

# Agenda for Council

## Wednesday, 25 April 2018; 6.30pm



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

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

[View directions](#)

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Prior to the formal start of the meeting, the Chairman will invite Father Geoffrey Walsh to say a prayer.

Dear Sir/Madam

### **Meeting of the Council of the District of East Devon on Wednesday 25 April 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", written in a cursive style.

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 28 February 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 Reports from the Cabinet and the Council's Committees and questions on those reports:

Cabinet	Minutes	176 – 192, 193 - 207
†Scrutiny Committee (The minutes of the meetings held on 22 February and 22 March will be presented at the next Cabinet meeting on 2 May 2018)		
†Overview Committee	Minutes	27 – 31
†Housing review Board	Minutes	50 – 60
Strategic Planning Committee	Minutes	28 – 35
Development Management Committee	Minutes	41– 44, 45 – 48,
Audit and Governance Committee	Minutes	47 – 58
Licensing and Enforcement Committee	Minutes	13 -15
Licensing and Enforcement Sub Committee	Minutes	48 – 52, 53 – 56, 57 - 60

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

## 10 Motion – Proposal of the Devon Clinical Commissioning Groups (CCGs)

“That this Council resolves to welcome the proposal of the Devon CCGs to develop place-based health care, the RD&E's launch of community health conversations in Eastern Locality towns, and the aim of community involvement in supporting statutory services. Noting also the CCGs' intention to announce their Estates Strategy following these conversations, this Council requests the NHS organisations to observe the following principles:

1. All community hospitals which have lost beds should be maintained as health hubs.
2. Wherever possible, services and clinics should be moved out of Exeter to local community hospitals.
3. More outpatient services should be provided in each community hospital, with no overall cuts to the level of services in any town in order to minimise complex journeys between towns.”

Proposed by Councillor Marianne Rixson  
Seconded by Councillor Val Ranger

Supported by Councillor Susie Bond, Councillor Megan Armstrong, Councillor Dawn Manley, Councillor Matt Coppel

**11 Motion – Syrian Vulnerable Persons Scheme**

“That this council recognises the dire situation in Syria, and agrees to fulfil its stated commitment to resettle at least 8 families under the Syrian Vulnerable Persons Scheme which runs from 2015 to 2020.”

Proposed by Councillor Roger Giles  
Seconded by Councillor Peter Faithfull

Supported by Councillor Megan Armstrong, Councillor Susie Bond, Councillor Ben Ingham

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

[Decision making and equalities](#)

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 28 February 2018**

#### **Attendance list at the end of document.**

The meeting started at 6.30pm and ended at 7.24pm

#### **\*59 Public speaking**

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

Trevor Leahong wanted to refer to the Motion under Agenda item 11, regarding the Council leading by example on a policy of reducing the use of single-use plastics to zero by 2020. He asked that the meeting adopt the motion and take steps to implement it as Council policy, encouraging members and residents to work towards zero single-use plastics. He referred to the Plastic-Free February Challenge which he had participated in as part of the Tackle the Plastic Campaign organised by CLEAR, a charity based in Ottery St Mary. CLEAR is working on sustainable, community based solutions to waste management in Indonesia, as a major polluter of plastics to oceans. He stated that the Plastic-Free February campaign had demonstrated how single-use plastic could be eradicated by changing consumer routines and by Councils and other organisations planning to do so. He stated that the council had an excellent record on recycling and asked it to make links with other campaigns. He referred to Beer which had been filmed on Channel 4 undertaking a regular beach clean. He asked if the Council would consider twinning its actions with CLEAR's community based activities in Indonesia prior to 2020.

Robert Crick wanted to raise issues relating to the Sidmouth Beach Management Plan. He referred to cliff erosion and that initiatives to tackle the causes required accurate analysis. As a member of the Beach Management Group, he was unaware of any such analysis but was aware that a Council spokesperson had stated that the rock groynes on Sidmouth beach were not responsible for cliff erosion and wanted to know if it was an accurate statement.

Councillor Phil Twiss responded as Chair of the Sidmouth Beach Management Group by referring to the FAQ's on the web site that set out the various options, with the current situation outlined and are specific to the question asked. <http://eastdevon.gov.uk/coastal-protection/beach-management-plans/sidmouth-and-east-beach-management-plan/sidmouth-beach-management-plan-frequently-asked-questions/> . This includes the appraisal report, and provides the technical information sought.

Council had also received a question on notice from Trevor Leahong, representing the Ottery Refugee Response Group who had received a written response prior to the meeting. The Chairman invited representatives of the group to put supplementary questions. David Gurney asked what the Council might be doing over and above what is stated on the website, which referred to an agreement to house eight families. Melanie Argent wanted to ask what steps were being taken to publicise the private landlord initiative. She was aware of flyers being produced but not where they had been placed. She asked what steps were being taken to attract private landlords, talk to church groups and to advertise. She stated that she had only been able to find a paragraph under the section 'What's new in

Housing' on the website. Trevor Leahong wanted to ask the Council whether it could commit to specific deadlines to house the refugees; safeguarding of the refugees and to their being housed near to each other. He also stated that the group was willing to support the Council in finding accommodation.

Councillor Jill Elson, Portfolio Holder for Sustainable Homes and Communities responded by saying that this was a very complex issue, and that the council needed to work with the Home Office and Devon County Council (DCC) on assisting refugees. Refugees needed to come through camps before being directed to the Home Office and on to DCC before being referred to this Council. She stated that she attended the private landlords forum and church groups who appeared to want to help. She wanted to point out that for a family which had suffered the trauma of being a refugee, and which was in a strange place, their health, education and social needs all had to be responded to as a package to suit the individual needs of the family. She confirmed that the Council would commit to housing eight families or more if possible, but that any private houses would need to be inspected by the Council.

\*60 **Minutes**

The minutes of the meeting of the Council held on 13 December 2017 were confirmed and signed as a true record.

\*61 **Declarations of interest**

Councillor Jill Elson, Minute No. \*64

Type of interest – Personal interest

Reason – Councillor involved in Community Transport.

Councillor Andrew Moulding; Minute No. \*64

Type of interest – Personal interest

Reason – Councillor is a Trustee of Axminster Heritage Centre

Councillor Douglas Hull; Minute No. \*64

Type of interest – Personal interest

Reason – Councillor is a Trustee of Axminster Heritage Centre

Councillor Ian Thomas; Minute No. \*64

Type of interest – Personal interest

Reason – Councillor is a Director of the Exeter Science Park Company.

Councillor Ian Hall; Minute No. \*66

Type of interest – Personal interest

Reason – Councillor is employed in a company that makes plastics.

Councillor Pauline Stott; Minute No. \*67

Type of interest – Personal interest

Reason – Councillor is a Director of the Queens Drive Exmouth Community Interest Company.

Councillor Mark Williamson; Minute No. \*67

Type of interest – Personal interest

Reason – Councillor is a Director of the Queens Drive Exmouth Community Interest Company.

Councillor John Humphreys; Minute No. \*67

Type of interest – Personal interest

Reason – Councillor is a member of the Exmouth Regeneration Board.

Councillor Bill Nash; Minute No. \*67

Type of interest – Personal interest

Reason – Councillor is a resident of Exmouth near to Queens Drive.

**\*62 Chairman/Leader notices/announcements**

The Chairman had no announcements.

**\*63 Questions (Procedure Rules 9.2 and 9.5)**

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

- a) Question 3 - In response to the supplementary question, about the possibility of setting up an all-party group to consider housing issues, the Portfolio Holder for Sustainable Homes & Communities – Councillor Jill Elson, stated that it may be useful to have a Think Tank on the matter. She confirmed that the HRB was doing a lot of good work and the Council had bought another house today. She also stated that she would continue to talk to MPs about the need for more social housing. Councillor Pauline Stott stated the intention of the Council was to pressurise the government into letting it retain 100% of the funding received through Right to Buy.
- b) Question 4 – In response to the supplementary question about the complications arising from new house building in East Devon and whether the Leader would approach National Housebuilders, the Leader confirmed that more needed to be done to make them respond, and that he would make representation to them. He advised that a response from the Minister had been received today to the recent letter.
- c) Question 5 – In response to the supplementary questions in relation to the Sidmouth Beach Management Plan about expectations of funding from Sidmouth Town Council, and evidence of suitable alternatives, the Leader confirmed that he would consider the issues involved.
- d) Question 6 – In response to the supplementary question about the cost of entertaining dignitaries, the Leader advised that as a former Chairman of the Council he was aware that very little was spent on entertaining.
- e) Question 7 – In response to the supplementary questions about whether the activities of the Thelma Hulbert Gallery (THG) fitted with the defined responsibilities of the Council and more cost effective ways of delivering the activities, the Leader stated that it was important to be fully aware of the benefits to the public of the quality of the arts offer provided by THG in East Devon. Councillor O’Leary confirmed that the THG is considered to be an important flagship art gallery in the South West.
- f) Question 8 – In response to the supplementary question about whether Officers from the Council would attend Seaton to discuss the issues with a view to more rigorous enforcement, Portfolio Holder for Environment – Councillor Tom Wright

responded that dog fouling was a big issue and members of the community needed to deal with irresponsible dog owners by reporting them so that enforcement action could be taken.

\*64 **Revenue Estimates, Capital Programme and Council Tax 2018/19**

Members considered the report of the Section 151 Finance Officer and the recommendations of the Cabinet from its meeting on 7 February 2018 relating to the Revenue and Capital Estimates – the purpose of the report was to enable the Council to calculate and set the Council Tax for 2018/19.

The precepts from Devon County Council, Police and Crime Commissioner for Devon and Cornwall, Devon & Somerset Fire & Rescue Authority, and town and parish councils (preceptors) had been added to EDDC's Council Tax requirement. This Council, as billing authority, would formally set the Council Tax for the area to include all the amounts to be collected.

The Chairman invited the Leader of the Council to present the Revenue Estimates and Capital Programme together with proposals for the Council Tax for 2018/19.

In presenting the budget, the Leader said that this was a historic moment as this would be the last budget to be presented at The Knowle as the next will be from Blackdown House in Honiton where the building works are proceeding apace, and on course for December 2018. EDDC is a council that continues to innovate, save and deliver on its promises.

There are expected cuts in central government funding but steps have been taken to ensure that the impact on the public and local communities is as minimal as possible. At £136.78 for a Band D property the £5 increase is modest and the equivalent of less than 38 pence per day.

As a leader in financial innovation, EDDC had won a bid to be selected as a pilot in the case for 100% Business Rate retention which releases it from the Central Government grant system prior to its nationwide implementation. EDDC has demonstrated that it continues to be fiscally prudent and this year is no exception. East Devon still has the lowest District Council tax in Devon and are one of the lowest in the country.

Both the Overview and Scrutiny Committees have examined the Budget proposals and their recommendations are incorporated into the papers presented to the Council meeting.

In conclusion, on behalf of Members, the Leader thanked all Officers for the excellent work across the board which had enabled the Council to deliver a balanced budget. He also recognised the contribution of Members through the full, open and transparent budget preparation process. This has enabled the Council to give the people of East Devon an excellent service at the lowest possible price.

The Leader then proposed that the Council Tax requirement for 2018/19 be set at £8,024,746 with a resulting Council Tax Band D amount of £136.78 (an increase of £5 a year (3.79%) which was within the threshold stipulated by government before triggering a council tax referendum) and that the budget be agreed as presented in the Council papers. The Leader moved the printed recommendations set out in Appendix A to the report.

The proposal was seconded by Councillor Tom Wright who supported the budget as presented.

Councillor Wright also commented on the Tax Precept of the Police & Crime Commissioner, who had the biggest number of responders to the consultation about Council Tax. He stated that 82% had agreed that an increase was not unreasonable and that 67% had agreed with a £12 increase. From the perspective of providing a policing service the precept remained the lowest across the South West.

Members were reminded that in line with legislation that came into force on 25 February 2014, The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote would now be taken on the budget decision.

**RESOLVED:**

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:

**Precepting Authority**

Valuation Bands	Devon County Council	Police and Crime Commissioner 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.

The proposal as printed in Appendix A to the report was put to the vote and carried.

**Recorded vote on the budget:**

Councillors Paul Diviani, Andrew Moulding, David Key, Brian Bailey, David Barratt, Dean Barrow, Susie Bond, Colin Brown, Jenny Brown, Peter Burrows, Paul Carter, Maddy Chapman, Iain Chubb, Alan Dent, Bruce de Saram, John Dyson, Jill Elson, Mark Evans-Martin, Peter Faithfull, Steve Gazzard, Roger Giles, Graham Godbeer, Ian Hall, Steve Hall, Marcus Hartnell, Douglas Hull, John Humphreys, Geoff Jung, Jim Knight, Bill Nash, Cherry Nicholas, John O’Leary, Helen Parr, Pauline Stott, Brenda Taylor, Ian Thomas, Phil Twiss, Mark Williamson, Tom Wright - voted in favour – 39.

Councillors Megan Armstrong, Cathy Gardner, Ben Ingham, Dawn Manley, Val Ranger, Marianne Rixson, Eleanor Rylance – abstained - 7.

\*65 **Minutes of Cabinet and Committees**

**RESOLVED**

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

**Cabinet**

Minutes 136-150, 151-175

**Scrutiny**

Minutes 24-28

**Overview**

Minutes 21-26

**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

that the under-mentioned minutes be received.

Cabinet (minutes 161) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

### **Overview and Scrutiny Committee – Joint meeting**

Minutes 1-4

Arising from consideration of the above minutes:-

➤ **Strategic Planning Committee, minute number \*27 – Main modifications to the East Devon Villages Plan**

Councillor Roger Giles wanted to clarify what was meant in the penultimate paragraph on page 52 of the minute book which made reference to 'the internal officer consultation process.' Councillor Phil Twiss stated that the meeting had been a constructive one and deferred to Mark Williams, who provided clarification on the consultation process.

- Councillor Steve Hall wanted to make an announcement in relation to the Council's Street Trading Policy. Since the recent introduction of the new system a number of concerns had been raised which have resulted in a review and changes to ensure that a more streamlined process will be developed. Councillor Hall expects an announcement to be made at the next meeting of the Licensing & Enforcement Committee and expressed his thanks to the Strategic Lead for Governance & Licensing, Henry Gordon-Lennox for responding to the concerns of members.

\*66 **Motion – Reducing the use of single-use plastics by 2020**

The following motion was proposed by Councillor Cathy Gardner, seconded by Councillor Eleanor Rylance and 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.

"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."

The proposer of the motion, Councillor Cathy Gardner, spoke about the publicity given to this issue on TV and radio, and the waste of resources in single use. She spoke about how members could make a contribution as individuals and as a Council, referring to plastic spoons and cups used in the Members area and potential alternatives. She also referred to towns across the district which are taking a lead in reducing their use of single-use plastics.

The seconder of the motion, Councillor Eleanor Rylance stated that since all disposable plastic ends up in the sea, we should all avoid using them. She expressed her hope that EDDC is able to exercise community leadership and lead by example about the issue before talking to local residents.

The following issues were raised by Councillors during consideration of the motion:

- Nothing in East Devon goes to landfill and anything which is not recycled gets incinerated.

- Single-use plastics were used by Traffic Enforcement Officers to put tickets onto cars because there is currently no alternative.
- All EDDC buildings have recycling bins.
- EDDC is the best performing Council in Devon and amongst the top three district councils in relation to residual waste.
- Councillor Rixson presented a poster which could be put onto the intranet and website with examples of actions for staff and members to take

Councillor Tom Wright proposed an amendment to the motion and wanted to assure members and the public that the Council is doing a lot about this issue and is performing well. Alternatives to current single-use plastic are not yet available in all areas but will be explored when they are.

Councillor Marcus Hartnell seconded the amendment.

- Councillor Williamson wanted the Council to use its power to influence public opinion, and include specific requirements of contractors used across the Council estate in tenders and during procurement processes. He supported the amendment.
- Councillor Giles stated that the difference between the original motion and the amendment was that the former gives a date and the latter does not.
- Mark Williams clarified that his understanding of the amendment in that it would take effect immediately.
- Councillor Ben Ingham commented that there seemed to be a recent trend for proposing amendments which did not change the integrity of the motion but which hi-jacked the debate.
- Councillor Steve Gazzard supported the original motion because he wanted to see a target date included.

The Chairman invited Councillor Gardner to give her right to reply.

Councillor Gardner stated that it was important to have a target date and that the Council as a consumer needed to put pressure and conditions upon contractors, leading the way and pushing for change.

Councillor Tom Wright agreed with the comments made throughout the debate.

The Chairman put the amendment to the vote and by show of hands it was carried with 37 in favour and 18 against.

The Chairman then put the motion to the vote and by show of hands was carried with 29 in favour and 7 against.

The Chairman announced that the motion was carried.

## **RESOLVED**

“that this Council continues to set the highest environmental standards and acknowledges the need to minimise the reliance on single-use plastics. It will ensure that their use is confined to those instances where it is operationally necessary and no alternatives are available. All future procurement decisions must take into account environmental considerations.”

### **\*67 Motion – Queen’s Drive Regeneration Project**

The following motion was proposed by Councillor Megan Armstrong, seconded by Councillor Geoffrey Jung and supported by Councillor Marianne Rixson, Councillor

Peter Faithfull, Councillor Eleanor Rylance, Councillor Matthew Booth, Councillor Dawn Manley, Councillor Ben Ingham, Councillor Cathy Gardner, Councillor Val Ranger.

'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'.

The Chairman invited the proposer of the motion to speak.

Councillor Megan Armstrong, stated that none of the documents available so far constitute a Business Plan against which decisions could be made about costs and expenditure. Accordingly it was not possible to judge value for money or balance the expenditure against risks and losses. This needed to be addressed before the Council made decisions after the visioning exercise.

The Chairman invited the seconder of the motion to speak.

Councillor Geoffrey Jung agreed that the Council should generate as much profit from its assets as possible. A Business Plan would explain how much revenue could be generated and the benefit to the community of Exmouth. A clear financial understanding and of risk management, spend to date and anticipated in future was required.

Councillor Ian Thomas commented in the absence of Councillor Skinner. He wanted to reassure colleagues that the project would fall within the scope of the Capital Strategy and Allocation Group which now meets on a quarterly basis. In October 2017 the Terms of Reference for this group were amended to include the monitoring of Council projects. This would enhance Member oversight of Council activities and minutes would be presented to Cabinet.

He stated that the Project Management Guide detailed the process to be followed in the case of a capital project, including definition of project objectives; a Business case outlining outcomes and measurement, costs, resources and risk; monitoring and reporting of performance of expenditure and progress and with a level of analysis commensurate with the scale of the project.

The next meeting of the capital strategy and Allocation Group is on 7<sup>th</sup> March in the Council Chamber and is open to all Members.

Councillor Thomas proposed an amendment to better link the motion with the procedures the Council is committed to follow.

Councillor Jill Elson seconded the amendment. She stated that as vice chair of the Exmouth Regeneration Board she was pleased that Wayne Hemingway was coming to Exmouth.

The following issues were raised by Councillors during consideration of the motion:

- Councillor Brian Bailey stated that the request for assistance from Wayne Hemingway had come from residents rather than the Council. That it was difficult to get to grips with a Business Plan and it was necessary to wait for residents and stakeholders to be consulted before plans could be costed.

- Councillor Bruce de Saram stated that the project had been presented to the Joint Overview and Scrutiny Committee and was included as a budget line. Key service objectives also included the project.
- Councillor Eleanor Rylance wanted to remind the meeting of public accountability for tax payers' money and that the amendment did not mention how public money would be spent and made transparent.
- Councillor Mark Williamson commented as chair of Audit and Governance that the management of major projects would be much improved as a result of lessons learnt from reviews undertaken by the South West Audit Partnership. The changed focus of the Capital Strategy and Allocation Group would lead to a better and more transparent process to take the Council into the future.
- Councillor Nash supported the Project Management process, and that after consultation with local residents the Council would know what people want.
- Councillor Steve Gazzard said that he was encouraged by the re-focussing of the Capital Strategy and Allocation Group and the strengthened Project Management process. He would support the amendment.

The Chairman asked Councillor Armstrong to give her right to reply.

Councillor Armstrong referred to Councillor Thomas's reference to a Business Case rather than a detailed Business Plan. She expressed her concern for public money and the lack of a publicly available audit. The project Management Guide does not refer to a Business Plan, so the Council should pause after the visioning exercise to review finances.

Councillor Ian Thomas summed up by stating that the Project Management Guide is based on Prince2 standards and was a robust piece of work done by officers as a response to the audit review. Capital Strategy and Allocation Group is not open to the public because some of the detail is not appropriate to be put to the public but the notes are put into the public domain.

The Chairman put the amendment to the vote and it was clearly carried by a majority.

The Chairman then put the motion to the vote and it was carried by a majority.

The Chairman announced that the motion was carried.

## **RESOLVED**

“that 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, in addition to appropriate local consultation, the project will be evaluated, managed and monitored within the adopted Council Guide to Project Management.”

The Chairman announced the meeting as closed.

## **Attendance list**

### **Councillors present:**

Andrew Moulding (Chairman)

David Key (Vice Chairman)

Megan Armstrong

Brian Bailey

David Barratt  
Dean Barrow  
Susie Bond  
Colin Brown  
Jenny Brown  
Peter Burrows  
Paul Carter  
Maddy Chapman  
Iain Chubb  
Alan Dent  
Paul Diviani  
Bruce de Saram  
John Dyson  
Jill Elson  
Mark Evans-Martin  
Peter Faithfull  
Cathy Gardner  
Steve Gazzard  
Roger Giles  
Graham Godbeer  
Ian Hall  
Steve Hall  
Marcus Hartnell  
Douglas Hull  
John Humphreys  
Ben Ingham  
Geoff Jung  
Jim Knight  
Bill Nash  
Dawn Manley  
Cherry Nicholas  
John O'Leary  
Helen Parr  
Val Ranger  
Marianne Rixson  
Eleanor Rylance  
Pauline Stott  
Brenda Taylor  
Ian Thomas  
Phil Twiss  
Mark Williamson  
Eileen Wragg  
Tom Wright

**Honorary Aldermen:**

Tim Wood

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead - Finance  
Henry Gordon Lennox, Strategic Lead – Governance and Licensing  
Sue Howl, Democratic Services Manager  
Tabitha Whitcombe, Democratic Services Officer

**Councillor apologies:**

Mike Allen  
Matthew Booth  
Simon Grundy  
Mike Howe  
Stuart Hughes  
Rob Longhurst  
Darryl Nicholas  
Christopher Pepper  
Geoff Pook  
Philip Skinner  
Eileen Wragg

**Honorary Aldermen apologies:**

Bob Peachey  
David Atkins  
David Cox  
Trevor Cope  
Christine Drew  
John Jeffery  
Stephanie Jones  
Frances Newth  
David Scott

Chairman .....

Date .....



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
Axmouth	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
Farringdon	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
	<b>3,814,054.19</b>				

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

SCHEDULE 3 2018/19								
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS, DEVON COUNTY COUNCIL, POLICE AND CRIME COMMISSIONER FOR DEVON & CORNWALL and DEVON & SOMERSET FIRE & RESCUE AUTHORITY								
Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	1,191.01	1,389.50	1,588.01	1,786.51	2,183.52	2,580.52	2,977.52	3,573.02
Awliscombe	1,173.93	1,369.58	1,565.24	1,760.89	2,152.20	2,543.51	2,934.82	3,521.78
Axminster	1,212.55	1,414.63	1,616.73	1,818.82	2,223.01	2,627.19	3,031.37	3,637.64
Axmouthe	1,192.27	1,390.96	1,589.68	1,788.39	2,185.82	2,583.23	2,980.66	3,576.78
Aylesbeare	1,178.00	1,374.32	1,570.66	1,766.99	2,159.66	2,552.32	2,944.99	3,533.98
Beer	1,179.05	1,375.54	1,572.06	1,768.56	2,161.58	2,554.59	2,947.61	3,537.12
Bishops Clyst	1,193.29	1,392.15	1,591.04	1,789.92	2,187.69	2,585.44	2,983.21	3,579.84
Bramford Speke	1,190.29	1,388.65	1,587.04	1,785.42	2,182.19	2,578.94	2,975.71	3,570.84
Branscombe	1,174.93	1,370.73	1,566.56	1,762.38	2,154.03	2,545.66	2,937.31	3,524.76
Broadclyst	1,309.40	1,527.62	1,745.86	1,964.09	2,400.56	2,837.02	3,273.49	3,928.18
Broadhembury	1,178.10	1,374.44	1,570.79	1,767.14	2,159.84	2,552.54	2,945.24	3,534.28
Buckerell	1,178.47	1,374.86	1,571.28	1,767.69	2,160.52	2,553.33	2,946.16	3,535.38
Budleigh Salterton	1,186.64	1,384.40	1,582.18	1,779.95	2,175.50	2,571.04	2,966.59	3,559.90
Chardstock	1,184.22	1,381.58	1,578.95	1,776.32	2,171.06	2,565.80	2,960.54	3,552.64
Clyst Honiton	1,275.17	1,487.68	1,700.22	1,912.74	2,337.80	2,762.85	3,187.91	3,825.48
Clyst Hydon	1,174.17	1,369.86	1,565.56	1,761.25	2,152.64	2,544.03	2,935.42	3,522.50
Clyst St George	1,174.91	1,370.72	1,566.54	1,762.36	2,154.00	2,545.63	2,937.27	3,524.72
Clyst St Lawrence	1,160.18	1,353.53	1,546.90	1,740.26	2,126.99	2,513.71	2,900.44	3,480.52
Colaton Raleigh	1,177.13	1,373.30	1,569.50	1,765.68	2,158.06	2,550.43	2,942.81	3,531.36
Colyton	1,184.35	1,381.72	1,579.12	1,776.51	2,171.30	2,566.07	2,960.86	3,553.02
Combe Raleigh	1,188.61	1,386.69	1,584.80	1,782.90	2,179.11	2,575.30	2,971.51	3,565.80
Combpyne-Rousdon	1,176.04	1,372.03	1,568.05	1,764.05	2,156.07	2,548.07	2,940.09	3,528.10
Cotleigh	1,182.30	1,379.34	1,576.39	1,773.44	2,167.54	2,561.64	2,955.74	3,546.88
Cranbrook	1,330.87	1,552.66	1,774.48	1,996.29	2,439.92	2,883.53	3,327.16	3,992.58
Dalwood	1,180.37	1,377.08	1,573.82	1,770.54	2,164.00	2,557.45	2,950.91	3,541.08
Dunkeswell	1,194.18	1,393.20	1,592.23	1,791.26	2,189.32	2,587.38	2,985.44	3,582.52
East Budleigh with Bicton	1,189.87	1,388.16	1,586.48	1,784.79	2,181.42	2,578.03	2,974.66	3,569.58
Exmouth	1,199.24	1,399.10	1,598.98	1,798.85	2,198.60	2,598.34	2,998.09	3,597.70
Farringdon	1,185.85	1,383.48	1,581.13	1,778.77	2,174.06	2,569.34	2,964.62	3,557.54
Farway	1,170.13	1,365.14	1,560.17	1,755.19	2,145.24	2,535.28	2,925.32	3,510.38
Feniton	1,179.10	1,375.60	1,572.13	1,768.64	2,161.68	2,554.70	2,947.74	3,537.28
Gittisham	1,181.87	1,378.83	1,575.82	1,772.79	2,166.75	2,560.70	2,954.66	3,545.58
Hawkchurch	1,185.43	1,382.99	1,580.57	1,778.14	2,173.29	2,568.43	2,963.57	3,556.28
Honiton	1,207.59	1,408.85	1,610.12	1,811.38	2,213.91	2,616.44	3,018.97	3,622.76
Huxham	1,160.18	1,353.53	1,546.90	1,740.26	2,126.99	2,513.71	2,900.44	3,480.52
Kilmington	1,182.29	1,379.32	1,576.38	1,773.42	2,167.52	2,561.61	2,955.71	3,546.84
Luppitt	1,193.65	1,392.57	1,591.52	1,790.46	2,188.35	2,586.22	2,984.11	3,580.92
Lympstone	1,194.29	1,393.33	1,592.38	1,791.43	2,189.53	2,587.62	2,985.72	3,582.86
Membury	1,186.59	1,384.34	1,582.11	1,779.87	2,175.40	2,570.92	2,966.46	3,559.74
Monkton	1,209.73	1,411.33	1,612.96	1,814.58	2,217.83	2,621.06	3,024.31	3,629.16
Musbury	1,179.69	1,376.29	1,572.91	1,769.52	2,162.75	2,559.97	2,949.21	3,539.04
Netherexe	1,160.18	1,353.53	1,546.90	1,740.26	2,126.99	2,513.71	2,900.44	3,480.52
Newton Popleford	1,191.35	1,389.89	1,588.46	1,787.01	2,184.13	2,581.24	2,978.36	3,574.02
Northleigh	1,177.79	1,374.08	1,570.38	1,766.68	2,159.28	2,551.87	2,944.47	3,533.36
Offwell	1,172.78	1,368.23	1,563.70	1,759.16	2,150.09	2,541.01	2,931.94	3,518.32
Otterton	1,182.81	1,379.93	1,577.07	1,774.20	2,168.47	2,562.73	2,957.01	3,548.40
Ottery St Mary	1,191.60	1,390.19	1,588.79	1,787.39	2,184.59	2,581.79	2,978.99	3,574.78
Payhembury	1,173.89	1,369.52	1,565.18	1,760.82	2,152.12	2,543.41	2,934.71	3,521.64
Plymtree	1,171.00	1,366.15	1,561.33	1,756.49	2,146.83	2,537.15	2,927.49	3,512.98
Poltimore	1,190.15	1,388.50	1,586.86	1,785.22	2,181.94	2,578.65	2,975.37	3,570.44
Rewe	1,191.15	1,389.66	1,588.19	1,786.71	2,183.76	2,580.80	2,977.86	3,573.42
Rockbeare	1,219.44	1,422.67	1,625.91	1,829.15	2,235.63	2,642.11	3,048.59	3,658.30
Seaton	1,226.62	1,431.04	1,635.49	1,839.92	2,248.80	2,657.66	3,066.54	3,679.84
Sheldon	1,160.18	1,353.53	1,546.90	1,740.26	2,126.99	2,513.71	2,900.44	3,480.52
Shute	1,171.03	1,366.18	1,561.36	1,756.53	2,146.88	2,537.21	2,927.56	3,513.06
Sidmouth	1,206.54	1,407.62	1,608.71	1,809.80	2,211.98	2,614.16	3,016.34	3,619.60
Southleigh	1,173.95	1,369.59	1,565.26	1,760.91	2,152.23	2,543.54	2,934.86	3,521.82
Stockland	1,177.21	1,373.39	1,569.60	1,765.80	2,158.21	2,550.60	2,943.01	3,531.60
Stoke Canon	1,187.77	1,385.72	1,583.69	1,781.65	2,177.58	2,573.50	2,969.42	3,563.30
Talaton	1,183.68	1,380.95	1,578.23	1,775.51	2,170.07	2,564.63	2,959.19	3,551.02
Uplyme	1,186.94	1,384.75	1,582.58	1,780.40	2,176.05	2,571.69	2,967.34	3,560.80
Upottery	1,186.61	1,384.37	1,582.14	1,779.91	2,175.45	2,570.98	2,966.52	3,559.82
Upton Pyne	1,188.83	1,386.96	1,585.10	1,783.24	2,179.52	2,575.79	2,972.07	3,566.48
West Hill	1,193.32	1,392.19	1,591.09	1,789.97	2,187.75	2,585.51	2,983.29	3,579.94
Whimble	1,173.15	1,368.66	1,564.19	1,759.71	2,150.76	2,541.80	2,932.86	3,519.42
Widworthy	1,173.41	1,368.97	1,564.54	1,760.11	2,151.25	2,542.38	2,933.52	3,520.22
Woodbury	1,197.44	1,397.00	1,596.58	1,796.15	2,195.30	2,594.44	2,993.59	3,592.30
Yarcombe	1,176.27	1,372.30	1,568.35	1,764.39	2,156.48	2,548.56	2,940.66	3,528.78

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 7 March 2018**

#### **Attendance list at end of document**

The meeting started at 5.30pm and ended at 6.37pm

#### **\*176 Public Speaking**

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

One speaker spoke at the appropriate agenda item, Minute 189 - Response to Membury Neighbourhood Plan Submission.

Mr Nick Hookway spoke on Minute 188, Exemption from Contract Standing Orders – Hemingway Design. Mr Hookway asked a number of questions which included:

- Would the brief with Hemingway Design be made public?
- Would there be transparency for the public to have access to Mr Hemingway's design and brief?
- What assurances did the residents of Exmouth have to being able to access consultation with Mr Hemingway's team?
- Would there be consideration for a flexible approach to funding on any future developments recommended by Mr Hemingway?

The Portfolio Holder Economy in response welcomed working with Mr Hemingway and his team and agreed that everyone working on this project were open to all ideas from everyone. He reiterated that the design had to be the best for Exmouth and its residents and. The Deputy Chief Executive stated during discussions on Minute 188 that the agreed brief would be published by the end of March 2018.

#### **\*177 Minutes**

The minutes of the Cabinet meeting held on 7 February 2018 were confirmed and signed as a true record.

#### **\*178 Declarations**

Councillor Pauline Stott, Minute 188; personal interest – Member of Exmouth Regeneration Board & Executive Group and Queen's Drive Exmouth Community Interest Company

Councillor Geoff Pook, Minute 186; personal interest – Member of Axe Sailing Club

Councillor Phil Twiss, Minute 183; personal interest – Chairman of New Homes Bonus Panel for Devon County Council

Councillor Mark Williamson, Minute 188; personal interest – Member of Queen's Drive Exmouth Community Interest Company

#### **\*179 Matters of urgency**

The Leader of the Council read the following statement:

'Cabinet, can I take this opportunity to give mine and yours heartfelt thanks to all our staff who got stuck in during the heavy snows and aftermath over the last few days. Teams across East Devon District Council worked around the clock to help residents and communities caught up in snow and ice storms.

The Council's emergency telephone service, Home Safeguard, took more than 2000 calls from last Thursday to Sunday, as residents reported issues such as loss of power, frozen pipes and boiler failures.

Officers came across a number of situations where they could help including delivering urgent medication, cooking a meal for a resident whose carers were snowed in, arranging temporary housing for council tenants with burst pipes and taking a resident to hospital.

Even though the Council's offices at Sidmouth and Exmouth were closed on safety grounds from last Thursday lunchtime, our up to date technology allows the majority of East Devon officers to work from wherever is suitable such as home and from there were able to co-ordinate emergency support.

As Councillor Moulding said in our recent press release, "Our staff played an important role in helping our residents during a very difficult few days. I am really proud of their commitment and the care they showed to all who needed assistance." I echo that sentiment wholeheartedly.

**\*180 Matters referred to the Cabinet**

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

**\*181 Exclusion of the public**

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

**\*182 Forward Plan**

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

**\*183 Minutes of the New Homes Bonus Panel held on 29 January 2018**

Members received the Minutes of the New Homes Bonus Panel held on 29 January 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 16 Options for East Devon's future Parishes Together Fund rules for 2018/19**

1. a mixture of Options 1 and 3 as contained in the report be supported, carrying out a very limited form of Option 3 on a trial basis;
2. the DCC Locality Officer continue discussions with one of the East Devon towns about the possibility of a 'Dragons Den' style event as a trial scheme. Their current level of funding could then be ring fenced for that purpose. If they do not take part in this trial then discussions to be held with other East Devon towns;
3. the closing date for funding be November of each year with all the applications being considered at a meeting at the end of January;
4. the maximum limit for individual applications limited to 20% of the fund's total;
5. community groups be allowed to apply for funding, but only with the minuted support of a town/parish council; and
6. match funding of 20% be evidenced before a project could be supported.

\*184 **Minutes of the Overview Committee held on 30 January 2018**  
Members received the Minutes of the Overview Committee held on 30 January 2018.

\*185 **Minutes of the Recycling and Waste Partnership Board held on 31 January 2018**  
Members received the Minutes of the Recycling and Waste Partnership Board held on 31 January 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 51 Improvement projects/working groups: Participation project update**

1. the methods set out in the low participation project report, and
2. a systems thinking exercise be undertaken on the recycling and waste service and key supporting functions, to examine options for future strategic organisation change to build an organisation fit to meet current and future demands.

\*186 **Seaton Beach Management Plan**

To adopt Seaton Beach Management Plan and agree the approach to progressing the next stage of works to reduce the risk of flood and erosion. The Strategic Lead Housing, Health and Environment assured Members that once adopted the Plan would allow the project to proceed to the outline business case stage where the preferred options will be developed and tested. This stage will include further public consultation.

**RESOLVED:**

that the Seaton Beach Management Plan and an exemption from contract standing orders to progress the outline design and outline business case be agreed.

**REASON:**

To continue to work with the Environment Agency, other statutory bodies and local community to manage the risk of flood and erosion along the Seaton frontage.

\*187 **Monthly Performance reports – January 2018**

The report set out performance information for the 2017/18 financial year for January 2018 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 – The Council was constantly analysing appeal decisions to assess whether there were any particular trends or issues which could be addressed in the decision making process. A detailed assessment of the appeal decisions from 1 April 2017 to 31 March 2018 would be reported to the Strategic Planning Committee following receipt of all of those decisions.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for January 2018 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.

**\*188 Exemption from Contract Standing Orders – Hemingway Design**

An exemption from contract standing orders had been approved to enter into a contract with Hemingway Design for the supply of consultancy services and request support for the action taken.

The Deputy Chief Executive confirmed the brief had been through thorough consultative stages and had had good public participation already. The Council could not commit to all Mr Hemmingway's designs until the recommendations had been seen however the brief would be published by the end of March 2018.

**RESOLVED:**

that the use of an exemption from contract standing orders to enter into a contract with Hemingway Design be supported.

**REASON:**

An exemption from Contract Standing Orders had been sought and approved and Members supported this action.

**\*189 Response to Membury Neighbourhood Plan Submission**

Members were asked to agree the response by the Council to the current consultation for the Membury Neighbourhood Plan.

Councillor Michael Bell from Membury Parish Council asked members for their full support for the Membury Neighbourhood Plan. He stated that Membury had been a community for over 500 years, with new businesses setting up in the Parish and with better broadband facilities.

**RESOLVED:**

1. that the formal submission of the Membury Neighbourhood Plan be noted and that the producers of the plan be congratulated on the dedicated hard work and commitment, and
2. that the Council make the proposed representation set out at paragraph 5.2 in the report in response to the consultation.

**REASON:**

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

**\*190 Response to Rockbeare Neighbourhood Plan Submission**

Members were asked to agree the response by the Council to the current consultation for the Rockbeare Neighbourhood Plan.

**RESOLVED:**

1. that the formal submission of the Rockbeare Neighbourhood Plan be noted and that the producers of the plan be congratulated on the dedicated hard work and commitment, and
2. that the Council make the proposed representation set out at paragraph 5.2 in the report in response to the consultation.

**REASON:**

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

191 **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).

\*192 **Office Relocation Project - choice of new access road options for Blackdown House**

The report advised of the identified options for the provision of a new access road for Blackdown House through the East Devon Business Centre site. Approval was sought regarding road access to the new HQ and the size of the car parking retained for the use of East Devon Business Centre, which exists alongside the new road access.

**RESOLVED:**

1. that Option 5 represented the best value for money and was estimated to be achievable within the existing approved budget,
2. that delegated authority be granted to the Deputy Chief Executive in consultation with the Executive Group to deliver the chosen Option and to progress operational matters and incur spend within agreed budget limits. To ensure that the design and build of the relevant Option and the overall project were achieved to the agreed programme be agreed, and
3. that an exemption to Contract Standing Orders to award the construction work to Interserve Construction Limited in the event of their quote being within the approved budget be agreed.

**REASON:**

The Council had identified the need for the provision of a new direct access road to Blackdown House. The original intent for access to the new HQ was via the existing roadway arriving at the side of the HQ building from the south. The Relocation Project Executive Group agreed that they would prefer a more direct approach to the front of the building. This could be provided by adapting the existing access road to the East Devon Business Centre. This was recommended to and agreed by Cabinet in April 2017 with a budget allocation of up to £225,000.



**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
Jill Elson	Sustainable Homes and Communities
Phil Skinner	Economy
Ian Thomas	Finance

**Cabinet Members without Portfolio:**

Geoff Pook  
Eileen Wragg

**Cabinet apologies:**

Marcus Hartnell Deputy Portfolio Holder Environment

**Non-Cabinet apologies:**

Mike Allen  
Ian Hall  
John O'Leary  
Brenda Taylor  
David Barratt  
Colin Brown  
Jenny Brown  
Rob Longhurst  
Andrew Moulding

**Also present (for some or all of the meeting)**

**Councillors:**

Megan Armstrong  
Bruce de Saram  
Bill Nash  
Alan Dent  
John Dyson  
Steve Hall  
Pauline Stott  
Geoff Jung  
Peter Faithfull  
Paul Carter  
Graham Godbeer  
Steve Gazzard  
Mark Williamson  
Maddy Chapman  
Cherry Nicholas  
Eleanor Rylance  
Roger Giles  
Mike Howe

**Officer apologies:**

Mark Williams, Chief Executive

**Also present:**

**Officers:**

Richard Cohen, Deputy Chief Executive

Simon Davey, Strategic Lead – Finance

John Golding, Strategic Lead – Housing, Health and Environment

Henry Gordon Lennox, Strategic Lead – Governance and Licensing & Monitoring Officer

Dave Turner, Engineering Projects Manager

Stephen Pratten, Relocation Manager

Amanda Coombes, Democratic Services Officer

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 4 April 2018**

#### **Attendance list at end of document**

The meeting started at 5.30pm and ended at 5.59pm

#### **\*193 Public Speaking**

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

#### **\*194 Minutes**

The minutes of the Cabinet meeting held on 7 March 2018 were confirmed and signed as a true record.

#### **\*195 Declarations**

None

#### **\*196 Matters of urgency**

The Chairman agreed to this late item for Minutes of the Budget Working Party held on 27 March 2018, requested by the Strategic Lead, Finance. The recommendations in the minutes were a matter of urgency for budget recommendations for additional resources that required Council approval at the meeting on 25 April 2018.

### **RESOLVED (1) that the following recommendations be agreed:**

#### **Minute 3 - Update on Medium Term Financial (MTFP)**

1. the actions set out in Table 2 of the update report paragraph 2.2 and that they be included in the Transformation Strategy, be endorsed;
2. £350k of New Homes Bonus be set aside to be used in 2020/21 as reserve funding to the General Fund position, with the balance of £1.080m being transferred into the Transformation Fund;
3. £700k of 100% Business Rate Pool be transferred into an Economic Growth/Safeguarding Fund to either support growth or to safeguard the existing business base in the District.

#### **Minute 5 - Business case for Digital Services Officer**

the new post of Digital Services Officer be implemented, initially funded from the Transformation Reserve for a three year period.

#### **Minute 6 - Asset Investment Strategy**

1. to make available £120k in 2018/19 from the Transformation Fund to explore commercial property income opportunities to enable recommendation (2) to come forward, along with exploring opportunities for Cranbrook Town Centre;
2. a strategy be prepared by September 2018 to detail and seek approval for:
  - a. a capital funding/borrowing stream of up to £10m (income only fund) where justified by business case and strategic considerations. This investment was to be purely for income generation,
  - b. a capital funding/borrowing stream of up to £10m (income plus fund) where justified by business case and strategic considerations, this investment was for wider District benefits and with different assessment criteria,
  - c. covers a preference for investment in the District unless there was a significant greater return in investing in property outside of the District boundary.

\*197 **Matters referred to the Cabinet**

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

\*198 **Exclusion of the public**

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

\*199 **Forward Plan**

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

\*200 **Minutes of the Staff Joint Forum held on 8 February 2018**

Members received the Minutes of the Staff Joint Forum held on 8 February 2018.

\*201 **Minutes of the Capital Strategy and Allocation Group held on 7 March 2018**

Members received the Minutes of the Capital Strategy and Allocation Group held on 7 March 2018.

Councillor Susie Bond wished to thank Dave Turner, Engineering Projects Manager for all his work on the Feniton Flood Alleviation scheme especially with his patience while working with Network Rail.

\*202 **Minutes of the Asset Management Forum held on 8 March 2018**

Members received the Minutes of the Asset Management Forum held on 8 March 2018.

\*203 **Minutes of the Housing Review Board held on 8 March 2018**

Members received the Minutes of the Housing Review Board held on 8 March 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 55 Review of housing policies**

**Minute 56 Credit Union consideration**

advising tenants of the City of Plymouth Credit Union if asked for a replacement service for Plough and Share.

\*204 **Minutes of the Overview Committee held on 13 March 2018**

Members received the Minutes of the Overview Committee held on 13 March 2018.

205 **Exeter and East Devon Enterprise Zone**

The Principal Projects Manager presented the report that sought approval to borrow against future ring fenced business rate income to invest in projects that would enable the delivery of new commercial space and jobs in the Enterprise Zone. The East of Exeter Projects Director stated that the initial investments were targeted at either overcoming barriers to delivery or catalysing wider investment that would bring forward enhanced business rates income.

**RESOLVED:**

1. that the progress with the operation of the Enterprise Zone designation be noted,

2. that the principle of borrowing up to £8m against ringfenced business rate income to fund the delivery of projects be agreed and this recommendation be made to Council, and
3. Cabinet received further papers setting out specific investment proposals in relation Cranbrook town centre and Exeter Airport.

**RECOMMENDED:**

4. that the initial expenditure of up to £3.4m to take forward four specific projects detailed in the report be approved and give delegated authority to the Chief Executive to make payments in respect of the projects, subject to the completion of appropriate legal documentation in consultation with the Strategic Lead Governance and Licensing.

**REASON:**

Cabinet last received a paper on the Enterprise Zone in November 2017. During the intervening period work had focused on developing projects to both overcome identified barriers to delivery and scoping catalytic investments that could increase the pace at which new commercial space and jobs were delivered.

**\*206 Monthly Performance reports – February 2018**

The report set out performance information for the 2017/18 financial year for February 2018 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 – Two appeal decisions had been received, one dismissed and one allowed. A detailed assessment of the appeal decisions from 1 April 2017 to 31 March 2018 would be reported to the Strategic Planning Committee following receipt of all of decisions.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for February 2018 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.

**\*207 Feniton Neighbourhood Plan Examiner's Report**

Members were provided feedback and proposed changes following the examination of the Feniton Neighbourhood Plan.

**RESOLVED:**

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

**REASON:**

The legislation required a decision notice to be produced at this stage in the process. The Neighbourhood Plan was the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications which, in most part, are accepted by the Parish Council.

**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

**Cabinet Members without Portfolio:**

Geoff Pook  
Eileen Wragg

**Cabinet apologies:**

Ian Thomas Finance  
Jill Elson Sustainable Homes and Communities

**Non-Cabinet apologies:**

Ian Hall  
John O'Leary  
Brenda Taylor  
Colin Brown  
Jenny Brown  
Douglas Hull  
Rob Longhurst  
Bill Nash  
Bruce de Saram  
Simon Grundy  
Mark Williamson  
Mike Howe  
Cherry Nicholas  
Darryl Nicholas

**Also present (for some or all of the meeting)**

**Councillors:**

Mike Allen  
Alan Dent  
John Dyson  
Steve Hall  
Andrew Moulding  
Pauline Stott  
David Barratt  
Dean Barrow  
Peter Faithfull  
Graham Godbeer  
Steve Gazzard  
Maddy Chapman  
Eleanor Rylance  
Roger Giles  
Helen Parr  
Susie Bond  
John Humphreys

**Officer apologies:**

Mark Williams, Chief Executive  
Henry Gordon Lennox, Strategic Lead Governance and Licensing

**Also present:**

**Officers:**

Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead – Housing, Health and Environment  
Anita Williams, Principal Solicitor & Deputy Monitoring Officer  
Andy Wood, East of Exeter Projects Director  
Naomi Harnett, Principal Projects Manager  
Amanda Coombes, Democratic Services Officer

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 13 March 2018**

#### **Attendance list at end of document**

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

#### **\*27 Public speaking**

There were no public speakers at the meeting.

#### **\*28 Minute confirmation**

The minutes of the Overview Committee held on the 30 January 2018, were confirmed as a true record.

#### **\*29 JLL Presentation**

The Chairman welcomed John Kinsey, Simon Bennett, David Roberts and Alexandra Deare from JLL to the meeting. Their presentation covered a number of cases studies on other local authorities moving into the commercial property market, facilitated by their firm.

The [presentation](#) covered:

- The general market in the sector currently, the headlines being a lack of available land, increase in hotel development (attracting a higher weekend rate for the leisure demand), shortage of skilled labour and increasing construction costs as a result, challenges to retail and mid-range restaurant chains;
- Property market is showing increasing good return on investment with rental growth and property market value. With the shift in online retail there was an increase in demand in warehouse space;
- Alternatives to traditional investment that were showing growth included:
  - Self-storage units
  - Private rented housing
  - Student accommodation
  - Car parks
  - Healthcare
  - Retirement living
  - Data centres
- Examples were shared with the Committee covering:
  - Plymouth City Council purchase of industrial space, including the Royal Mail centre;
  - Torbay Council, with the EDF energy building in Exeter, and a retail park in Torquay;
  - Bath & North East Somerset Council with a unit at Aztec West for use of highways officers, plus the purchase of their main HQ offices;
  - Teignbridge District Council, with a shopping centre and associated land for further development of it in Newton Abbott
  - Swindon Council with office place in Bristol
  - South Somerset District Council owning retail space in Yeovil High Street.

Different funding mechanisms were available to local Councils, including access to a better rate of borrowing than the commercial sector. There was also strength in unlocking borrowing against a Council covenant, which would be stronger than that of a commercial covenant. Again, examples of local authorities using different funding mechanisms were given, including Gloucester Council's Kings Walk Shopping Centre where the strength in



the council covenant created both rental profit and additional value in the capital of the site. Many local authorities had also worked with commercial partners for funding and delivery.

JLL had also seen an increase in local authorities developing their own business units rather than wait for the private sector to deliver them. There was clearly a demand for small business units, many of which were being offered on a freehold basis.

At present, there was no restriction on undertaking commercial property outside of the District boundary, but some authorities were exercising caution in developing long-term projects in case there was a change by Government to impose a restriction. In response to a question, JLL held the view that there would be more commercial investment choices and availability to consider if the Council looked at an area wider than its boundaries.

In discussion, the Committee were of the view that taking an approach to investing in commercial property was the right step for the Council to take, and specific opportunities to do so should be explored. Having the necessary skills set, in-house or contracted in was also key to ensure delivery.

The Chairman thanked the representatives from JLL for their informative presentation and the discussion that it had provoked.

**RESOLVED** that the presentation from JLL be noted.

**\*30 Naturally Healthy Devon Schools project**

The Chairman welcomed Tim Dafforn, Countryside Team Leader, and Meg Knowles, Education Ranger to talk to the committee about the project. He reminded the committee of the golden thread of health and wellbeing through the Council and service plans, and the importance of this type of work in contributing to that.

The project was to stimulate the demand for schools for outdoor learning, supporting teachers to build learning outdoors into everyday practice by providing training and networking opportunities. The project also looked to increase the understanding of the learning and health benefits that outdoor learning could provide.

Through the [presentation](#), the committee learnt of the scale of work already undertaken by the Education Rangers in working with schools, including some outside of the District. The service does attract an income through fess, with an expected increase in income due to a charging restructure for the coming financial year. The service is well regarded, with an excellent reputation and good approval ratings. The service also has extensive experience in bidding for funding, and continues to do so.

The concept of outdoor learning was explained to Members. The specific project for Devon had covered 20 primary schools in the county that had higher than average obesity levels. The [outcome of the project](#) had shown that there were benefits to both pupils in terms of learning and wellbeing, but also to teachers in terms of job satisfaction and wellbeing. A number of case examples were shown to the committee of how individual children had benefitted during the project.

Going forward, the service hoped to continue through engaging with teachers and train them by means of delivering professional days. Members were welcomed to contact the service to observe outdoor learning, and asked to act as advocates to the concept and spread the word to their local schools and groups about the service.

In response to questions, Members were advised that all uniformed groups in the area already had links to the service. Some suggestions came forward and Members were asked to make direct contact with the service to pursue those.

In terms of existing resources, the area had no field studies centre that could accommodate residential style courses, as fondly remembered by the Vice Chairman. It was agreed that having such a facility would also provide an income for the Council. This option was currently being explored by the service and would come forward to Cabinet if viable.

The Chairman thanked Meg Knowles and Tim Dafforn for their informative and inspiring presentation.

**RESOLVED** that presentation be noted.

### **\*31 Overview forward plan**

An additional meeting was planned, subject to further work on income generation being prepared, for late April or early May. The frequency of meetings of the committee would also be increased for the coming civic term.

There was an appetite from the Committee membership to progress onto discussion on more specific concepts for increasing income generation, now that the committee had received a degree of background information to help them form what approach the Council should take to provide such income.

#### **Attendance list**

##### **Councillors Present:**

Graham Godbeer (Chairman) Ian Hall (Vice Chairman)  
Peter Faithfull  
Mike Allen  
Matt Booth  
Chris Pepper

##### **Councillors Also Present:**

Ian Thomas  
Brian Bailey  
David Barratt  
John Dyson  
Geoff Jung  
Tim Dumper

##### **Officers**

Richard Cohen, Deputy Chief Executive  
Tim Child, Property Services Manager  
Alison Hayward, Senior Manager Regeneration & Economic Development  
Charlie Plowden, Service Lead Countryside and Leisure  
Tim Dafforn, Countryside Team leader  
Meg Knowles, Education Ranger  
Debbie Meakin, Democratic Services Officer

**Councillor Apologies:**

John Humphreys  
Mark Evans-Martin  
Pauline Stott

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Housing Review Board held at Exmouth Town Hall on 8 March 2018**

#### **Attendance list at end of document**

The meeting started at 2.30pm and ended at 4.25pm.

#### **\*50 Public speaking**

There were no questions raised by members of the public.

The Chairman welcomed everyone to the meeting. She gave particular thanks to all the officers for their assistance over the recent period of snow and also thanked the tenants who went out of their way to help each other.

Councillor Megan Armstrong queried the timing of the publication of the HRB agendas. She requested that the agendas be produced earlier so that the Tenant Involvement Forum had longer to consider the papers. The Democratic Services Officer and Solicitor explained that agendas were produced and published online in accordance with statutory guidelines. Both tenants and HRB members could view the documents at the same time, as soon as the agenda was publicly available. It would be impractical to produce the agendas any earlier due to pressures on officers' time.

The Strategic Lead – Housing, Health and Environment brought to the Board's attention a colourful pamphlet providing an update on the countryside outreach project. From 2015 the Board had funded one and a half days per week, for an Education Ranger from the Countryside team to work in all areas of the district with high levels of council housing. The Chairman requested that one of these leaflets be provided to all district councillors.

#### **\*51 Minutes**

The minutes of the Housing Review Board meeting held on 11 January 2018 were confirmed and signed as a true record.

Tenant Peter Sullivan raised minute 41, rental exchange scheme. He explained some concerns of the Tenant Involvement Forum (TIFF) over data protection issues. They felt that the scheme should be an 'opt in' one, rather than an 'opt out'. It was noted that the decision to join to scheme had already been made by the Board and approved by Cabinet and Council. It was Experian's scheme and the Council had no control over how it was operated, but the basis of the scheme was trying to overcome the unfairness social housing tenants often experienced trying to access credit.

#### **\*52 Declarations of Interest**

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.

#### **\*53 Forward plan**

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

The Portfolio Holder – Sustainable Homes and Communities, made a request for extra care housing to be added to the forward plan. Extra care housing facilities was included in the Housing Strategy and should be included on the forward plan. A report would be produced on what had been provided so far and the Council's current position.

The Chairman also requested that a report on modular house building be added to the forward plan for a future meeting.

**RESOLVED:** that the forward plan be updated and noted.

**\*54 Homelessness Reduction Act**

The Strategic Lead – Housing, Health and Environment's report provided the Board with a summary of the main features of the new legislation. The new Act, which would become live in April 2018, set out significant changes to tackling homelessness and required local authorities to completely review current systems and introduce a culture change in homeless prevention and reduction.

The report set out an overview and provided a high level summary of the homelessness legislation and the duties, powers and obligations on housing authorities and others towards people who were homeless or at risk of homelessness. The Act signaled a significant change to the national approach to preventing homelessness and required local authorities and their partners to adapt existing protocols to ensure that they implemented the new system in accordance with the guidance and code of practice.

Preparing for the implementation was taking a considerable and sustained effort from the Housing Options team. The changes would require a dramatic shift in homelessness operations. The limited supply and difficulty in accessing temporary and permanent accommodation in the district would be a big challenge for the Council, particularly the lack of supported housing for people who found it difficult to live independently in the community. The aim would be to deliver a service that prevented homelessness wherever possible and secured suitable housing for those homeless households who required the Council's assistance.

It was noted that staff training was critical to the effective implementation of the new scheme and a range of training opportunities had been provided to staff to help smooth the transition from the current familiar system to the new approach. A new member of staff had been recruited and it was hoped to recruit another. It was noted that EDDC jointly funded a young persons worker with social services (DCC) through Young Devon to help prevent homelessness in young people.

A big change was the requirement on the council to intervene earlier. The requirement had moved from 28 days to 56 days as well as a requirement to produce a personal housing plan for each person approaching the council as homeless. The legislation required decisions to be made at a number of key points during the applicant's journey. The council had a prevention duty, a relief duty and a housing duty.

It was noted that the Homelessness Reduction Act fell outside of the remit of the Housing Review Board, but a report had been requested at the last meeting. The Chairman asked for an update report to be brought to a future Board meeting. The Strategic Lead – Housing, Health and Environment advised that a report on homelessness would be taken to Cabinet during the summer and that this could also be presented to the HRB.

Councillor Ian Hall raised a specific case of homelessness in Axminster and thanked the officers for their support. He hoped that investigations would take place into the root causes of homelessness in general. Another request was made for information on the number of homeless people the council had helped over the past 12 months. Members were advised that this featured in the quarterly performance digests on the Board's agenda.

**RESOLVED:** that the Housing Review Board note and understand the main requirements of the Homelessness Reduction Act 2017.

**\*55 Review of housing policies**

The Board was presented with 16 housing policies, requiring its approval. It was important to have an up to date suite of policies covering the approach to areas of housing policy where there was room for discretion and interpretation. The Council's position as a landlord was set out in the various policies and would need to be monitored for compliance, variations and application. The policies had all been considered by the Strategic Management Team. Each policy had a responsible officer and a review date. They would need to be kept under review and updated when changes occurred that could impact on the stance adopted. Staff and tenants would need to be made aware of all the policies once they were adopted.

The following policies were presented for the approval of the Housing Review Board:

- Allocations Policy
- Anti-Social Behaviour Policy
- Car Park Management Policy
- Decant Policy
- Domestic Abuse Policy
- Garage Management Policy
- Gas Safety Policy
- Improvements to Council Properties Policy
- Income Management Policy
- Leasehold Management Policy
- Mutual Exchange Policy
- Recharging Policy
- Repossessions Policy
- Responsive Repairs Policy
- Succession Policy
- Void Management Policy

Various issues were discussed during consideration of the policies and officers answered questions that were raised.

New and existing tenants would be informed of the new policies and policy updates, and these would be placed on the website.

**RECOMMENDED:** that Cabinet approve the housing policies.

**\*56 Credit union consideration**

The Rental Manager's report asked for the Board's approval for the Council to recommend the City of Plymouth Credit Union to housing tenants as a replacement for Plough and Share, since it stopped trading.

The City of Plymouth Credit Union was officially registered in 1997 and was a member of the Financial Services Compensation Scheme. It was an ethical, not for profit, member-owned financial organisation dedicated to the economic development of the community of Devon, Cornwall and the Isles of Scilly. It provided financial services to all of its members, including those who had been excluded from traditional financial services.

**RECOMMENDED:** that Cabinet approve advising tenants of the City of Plymouth Credit Union if asked for a replacement service for Plough and Share.

**\*57 Financial monitoring report 2017/18 – Month 10 January 2018**

The Board was presented with a summary of the overall financial position on the Housing Revenue Account (HRA), HRA Capital Programme and the Business Plan for 2017/18 at the end of month ten (January 2018), with forecasts to the end of the year.

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

Current monitoring indicated that the Housing Revenue Account Balance would be maintained in line with the budgeted levels within the 30 year business plan. The current budget and year end forecast figures were noted. The cost of financing was also predicted to be on budget including the payoff of the £1.3m 2018 tranche of the Public Works Loans Board loan.

It was noted that asbestos surveys and works were forecast to be over budget by approximately £200,000 as a result of the continued survey programme and resultant management projects. The impact upon the HRA had been mitigated by delaying the energy efficiency program and non-critical fire safety works to the next financial year. Change of tenancy works on void was also forecast to be overspent by over £500,000 as the service continued to use the opportunity a void brought to carry out extensive works that the older stock required without it inconveniencing tenants.

Progress on the purchase of new housing stock was good, with 26 properties purchased and one due to complete.

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

**\*58 Responsive repairs and works to void properties procurement process**

The Property and Asset Manager's report updated the Board on progress being made to renew the contract for day to day repairs and void work to council housing stock. The contract would be procured through the route of competitive dialogue with negotiation. The OJEU (Official Journal of the European Community) notice was published on 19 February. Potential bidders were able to see clearly all of the requirements as well as the process they would be expected to go through to bid for the contract. This should help the fully determine if they were likely to want to bid for the contract and should eliminate any bidders that may realise later down the line that they no longer wished to proceed. To date 21 expressions of interest had been received. A bidders event was held on 28 February 2018 and 12 organisations attended. This gave potential bidders the opportunity to come and learn more about East Devon as an authority.

Tenant involvement in the procurement process was also outlined in the report. The website had been updated and an article would be included in the next edition of the

Housing Matters magazine to ensure that all tenants were up to date with progress. Members were invited to contact the Property and Asset Manager directly with any queries or concerns.

**RESOLVED:** that the Housing Review Board note the progress on renewing the responsive repairs and works to void properties contract.

**\*59 Annual report of the Housing Review Board**

Members were asked to note the annual report of the Housing Review Board which highlighted the achievements and detailed the work undertaken by the Board over the last year.

The Chairman announced that tenant member and Vice Chairman Pat Rous was retiring from the Housing Review Board. On behalf of the Board the Chairman thanked Pat Rous for her work and dedication over the years. Pat thanked the Board and in particular thanked the tenants and officers for all their support.

**\*60 Date of the next Housing Review Board meeting**

The Board noted the provisional dates of the HRB meetings for the forthcoming year:  
Thursday 21 June 2018 – 2:30pm, Council Chamber, Exmouth Town Hall.  
Thursday 20 September 2018 – 2:30pm, Council Chamber, Exmouth Town Hall.  
Thursday 22 November 2018 – 2:30pm, Council Chamber, Exmouth Town Hall.  
Thursday 24 January 2019 – 2:30pm, Council Chamber, Exmouth Town Hall.  
Thursday 28 March 2019 – 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)  
Sue Saunders  
Peter Sullivan

**Independent community representative:**

Christine Drew

**Officers:**

Graham Baker, Senior Technical Officer, Asset Management  
Sue Bewes, Landlord Services Manager  
Charles Derry, Tenant and Communities Section Leader  
Amy Gilbert-Jeans, Property and Asset Manager  
John Golding, Strategic Lead - Housing, Health and Environment  
Tim Laurence-Othen, Housing Projects Officer  
Andi Loosemore, 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 David Barratt  
Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities  
Cllr Steve Gazzard  
Cllr Simon Grundy

Alek Williams, tenant

**Apologies:**

Mike Berridge, tenant representative  
Julie Bingham, independent community representative

Cllr Ian Thomas – Portfolio Holder - Finance

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 20 March 2018**

#### **Attendance list at end of document**

The meeting started at 10:00am and ended at 12.36pm.

#### **\*28 Public speaking**

Ron Forrest from Rockbeare Parish Council outlined to the committee that the parish was against the Cranbrook Development Plan because of the expansion it proposed. He informed the committee that assurances had been given by the Council in previous years that there would be no expansion south of the old A30. He felt that the proposal was disproportionate and would take over the village of Rockbeare; he also stated that including a gypsy site would impact on neighbouring farms; and that the proposal encroached onto Grade 2 agricultural land.

Ray Bloxham from Cranbrook Town Council, again relating to the Cranbrook Development Plan, commented that there were some positive elements to the proposal, but had concern that because of the objections from the nearby parishes, it would affect the relationship between Cranbrook and them. In relation to the greenspace on the eastern expansion (as outlined on pages 32 and 33 of the agenda for the meeting) he commented that this had originally been assigned for housing and he preferred to see that assignment remain. He asked to see a balance in the mix of housing provided, as this was an expensive town to deliver but was being populated by some of the poorest people in the District – such people could not afford any associated costs of maintaining an expensive area.

Paul Smith, speaking as a member of the public, also spoke to the committee about the Cranbrook Development Plan. He advised that the proposal putting forward option 2 was at variance to the professional advice given to the committee and asked why housing on the triangular wedge shown on the map had been introduced into the plan when the committee had not discussed that parcel of land. There was also no reference in the plan to Rockbeare's emerging neighbourhood plan. The appraisal report highlighted the adverse impact on Rockbeare and existing Cranbrook homes and the SA and SEA reports were also not mentioned in the plan, both of which had advised that option 4 was the best option to minimise impact, use less land and provide less noise impact.

Mr Smith also submitted a petition, to save the green wedge of land bounded to the left of Parsons Lane and London Road, from any form of residential or commercial development, ensuring its future safeguarding as a green community space for leisure and wellbeing activities for the people of Cranbrook and its neighbouring communities. It had been signed by 50 local residents. The Chairman accepted the petition.

#### **\*29 Minutes**

The minutes of the Strategic Planning Committee meeting held on 14 December 2017 were confirmed and signed as a true record.

#### **\*30 Declarations of interest**

Councillor Geoff Pook – minute 33 – personal interest – construction

Councillor Mike Howe – minute 32 – personal interest - local Ward Member

**\*31 Housing Monitoring Report to year ending 31 March 2017**

The report provided the committee with a summary of house building data, establishing that there is a greater than five year land supply. Following the implementation of a new database, extracting data could now be done much quicker and therefore more regular reporting could be provided to the committee.

Expected housing delivery was down, but with a number of issues being resolved with larger sites the prediction is that this will rise for 2018/19.

An employment land monitoring report is expected to be produced (for the year ending March 2018) in the summer of 2018. Information and data on employment is being sought to add to that report, but some challenges were highlighted in locating data broken down to specific town and parish areas.

Discussion covered:

- Issue of affordable housing and building balanced communities; needed data on affordable housing element; a report will come forward to the committee on the proportion of affordable housing and how that is balanced against infrastructure;
- Challenges in obtaining data on employment and jobs, with desire to evaluate the delivery of total jobs against the scale of land;
- Continued push of statistics on jobs made to existing policy team that had not, in the opinion of the councillor commenting, been taken into account – such as information from the Office of National Statistics, and HMRC data;
- Lack of CIL receipts and how that affects delivery of schools. In response, the committee were reminded that Devon County Council were not prepared to borrow money to fund building schools and could not prevent residential development if no school was included – but it was a politically sensitive issue of how prepared a local authority was to deliver such infrastructure;
- Request for detail in statistics to show how many homes delivered were affordable, or into council tax banding in order to show how balanced the housing delivery was;
- Request for the Planning Policy Manager to be present when the housing monitoring reports were reported to the committee.

**RESOLVED: that the residential completion data and future projections in the District be noted.**

**\*32 Cranbrook Development Plan Document**

The report presented to the committee outlined the feedback received on the Cranbrook Development Plan Document Preferred Approach consultation. It also set out the intended actions based on that feedback from the public, stakeholders and consultation bodies.

The committee were shown [maps outlining the issues for specific areas of the plan](#).

Issues were highlighted as:

- Access arrangements for the Bluehayes area where alternatives were being reviewed, alongside additional land outlined in red to be considered for inclusion in the plan;
- Access issues also in the Tresbeare area, with work underway with highways officers to find a solution. The triangular parcel of land in this area was that referenced in the petition handed to the Chairman, and other areas had the

potential to be visible to Rockbeare. Further testing on this needed to be undertaken, to then consult again with the landscape consultant;

- Cobdens: Additional land put forward adjacent to Southbrook Court and south of Southbrook House, to be examined and considered for allocation;
- Grange had issues with the relationship with Rockbeare, and the use of the green wedge; as well as access issues;
- Gypsy site to be removed from land in Bluehayes and look to allocate to another area within the plan area;
- Second platform at railway station shown as not feasible and so was to be deleted from the plan, but proposals for a second station to remain.

Members discussed concerns over:

- Green wedge changes in plan were not acceptable, and it should be retained;
- Making changes to this green wedge may leave Council open to challenges or changes to other green wedges set out in the Local Plan;
- Access – establishing key entry points across the plan had been introduced early on in the planning process to alleviate concerns about London Road being used as a bypass to the area. Mixed use areas benefitted from passing traffic, so flexibility was required in the routes through the area;
- Devon County Council had revised their view on the location options, and there are ongoing discussions about transport of students to and from the area;
- Some progress made in discussion with health commissioners;
- Recent years have seen a decline in the traditional high street consisting of retail, so a different mix of uses to encourage vitality of the high street was required;
- The peripheral edges of the plan were being examined to determine if single storey builds were a better fit to reduce impact on surrounding area; there was also a demand for single storey homes;
- Request for statistical breakdown on self-build in the plan;
- Reliance on five housebuilders to deliver the development and concern that the intention to build a community was not the reality. Mixed response in Members present on a positive or negative view of the development and its delivery;
- Level of consultation undertaken clarified;
- Need to be specific with developers on what is expected if higher density of housing is needed, so that developers could not haggle over detail when discussing a planning application;
- Open space provision based on the policy set out in the Local Plan and not dissimilar to other settlements;
- Need to have a mix of homes to deliver to all ages and requirements of the community.

A revised draft of the plan, demonstrating how the feedback had been taken into account, was expected to come back to the committee in the autumn. This would also take into account comments made at the meeting.

**RESOLVED: that progress on the Cranbrook Development Plan be noted.**

**\*33 East Devon Self-build and Custom Build register, monitoring of lot delivery and options for additional support**

The report outlined the level of interest in self-build in the District. The authority has a duty to provide a supply of suitable sites to meet demand and the existing NPPF requires local planning authorities to consider how they can support self and custom build. The committee were asked what desire there was to undertake such options or if the current light touch approach should continue.

In discussion, debate included:

- Looking at what capacity there was in smaller allocated sites to include an element of self build;
- Demand was expected to be in rural, picturesque sites;
- Look to link up with GESP partners in how can deliver such sites across a wider area;
- Established proactive approach to self and custom build in Teignbridge. Suggestion to hear from Teignbridge at a future meeting to discuss further how this could be developed across the GESP area.

**RESOLVED:**

1. **that the level of demand shown on the register for self-build and custom build be noted and taken into account in the Council's planning, housing, regeneration and disposal of land functions;**
2. **Further consider the various ways of supporting self-build in East Devon following a presentation from Teignbridge District Council on their approach.**

**\*34 Protocol for production of Supplementary Planning Documents**

The report set out a protocol for a consistent process for the production of supplementary planning documents. This protocol would also be useful for involved stakeholders to understand the process.

The committee welcomed the clear guidance and that a wide understanding of what was involved in producing such documentation would be beneficial.

**RESOLVED: that the protocol for the production of Supplementary Planning Documents be adopted.**

**\*35 Clyst Valley Trail delivery plan**

The report set out the plan, which forms the first component of the Clyst Valley Regional Park (CVRP). The CVRP requires an estimated £5m of capital investment and will take several years to deliver. Whilst the CVRP and the trail delivery plan are priority 1 projects, there is already a funding gap for that priority and the committee were alerted to the planned bid for CIL funding.

The Chairman and the committee supported the key green infrastructure plan but had concerns about the success of a bid for CIL funding because of the demands for funding in other areas.

Specific comment on the trail itself covered:

- Concern on impact in Lypstone and Ebford in directing the route through the villages on public roads where there was already pressure on the road with parking and through-traffic;
- Route from Clyst St Mary to Topsham passing through the Sandygate roundabout and making use of pelican crossings also needed further consideration in respect of safety;
- Suggesting further work with Ward Members on alternative solutions to narrow and congested areas that the route passes through.

The committee also wished to see further consultation with the County Council and the Sustrans project.

1. **RESOLVED:**  
**that the Clyst Valley Trail Delivery Plan be endorsed subject to further consideration of the route on grounds of safety, in consultation with Devon County Council and the Sustrans project;**
2. **that a bid for £1million from CIL funding for the project will be made, be noted.**

## **\*36 Strategic Planning Forward Plan**

The forward plan set out expected work for the committee in the coming months. The April meeting would include a report on the draft NPPF and consultation on changes to CIL. The Inspector's report on the Villages Plan may not be available in time for the April meeting, so may fall to May. In response to a question on lifetime homes, the Housing Standards briefing paper would be expected to include that topic.

### **Attendance list**

#### **Committee Members:**

Councillors

Phil Twiss - Chairman

Graham Godbeer – Vice Chairman

Mike Allen

Colin Brown

Mike Howe

Philip Skinner

Mark Williamson

Jill Elson

Rob Longhurst

Geoff Jung

Geoff Pook

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

Councillors:  
David Barratt  
Paul Diviani  
Ian Thomas  
Megan Armstrong  
Andrew Moulding  
Peter Faithfull

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

Ed Freeman, Service Lead – Planning Strategy and Development Management  
Andy Wood, East of Exeter Projects Director  
Chris Rose, Development Manager  
Simon Bates, Green Infrastructure Project Manager  
Thea Billeter, Cranbrook New Community Manager  
Shirley Shaw, Planning Barrister  
Mark Williams, Chief Executive  
Debbie Meakin, Democratic Services Officer  
Tabitha Whitcombe, Democratic Services Officer

**Apologies:**

Councillors  
Susie Bond  
Ian Hall  
Brenda Taylor  
Tom Wright

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Exmouth Town Hall, Exmouth on 6 March 2018**

#### **Attendance list at end of document**

The meeting started at 10.00am and ended at 2.30pm

#### **\*41 Minutes**

The minutes of the Development Management Committee meeting held on 6 February 2018 were confirmed and signed as a true record.

#### **\*42 Declarations of interest**

The Chairman noted, on behalf of all committee members, that East Devon District Council is the applicant of application 17/2944/FUL.

Cllr Mark Williamson; 17/2944/FUL; Personal interest; Director of the Queen's Drive Exmouth Community Interest Company and Exmouth Town Council Member

Cllr Mark Williamson; 17/2948/FUL; Personal interest; Exmouth Town Councillor

Cllr Mike Allen; 17/2520/VAR; Personal interest; shops at Aldi

Cllr Brian Bailey; 17/2948/FUL & 17/2948/FUL; Personal interest; Exmouth Town Councillor

Cllr Bruce de Saram; 17/2944/FUL & 17/2948/FUL; Exmouth Town Councillor

Cllr Steve Gazzard; 17/2948/FUL & 17/2948/FUL; Personal interest; Exmouth Town Councillor

#### Non-committee members

Cllr Pauline Stott; 17/2944/FUL; Personal interest; Member of the Exmouth Regeneration Board and Exmouth Regeneration Executive Group and Director of the Queen's Drive Exmouth Community Interest Company

Cllr Phillip Skinner; 17/2944/FUL; Personal interest; Chairman of the Exmouth Regeneration Board

Cllr John Humphries; 17/2944/FUL & 17/2948/FUL; Personal interest; Exmouth Regeneration Board and Exmouth Town Councillor

Cllr Bill Nash; 17/2944/FUL & 17/2948/FUL; Personal interest; resident of Trefusis Terrace and Exmouth Town Councillor

Cllr Cherry Nicholas; 17/2948/FUL; Personal interest; Exmouth Town Councillor

Cllr Tim Dumper; 17/2944/FUL & 17/2948/FUL; Personal interest; Member of Exmouth Regeneration Board and Exmouth Town Councillor

Cllr Phil Twiss; 17/2520/VAR; Personal interest; shops at Aldi

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Cllr Bruce de Saram and Cllr Susie Bond advised that they had been lobbied in respect of application 18/0359/V106. Cllr Susie Bond advised that she had been lobbied in respect of applications 17/2944/FUL and 17/2948/FUL. Cllr Mike Howe advised that he had been lobbied in respect of application 17/2944/FUL and 18/0359/V106.

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 17/2796/FUL so the Vice Chairman chaired the item.



**\*43 Appeal statistics**

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

The Development Management drew Members' attention to the Land at the Gap (Lower Broad Oak Road, Ottery St Mary) planning appeal which had been allowed. The Inspectorate acknowledged that the emerging Villages Plan should have been given considerable weight but then granted permission giving more weight to the adopted Local Plan having identified no visual or highway safety harm from the proposal. In response to a question from Cllr Ingham, the Service Lead for Planning Strategy and Development Management clarified that once the Villages Plan is adopted and can be given full weight, it will make the policy position on similar applications clearer.

**\*44 Applications for Planning Permission and matters for determination**

**RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 10 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

Brain Bailey

Steve Gazzard

Mark Williamson

Alan Dent

Ben Ingham

Mike Allen

Peter Burrows

Officers present for all or part of the meeting

Richard Cohen – Deputy Chief Executive

Ed Freeman, Service lead - Planning Strategy and Development Management

Henry Gordon Lennox, Strategic Lead – Governance and Licensing

Chris Rose – Development Manager

Alison Hayward – Senior Manager, Regeneration and Economic Development

Amanda Coombes, Democratic Services Officer

Tabitha Whitcombe, Democratic Services Officer

Also present for all or part of the meeting

Councillors:

Andrew Moulding

Bill Nash

Phil Twiss

John Humphries  
Pauline Stott  
Roger Giles  
Cherry Nicholas  
Megan Armstrong  
Phil Skinner  
Tim Dumper  
Ian Thomas  
Maddy Chapman  
Geoff Jung

**Apologies:**

Committee Members

Councillors  
Matt Coppel  
David Key

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 3 April 2018**

#### **Attendance list at end of document**

The meeting started at 10am and ended at 11.10am

#### **\*45 Minutes**

The minutes of the Development Management Committee meeting held on 6 March 2018 were confirmed and signed as a true record.

#### **\*46 Declarations of interest**

Cllr Alan Dent; 17/3013/FUL; Personal interest; acquaintance of the applicant.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Cllr Bruce de Saram, Cllr Susie Bond and Cllr Mike Allen advised that they had been lobbied in respect of application 16/1826/MFUL.

#### **\*47 Appeal statistics**

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

The Development Manager drew Members' attention to the appeal of application 17/2168/FUL which had been dismissed with visual impact and amenity reasons for refusal being upheld. The Development Manager also drew Members' attention to the appeal of application 16/2197/FUL which had been withdrawn on the day of the hearing by the applicant due to inadequacies in their case; with subsequent costs applied for and awarded to the Council.

#### **\*48 Applications for Planning Permission and matters for determination**

##### **RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 11 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

Bruce de Saram

David Key

Brain Bailey

Steve Gazzard

Mark Williamson

Ben Ingham

Mike Allen

Peter Burrows  
Alan Dent

Officers present for all or part of the meeting

Henry Gordon Lennox, Strategic Lead – Governance and Licensing  
Chris Rose, Development Manager  
Jessica Crellen, Planning Officer  
Tabitha Whitcombe, Democratic Services Officer

Also present for all or part of the meeting

Councillors:  
Roger Giles  
Val Ranger

**Apologies:**

Committee Members

Councillors  
Matt Coppell  
Paul Carter

Chairman ..... Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Audit & Governance Committee held in the Council Chamber at Knowle, Sidmouth on 15 March 2018**

#### **Attendance list at end of document**

The meeting started at 2.30pm and ended at 3.45pm.

#### **\*47 Chairman's welcome**

The Chairman welcomed everyone to the meeting.

#### **\*48 Public Speaking**

There were no members of the public present.

#### **\*49 Minutes**

The minutes of the Audit and Governance Committee meeting held on 18 January 2018 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.

#### **\*50 Matters arising**

Members noted that Simon Davey, Strategic Lead – Finance had provided the Chairman with an informative update on the position regarding Capita. Mark Williams, Chief Executive, agreed to circulate the email to all members of the Committee.

#### **\*51 Declarations of Interest**

Councillor Steve Hall declared a personal interest in minute \*52 below as Chairman of the Licensing & Enforcement Committee.

#### **\*52 Annual Audit Plan 2018/19**

As a key element of its Governance arrangements the Council had a partnership arrangement with South West Audit Partnership to deliver an annual internal audit plan. The Executive Director for SWAP, together with the Council's S151 Officer and in consultation with the Senior Management Team had produced an Audit Plan for 2018/19 that required the approval of the Committee.

Members raised an issue regarding the internal audit to be undertaken on right to buy of Council properties and the resulting potential loss and reputational damage due to tenants fraudulently purchasing Council properties at subsidised prices. It was requested that once this audit had been undertaken, the results be presented to the Housing Review Board for their comment.

#### **RESOLVED:**

1. that the Internal Audit Plan of 416 days (including a 40 day carry forward) for April 2018 to March 2019 be agreed;
2. that once completed, the internal audit into Right to Buy Council properties be presented to the Housing Review Board.

#### **\*53 External Audit Plan**

Darren Gilbert from KPMG, presented the External Audit report which provided the Audit Committee with an overview on progress in delivering their responsibilities as the external auditors. The report supplemented the Audit Fee Letter 2017/18 presented to the Committee in April 2017, which also set out details of KPMG's appointment by Public Sector Audit Appointments Ltd (PSAA). The audit had two key objectives:

1. Financial statements (including the Annual Governance Statement): Providing an opinion on EDDC accounts; and
2. Use of resources: Concluding on the arrangements in place for securing economy, efficiency and effectiveness in the use of resources (the value for money conclusion).

Audit planning and risk assessment was an on-going process; the assessment and fees in the Plan would be kept under review and updated if necessary.

Members noted that the audit fees had dropped consistently over the last 3 years and it was questioned whether there was also a drop in the quality of work undertaken. Darren Gilbert reassured members that the work responsibilities of the auditors had not reduced and that the correct level of work was still being undertaken.

The Chairman thanked Darren Gilbert, on behalf of the Committee for his report.

**RESOLVED:**

that that the content of the External Audit Plan be noted.

**\*54 Progress report and Technical update**

Darren Gilbert, Director, KPMG provided the Committee with an overview on progress in delivering their responsibilities as the external auditors.

**RESOLVED:**

that the content of the progress report be noted.

**\*55 Statement of Accounts 2017/18 – Review of Accounting Policies and accelerated timetable**

The Strategic Lead – Finance advised the Committee that it was good practice for the Audit and Governance Committee to approve the Accounting Policies to be adopted in advance of the preparation of the Accounts. The report reminded Members of the accelerated timetable for completion of the 2017/18 Annual Statement of Accounts.

**RESOLVED:**

that the Accounting Policies and the accelerated timetable for the 2017/18 Statement of Accounts be agreed.

**\*56 CIL Methodology update**

Chris Rose, Development Manager advised Members of the systems and processes that had been put in place to enable the collection and spending of monies collected through the Community Infrastructure Fund, as well as the findings of a recent internal audit by SWAP into these systems and processes and the level of assurance achieved.

Members noted the gap between the infrastructure that was needed on the 1-2-3 list and that provided at present by CIL funding; the Government had produced a white paper proposing changes to the way CIL was operated. In response to a question, Chris Rose confirmed that town/parish councils would be provided with an update on the amount of CIL money raised in their area every 6 months.

The Chairman thanked Chris Rose, on behalf of the Committee for his report.

**RESOLVED:**

that the report and audit by SWAP which had given a reasonable level of assurance be noted.

**\*57 RIPA update**

At the meeting of 18th January 2018, Members agreed to receive an update on RIPA activity throughout the year. The RIPA Senior Responsible Officer advised that there had been no requests for RIPA authorisation since the last committee.

**\*58 Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2017/18. Members noted that due to the amount of business, the meeting on 26 July might have to start at 10.30am with a break for lunch.

Items to be considered at the July 2018 committee included:

- External Audit Report 2017/18
- Statement of Accounts 2017/18 including Governance Statement
- Letter of Representation
- Review of Internal Audit Charter
- Annual Report including Quarter 4
- Internal Audit Activity – Quarter 1 2017/18
- Audit Committee update
- Risk Management Review
- RIPA update

**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  
Bill Nash  
Cherry Nicholas

Cllr Paul Diviani - Leader  
Cllr Ian Thomas - Portfolio Holder Finance

**Apologies:**

Ben Ingham  
Rob Longhurst

**Officers present:**

Simon Davey, Strategic Lead – Finance  
Mark Williams, Chief Executive  
Ed Freeman, Service Lead - Planning Strategy and Development Management  
Chris Lane, Democratic Services Officer

Darren Gilbert, Director, KPMG  
Moya Moore, Executive Director, SWAP  
Georgina Teale, Senior Auditor, SWAP  
Alastair Woodland, Senior Auditor, SWAP

Chairman ..... Date.....



## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Licensing & Enforcement Committee held at Knowle, Sidmouth on Wednesday, 21 March 2018**

Attendance list at the end of the document

The meeting started at 9.30am and ended at 10.30 am

#### **\*13 Minutes**

The minutes of the meeting of the Licensing & Enforcement Committee held on 15 November 2017, were confirmed and signed as a true record.

#### **\*14 Declarations of interest**

Councillor Steve Hall

Minute \*15

Disclosable Pecuniary Interest – Private Hire Licence Holder

Councillor Geoff Jung

Minute \*15

Personal Interest – Designated Premises Supervisor

Councillor John O'Leary

Minute \*15

Personal Interest – Designated Premises Supervisor

Councillor John Dyson

Minute \*15

Personal Interest – Trustee of Sidmouth Folk Festival

Councillor Steve Gazzard

Minute \*15

Personal Interest – Organiser of Street Trading Events in Exmouth

Councillor Cherry Nicholas

Minute \*15

Personal Interest – Chair of Exmouth Festival Committee, Chair of Christmas Cracker Committee and Lead Finance Councillor for Exmouth Town Council.

Councillor Peter Burrows

Minute \*15

Personal Interest – Member of Seaton Carnival Committee

#### **\*15 Street Trading Policy**

The Strategic Lead – Governance & Licensing reported that following the introduction of a new street trading regime in October 2017, there had been a number of concerns raised by local organisations, including charitable ones, about the impact that the new regime was having and that it was overly complicated and difficult to apply for consents. Accordingly there was a proposal to revise the policy and approach to consenting as detailed in the report, with a view to ensuring a quicker and easier process for obtaining a street trading consent. This would include removing the charge for applying street trading consents. It was acknowledged that there would need to be a further review of the Street Trading policy in due course, which may include the need to re-introduce an administration charge to cover costs. Following a question from a member it was noted that the

immediate effect of withdrawing charges for street trading consents could be the loss of £32,000 income.

Members noted that Street Scene charged a fee for holding events on Council land and there was concern expressed that these charges may increase further. Thereby reducing the financial viability of some events. The need to inform town/parish council on the changes to the street trading policy was acknowledged and the new licensing officer who would be appointed to deal with street trading, would look to support/train town/parish councils wherever possible.

The Chairman welcomed Councillor Peter Burrows who was representing Seaton Town Council and was invited to address the Committee on Street Trading issues in Seaton. He expressed the view that Seaton Town Council had appreciated the changes to the Street Trading policy made by EDDC. The town held regular seafront street markets, including those containing charity stalls and it was confirmed that these stalls would need to complete street trading application forms.

Henry Gordon Lennox, Strategic Lead – Governance & Licensing, reported non-commercial car boot sales would not be subject to the need to obtain consent. Fetes were also not included, but there were subject to a requirement for Food Hygiene certification when selling food to the public.

- RESOLVED:**
1. that the withdrawal of charges for applying for street trading consents be agreed;
  2. that the revised street trading policy be adopted (Appendix A);
  3. that the actions that would take as a result of the above decisions be noted.

**Attendance list**

**Councillors present**

Steve Hall (Chairman)  
John O’Leary (Vice Chairman)  
Megan Armstrong  
Brian Bailey  
Dean Barrow  
Colin Brown  
Maddy Chapman  
John Dyson  
Steve Gazzard  
Geoff Jung  
Cherry Nicholas  
Bruce de Saram  
Pauline Stott

**Also present:**

**Councillor:**

Peter Burrows

**Officers present**

Henry Gordon Lennox, Strategic Lead – Governance & Licensing  
Lesley Carlo, Licensing Officer  
Steve Saunders, Licensing Manager  
Chris Lane, Democratic Services Officer

**Apologies**  
**Councillor:**  
Jim Knight

Chairman ..... Date .....

**APPENDIX A**



**EAST DEVON DISTRICT COUNCIL**

**Street Trading Policy  
And  
Application Guidance**

Licensing Service  
East Devon District Council  
Knowle  
SIDMOUTH  
EX10 8HL

March 2018

## INTRODUCTION

1. East Devon District Council (“the Council”) has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 with regards to street trading within its area. This means the Council can properly regulate those traders who sell articles without the use of ordinary business premises and those traders who move from place to place. The Council has designated all of its administrative area as a consent street for street trading purposes, except a small part of Sidmouth in which street trading is prohibited. This means that in the consent streets anyone wanting to street trade must obtain consent from the Council first.
2. The requirement to obtain a consent for any street trading is wide-ranging and would include, for example, all hot and cold food vendors selling burgers, kebabs, doughnuts, ice cream, drinks etc., and all vendors of non-food products from any vehicle, stall, barrow, trailer, bike or any other moveable or static structure. Mobile artists who sketch or paint, or similar artisans who sell their own work may also be subject to the requirement to have consent depending on the circumstances.
3. These guidelines have been developed to assist those applying for street trading consents in East Devon and set out the standards for determination of applications and the enforcement of street trading activities in the East Devon area to ensure a consistent approach. However each application or contravention will be considered on its merits so that individual circumstances, where appropriate, are taken into consideration.
4. Advice should be sought from the Licensing Team on the proposed activity/location to see if a consent is required before starting to trade – see paragraph 12 for contact details.
5. Within this document the following definitions apply:

**Street Trading** Means the selling or exposing or offering for sale of any article (including a living thing) in any street. From this definition, any person offering purely a service e.g. a shoeshine (where there are no tangible goods such as a picture or sketch) will not be subject to the street trading legislation.

**Street** Includes:  
(a) Any road, footway, beach or other area to which the public have access without payment.  
(b) A service area as defined in section 329 of the Highways Act 1980,  
and also includes any part of a street.

**Consent Street** Means a street in which street trading is prohibited without the consent of East Devon District Council.

**Consent** Means a consent to trade on a street by East Devon District Council.

**Consent Holder** Means the person or company to whom the consent to trade on a street has been granted by East Devon District Council.

**Authorised Officer** Means an officer employed by East Devon District Council and authorised by the Council to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982

### **Activities that are exempt or do not require consent**

6. The following are legally exempt from the need to obtain street trading consent;
  - (a) Shops and petrol filling stations (including selling in the street adjoining such premises provided it is part of the business of the premises).

- (b) Pedlars, markets or fairs where the right is granted through any enactment or order, trading in a trunk road picnic area, news vendors (unless the stall exceeds a certain size) and roundsmen (although this does not include mobile ice cream sellers).
7. The following are exempt from the need to obtain a street trading consent as a matter of policy choice;
    - (a) School, church or village fetes or fetes organized by town or parish Councils (or similar such events) where the event is not in close proximity to a commercial area.
    - (b) Funfairs or circuses where the primary purpose is the funfair or circus and the street trading activity is ancillary to the purpose, related to and in close proximity to the funfair or circus.
    - (c) Non-commercial car boot sales (where the event organiser whether an individual or company does not profit).
    - (d) Residential properties selling items which are surplus to domestic requirements (e.g. home grown / produced jams, fruit, vegetables, eggs etc.) provided the sale is within the curtilage of the property or immediately adjacent to it and it is not a commercial concern.
    - (e) Those activities that are so minor in nature that in the opinion of the Strategic Lead (Governance and Licensing) or Licensing Manager a street trading consent is not justified.
  8. The following activities do not fall within the requirement for a street trading consent;
    - (a) Educational / information / charity stands not selling any articles.
    - (b) Charitable street collections (there is a separate policy for this) including those with one or two tables selling items which solely benefit the charity.

### **Consents**

9. Generally consents will be granted for specified / fixed locations. In the case of mobile street traders where there is a genuine need to ply trade in many locations, being those who move from street to street but trade for less than 30 minutes at any one point and who don't return to a similar trading position within 2 hours (e.g. an ice-cream van or fish & chip van), a general consent will be issued for a specified period of time. General consents will only be issued for consent streets and not for prohibited locations.
10. Consents may be granted on a daily, weekly, monthly, seasonal or yearly basis. No consent shall be longer than 12 months. All consents will expire on the expiry date and further trading will require a new application to be made and granted. It is advised that a new application is applied for sufficiently in advance of the expiry date.

### **POLICY STATEMENT**

11. The Council's aim is to create a street trading environment which complements premises based trading, is sensitive to the needs and amenities of residents, provides diversity of consumer choice, and seeks to enhance the character, and ambience of local environments.

### **PROCEDURE**

12. An application for a street trading consent must be made to the Licensing Team at East Devon District Council in writing or online through the Council's street trading section of the [website](#). If you need any help in completing the application form please contact the Council's Licensing Team on 01395 517411 or by emailing [licensing@eastdevon.gov.uk](mailto:licensing@eastdevon.gov.uk). The Council offices are open to members of the public between the hours of 8.30 am and 5.00 pm Monday to Fridays. Appointments should be made in advance of visiting the council offices to ensure being seen and to allow staff to prepare documentation that might be needed.

13. The application and approval procedure comprises certain stages, detailed below.
14. Please note that there is a separate section dealing with consents for Sidmouth Folk Week at the end of this guidance document.

## **STAGE 1 - SUBMISSION OF THE APPLICATION**

15. In addition to a completed and signed street trading application you will need to submit the following documents:
  - (a) 1 copy of a map of the trading site. The map should clearly identify the proposed site position by marking the site boundary with a red line. The map should include the nearest residential and commercial properties to the trading site. Applications for mobile trading consents (e.g. fish and chip vans) must provide specific routes and the locations they wish to trade from.
  - (b) A colour photograph showing the stall, vehicle or barrow which is to be used from the front back and sides. It is not necessary to show what is being sold.
  - (c) A copy of the certificate of insurance that covers the street trading activity for third party and public liability risks with an appropriate level of cover (this will usually be a minimum cover level of £2,000,000).
  - (d) Evidence of a current Food Hygiene Rating Scheme score of at least 3 from the relevant home Authority (to include which authority) where there is the sale of food or drink.
16. An event organizer may apply for a single block consent for an event where there is to be a number of traders (e.g. farmers markets) using the application form. The event organizer will need to obtain confirmation from all the stall holders that they comply with the requirements of 15(c) and 15(d) above, along with the detail of what is being sold and photographs of the stall and these forms will need to be provided to the Council as part of the application or prior to the event commencing. The relevant form for the individual stall holders can be found [here](#). The event organiser in receipt of a block consent will become responsible for all the individual trading activities and for ensuring that they comply with the block consent conditions. A failure to do so may result in the consent being revoked or a subsequent application being refused.

## **STAGE 2 – CONSULTATIONS**

17. Before a street trading consent is granted, the council will carry out a consultation process with:
  - The Highways Authority (Devon County Council) / Highways England
  - Devon and Cornwall Police
  - Devon and Somerset Fire & Rescue Service (DSFR) where appropriate
  - The Council's Environmental Health (Commercial and Environment Protection) Teams
  - The relevant Ward Members (unless they are the applicant)
  - The appropriate Parish or Town Council (unless they are the applicant)
18. Where practicable, 10 working days will be given for representations to be received.
19. No consultation will be carried out on applications for established events or sites (such as Sidmouth Folk Week and regular applications from registered local charities for consents on the Seaton Esplanade or sites which become established as consent sites in the future).

## **STAGE 3 – SITE ASSESSMENT**

20. Officers will assess the suitability of the site for the street trading activity to occur.

21. Street trading consents from static locations will generally **not** be granted where;
- A significant effect on road safety would arise either from the siting of the trading activity itself, or from customers visiting or leaving the site, or
  - There are concerns over the recorded level of personal injury accidents in the locality where the street trading activity will be sited, or
  - There is a conflict with Traffic Orders such as waiting restrictions, or
  - The site or pitch obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use for street trading purposes, or
  - The trading unit obstructs the safe passage of users of the footway or carriageway, or
  - The pitch interferes with sight lines for any road users such as at road junctions, or pedestrian crossing facilities, or
  - The site does not allow the consent holder, staff and customers to park in a safe manner, or
  - The street trading activity is carried out after dusk and the site is not adequately lit to allow safe access and egress from the site for both customers and staff.
  - The siting and operation of any stall, barrow etc. operated by a consent holder or people employed by them causes problems of highway safety, obstruction to users of the highway, or conflict with the requirement of emergency vehicles
  - Street trading requests for certain areas of Exmouth Seafront may not be considered suitable, due to health and safety and highway issues. Each application will be considered on its own merit.
22. In certain circumstances and for larger events or markets, it may be necessary for a road closure order to be obtained to mitigate risks to safety.

#### **STAGE 4 – INSPECTION OF STREET TRADING UNIT**

23. The vehicle, van, trailer, stall or other device to be used for the proposed street trading activity may be inspected by an Authorised Officer of the Council, prior to the determination of any street trading consent. The unit to be used for the street trading activity shall comply in all respects to the legal requirements relating to the type of street trading activity proposed. In particular the proposed business shall comply with the following legislation;
- Food Hygiene (England) Regulations 2013
  - Food Safety Act 1990 and any Regulations made under this act
  - Health and Safety at Work etc. Act 1974 and any Regulations made under this Act.
  - Environmental Protection Act 1990.
  - Control of Pollution Act 1974
  - Anti-social Behaviour, Crime and Policing Act 2014

Further advice on any of the above requirements can be obtained from the Environmental Health Team by emailing [environmentalhealth@eastdevon.gov.uk](mailto:environmentalhealth@eastdevon.gov.uk).

24. Evidence of compliance with any legal requirement may be requested by the Council at any time.

#### **STAGE 5 – CONSIDERATION OF APPLICATIONS**

25. Any comments received from the consultation process which are relevant will be taken in to account as part of the consideration of the application at this stage.
26. The criteria listed below will be used to consider whether or not an application should be approved. All the criteria should normally be satisfied, and equal weight will be applied to the criteria listed. Each case though will be assessed on its merits and individual circumstances, where appropriate, may be taken into consideration;



### Site safety

27. The location of the proposed street trading activity should not present additional risks to the public in terms of road safety, obstruction and fire hazard. The term “public” refers to both customers frequenting the street trading activity, and other members of the public using the location. In particular reference will be made to the guidelines set out in Stage 3 on site safety assessment criteria and observations made by the Highways Authority.

### Public Order

28. The street trading activity should not present a risk to public order in the locality in which it is situated. Observations from the Devon and Cornwall Police will be taken into consideration under this heading.

### Avoidance of Annoyance

29. The street trading activity should not cause annoyance from noise, smells, fumes or litter to households and businesses in the vicinity of the proposed street trading site. Observations from Council’s Environmental Health Team shall be taken into consideration under this heading.
30. Generators may be used or permitted at some locations. Where use of a generator is sought at a trading site the application will require details of the noise rating, the fuel type and the storage arrangements and conditions may be imposed to control their use.

### Conflict with other like trading outlets and school premises

31. The presence of other like trading outlets and proximity of schools shall be taken into consideration as follows:
- The Council will not normally permit a new consent for the sale of goods or services which conflicts with those provided by nearby traders (whether street trading or in business premises).
  - Mobile food vendors will not normally be permitted to trade within 500m of a school.
  - On lay-bys there shall only be one street trading consent granted.

### Compliance with legal requirements

32. The proposed street trading activity should be carried out from a trading unit that complies with the relevant legislation. Observations made on the compliance with the requirements of Food Safety and Hygiene, Health and Safety, Environmental Protection and fire safety legislation shall be taken into consideration.

### Permitted Trading Hours

33. All street trading consents will normally be limited to daily trading hours between 8.00 am and 10.00 pm. However in the case of hot food takeaways and fresh produce sellers trading hours will be determined on a case by case basis on their own merits. Any trading between 2300 – 0500 hours must be subject to a separate application under the Licensing Act 2003 where hot food and drink is proposed to be sold.
34. The Council retains the right to specify permitted hours of trading that are less than those applied for if local circumstances require it. Street trading locations will be managed and allocated on a first come first served basis subject to all requirements being met.

### Compatibility of the proposed street trading operation

35. The proposed trading operation should complement the trading area in which it is situated and / or be compatible with the character of the event to which the consent is related. In assessing this criterion consideration should be given to the type and nature of locality, the type of street trading that will be carried out and the visual appearance of the trading operation being proposed (including any associated equipment or structures).

### General

36. Refusal or withdrawal of street trading consents will be normal in the following circumstances where:

- a) There are not enough suitable street trading locations available in the street for the applicant to engage in the trading in which she/he desires without causing undue interference or inconvenience to persons using the street.
- b) There are already enough consent holders or people employed by them trading in the street from shops or otherwise, in the goods in which the applicant desires to trade.
- d) A consent holder or people employed by them have failed to comply with the conditions attached to any consent.
- e) The street trading may damage the structure or surface of the street.
- f) Adverse comments are received from the statutory organisations which cannot be overcome.
- g) The imposition of conditions is not adequate to control potential problems.
- h) Extreme weather conditions when street trading may present a risk to the applicant, their staff or other people.
- i) There has been the selling of psychoactive substances.

## **STAGE 6 – DETERMINATION OF APPLICATION**

- 37. Applications will be determined by officers under delegated authority, although officers have the absolute discretion to refer any application to the Licensing and Enforcement Sub-Committee.
- 38. Where there are relevant objections then officers will be permitted to try and overcome the objections through negotiations with the relevant parties and the applicant.
- 39. Where the decision of the officers is to refuse an application or grant it in terms substantially different than applied for (in this regard a change to the hours will not normally be viewed as substantial), the applicant will have the right to request a review of that decision by a more senior officer.
- 40. The applicant and anybody objecting to the application will be notified of a referral to the Sub-Committee, the date when the application will be considered and the procedure to be followed. The appropriate Ward Member will also be notified. Unless special circumstances apply the Sub-Committee meetings are open to the public.

### Outcome

- 41. The reasons for refusal (whether a decision made by officers or the Sub-Committee) will be conveyed to the applicant. There is no right of appeal to the Magistrates' Court against the Council's refusal to issue a consent.
- 42. In respect of any application which is approved the [Standard Conditions](#) will be attached to the consent, together with any other conditions deemed to be necessary. Conditions will require the street trading operation to be carried out as detailed in the application (e.g. the nature of the goods to be sold, trading hours / days and the unit from which they are to be sold).
- 43. Conditions attached to the consent form part of the approval to carry out street trading in East Devon. They MUST be complied with at all times and failure to do so could lead to the consent being either revoked or any subsequent application not granted. It is the responsibility of the applicant / consent holder to familiarise themselves with the conditions relevant to their consent and to abide by them.

## **GENERAL INFORMATION**

- 44. The grant of a street trading consent does not confer any other consent, permission or licence that may be required in order to carry out the activity. Applicants will need to satisfy themselves that they have all necessary authorisations in place to trade and the landowner's permission. Other regimes that may be relevant include planning and licensing (e.g. sale of hot food or alcohol).
- 45. The Council will not grant a street trading consent to persons under the age of 17 years.
- 46. The consent granted is specific to the person it is issued to and is non-transferable.

47. Consent holders should allow access to authorised officers of the Council and Police Officers at all reasonable times. Council officers will carry with them and produce on request official identity cards issued by East Devon District Council. If you have any doubts about a person claiming to be from East Devon District Council ask to see their official identification card. If you remain uncertain please contact the Council on 01395 516551 to confirm the identity of an employee.
48. Wherever possible food traders will be expected to use biodegradable materials in connection with the packaging of food served to members of the public and should not rely on single use plastics wherever practicable.

### **ENFORCEMENT**

49. The Council will actively enforce the provisions of this Policy and street trading within its area in a fair and consistent manner. In doing so all enforcement activities will comply with the Council's Regulatory Enforcement and Prosecution Policy, copies of which are available upon request. The Council may at any time revoke a consent or vary the conditions of an existing consent where there are reasonable grounds for so doing.

### **COMPLAINTS**

50. East Devon District Council has an agreed procedure for dealing with complaints about the services it delivers. If you wish to complain about the delivery of street trading you should contact the Licensing Manager (01395 517587) or the council's Complaints team, details of which can be found on the [website](#).

### **SIDMOUTH FOLK WEEK**

51. Due to the established nature of trading on the Esplanade during Sidmouth Folk Week, the normal process for obtaining street trading consent will not apply. Rather it will be the process as detailed on the [website](#) and set out in brief below.
52. All applications will be considered individually and sixty trading pitches will be marked and available on the Esplanade at Sidmouth each year with consents issued in advance of the event. A specific application form will be made available online, or provided upon request, at the beginning of April each year. Information will be available on the council's website and applicants will be informed when the application process is open to allow applications to be submitted.
53. Pitches will be allocated on a strictly first come, priority basis and due to high demand each year preference will be given to those applicants booking a trading pitch for the full week. Incomplete applications cannot be accepted.
54. The application process will close and application forms will be removed from the council's website upon receipt of sixty properly completed applications with the required associated documents required.
55. The hours of trading are specific and trading must cease within thirty minutes of the expiry of the trading consent hours for each day. The items proposed for sale will be specified within the application and items of food, drink or other consumables will not be permitted.
56. There will be no consultation in respect of the Sidmouth Folk Week.

# STREET TRADING CONSENT

## STANDARD CONDITIONS & TERMS



### STANDARD CONDITIONS

1. A copy of this consent shall be displayed by the consent holder in a conspicuous position that is visible to members of the public and shall be produced for inspection if requested by an authorised officer of the Council or the Police.
2. In the case of a block consent where the application did not contain all of the required information for all stalls, it is the responsibility of the consent holder to ensure that the Council has given its written approval to all stalls prior to the event commencing.
3. The consent holder shall comply with all relevant legislation applicable to the street trading activity and ensure that where applicable the consent holder has and maintains a current Food Hygiene Rating Scheme score of at least 3 and gas safety inspection certificate.
4. The consent holder must notify the Licensing Manager immediately of any convictions or proceedings arising out of the consented activity.
5. The consent holder shall not assign his interest in this consent or any part thereof nor allow any person, other than a person employed to assist the holder, to rely on it.
6. The consent holder shall observe and comply with any directions in relation to the consented activity or use of the street / public place by a duly authorised officer of the Council or the Police.
7. The consent holder shall for the duration of the consent maintain a valid Third Party Public Liability Insurance Policy for a minimum of £2,000,000 to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon request by an authorised officer of the Council.
8. This consent does not imply or grant exclusive rights to the holder for use of the location specified in the permission. If at any time at the permitted trading location other statutory bodies or organisations require access and use of the location to carry out emergency or other remedial works, they shall be afforded such access for such time as is necessary.
9. The consent holder shall not carry out any street trading activities other than those permitted by the consent and is expressly prohibited from;
  - (i) selling Psychoactive Substances,
  - (ii) holding an Auction Sale
  - (iii) trading in or issuing any glass items or vessels (unless the glass is a piece of art or craft),
  - (iv) selling, displaying or wearing any article which is or is intended to be offensive either in writing or pictures.
10. The consent holder shall not trade outside of the permitted location / route and the permitted times and days.
11. The consent holder shall not trade in such a way that is likely to cause;
  - (i) undue obstruction to any part of any street or public place, or
  - (ii) injury to any person using the street or public place, or
  - (iii) damage to any property in the street or public place, or
  - (iv) annoyance to persons using the street or public place, or occupiers of premises in the vicinity.
12. The consent holder shall at all times conduct their business in a clean, honest, civil and businesslike manner so as not to interfere with the business of other traders and consent holders.

13. Music may be played subject to having appropriate PRS and PPL licenses provided that the music shall not be audible outside the vehicle or beyond the boundary of the consented area without prior consent in writing from the Council.
14. The consent holder shall not place on the street or in a public place any furniture or equipment other than as permitted by the Council and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.
15. Outside of the consented area the consent holder shall not place on or in any street or public place, or affix to any equipment placed on the street or public place, any advertising of any description whatsoever except with the prior consent in writing from the Council
16. At the expiry of the consent, all stalls, vehicles or other equipment associated with the street trading activity must be removed within 30 minutes of the expiry of the trading hours.
17. The consent holder when operating on a static site shall have access to suitable and sufficient sanitary accommodation for anyone carrying out the street trading activity.
18. With respect to litter and waste the consent holder shall;
  - (i) provide and maintain refuse receptacles for litter and shall remove waste arisings from the site on a daily basis and dispose of them in an approved manner,
  - (ii) keep his trading position and the area within 25m of the pitch in a litter free condition during the permitted hours and also leave the same in a litter free condition at the end of each daily period permitted by this consent,
  - (iii) make such provision as is necessary to prevent the deposit in any street or public place of solid or liquid refuse and shall not discharge any water or effluent from the street trading activity to street surface drainage or other watercourse.

### **VARIATION OF CONDITIONS**

The Council may vary any of the conditions attached to a consent or add new conditions at any time, subject to reasonable notice being given to the consent holder.

### **REVOCATION OR SURRENDER OF CONSENT**

This consent may at any time be revoked by the Council or surrendered by the consent holder.

The holder shall return this consent to the Council immediately on revocation or surrender of the consent. The Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.

### **LEGAL PROVISIONS**

Nothing contained in these conditions shall relieve the consent holder or his employees or agents from any legal duty or liability and the consent holder in carrying out the consented activity agrees to indemnify the Council in respect of all claims, actions, demands or costs arising from this consent.

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 7 March 2018**

- Present:** Councillors:  
John O’Leary(Chairman)  
Dean Barrow  
Bruce de Saram
- Also present:** Steve Hall
- Officers:** Giles Salter – Solicitor  
Steve Saunders –Licensing Manager  
Lesley Carlo – Licensing Officer  
Emily Westlake – Licensing Officer  
Chris Lane – Democratic Services Officer

The meeting started at 9.30 am and ended at 11.00 am.

\*48 **Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 14 February 2018, were confirmed and signed as a true record.

\*49 **Exempt Information**

**RESOLVED** that the classification given to the documents to be submitted to the Sub-Committee be confirmed and that the report relating to exempt information be dealt with under Part B of the agenda.

\*50 **Exclusion of the Public**

**RESOLVED** that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session.

\*51 **Hackney Carriage Driver Suitability**

Consideration was given to whether an applicant was a fit and proper person to be licensed as a Hackney Carriage Driver. Applicants for the grant of a hackney carriage driver’s licence were required to produce an enhanced DBS (Disclosure and Baring Service) certificate as part of their application. Where there was doubt about the fitness of an applicant, the District Council’s Licensing and Enforcement Sub-Committee would review the DBS information and make a decision in light of the evidence available in satisfying itself that an applicant was a fit and proper person to whom a hackney carriage driver’s licence can be granted.

Members considered the Council’s policy on all issues, the overriding duty of the Sub Committee was protection of the public. The applicant was thanked for his frankness and openness in setting out the history of offences that had been placed before the Sub Committee.

**RESOLVED**

that, Mr C Y's Hackney Carriage Drivers application for a licence be granted as he was considered to be a 'fit and proper' person.

\*52 **Private Hire Driver and Vehicle Suitability**

Members noted that the applicant, Mr J B had made an application for the grant of a private hire driver's licence and the grant of a private hire vehicle licence for a vehicle that did not comply with the Council's vehicle age policy as it was 8 years and ten months old.

With regards to the grant of a private hire driver's licence, all applicants were required to produce a medical report signed by a registered medical practitioner who had access to their medical history. Certifying that the applicant was physically fit to DVLA Group 2 medical standards for vocational drivers' licences. Where there remained any doubts about the fitness of an applicant, the District Council's Licensing & Enforcement Sub Committee would review the medical history and make a decision in the light of the medical evidence available in satisfying itself that an applicant was a fit and proper person to whom a private hire driver's licence could be granted. Mr J B had some medical problems that were highlighted in his application.

Consideration was also given to the application for a Private hire licence for the vehicle which was issuing of the licence for a vehicle which was 8 years and 10 months of age and fell outside of the criteria in the policy as agreed by Council.

**RESOLVED**

1. that, Mr J B's Private Hire Drivers application for a licence be granted as he was considered to be a 'fit and proper' person, subject to an annual medical check-up before the licence was renewed;
2. that Mr J B's application for a vehicle licence be refused as the vehicle was overage and was not considered to be an exception to the policy.

Chairman ..... Date .....

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 21 March 2018**

- Present:** Councillors:  
Steve Hall (Chairman)  
John O'Leary  
Geoff Jung
- Also present:** Megan Armstrong  
Maddy Chapoman  
Steve Gazzard  
Cherry Nicholas
- Officers:** Lesley Carlo – Licensing Officer  
Steve Saunders – Licensing Manager  
Chris Lane – Democratic Services Officer

The meeting started at 10.30 am and ended at 10.35 am.

**\*53 Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 7 March 2018, were confirmed and signed as a true record.

**\*54 Declaration of interest**

Councillor John O'Leary  
Minute \*55 and \*56  
Disclosable Pecuniary Interest – Personal Licence Holder

Councillor Geoff Jung  
Minute \*55 and \*56  
Disclosable Pecuniary Interest – Personal Licence Holder

**\*55 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:**

Andrewshayes, Caravan Park, Dalwood, Axminster, Devon, EX13 7DY

**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:

Additional Conditions

- . 1. CCTV will be installed, operated and maintained to the satisfaction of the Licensing Authority and Chief Officer of Police.
2. Images will be retained for a minimum of 28 days copies of which will be supplied to the Licensing Authority or Police upon request.
3. A4 sized warning notices must be displayed in public areas of the premises and at all entrances advising that CCTV is in operation. The signs located at entrances should be located on the exterior of the building at, and adjacent to, all public access doors.
4. All signs must comply with the requirements of the Data Protection Act 2002.
5. The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.
6. 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.
7. The incident book must be kept on the premises at all times and must be made available for inspection by officers of both the Licensing Authority and the police.

**\*56 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:**

The Golden Hind, The Street, Musbury, EX13 8AU.

**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

1. New plans to be submitted to include fire doors left off of the original plan.

Conditions

1. CCTV will be installed, operated and maintained to the satisfaction of the Licensing Authority and Chief Officer of Police.
2. Images will be retained for a minimum of 28 days copies of which will be supplied to the Licensing Authority or Police upon request.
3. The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.
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 officers of both the Licensing Authority and the Police.
5. The licence holder must ensure that all staff receive appropriate training regarding emergency and general safety precautions and procedures.
6. The licence holder must ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.
7. Training records will be retained for at least 12 months and made available for inspection by officers of both the Licensing Authority and the Police.

Chairman ..... Date .....

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 11 April 2018**

- Present:** Councillors:  
Steve Hall (Chairman)  
John O'Leary
- Also present:** Brian Bailey  
Maddy Chapman  
Cherry Nicholas  
Bruce de Saram
- Officers:** Neil McDonald – Licensing Officer  
Chris Lane – Democratic Services Officer

The meeting started at 9.35 am and ended at 9.55 am.

**\*57 Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 21 March 2018, were confirmed and signed as a true record.

**\*58 Declaration of interest**

Councillor John O'Leary  
Minute \*59 and \*60  
Disclosable Pecuniary Interest – Personal Licence Holder

**\*59 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.

The Chairman, Councillor Steve Hall, expressed some concerns over the way this agreed position had been arrived at and possible reputational issues arising from it the Council may have to deal with.

**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:**

Site for Temporary Uses, Queens Drive, Exmouth, Devon, EX8 2AY

**Agreed position reached by the parties:**

Following mediation the applicant, Devon and Cornwall Constabulary and 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:

Amendment

1. Recorded music to be withdrawn from the application.

Conditions

1. There shall be no more than three live music events held outside in any twelve months, with at least two weeks between events.
2. These shall be held on a Friday or Saturday during the following time: Fridays – 16.00 hours and 22.30 hours. Saturdays – 14.00 hours and 21.00 hours.
3. CCTV will be installed operated and maintained to the satisfaction of the Licensing Authority and Chief Office of Police.
4. Images will be retained for a minimum of 28 days, copies of which will be supplied to the Licensing authority or Police upon request.
5. The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.

\*60 **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:**

Seaton Tram Station, Underfleet, Seaton ,Devon, EX12 2TB.

**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 additional conditions:

1. The premises will adopt a Challenge 21 policy. The only acceptable form of ID will be Passport, Photo Driving Licence or Government Approved PASS Card.

Chairman ..... Date .....

## **East Devon District Council Meeting on 25 April 2018**

### **Agenda Item No 8**

#### **Question 1: Procedure Rule 9.2 to the Chairman from Councillor Eleanor Rylance**

I have a question to ask of the relevant portfolio holder(s) in the light of the recent decision to allocate £500,000 in grant to run an early bus to the Lidl depot.

How is it that we can find £500,000 to effectively subsidise a multinational company, Lidl, to run an early bus from St David's station and through Exeter (thereby benefiting taxpayers not of East Devon, but of Exeter and west of Exeter), when at scrutiny in January we were told the budget was short by £450,000 and that certain core activities such as repairing playground assets, footbridges, and repainting railings could not be done. We quibbled about buying a £7000 trailer to allow our staff to do their job properly, yet now think nothing of helping Lidl out with their staffing transport issue.

So my question is:

“Which budget is the £500,000 for the early bus route coming from, and why could it not have been used instead to address the remaining items from the budget set for this year, leaving multinational Lidl to organise their own minibus for early morning transport?”

**Answer:** The budget is coming from the Enterprise Zone programme which involves borrowing against future ring fenced business rate income. The initial set of Enterprise Zone projects are designed to either overcome barriers to delivery or to act as catalysts to accelerate the development of new commercial space. As such they are intended to maximise the receipt of business rate income over the 25 year term of the designation. The projects have been appraised against their ability to support the development of the four Enterprise Zone sites (which do not include the Lidl building). By providing improved public transport accessibility, including to the Airport, the enhanced service is expected to particularly benefit Skypark and the Science Park. The service will continue to Woodbury and Exmouth utilising existing DCC subsidy albeit not at the same frequency.

## **East Devon District Council Meeting on 25 April 2018**

### **Agenda Item No 8:**

#### **Question 2: Procedure Rule 9.2 to the Chairman from Councillor Ben Ingham**

“Scrutiny Committee have made recommendations and Cabinet have endorsed a Consultation exercise on the Pavilion Car Park charges:-

1. The period is 4 weeks - would the Leader please explain to members the process thereafter and their involvement in the decision to implement charges and rebates.
2. Can the Leader confirm the date of the order to re-tarmac the car park - this was not made clear by the Officer at Scrutiny.
3. The car park was included in the Parking Places Order 2008 and that is used as the basis for action. Whilst this may (or may not) be legal - should ratification of the action not have been sort from current members at least morally if not legally.
4. Why were local Members again not consulted on a very emotive local issue?
5. Would the Leader make available to members any papers detailing discussions with LED and their agreement to EDDC taking back control of the Car Park?
6. Will EDDC undertake to re-imburse any costs to LED as part of this initiative?”

#### **Answer:**

1. The consultation went live on 10 April and closes on 1 June (almost eight weeks). Officers will then carefully consider all representations, collate the results and review our original proposals. The Service Lead for Environmental Health and Car Parks intends to present any proposed changes to a meeting of Cabinet for a decision. The report would describe the outcome of the consultation and would include an explanation of the reasons for any actions he is recommending.
2. I did provide a written answer to this question the day after Scrutiny considered the matter, I am sorry that you have not seen it:

“The contract was tendered through Procontract (Supplying the Southwest) - key dates in the advertisement and tender of the contract are as follows:

- 12 December 2017 - Contract put onto Contracts Finder to increase number of potential tenderers.
  - 12 December - 19 December 2017: Business Opportunity Advert (EOI) published on Procontract.
  - 19 December 2017 - 19 January 2018: Tender period
  - 25 January 2018: Evaluation completed and i-Civils awarded Preferred Bidder Status
  - 25 January - 5 February 2018: 10 day standstill period.”
3. We are of the opinion that it is lawful and we would certainly need Members approval to remove the car park from the Order and with the perceived shortage of car parking

at this key location I would anticipate formal objections, if we were to propose taking away valuable public parking spaces after we had had extensive discussions with our partners, LED.

4. Local Members have been invited to tell us what they think about appropriate concessions and subsidies to mitigate any negative impact on current Pavilion users.
5. The question is misinformed. It has never been a case of EDDC taking back control, rather a local agreement with LED about how the car park operates and is maintained to an appropriate standard. The Scrutiny Committee was referred to minutes of the LED Monitoring Group and these can be made available.
6. It should be made clear that LED are perfectly Ok with what has happened as they recognise the need to keep facilities up to date and well presented. We have an ongoing productive and mature relationship with LED and we have already agreed to first year subsidies to support several ongoing activities (food and drink sales in the cafe, afternoon tea-dances, blood donation service and the regular craft fair. There is an ongoing public consultation to consider what further support might be appropriate and there has already been a commitment to keep this support package under review annually.