

Agenda for Scrutiny Committee
Thursday, 21st May, 2020, 10.00 am



Members of Scrutiny Committee

Councillors C Brown, T McCollum (Vice-Chairman),
K Bloxham, K McLauchlan, C Pepper,
V Ranger, J Rowland, E Rylance, M Chapman,
I Chubb, B De Saram, C Gardner (Chairman),
P Jarvis, A Colman and V Johns

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Venue: On line via the Zoom App. All Councillors and registered speakers will have been sent an appointment with the meeting link.

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(or group number 01395 517546)

Tuesday, 12 May 2020

Important - this meeting will be conducted online and recorded by Zoom only.

Please do not attend Blackdown House.

Members are asked to follow the [Protocol for Remote Meetings](#)

This meeting is being recorded by EDDC for subsequent publication on the Council's website and will be streamed live to the Council's Youtube Channel at

<https://www.youtube.com/channel/UCmNHQruge3LVI4hcgRnbwBw>

Public speakers are now required to register to speak – for more information please use the following link: <https://eastdevon.gov.uk/council-and-democracy/have-your-say-at-meetings/all-other-virtual-public-meetings/#article-content>

1 Public speaking

Information on [public speaking](#) is available online

2 Minutes of the previous meeting (Pages 3 - 7)

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

Information on [matters of urgency](#) is available online

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which officers recommend should be dealt with in this way.

7 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules

There are no items identified.

8 Update on the COVID-19 response by East Devon District Council

A verbal update on the COVID-19 response will be provided by the Chief Executive, Mark Williams, supported by Portfolio Holders, with the opportunity for questions from Members. Topics of specific interest covered may include aspects of Housing; the Council Tax Reduction Scheme; the process of obtaining food parcels, school meal vouchers and need for Food Bank support; a local approach to testing, and other COVID-19 related matters such as staffing issues, and future finances, since the impact of the crisis on residents, businesses and the Council as a whole has been significant.

9 Update on the Car Parking Task & Finish Forum (TAFF)

The Car Parking TAFF had met on four occasions prior to lockdown and agreed its Terms of Reference at the first meeting on 7 November 2019 (see link below), when an approach was adopted to consider issues in each of the main towns of the District before proceeding further.

Links to previous meetings are below so that Members can view progress to date and consider the original Terms of Reference and priority themes in the context of the more recently agreed climate emergency action plan and whether a different approach is now required for the future, given the Council's commitment to climate change and the way in which EDDC car parking policy could influence future driver behaviour and potentially fund projects such as delivering electric vehicle charging infrastructure.

[Car Parking TAFF minutes 7 November 2019](#)

[Car Parking TAFF minutes 28 November 2019](#)

[Car Parking TAFF minutes 19 December 2019](#)

[Car Parking TAFF minutes 9 January 2020](#)

[Decision making and equalities](#)

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

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 5 March 2020

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.00 pm

60 Appointment of Vice Chairman for the meeting

RESOLVED that Councillor Kim Bloxham be elected Vice Chairman for the meeting.

61 Public Speaking

There were two members of the public who wished to speak and did so at minute 66.

62 Minutes of the previous meeting

The minutes of the meeting held on 6 February 2020 were agreed and signed as a true record.

63 Declarations of interest

Councillor Maddy Chapman, Minute 66 Member of Exmouth town Council
 Councillor Bruce De Saram, Minute 66, Member of Exmouth Town Council, & Queens Drive Delivery Group
 Councillor Andrew Colman, Minute 66, Member of Exmouth Town Council
 Councillor Paul Millar, Minute 66, Member of Exmouth Town Council
 Councillor Iain Chubb, Minute 66, Member of Devon County Council

64 Matters of urgency

There were no matters of urgency.

65 Confidential/exempt item(s)

There were no confidential/exempt items.

66 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules

The Vice Chairman (Cllr Kim Bloxham), along with five other members of the Committee had requested a 'call in' of Resolution 1, Minute 140 of the Cabinet meeting dated 5th February 2020, "Queens Drive Development Project" under the Overview and Scrutiny Procedure Rules 15, Call-in procedure for Call-in, paragraph 4, sub paragraphs (a) to (h) inclusive. She had agreed to this call-in on the grounds that it was appropriate to consider the appropriate size of the Selection Panel and the balance between representatives from across the district and those representing the town. The resolution was as follows:

1. a selection panel comprising of the Leader, the Portfolio Holders for Asset Management, Finance and Economy, an EDDC Exmouth ward member appointed

by the Leader, the Service Lead (Place, Assets and Commercialisation) and Project Manager – Place & Prosperity, be established for the purpose of agreeing the selection criteria for the commercial development (Phase 3a & 3b), which should be agreed in consultation with the Exmouth Queen's Drive Delivery Group. Then carrying out the evaluation of the bids received following the marketing exercise with a view to making a recommendation to Cabinet in relation to the preferred bidder / operator. That the Strategic Lead Finance be given delegated authority to progress the rest of the actions identified in Section 6 of the report,

Daphne Currier, local Exmouth resident expressed concerns over what was proposed at Queens Drive and asked why this was happening. She considered there were alternative uses for the site other than as a hotel. She expressed concern that the officers at East Devon were making decisions on behalf of the residents of Exmouth and the views of the residents and Exmouth councillors were being ignored. The survey of less than 2,000 people was given preference over a town poll at which less than 4.1% of people voted to accept the plan. A hotel had come at the bottom of the list of proposed developments on the site for Exmouth Town Council.

Sally Goldsworthy, reported that the district council vote in the May 2019 elections in Exmouth was overwhelmingly in favour of change. She was concerned that the 4 people on the selection panel would be voting on decisions for Queens Drive and would by-pass the other elected councillors. Officers were paid staff and are advisors and not the masters of councillors.

Councillor Paul Arnott, who had been the proposer of the call-in reported that the election results in Exmouth in May 2019 had reflected the public's disquiet at proposals for Queens Drive. He was concerned over the damage to the council's reputation if the proposals went ahead as proposed. He considered that there was also a lack of local representation on the selection panel.

During discussions the following points were noted:

-) there was considerable concern from local residents on the proposals for Queens Drive, Exmouth.
-) Need to amend the resolution of Cabinet to expand representation on the selection panel.
-) Concern expressed that the disbandment of Exmouth Regeneration Board had meant that there was nowhere to meet to discuss issues effecting Exmouth other than Queens Drive.
-) Why was the selection panel made up of such a small group of people. It needed more local representation.
-) There was a lack of local support for the proposal. The selection panel needed greater representation from councillors in Exmouth. More openness and transparency.
-) The decision by Cabinet on Queens Drive was an unpopular and opaque. Concern that decisions were being made behind closed doors.
-) Developments were being made on Exmouth seafront when global warming meant that sea levels were rising.
-) The views of the people of Exmouth had been ignored and the consultation process had been ignored.
-) Considerable cost of building the road and moving its position.
-) Exmouth residents felt they were being told what they wanted by people who did not live there.
-) The proposal for a hotel was an opportunity to invest in Exmouth.

-) Concern that the project had been badly managed and over the arrogant attitude of officers.
-) No understanding or empathy was displayed for Exmouth seafront.
-) The selection panel as proposed by Cabinet was not democratic and it did not properly represent Exmouth. Representation needs to be widened.
-) The impression was that EDDC wanted to make money from the site.

RECOMMENDED to Council that a selection panel to be established for the purpose of agreeing the selection criteria for the commercial development (Phase 3a & Phase 3b), which should be agreed in consultation with the Exmouth Queen's Drive Delivery Group. Membership of the panel to be as follows:

The Leader, the Portfolio Holders for Asset Management, Finance and Economy, one EDDC Exmouth member per ward, with political balance (appointed by the Queen's Drive Delivery Group). Supporting the panel will be the Service Lead – Place, Assets and Commercialisation and Project Manager – Place & Prosperity.

The panel will carry out the evaluation of the bids received following the marketing exercise with a view to making a recommendation to Cabinet in relation to the preferred bidder/operator.

If no suitable external bidder is identified, the project will be referred back to Cabinet to review the entire phase 3 plan, with full public engagement.

If the Council is minded to invest in a hotel or other business on the site the decision will be reviewed by SWAP to advise on risk.

67 People data survey

In the absence of Karen Simpkins, Strategic Lead for Organisational Development and Transformation, discussion on this item was postponed to a future meeting.

68 Section 106 Funding and CIL - Verbal Update

Members received a verbal update from Ed Freeman, Service Lead – Planning Strategy and Development Management on Section 106 Funding and CIL. It was noted that most of the data was now on the system and would shortly be in the public domain; the first test of the public facing module would be next week. In response to a suggestion that councillors could have training on the new system, Ed Freeman reported that he would send a hyperlink to all councillors to the Exacom public facing module established by Mid-Suffolk and Babergh Council's (see link below). The East Devon one would effectively be the same but with the East Devon logo and text on the front page and then our data in the module itself.

It was noted that Exacom were looking to make improvements in the future to enhance the functionality but it was hoped members agreed that this was a useful tool.

<http://pfm.exacom.co.uk/midsuffolkbabergh>

During discussions the following points were noted:

-) Exmouth was short of playing field space and it was hoped that CIL money could be spent on improving the playing fields, particularly in the Brixington area. Ed Freeman reported that it was up to the CIL Working Party to determine how funding was spent.

-) Questions were being asked about the decisions on spending CIL money and the decision making process around this. It was felt that local views were being ignored.
-) How could we track past spending of S106 money? This should be possible with the new module.
-) CIL and S106 Money should to be spent to mitigate the impact of development in an area.

RESOLVED that the report be noted.

69 Quarterly Performance Report

In the absence of Karen Simpkins, Strategic Lead for Organisational Development and Transformation, discussion on this item was postponed to a future meeting. It was hoped that a more up to date quarterly report would be available to discuss at this meeting.

Attendance List

Councillors present:

K Bloxham (Vice-Chairman)
T McCollum (Vice-Chairman, in the Chair)
K McLauchlan
V Ranger
J Rowland
E Rylance
J Whibley
M Chapman
I Chubb
B De Saram
C Gardner
A Colman
V Johns

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
B Taylor
E Wragg
G Pook
P Millar
M Armstrong
K Blakey
S Bond
P Faithfull
C Wright
N Hookway
D Ledger

Officers in attendance:

Christopher Lane, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Ed Freeman, Service Lead Strategic Planning and Development Management

Tim Child, Service Lead - Place, Assets & Commercialisation
Alison Hayward, Senior Manager Regeneration & Economic Development

Councillor apologies:

P Jarvis
C Brown

Chairman

Date: