

**Agenda for Cabinet
Wednesday, 20th May, 2020, 10.00 am**



Members of Cabinet

Councillors B Ingham (Chairman), S Bond (Vice-Chairman), M Armstrong, J Bailey, K Blakey, P Faithfull, G Jung, G Pook and I Thomas

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL
DX 48705 Sidmouth
Tel: 01395 516551
Fax: 01395 517507

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

Contact: Amanda Coombes, Democratic Services
Officer 01395 517543 or email
acoombes@eastdevon.gov.uk

www.eastdevon.gov.uk

(or group number 01395 517546)
Monday, 11 May 2020

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- 1 Public speaking
Information on [public speaking is available online](#)
- 2 Minutes of the previous meeting (Pages 3 - 11)
- 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 is one item which officers recommend should be dealt with in this way.

- 7 Minutes of Arts and Culture meeting held on 26 February 2020 (Pages 12 - 20)
- 8 Minutes of Overview Committee meeting held on 27 February 2020 (Pages 21 - 24)
- 9 Minutes of Scrutiny Committee held on 5 March 2020 (Pages 25 - 29)

Matters for Decision

- 10 **Response to the Newton Poppleford & Harpford Neighbourhood Plan Submission** (Pages 30 - 38)

To agree the response by this Council to the current Regulation 16 submission consultation for the Newton Poppleford & Harpford Neighbourhood Plan.

- 11 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

The Vice Chairman to move the following:

“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 (Part B)”.

Part B Matters for Decision

- 12 **Budget position as result of implications of COVID-19** (Pages 39 - 42)

[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 4 March 2020

Attendance list at end of document

The meeting started at 5.30 pm and ended at 8.10 pm

146 **Public speaking**

There were no members of the public wishing to speak.

147 **Minutes of the previous meeting**

The minutes of Cabinet held on 5 February 2020 were confirmed as a true record.

148 **Declarations of interest**

Minute 157 Long Lane Enhancement Scheme.
Councillor Ian Thomas, Personal, Chairman of Enterprise Zone Board.

Minute 157 Long Lane Enhancement Scheme.
Councillor Vicky Johns, Personal, works near the site.

Minute 161 UK Refugee Resettlement Scheme.
Councillor Peter Faithfull, Personal, Member of Ottery Refugee Response Group.

149 **Matters of urgency**

There were no matter of urgency.

150 **Confidential/exempt item(s)**

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

151 **Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 April to 31 July 2020.

152 **Minutes of South and East Devon Habitats Regulations Executive Committee held on 28 January 2020**

Members received and noted the Minutes of South and East Devon Habitats Regulations Executive Committee held on 28 January 2020.

153 **Minutes from Strata Joint Executive Committee held on 27 January 2020**

Members received and noted the Minutes from Strata Joint Executive Committee held on 27 January 2020.

154 **Minutes of Recycling and Waste Partnership Board held on 29 January 2020**

Members received and noted the Minutes of Recycling and Waste Partnership Board held on 29 January 2020.

Cllr Tom Wright asked whether the matter of the urgent report requested for SMT at the end of January about the shortage of drivers at SUEZ had been progressed. There had been missed collections in Budleigh and this reflected poorly on EDDC in a major service operation.

The Strategic Lead for Housing, Health & Environment stated that the pay of SUEZ employees was a matter for SUEZ to deal with but it impacted on EDDC and its services to customers. A report would be presented to Cabinet in April outlining a proposal about how the Council could tackle the issues jointly with SUEZ.

A number of members confirmed that there had been missed collections in various areas across the district due to the shortage of drivers, as a result of the low pay offered by SUEZ compared to other employers. There were usually collections made on the following day, but residents were not always aware of this, so improved communications and an apology to local residents were required.

RESOLVED that the following recommendation be agreed:

Minute 35 Paper sack trial

1. phase two of a paper sack trial in Brixington, Exmouth be approved, with the necessary budget provisions, and
2. the results of the phase two trial be brought back to the Board to recommend whether to launch the additional paper sack district wide.

155 **Minutes of Overview Committee held on 30 January 2020**

Members received and noted the Minutes of Overview Committee held on 30 January 2020.

Cllr Mike Allen queried how Cllr Kevin Blakey as Portfolio Holder Economy would deliver more small business units.

Cllr Blakey responded that protracted discussions had taken place between them on this matter previously. There was work currently ongoing on a few projects which would imminently result in an increase in a number of new small businesses and he would be bringing the details to Cabinet over the next few months.

RESOLVED that:

Minute 43 Poverty Working Panel

1. Increases the membership of the Poverty Working Panel from seven councillors, as initially recommended by the Monitoring Officer, to twelve councillors, and
2. the Poverty Working Panel elects a Chairman at its first meeting.

As this has been superseded by events, this minute be noted.

Minute 45 Draft Drone Policy

1. Deletes the reference to the release of lanterns from the draft Drone Policy and,
2. adopts the Policy.

This minute be referred back to Overview to consider further in light of the Council's resolution on the Fireworks Motion considered at its 26th February 2020 meeting (Minute 66 refers).

Minute 46 House of Lords Select Committee on Regenerating Seaside Towns

1. Notes the content of the report of the House of Lords Select Committee on Regenerating Seaside Towns and Communities and where appropriate that the Select Committee's report recommendations and the Government's response are fed into the Council's forward planning process including service plans
2. Uses the Select Committee recommendations and Government responses where possible to inform funding bids and influence among third parties such as HotSW LEP, MHCLG or Lottery Fund
3. Assesses the implications of the Select Committee's report and the Government's response.

This minute be noted.

Minute 47 Economic Development in Coastal & Rural Areas

1. the resources needed within economic development are:
 - Economic Development Manager and Senior Officer
 - Inward investment resource (specialist)
 - Business liaison resource(s) – technology vs tourism vs farming
 - Research resource
 - Place marketing resource
 - Spatial planning resource (allowing DMC comment on business applications and negotiation with incoming businesses)
 - Partnerships resource, and
2. requests a report from the economic development team in time for the current budget round.

As this had been superseded by the setting of the budget, this minute be noted.

156 **Minutes of Scrutiny Committee held on 6 February 2020**

Members received and noted the Minutes of Scrutiny Committee held on 6 February 2020.

157 **Long Lane Enhancement Scheme**

The Service Lead for Growth, Development & Prosperity sought approval for a change to the spend for the Long Lane Enhancement works, with previous reports on the matter having been presented to Cabinet twice previously.

Comments or questions raised during the debate included the following;

- Implications for climate change had been positive so far with bus and cycle routes having significantly increased patronage over the last year.
- Replanting of hedges would occur when road widening took place which necessitated the removal of existing hedges.
- The potential collapse of Flybe might have profound implications for Exeter Airport and it might be more prudent to defer decisions on the budget until the future of Flybe is clearer.
- The issue of car parking in the vicinity of Long Lane and the airport is a pressing one.

- The threat facing Flybe reinforces the need to press ahead, since without the road, other benefits cannot be achieved.
- To defer the decision would mean the scheme would be delayed and demonstrates a lack of confidence overall.
- Agreement in principle should be given to the full amount but to proceed on the basis that the whole amount is not committed on Day 1.
- The overall budget is already approved and this change simply reflects a change to the spend due to increased tender price but which remains within the overall budget.
- Flybe is not the airport, albeit an important part of it which also comprises of other businesses. The scheme should proceed and the road developed so that other aspects of it can follow subsequently.
- The variation in costs reflect increasing costs of approximately £950,000.
- This scheme is not an investment in Flybe or the airport but in the infrastructure which will support future opportunities and new businesses, and includes being able to unlock a range of monies, including business rates.
- Improvements will benefit employment and businesses within the Enterprise Zone generally.

RESOLVED:

that the spend of £2.55m for the Long Lane Enhancement works to be funded through the Enterprise Zone programme, be agreed.

REASON:

To enable the Long Lane Enhancement works to be implemented.

158 **Business Rates - rate relief measures**

The Strategic Lead for Finance presented the report that updated Members on additional business rates measures that were announced by the Financial Secretary to the Treasury in a Written Ministerial Statement on 27 January 2020 that will apply from 1 April 2020. These were:

- changes to the retail discount scheme – support to increase from one-third to 50%. This scheme would also be extended to include cinemas and music venues.
- an extension of the local newspaper business rates discount.
- the introduction of a discount for pubs.

The first two measures were for information only as Members had previously approved to award discretionary relief in line with Government guidance. The introduction of a discount for pubs would require Members approval in order to ensure that Government funding is passed on to eligible businesses.

RESOLVED:

1. that the changes to the retail discount scheme for 2020/21 and the extension to the local newspaper discount scheme that will apply for an additional 5 years until 31 March 2025, be noted and
2. that the implementation of the pubs discount scheme in line with Government guidance, including granting delegated authority to the Service Lead for Revenues & Benefits to determine eligibility, be agreed.

REASON:

Members need to approve the pub discount in order to ensure that ratepayers benefit from the funding provided by Central Government.

159 **Financial Monitoring Report 2019/20 - Month 9 December 2019**

The Strategic Lead for Finance gave a summary of the Council's overall financial position for 2019/20 at the end of month nine (31 December 2019). Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level.
- The Housing Revenue Account Balance is being maintained at or above the adopted level.

Cllr Wright expressed concern about the problems underlying the figures in paragraph 3.1 of the report, specifically that there are an unpredicted level of voids at a time when there is a known housing shortage.

The Strategic Lead for Housing, Heath & Environment clarified that there had been concern over the voids position, but this was due to the issues relating to the new contractor which are being resolved. He went on to confirm the issue of repairs is also being reviewed currently.

RESOLVED:

that the variances identified as part of the Revenue and Capital Monitoring process up to Month 9 be noted.

REASON:

The report updated Members on the overall financial position of the Authority at set periods and included recommendations where corrective action was required for the remainder of the financial year.

160 **Thelma Hulbert Gallery's new strategic direction and programming**

The Service Lead for Countryside & Leisure introduced the recently appointed Gallery & Arts Development Manager, Ruth Gooding, who went on to give a brief presentation on the refocussing of the Thelma Hulbert Gallery's (THG) work programme and priorities to deliver the new Council Plan's aims and objectives. Her appointment and the need to develop a new Business Plan for the gallery provided an opportunity to reset specific goals over the next 3 years. The emphasis going forward would be on how the THG could help to deliver complex issues such as the Council's commitment to climate change, integrate its work programme into enhancing and celebrating East Devon's outstanding natural environment and working with local communities to help with place making initiatives.

Cllr Joe Whibley, Chairman of the Arts & Culture Forum, stated that continuing to provide the high quality cultural offer is good for tourism and local residents who have an interest in the arts. He was impressed with the artists involved in the new programme and the partnerships with other prestigious organisations such as the Tate Gallery.

Members confirmed the increasing and ongoing success of the Thelma Hulbert Gallery (THG) over the years, its increasing reach to towns outside Honiton including Exmouth, and its contribution to general health and wellbeing amongst local communities. It was agreed that the benefits of THG far outweighed its costs.

RESOLVED:

that the new strategic direction for the Thelma Hulbert Gallery, be agreed.

REASON:

The THG had appointed a new Gallery Manager and would be developing a new Business Plan for the THG which included a refocussing of its strategic direction to better align with the new Council Plan's aims and objectives. The report and presentation provide the proposed 'direction of travel' for the THG.

161 **UK Refugee Resettlement Scheme**

The Government had invited all local authorities to renew their commitment to refugee resettlement through a new UK Resettlement Scheme, from 2020/21. Refugee resettlement in Devon had since 2016 been delivered through a partnership coordinated by Devon County Council. As of December 2019, 42 families (185 people) had been resettled in Devon. The resettlement infrastructure in Devon would be able to support further resettlement arrivals provided that a minimum of five families are resettled across Devon in 2020/21.

Devon County Council is asking each City and District Council to consider making a commitment to the new UK Resettlement Scheme by:

- pledging to secure a specific or minimum number of properties to accommodate new arrivals of refugee families under the local authority-managed resettlement scheme in their area in 2020/21 and;
- making a commitment in principle to participating in the UK Resettlement Scheme beyond 2020/21 subject to government confirmation of the numbers of people and associated funding – for instance by setting a maximum number of family arrivals in any year and;
- co-operating with Devon County Council in considering applications from new Community Sponsorship groups in their area on a case-by-case basis.

The Strategic Lead for Housing, Health & Environment confirmed that EDDC had been involved with this work for several years and made a relatively small contribution.

Comments or questions raised during the debate included the following;

- The number of refugee families which could be accommodated sounded very small, but the suggested minimum commitment to identifying 5 properties over the next 3 years was in line with other authorities, and represented a considerable commitment overall if all authorities were able to deliver it.
- There was a need to balance the need to house local people as well as people in priority need.
- Housing was not the only need to be fulfilled and other support was provided via Devon County Council (DCC) which had access to other organisations for assistance with languages, familiarity with the local area etc.
- EDDC provide a landlord activity whilst DCC provided a wider range of services.
- There is a need to differentiate between council sponsorship and community sponsorship which can encourage local communities to add their support to what already exists.

RESOLVED:

That East Devon District Council continues to support the Devon resettlement scheme from 2020/2021.

REASON:

Information to be used as needed within the Council to assist elected members and senior managers in making decisions about continuing the Council's involvement in the UK government's refugee resettlement scheme from 2020/21.

162 **Relocation - Project Close Out Report**

The Deputy Chief Executive reminded Members that the District Council moved to Blackdown House (BH) in February 2019, completing the physical move to Honiton and to Exmouth Town Hall (ETH) having spent over 40 years in Sidmouth. Following the first year of operation in Honiton and in Exmouth the report was the first opportunity to meaningfully review the performance of relocation against projected benefits. The report described the progress and outcomes of relocation including the following key headline benefits:

- Immediate and ongoing savings through reduced operating costs: £191,568 in Yr. 1 and continuing every year thereafter
- Effective use of capital investment on modern rather than outdated buildings
- Energy savings and an 80% reduction in CO2 emissions
- Delivery of the project within budget
- A 20% increase in capital receipt on the original agreed base sale price from £7.5m to £9.0m.

Comments or questions raised during the debate included the following;

- What was the value of the current building compared to the cost of constructing the building, and what was the value of the land built on?
- At Scrutiny Committee on 3 October 2019 a report was promised to be presented to the meeting of Scrutiny Committee on 2 April 2020, and the Deputy Chief Executive confirmed that a report would go to this meeting.
- Members commented on the project as it had developed over several years, and that if Blackdown House had not been developed, EDDC staff would still be working in the converted bedrooms and bathrooms of a derelict building.
- The Project had been completed on time, within budget and with a good capital receipt.
- The relocation from Knowle had been to Exmouth Town Hall as well as Blackdown House, and a number of the major committees had been held there to date, including Development Management Committee, the Asset Management Forum, Queens Drive Delivery Group, and the Housing Review Board.
- It is necessary to consider the conditions for staff and also the greater investment into Exmouth. Relocation was very successful despite a few teething problems such as car parking, which are being addressed.
- The value of Sidmouth could only be realised if EDDC moved out, and so it was time to celebrate the move and forget notions about value.
- The SWAP Audit report on the project had included a clear statement which was that "All benefits had been realised".

RESOLVED:

1. that the content of the report and assessment of performance and outcomes against benefit projections, and
2. that the ongoing actions to resolve outstanding accommodation issues, both be noted, and
3. that the SWAP report attached at Appendix 2 and its findings be referred to the Capital Strategy and Allocations Group for detailed consideration with regard to all major projects, be agreed.

REASON:

The Council had now completed its move away from its former offices. It was timely for a report to advise of the emerging benefits of the move and to inform about any outstanding tasks for completion.

163 **Update on the work of the Governance Review Working Group**

The Monitoring Officer presented an update report on the activity of the Governance Review Working Group to date.

The Leader stated that insufficient evidence would be obtained before Annual Council in May 2020, which meant that decisions cannot realistically be taken until May 2021. He asked Cabinet to consider asking the Monitoring Officer to bring a report to the next Cabinet meeting with proposals for fine-tuning the Cabinet system for the next year, rather than make no changes at all.

Comments or questions from Members during the following debate included the following;

- Did the suggestion to bring a report on temporary changes to the next Cabinet pre-empt the work of the Governance Working Party (GWP)?
- Members of the GWP should have been visiting other local authorities to look at their different governance systems, including the operation of Shadow Cabinets. As such there was still a few month's work to be done. The Leader's proposal could cut across this work.
- The system was not working well for EDDC which currently had no overall control.
- There was some confusion with the debate in terms of the Leader's proposal which could undermine the whole purpose of exploring an improved governance structure in longer time and the setting up a working group for the purpose.
- The GWP had received sound advice from LGA representatives and the Monitoring Officer, and it had not yet run out of time. It is likely to come to conclusions around October 2020.

The Monitoring Officer clarified that it was not for Cabinet to decide whether the GWP continues or not since it was created by Council. However, it needs to be evidence led with a rationale for why change is being considered. This is important because the Council must, if it were to change its legal framework, adhere to any changes agreed for 5 years. The change which could be suggested in a report would be a constitutional change only, and a temporary hybrid form of change is not mutually exclusive or pre-emptive of any change proposed by the GWP.

The Leader clarified that his proposal was an attempt to make the current system more capable of wider member engagement outside Cabinet, by investigating interim options and coming back for further debate in a month's time.

Further debate amongst members took place on whether it was better to leave the system as it is until a decision is made about the right way forward, giving the GWP more time, but also that it can only be helpful to asking the Monitoring Officer to identify areas for improvement on immediate issues of concern and amending the Constitution.

The Monitoring Officer confirmed that it was acceptable for the Leader to move a change to the recommendation in the report, which would allow the meeting to note the report and request a further report as suggested.

RESOLVED:

that the content of the report be noted, and that a further report on the options for wider engagement of Members with Cabinet be brought to the next meeting of Cabinet.

REASON:

As the report was simply to provide options for further debate there was no specific decision required.

Attendance List

Present:

Portfolio Holders

B Ingham	Leader
S Bond	Deputy Leader
J Bailey	Portfolio Holder for Corporate Services
K Blakey	Portfolio Holder for Economy
P Faithfull	Deputy Portfolio Holder for Environment
G Jung	Portfolio Holder for Environment
G Pook	Portfolio Holder for Asset Management
I Thomas	Portfolio Holder for Finance

Cabinet apologies:

M Armstrong Portfolio Holder for Sustainable Homes and Communities

Also present (for some or all the meeting)

Councillor Mike Allen
Councillor Paul Arnott
Councillor Kim Bloxham
Councillor Bruce De Saram
Councillor Paul Hayward
Councillor Sarah Jackson
Councillor Vicky Johns
Councillor Andrew Moulding
Councillor Jack Rowland
Councillor Philip Skinner
Councillor Joe Whibley
Councillor Tom Wright
Councillor Eileen Wragg

Also present:

Officers:

Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing
John Golding, Strategic Lead Housing, Health and Environment
Karen Simpkin, Strategic Lead Organisational Development and Transformation
Simon Davey, Strategic Lead Finance
Charles Plowden, Service Lead Countryside and Leisure
Andrew Wood, Service Lead - Growth Development and Prosperity
Susan Howl, Democratic Services Manager

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Arts and Culture Forum held at Blackdown House, Honiton on 26 February 2020****Attendance list at end of document**

The meeting started at 10.05 am and ended at 12.40 pm

1 Appointment of vice chairman

Sally Twiss was appointed vice chairman of the Forum for the ensuing year.

2 Public speaking

There were no members of the public wishing to speak.

The Chairman welcomed all those present to the meeting. He introduced himself and his background and invited everyone to introduce themselves.

3 Minutes

The minutes of the Arts and Culture Forum meeting held on 27 March 2020 were confirmed and signed as a true record.

The Service Lead – Countryside and Leisure gave those present a brief recap on the background and purpose of the Arts and Culture Forum. He explained how it linked with the Council's [cultural plan](#), and also gave an overview of key partners and partnership working. It was hoped that all members would champion the value of arts and culture in the district and help retain their benefits.

4 Declarations of interest

Councillor Andrew Moulding: Personal interest – president of Cloakham Lawn Sports Centre, trustee of Axminster skate park, trustee of Axminster Heritage, Development Officer for Axminster Town Cricket Club, member of Seaton and Axe Vale Bridge Club.

Councillor Louise Cole: Personal interest – director of Sidmouth Coastal Community Hub.

5 Carn to Cove - Villages in Action review 2019/20 and plans for 2020/21

Tim Smithies and Mair George from Villages in Action were welcomed to the meeting and introduced themselves. The Forum then received a presentation and update on the work of Villages in Action. Some of the highlights included:

- Recruitment of a Devon based worker.
- Secured funding for Jaw Jaw project. This project involved working with social provider networks to identify clients to whom to provide an Alexa to as a tool to talk to clients. The client would be given a series of online workshops and would then be invited to a performance.
- Expansion of international programming content.
- Hub and Spoke – Paddleboat tour.

- Made in Devon – Hefted. This was a very popular event, attracting a different audience that would not normally be engaged.

Villages in Action provided the possibility of leveraging much greater investment in Devon. It underwrote the risk to communities wishing to put on events and gave a huge amount of confidence to them, as well as providing networking opportunities.

'Menu parties' gave local people the opportunity to access the greatest art. The next one was being held on 30 April 2020 and members of the Forum were invited to attend.

It was noted that the main source of income was box offices sales. Arts Council England was the second biggest funder. Arts and culture was a discretionary service and many local authorities had cut funding. However, it delivered on health and wellbeing agendas. It helped to address rural isolation and loneliness and had begun using online workshops, via Alexa to extend the reach (Jaw Jaw project).

The Villages in Action (VIA) network had 65 venues promoting events, 20 of these were in East Devon. VIA earned £20,618, £3598 of which was in East Devon. There had been 2525 audiences, 517 in East Devon, and of the 50 events hosted, 21 of these had been held in East Devon. Although VIA made money on box office sales, raffles and refreshments were provided by the villages, therefore providing additional funds for the village hall.

The Forum noted events held in 2019 as well as those planned for spring 2020 in East Devon. Longer term goals for VIA included:

- From Devon with Love.
- Young promoters.
- International touring.
- FLIGHT – environmentally inspired project.

VIA were looking for partners to work with on environmental issues and members of the Forum suggested broader opportunities with the Countryside Team and with Sidmouth Coastal Community and Sidmouth Seafest. It was noted that EDDC had just appointed a new events officer for Streetscene, which would provide a good opportunity for VIA to link up with as EDDC had fantastic parks and green spaces in the area. Cranbrook country park was also discussed and how VIA wanted to engage with new towns, particularly where young children were being brought up. VIA welcomed any new partnerships.

On behalf of the Forum the Chairman thanked Tim Smithies and Mair George for their presentation.

6 **South West Museums Partnership - 2019/20 review and plans for 2020/21**

The Forum received a presentation from Victoria Harding, Programme Manager on the South West Museum Development Programme. It was noted that there were around 217 museums in the region, which represented 16.9% of England. They engaged nearly 9 million visitors a year and there was a significant variation in audience and size of museums across the region. The majority of museums in the South West were small, independent charities (65%), which was quite unique to many other English regions. The average number of museum visitors in Devon was 33,000. There was a huge disparity between the levels of funding for urban areas compared to rural communities. There were many resources 'on the ground' but these required support.

The key strength of museums was the volunteer workforce. 34% of all accredited museums were led and operated by volunteers. The average number of volunteers in Devon was high, at 64 per museum, averaging 109 volunteer hours. There were four volunteer museums operating in East Devon:

- Allhallows
- Fairlynch
- Axminster
- Sidmouth

These had 249 volunteers contributing over 19,430 hours. The economic impact of local and day museum visitors to the area was £681,759 from 35,197 visits. The economic impact of volunteering was £129,540 million. There were many other 'value added' things that were hard to measure and therefore quantify.

Victoria went on to explain the background to the museum development programme. It was established during 2004-2006 and was funded by the Arts Council. It was currently funded 2018-22 and the next bidding would begin in 2020. Each year South West Museum Development received 16.9%, £530,444, which was a little over £2400 per accredited museum. This was quite a small level of investment and did not include the broader cohort of unaccredited museums. There was a team of approximately 20 officers, including local museum development officers, a regional thematic team and a central team.

The vision of the museum development programme was 'to work with museums and partners to drive ambition, excellence and resilience to support a thriving sector to deliver valued and inspirational engagement with audiences and communities'. Its mission was 'to effectively deliver the regional museum development programme and maximise the impact of this funding for museums across the region'. There were a number of aims which ranged across the diversity of the museums themselves and included the following themes:

- Care of and access to collections.
- Participation.
- Improve the quality of experience.
- Sustainability and financial resilience.
- Skilled and diverse workforce.
- Effective governance.
- Social and economic value.
- Work with national providers.

The Forum noted a support map which outlined how South West Museum Development could help organisations. It was for accredited museums as well as being designed to give confidence to other museums to move into accreditation.

The impact of the South West Museums Partnership (SWMP) in 2018-19 was reported. It had an incredible reach and £114,616 funding went specifically to Devon, with £31,766 in East Devon. A 21 times return was generated on investment for EDDC. It was noted that SWMP had retained 22 out of the 24 memorandums of funding from the local councils in Devon, which was encouraging considering the economic pressures on local authorities. There was a dedicated museums development officer for southern Devon which was extremely valuable.

Investment from rural proofing resilience was required. The majority of museums were small rural coastal museums, which were predominately seasonal. Online learning, workshops and webinars would be provided, as well as bespoke business audit process,

skills and capacity building, site meeting with some SME business experts and a plan of action and budget for implementation.

On behalf of the Forum the Chairman thanked Victoria Harding for her presentation.

7 **Sport England LDP programme - programme objectives for Cranbrook and 2020/21 plans**

Louise Cole, Programme Manager (Cranbrook), Active and Healthy People Team, Exeter City Council introduced herself to the Forum and explained the Exeter and Cranbrook Sport England Local Delivery Pilot, which was nationally funded by Sport England and being run in 12 areas (Local Delivery Pilots) across the country. It was the only project with two separate, geographically connected locations (Exeter and Cranbrook). There was a change in Sports England rationale. Through their investment in the 12 Local Delivery Pilots, Sport England want to understand how to use local identities and structures to deliver sustainable increases in activity levels. The idea was to test whether taking a behaviour change approach in a place could really unlock something ground breaking for the whole country.

The health benefits of an active lifestyle were well researched and documented. The social benefits were also proven to:

- Improve educational attainment.
- Reduce anti-social behaviour.
- Build self-esteem throughout life.
- Contribute to urban regeneration.
- Increase work productivity.
- Improve quality of life.

An active society reduces:

- Depression and poor psychological health.
- Loneliness and social isolation.
- CO2 emissions and reduce congestion.

Inactivity in Cranbrook and certain parts of Exeter was almost three times higher than Exeter as a whole. The key target of the pilot was to achieve population change by encouraging 10,000 of the least active residents to lead regular active lifestyles. The vision was that Exeter and Cranbrook were pioneering places for leading an active lifestyle, with Exeter the most active city in England and Cranbrook a model of best practice for families being active together. To achieve this focus was needed on those most in need. A 'whole system' approach would be taken, which was based on the starting point that no one lived in a vacuum. People were connected to a place and its community, each with its own unique structure, relationships and geography.

Louise explained the Exeter and Cranbrook local delivery pilot programme which involved people and place, and whole systems. It was a both a bottom up and top down approach. The aim was to work together to create enabling environments. Relationships would need to be developed to sustain the approach. Louise outlined the programme's aim to deliver a number of demonstration projects that if successful could be scaled up and replicated in new and adapted environmental designs across the city.

Cranbrook currently had a population of around 4,500, with four times the national average of 0-4 year olds

The Cranbrook Theory of Change was that:

- If we... develop a community led strategy with children, young people and families at the heart of designing and creating activities,
- And we... bring together a supportive network of organisations in Cranbrook for joint working, resourcing and innovating,
- Then we... will create a sense of belonging in the community and have significant positive impact on families' physical and mental wellbeing.

The Cranbrook community assets network (CAN) involved developing a community led strategy and was underpinned by:

- Confidence.
- Collaboration.
- Communication.
- Resilience.

It was important to meet the community aspirations. There was a Cranbrook steering group to aid local decision making and give the community a voice. It would also:

- Provide local direction for the aspects of the programme that were being delivered in Cranbrook.
- Co-ordinate the effective delivery of programme objectives and create the right conditions for the achievement of agreed outcomes.
- Ensure that residents, the community and key partners were engaged in the design and delivery of projects.
- Ensure clear two way communication with the Move More Cranbrook network.

Move More Cranbrook had received a community grant of £60,000 to:

- Improve or enhance the health and wellbeing of people in Cranbrook.
- Increase a sense of belonging and grow inclusive community connectivity.
- Increase physical activity in the town which could be through everyday walking and cycling right through to joining or starting a sports club.

The communications strategy was in development with an organisation called Grow and involved developing community story tellers to inspire others to become more active. Identity, art and culture would help to build a community together.

On behalf of the Forum the Chairman thanked Louise for her presentation.

8 **Thelma Hulbert Gallery - Culture and climate change programme 2020**

The Chairman welcomed Ruth Gooding, Thelma Hulbert Gallery (THG) Manager/Curator to the meeting, who then gave the Forum a presentation on the strategic vision, values and programme of the THG for 2020.

The gallery had a new strategic vision. In 2019 the strategic mission of THG was redefined as operating as a 'cultural hub' supporting communities in their health, environment and well-being through an annually changing programme of exhibitions, events and workshops, which inspire, challenge and excite. The gallery was driven to support innovation in rural cultural production and operate as a resilient rural arts organisation, strengthened through working in partnership and collaboration.

The value of arts and culture to EDDC was in:

- Health and well-being.

- Enhancing the environment.
- Promoting economic vitality.
- Lifelong learning and personal development.
- Strengthening local identity.

There was a year-long programme of Culture + Climate for 2020 with the themes:

- Reuse, repair, recycle – how we live.
- Climate emergency – our relationship with the planet.
- Walking and health.
- The natural environment and conservation.

The programme had been developed against the context of East Devon District Council's commitment to Devon's Climate Change Emergency declaration, and the University of Exeter's declaration of an environment and climate emergency. Exhibitions, projects, workshops, talks and walks would be taking place across a range of locations in East Devon and at the University of Exeter.

Ruth highlighted the gallery's exhibitions programme, which included some high profile artists. She explained that THG Out and About worked in the outdoors to engage diverse audiences through participatory, interactive and unusual creative processes. It employed a range of creative practitioners from poets to artists, sculptors to designers, sharing ideas on our heritage and natural environment, inspiring and exciting communities locally, nationally and globally. Ruth outlined the Out and About Abode of Love – Exmouth project which was the THG's way of bringing the benefits of cultural activities direct to the residents of East Devon and shine a spotlight on the district's outstanding natural environment for all to enjoy. Its aim was to make cultural activities accessible and a 'way of life where everyone can enjoy culture in the outdoors, benefiting health and well-being'. The first year would involve working collaboratively with local schools and colleges to deliver a temporary public art work and a series of interventions and event. The second year aim was to produce a high quality, permanent work of art that related to the wider context of climate change and place (Exmouth).

The THG wanted to increase its engagement, learning and participation. It worked with:

- Families from low socio-economic backgrounds in East Devon.
- Rurally isolated older people.
- New audiences with little experience of cultural engagement.
- Young people.
- Young people with additional needs.

The audience development target was to increase visitors by 35% in 2020 with total visitor numbers of 19,356.

The THG Manager/Curator was thanked by the Chairman, on behalf of the Forum for her presentation.

9 **EDDC Countryside - Wild Exmouth review 2019/20 and plans for 2020/21**

EDDC's Countryside Team Leader, Tim Dafforn was welcomed to the meeting and began by explaining that contact with nature was not the same as connecting with nature. It was believed that connecting with nature was more beneficial to well-being than just having access to it. He then presented the Wild Exmouth project to the Forum.

This was a £100,000, three-year project mainly Heritage Lottery funded and also funded by EDDC, Exmouth Town Council and Devon County Council.

The project was at the end of its first year and involved:

- Conservation volunteering.
- Outdoor events.
- Mapping and access.
- Nature campaigns.

The themes were:

- Wild and active.
- Wild at home.
- Wild around town.
- Wild learning

First year successes included:

- Engaging 1200 people.
- 465 trees planted.
- 3 new orchards.
- 12 new events.
- A tree weekend.
- Launch of 'my patch of nature'.
- 16 volunteer days.
- Over 20 newsletters.

Many of the projects targets were already being met. The aim was to engage 300,000 people over three years. There was an artist in residence (Anne-Marie Culhane) and work was being done to engage the community in cultural activities of the local heritage. For example, a constellation orchard was being created to link people through planting trees.

'My patch for nature' aimed to encourage people to do things in their own homes such as:

- Hedgehog highways.
- Plant wildflower seeds.
- Tree planting.
- Meadow creation.
- Bird feeders and boxes.

All of these things would be logged on a google map and a nature map of the town would be created. The ambition was to map over 2000square metres at the end of three years.

New volunteering opportunities were being explored in order to establish volunteering groups. There were also new outdoor events such as:

- Bat walks.
- Fun in the stream.
- Additional rock pool rambles.
- Community tree planting.
- Additional estuary mud walks.
- Toddler walks.

Partnerships were being developed with:

- Exmouth in Bloom.
- Men's Shed.
- National Trust.

- Point in View chapel.
- Community development.
- Exmouth tree project.

The Countryside Team Leader went on to outline the second year plan, with special emphasis on the green space plan. It was noted that Phear Park was a great asset and further work would be done on encouraging public events there. Tim clarified that the three year project was a pilot, but the aim was to acquire funding to continue the legacy building beyond the initial period. Exmouth would be used as a template to consider ideas for other towns and it was hoped that a 'winning formula' would be extended across the district over time.

On behalf of the Forum the Chairman thanked Tim for his presentation.

Attendance List

EDDC Councillors present:

J Whibley (Chairman)

J Bailey (ex officio)

Community representatives:

S Twiss, Community Representative

Town Representatives

S Twiss, Community Representative

C Buchan, Cranbrook Town Council

L Cole, Sidmouth Town Council

A Moulding, Axminster Town Council

Officers in attendance:

Alethea Thompson, Democratic Services Officer

Tim Dafforn, Countryside Team Leader

John Golding, Strategic Lead Housing, Health and Environment

Ruth Gooding, Manager/Curator THG

Charles Plowden, Service Lead Countryside and Leisure

Also Present

P Faithfull

P Millar

T Wright

W Van der Plank, Beehive Centre

T Smithies, Villages in Action

M George, Villages in Action

V Harding, Programme Manager, South West Museum Development Programme

L Cole, Programme Manager (Cranbrook), Active and Healthy People Team, Exeter City Council

Apologies:

B De Saram

C Wright
B Norris, Community Representative
P Lewis, Budleigh Salterton Town Council
J Loudoun, Sidmouth Town Council

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 27 February 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.44 pm

50 Public Speaking

There were no members of the public wishing to speak.

51 Minutes of the previous meeting

The minutes of the previous meeting held on 30 January 2020 were approved and signed as a correct record.

52 Declarations of interest

Minute 57. Motions referred to Overview under Procedural Rule 10.4.
Councillor Ian Hall, Personal, Devon County Councillor, DCC Mental Health Champion, Vice-Chairman of the Trustees of Arc.

Minute 57. Motions referred to Overview under Procedural Rule 10.4.
Councillor Nick Hookway, Personal, Member of the EDDC and LED Monitoring and Partnership Group.

Minute 57. Motions referred to Overview under Procedural Rule 10.4.
Councillor Sam Hawkins, Personal, Member of Cranbrook Town Council which has signed the Healthy Weight Declaration.

53 Matters of urgency

There were no matters of urgency.

54 Confidential/exempt item(s)

There were no items to be dealt with in this way.

55 Update on the Governance Review Working Party

The Monitoring Officer advised that there were no further updates to the report.

In response to a question, the Monitoring Officer clarified that the Working Party would look to conclude the review by September / October 2020.

The Chairman thanked the Monitoring Officer and the Local Government Association members of the Working Party for their work on the review.

56 Seaton Wetlands Link Project

Alison Hayward, Senior Manager Regeneration and Economic Development, and Charles Plowden, Service Lead for Countryside and Leisure, presented the report on progress with the

Seaton Wetlands Link Project since the report to Cabinet in January. The project involved a series of interventions on land between Seaton Jurassic and Seaton Wetlands in order to develop a circular route for pedestrians, cyclists and tram users.

Alison Hayward advised that there were no specific financial or asset requirements at this stage. Any issues which would have financial or asset implications would be assessed through the usual procedures.

James Chubb, Countryside Team Leader, provided a visual presentation on the various aspects of the project.

Cllr Hartnell, Ward Member for Seaton, thanked officers for their presentations and welcomed the interventions which were integral to the regeneration of Seaton.

The Committee generally welcomed the project and the various benefits to the area and acknowledged the dedication and work of officers involved.

It was noted that the lack of development of the Stop Line Way beyond Colyford does not affect the other interventions to create the circular routes.

RESOLVED:

That the Overview Committee noted the progress with the Seaton Wetlands Link project.

57

Motions referred to Overview under Procedural Rule 10.4

Two motions had been referred to the Committee with the agreement of the Council Chairman under Procedural Rule 10.4 prior to the Council meeting on 26 February 2020:

- The Local Authority Mental Health Challenge (Cllr Hall), and
- The Healthy Weight Declaration (Cllr de Saram)

Andrew Ennis, Service Lead Environmental Health and Car Parks, and Helen Wharam, Public Health Project Officer, presented notes to assist the Committee with its consideration of the motions. Officers were broadly supportive in principle of both initiatives, however, they advised that resourcing would require further careful consideration of financial and officer support.

As set out in the report, Officers outlined the extensive range of work already being undertaken by the Council and provided examples of specific projects, interventions and community events. It was emphasised that, as a District Council, EDDC's focus was on the prevention of mental ill health and Officers worked closely with the Portfolio Holder for Sustainable Homes and Communities. Andrew Ennis advised that there was no additional Officer capacity to resource the member of staff who would be required under the Local Authority Mental Health Challenge.

The Local Authority Mental Health Challenge

Regarding the motion on mental health, proposed by Cllr Hall, Members discussed the following points:

- EDDC should lobby national Government with regard to the high number of re-admissions to mental health services
- EDDC had a Lead Councillor for Health and Wellbeing and further scoping might be required to understand how the Council could improve towards being outstanding in this area
- The work of Arc and the Headlight Youth Mental Health Support project in Axminster was noted
- The proposed brief of a Member Champion for Mental Health was wide and would require greater awareness of the issues among the wider Membership to better support the role

- The recent meeting of the Member Development Working Party supported mental health awareness training for Councillors
- Should the Council proceed with the appointment of a Member Champion, the background of the Member appointed should be considered
- The work of a Member Champion for Mental Health would involve partnership working and progress towards any appointment may need to move slowly in order to be effective

Cllr Hall proposed that the Overview Committee refers the item to Cabinet and requests scoping for a Mental Health Member Champion. This was seconded by Cllr Hartnell and was **RESOLVED**.

RECOMMENDATION:

That Cabinet receive the referred motion and agree to scope a Mental Health Lead Member.

The Healthy Weight Declaration

Officers advised that they were supportive of the Healthy Weight Declaration in principle and outlined various projects including encouraging cafés to sign up to the Sugar Smart initiative and promoting the provision of free drinking water. It was noted that the Declaration comprised 14 commitments and organisations would be expected to sign up to all.

Regarding the motion on the Healthy Weight Declaration, proposed by Cllr de Saram, the following points were discussed:

- EDDC could raise awareness of those commitments under the Declaration which it is already fulfilling, or able to fulfil
- The provision of vending machines at LED facilities would need further consideration
- Being under-weight was also a problem
- Emphasis should be placed on encouraging people to eat in a different way and should link with work around mental health

Cllr de Saram proposed that the Overview Committee recommends to Cabinet to proceed with signing up to the Healthy Weight Declaration. This was seconded by Cllr Hall and was **RESOLVED**.

RECOMMENDATION:

That Cabinet proceeds to sign up to the Healthy Weight Declaration.

58 **Forward Plan**

The Chairman advised that the next meeting on 26 March would consider the Commercialisation Strategy and Consultancy Spend 2020 / 21.

With regard to delivery at Cranbrook Town Centre, it was agreed to await the outcome of the discussions by the Strategic Planning Committee in March and the examination of the Cranbrook Development Plan Document.

Scoping was underway on improving working with Town and Parish Councils.

The Forward Plan was noted.

Attendance List

Councillors present:

N Hookway (Chairman)
V Johns (Vice-Chairman)
M Allen
B De Saram
I Hall
M Hartnell
S Hawkins
F King

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
K Blakey
S Bond
B Ingham
G Jung
D Ledger
A Moulding
P Faithfull

Officers in attendance:

Alison Hayward, Senior Manager Regeneration & Economic Development
Charles Plowden, Service Lead Countryside and Leisure
Helen Wharam, Public Health Project Officer
Sarah Jenkins, Democratic Services Officer
Tim Child, Service Lead - Place, Assets & Commercialisation
James Chubb, Countryside Team Leader
Andrew Ennis, Service Lead Environmental Health and Car Parks
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Andrew Wood, Service Lead - Growth Development and Prosperity

Councillor apologies:

J Loudoun
M Rixson
T Woodward
P Millar

Chairman

Date:

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:



Report to: Cabinet
Date of Meeting: 20 May 2020
Public Document: Yes
Exemption: None

Review date for release None

Subject: **Response to the Newton Poppleford & Harpford Neighbourhood Plan Submission**

Purpose of report: To agree the response by this Council to the current Regulation 16 submission consultation for the Newton Poppleford & Harpford Neighbourhood Plan.

Recommendation:

- 1. That Members note the formal submission of the Newton Poppleford & Harpford Neighbourhood Plan and congratulate the producers of the plan on the dedicated hard work and commitment in producing the document.**
- 2. That this Council make the proposed representation set out at paragraph 5.2 in this report in response to the consultation.**

Reason for recommendation: To ensure that the view of the District Council is recorded and informs the consideration of the Neighbourhood Plan by the independent Examiner.

Officer: Angela King, Neighbourhood Planning Officer,
aking@eastdevon.gov.uk (01395 571740)

Financial implications: No specific financial considerations at this stage

Legal implications: The legal implications are fully set out within the report. It is important that EDDC comment on the content of the submitted Newton Poppleford & Harpford Neighbourhood Plan (given that it will form part of the Development Plan and therefore help guide decision making on planning applications) to ensure it sits within the strategic requirements of the East Devon District Council's Local Plan.

Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 requires EDDC, as local planning authority, to publicise the neighbourhood plan proposal etc. on our website and also in such other manner as we consider is likely to bring the proposal to the attention of the people who live, work or carry on business in the

neighbourhood area. EDDC is alert to the implications of the current pandemic on the publicising of the plan documents and problems which may arise from accessing the documents due the closure of the Council offices and public libraries.

EDDC has therefore, as well as publicising the neighbourhood plan documents on its website, endeavoured to ensure anyone who wishes to view a hard copy of the plan documents may do so by contacting the Council or the Parish Council. The Neighbourhood Plan group have also circulated posters around the parish, emailed businesses and members of the public as well as carried out a post drop to members of the public who commented with postal addresses and email addresses to the 2020 consultation. Together with the EDDC website, the Parish Council website also sign posts the consultation.

Equalities impact: Low Impact

The Neighbourhood Plan has gone through wide consultation with the community and has been advertised in a variety of formats to increase accessibility. Neighbourhood Planning is designed to be inclusive and extensive consultation is a fundamental requirement. All electors are invited to vote in the referendum.

Risk: Low Risk

There is a risk that the Neighbourhood Plan could fail the examination if it is considered to conflict with the Basic Conditions.

Links to background information:

- [The Localism Act](#)
- [Plain English Guide to the Localism Act](#)
- [National Planning Policy Framework \(2019\)](#)
- [National Planning Policy Framework: \(2012 version applies for the examination of this plan based on submission date\)](#)
- [Neighbourhood Planning Regulations](#)
- [East Devon Neighbourhood Planning](#)

Link to Council Plan: Neighbourhood planning helps to deliver the priorities identified in the Council plan by actively encouraging, promoting and supporting the development of:

Outstanding place and environment

Outstanding homes and communities

Outstanding economic growth, productivity and prosperity

1.0 Report Summary

- 1.1 Newton Poppleford & Harpford Parish Council submitted their Neighbourhood Plan to the District Council and the Regulation 16 submission consultation commenced on 18 March 2020. The District Council is required to formally consult on the Plan for a minimum of 6 weeks before appointing an independent Examiner to inspect the Plan against a series of conditions that must be met in order for it to proceed to a referendum.
- 1.2 During this consultation the District Council has the opportunity to comment on the Neighbourhood Plan. This report is brought before Members with a request that they endorse the Officers' observations, which are set out at the end of this report, as the formal representation on the plan.
- 2.0 Background to the Newton Poppleford & Harpford Neighbourhood Plan**
- 2.1 Newton Poppleford & Harpford Parish Council commenced work on their Neighbourhood Plan following their Neighbourhood Area being designated on 14 June 2014.
- 2.2 Since then, the Parish Council and volunteers from the local community have spent considerable time and effort consulting with residents of the parish and producing a plan which reflects the aspirations of the community with regards to the use of land until 2031.
- 2.3 The Newton Poppleford & Harpford Neighbourhood Plan contains 29 policies (relating to: the strategic transport network, environmental protection; housing, heritage and design; education, community facilities and leisure; local green space, trees and hedgerows; local medical facilities, and; employment and Business) designed to protect and enhance the special qualities of the Parish of Newton Poppleford & Harpford. The Plan aims to secure a sustainable future for the area in environmental, economic, and social terms.
- 2.4 Prior to submitting the Plan to East Devon District Council, Newton Poppleford & Harpford Parish Council have held their own 6 week public consultation on a draft version of the plan; a step which is also required by the Neighbourhood Planning (General) Regulations 2012 (Regulation 14). The group took into consideration comments made during this stage and updated the plan for submission to East Devon District Council.
- 3.0 Submission of the Newton Poppleford & Harpford Neighbourhood Plan**
- 3.1 The District Council has received a Neighbourhood Plan from Newton Poppleford & Harpford Parish Council. [The Plan and its supporting documents are available to view.](#)
- 3.2 This is the twentieth neighbourhood plan to reach submission stage in the District. The Parish Council has received regular support from the District Council and additional financial support from MHCLG.
- 3.3 The statutory regulations require that the District Council organise and undertake a consultation on a plan when it reaches this stage. This is commonly referred to as the submission or 'formal' 6 week consultation. The consultation period commenced on 18 March and is due to finish on 1 May 2020. The Plan proposal has been publicised through notices on the District Council website and an email sent to all the bodies mentioned in the consultation statement, including adjoining authorities and the statutory consultees of Devon County Council, Natural England, Historic England and the Environment Agency.

- 3.4 One of the statutory roles of the District Council is to consider whether the Plan meets, in production process terms, the legislative requirements. Cabinet has previously endorsed a protocol for District Council involvement into neighbourhood plans and in accordance with this protocol an officer review has been completed. Officer assessment is that legislative requirements are met.
- 3.5 Anyone may comment on a neighbourhood plan. It is particularly important that the District Council comments, given that the Newton Poppleford & Harpford Neighbourhood Plan (if adopted) will form part of the Development Plan, and should conform to the strategic policies of the Local Plan. This report provides the recommended representations on the Plan, made by officers of this authority, to be submitted to the Examiner undertaking the Plan examination.

4.0 Neighbourhood Plan Examination and Referendum

- 4.1 Following the consultation the District Council must appoint an 'appropriately qualified and independent Examiner' agreed with Newton Poppleford & Harpford Parish Council. All responses from the six week consultation (including any made by this council) will be forwarded to the Examiner who will consider them, either by written representations or at an oral hearing (if s/he decides one is necessary). The District Council is responsible for paying the costs of the examination although the District Council can recoup these expenses by claiming funding from Central Government of £20,000 once a date has been set for referendum following a successful examination.
- 4.2 The Parish Council have indicated that a preference to use Jill Kingaby as their examiner, as she has experience of examining Neighbourhood Plans in East Devon (with Exmouth and Otterton being the most recent).
- 4.3 The Neighbourhood Plan examination is different to a Local Plan examination. The Examiner is only testing whether the plan meets the Basic Conditions and other relevant legal requirements – they are not testing the soundness of the plan or looking at other material considerations. The Examiner will be considering whether the plan:
- has appropriate regard to national policy and advice contained in guidance issued by the Secretary of State
 - contributes to the achievement of sustainable development
 - is in general conformity with the strategic policies in the development plan for the local area
 - is compatible with human rights requirements
 - is compatible with EU obligations.
- 4.4 As part of the Development Plan used in future planning decisions, it is in the interests of the District, Town and Parish Councils to produce high quality neighbourhood development plans.
- 4.5 Following the examination, the Examiner's Final Report will set out the extent to which the draft plan proposal meets the Basic Conditions and what modifications (if any) are needed to ensure it meets the Basic Conditions. The Examiner has 3 options for recommendation:
- A. That the Plan proceeds to referendum as submitted.

- B. The Plan is modified by the District Council to meet Basic Conditions and then the modified version proceeds to referendum.
- C. That the Plan does not proceed to referendum.

If the Examiner chooses A or B above they must also consider whether the referendum area should be extended beyond the boundaries of the Plan area (this could be applicable if plan proposals could impact on a larger area). The report must give reasons for each recommendation and contain a summary of its findings. It is the responsibility of the District Council decide what action to take in response to the recommendations of the Examiner.

4.6 Once the Plan has been modified it will be subject to a referendum where everyone on the electoral roll (for the defined area) will have a right to vote for or against it. If at least half of votes cast support the Plan then it can be brought into legal force. It should be noted that due to the Coronavirus Act 2020 and the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 made in response to the coronavirus crisis, the referendum will not be able to take place until after 6 May 2021.

5.0 The Newton Poppleford & Harpford Neighbourhood Plan Response

5.1 During the current 6 week consultation the District Council can comment on the Plan. In terms of meeting the Basic Conditions, the Parish Council has produced a statement setting out how the Plan complies with the conditions which the Examiner will assess.

5.2 **After reviewing the Neighbourhood Plan contents, it is recommended that the following representation of East Devon District Council be submitted to the Neighbourhood Plan consultation. It should be noted that comments we make at this stage are primarily restricted to land use planning policy matters rather than background text/reasoned justification or the community policies and are made on the basis of:**

- **Do Newton Poppleford & Harpford Neighbourhood Plan policies comply with strategic policies in our adopted Local Plan and have appropriate regard to National Planning Policy?**
- **Do we have concerns about policy given the wider objectives of the council?**
- **Are the policies workable and enforceable - could they be reasonably applied through the Development Management process? and**
- **Are they otherwise appropriate or desirable?**

EDDC Comment No.	Reference / Policy No.	Comment
1	Policy T1	Adequate Parking The Policy should state the specific requirements, in place of the examples given, in order to clarify what they are for developers and the LPA and therefore increase the ability to apply and enforce the policy. As previously agreed, replace 'e.g.' with 'This means that'.
2	Policy T2	Traffic Calming Criterion a) road safety – change to 'road safety will be a priority in design terms...'

		<p>Criterion c) HGV movements - suggest replace the term increase with 'will generate new' and suggest that 'existing' is deleted, as these are not known, so that new movements can be assessed as part of the application and refused if it is deemed to be excessive.</p> <p>The requirement for parish council sign off of a Transport Statement or Assessment should be removed as final sign off is the role of the Local Planning Authority, following consultation with the Parish Council.</p>
3	Policy T3	<p>Rights of Way Suggest move the aspiration for a "future Parish "Footpath and Cycling Strategy" out of the Policy and into an Objective.</p>
4	Policy EP1	<p>Conservation and enhancement of the East Devon AONB and Natural Environment The reference to Map 9 detailing cherished public views is welcomed but the map title only describes them as seven 'sample views'. The map should make direct reference to the policy and describe the views as 'cherished public views'.</p> <p>Suggest the penultimate sentence be amended to state "Proposals to facilitate the RSPB taking over management of the Old Quarry in Venn Ottery will be supported, subject to compliance with other policies."</p> <p>Suggest a further revision of the wording of criteria (f) for clarity to: "not protrude above, or appear dominant when viewed against, skylines or significant lines or groups of large, mature trees"</p>
5	EP2	<p>Development on designated Floodzones This policy is not considered to fully reflect the sequential test approach as set out in the NPPF. However, in line with prior comments, Policy EP2 is considered to be made redundant by Policy EP4 and should therefore be deleted.</p>
6	EP3	<p>Minimise damage to existing properties Would query whether this policy needs to apply to <u>all</u> development – including changes of use and small house extensions.</p> <p>Suggest minor re-word of the policy title to "Minimising <u>ing</u> damage to existing properties".</p>
7	EP4	<p>Flood Risk Assessment As above, we would suggest that having regard to the contents of Policy EP4, Policy EP2 is made redundant and should be deleted.</p> <p>The policy should give appropriate emphasis to the sequential test which must always be applied. The Policy should be re-worded to make clear the sequential text must be done first with references to the advice in the PPG.</p> <p>To this end, the following amendments are suggested:</p> <p>Amend policy title to "Flood Risk"</p> <p>Amend wording to avoid pre-empting the outcome of an FRA to: "...Flood Risk Assessment that establishes whether the development</p>

		<p>will be safe, without increasing flood risk elsewhere and, whether it is possible for flood risk overall to be reduced”.</p> <p>Amended wording to reflect the most up to date information available on flood risk as follows, “Residential developments within flood zones 2 or 3, in flood zone 1 (over 1 hectare in size), or in areas affected by other sources of flooding (for example surface water flooding), as identified in the Strategic Flood Risk Assessment for the area, or other more recent information, should be subject to a site-specific flood risk assessment.” The source of information currently quoted has been superseded.</p> <p>Minor wording change to reflect the distinction in the role of the FRA from that of the LPA to, “The findings of the Flood Risk Assessment will show whether the Exception Test can be satisfied.”</p> <p>Suggest add the following concluding statement to the last sentence of the Policy: “The Exception Test also requires development to provide wider sustainability benefits to the community that outweigh the flood risk.”</p> <p>Suggest replace “wet spots” with “at risk of flooding” as more appropriate terminology</p>
8	EP7	<p>Local Amenity</p> <p>Suggested further revision to assist application of policy by removing reference to ‘nuisance’, to read: “Development proposals that adversely impact on residential amenity will not be supported.”</p>
9	EP8	<p>Protect Agricultural Land</p> <p>To note that this repeats Local Plan policy EN13</p> <p>Suggest amending policy title to “Protecting Agricultural Land” and definition of agricultural land should be amended to reflect the NPPF definition.</p>
10	H1	<p>Meeting Demand for Smaller Dwellings</p> <p>Suggest minor wording amend for clarity to “Residential development will be supported within the Built-up Area Boundary providing that dwellings are small, defined as a maximum 93 square metres* internal space (<u>Gross Internal Area</u>), and have no more than three bedrooms. All dwellings should provide a high standard of amenity for the occupants.”</p>
11	H3	<p>Outside the Built-up area boundary</p> <p>In accordance with prior comments, suggest the policy title is amended to “<u>Housing</u> Outside the Built-Up Area Boundary” for clarity.</p> <p>In addition:</p> <p>Assuming this policy is intended to relate to new dwellings and not housing extensions as it currently would via using the term all ‘residential development’, suggest the policy is amended to make that explicit to say “Any <u>new dwellings</u> outside the BUAB:”</p> <p>Suggested further revision of wording to criteria d) to say “meet the need <u>as demonstrated by a Housing Needs Survey</u>” to reflect Strategy 35 of the Local Plan and clarify the requirement.</p>

		In respect of the 3 particular needs highlighted, suggest re-wording to “Subject to the criteria above and the other policies of this plan, proposals that help meet the following particular needs will be more favourably considered...”
12	Guidance Note 1	Affordable Housing Suggest policy be amended to reflect the broader definition of affordable housing (to include social-rented dwellings and affordable rent dwellings) as set out in the NPPF.
13	TD2	Affordable homes to meet Local Need through a Community Land Trust For clarity and to facilitate application and further the intention of the policy, suggest revision to the wording to: “In suitable locations within the Built-up Area Boundary and outside, but adjacent to, the Built-up Area Boundary, Community Land Trusts <u>may be supported</u> to bring forward small schemes of up to 5 <u>affordable and/or</u> self-build dwellings for people who meet the local connection criteria set out in Strategy 35 of the Local Plan. Such schemes must comply with other policies in this plan including those relating to flood risk, protection of the East Devon AONB and dwelling size. To <u>assist in ensuring</u> that these dwellings remain [delete relatively] affordable in perpetuity, planning conditions will be <u>sought</u> to restrict future extensions and outbuildings.”
14	HQD1	Maintain the built character of our parish through High Quality Design In line with prior comments, at criterion g) replace ‘should’ with ‘would’ for consistency. In addition, suggest minor amends to: Remove reference to modern design from within criterion t) and reinstate it as a separate new criterion or statement within the policy, stating “Modern design will be supported provided the local character is respected or enhanced” Amend last sentence of the policy to: “All major developments within the Neighbourhood Development Plan Area should be of a high standard of design reflecting the principles set out in BfL(12) (Building for Life 12).”
15	EM1	Conversion from residential use We support the aims of the employment use policies EM1 and EM2. We recognise that there is limited scope to create new business premises and would support more positive wording to promote employment uses, if there were opportunities to do so without conflicting with other Plan policies. Suggest pre-submission version of Policy EM1 wording is reinstated to include use B1b (light industrial).

16	EM2	Development of Small Business Enterprises General observation applies as per EM1 above.
17	EM3	Superfast Connectivity Suggest further minor amend to facilitate application of policy to “Suitable ducting to accommodate FTTP broadband <u>should be provided</u> in all new development.”
	Other:	
18	Appendix 6 Map 7	Agricultural Land Classification This map is based on the <u>provisional</u> agricultural land classification data held by Natural England. Where the map is referenced after Policy EP8, it should say that the classification is provisional.
19	Various	As a matter of style, ‘e.g.’ should be replaced with ‘For example,;’ ‘etc.’ should be replaced with ‘and so on’ and ‘i.e.’ should be replaced with ‘in other words’ or ‘that is’. Full stops should not be used in policy headings
20	Various	Noted multiple instances of references within policies to applying other policy either from the Neighbourhood Plan (for example in Policy EP3 it states “Policy EP6 should also be applied”) or from the Local Plan (for example, Policy H2 which refers to Strategy 36). Noted these can be deleted as this will happen as a matter of course.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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