of the sea wall and beach recycling which has ensured no flooding for a considerable period of time.

Members will be aware that access to government funding for improving coastal defences is through a formula that takes into consideration the economic benefits derived from the work proposed. The formula calculates the grant available and the partnership funding required to contribute towards the scheme. The whole life cost of the current proposed scheme has been budgeted at £9million and we anticipate circa. £5.7m in grant being made available, leaving circa. £3.3m to raise from partners, including the community.

Should it not prove possible to raise the required level of partnership funding we would need to review the current scheme. The major cost of works are the groynes proposed for East Beach to slow down the rate of erosion at Pennington Point and maintain healthy beach levels to the east of the River Sid.

A cheaper scheme would leave Pennington Point to continue to erode naturally but focus on increasing protection for the town from the Environment Agency wall on the western side of the river Sid.

We are working towards delivery of the preferred option as it is the solution that the BMP process has agreed upon. It is supported by the statutory partners involved in the project, and if the community were behind the proposals then I would be confident the partnership funding could be raised. I would encourage local councillors to positively support the project and champion the local raising of the necessary contributions.

East Devon District Council Meeting on 28 February 2018

Agenda Item No 8

Question 6: Procedure Rule 9.2 to the Leader from Councillor Cathy Gardner

Re Cost of entertaining by EDDC

“What amounts are allocated in the Chairman’s budget for 2018-19 for entertaining Members and dignitaries?”

Answer:

The Civic Fund budget proposed for 2018/19 is £8,260 and is spent at the discretion of the Chairman of the Council for the purpose of promoting the District and the Council. This budget is used on a variety of areas in meeting this objective.

East Devon District Council Meeting on 28 February 2018

Agenda Item No 8

Question 7: Procedure Rule 9.2 to the Leader from Councillor Cathy Gardner

Re Thelma Hulbert Gallery

“Having visited the THG on several occasions and looked at its website, it’s not clear to me what activities or services EDDC is funding. Can the Leader please explain the purpose of the THG and the value to residents across East Devon?”

Answer:

It was disappointing to receive this question when Cllr Gardner had previously been in e-mail correspondence with the THG and she had received extensive information from the ever-helpful Gallery staff. Amongst other things they had confirmed that:

THG was one of the first galleries in the county to become dementia friendly. Our learning programme for the community benefits not only adults dealing with Dementia but also schools, families, marginalised groups working with adults and children with learning difficulties and their carers (e.g. United Response), adults with mental health issues (e.g. MIND, Magic Carpet), young people at risk of social exclusion, visually impaired (e.g. WESC) and deaf young people (e.g. ERADE) and Pupil Referral Units. Our learning programme goes so much further than the gallery in Honiton. The last financial year we engaged with 2,595 people through our Outreach Programme. We worked with 43 different artists to deliver 148 workshops to 54 different schools, community groups and local organisations.

So far this financial year the gallery has managed to successfully apply for grants totalling £95,000 from organisations including the Arts Council England and the Heritage Lottery Fund to fund these East Devon projects. This is national funding that would otherwise not reach East Devon communities and it directly benefits the East Devon electorate. This funding covers our (externally funded) Learning Officer, schools workshops across the area (from Exmouth to Uplyme), family and community workshops such as:

- The Project in Axminster (delivering creative activities with young people with mental health issues)
- Devon Recovery Learning Community (mental health)
- SWITCH (children and young people from EDDC housing)
- Workshops across EDDC housing estates in Honiton, Axminster, Sidmouth, Exmouth at Family Fun Days
- Memory Cafés in Honiton and Colyton and we are currently extending this to Sid Valley, Seaton, Axminster and Ottery St Mary over the coming months. The funds from the auction will consolidate this.
- Monthly children’s centre sessions for Under 5’s helping young families.
- We also have a long term project in partnership with East Devon AONB involving creative activities along the East Devon Way – 40 miles from Exmouth – Lyme. We’re working across East Devon at Exmouth, Woodbury, Sidmouth, Sidbury, Colyton, Uplyme and the schools include Marpool in Exmouth, Millwater, Newton Pop, Sidbury, Farway, Musbury, Colyton Primary and CGS, Uplyme, Beer Primary.

Where we can, we work with East Devon wide charities. We've worked with Action East Devon and Welsh Dementia-specialist theatre company ReLive to develop a 3 year creative programme for people with Dementia in East Devon and their carers. This was a great project in partnership with care homes throughout East Devon and led by THG and Action East Devon with evaluation support from Exeter University. Although this project was referred for funding, it unfortunately didn't get through the final stage. However, we will reapply again in the autumn.

It would be a pleasure to meet you at THG and chat further over a coffee or welcome you to see one of our workshops in action. Anna Aroussi, our Learning Officer has a thorough knowledge of the breadth of our work in the district. Emma Molony, our Projects and Fundraising Officer can chat to you about how our funding is used'.

I can further confirm that the THG's work is set in the context of the Council Plan's priority – Delivering & Promoting our Outstanding Environment. The purpose of the THG is “a community gallery offering great art that's welcoming, accessible, engaging and inspiring. A major part of the THGs work has been engaging with community groups and hard to reach groups across East Devon to improve their quality of life through art education, workshops and projects. This provides an important contribution to our Council Plan priority on health and wellbeing as well as our equalities work. The THGs ability to reach out to the community and in particular disadvantaged groups, young people and individuals who find it extremely difficult to access some of the Council's services has been recognised in National Awards (eg Marsh Award for Excellence in Gallery Education) . The work of the THG goes beyond just being a gallery in Honiton and has developed important relationships with dementia groups (the THG is an accredited Dementia friendly gallery), Alzheimer groups, with MIND providing a range of mental health support activities as well as working with our East Devon housing tenants. These are just a few examples of how the THG is providing an invaluable outreach service across East Devon as well as encouraging our next generation of artists with workshops for East Devon's schools and Arts Council funded artists. The THG has increased its overall income performance from £15K p.a in 2014/15 to £49K in 2016/17 with increased shop sales, greater footfall and sponsorship activities. The majority of its outreach programme is supported and funded by the Arts Council which recognises the value and importance of the team's work within East Devon.

East Devon District Council Meeting on 28 February 2018

Agenda Item No 8

Question 8: Procedure Rule 9.2 to the Environment Portfolio Holder from Councillor Peter Burrows

Re Dog Fouling in Seaton

“In December it was reported in the Midweek Herald that there had been 60 cases of Dog fouling recorded in Seaton over 4 years.

Myself and many others, including the Seaton Dog warden, found this to be a totally underestimated and misleading figure.

What steps are you taking to stop the amount of Dog poo being left on the streets of Seaton, especially as we lose our dedicated Streetscene operative at the end of every season?”

Answer:

The Council’s primary response to reports of dog fouling is to create a job for the relevant streetscene team to remove the fouling. This goes on behind the scenes and I’m confident that most people would agree that the teams do an excellent job in keeping the town looking great and for the most part, free from dog fouling. Unfortunately information is currently recorded in a number of different formats and it is proving difficult to verify a definitive number of dog fouling reports for Seaton. I can see that there does appear to have been a recent increase in reports locally via our customer service centre, directly on our website and on the East Devon app. but so far these reports have not yielded any evidence to support further action.

We are currently reviewing our internal procedures to ensure that the important link between reported fouling and the subsequent investigation, education and enforcement work by our Environmental Protection team is functioning correctly. All new reports of fouling are delivered to a streetscene operative for an immediate clear-up. If the report is accompanied by a specific request (e.g., for education) or if the person responsible has been identified (or a description provided) then the details will also be passed on to our environmental protection team. The procedure also provides for the streetscene operative to escalate a report of an area they find to be badly or repeatedly fouled to the environmental protection team. In 2015 just 8 cases were referred to environmental protection officers but in 2016 the figure was 13 and last year it was 23.

We would encourage people to continue to report concerns about areas that are still being fouled so that Streetscene can clear the area and escalate the case if they feel some local education or enforcement may be appropriate.

Our environmental protection team advise that they are not aware of any serious, ongoing or recurring problems in the town but cite a number of examples where they have been proactive in taking steps to prevent problems. Having identified a

specific problem and sent education letters to residents of the Cliff Field Gardens area, that problem was resolved without the need for further enforcement action. Officers have also delivered our “responsible dog ownership” talk to Seaton primary school and during last summer they did some beach patrolling work and in all the visits to Seaton beach they have reported ongoing good levels of compliance.

We also work closely with Seaton Town Council’s dog warden and we know she will report to us areas of fouling that she sees so that streetscene can clear it up promptly.