



Agenda for the consultative meeting of the Council
Wednesday, 20th October, 2021, 6.00 pm

To: All elected Members of the Council; Honorary Aldermen

Venue: Council Chamber, Blackdown House, Honiton

Contact: Susan Howl, Democratic Services Manager;

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(or group number 01395 517546)

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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/UCmNHQruge3LVl4hcgRnbwBw>

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-public-meetings/#article-content>

Between 27th July 2021 to 17th January 2022, the Council has delegated much of the decision making to officers. Any officer decisions arising from recommendations from this consultative meeting will be published on the webpage for this meeting in due course. All meetings held can be found via the [Browse Meetings](#) webpage.

Dear Sir/Madam

Meeting of the Council of the District of East Devon on
Wednesday, 20th October, 2021 at 6.00 pm

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

Yours faithfully

A handwritten signature in black ink, appearing to be "M. Howl", written over a white background.

Chief Executive

1 Public speaking

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

2 Minutes of the previous meetings (Pages 5 - 29)

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

There is one matter of urgency which the Chair has agreed to address under item 11.

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

6 Announcements from the Chairman and Leader

7 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, but if confidential minutes from Cabinet and/or the Council's Committees are being discussed, Officers may recommend consideration in the private part of the meeting.

8 To answer questions asked by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5 (Pages 30 - 35)

9 Reports from the Cabinet and the Council's Committees and questions on those reports (Pages 36 - 38)

- a) Minutes of the Cabinet meeting held on 28 July 2021. Minute numbers 44 - 53 (Pages 39 - 46)
- b) Minutes of the Cabinet meeting held on 1 September 2021. Minute numbers 54 - 58. (Pages 47 - 49)
- c) Minutes of the Cabinet meeting held on 8 September 2021. Minute numbers 59 - 74. (Pages 50 - 55)
- d) Minutes of the Cabinet meeting held on 6 October 2021. Minute numbers 75 - 93 (Pages 56 - 64)

- e) Minutes of the Scrutiny Committee meeting held on 29 July 2021. Minute numbers 1 -10. (Pages 65 - 68)
- f) Minutes of the Scrutiny Committee meeting held on 7 October 2021. Minute numbers 11- 19. (Pages 69 - 72)
- g) Minutes of the Joint Overview and Scrutiny Committees meeting held on 16 September 2021. Minute numbers 1 - 6. (Pages 73 - 77)
- h) Minutes of the Housing Review Board meeting held on 16 September 2021. Minute numbers 1 - 15. (Pages 78 - 85)
- i) Minutes of the Strategic Planning Committee meeting held on 20 July 2021. Minute numbers 14 - 21. (Pages 86 - 95)
- j) Minutes of the Strategic Planning Committee held on 7 September 2021. Minute numbers 22 - 32. (Pages 96 - 105)
- k) Minutes of the Strategic Planning Committee held on 5 October 2021. Minute numbers 33 - 41 (Pages 106 - 114)
- l) Minutes of the Planning Committee held on 4 August 2021. Minute numbers 28 - 37. (Pages 115 - 119)
- m) Minutes of the Planning Committee held on 1 September 2021. Minute numbers 38 - 47. (Pages 120 - 124)
- n) Minutes of the Planning Committee held on 29 September 2021. Minute numbers 48 - 56. (Pages 125 - 128)
- o) Minutes of the Licensing & Enforcement Sub-committee meeting on 11 August 2021. Minute numbers 11 - 15. (Pages 129 - 132)
- p) Minutes of the Licensing & Enforcement Sub-committee meeting on 8 September 2021. Minute numbers 16 - 20. (Pages 133 - 136)
- q) Minutes of the Audit & Governance Committee meeting held on 23 September 2021. Minute numbers 1 - 16. (Pages 137 - 140)
- r) Minutes of the Personnel Committee held on 2 September 2021. Minute numbers 1 - 6. (Pages 141 - 144)
- s) Minutes of the Standards Committee meeting held on 14 September 2021. Minute numbers 1 - 6. (Pages 145 - 146)

- 10 **Change to Councillor appointments** (Pages 147 - 148)
- 11 **Proposed Temporary Car Park Management Arrangements, Webster's Garage site, Axminster** (Pages 149 - 152)
- 12 **Motion: Universal Credit Cut** (Page 153)

Government cuts in financial support to the most vulnerable

Our Council recognises the significant impact on residents, particularly children and young people, of the deplorable decision of the Government to remove the Uplift provision for those on Universal Credit that will push many struggling families further into poverty.

This Council will therefore

- Ensure we are doing all we can to work with our partners to more visibly promote take up of Schemes such as Kickstart, and are actively signposting local businesses to two new Devon programmes, 'SMART SKILLS' and 'Skills Support for the Workforce', in order to support those at risk of financial difficulties by offering solutions to local employers, and including those aged 16 - 24 on Universal Credit, to gain employment for a minimum of 6 months.
- Request an urgent report to a forthcoming Cabinet meeting setting out potential options for directing additional resources into the Anti-Poverty Strategy to support the District in helping the most vulnerable residents this winter, in the light of unexpected rising living costs.
- Write to the Chancellor and Prime Minister (copying in the District MPs) calling for the government to re-introduce this payment as a matter of urgency to the thousands of individuals, families and their children in East Devon that will be adversely affected by this cut in financial support to the most vulnerable.

Proposed by Cllr Paul Millar

Seconded by Cllr Jake Bonetta

Supported by Cllrs; Val Ranger, Sam Hawkins, Mike Allen, Steve Gazzard and Tony Woodward

[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 Extraordinary meeting of Council held at The Conference Room, Westpoint Centre, Clyst St Mary, Exeter, EX5 1DJ on 26 July 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 6.45 pm

14 Public speaking

The Chair welcomed everyone to the meeting and reminded those present that the Council was meeting at Westpoint following the Government's recent decision to revert to the legal position for Local Authority meetings prior to the Emergency legislation introduced to deal with the COVID pandemic. This required Cllrs to meet physically together to make decisions as a Council and at various Committees. He also outlined the concerns felt by some colleagues, despite the easing of COVID restrictions by Government, and for this reason had requested that those attending took precautions to minimise any health risks before entering the building.

There were no members of the public who had registered to speak.

15 Declarations of interest

No Declarations of Interest were given.

16 Report - Time limited change to decision taking due to current COVID situation

In introducing the proposal within the report, the Chair stated that he considered that the Council was currently locked in a legislative vacuum, at the same time as dealing with a global pandemic.

The High Court judgement in April confirmed that, if the Council is to take decisions through any of its member decision making bodies, then those members must be physically present. The Council have responded to government consultation on the issues involved and hope modernised legislation will follow soon.

The proposal presented to Council is time limited and will have no bearing on the longer term approach it might choose to take once legislation has been delivered.

At the same time COVID-19 cases have increased rapidly, to a level where Devon has more Coronavirus cases than at any previous point in the pandemic. Since COVID-19 is an airborne virus this means infection risk increases with the number and proximity of contacts and the duration of that contact, hence the potential impact of 'in person' council meetings.

Whilst the vaccination programme has reduced hospitalisation and mortality, there remains an enormous level of uncertainty, and the clinically vulnerable are acutely challenged under such circumstances. This group includes a significant number of our member colleagues, officers and others.

The proposal presented is intended to help us complete Council business in the safest possible way.

EDDC will not be the first authority to consider a move to consultative use of 'virtual' meetings in support of delegated powers to Senior Officers. Neighbouring Councils, for example, South Somerset District Council resolved earlier this month to retain for a further six months a system similar to that proposed to Council. Dorset Council resolved last week to reinstate Standing Orders which allow 'virtual' meetings. Each authority has developed their own approach to reflect their specific circumstances, based on the principle of delegated authority.

The proposal as presented has been endorsed by EDDC's Chief Executive, Monitoring Officer, and Leader, and has resulted after a considerable amount of careful work by Officers to reflect the circumstances of EDDC.

This is an important opportunity to demonstrate care for the health and wellbeing of all colleague Members and Officers, their families and others who work with EDDC, as a top priority.

The Chair concluded by encouraging the support of all Council members to the proposal.

The Chair then invited members to speak before putting the recommendations to the vote.

Debate on the proposal included the following comments;

- If agreed, the proposal could diminish the democratic process.
- Council meetings organised with due diligence to safety issues are less risky than other venues which Cllrs may be visiting now.
- The dangers of meeting in person are more perceived than real.
- Not supporting the proposal does not mean a lack of trust by Cllrs in Officers.
- Whilst acknowledging health concerns, Hybrid meetings recently held at Blackdown House worked well.
- It would be better to propose measures to last three months rather than six.
- The proposal suggests a period of six months but also acknowledges that it can be reviewed earlier than this at any time.
- The approach at EDDC if agreed will be different to many other Local Authorities and could be challenged.
- COVID cases have been declining over the last few days.
- Business is going well with Committees meeting at Blackdown House and at Westpoint for Full Council.
- With cases and hospitalisations declining when will be the right time to meet in person?
- By delegating to officers, what is the point of Cllrs, and if all activities can be delegated what is the point of a democratic process?
- Cllr Pook stated that delegation away from Cllrs is not what is going to happen, and it would be very strange if officers actioned something Cllrs did not want. Whilst it would be good to return to in person meetings, Cllrs could continue to influence the democratic process by having a debate and making recommendations, so that officers will be able to enact the recommendations of Cllrs made at Committees. Whilst officers could reverse any recommendations, Council could meet within 24 hours to discuss this if it considered it necessary. The democratic process has been discharged very effectively over the last few months operating virtually and can do so for a while longer within the remit of the proposal until the direction of travel of COVID trends is clearer.

- When running meetings on Zoom, an intuitive understanding of how people are feeling on topics is lost. Why keep offices open and officers working from home.

An amendment to the proposal was proposed by Cllr Dent and seconded by Cllr Moulding, to review the recommendation every two months or when the R Rate reached a certain level.

The Chair put the amendment to a vote by a show of hands, and it was defeated by a majority of those present.

Further debate included the following comments;

- The number of tests has gone down, but this does not mean that the number of cases have necessarily gone down, but may relate more to the reduced number of tests being taken now the schools are closed for the summer, for example.
- Council members now include younger people with children and not just retired people who have already had two COVID vaccines.
- Cllr Arnott stated that the Council was meeting at Westpoint because members could not agree to a sensible proposal previously put by the Chair, that a quorum of fifteen Cllrs could be entrusted to take forward and act as delegates for decisions made by Zoom at a meeting the evening previously. The inference of this was that Senior Officers could not be trusted, whilst it was his view that they could be totally trusted to observe meetings and make decisions on the basis of what had been debated at meetings. While officers may take a different decision, if they did not operate in this way it would be difficult for the Council to continue its business.
- Other District Councils may well follow the example of EDDC if the proposal is agreed.
- Cllr Fred Caygill had asked the Chair to read out a statement to the meeting outlining his reasons for not attending the meeting. He expressed his view that the Council Chamber was not an adequate environment in health terms, while good IT systems available enable Cllr and officers to work safely and remotely. For a whole range of reasons, including environmental sustainability, business continuity, money saving and similar, working remotely remains a better option and he would not be attending meetings in person until there was no health risk to himself.

The Chair then put the proposal and invited members to vote by a show of hands.

The proposal was carried by a majority of those present.

RESOLVED;

That Council agrees;

1. That until 23:59 17th January 2022 (or such earlier period as may be decided by subsequent decision);
 - a. all meetings of the Council and its committees (but not sub-committees), panels and forums and the Cabinet shall be held virtually using available technology but shall be on the basis of being consultative only other than where specific legislation permits decision making at virtual meetings.

- b. decisions (including all executive and regulatory matters) that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force shall be delegated to the Chief Executive or relevant Senior Officer in consultation with those meetings.
 - c. In taking decisions under paragraph b, the Chief Executive or relevant Senior Officer shall have heard all of the debate having been at the consultative meeting or seen the recording of it.
- 2. Agree that until 23:59 17th January 2022 (or such earlier period as may be decided by subsequent decision) the Constitution shall be treated as having been amended to give effect to the above and shall be interpreted purposively on that basis with the final decision on its interpretation to rest with the Chair of Council (having regard to the advice of the Monitoring Officer and / or Head Paid of Service) in accordance with Part 1, Article 5.1.2 of the Constitution.
 - 3. Where it is necessary to convene any sub-committee for quasi-judicial purposes then the Head of Paid Service or the Monitoring Officer shall determine the appropriate way to hold the meeting.

The Chair thanked all those for attending and closed the meeting at 6.45pm.

Attendance List

Councillors present:

V Ranger (Vice-Chair)
M Armstrong
P Jarvis
S Jackson
P Arnott
K Blakey
K Bloxham
A Colman
R Lawrence
T Woodward
N Hookway
C Wright
O Davey
J Whibley
D Ledger
J Rowland
J Loudoun
D Bickley
J Bailey
P Hayward
S Hawkins
A Moulding

C Gardner
D Manley
C Brown
M Chapman
A Dent
P Faithfull
I Hall
M Hartnell
B Ingham
G Jung
H Parr
G Pook
G Pratt
M Rixson
E Rylance
B De Saram
I Thomas (Chair)
E Wragg
T Wright

Councillors also present (for some or all the meeting)

Officers in attendance:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Susan Howl, Democratic Services Manager

Councillor apologies:

S Chamberlain
F King
F Caygill
P Millar
V Johns
D Key
M Allen
I Chubb
D Barrow
S Gazzard
M Howe
C Pepper
P Skinner
B Taylor
P Twiss
S Hughes

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Council held Online via the Zoom App on 27 July 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.28 pm

17 Public speaking

The Chair welcomed members of the public and Councillors to the meeting and explained that all participants were taking part remotely and the meeting was also being viewed online and recorded.

He outlined that based on the decision of the Extraordinary Meeting of Council held on 26th July, the Council had delegated much of its decision taking power to its Senior Officers. This is for a short period of time only and due to concerns relating to COVID risk. Consequently, the meeting is held on a consultative basis only, and the procedural rules detailed in the Council's Constitution, will continue to be adhered to.

However, where the meeting would have normally decided a matter, it will now make recommendation to a Senior Officer. The Officer will then take that recommendation into account, when making their decision.

The Chair then started the meeting by doing a roll call of those present, and confirmed that the meeting was quorate.

During the meeting the public would be able to participate if they had pre-registered to speak. Three members of the public had pre-registered to speak.

Mr Del Haggerty wanted ask the Council if it was intending to follow the example of Seaton in achieving the Confederation of Passenger Transport (CPT) status of being coach friendly across the district.

He explained that the scheme worked together with tourism partnerships and local government representatives to develop facilities that will attract coaches.

This in turn generated revenue for businesses across the whole of the East Devon Area, by considering issues such as; coach parking and coach signage; set down & pick up facilities; driver facilities and incentives and facilities for coaches (cleaning & toilet drop facilities).

The scheme has been very successful in the South West and after a break during the pandemic, the scheme has restarted with Marlborough in Wiltshire being granted an award on 21st June 2021.

Following an inspection and audit, the relevant town or attraction has the right to use the coach friendly logo on all publicity & marketing materials, and cooperation between local councils and the private sector could result in tourist revenue increasing over future years.

The Chair thanked Mr Haggerty for joining the meeting and said that the relevant Portfolio Holder would be asked to make contact with him outside the meeting.

Mr Gary Sherman wanted to speak on the issue of trees. He pointed out that we have recently seen violent storms of such destructive force that whole communities have lost homes, possessions and lives. He went on to say that whilst hearing about global warming and its effect on the environment, not many people make changes to the way they live. Many support positive action for the environment, but only when it suits them to do so and when it doesn't impact a holiday, building project or choice of Sunday lunch.

He stated that in West Hill trees are chopped down and wildlife is being marginalised. Natural hedging and trees that once allowed free access to the higher order of wildlife is now being replaced by lifeless, sterile fencing.

This fencing prevents deer, foxes, badgers and other garden visitors from accessing the resources they need and once had free access to.

He referred to a single garden in which 21 trees were taken out in one week, just to help the sale of that particular property. In the adjoining garden, new owners took out at least 9 fully established trees, only to replace their naturally created boundary with fixed fencing that reached a height of well over 6 feet and was impenetrable to wildlife.

He would like to encourage the development of formal legislation that offers the same protection to every tree in the district, and live in an area in which people understand, legislate, educate and move the environment to the top of the agenda and not the top of the wood pile. But action is required now, with an opportunity to demonstrate leadership on this issue.

Mr Sherman concluded by asking the Council to help stop the wonton destruction of the local environment.

The Portfolio Holder for Coast, Country and the Environment, Cllr Jung responded by stating that he shared many of the views of the speaker and intended to work with the District and Parish Cllrs to look at issues facing West Hill, but would also be working to develop a Tree Policy for the whole of the District.

The Chair then confirmed that the statement provided by the third speaker, Mr Ed Dolphin, could be taken under agenda item 13, the Motion on Trees, since he was unable to join the meeting at this point.

18 **Minutes of the previous meeting**

The Chair asked for comments on the Minutes from the Annual Council meeting held on 25th May.

He then invited Cllrs to vote in favour, against or abstaining recommending approval of the Minutes.

RECOMMENDATION: to approve the minutes of the last meeting following a vote of those present.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

19 **Declarations of interest**

21a. Minutes of the Cabinet meeting held on 5th May 2021.

Councillor Paul Millar, Personal, Specifically in relation to Minute 396 of the Cabinet Minutes. Fully paid up member of LED.

21d. Minutes of the Cabinet meeting held on 14 July 2021.

Councillor Andrew Moulding, Personal, Specifically in relation to Minute 27 of the Cabinet Minutes. President of Cloakham Lawns and Trustee of Axminster Skate Park.

20 **Matters of urgency**

There were no matters of urgency.

21 **Announcements from the Chair and Leader**

The Chair said that he had a number of announcements to make.

Firstly he wanted to both announce and welcome the election of Cllr Jake Bonetta as an EDDC Cllr and Ward Cllr for Honiton St Michaels, and Cllr Alasdair Bruce as an EDDC Cllr and Ward Cllr for Feniton at the recent By-elections on 8th July.

He also wanted to thank Cllr Hawkins for stepping in as Vice Chair in the absence of Cllr Ranger.

Following the decision made at the Extraordinary meeting of Council held on 26 July at Westpoint, the Chair wanted to confirm that a lot of work had been done with officers subsequently. There have also been a lot of meetings which have not happened due to the inability to meet face to face. He was pleased to announce an aim to move back to a full programme of Council meetings. He thanked officers for their hard work and for being able to take a great step forward.

The Leader echoed the Chair's welcome to the two new Cllrs, and announced that Cllr Jake Bonetta will now be the Assistant Portfolio Holder on Culture, Leisure, Tourism and Sport.

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

There were no confidential or exempt items.

23 **To answer questions asked by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5**

Four questions had been received from Cllrs and all had been responded to in writing and published prior to the meeting. The questions were all submitted by Cllr Millar, who confirmed that he had no supplementary questions to raise.

24 **Reports from the Cabinet and the Council's Committees and questions on those reports**

This item is to recommend whether to approve the minutes of the meetings and recommendations contained therein as detailed in the Recommendation section on pages 38-42 of the agenda.

The Chair invited the Leader and Chairs of Committees to present their minutes.

(a) **Minutes of the Cabinet meeting held on 5 May 2021. Minute numbers**

382 - 400

Following a vote of those present, the Chair confirmed that the minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(b) Minutes of the Cabinet meeting held on 12 May 2021. Minute numbers 401 - 413

Relating to the Minutes of Cabinet held on 12th May 202, there was a called minute.

Called minute from Cllr Bonetta, and Cllr Millar and issues arising

1) Minute 405 of Cabinet held on 12th May 2021, 'Public Toilet Review'.

Cllr Bonetta stated that a key topic for residents in Honiton presently was that two blocks of toilets in the town remain closed due to COVID restrictions. He requested that the figures were scrutinised again with a view to taking a more pragmatic approach to the town as a tourist destination and one of the main towns of the District.

Cllr Millar wanted to ask about the consultation on this issue and whether it would rest with Towns and Parishes or be a full public consultation which he would prefer.

The Portfolio Holder for Coast, Country and Environment, Cllr Geoff Jung responded by outlining that the Government are insisting that toilets must remain COVID safe, which means more cleaning and more costs. The Council is also currently short of staff able to do this work. Discussions have been held with Town Councils to see if they can help contribute to the opening of the toilets.

Comments made during the debate included the following;

- That many older tourists need a good public toilet facility if they visit a local town.
- Lack of such facilities is likely to be one of the causes for a continued decline in footfall on the District's High Streets.
- When the review is completed by officers, Cllrs will be able to understand the details before being in a position to make the right decisions for different areas.

Following a vote of those present, the Chair confirmed that the minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(c) Minutes of the Cabinet meeting held on 9 June 2021. Minute numbers 1 - 18

Relating to the Minutes of Cabinet held on 9th June 2021, there was a called minute.

Called minute from Cllr Parr and issues arising

- 1) Minute 18 of Cabinet held on 9th June 2021, Statement by Cllr John Loudoun.

Cllr Parr queried why the statement from Cllr Loudoun had been added to the end of another item about the Council Plan, and was not an item in its own right, enabling Cllrs to be aware that it was arising at the meeting. She wanted to know why this was the case and why the Chief Executive had not been asked to respond.

The Leader, as Chair of Cabinet, confirmed that he had allowed Cllr Loudoun to make a statement given that the topic was a matter of interest. He went on to say that they had been working closely with the Chief Executive since February on matters associated with the statement.

Following a vote of those present, the Chair confirmed that the minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(d) Minutes of the Cabinet meeting held on 14 July 2021. Minute numbers 19 - 43

Relating to the Minutes of Cabinet held on 14th July 2021, there was a called minute.

Called minute from Cllr Parr and issues arising

- 1) Minute 40 of Cabinet held on 14th July 2021, 'Developing Member and Staff Relationships'.

Cllr Parr wanted to refer further to the issue of Member and Staff Relationships and a resolution of Cabinet that the Standards Working Group would be reviewing the Members' Code of Conduct. She asked where she could find minutes of the meeting of that group, and for a progress report.

The Monitoring Officer, Henry Gordon Lennox confirmed that this group had ten members but no formally appointed Chair as yet. He had tried to convene a meeting of the group but it had not been quorate and was having difficulties identifying a date when it could meet. It was a

work in progress and would be reporting to the Standards Committee.

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(e) Minutes of the Scrutiny Committee meeting held on 8 April 2021. Minute numbers 140 - 147

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(f) Minutes of the Housing Review Board meeting held on 29 April 2021. Minute numbers 102 - 121

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(g) Minutes of the Strategic Planning Committee meeting held on 27 April 2021. Minute numbers 124 - 134

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(h) Minutes of the Strategic Planning Committee meeting held on 22 June 2021. Minute numbers 1 - 13

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

**(i) Minutes of the Planning Committee meeting held on 5 May 2021.
Minute numbers 255 - 264**

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

**(j) Minutes of the Planning Committee meeting held on 9 June 2021.
Minute numbers 1 - 9**

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

**(k) Minutes of the Planning Committee meeting held on 14 June 2021.
Minute numbers 10 - 17**

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

**(l) Minutes of the Planning Committee meeting held on 15 July 2021.
Minute numbers 18 - 27**

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(m) Minutes of the Licensing & Enforcement Sub-Committee held on 21 April 2021. Minute numbers 37 - 41

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer

Decision Notice is listed above under Additional Documents.

(n) Minutes of the Licensing & Enforcement Sub-Committee meeting held on 19 May 2021. Minute numbers 42 - 47

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

(o) Minutes of the Licensing & Enforcement Sub-Committee meeting held on 16 June 2021. Minute numbers 1 - 5

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(p) Minutes of the Licensing & Enforcement Sub Committee meeting held on 7 July 2021. Minute numbers 6 - 10

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

(q) Minutes of the Licensing & Enforcement Committee held on 21 July 2021. Minute numbers 1 - 9

Following a vote the Chair confirmed that the above minutes and recommendations contained therein, were recommended for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

25 Changes to Governance arrangements - A report from the Monitoring Officer

The Chair invited Henry Gordon Lennox to address his report. He outlined that following the recent by-elections he was able to confirm the political balance / seat numbers (below) and committee seat allocations (Appendix 1 to the report to Council);

Democratic Alliance Group: 25 Members; 41.67%; 47 seats

Conservative Group: 22 Members; 36.67%; 41 seats

The Independents: 5 Members; 8.33%; 9 seats

Independent Progressive Group: 4 Members; 6.67%; 8 seats

Independent (Independent): 1 Member; 1.66%; 0 seats

Total 60 Members; 100%; 111 seats.

He confirmed the changes to the membership of committees as below;

- a. Cllrs Bailey and C Wright removed from Scrutiny and Cllr Pook removed from Strategic Planning. Cllr Bruce to sit on the Scrutiny Committee. Cllrs Millar and Bonetta to take seats on Scrutiny and Strategic Planning respectively.
- b. Cllr Brown is removed from the Scrutiny Committee to be replaced by Cllr Tom Wright. Cllr Brown replaces Cllr Tom Wright on the Planning Committee.
- c. Cllr Pook takes the Independents seats on Overview and HRB committees and Cllr C Wright takes the seat on the Planning Committee.
- d. Cllr Thomas to sit on the Personnel Committee with Cllr Jarvis being the substitute member.

He confirmed the intention for the Chair of the Personnel Committee to be the Chair of Council.

He confirmed the intention for the Chair of the Scrutiny Committee to be Cllr Tom Wright.

RECOMMENDATION: that the revised political balance, committee seat allocations and changes to the committees and Chairs of Committees as detailed in the report be agreed.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

26 **Motion: Role of Chair of Council**

This was a Motion deferred from the Council meeting in February.

There followed debate in relation to the legal necessity for the Chair to have a casting vote and issues about the Chair being an exemplar of the way the Council should act overall in relation to its objectives.

An amendment was proposed by Cllr Hawkins and seconded by Cllr Millar.

Henry Gordon Lennox confirmed that the amendment was as follows, to paragraph 5 of the original Motion which would read, "shall exercise objectivity and be an exemplar of the highest standards of Codes of Conduct and ethics consistent with the Councillor's Code of Conduct, and by promoting and maintaining high standards of conduct by Councillors, co-opted members and Council officers to serve the best interests of the Community."

The Chair put the amendment to the vote and confirmed that it was accepted by a majority of those present.

He then invited Cllr Allen to give his right of reply before putting the substantive Motion to the vote.

Following a vote he confirmed that the Motion was accepted by a majority of those present and recommended it for approval.

Recommendation:

That Article 5 section b on page 19 be modified to read, '5 Shall exercise objectivity and be an exemplar of the highest standards of conduct and ethics consistent with the Council's Code of Conduct and by promoting and maintaining high standards of conduct by Councillors, co-opted Members and Council officers to serve the best interests of the Community.'

Decision:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

27 **Motion: Nationally Described Space Standards**

The Chair invited Cllr Faithfull to speak at the proposer.

Cllr Faithfull outlined his reasons for putting forward the Motion, including the fact that there is no policy in place for standards in room sizes when applicants are planning to convert employment space to residential units, and often consequently try to put in more units than the building can contain. Such buildings have not been designed for residential use. He gave examples of roof conversions where long sloping roofs can appear to give a generous floor area, but have a low ceiling, making much of the floor area unusable. He was concerned that many such applications may have been passed because there is no policy to reject them on size.

During the debate the following comments were included;

- Previous attempts to get such a policy included in the Local Plan had been rejected which had potentially resulted in housing being built of sub-standard sizes. It would accordingly be helpful to encourage agreeing a common standard which could be recommended to the Chair of Strategic Planning Committee.
- The Chair of Strategic Planning Committee, Cllr Ledger, confirmed that he fully supported this Motion and it had been adopted into the Cranbrook DPD.
- Such a policy had been adopted by several London Boroughs and was long overdue.

The Chair asked Cllr Faithfull to give his right to reply. Cllr Faithfull thanked members for their support of the Motion and encouraged the Council to get underway on this as soon as possible.

The Chair invited those present to vote on the Motion which was accepted by a majority of those present.

RECOMMENDATION:

That the Council puts in place a policy on the Nationally Described Space Standards as part of the review of the Local Plan.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

28 **Motion: Trees**

The Chair invited the supporting Officer to read out the statement from Mr Ed Dolphin.

Mr Dolphin is a tree warden and treasurer of Sidmouth arboretum, an organisation which wishes to support the Motion calling for the creation of an enhanced tree policy for EDDC.

The statement emphasized the importance of trees and hedgerows and quoted from Wirral Borough Council who have already set up a Tree, Hedgerow and Woodland Strategy. Their Executive Summary corresponds with the preamble to the EDDC motion,

“Trees are vital for our environment and for humanity beyond their key role in tackling climate change. Trees, hedgerows, and woodlands are an integral part of nature, supporting a wide range of insects, animals, birds and plant life. Having trees, hedges and woodlands in our local environment is essential for the future health of nature and of people. Trees are a cost-effective way to improve the environmental quality of our urban areas, delivering physical, social and economic benefits as well as mitigating climate change, improving storm water management, air quality, biodiversity, visual amenity and more. In considering trees and planning for the future, we need a fundamental shift in attitude and perspective - to recognise trees as public assets, rather than liabilities”.
<https://www.wirral.gov.uk/sites/default/files/all/planning%20and%20building/Wirral%20Tree%20Strategy%20May%202020%20Appendix%201.pdf>

Sidmouth Arboretum, is a community organisation linked to Sidmouth Town Council. It has an excellent working relationship with the EDDC Tree Officers but, as a small organisation of volunteers most of its work is involved with promoting community engagement. EDDC, as a landowner and planning authority with a statutory function to administer tree protection measures, has the opportunity for much greater influence. Having undertaken surveys of the Sid Valley's trees and hedgerows the organisation can attest to the decline of the arboreal habitats that is already underway in parts of East Devon. The threats will increase significantly in the coming decades with the progress of Ash Dieback and other pests and diseases, coupled with the likely effects of climate change. Whilst the task will be challenging, it does coincide with national and international environmental policy.

The Chair then invited Cllr Bailey to speak as proposer.

Cllr Bailey was delighted that there had been two public speakers on this issue. As ward Cllr for West Hill, she confirmed that trees were mentioned in the Neighbourhood Plan and particularly how to protect them, whether they are on agricultural, public or private land.

She thanked Cllr Jung for his engagement on this issue, whilst having differing views on pre-emptive tree felling. She said that she had done some research into the tree strategies of other Councils and considered that the broad approach taken by the Wirral seemed very appropriate for East Devon, where there was already a lot of expertise both within the Council and in external agencies locally.

She wanted to make an amendment to her Motion and to take an approach similar to the one taken to develop the Poverty Strategy, working collaboratively on a topic basis and inviting experts to contribute to the debate and development of a tree strategy.

She confirmed that the amended Motion was as follows;

“This council recognizes the immense contribution that trees make to our District - shaping the landscape, providing a vital habitat for wildlife, sequestering carbon to help combat climate change and playing an essential role in the eco-system by absorbing rainwater and preventing erosion.

Trees are also vital to our communities enhancing well-being, connecting people with their natural environment, providing shade and peace, cooling the streets, marking the seasons and giving our communities a sense of ‘place’.

In light of the key role of trees:

This Council condemns the practice of pre-emptive tree felling prior to the submission of planning applications.

This Council agrees that there should be a scoping and indicative report for the development of a tree strategy to be brought to the next available Overview Committee meeting.”

Comments made during the debate included the following;

- Cllr Jung confirmed that developing a tree strategy was a priority but felt that there was a lot of work to be done to educate, inform and promote the message to the public and developers about how valuable trees were to the environment.
- An initial scoping report could be done by EDDC officers and could probably be done in time for an October meeting of the Overview Committee.
- Cllr Chapman queried if it was possible to put whole areas under a potential tree protection order to prevent random tree felling.
- Cllr Bickley had a number of ideas from liaising with external agencies, such as how to calculate the equivalent carbon replacement value for trees which developers have felled or intend to fell on sites
- A number of Cllrs were very supportive of pre-emptive tree felling measures.
- Cllr Rowland was concerned that associated costs and timescales need to be included in the scoping report from officers.
- Cllr King pointed out that the focus on urban parts of the District and developers can bypass the issues on farmland, rural areas and the need for landowners and farmers to take responsibility for effective land husbandry. He also warned against developing a policy with unintended consequences, such as requiring people to commission costly consultants to draft tree reports.
- Cllr Skinner referred to stewardship schemes and the need to prevent people taking trees down without thought now, as well as understanding the longer term issues about developing policy and strategy.
- Cllr Armstrong confirmed that protecting trees has been an issue many times over recent years. She was concerned about the protection of trees now, which had happened a lot in her ward of Exmouth. Developers try to cut their costs by cutting established, healthy trees before putting in a planning application, because there are no tree protection orders on such trees.
- Cllr Arnott wanted to thank Cllr Jung for his work on this issue over a short period of time and suggested that the starting point might have been a discussion at Overview Committee before coming to Council, because it will involve a huge amount of work and cross - department and Portfolio Holder collaboration, money and effort.

The Chair invited Cllr Bailey to give her right of reply.

Cllr Bailey thanked her member colleagues for their support and enthusiasm, and reiterated that a balanced approach would be considered at future meetings.

The Chair invited those present to vote on the Motion which was accepted by a majority of those present.

Recommendation:

This council recognises the immense contribution that trees make to our District - shaping the landscape, providing a vital habitat for wildlife, sequestering carbon to help combat climate change and playing an essential role in the eco-system by absorbing rainwater and preventing erosion.

Trees are also vital to our communities enhancing well-being, connecting people with their natural environment, providing shade and peace, cooling the streets, marking the seasons and giving our communities a sense of 'place'.

In light of the key role of trees:

This Council condemns the practice of pre-emptive tree felling prior to the submission of planning applications.

This Council agrees that there should be a scoping and indicative report for the development of a tree strategy to be brought to the next available Overview Committee meeting.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed below.

The Chair thanked everyone for participating in or watching the meeting and wished everyone goodnight.

The meeting closed at 8.28pm.

Attendance List
Councillors present:

M Armstrong	J Whibley	P Faithfull
P Jarvis	V Johns	S Gazzard
S Jackson	D Ledger	B Ingham
S Chamberlain	J Rowland	G Jung
P Arnott	J Loudoun	H Parr
K Blakey	D Bickley	C Pepper
K Bloxham	J Bailey	M Rixson
F King	P Hayward	E Rylance
F Caygill	S Hawkins	B De Saram
A Colman	A Moulding	P Skinner
P Millar	D Key	I Thomas (Chair)
R Lawrence	M Allen	P Twiss
T Woodward	C Brown	E Wragg
N Hookway	M Chapman	T Wright
O Davey	I Chubb	S Hughes

Officers in attendance:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

V Ranger
C Wright
T McCollum
C Gardner
D Manley
A Dent
D Barrow
I Hall
M Hartnell
M Howe
G Pratt
B Taylor

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the Extraordinary consultative virtual meeting of Council held Online via the Zoom App on 7 September 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 6.23 pm

29 Declarations of interest

The Chair welcomed members of the public and Councillors to the Extraordinary meeting of Council and explained that all participants were taking part remotely and the meeting was also being viewed online and recorded.

He outlined that based on the decision of the Extraordinary Meeting of Council held on 26th July, the Council had delegated much of its decision taking power to its Senior Officers. This is for a short period of time only and due to concerns relating to COVID risk. Consequently, the meeting is held on a consultative basis only, and the procedural rules detailed in the Council's Constitution, will continue to be adhered to.

However, where the meeting would have normally decided a matter, it will now make recommendation to a Senior Officer. The Officer will then take that recommendation into account, when making their decision.

The Chair then started the meeting by doing a roll call of those present, and confirmed that the meeting was quorate.

There were no declarations of interest.

30 Honorary Alderman Award

The Chair introduced the item by reminding those present of the recent trial and conviction of a former East Devon District Councillor. He went on to outline that John Humphreys had been found guilty of ten charges, relating to the sexual assault of two young boys between 1990 and 2001. His 21-year jail sentence and addition to the sex offenders' list for life, reflected the gravity of his crimes.

Most importantly, the Chair wanted to extend his sympathy and that of the Council, to the two victims and their families, and hoped that the conviction and sentence handed down would offer some level of closure.

In 2019, an Extraordinary meeting of East Devon District Council awarded the position of Honorary Alderman to Mr Humphreys. This position was established under the Local Government Act 1972 and is awarded in recognition of valued service to the community represented and the Council. As Chair of the Council, Cllr Thomas considered that Mr Humphreys' offences, conviction, and sentence, did not make Mr Humphreys a fit person to hold this honour. He had, therefore, called this Extraordinary meeting of Council, to put the sole recommendation, that the award of Honorary Alderman be withdrawn from John Humphreys forthwith. If this was supported, this recommendation would be the first time the award of Honorary Alderman had been withdrawn, further confirming the Council's recognition of the gravity of the crimes involved.

The Chair then invited colleagues to speak on the specific recommendation.

During a brief debate on the issue, the following comments were made;

- The Council, being the body which bestowed the Honour, could remove the Honour if necessary.
- The Council's Constitution does not currently have much information on the issues relating to the role of Honorary Aldermen and possibly needs amending.
- To avoid this situation arising again it may be necessary to review other relevant Council practices.

In response the Chair confirmed that these and related topics would all be picked up in the work programmes already planned by relevant Council Committees throughout the year.

Cllr Johns requested and Cllr Millar seconded a Recorded vote. After a vote of those present, it was accepted that a Recorded vote would take place.

The Chair moved the following recommendation and invited members to vote;

RECOMMENDATION: that the award of Honorary Alderman to Mr John Humphreys be withdrawn with immediate effect.

Recorded vote:

Councillors Megan Armstrong, Paul Arnott, Jess Bailey, Dean Barrow, Denise Bickley, Jake Bonetta, Colin Brown, Alasdair Bruce, Fred Caygill, Maddy Chapman, Iain Chubb, Andrew Colman, Olly Davey, Bruce De Saram, Alan Dent, Peter Faithfull, Cathy Gardner, Marcus Hartnell, Sam Hawkins, Paul Hayward, Nick Hookway, Mike Howe, Stuart Hughes, Ben Ingham, Sarah Jackson, Paul Jarvis, Vicky Johns, Geoff Jung, David Key, Richard Lawrence, Dan Ledger, John Loudoun, Dawn Manley, Tony McCollum, Paul Millar, Helen Parr, Geoff Pook, Geoff Pratt, Val Ranger, Marianne Rixson, Jack Rowland, Brenda Taylor, Ian Thomas, Phil Twiss, Joe Whibley, Tony Woodward, Eileen Wragg, Chris Wright - voted in favour – 48.

There was unanimous support for the following recommendation to be passed for approval.

RECOMMENDATION: that the award of Honorary Alderman to Mr John Humphreys be withdrawn with immediate effect.

The Chair thanked everyone for attending or watching the meeting online and closed the meeting at 6.23pm.

Attendance List

Councillors present:

V Ranger (Vice-Chair)
M Armstrong
P Jarvis
S Jackson
P Arnott
F Caygill
A Colman
P Millar
R Lawrence

D Ledger
J Rowland
J Loudoun
D Bickley
J Bailey
P Hayward
S Hawkins
D Key
C Gardner

M Hartnell
M Howe
B Ingham
G Jung
H Parr
G Pook
G Pratt
M Rixson
B De Saram

T Woodward
N Hookway
C Wright
O Davey
J Whibley
T McCollum
V Johns

D Manley
C Brown
M Chapman
I Chubb
A Dent
D Barrow
P Faithfull

B Taylor
I Thomas (Chair)
P Twiss
E Wragg
S Hughes
A Bruce

Officers in attendance:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
John Golding, Strategic Lead Housing, Health and Environment
Charles Plowden, Service Lead Countryside and Leisure
Tim Child, Service Lead - Place, Assets & Commercialisation
Simon Davey, Strategic Lead Finance
Andrew Hopkins, Communications and Events Consultant

Councillor apologies:

S Chamberlain
K Blakey
K Bloxham
A Moulding
M Allen
I Hall
P Skinner
T Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the Extraordinary consultative virtual meeting of Council held online via the Zoom App on 7 September 2021

Attendance list at end of document

The meeting started at 6.30 pm and ended at 7.55 pm

31 Public speaking

There were no members of the public wishing to speak.

32 Declarations of interest

33. Purchase of land at Boardsdown and Holyford.
Councillor Dan Ledger, Personal, Lives very close to the site involved in the proposal.

33. Purchase of land at Boardsdown and Holyford.
Councillor Geoff Pook, Personal, Knows the land well and walks it often.

33. Purchase of land at Boardsdown and Holyford.
Councillor Helen Parr, Personal, Ward Member of Coly Valley.

33. Purchase of land at Boardsdown and Holyford.
Councillor Paul Arnott, Personal, Ward Member of Coly Valley.

33 Matters of urgency

There were no matters of urgency.

34 Announcements from the Chairman and Leader

There were no announcements for the meeting.

35 Confidential/exempt item(s)

There is one item to follow which officers recommend should be dealt with after the public and press have been excluded, in accordance with local government legislation. Accordingly the public part of this meeting will end and the live stream to YouTube will be switched off.

The Chair thanked those who had been watching the meeting online.

36 Purchase of land at Boardsdown and Holyford

This item was subject to debate at an extraordinary consultative meeting of Cabinet on 1 September. Following debate, Cabinet were in favour of purchasing land at Boardsdown & Holyford, Colyton on the basis of submitting a bid at a sum no more than the external valuation advice received, and that authority be given to the Service Lead Place, Assets and Commercialisation to complete the purchase if the bid is successful, in consultation with the Strategic Leads Governance & Licencing and Finance.

Accordingly Cabinet have;

RECOMMENDED TO COUNCIL: To provide a budget for sums to purchase the land and the associated fees with those sums to be confirmed verbally to the Council meeting.

Following debate and a recorded vote on the matter, Members present supported the recommendation from Cabinet.

RECOMMENDED for approval: To provide a budget for sums to purchase the land and the associated fees, with those sums having been confirmed verbally to the Council meeting.

The Chair thanked those participating and closed the meeting at 7.55pm.

Attendance List

Councillors present:

V Ranger (Vice-Chair)	D Ledger	M Hartnell
M Armstrong	J Rowland	M Howe
P Jarvis	J Loudoun	B Ingham
S Jackson	D Bickley	G Jung
P Arnott	J Bailey	H Parr
F Caygill	P Hayward	G Pook
A Colman	S Hawkins	G Pratt
P Millar	D Key	M Rixson
R Lawrence	C Gardner	B De Saram
T Woodward	D Manley	B Taylor
N Hookway	C Brown	I Thomas (Chair)
C Wright	M Chapman	P Twiss
O Davey	I Chubb	E Wragg
J Whibley	A Dent	S Hughes
T McCollum	D Barrow	
V Johns	P Faithfull	

Officers in attendance:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
John Golding, Strategic Lead Housing, Health and Environment
Charles Plowden, Service Lead Countryside and Leisure
Tim Child, Service Lead - Place, Assets & Commercialisation
Simon Davey, Strategic Lead Finance
Andrew Hopkins, Communications and Events Consultant

Councillor apologies:

S Chamberlain
K Blakey

K Bloxham
A Moulding
M Allen
I Hall
P Skinner
T Wright

Chairman

Date:

Meeting on 20th October 2021

Agenda Item No 8

Questions by Members to Full Council under Procedure rule 9.2

Question 1: Procedure Rule 9.2 to the Portfolio Holder for Finance from Councillor Paul Millar

To ask the Portfolio Holder for Finance, what was the total cost the Council has paid to

(a) private landlords and

(b) private B&B owners and hoteliers,

to fulfil our legal duty to provide emergency temporary accommodation to homeless families in line with our statutory duties in the financial year 2020-21.

Answer:

Total expenditure for the financial year 2020-21 was £400,977.13. Unfortunately these costs are not broken down by type a) or b) in the ledger.

Question 2: Procedure Rule 9.2 to the Portfolio Holder for Finance from Councillor Paul Millar

To ask the Portfolio Holder for Finance, what has the total cost in this financial year to date the Council has paid to (a) private landlords and (b) private B&B owners and hoteliers, to fulfil our legal duty to provide emergency temporary accommodation to homeless families in line with our statutory duties in the financial year 2020-21.

Answer:

Total expenditure covering period 1 – 6 Financial year 2021/22 is £155,396.72. Unfortunately these costs are not broken down by type a) or b) in the ledger.

Question 3: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Councillor Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities, what is the total number of private landlords, B&B owners and hoteliers that the Council works with and pays in order to discharge our duties to provide emergency accommodation.

Answer:

Over the past 12 months (up to 30th September 2021) 18 different suppliers of emergency accommodation have been used.

Question 4: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Councillor Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities, how many units of temporary accommodation does the Council own.

Answer:

The Council uses accommodation in our own housing stock if suitable and available at the time of need, 8 properties are currently being used this way including one specifically set up as a place of safety for victims of domestic abuse. In addition there is an 8 bedroom HMO property specifically for use as temporary accommodation.

Question 5: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Councillor Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities how many people living in the District are currently residing in temporary accommodation

Answer:

As of 15.10.21 a total of 41 households are in temporary accommodation, 16 of which are spot purchase arrangements (ie holiday lets/B&B's)

Question 6: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Cllr Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities, of the number of people currently placed by the Council in temporary accommodation, which towns/villages within the District live prior to contacting the Council about their homelessness situation.

Answer:

This information is not collected or reported on, mainly due to the fact that temporary accommodation is provided depending on overriding factors including the support needs of the applicant and their circumstances. For example, people needing to flee domestic abuse or threats of violence will not be accommodated in the town they are

fleeing from. Availability is also a key factor, as all spot purchase accommodation is in great demand, especially over holiday periods.

Question 7: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Cllr Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities, how many people in the last two years have had their stay in emergency accommodation ended by the Council without finding or being offered permanent accommodation within the District

Answer:

We have records for the last 19 months, from March 2020 to the end of September 2021, and within that period 259 households have been provided with emergency accommodation. This includes some repeat placements. Emergency accommodation has been ended without the council providing additional accommodation on 34 occasions, this again includes some repeat placements, although under such circumstances efforts will still be made to ensure accommodation is secured in cases where applicants engage. 12 of these cases involve applicants who failed to stay at the emergency accommodation placements that had been provided.

Question 8: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Cllr Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities, how many local residents of the District have been refused emergency accommodation on the basis that they were not considered a 'priority need' under the Housing Act in the last two years.

Answer:

There have been 37 cases where a relief duty has been triggered but emergency accommodation has not been offered as there has been no reason to believe that the applicant was considered to be in priority need under homelessness legislation. In such cases, assistance will still be provided in attempting to provide accommodation for them, depending on their circumstances ie supported accommodation or accommodation in the private sector. The Council would still owe the applicants a relief duty and as such would continue to work with them to find a positive outcome.

Question 9: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Cllr Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities, when did she last convene a meeting of the Gypsies and Travellers Forum, and will a subsequent meeting be arranged?

Answer:

The last meeting (which was also the first) of the East Devon Gypsy and Traveller Forum was held on 26 February 2020. This meeting was extremely well received and we had intended to meet again in April 2020. Unfortunately this was delayed due to the first lockdown and we have been unable to hold a further face-to-face meeting during the pandemic. Accessibility limitations (in terms of technology and/or user ability) have made it impractical to hold a remote meeting. We envisage relaunching the Forum in the New Year.

We have however worked extremely closely to meet the needs of Gypsies and Travellers, many of whom we identified at a very early stage as being extremely vulnerable. We issued guidance to assist with Gypsies and Travellers needing to self-isolate whilst travelling and a protocol to ensure that they were safe during this time. In addition, educational material relating to COVID, and other, vaccination programmes has been circulated by hand to the sites where Gypsies and Travellers are living and they have been encouraged to participate.

Multi-authority Officer Forum meetings were held very regularly during 2020 to ensure that a consistent, and tolerant, approach was taken to Gypsy and Traveller matters. Working with Streetscene, Housing and Environmental Health we ensured that drinking water supplies were available in Exmouth and Axminster for those whose access to off-site water provision was cut-off at the beginning of the first lockdown. Individual site visits have been regularly undertaken and funding has been secured for further health advice and education for East Devon Gypsies and Travellers.

Question 10: Procedure Rule 9.2 to the Portfolio Holder for Council & Corporate Coordination from Cllr Paul Millar

To ask the Portfolio Holder for Council & Corporate Coordination, what is his policy on the outsourcing of public services which offer social value to residents to private companies motivated by profit?

Answer:

My personal position on outsourcing is that it is not generally my preferred way for services to be delivered.

The Council has not previously established a formal policy in the sense indicated by this question but has looked at services on a case by case basis. The preference has always been to retain services in house where this has been shown to be viable. The best example I can give is our Housing service where we remain a Council proud to still be a landlord and to provide an excellent service for our tenants. In other areas, for example refuse and recycling and also leisure services, the Council has chosen to enter into long term strategic partnerships. The reasons for this have been partly financial but also because it reflected the prevailing political philosophy of national Government at the time (whether Conservative or Labour) through Compulsory Competitive tendering or the Best Value regime. In either case I think it has been shown that we deliver an award winning service that matters and which is valued by our residents.

For information the Chair of the Personnel Committee and I have already asked that as part of that Committee's Forward Plan we include discussion about how we

deliver our services, not least because the labour market appears to going through a challenging time.

Question 11: Procedure Rule 9.2 to the Leader of the Council from Cllr Phil Twiss

When will all EDDC meetings resume fully in person, consultative meetings, delegating decisions to Officers end, and members of the Council resume the democratic decision making process?

Answer:

I thank Cllr Twiss for this question. His question might have been more appropriately addressed to the Chair of the Council, who has led on this matter with maximum consultation seeking the widest consensus, and as this was a non-political matter it was decided by the whole council. Cllr Twiss will know that I wholly absented myself from the devising of the motion of 26th July 2021, as was appropriate and remains so in the future. However, I am happy to assist Cllr's Twiss's understanding of that extraordinary meeting, although of course the minutes are in the public domain.

That meeting followed his party's refusal (unlike all other political groups) to agree when the Chair courteously sought consensus last July that many key meetings eg Planning and Cabinet continue to be held in person at Blackdown House with wider member attendance via zoom. These had been working well for months, and members were comfortable that up to 20 people could meet safely and with social distance in the council chamber.

Therefore, effectively at his party's instigation, there was an impasse, and a gathering of Council was required at Westpoint on 26th July to try to find a way forward. Cllr Twiss will recall that, somewhat ironically, 10 Conservatives did not then manage to attend that one meeting in person, nearly half his group. Cllr Twiss himself was not present.

Nevertheless, members who were parents of young children, younger members with just one job, and members such as myself in the clinically extremely vulnerable group did manage to attend.

To remind Cllr Twiss, Council resolved that our meetings would for a short period be on a consultative basis, debated under normal terms with full rigour, and that the actual decision making would be delegated to officers until 23.59 on 17th January 2021. The barely half of Conservative members who did attend on 26th July put a proposal to review the decision every two months or when the R Rate reached a certain point, but the majority of members present did not accept this and the proposal was rejected.

So, the current position is that the resumption will be from 18th January unless the Council recommends to extend the arrangements. In a full council context, my own vote is just 1/60th of the total, but if it is of any interest, I of course personally favour

the soonest resumption of meetings in person when it is in the best interests of community, employee and member health to do so.

To the best of my knowledge this system has worked seamlessly since then, and with so many people catching Covid-19 even with two vaccinations, and the recent acceleration of infections, the decision of Council has been fully legitimised by events. Yesterday there was a daily infection rate nationally of 45,140, equivalent to around the 18th December last year moments before lockdown Christmas. There are repeated warnings of a flu epidemic, and I would remind Cllr Twiss that Stay Safe and Protect the NHS remains for the majority of our council the overwhelming priority.

For the very few members who have had IT connectivity issues I would politely advise that, as I have done in the past, they come to Blackdown House where they may have a fully connected room to themselves, and I am sure Democratic Services would assist with this simple exercise.

Of course, whether any resumption would be face to face or virtually is yet to be determined but sadly there does not appear to be any sign of the Government legislating to permit virtual meetings as an option at this time. This should be a matter of great regret that the party in power are simply not engaging with this subject to assist local government, as if virtual meetings had not been invented.

Summary of recommendations being presented to Council that will resolve in an action being taken:

20 October 2021 (Minutes in full have been circulated and are available on line.)

Cabinet – 28 July 2021	
51 Cranbrook Local Infrastructure Fund	
RECOMMENDED	to Council that; there is an in principle agreement to borrow up to £40m from the Public Works Loan Board to capitalise the Cranbrook Local Infrastructure Fund.

Cabinet – 1 September 2021	
58 Purchase of land at Boardsdown and Holyford, Pratts Hill, Colyford	
RECOMMENDED	to Council; To provide a budget for sums to purchase the land and the associated fees with those sums to be confirmed verbally to the Council meeting.

Cabinet – 8 September 2021	
67 Minutes of Community Grant Panel held on 22 July 2021	
RECOMMENDED	2. to recommend to Council that the budget for the Community Buildings Fund be increased to £35k for the financial year 2022/2023
68 Minutes of Asset Management Forum held on 27 July 2021 Specifically Minute 62: Request for budget from Asset Maintenance Reserve	
RECOMMENDED	to Council: that the sum of £245,700 be made available from the Asset Maintenance Reserve to fund the emergency works to the properties identified within the report as follows: a) Sidmouth Swimming Pool £35K (excluding VAT) b) Connaught Gardens Shelter 1B £62K (excluding VAT) c) Connaught Gardens Watch Tower £25K (excluding VAT) d) Exmouth Town Hall and Exmouth Pavilion Mansafe System £9,700 (excluding VAT) Cabinet 8 September 2021 e) Initial remedial works from Fire Risk Assessments £44K (excluding VAT) with further capital bid required

	f) Norman Lockyer Observatory £70K (excluding VAT)
74 Housing Options team staffing requirement	
RECOMMENDED	that Cabinet recommends to Council; to approve the additional budget in respect of two additional fixed term, full time Housing Officer posts for 12 months each; to deal with the additional demand on the homelessness service. The budget is in the region of £67,576 for two 12 month posts.

Cabinet – 6 October 2021	
85 Minutes of Housing Review Board held on 16 September 2021 Minute 8 Housing Strategy 2020-2024	
RECOMMENDED	that the Housing Strategy be adopted and is passed for approval.
85 Minutes of Housing Review Board held on 16 September 2021 Minute 11 Property & Asset; expanding the compliance and cyclical servicing arm of the property and asset team.	
RECOMMENDED	to Cabinet and Council that approval be sought for additional budget to resource new posts for the delivery of compliance and cyclical service work streams to ensure that the Council's housing stock remains safe and compliant so that tenants can feel safe in their homes.
86 Minutes of Housing Task and Finish Forum held on 9 September 2021 Minute 29 Affordable Housing TaFF conclusions report	
RECOMMENDED	to Cabinet and Council the recommendations set out in section 4 of the report, with the following addenda: 1. Identify EDDC or market sites or existing developer led sites. 2. Develop agreements with developers for them to develop and make profit with EDDC having a portion of market and/or affordable/social houses to reflect the Council's contribution to the development. This will enable to identify skills, models and opportunities. 3. Concurrent with 1. Identify communities that need support to develop a community-led housing scheme by offering technical and financial support. 4. In the meantime develop flexible models to get proof of concept.
87 A proposal for an Affordable/Social Housing Task Force	
RECOMMENDED	That Council approves the appointment of a Housing Task Force with the staffing resource outlined in the report to deliver

	more social and affordable housing with a budget of £250,000 per annum for two years.
92 Council Plan 2021-2023	
RECOMMENDED	To Council; Approval of the new Council Plan 2021-2023
93 Seaton Jurassic update report	
RECOMMENDED	Cabinet recommend to Council; 6. A revenue budget of £45,000 to meet ongoing costs for the current financial year for the centre be approved.

Strategic Planning Committee - 7 September 2021	
28 HELAA Panel constitution and role	
RECOMMENDED	<ol style="list-style-type: none"> 1. Agreement to the proposed constitution and terms of reference in appendix 1. 2. To appoint the Portfolio Holder for Economy and Assets and the Portfolio Holder for Strategic Planning onto the HELAA Panel. 3. Of agreement to delegate authority to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning, to make any further minor changes that might arise from a review of the panel's constitution and terms of reference by the panel.

Standards Committee – 14 September 2021	
6 East Devon District Council Standards Regime update	
RECOMMENDED	TO COUNCIL: <ol style="list-style-type: none"> 1. Approval of a revised procedure for dealing with Code of Conduct complaints, and related Constitutional amendments to implement it; 2. Approve that any training requirement imposed by way of sanction against a District Councillor be paid for by the District Council and that a budget of £5,000 be provided for this purpose.

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Cabinet held at Online via Zoom on 28 July 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.29 pm

44 Public speaking

There were no members of the public registered to speak.

45 Minutes of the previous meeting

The minutes of Cabinet held on 14 July 2021 were recommended for approval as a true record.

46 Declarations of interest

Min 49. Cranbrook New Community: 10 years in.
Councillor Dan Ledger, Personal, Member of Cranbrook Strategic Delivery Board.

Min 49. Cranbrook New Community: 10 years in.
Councillor Paul Hayward, Personal, Has close family members living in Cranbrook.

Min 50. Cranbrook Town Centre.
Councillor Dan Ledger, Personal, Member of Cranbrook Strategic Delivery Board.

Min 50. Cranbrook Town Centre.
Councillor Paul Hayward, Personal, Has close family members living in Cranbrook.

Min 51. Cranbrook Local Infrastructure Fund.
Councillor Dan Ledger, Personal, Member of Cranbrook Strategic Delivery Board.

Min 51. Cranbrook Local Infrastructure Fund.
Councillor Paul Hayward, Personal, Has close family members living in Cranbrook.

Min 52. Appointment of Financial Advisor to support the delivery of Zero Carbon Development in the West End.
Councillor Dan Ledger, Personal, Member of Cranbrook Strategic Delivery Board.

Min 52. Appointment of Financial Advisor to support the delivery of Zero Carbon Development in the West End.
Councillor Paul Hayward, Personal, Has close family members living in Cranbrook.

Min 53. Cranbrook Town Centre Land Acquisition.
Councillor Dan Ledger, Personal, Member of Cranbrook Strategic Delivery Board.

Min 53. Cranbrook Town Centre Land Acquisition.
Councillor Paul Hayward, Personal, Has close family members living in Cranbrook.

47 Matters of urgency

None

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

None

49 **Cranbrook New Community: 10 years in**

The Service Lead Growth, Development & Prosperity highlighted that it was just over 10 years since development of the Cranbrook new community commenced. Originally planned to have a population of around 7,000 people, Cranbrook was now expected to expand to circa 8,000 homes and a population nearing 20,000 people. The report took stock of how the development of the town had progressed over the past decade including identifying key learning points. Recommendations were put forward as to how additional revenue could be generated to support the delivery of assets and services in the town going forward.

Discussions included the following:

- Residents of Cranbrook had also made a financial investment into the town
- The need to understand past decisions and look forward to the future of the town
- It was right to focus on Cranbrook in order to support its residents to deliver their town

Having received the report and noted the contents, members were accepting of endorsing the principle of adopting an asset endowment / profit share approach to generate additional revenue for the town to support the delivery of assets and services on an ongoing basis and noted that other reports would address the matter further. In light of this members did not feel it necessary to make any specific recommendations.

50 **Cranbrook Town Centre**

The Enterprise Zone Programme Manager provided an overview of the progress made to support the delivery of Cranbrook town centre, funded by the Enterprise Zone programme. She provided information on the progress being made on the acquisition of land within the town centre and delivery of modular space.

Having received the report and noted the contents, members were accepting of endorsing the principles of supporting delivery of modular space through capital investment through the EZ programme and developing a proposal for a Health, Wellbeing and Leisure Hub. Members noted that other reports would address the matter further and therefore did not feel it necessary to make any specific recommendations.

51 **Cranbrook Local Infrastructure Fund**

The Service Leads Growth, Development & Prosperity and Planning Strategy and Development Management put forward a proposal for the establishment of a revolving infrastructure fund to support the delivery of critical infrastructure in step with new homes as an essential part of the continued expansion of the Cranbrook new community. They highlighted how an equivalent mechanism had been used successfully in the past to enable infrastructure, such as new schools, to be brought forward and delivered at the earliest opportunity. The proposals would both benefit residents and help to address ongoing viability challenges in relation to the expansion areas for Cranbrook.

Discussions included the following:

- Developing infrastructure was very important to get right
- Cranbrook needed this development as well as a viable and reliable electricity supply
- The electricity supply was fundamental and needed to be prioritised to be the first piece of infrastructure to develop
- Cranbrook's function was to provide new homes in the district
- The successful GP's surgery was almost at full capacity with plans for an extension in order to accommodate new patients. The Health and Wellbeing centre was crucial to support this
- This was a means to an end to get things underway. There was no central government funding so we had no other options. There was good strong security to back the investment

The Portfolio Holder Finance stated he welcomed this proposal as a way forward and gave reassurance that the loan was well within the borrowing limits of the council and an investment into the future as well as being the only solution available.

Having received the report and noted the contents together with the fact a further report would detail the Terms of Reference for the Fund, Cabinet;

RECOMMENDED:

to Council that there is an in principle agreement to borrow up to £40m from the Public Works Loan Board to capitalise the Cranbrook Local Infrastructure Fund.

REASON:

To ensure the cost effective and timely delivery of critical infrastructure to support the continued development of the Cranbrook new community.

52 **Appointment of Financial Advisor to support the delivery of Zero Carbon Development in the West End**

The Enterprise Zone Programme Manager asked for support to the delivery of Zero Carbon Development in the West End as it was necessary to procure the support of financial support. The project was a short time frame to develop a business case and met the deadlines of the funding organisation. It was recommended that Global City Future are appointed as Financial Advisors to undertake the development of a business case and support negotiations for this project. It was requested that this appointment is made as an exemption to Standing Orders.

RECOMMENDED:

that the request for Exemption to Standing Orders in respect of the appointment of Global City Futures as Financial Advisors to provide EDDC with advice on the emerging Zero Carbon Development scheme, subject to Council resolving to accept the grant in relation to the Heat Network Investment programme, be approved.

REASON:

To provide Financial Advice to the Council, due to the Council not having the in-house expertise or capacity necessary to undertake the business case and negotiation support for the project.

53 **Cranbrook Town Centre Land Acquisition**

The report provided information on the progress being made on the acquisition of land within the town centre to be funded through the Enterprise Zone programme. It highlighted the challenges associated with negotiating an acceptable price and put forward recommendations as how to proceed.

Councillor Kim Bloxham thanked officers for their well-informed reports which had helped to highlight the urgency and importance for investment into the infrastructure at Cranbrook.

Having received the report and noted the contents together with the fact a further report would be brought on the detailed investment programme, members endorsed the principle of acquiring land in Cranbrook town centre through capital investment through the EZ programme. Members also agreed with officers commissioning further specialist advice in relation to compulsory purchase. In light of this members did not feel it necessary to make any specific recommendations.

Attendance List

Present:

Portfolio Holders

P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action and Emergency Response
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
S Jackson	Portfolio Holder Democracy, Transparency and Communications
N Hookway	Portfolio Holder Tourism, Sport, Leisure and Culture

Cabinet apologies:

M Armstrong	Portfolio Holder Sustainable Homes and Communities
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Also present (for some or all the meeting)

Councillor Jess Bailey
 Councillor Kevin Blakey
 Councillor Kim Bloxham
 Councillor Jake Bonetta
 Councillor Colin Brown
 Councillor Olly Davey
 Councillor Bruce De Saram
 Councillor Steve Gazzard
 Councillor Val Ranger
 Councillor Eileen Wragg

Also present:

Officers:

Amanda Coombes, Democratic Services Officer

Ed Freeman, Service Lead Planning Strategy and Development Management
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Naomi Harnett, Principal Projects Manager East Of Exeter
Debbie Meakin, Democratic Services Officer
John Symes, Finance Manager
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity

Chair

Date:

Senior Officer Decision**Consultative meeting:** Cabinet**Consultative meeting date:** 28 July 2021**Exempt from publication**

No

Title: Appointment of Financial Advisor to support the delivery of Zero Carbon Development in the West End

Links to:

- (i) **Officer report to consultative meeting**
[Cabinet Agenda](#), item 52.
- (ii) **Recording of consultative meeting**
[YouTube Recording](#)
- (iii) **Minutes of consultative meeting**
[Cabinet Minutes](#)

Recommendation:

that the request for Exemption to Standing Orders in respect of the appointment of Global City Futures as Financial Advisors to provide EDDC with advice on the emerging Zero Carbon Development scheme, subject to Council resolving to accept the grant in relation to the Heat Network Investment programme, be approved.

Authority

Decision of Council on 26th July 2021 to delegate decision making to officers until 23.59 17th January 2022.

[Minutes 26th July 2021 – Council Meeting](#)

Officer Decision

Consultations:

I was present at / have watched the recording of the consultative meeting which considered this item

Yes ☒ No ☐

Detail any other consultations carried out:

N/A

Other considerations:

Do the legal and finance comments and equalities impact, climate change and risk assessments as detailed in the officer report remain the same.

Yes ☒ No ☐

If no, provide the updated assessment below;

Equalities impact Low Impact

Climate change High Impact

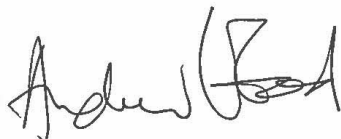
Risk: High Risk; The financial work will be important in terms of ensuring that all relevant risks can be managed going forward.

Decision:

I agree with the recommendation.

Reasons for decision:

Recommendation is based upon the report.



8 September 2021

Signed Dated

Senior Officer job title and name: Andy Wood, Service Lead – Growth, Development & Prosperity

For Democratic Services use.

Website publication Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Cabinet held at Online via Zoom on 1 September 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 6.45 pm

54 Public speaking

Cllr Steve Gazzard asked when EDDC would be reopening Community Centres and in particular Exmouth Town Hall. He has heard from residents from Exmouth who wished to access certain council services from the Town Hall, had been told that they would need to go to the offices in Honiton.

The Chair responded to Cllr Gazzard saying he would receive a written reply to this situation, as this was a serious situation which needed looking into thoroughly.

55 Declarations of interest

Min 58. Purchase of land at Boardsdown and Holyford, Pratts Hill, Colyford.
Councillor Dan Ledger, Personal, Lives 100m from Holyford Woods.

Min 58. Purchase of land at Boardsdown and Holyford, Pratts Hill, Colyford.
Councillor Geoff Pook, Personal, Walks in this area.

Min 58. Purchase of land at Boardsdown and Holyford, Pratts Hill, Colyford.
Councillor Paul Arnott, Personal, Is a Parish Councillor for Colyton and Ward Member for Coly Valley.

56 Matters of urgency

None

57 Confidential/exempt item(s)

None

58 Purchase of land at Boardsdown and Holyford, Pratts Hill, Colyford**CABINET RECOMMEND:**

The purchase of land at Boarsdown & Holyford, Pratt's Hill, Colyton (as described in the report) on the basis of submitting a bid at a sum no more than the external valuation advice received as part of the due diligence and authority be given to the Service Lead Place, Assets and Commercialisation to complete the purchase if the bid is successful in consultation with the Strategic Leads Governance & Licencing and Finance.

CABINET RECOMMEND TO COUNCIL:

To provide a budget for sums to purchase the land and the associated fees with those sums to be confirmed verbally to the Council meeting.

REASON:

To acquire land to implement a programme of tree planting, nature recovery, re-wilding as envisaged in the Climate Change Strategy and consistent with the health & wellbeing ambitions, Green Space plan.

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action and Emergency Response
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
S Jackson	Portfolio Holder Democracy, Transparency and Communications

Also present (for some or all the meeting)

Councillor Kevin Blakey
Councillor Jake Bonetta
Councillor Colin Brown
Councillor Maddy Chapman
Councillor Bruce De Saram
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Marcus Hartnell
Councillor Dawn Manley
Councillor Paul Millar
Councillor Helen Parr
Councillor Geoff Pook
Councillor Eileen Wragg

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Debbie Meakin, Democratic Services Officer
Charles Plowden, Service Lead Countryside and Leisure
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Cabinet held at Online via the Zoom app. on 8 September 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.42 pm

59 Public speaking

Cllr Paul Millar spoke on the issue of Exmouth Town Hall remaining closed to the public. He said he had had representations from two residents of his ward who would have benefitted from the Town Hall being open. He claimed that Exeter City Council's offices were open to the public and was unaware of any District Council in the region whose offices remain closed to the public for housing issues. He understood that COVID safety measures such as screens were vital to protect the welfare of staff but stated the council needed to provide a limited face-to-face service to residents whose situations warrant that kind of service.

The Strategic Lead Finance; whose responsibility covered Customer Services and Revenues and Benefits, responded saying there was clear message being communicated out to residents that the Town Hall was supporting the public by appointment-only face to face meetings. Offering appointments from both Exmouth and Honiton meant that the council could provide prepared targeted support with the appropriate trained officer in order to address residents' particular issues.

60 Minutes of the previous meeting

The minutes of the consultative meeting of Cabinet held on 28 July 2021 were agreed as a true record.

61 Declarations of interest

Min 72. Beer Community Land Trust Refinancing of Development Loan.
Councillor Geoff Pook, Personal, Chair of Beer CLT and ward member.

62 Matters of urgency

None

63 Confidential/exempt item(s)

None

64 Forward Plan

Members agreed to recommend the contents of the Forward Plan for key decisions for the period 1 October to 31 January 2022.

65 Minutes of Strata Joint Scrutiny Committee held on 12 July 2021

Members noted the minutes of Strata Joint Scrutiny Committee held on 12 July 2021.

66 **Minutes of Recycling and Waste Partnership Board held on 14 July 2021**

Members considered the minutes and recommendations of Recycling and Waste Partnership Board on 14 July 2021.

Members noted the following minute but considered no further recommendation was required;

Minute 7 SUEZ bridging solution regarding contract tipping point

1. that the Board had received the presentation regarding the bridging solution and had requested more detail in a written report.
2. that a more detailed report on a bridging solution would be brought forward for its consideration in due course.

Members agreed to recommend the following minutes;

Minute 8 SUEZ report on current collection issues and action plan

1. that SUEZ be requested to provide a written improvement and action plan to deal with current collection issues, including further material segregation trials, in discussion with crews and EDDC officers, be approved
2. that members visit the Greendale depot site to observe the work that is undertaken there, with members also shadowing collection crews on their rounds, be agreed.

Minute 10 Force majeure position and performance framework

that the current force majeure position with SUEZ cease with the ending of coronavirus restrictions on 19 July 2021, be approved.

67 **Minutes of Community Grant Panel held on 22 July 2021**

Members agreed to note and recommend the minutes and recommendations of Community Grant Panel held on 22 July 2021.

Minute 59 Community Buildings Fund

1. that the Community Buildings Fund eligibility criteria be extended to include:
 - a. Community buildings within town council areas, but outside of the town itself and in a separate village;
 - b. all community-owned pubs.
2. to recommend to Council that the budget for the Community Buildings Fund be increased to £35k for the financial year 2022/2023.

68 **Minutes of Asset Management Forum held on 27 July 2021**

Members agreed to note and recommend the minutes and recommendations of the consultative meeting of Asset Management Forum held on 27 July 2021.

Minute 62: Request for budget from Asset Maintenance Reserve

to recommend to Council that the sum of £245,700 be made available from the Asset Maintenance Reserve to fund the emergency works to the properties identified within the report as follows:

- a) Sidmouth Swimming Pool £35K (excluding VAT)
 - b) Connaught Gardens Shelter 1B £62K (excluding VAT)
 - c) Connaught Gardens Watch Tower £25K (excluding VAT)
 - d) Exmouth Town Hall and Exmouth Pavilion Mansafe System £9,700 (excluding VAT)
- page 51

- e) Initial remedial works from Fire Risk Assessments £44K (excluding VAT) with further capital bid required
- f) Norman Lockyer Observatory £70K (excluding VAT)

69 **Minutes of Scrutiny Committee held on 29 July 2021**

Members agreed to have this minute moved to the next Cabinet meeting on 6 October 2021, in order for it to be discussed fully before making any recommendations for approval to senior officers.

Minute 7 Report on proposed actions to improve staff morale

- A. That Cabinet (through the Portfolio Holders for Democracy & Transparency and Strategic Planning) assess whether Member Champion roles should be reintroduced, particularly in respect of the Council as Local Planning Authority.
- B. That Cabinet considers asking the Member Development Working Group to meet as soon as possible to review and revise the member training programme with a view to providing training designed to mitigate concerns raised in the staff survey.

70 **Financial Monitoring Report 2021/22 - Month 4 July 2021**

The Finance Manager gave a summary of the Council's overall financial position for 2021/22 at the end of month four (31 July 2021).

Current monitoring indicated that:

- The General Fund Balance is being maintained within the adopted levels. The first four months of the financial year had seen a return to more stable financial performance however, service demand remained high in many service areas. Income levels continued to recover, for example car parking income, as services reopen. Specific cost pressures had been identified and importantly funded from additional Government grant, these were listed within the report.
- The Housing Revenue Account Balance was being maintained at or above the adopted level.

Having received the report and noted the contents, members accepted the variances identified as part of the Revenue and Capital Monitoring process up to Month 4 be acknowledged and that no further recommendations were required.

71 **Home Safeguard: Contract with PPP (Night Owl)**

The Strategic Lead Housing, Health and Environment presented the report which sought approval for an exemption to Standing Orders for the temporary outsourcing (for 4 months) of Home Safeguard's emergency pendant alarm and out of hours service between 10:15pm to 7:15am.

The Night Operators were a team of 4 call handlers, with 3 members of the team working a shift pattern of 2 nights on and 4 nights off, with the 4th member of the team covering holiday and sickness. During the last 12 months the team had lost 3 night call handlers and had been unable to recruit replacements. At the same time there was an upgrading to the call handling system and a need to ensure appropriate resilience was maintained throughout the period.

Discussions included the following:

- Opposition to outsourcing to external contractors

- The need to review the salary levels as they appear low and therefore not helping when trying to recruit
- People deserve to be rewarded the pay their job demands
- Staff cannot be expected to be paid less than agency staff. The service needs to be kept in-house and invest in our own services
- As a statutory service this was the only option for now in order to fulfil our duty to these residents
- This was a short-term fix

The Deputy Leader stated that this was a way forward subject to a defined 4-month duration with continual reassessment to the recruitment issue. He stated the need for customer relationship management reports in the early stages of the contract to check performance and customer satisfaction.

The Strategic Lead Housing, Health and Environment John Golding with the support of the Leader, wished to express his thanks to colleagues and staff who had covered these extra shifts at short notice; he was extremely proud of this service and the people who worked in it.

Having received the report and noted the contents, members;
RECOMMENDED

1. approval of the Contract Standing Orders Exemption
2. the granting of authority for the signing of the contract with PPP (Night Owl)
3. that a further report be brought back in February 2022 in relation to this matter.

72 **Beer Community Land Trust Refinancing of Development Loan**

The Strategic Lead Finance presented a request from Beer Community Land Trust (CLT) asking the Council to refinance two elements of previously approved development loans. The request was to help the Trust address delay issues through Covid and certain cost increases as identified in their request. During discussions it was stated that the council should do everything it could to be supporting CLTs especially as they were little cost involved. Members congratulated the Beer CLT for the successful work they had done to date.

Having received the report and noted the contents, members;
RECOMMENDED:

1. to approve Beer CLT request of refinancing previously approved development loans as detailed in the report, and
2. that the Council's costs of entering into revised agreements, including due diligence, legal and surveying costs are to be met by the Borrower.

73 **Innovation and Resilience Fund - Policy and Terms of Reference**

The report set out the proposed policy for the deployment of the Innovation and Resilience Fund (formerly known as the AIR Fund) and associated Terms of Reference for the decision making panel. The policy document detailed how the application process would be managed and the criteria businesses and organisations would be required to meet to access the grant funding.

Having received the report and noted the contents, members;
RECOMMENDED:

1. the approval of the appended Innovation and Resilience Fund (IRF) policy

document

2. the delegation of authority to the Service Lead (Growth, Development and Prosperity) in consultation with the Leader, Deputy Leader, Portfolio Holder for Finance and Chief Finance Officer to agree such further changes to this policy as may be required
3. the approval of the appended Terms of Reference document for the IRF Panel
4. the delegation of authority to the Service Lead (Growth, Development and Prosperity) in consultation with the Leader, Deputy Leader, Portfolio Holder for Finance and Chief Finance Officer to agree such further changes to this Terms of Reference document as may be required
5. the approval of the appointment of a cross-party group of members to the IRF Panel, comprising the Leader, Deputy Leader and Portfolio Holders for Finance and Climate Action & Emergency Response, two Conservative members, one of the Independent members and one Cranbrook Voice member, to be nominated by the respective Groups.

74 **Housing Options team staffing requirement**

The report addressed a staffing requirement within the Housing Options team. Members verbally supported the request and thanked John Golding and his team for coping with the extra workload over the last few months.

RECOMMENDED that Cabinet recommend to Council;

to approve the additional budget in respect of two additional fixed term, full time Housing Officer posts for 12 months each; to deal with the additional demand on the homelessness service. The budget is in the region of £67,576 for two 12 month posts.

REASON:

To ensure the Housing Options team are better equipped to tackle the level of pressure on the homelessness service

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action and Emergency Response
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Tourism, Sport, Leisure and Culture

Cabinet apologies:

S Jackson	Portfolio Holder Democracy, Transparency and Communications
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Also present (for some or all the meeting)

Councillor Jake Bonetta
Councillor Colin Brown
Councillor Maddy Chapman
Councillor Olly Davey
Councillor Steve Gazzard
Councillor Vicky Johns
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Geoff Pook
Councillor Eleanor Rylance
Councillor Eileen Wragg

Also present:

Officers:

Sue Bewes, Housing Services Manager
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Debbie Meakin, Democratic Services Officer
Robert Murray, Economic Development Manager
John Symes, Finance Manager
Tom Winters, Economic Development Officer

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Cabinet held Online via the Zoom app. on 6 October 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.25 pm

75 Public speaking

A statement submitted by a member of the public was received under minute 87.

76 Minutes of the previous meetings

The minutes of the consultative meetings of Cabinet held on 1 September and 8 September 2021 were agreed.

77 Declarations of interest

Min 91; Colyton Neighbourhood Plan Examiner's Report.

Councillor Paul Arnott, Personal. Ward Member for Coly Valley.

Min 83; Exmouth Queen's Drive Group held on 7 September 2021.

Councillor Nick Hookway, Personal. Ward Member for Exmouth Littleham.

Min 93; Seaton Jurassic.

Councillor Jack Rowland, Personal. Ward Member for Seaton.

78 Matters of urgency

None.

79 Confidential/exempt item(s)

None.

80 Forward Plan

Members agreed to recommend the contents of the Forward Plan for key decision for the period 1 November 2021 to 28 February 2022 for approval.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

81 Minutes of Scrutiny Committee held on 29 July 2021

The Portfolio Holder for Democracy, Transparency and Communications outlined her current work in reinvigorating the Member Development Working Group, including further review of Member Champions. She planned to survey the Members, to help identify skill sets across the Council, and review the existing training offer in both topics, and how that training was delivered.

The Chief Executive outlined the background for the drive for more Member Champions, being the request from the Planning teams that previous related member champions in

planning areas had been invaluable in assisting with queries and helping to improve the planning knowledge of other Members.

Councillor Alan Dent, who had been involved with the original training program and had experienced the collaborative working outlined by the Chief Executive, stressed to Members that attendance at training was key.

The Monitoring Officer reminded Cabinet that Council had already agreed previously to review the role of Member Champions when they were re-introduced to see whether they were beneficial. The Leader requested that a report on Member Champions and the role going forward would be brought to Cabinet in the future.

In light of the discussion and comments, Members agreed to note the recommendations of Scrutiny Committee held on 29 July 2021 and agreed that no further recommendations were required.

Minute 7 Report on proposed actions to improve staff morale

1. That the Cabinet (through the Portfolio Holders for Democracy & Transparency and Strategic Planning) assess whether Member Champion roles should be reintroduced, particularly in respect of the Council as Local Planning Authority.
2. That Cabinet considers asking the Member Development Working Group to meet as soon as possible to review and revise the member training programme with a view to providing training designed to mitigate concerns raised in the staff survey.

82 Minutes of Community Grant Panel held on 31 August 2021

Members agreed to note the minutes of Community Grant Panel held on 31 August 2021.

83 Minutes of Exmouth Queen's Drive Delivery Group held on 7 September 2021

In response to a query, gaining a permanent planning consent means that the temporary attractions can continue, but it does not compromise any future plans for the site which will have to be considered as a fresh planning application.

Members agreed to note and recommend the minutes and recommendations of Exmouth Queen's Drive Delivery Group held on 7 September 2021 to officers for decision.

Minute 4 Planning Position update

That in order to provide certainty moving forward, permanent planning consent for temporary uses on the Queen's Drive site be sought as soon as possible.

84 Minutes of LED Monitoring Forum held on 14 September 2021

Members agreed to note and recommend the minutes and recommendations of LED Monitoring Forum held on 14 September 2021 to officers for decision.

Minute 75 Strategic Outcomes Planning Guidance (SOPG) DIAGNOSTIC final report

that the Strategic Outcomes Planning Guidance DIAGNOSTIC report be approved.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

85 **Minutes of Housing Review Board held on 16 September 2021**

Members agreed to note and recommend the minutes and recommendations of Housing Review Board held on 16 September 2021 and to:

Recommend the following to officers for decision;

Minute 2 Appointment of Vice Chair

that the recommendation that tenant representative Peter Sullivan be appointed Vice Chair of the Board for the ensuing year be passed for approval.

DECISION:

The recommendations were approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

Minute 9 Updated Housing Policies

that the policies are formally adopted by the Council is passed for approval.

Minute 12 Procurement of the gas servicing/services contract

that delegated authority is granted to the Strategic Lead for Housing, Health & Environment in conjunction with the Housing Service Lead and the Strategic Lead for Governance & Licencing and the Strategic Lead for Finance, to agree to proceed with the relevant stages of the procurement process and agree to granting the contract to the contractor identified in the process to deliver the 3 Star Gas Servicing Contract.

Minute 13 Housing Revenue Account and Housing Capital finance report

that the Housing Revenue Account and Housing Capital Finance report is passed for approval.

DECISION:

The recommendations were approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

Recommend the following to Council;

Minute 8 Housing Strategy 2020-2024

that the Housing Strategy be adopted and is passed for approval.

Minute 11 Property & Asset; expanding the compliance and cyclical servicing arm of the property and asset team.

that Cabinet and Council approval be sought for additional budget to resource new posts for the delivery of compliance and cyclical service work streams to ensure that the Council's housing stock remains safe and compliant so that tenants can feel safe in their homes.

86 **Minutes of Housing Task and Finish Forum held on 9 September 2021**

Members agreed to note and recommend the minutes and recommendations of Housing Task and Finish Forum held on 9 September 2021 to Council.

Minute 29 Affordable Housing TaFF conclusions report

that the Housing TaFF recommend to Cabinet and Council the recommendations set out in section 4 of the report, with the following addenda:

1. Identify EDDC or market sites or existing developer led sites.
2. Develop agreements with developers for them to develop and make profit with EDDC having a portion of market and/or affordable/social houses to reflect the Council's contribution to the development. This will enable to identify skills, models and opportunities.
3. Concurrent with 1. Identify communities that need support to develop a community-led housing scheme by offering technical and financial support.
4. In the meantime develop flexible models to get proof of concept.

87 **A proposal for an Affordable/Social Housing Task Force**

A statement from Mr Smith of Cranbrook was read out on his behalf in relation to this item. In the statement, Mr Smith outlined that in excess of 5000 "family units" were registered at Devon Home Choice awaiting housing provision. Since April 2017, no purchase, or build of, social housing had been undertaken by the Council, with no plans to do so for 2021/22. The company East Devon Homes had been unfit for purpose in his opinion; and that Cabinet had been slow to grasp the gravity of the housing shortage, He gave an example of Cranbrook, built to deliver housing development obligations for the District, but still leaving a localised need. He asked Cabinet to act with urgency to address the housing situation, and that any Task Force put in place was subject to performance monitoring.

In response to the statement, the Chair gave this thanks for the contribution made. He stressed the number one priority for the Council was to address the housing crisis. The Portfolio Holder for Strategic Planning disputed some of the comments made in the statement, and reminded the Cabinet that whilst homes had not been developed by the Council, our acquisitions and housing association developments have delivered 200 - 300 new affordable homes per year.

The Strategic Lead for Housing, Health and Environment presented his report, containing the recommendations from the Affordable Housing Task and Finish Forum. The report recommended the creation of a Task Force of officers employed to focus on delivery of social and affordable housing. Learning from the TaFF's investigations and our Housing Company experience found that we need to create officer capacity with the right skills, a source of funding, a risk appetite, and a single purpose team to achieve the ambition of increasing the output of social and affordable housing. He advised the Cabinet that patience was required to deliver this proposed intervention, particularly in a competitive housing market, but the proposal offered an exciting and realistic delivery model.

Debate included:

- Imperative to act swiftly with a model that would succeed;
- Shortage of rental properties was acute;
- Resourcing the proposed task force team was key, and best practice from other authorities should be sought to help develop the job descriptions;
- Review the financial incentive to downsize, balanced with the level of smaller homes available; this would be referred to the Housing Review Board to consider;

- Exciting opportunity to invest half a million, obtained by savings through budget underspend, to make a significant difference to the District in driving forward multiple delivery models of affordable housing;
- The level of second homes made a sizeable impact on the housing crisis, and detailed information on the number of those, at ward level, would be helpful to establish pinch points. The issue of second homes should be referred onto the Portfolio Holder for Strategic Planning.

The Portfolio Holder for Sustainable Homes and Communities, in response to a question, informed the Cabinet about her work in bringing forward lobbying with the support of local authorities in the South West, specifically on the issue of retaining a higher percentage of right to buy sales (RTB), and expressed concern about homes being decarbonised through significant investment being lost to RTB.

Recommendation to Council:

That Council approves the appointment of a Housing Task Force with the staffing resource outlined in the report to deliver more social and affordable housing with a budget of £250,000 per annum for two years.

Reason:

To deliver on the ambitions contained in the Council Plan and the recommendations coming through the work of the Affordable Housing Task and Finish Forum to produce more social/affordable housing.

88 **Public Health priority actions 2019-2020 Annual Review**

The Public Health Project Officer informed members that each year there was a review to this work and summarised how EDDC met the targets and aspirations of its Public Health Strategic Plan. The Annual Review of Public Health 2019-2020 actions looked back at the year which pre-dated the pandemic. It showed the commitment to activities across council service plans, which all aimed to make a positive difference to people's physical health and mental wellbeing across East Devon.

The Strategic Lead for Housing, Health and Environment responded to comments on the Sport England Steering Group in relation to involvement with Cranbrook; and to confirm that the Public Health Strategic Plan was regularly refreshed every 3 to 4 years, driven by the annually refreshed service plans. With work currently ongoing preparing the annual report for the pandemic year, the Strategic Plan would be refreshed to reflect learning and the wider recognition of good population health and wellbeing.

The Portfolio Holder for Finance commended the dedicated work of the Public Health Project Officer, particularly in her involvement with the Poverty Working Panel.

Having received the report and noted the contents, members welcomed the contribution made by the services through activities reviewed annually which underpinned the Public Health Strategic Plan and that no further recommendations were required.

89 **Corporate Debt Policy**

The Service Lead Revenues, Benefits, Customer Services & Corporate Fraud & Compliance introduced the Corporate Debt Policy which had been updated to reflect changes in legislation, the Poverty Strategy, changes in statutory fees and other related

policies. She also highlighted that the updated policy reflected the work of the Poverty Strategy. Citizens Advice had been consulted as part of the review process, and had agreed that the approach for debt recovery was sensible.

RECOMMENDED that;

Senior Officers approve the updated Corporate Debt Policy.

REASON:

To ensure the Corporate Debt Policy reflected the latest changes in legislation, statutory fees and was in line with other related policies and strategies.

90 **Innovation and Resilience Fund (IRF) - Exemption to Standing Order for Project Sponsor Services**

The report set out the action taken by officers to commission specialist project sponsor support to help East Devon business owners prepare robust applications to the Innovation and Resilience Fund (IRF). This assistance would ensure the required IRF scoring criteria was addressed wherever possible by the project proposals put forward. The external support would allow officers to focus on the assessment and reporting of full submissions ahead of member Panel decision-making and maximise the likelihood of EDDC being able to allocate its total ARG top up (£1.14m) before the Government spend deadline of 31 March 2022.

In response to a question, the Portfolio Holder for Finance confirmed that the funding would be allocated before the deadline; and that he looked forward to considering applications to this Fund.

Having received the report, members noted the contents, and agreed that no further recommendation was required.

91 **Colyton Neighbourhood Plan Examiner's Report**

The Chair stepped back from chairing the meeting for this item because of the declaration made as local Ward Member. Councillor Dan Ledger, acting as Vice Chair in the absence of Cllr Hayward, chaired this item.

The report provided feedback and set out proposed changes following the examination of the Colyton Neighbourhood Plan. The independent examination of the Plan had now concluded and the final Examiner's report received. If accepted, a decision notice would be published accordingly. This would confirm that the Plan could go forward for public vote in a local referendum as the penultimate stage in the plan-making process.

Councillor Helen Parr, as Ward Member, commended the plan to the Cabinet, highlighting the extensive work by the steering group that had prepared the plan. The Parish Council had accepted the recommendations made by the Inspector.

Having received the report and noted the contents, members;

RECOMMENDED to officers:

1. that the Examiner's recommendations on the Colyton Neighbourhood Plan (the Plan) be endorsed,

2. that a 'referendum version' of the Plan (incorporating the Examiner's modifications) proceed to referendum and that a decision notice to this effect be published,
3. that the Neighbourhood Plan Steering Group be congratulated on their hard work.

DECISION:

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

92 **Council Plan 2021-2023**

The Chief Executive provided the updated draft of the new Council Plan for 2021-2023, following the meeting of the Joint Overview and Scrutiny Committee.

The Portfolio Holder for Council and Corporate Co-ordination voiced his thanks to the Chief Executive, Jo Avery and other officers for their work and support in assisting in the preparation of the draft Council Plan. He commended the document to Cabinet.

Having received the report and noted the contents, members;

RECOMMENDED to officers:

That the draft of the new council Plan 2021-2023 final text progress to the design and publication phase, be agreed.

RECOMMENDED to COUNCIL

Approval of the new Council Plan 2021-2023

93 **Seaton Jurassic update report**

The report of the Service Lead for Place Assets and Commercialisation gave an update on the current position for Seaton Jurassic, which became the direct responsibility of the Council on 17 September 2021 following the exit of Devon Wildlife Trust. Cabinet were asked to consider the next steps for the site, and what options Cabinet requested further investigation into, before a final decision on a deliverable option could be considered in January 2022.

Debate included:

- Devon Wildlife Trust had made excellent efforts to deliver from the site;
- Appreciation for the detail in the report, which helped to make the public aware of the issues with the site, and the ongoing costs even as the building remained closed;
- Concern that a five year old building needed remedial works because of defects, especially in light of the cost of the building at £4.2m. The project should therefore be investigated by the Audit and Governance Committee (including referral to the Scrutiny Committee as appropriate). In response, the Chief Executive advised the Cabinet that such an investigation should be undertaken independently, and therefore could be referred to SWAP for addition to their audit plan;
- Appreciation for the work undertaken by officers and relevant Portfolio Holders in bringing forward the next steps required and to begin to explore the options available to the Council.

Having received the report and noted the contents, Cabinet acknowledged that Seaton Jurassic would remain closed until a final decision has been made over the preferred option for its future use, and whilst remedial works are being fully scoped, and noted the current position of the centre.

Recommended to officers:

1. That arrangements be made to ensure that, should the building remain vacant for the summer season of 2022, that opportunities are explored to ensure a café type use can trade in part of the building for the summer season as an interim measure;
2. That best efforts are made to negotiate and agree with the three principal funders arrangements to protect the Council's position against having to repay the principal sums;
3. That the next steps set out in section 10 of the covering report are progressed;
4. That the three options set out in section 11 of the covering report be considered with a further report to Cabinet for January 2022;
5. That the Seaton Jurassic project be referred to the Audit and Governance Committee for examination in the first instance.

Cabinet recommend to Council

6. A revenue budget of £45,000 to meet ongoing costs for the current financial year for the centre be approved.

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action and Emergency Response
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
S Jackson	Portfolio Holder Democracy, Transparency and Communications
N Hookway	Portfolio Holder Tourism, Sport, Leisure and Culture

Cabinet apologies:

P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
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Also present (for some or all the meeting)

Councillor Denise Bickley
Councillor Jake Bonetta
Councillor Colin Brown
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Bruce De Saram

Councillor Alan Dent
Councillor Peter Faithfull
Councillor Sam Hawkins
Councillor Richard Lawrence
Councillor Paul Millar
Councillor Helen Parr
Councillor Eleanor Rylance
Councillor Eileen Wragg
Councillor Tom Wright
Councillor Geoff Pratt

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Libby Jarrett, Service Lead Revenues and Benefits
Robert Murray, Economic Development Manager
Helen Wharam, Public Health Project Officer
Mark Williams, Chief Executive
Susan Howl, Democratic Services Manager
Debbie Meakin, Democratic Services Officer
Andrew Hopkins, Communications and Events Consultant
Charles Plowden, Service Lead Countryside and Leisure

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Scrutiny Committee held Online via the Zoom app on 29 July 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.40 pm

1 Public speaking

There were no members of the public registered to speak.

2 Minutes of the previous meeting

The minutes of the previous meeting held on 8 April 2021 were recommended to senior officers for approval.

3 Declarations of interest

Minute 7. Report on proposed actions to improve staff morale.

Councillor Vicky Johns, Personal, Member was of the view that all Councillors had an interest in this item.

Minute 8. Planning Enforcement Process.

Councillor Olly Davey, Personal, Member is an Exmouth Town Councillor.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential / exempt items.

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

There were no decisions made by Cabinet called in by Members for scrutiny.

7 Report on proposed actions to improve staff morale

The Chief Executive presented his report which was a follow up to the report to the Scrutiny Committee at its meeting on 4 March 2021, when the findings of a Health and Safety Executive approved survey of all staff taken during February 2021 had been presented.

Since the last Scrutiny Committee meeting, Strategic and Service Leads had worked with their teams to discuss the result and develop actions plans to work on any issues raised regarding operational matters. The action plans formed part of an ongoing work to address and where necessary revisit issues raised through the survey results. The Chief Executive's report outlined the issues raised in the action plans.

It was intended that the same Health and Safety Executive approved questionnaire would be distributed to staff during October / November 2021 and that this would allow for a comparison position to be established and an assessment of the extent to which the concerns raised have been addressed.

In response to questions, the Chief Executive advised the following:

- Regarding IT issues, further investigation would be needed as not all problems were experienced all of the time
- Recruitment of staff remained problematic for various reasons including difficulties of re-locating during the pandemic and the shortage of professional staff wanting to work in local government
- Regarding the Code of Conduct and standards procedures, Members should take responsibility for their own behaviour and measures to enforce standards should remain for exceptional circumstances only
- The new Corporate HR Manager would be in post from 2 August and work on a pay review would be undertaken to ensure that the Council remained as a median pay employer as per its policy
- Member development and training was in the Monitoring Officer's work plan
- The draft Council Plan was expected to be presented to the Overview and Scrutiny Committees in September / October
- The CEO would prepare a project plan to set out the way forward with implementing the actions proposed in the report

During the debate, Members were advised of the background to the formation of the new Personnel Committee which would be chaired by the Chair of the Council. Members also discussed the role of Portfolio Holders and Member Champions and the ways in which these roles could improve the flow of information and assist with signposting.

The Chair thanked the CEO for his report.

Having received the report and noted the comments, members were accepting of endorsing the proposed actions set out in the CEO's report and that reports addressing the proposed actions will be presented to Cabinet and the Personnel Committee in due course.

Members also felt that the CEO and / or Strategic Lead Governance & Licensing should liaise with all Committee Chairs (and Vice Chairs) to encourage managing their meetings so as to allow appropriate breaks (from screens and for general comfort) for the benefit of both staff and Members.

Recommendations

That the Cabinet (through the Portfolio Holders for Democracy & Transparency and Strategic Planning) assess whether Member Champion roles should be reintroduced, particularly in respect of the Council as Local Planning Authority, and

That Cabinet considers asking the Member Development Working Group to meet as soon as possible to review and revise the member training programme with a view to providing training designed to mitigate concerns raised in the staff survey, and

That the Chief Executive brings a report back to the Scrutiny Committee meeting of 7 October 2021 to provide reassurance as to when and how the actions in the report would be addressed. The Chief Executive confirmed that the report would be provided.

8 **Planning Enforcement Process**

A report by the Service Lead Planning Strategy and Development Management had been circulated in advance. The report responded to a request from the Committee to look at the planning enforcement process and the resourcing of planning enforcement. It sought to outline the principles of enforcement, the process followed and how the work is resourced.

Responses to questions to the Service Lead Planning Strategy and Development Management and debate by Members included the following points:

- There is adequate officer capacity currently, but no slack in the system if an officer is on leave or sick
- A significant amount of officer time is spent explaining the enforcement system to members of the public and a simple guide for residents might assist with understanding the process and would free up officer time to concentrate on other planning matters such as reducing the backlog of applications
- Planning would support the introduction of fines for planning breaches and lobbying of Government needs to continue
- It is recognised that there is frustration among members regarding the limited enforcement powers available to Planning and which are unlikely to change, although there are powers which give rights of access to officers in order to carry out inspections

The Committee acknowledged the report and its contents and recognised that planning enforcement is constrained by current legislation.

9 **Quarterly Monitoring of Performance - Quarter 4 2020 - 21**

Regarding the Quarterly Monitoring of Performance, it was noted that the absence report looking at working days lost due to sickness was ready and would be brought to the next meeting.

The Committee considered and acknowledged the report on Quarterly Monitoring of Performance for the 4th quarter - January to March 2021.

10 **Forward Plan**

Members considered the proposal form on Playing Pitch Strategy submitted by Cllr Millar.

The Committee was advised that the Strategic Planning Committee had agreed at its February meeting that the Playing Pitch Strategy would be considered when officer resources allowed as the current focus was on the new Local Plan process. Members of

the Scrutiny Committee were welcome to attend and contribute to the Strategic Planning Committee.

The Committee was content to leave consideration of the Playing Pitch Strategy to the Strategic Planning Committee.

Attendance List

Councillors present:

V Ranger (Vice-Chair)
M Allen
M Chapman
O Davey
V Johns
H Parr
E Rylance
A Bruce
P Millar
T Wright (Chair)

Councillors also present (for some or all the meeting)

J Bailey
C Brown
B De Saram
B Ingham
D Ledger
J Loudoun
M Rixson
J Rowland
M Armstrong
S Chamberlain
I Thomas

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
John Golding, Strategic Lead Housing, Health and Environment
Wendy Harris, Democratic Services Officer
Rebecca Heal, Solicitor
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive

Councillor apologies:

A Colman
C Gardner
S Hawkins

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Scrutiny Committee held Online via the Zoom app on 7 October 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.20 pm

11 Public speaking

There were no members of the public registered to speak.

12 Minutes of the previous meeting held on 29 July 2021

The minutes of the previous consultative meeting held on 29 July 2021 were received.

13 Declarations of interest

Minute 17. Further report on proposed actions to improve staff morale.
Councillor Mike Allen, Personal, The Member has made a Code of Conduct complaint which remains outstanding.

14 Matters of urgency

There were no matters of urgency.

15 Confidential/exempt item(s)

There were no confidential / exempt items.

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

There were no decisions made by Cabinet called in by Members for scrutiny.

17 Further report on proposed actions to improve staff morale

The Chief Executive presented a further report setting out proposed actions to improve staff morale. This followed the two previous reports to the Scrutiny Committee regarding staff morale and the issues raised and identified by staff in the HSE survey. Appendix 1 of the report set out the proposed action/project plan which is currently being factored in to the forward plans for other Committees. Appendix 2 included the annual Human Resources summary report for 2020/21 which highlighted a number of relevant considerations which are normally reported to the Committee.

Questions to the Chief Executive and discussion included the following points:

- Consideration could be given to Portfolio Holders having a greater role liaising between Members and Officers and this could assist new Members with signposting when queries arose.
- The management structure is in place to enable staff to respond to Members appropriately.

- Consideration could also be given to providing Members with regular updates when there are changes of Officer / post holder.
- The average age of the workforce is increasing and now stands at 48.
- The issues around Members' behaviour were improving but require consistent attention.
- More could be done to reduce staff absence and this was reflected in the proposed action plan. A follow up staff survey would be undertaken for comparison purposes.
- Regarding the Council's Investors in People status, the Chief Executive and the Corporate HR Manager had met with the IIP assessors and the next assessment is due within the next 15-18 months.
- In response to a point regarding the handling of a Member's complaint under the Code of Conduct, it was noted that there is a process for keeping those involved informed about progress.
- Regarding the fear of Covid-19 and staff returning to the workplace, it was noted that there is a policy of encouraging all staff to be double vaccinated and to take a lateral flow test before coming to the office. Public Health advice is also being adhered to regarding social distancing.
- With regard to Member Development, there were previously open meetings for new Members to attend and ask questions and it was noted that recent new Members have not had an opportunity to meet with colleagues.

The Monitoring Officer advised that the relevant Portfolio Holder is aware of the need for the Member Development Working Group to meet and had stated at Cabinet the day before about her intentions to re-invigorate the Group. The Code of Conduct and Member Officer Protocol are currently being reviewed and need to be in place so that training can be specific to the policy framework. All Members are welcome to attend and contribute to the Standards Working Group meetings as these policies are considered.

Further discussion included the following:

- It is anticipated that the Personnel Committee will handle staff and employment matters moving forward, but the Scrutiny Committee remains free to request further information and reports on matters of concern at any time.
- Regarding the theme of procedure in meetings in the proposed Action Plan, it was noted that training for Members on making succinct points in meetings had been raised during a previous discussion.
- Work is currently underway through the Personnel Committee to address issues around recruitment.

The Committee wished to acknowledge the excellent work across the Council in maintaining services during recent challenging times.

RECOMMENDATION

1. That the proposed action plan set out in Appendix 1 of the Chief Executive's report is accepted and it be endorsed that the CEO takes forward the actions identified and takes any further reports on the matter to the Personnel Committee.
2. That the relevant Portfolio Holder be invited to the next Scrutiny Committee meeting to provide an update on progress with the Member Development Working Group.

18 **Quarterly Monitoring of Performance - Quarter 1 2021 - 2022 - April to June 21**

The Chief Executive presented the report and highlighted 4 performance indicators which are showing a status of concern:

- the number of households living in temporary accommodation,
- working days lost due to sickness absence,
- percentage of planning appeal decisions allowed against the authority's decision to refuse, and
- percentage of Stage 2 complaints responded to within stated timeframes.

Consideration of the report included the following points:

- There was concern as to how to reduce the number of households in temporary accommodation and addressing affordable rents and social housing is at the forefront of the Administration's aims.
- The matter of providing sufficient emergency accommodation over the winter is being addressed.

The report was noted and the Committee acknowledged that action is being taken to address the supply of emergency accommodation over the winter.

19 **Forward Plan**

An update on progress with previously agreed forward plan items would be provided at the next meeting.

Attendance List

Councillors present:

T Wright (Chair)
V Ranger (Vice-Chair)
M Allen
A Bruce
M Chapman
O Davey
S Hawkins
T McCollum
P Millar
H Parr
E Rylance
J Kemp

Councillors also present (for some or all the meeting)

M Armstrong
P Arnott
D Bickley
C Brown
N Hookway
G Jung
D Ledger
A Moulding

J Rowland
I Thomas
E Wragg

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)

Wendy Harris, Democratic Services Officer

Sarah Jenkins, Democratic Services Officer

Mark Williams, Chief Executive

Councillor apologies:

A Colman

C Gardner

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of the Overview and Scrutiny Committees held at Online via the Zoom App on 16 September 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 6.45 pm

1 Public Speaking

The Chair welcomed members of the public and Councillors to the Joint meeting of the Overview and Scrutiny Committees and explained that all participants were taking part remotely and the meeting was also being viewed online and recorded.

She outlined that based on the decision of the Extraordinary Meeting of Council held on 26th July, the Council had delegated much of its decision taking power to its Senior Officers. This is for a short period of time only and due to concerns relating to COVID risk. Consequently, the meeting is held on a consultative basis only, and the procedural rules detailed in the Council's Constitution, will continue to be adhered to.

However, where the meeting would have normally decided a matter, it will now make recommendation to a Senior Officer. The Officer will then take that recommendation into account, when making their decision.

The Chair went on to explain that since the meeting was a joint meeting between two Committees and the Chair of Scrutiny was unable to attend, she wanted to appoint a Vice Chair solely for this meeting and Cllr Pook had offered to perform this role. She invited members to confirm their support for this, and following a vote Cllr Pook was duly asked to act as Vice Chair for the meeting.

The Chair then started the meeting by doing a roll call of those present, and confirmed that the meeting was quorate.

There were no members of the public registered to speak.

2 Minutes of the previous meeting

The Chair asked for comments on the Minutes from the previous Overview Committee meeting held on 12th November 2020.

Cllr Rylance wanted to offer retrospective apologies since she had not offered them for the meeting but had not been in attendance.

The Chair then invited Cllrs to vote in favour, against or abstaining recommending approval of the Minutes.

Following a vote of those present the Chair confirmed that the minutes were recommended for approval.

RECOMMENDATION: to approve the minutes of the last meeting following a vote of those present.

3 Declarations of interest

79. Draft Updated Council Plan 2021 – 2023. Councillors Vicky Johns, Dean Barrow, Alasdair Bruce, Maddy Chapman, Olly Davey, Steve Gazzard, Marcus Hartnell, Sam Hawkins, Tony McCollum, Andrew Moulding, Helen Parr, Geoff Pook, Val Ranger, Eleanor Rylance, Tony Woodward; Personal. All are Town or Parish Councillors.

4 **Matters of urgency**

There were no matters of urgency.

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

There were confidential items to be discussed.

6 **Draft Updated Council Plan 2021 - 2023**

The Chair outlined that the report in the agenda provided an updated draft of the new Council Plan for 2021-2023. It also contained the recommendation as follows;

Recommendation:

‘That the Overview and Scrutiny committees consider this draft of the new council Plan 2021-2023 and provide feedback on it including that of the priorities and actions before it proceeds to Cabinet and Council in October’.

She went on to remind members that they have all had an opportunity to be involved in the development of the new Plan which is intended to go to Cabinet on 6th October and Council on 20th October, before being published later in October.

Before inviting members to comment on the Plan, she asked the Chief Executive, Mark Williams, to provide a brief introduction.

Mark Williams referred members to page two of the Plan, which explained how the Council Plan fitted into the work of the Council overall, as an employer and service provider. This was also a slide used when he gave his welcome talk to new employees, to indicate the links between an individual’s annual objectives and Service Plans, the Council Plan and the Local Development Plan, the ‘Golden Thread’.

He then referred to page nine of the agenda papers which explained the political process for adoption of the new Plan, and page one of the Plan, which provided a more forceful articulation of future intentions through three key priorities;

- Better Homes and Communities for all
- A Greener East Devon
- A Resilient Economy

Page three of the Plan started to indicate the detailed actions which would be required to deliver the priorities. He concluded by indicating how much the Council achieved each year but that it was necessary to be aware of the financial envelope available over the next two to three years.

The Chair invited Cllr Loudoun to speak as Portfolio Holder for Council & Corporate Coordination.

Cllr Loudoun thanked Mark Williams for his introduction and wise counsel, and all those members who had contributed to the development of the Plan. He thanked the Senior Management Team for their assistance in the drafting process and Jo Avery for her hard work and patience in putting the Plan together.

He wanted to point out an omission in the form of an additional, fifth point to be added on page four of the Plan under the sub-heading, 'Promoting culture and community', which should read as follows;

'Support communities through the transfer of appropriate community assets to towns and villages, enabling local communities to own, manage and develop assets in support of community aspirations and benefits'.

The Chair invited comments from members.

Cllr Pook clarified the intention of the fifth point from the perspective of the benefit of transfers to a local community.

Cllr Davey re-iterated this point in relation to how EDDC may be able to encourage Town and Parish Councils in initiatives and improve relationships generally between them.

Cllr Hawkins referred to Cranbrook as being one of the largest towns in the District.

Cllr Rylance stated that she was very happy with the Plan and would send across her comments in relation to minor corrections required.

The Chair invited members of the Overview Committee, to vote in favour, against or to abstain from recommending approval of the recommendation, with the inclusion of the additional point under the heading 'Promoting culture and community' and any minor corrections to be advised and made outside the meeting.

Following a vote of those present, the Chair confirmed that the recommendation was passed for approval by members of the Overview Committee.

Recommendation:

That the Overview and Scrutiny committees have considered this draft of the new council Plan 2021-2023 and provided feedback on it including that of the priorities and actions before it proceeds to Cabinet and Council in October.

The Chair then invited members of the Scrutiny Committee, to vote in favour, against or to abstain from recommending approval of the recommendation, with the inclusion of the additional point under the heading 'Promoting culture and community' and any minor corrections to be advised and made outside the meeting.

Following a vote of those present, the Chair confirmed that the recommendation was passed for approval by members of the Scrutiny Committee.

Recommendation:

That the Overview and Scrutiny committees have considered this draft of the new council Plan 2021-2023 and provided feedback on it including that of the priorities and actions before it proceeds to Cabinet and Council in October.

The Chair thanked everyone who had participated in or been watching the meeting online, and closed the meeting at 6.45pm.

Attendance List

Councillors present:

V Johns (Chair)
D Barrow
S Gazzard
M Hartnell
A Moulding
G Pook
V Ranger
T Woodward
A Bruce
M Chapman
O Davey
S Hawkins
T McCollum
H Parr
E Rylance

Councillors also present (for some or all the meeting)

M Armstrong
P Arnott
D Bickley
P Hayward
N Hookway
S Jackson
G Jung
J Loudoun
M Rixson
J Rowland
B Taylor

Officers in attendance:

Mark Williams, Chief Executive
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Jo Avery, Management Information Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

I Hall
B Ingham
D Manley
P Millar
M Allen
C Gardner
T Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Housing Review Board held at Online via the zoom app on 16 September 2021

Attendance list at end of document

The meeting started at 10.00 am and ended at 1.00 pm

1 Public speaking

There were no matters raised by the public.

2 Appointment of Vice Chair

The new Chair of the Housing Review Board, Councillor Sarah Chamberlain introduced herself and thanked the previous Chair, Councillor Tony McCollum for all his hard work with the Board during the past two years.

Nominations for Vice Chair were received for co-opted tenant member Peter Sullivan.

RECOMMENDED: that the recommendation that tenant representative Peter Sullivan be appointed Vice Chair of the Board for the ensuing year be passed for approval.

3 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 29 April 2021 were recommended for approval.

4 Declarations of interest

Declarations of interest.

Cat Summers, Personal, housing tenant.

Declarations of interest.

Cindy Collier, Personal, housing tenant.

Declarations of interest.

Councillor Ian Hall, Personal, Devon County Council councillor, his mum was a council tenant and a user of HomeSafeguard, and he may be involved in a future men's shed project at Millwey Rise estate, Axminster.

Declarations of interest.

Councillor Sarah Chamberlain, Personal, employee of Exeter City Council.

Declarations of interest.

Peter Sullivan, Personal, housing tenant.

9. Housing Strategy 2020-2024.

Councillor Geoff Pook, Personal, has a number of private sector rentals.

5 Matters of urgency

Councillor Ian Hall requested information and assurances that there were adequate safeguards in place for the HomeSafeguard overnight service. The Strategic Lead – Housing, Health and Environment advised members that a report had been taken to Cabinet earlier this month outlining a short term agreement with a specialist calling handling provider as an emergency measure to ensure that the service was maintained overnight to ensure business continuity for customers.

The Vice Chair expressed disappointment that tenants had not been made aware of these changes to the service. He was assured that this emergency temporary measure could be communicated to tenants and the Cabinet report would be circulated to Board members.

6 Confidential/exempt item(s)

There were no confidential/exempt items.

7 Housing Review Board forward plan

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

During the meeting the following items were added to the forward plan which was endorsed by the Board:

- A presentation from the Housing Services Manager and tenants regarding the Council's response to the social housing White Paper.
- Procurement updates.
- To consider the current and potential use of garage sites, particularly in respect of possible development sites.
- Progression of the Fairshare project as an important contributor to the agenda.

8 Housing Strategy 2020-2024

The Strategic Lead – Housing, Health and Environment presented the revised Housing Strategy following consultation, for member approval and asked the Board to recommend that Cabinet approve and adopt the strategy. The Housing Strategy reflected and responded to broader council policy as set out in both the Housing Service Plan and the developing Council Plan. It presented an overview of the Housing Service's planned strategic approach to effectively meet continuing and emerging housing challenges over the next four years. The high level themes covered:

- Providing homes.
- Improving homes.
- Improving communities.
- Improving services.

It picked up on the Council ambition of increasing the supply of new social and affordable homes.

RECOMMENDED: that the Housing Review Board recommendation that Cabinet adopts the Housing Strategy is passed for approval.

9 **Updated Housing Policies**

The Acting Housing Service Lead's report informed the Board of a number of housing policies that had been reviewed by the relevant housing manager to ensure that they continue to reflect current good practice and legislation.

Following a question about mutual exchanges it was clarified that the properties were 'sold as seen' and did not qualify for repair works unless it was emergency repairs or related to compliance, for the first six months following exchange.

RECOMMENDED: that the Housing Review Board recommendation to Cabinet that the policies are formally adopted by the Council is passed for approval.

10 **Housing Management System upgrade**

The Housing Systems Manager explained to the Board that the Housing Service was currently investigating options to upgrade its housing management system, Capita's Open Housing, to its latest version branded as "One Housing". He explained that it was a relatively significant upgrade, with a number of key benefits, which were outlined in section 8 of the report. It was noted that due to the scale of the upgrade and that the upgrade was unique to the Capita site it had not been possible to previously budget for the upgrade. However, a further report would be brought back to the next meeting of the Housing Review Board with a more detailed costed proposal.

The Acting Housing Service Lead informed the Board that Capita Open Housing was becoming outdated and until the trial sessions had been undertaken she could not comment on how user friendly and intuitive the new system would be. It was hoped that following the upgrade the system would substantially help with monitoring case loads, asset management, compliance, stock condition, complaints management and other key functions of the housing service.

The Vice Chair commented that he was pleased to see that there would be more involvement for tenants and requested a tenant portal be activated.

The Housing Review Board noted the current investigation of software upgrade options for the Council's Housing Management IT system and the potential for a budget request once the outcome of demonstrations and the financial implications of the final recommendation were known.

11 **Property & Asset; expanding the Compliance & Cyclical Servicing arm of the Property & Asset Team**

The Property and Asset Manager's report requested that the HRB accept the recommendation for an increase in budget for additional posts in the Housing Property and Asset team for the delivery of compliance and cyclical services work streams, to ensure that the housing stock remained safe, compliant and that tenants could feel safe in their homes. There was a focus on the big five areas of compliance/cyclical servicing:

- Asbestos management
- Gas servicing

- Electrical testing
- Fire management
- Legionella

The responsibility for the management and delivery of all these work streams fell within the Property & Asset Team, but there was limited specific dedicated resource/team to deliver compliance and cyclical servicing. A decision was taken earlier in the year to provide an additional delivery arm within the Property & Asset Team to focus on compliance and cyclical servicing, the team having four direct delivery strands:

- Reactive repairs and voids.
- Planned works, climate change and stock condition survey.
- Compliance and cyclical servicing.
- Call centre, customer improvement and relationship management.

The current make-up of the team was below industry standard and that required to deliver all the work streams. Compared to the industry standard EDDC's compliance team was 70% understaffed. Following a review it was believed that four additional officers were required and the report highlighted where the responsibilities would fit within the team. At present there were no funds in the budget to facilitate the enlargement of the compliance and cyclical servicing arm of the Property and Assets team and the report set out the anticipated financial implications of this.

The Strategic Lead – Housing, Health and Environment in response to a question on recruitment advised the Board that the Council would be undertaking a pay review across the organisation as it had been recognised in some areas it was now paying below the market rate and therefore recruitment and retention of staff was suffering. Once the pay review had been undertaken he expected that the Council would find it easier to recruit. It was essential to recruit the right skill sets and competence.

Concern was expressed that the Council would struggle to recruit and retain staff with the correct skill sets to these essential roles. The Strategic Lead – Housing, Health and Environment reassured the Board that once the need for the new posts had been agreed budget funding would come from the Housing Revenue Account. Market supplements could be considered, if required, following advice from Human Resources. If severe recruitment issues were experienced, a report would be brought back to the HRB.

RECOMMENDED: that the Housing Review Board recommends to Cabinet and Council that approval be sought for additional budget to resource new posts for the delivery of compliance and cyclical service work streams to ensure that the Council's housing stock remains safe and compliant so that tenants can feel safe in their homes.

12 **Procurement of the Gas Servicing/Services Contract**

The Property and Asset Manager updated the Board on the current position with the gas servicing contract, the progress with its re-procurement and the proposed route to complete the re-procurement process to enable seamless delivery of the service following expiry of the existing/implementation of the new contract. The current contract with Liberty Group was due to expire on 31 March 2022.

The report set out procurement options and suggested that Advantage South West framework be utilised to procure the 3 star gas servicing contract as a single service, accepting that small elements might be sub-contracted.

RECOMMENDED: that the Housing Review Board recommend to Cabinet that delegated authority is granted to the Strategic Lead for Housing, Health & Environment in conjunction with the Housing Service Lead and the Strategic Lead for Governance & Licencing and the Strategic Lead for Finance to agree to proceed with the relevant stages of the procurement process and agree to granting the contract to the contractor identified in the process to deliver the 3 Star Gas Servicing Contract.

13 **Housing Revenue Account and Housing Capital finance report**

The accountant's report provided the Housing Review Board with current draft financial outturn figures for the housing revenue account and housing capital program for the 2020/21 financial year. The report also considered the implications of any forthcoming regulatory changes.

Producing a Housing Revenue Account had been a statutory requirement for Councils who managed and owned their housing stock for some time, and therefore a key document for the Board to influence.

The previous finance report to the HRB explained regulatory changes to Right to Buy and how Right to Buy receipts could be used. It noted the phased reduction placed upon the proportion of acquisitions made within the year from the 2022/23 financial year onward. The limits imposed would be:

- From 2022/23 – maximum 50% of supply to be acquisitions.
- From 2023/24 – maximum 40% of supply to be acquisitions.
- From 2024/25 onwards – maximum of 30% of supply to be acquisitions.

The limits within the right to buy agreement sent by MHCLG only applied after 20 properties. The Council could only therefore make 20 acquisitions before being required to spend any receipts on development.

The Housing Revenue Account surplus was in a healthy position. Income levels for dwellings remained consistent and on budget, whereas garage rents, mostly impacted by voids, continued to underperform.

RECOMMENDED: that the Housing Review Board recommendation to Cabinet that the Housing Revenue Account and Housing Capital Finance report is passed for approval.

14 **Integrated Asset Management Contract**

The Property and Asset Manager's report provided the HRB with an update on the delivery of the Integrated Asset Management Contract for quarter 1 of 2021/22 and sought approval of the high level governance of the contract. This was to ensure that all amendments/variations/changes required to the contract were managed in the most efficient compliant manner as possible to ensure the daily operational delivery of the Integrated Asset Management Contract (IAMC) was maintained.

The IAMC delivered by Ian Williams entered its third year on 1 April 2021. Many challenges had been encountered during the first two years, the main ones being:

- Developing a professional working relationship between EDDC and Ian Williams.
- Implementing a new contract delivery model, Price Per Property (PPP) and Price Per Void (PPV).
- The impact on delivery of the service of the Covid-19 pandemic.
- The impact on delivery of the service of Brexit.

It was noted that the level of performance in the delivery of reactive repairs was falling and this needed to be addressed. Compliance meetings were held monthly between both parties and this was going well. No access continued to be an issue in the delivery of compliance/cyclical servicing work. Quarter 1 had seen a drop in complaints made directly against Ian Williams. Although as a service, Property and Assets complaints were still at a higher than hoped level, work was being done to reduce this trend through learning across both parties.

The Covid-19 pandemic had significantly reduced demand for the Handyperson Service and despite restrictions being lifted demand remained low.

The report explained that the IAMC was designed and set up in such a way to allow additional work streams to be added and to amend the manner in which it was delivered, as the Contract evolved it was likely that numerous changes would be required, it was therefore necessary that there should be a mechanism in place to allow such changes to be made with minimal disruption to the daily operation. The Governance of the Contract was:

- Any/all changes that effect or require a change to the Terms and Conditions of the Formal Contract to be tabled to/approved by the Core Group and then tabled to the Housing Review Board for final acceptance/sign off.
- Any/all changes that were solely operational and required no change to the Terms and Conditions of the Formal Contract to be tabled to/approved by the Core Group and then signed off by the EDDC Strategic Lead/Service Lead for Housing and a Director of Ian Williams.

The report recommended that the Housing Review Board accept the levels of Governance for the IAMC Contract and this was noted by the Board.

The Chair of the Board thanked the Property and Asset Manager for his report.

The Vice Chair reported that from a tenant's point of view the IAMC had been challenging. Tenants had struggled to have a meeting with the Ian Williams repairs team for the past 18 months. It was hoped that as Covid restrictions were no longer in place it would be possible to recommence tenant review team meetings. There was a need to ensure continuous improvement and to manage expectations.

15 **The Building Safety Act presentation**

The Property and Asset Manager and the Compliance and Cyclical Servicing Manager gave the Board a presentation on the Building Safety Act and the impact on housing.

Following the Grenfell Tower fire on 14 June 2017 in which 72 people died and more than 70 were injured the Prime Minister announced that a public inquiry would be set up. This began on 14 September 2014 and the findings from the first report were released in October 2019. A second phase to investigate the broader causes began on 14 June 2020.

As a result of the fire and subsequent testing of aluminium composite material cladding from similar buildings across the country the Government commissioned an independent review of the building regulations and fire safety on 28 July 2017. Its purpose was to make recommendations that would ensure a sufficiently robust regulatory system for the

future and that residents felt that the buildings they lived in were safe and remained so. The review concluded that the whole system needed major reform and that residents' safety needed to be a greater priority through the entire life cycle of a building. The Government accepted the recommendations and published the draft Building Safety Bill in July 2020, due to come into force in late 2021. The Bill brought forward a more stringent regulatory regime focused on fire and structural safety, which defined roles and responsibilities and a new dedicated Building Safety Regulator which was part of the Health and Safety Executive.

The recommendations for the Bill were:

- Stringent regime for the fire safety in higher risk buildings.
- Regime to monitor performance of the building from design stage to occupation.
- Cross cutting legislation and reform of building regulations and guidance.
- New Homes Ombudsman.
- Easier access to the Housing Ombudsman.
- A more transparent testing regime.
- Increasing tenants' voice.

Everyone within the Council had a responsibility for reporting any fire concerns, including the HRB. Within housing, the duty holder was the Chief Executive. The accountable person would be the Strategic Lead or Service Lead. The Building Safety Manager was appointed by the accountable person and approved by the building safety regulator to deliver the day to day functions on behalf of the accountable person. Residents of buildings in scope of the new regime would be given duties to cooperate with the Building Safety Manager and developing a resident engagement strategy would be a required part of a building's safety case.

It was noted that at present EDDC did not currently have any in-scope buildings, however it was believed that further buildings, possibly sheltered blocks of flats would become in scope at a later date. The two options to fulfil the role of the Building Safety Manager was to appoint to the role or to discharge this duty to the senior management team within housing.

The Government asked for the Health and Safety Executive to establish a new building safety regulator to oversee the safe design, construction and occupation of high risk buildings so that residents were safe and felt safe. It would be independent and give expert advice to local regulators, landlords and building owners, the construction and design industry, and to residents. For new developments and major refurbishments there would be three gateways; pre-planning stage, pre-construction stage and pre-occupation stage.

The key points of the Building Safety Act for the future were:

- A stricter regime on building and refurbishment of buildings.
- Golden thread of information needed at all stages of the buildings.
- Fire door inspections.
- Stricter regime on fire safety inspections.
- Ensuring resident engagement.

On behalf of the Board the Chair thanked the Property and Asset Manager and the Compliance and Cyclical Servicing Manager for their presentation and commented that every agenda item would be covered by the Building Safety Act, and that compliance was key to all.

Attendance List

Board members present:

Peter Sullivan, Tenant (Vice-Chair)
Cat Summers, Tenant
Councillor Ian Hall
Councillor Helen Parr
Cindy Collier, Tenant
Councillor Geoff Pook
Councillor Brenda Taylor
Councillor Sarah Chamberlain (Chair)

Councillors also present (for some or all the meeting)

M Armstrong
D Ledger
T McCollum
P Millar
E Rylance
E Wragg

Officers in attendance:

Debbie Meakin, Democratic Services Officer
Alethea Thompson, Democratic Services Officer
Graham Baker, Senior Technical Officer Asset Management
Sue Bewes, Housing Services Manager
Michelle Davidson, Property and Asset Management
Jo Garfoot, Acting Housing Service Lead
John Golding, Strategic Lead Housing, Health and Environment
Rebecca Heal, Solicitor
Andi Loosemoore, Rental Manager
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

Christine Morrison, Tenant

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House and online via the zoom app on 20 July 2021

Attendance list at end of document

The meeting started at 2.01 pm and ended at 4.30 pm

14 Public speaking

There were no members of the public present.

15 Minutes of the previous meeting

The minutes of the Strategic Planning Committee held on 22 June 2021 were confirmed as a true record.

A question was raised by Councillor Bailey about the HELAA panel and sought clarification on when to expect the report as detailed in the minutes. In response the Service Lead – Planning Strategy and Development Management advised a report would come before Members at the next meeting on 7 September.

16 Declarations of interest

Minute 19. Cranbrook Local Infrastructure Fund.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 19. Cranbrook Local Infrastructure Fund.
Councillor Kevin Blakey, Personal, Cranbrook Town Councillor and a member of the Cranbrook Strategic Delivery Board.

Minute 19. Cranbrook Local Infrastructure Fund.
Councillor Paul Hayward, Personal, Daughters live in Cranbrook and may benefit from the Cranbrook Local Infrastructure Fund.

Minute 19. Cranbrook Local Infrastructure Fund.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor (ward next to Cranbrook).

Minute 20. Planning obligations securing financial contributions to health care.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and a development in my ward is named in this item.

Minute 20. Planning obligations securing financial contributions to health care.
Councillor Jess Bailey, Personal, West Hill Parish Councillor and Devon County Councillor.

Minute 20. Planning obligations securing financial contributions to health care.
Councillor Mike Howe, Personal, Parish Councillor and Ward Member for Clyst St Mary. Also owns a business in Clyst St Mary.

Minute 20. Planning obligations securing financial contributions to health care.
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 20. Planning obligations securing financial contributions to health care.
Councillor Paul Hayward, Pecuniary, Spouse works for the Royal Devon & Exeter NHS Foundation Trust.

Minute 20. Planning obligations securing financial contributions to health care.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

Minute 21. The Role and Function of Settlements - draft report.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 21. The Role and Function of Settlements - draft report.
Councillor Jess Bailey, Personal, West Hill Parish Councillor and Devon County Councillor.

Minute 21. The Role and Function of Settlements - draft report.
Councillor Mike Howe, Personal, Parish Councillor and Ward Member for Clyst St Mary. Also owns a business in Clyst St Mary.

Minute 21. The Role and Function of Settlements - draft report.
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 21. The Role and Function of Settlements - draft report.
Councillor Paul Hayward, Personal, Employed as Parish Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils.

9. The Role and Function of Settlements - draft report.
Councillor Philip Skinner, Personal, Owns land in Talaton that is in the HELAA process.

9. The Role and Function of Settlements - draft report.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

In response to a question raised by Councillor Skinner about the make-up of a pecuniary interest, the Deputy Monitoring Officer advised it was for Members to consider the facts of each interest and the item to which it applied to. She advised that failure to disclose a pecuniary interest is a criminal offence and if Members considered something was pecuniary it should be declared and for that Member to leave the room when the item was discussed.

17 **Matters of urgency**

With the agreement of the Chair, Councillor Philip Skinner raised an urgent item about the plethora of solar panels coming into the area and asked that relevant policies be discussed at the next meeting.

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

There were no items that officers recommended should be dealt with requiring exclusion of the press and public.

19 **Cranbrook Local Infrastructure Fund**

The Committee considered the Cranbrook New Community Manager and Service Lead – Growth, Development & Prosperity’s report seeking an in-principle agreement to borrow up to £40m from the Public Works Loan Board to capitalise the Cranbrook Infrastructure Fund. If approved, this would both benefit residents and help to address ongoing viability challenges in relation to the expansion areas for Cranbrook.

The report advised that high up front infrastructure costs could potentially be a barrier to the delivery of large scale development and the Service Lead – Growth, Development & Prosperity reported that Cranbrook had overcome that barrier by the use of revolving infrastructure funds to accelerate the upfront delivery of critical infrastructure with the costs recovered on a roof tax basis. He referred to St Martin’s Primary School as an example of infrastructure delivered through a revolving infrastructure fund enabling it to be opened with just 30 homes occupied in Cranbrook ensuring the attractiveness of Cranbrook to young families.

The Cranbrook New Community Manager advised that the Cranbrook Development Plan Document was in the process of Examination in Public and was out for consultation to the viability participants. Members’ attention was drawn to the potential of upwards of six different developers to negotiate with to secure agreement on the delivery of infrastructure. They have welcomed the potential cost savings of approximately £9m from the overall development costs that could be saved in interest payments from the £30m infrastructure fund.

The Cranbrook New Community Manager outlined the importance of the infrastructure fund that would be required to help fund items including the first additional primary school as well as leisure provision and potential highway upgrade works. Other items could also be included such as additional education provision and the delivery of enhanced public transport, depending on how the fund revolved.

Comments raised by Committee Members included:

- Concern raised about the eye watering amount of money the district council would borrow and how little detail in the report about what the £30m was going to be used for. Comfort and reassurance was sought on the risks and to learn what other councils were doing. In response the Service Lead, Growth, Development & Prosperity acknowledged the concerns raised and highlighted that £32m of revolving infrastructure funds had gone into Cranbrook which had been secured through legal agreements, bonds and parent company guarantees. He referred to potential risks but said these were mitigated through the use of legal agreements and updated Members on the upgrade of Long Lane next to Exeter Airport that was using the forward funding of infrastructure and advised the payments for future development was secured by bespoke legal agreements.
- It is unclear about what is happening with the town centre. In response the Service Lead – Growth, Development and Prosperity advised he would provide a full report on the town centre after Cabinet on 28 July.
- Clarification sought on the £10m for electricity. In response the Service Lead – Growth, Development & Prosperity advised the Council would be looking at a wholesale upgrade of electrical capacity that would potentially benefit all 4,000 homes in the expansion areas.
- Concern raised about the depletion of reserves.
- Clarification sought on the terms and conditions attached to the loan agreement.
- The need for a full report with appropriate evidence to justify our decisions.
- Clarification sought on how many dwellings would be required to be built to recoup £40m.

- Cranbrook deserves good facilities and good infrastructure and is long overdue in some areas.
- Clarification sought on whether a decision was time critical. In response the Service Lead – Growth, Development & Prosperity confirmed there was a critical timing issue because of the Cranbrook DPD Examination and a need to give assurance to the inspector that the Council was actively pursuing a route, in principle, which could result in the cancellation of an offer of a further £9m in infrastructure.
- Clarification sought on whether the repayment of the loan would be on a per roof basis or time limited. In response it was confirmed the loan would be on a roof tax basis.
- Clarification sought that the money borrowed would be used to benefit the people of Cranbrook and surrounding areas.
- The need to deliver a viable community.
- The need to weigh up the financial risks versus the risks of making Cranbrook viable for further development.
- On behalf of Members the Chair sought clarification from the Service Lead – Growth, Development & Prosperity on the risk securities that the council were proposing. In response he outlined the three established ways of securing repayment which were a financial bond, a parent company guarantee or a charge overland.
- The Council has a morale and ethical duty to the people of Cranbrook to sort this out.
- Reference was made to Recommendation 3 and the financial implications and it was queried whether some Members understood the report. It was pointed out that Strategic Planning Committee was not an audit and governance Committee, it was Committee that was meant to be proactive and creative. In response the Principal Solicitor outlined that Strategic Planning Committee would only agree in principle the recommendations and a further decision would be made by Cabinet and Full Council. It was advised Strategic Planning Committee did not have the power to be the final sign off at this point.
- Clarification sought about whether there was an expectation that every developer would have to pay back £10,000 per dwelling. In response the Service Lead – Growth, Development & Prosperity advised it would be considered on the cost of a particular piece of infrastructure divided by the number of homes that would benefit.
- This is fundamental to the Cranbrook expansion and without it the Council's five year land supply fails.
- Plea to Cabinet and Full Council to look at the land options and bond options for securing the money. Please do not consider the parent company option because the uncertainty is high.
- This proposal would enable things to happen so a successful development can follow.
- The risk is identified as a high risk but in reality that risk is on the lower end of the scale as this Council will see the money come back.
- A good electricity supply is essential if this Council is to achieve its green targets.

The Service Lead – Growth, Development & Prosperity acknowledged all the concerns raised and reassured Members that the interest costs that would need to be repaid in full would be paid by the developer party. This means that all funds would come back to the Council and overall would be cost neutral to the Council.

The following motion was proposed by Councillor Mike Allen and seconded by Councillor Ben Ingham which was later withdrawn and further seconded by Councillor Jess Bailey.

‘That the report cannot proceed until it has a proper cost analysis, including the cost implications to the Council.’

The proposer of the motion, Councillor Allen referred to the lack of detail in the report on the financial element and the reason for asking for a further detailed report was because it was the responsibility of the Committee to know what infrastructure was being requested for £40m.

The motion was put to Committee and with seven votes against, two votes in support and one abstention the motion was not carried.

Councillor Paul Arnott proposed the recommendations as written in the report and was seconded by Councillor Eleanor Rylance.

The Chair requested that a vote take place and was carried with nine votes in support, three votes against and one abstention.

RESOLVED:

- 1. That the significance of revolving infrastructure funds to both the past delivery of infrastructure at Cranbrook and the potential impact in terms of improving viability in relation to the future expansion areas be noted.**
- 2. That an in-principle agreement to borrow up to £40m from the Public Works Loan Board to capitalise the Cranbrook Local Infrastructure Fund be recommended to Cabinet and Council for approval.**
- 3. That a further report setting out the detailed terms of reference for the fund be considered at a future Cabinet meeting were agreed.**

RECOMMENDED TO CABINET:

That an in-principle agreement to borrow up to £40m from the Public Works Loan Board to capitalise the Cranbrook Local Infrastructure Fund be agreed.

20 Planning obligations securing financial contributions to health care

The Chair welcomed David Tarbet, Business Development Director, Royal Devon & Exeter NHS Trust who was available to answer any specific specialist questions raised by Members.

The report presented by the Service Lead – Planning Strategy and Development Management updated Members about securing financial contributions from large scale residential development to address the impact of those developments on health care services in the area. He referred to a land swap application at Exeter Science Park in 2019 which, although there was not sufficient evidence to justify seeking a contribution at that time, had set the path for working with the Trust to develop a robust methodology to enable funding to be collected from future major residential developments.

The Service Lead – Planning Strategy and Development Management referred to the Wolborough Barton case decision on page 29 where the Secretary of State felt that contributions towards health care could only be justified where developments were not planned for at the stage of infrastructure developments. He also referred to the

Herefordshire case which slightly contradicted the Secretary of States previous decision and broadened the scope where contributions could be sought.

As a result of a clear evidence base for seeking contributions and a clear methodology for calculating those contributions based on activity data that the Trust hold, the Service Lead – Planning Strategy and Development Management advised there was now a robust calculator and referred Members to the calculation of contributions as detailed in the report.

He drew Members' attention to the recommendations requesting Members' to note the discussions that had taken place between officers and Devon and Exeter NHS Foundation Trust and agree the proposed approach.

Committee Member discussions covered:

- Support was shown for the report.
- Clarification sought on whether funding was retrospective to the time of year a person moved in and whether there was a lag between the time and numbers. It was suggested there was a need to lobby Central Government. In response, the Business Development Director advised that there was a shortfall of a period of 12 – 18 months from when a person moves into the healthcare area and takes occupation of a property. He referred to lobbying and advised that all NHS Trusts lobby to get a proper fair settlement
- Support was shown for figure 74 where the diagram shows where residents had moved from.
- The need for the Healthcare Service to be properly funded, particularly in an area with a rising average age.
- The need for a mandatory check list.

Councillor Ben Ingham supported the recommendations except for two words in the second recommendation. He referred to the wording in recommendation 2 and suggested that the words '(where requested)' be deleted as the trust should not have to request the funding, it should be automatic. In response the Service Lead – Planning Strategy and Development Management advised that it was necessary for the trust to make a submission and request the contributions because their contributions would be calculated on a case by case basis and needed to be justified in each case. The Business Development Director confirmed that it was the trust's intention to submit every time there was a development over ten dwellings.

The following motion was proposed by Councillor Ingham and seconded by Councillor Bailey to read:

'Agree that health care contributions calculated based on the methodology set out in this report be sought from major new housing developments subject to viability testing where relevant.'

During a debate on the amendment, comments included the following:

- Planning applications should not be put on hold while waiting for a response from the trust.
- Support was shown for the recommendation as written.
- Support was shown for the consideration of supplementing the health service on the basis of infrastructure requirements.
- Support was shown to see East Devon District Council and NHS Trust working together.

- Cannot support the amendment to change the wording.

The following amendment to the motion was proposed by Councillor Blakey and seconded by Councillor Skinner:

‘Agree that health care contributions calculated based on the methodology set out in this report be sought (where requested) from major new housing developments subject to viability testing where relevant.

The Chair requested a vote on the amended motion and was carried with five votes in support, 1 vote against and three abstentions.

RESOLVED:

1. **That the discussions that have taken place between officers and the Royal Devon and Exeter NHS Foundation Trust with regards to developer contributions to health care services be noted.**
2. **That health care contributions calculated based on the methodology set out in this report be sought (where requested) from major new housing developments subject to viability testing where relevant be agreed.**

21 **The Role and Function of Settlements - draft report**

The report presented by the Service Lead – Planning Strategy and Development Management updated Members’ on how the settlement hierarchy was a key element of the strategy for distributing development.

The Service Lead – Planning Strategy and Development Management outlined the responses received from the Local Plan Issues and Options consultations which were finely balanced between either retaining the current settlement hierarchy or having fewer villages within the hierarchy and 83 respondents proposing an alternative approach. He referred Members’ to the role and function of Settlements draft report appended to this report which looked at relevant issues to defining a settlement hierarchy. Members’ noted that settlements with a higher population, a greater range of jobs for the community and transport facilities would sit at the top of the hierarchy. Small settlements with a lower population, fewer jobs and a smaller range of facilities would sit lower. Members’ also noted that while some settlements may have a wider range of services and facilities within the parish it was also factored in as to whether those facilities are within easy walking distance of the settlement.

The Service Lead – Planning Strategy and Development Management highlighted a minor error in the report as the work had not factored in an additional bus service in Exton and the table on page 35 should include ‘yes’ under ‘less than hourly bus service’.

Non-Committee Members comments included:

- It was an excellent report and was welcomed.
- It was suggested that playing pitches was added to the criteria in the table on page 69 of the agenda to see which settlements had playing pitches.
- It was suggested that additional wording be added to the recommendation to read ‘that Strategic Planning Committee consider the finding of ‘The Role and Function of Settlements – Draft’ and endorse its use as evidence to inform production of the emerging Local Plan. In addition, to it being informed by other work on factors such as housing, housing employment need, land availability and environmental constraints’. In response the Service Lead – Planning Strategy and Development

Management advised that constraints was a separate issue and would be looked at later in the preparation of the Local Plan.

- It was also suggested to include transport constraints. It is vital that terrible transport links in East Devon is taken into consideration.
- It was noted that Exmouth would be a tier one settlement.
- Concerns raised about overdevelopment in tier one and tier two.

The Chair invited Committee Members to comment.

Councillor Ingham proposed the motion as written which was seconded by Councillor Blakey.

During a debate on the motion Committee Members comments included:

- Clarification sought on how certain places had ended up in certain tiers and referred to Budleigh Salterton and Broadclyst being in the same tier when they were not comparable in the services they offered. In response the Service Lead – Planning Strategy and Development Management referred Members' to the comparative table on page 33 appended to the report which detailed the services and facilities in each place and therefore the reasons for the tiers.
- Support for West Clyst being its own village even though it is part of Broadclyst.
- Members were encouraged to contact the Service Lead – Planning Strategy and Development Management with any additions.
- Cannot agree with the proposal as it stands and referred to paragraph 3.7. It was highlighted that anything below tier 4 would be cast out in the open and that time after time this council keeps saying no because of current policies when villages want to build a few more houses. It was suggested that the tiers should be increased to tier 7 to allow more villages to have a bit of growth. In response the Service Lead – Planning Strategy and Development Management urged caution in the distinction between additional tiers and their criteria and to understand how the additional tiers should be defined and distinct from the tiers already in place.

The following amendment to the motion was proposed by Councillor Mike Howe and seconded by Councillor Philip Skinner read:

'To extend the tier system by three more tiers each having one less facility or service.'

Further debate from Committee Members included:

- Several Members support the need for playing pitches to be included in the hierarchy. The Service Lead – Planning Strategy and Development Management confirmed he was happy to look into this as it was an important facility.
- The Council should not lose sight of the sustainability objectives.
- The objectives of the Local Plan is to achieve sustainable development and referred to economic objectives, social objectives and environmental objectives.
- As an Exmouth Councillor I appreciate having Exmouth in the top tier but urged caution against thinking all development can be located there and highlighted that some people living in Exmouth are further away from facilities than many houses in the countryside are from their nearest village.
- The need to consider how to locate development to consider the future of the possibility of home working and how to redefine sustainability.
- It was felt that the fourth tier was contentious and would split decision and opinion.

- The need to look at the flows of employment and referred to page 61 that showed the clear nodes of employment and the flow diagram that showed the commuting routes.

The Service Lead – Planning Strategy and Development Management welcomed Members' comments and feedback which would be taken on board and acknowledged Members' concerns about settlement thresholds and advised a report would be brought back to Committee at the meeting in October to allow Members' time to comment.

Councillor Ingham proposed an amendment to his motion to read:

1. That Strategic Planning Committee consider the findings of 'The Role and Function of Settlements as a draft document and endorse its use as evidence to inform production of the emerging Local Plan.
2. All Members of the Council should send to the Service Lead – Planning Strategy and Development Management all comments and amendments that they wish to be taken into account. The Service Lead – Planning Strategy and Development Management to then report back to the Committee at a meeting after the September meeting.

Councillor Bailey advised that she was not prepared to accept the amendment and withdrew as seconder.

In response Councillor Howe withdrew his motion and seconded Councillor Ingham's amendment to the motion. He outlined the need for leeway with the smallest rural villages to allow development of just a trickle of houses to keep them ticking over.

The Chair requested that a vote take place on Councillor Ingham's amended motion which was carried with 10 votes in support.

RESOLVED:

1. That the findings of 'The Role and Function of Settlements as a draft document be considered and its use as evidence to inform production of the emerging Local Plan be endorsed.
2. All Members of the Council should send to the Service Lead – Planning Strategy and Development Management all comment and amendments that they wish to be taken into account. The Service Lead – Planning Strategy and Development Management to then report back to the Committee at a meeting after the September meeting.

Attendance List

Councillors present:

D Ledger (Chair)
O Davey (Vice-Chair)
M Allen
P Arnott
J Bailey
K Blakey
S Chamberlain
P Hayward
M Howe
B Ingham

A Moulding
G Pratt
E Rylance
P Skinner

Committee Members present virtually (for some or all of the meeting)

S Chamberlain

Councillors also present (for some or all the meeting)

M Armstrong
J Bonetta
C Brown
B De Saram
N Hookway
S Jackson
G Jung
P Millar
M Rixson

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Andrew Wood, Service Lead - Growth Development and Prosperity
Thea Billeter, Cranbrook New Community Manager
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive

Representative from RD&E NHS Foundation Trust

Dave Tarbet, Business Development Director

Councillor apologies:

G Pook

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Strategic Planning Committee held online via the zoom app on 7 September 2021****Attendance list at end of document**

The meeting started at 2.01 pm and ended at 5.10 pm. The meeting briefly adjourned at 3.30 pm and reconvened at 3.35 pm.

22 Public speaking

There were no members of the public present.

23 Minutes of the previous meeting

The minutes of the Strategic Planning Committee held on 20 July 2021 were recommended to senior officers' for approval.

24 Declarations of interest

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan.

Minute 28. HELAA Panel constitution and role.

Councillor Paul Hayward, Personal, Named as one of the Portfolio Holder roles to act on East Devon District Council's behalf.

Minute 28. HELAA Panel constitution and role.

Councillor Philip Skinner, Personal, Owns land in Talaton that is in the HELAA process.

Minute 29. The emerging new Local Plan and the relationship with Neighbourhood Plans - update.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 29. The emerging new Local Plan and the relationship with Neighbourhood Plans - update.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 29. The emerging new Local Plan and the relationship with Neighbourhood Plans - update.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 29. The emerging new Local Plan and the relationship with Neighbourhood Plans - update.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan. Also a member of the Axminster Town Council Neighbourhood Plan Steering Group.

Minute 30. Town Centres - Strategic Approach.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Kevin Blakey, Personal, Member of the Cranbrook Strategic Delivery Board and a Cranbrook Town Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan. Also involved with Action Axminster and Totally Locally who are involved with town centre regeneration.

Minute 31. Biodiversity policy approaches and biodiversity net gain.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 31. Biodiversity policy approaches and biodiversity net gain.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 31. Biodiversity policy approaches and biodiversity net gain.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 31. Biodiversity policy approaches and biodiversity net gain.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan. Also the East Devon District Council's representative on the Blackdown Hills AONB Partnership.

Minute 32. Landscape Protection - Strategic Approach.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 32. Landscape Protection - Strategic Approach.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 32. Landscape Protection - Strategic Approach.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 32. Landscape Protection - Strategic Approach.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan.

25 **Matters of urgency**

There was no matters of urgency raised.

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

There were no items that officers recommended should be dealt with requiring exclusion of the press and public.

27 **Working towards a draft Local Plan for approval for consultation in March 2022**

The Service Lead – Planning Strategy and Development Management presented an updated report on the draft local plan for consultation in March 2022 following a previous report to Members that outlined a proposed timetable for local plan work and committee items.

Members considered the report that gave clarity about a proposed working draft plan detailing the proposed format and structure of the document and what would and would not be included.

The Service Lead – Planning Strategy and Development Management advised Members that a working draft plan which would also detail the proposed and rejected development site allocations would be brought to Committee for consideration in December 2021. It would then form the basis of future work leading up to a draft plan being presented to Members in March 2022.

Points raised during discussion included:

- Support was shown for the format;
- Acknowledgement for the importance of paragraph 11. There is a need for a grand plan vision when considering the levels of housing provision. There is a need to generate innovative business in town centres as this is where most of the housing development should go to ensure economic growth and to ensure all of our settlements are sustainable;
- Clarification sought on why transport and transport infrastructure was not included in the report. In response the Service Lead – Planning Strategy and Development Management advised it was linked to carbon neutrality and adapting to climate change. He advised it would need careful consideration in terms of understanding the development strategy and where Members considered growth should be located to then develop a transport strategy;
- It was suggested there was a need to consider what was required in infrastructure first before considering housing numbers. As well as looking at the protection of open space within developments;
- Concerns raised about the lack of policies when considering sustainability and where will sustainability fit in the new local plan. In response the Service Lead – Planning Strategy and Development Management referred to the NPPF document and sustainable development being key to good planning but it was for the Council to determine what this meant from a local level perspective.

Strategic Planning Committee:

- 1. Endorsed the approach of receiving, in December 2021, a working draft local plan.**
- 2. Endorsed the aim of preparing a draft plan setting out the favoured strategy and policy approach for consultation to be considered by Committee in March 2022.**

28 HELAA Panel constitution and role

The Service Lead – Planning Strategy and Development Management presented an updated report on the Housing and Economic Land Availability Assessment (HELAA) Panel Constitution and role following a request from Members at the June meeting.

Members considered the report that set out the composition of the Panel and the role they play in the formulation of the HELAA and the appointment of two Members of the Council to the Panel.

The Service Lead – Planning Strategy and Development Management stressed to Members that the role of the Panel was an advisory role only and any decisions would be made by Strategic Planning Committee Members. He drew Members attention to the HELAA Panel Constitution and terms of reference appended to the report.

A Committee Member raised the following point:

- There was a need for presentation from organisations rather than companies as they will have a wider range of expertise. In response it was advised a wide range of people involved in the area would be invited.

Committee Members raised the following points during discussion:

- Disappointment was expressed that the report did not provide the information that was requested. Further work was suggested to reassure Members about who would sit on panel as they would be judging sites. In response the Service Lead – Planning Strategy & Development Management advised that a number of bodies and organisations had been contacted to find out who would be available to sit on the panel but confirmed that at this stage no one specifically had been formally invited. He reassured Members that the panel members would represent a broad range of expertise and experience;
- Concerns raised about the number of house builders on the generic list;
- It was questioned whether focussing on the bigger sites would work in practice;
- Greater clarification was sought on highways. In response it was advised that feedback from Highways would be available on the current timetable with meetings being held throughout October;
- It was important that each site was considered in a consistent way with a minimum number of representatives from different sectors;
- Clarification sought on the differences between the HELAA Panel Constitution put forward compared to the last HELAA Panel Constitution. In response the Service Lead – Planning Strategy and Development Management advised the constitution and terms of reference had not materially changed as it had a key role in providing earlier advice;
- Clarification was sought on who would be representing the environment and biodiversity. It was advised that the panel would be given advice from officers on environmental considerations as well as advice from Environment Agency and Natural England;
- The need for climate change considerations;

- Support expressed for the Portfolio Holder for Economy and Assets and the Portfolio Holder for Strategic Planning to sit on the panel;
- Clarification was sought on the following questions about who chairs the HELAA, who chairs the Steering Group and what form of report would come out of those meetings. In response the Service Lead – Planning Strategy and Development Management was not able to confirm the Chair for HELAA and the Steering Group but advised if Members' wished the Chairs could be an East Devon District Council Member and confirmed there would be a report of the panel's discussion on each site and this would be brought to Committee as evidence for the local plan;
- Suggestion to include substitute Members to attend panel meeting in the absence of the Portfolio Holders;
- Suggestion on a further recommendation to receive a further report in relation to the composition of the HELAA. In response the Chair asked the Service Lead – Planning Strategy and Development Management to write to all Committee Members with the detail of the information requested to avoid delay of the meeting of the HELAA Panel which was due to take place next month;
- Strategic Planning Committee endorsed that the Service Lead – Planning Strategy and Development Management write in confidence to all Committee Members with the information of the members of the HELAA Panel and further clarity on constitutional matters.

RECOMMENDATION:

- 1. Of agreement to the proposed constitution and terms of reference in appendix 1.**
- 2. To appoint the Portfolio Holder for Economy and Assets and the Portfolio Holder for Strategic Planning onto the HELAA Panel.**
- 3. Of agreement to delegate authority to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning, to make any further minor changes that might arise from a review of the panel's constitution and terms of reference by the panel.**

29

The emerging new Local Plan and the relationship with Neighbourhood Plans - update

The Service Lead – Planning Strategy and Development Management presented an updated report on the emerging new local plan and the relationship with neighbourhood plans following a previous report to Members at Committee in June 2021, where Members' requested the development of a communications plan for neighbouring planning communities to use throughout the local plan production.

The Service Lead – Planning Strategy and Development Management referred to paragraph 3.6 and outlined a number of outcomes and early headlines identified from the new interactive database which was linked to the full neighbourhood plan documents and identified policies across all neighbourhood plans. He also referred to the communication and engagement plan that detailed the timeline for the local plan production including key aims and objectives.

A Non-Committee Member raised the following question:

- Clarification sought about neighbourhood plans that had already been completed and when should these be updated in order to get the best use out of the plan in order to benefit residents. The Service Lead – Planning Strategy and Development Management advised ordinarily neighbourhood plans should be

reviewed every five years but acknowledged there may be issues with the conformity with the local plan and advised to wait until the new local plan had clarity in terms of the strategy and the approach taken.

Points raised by Committee Members' included:

- Support was expressed to include the Portfolio Holder for Democracy and Transparency in the development of the Communications Plan;
- Neighbourhood plans are a challenge to do and can take thousands of hours. It was highlighted that parish councils that had already completed their neighbourhood plans would probably need reviewing and parish councils in the middle of their neighbourhood plan would not only need to accord to the current local plan but also will need to accord to the new local plan;
- Some support expressed that social media had not been mentioned as a way of communication as this could attract negativity.

In response to the Service Lead – Planning Strategy and Development Management's request for guidance from Members about how Members wanted to be involved in the process of the communications plans the following suggestion was made:

- Ward Members should be invited to attend the webinars and online meetings to be given the opportunity to know what advice is being given and what discussions are taking place.

Strategic Planning Committee:

- 1. Endorsed the development of a databased of neighbouring plan policies and its use as a means of reviewing and analysing our suite of made and emerging neighbourhood plans and Members did not feel it necessary to make any specific recommendations as to any investigations.**
- 2. Considered and commented on and endorsed the use of the proposed communications plans for engagement with neighbourhood planning groups throughout the process to develop the new local plan and advised in relation to the involvement of the Portfolio Holder for Democracy and Transparency and in relation to the invitations to Members to various events.**

30 **Town Centres - Strategic Approach**

The report presented to the Committee outlined the need for Members' to consider the possible intervention of planning policy to help reduce further losses in the retail sector experienced in town centres over recent years and whether flexibility was required to encourage a wider range of activities, including leisure, housing and community uses.

Members' attention was drawn to the introduction by Central Government of the new E Use Class that encompasses a whole range of town centre uses allowing buildings to move freely between them but also has a significant bearing on current policies that protect them.

Non-Committee Member comments included:

- There is a need to make our town centres cycle friendly and provide more green infrastructure such as bicycle sheds for people who live in flats in town centres;
- The need to encourage ebike hire schemes in our town centres;
- Concerns raised about the viability of town centres due to the growth of second homes as holiday homes which reduces footfall;

- Reference was made to paragraph 2.10.3 – retailers high fixed costs: business rates and rents and paragraph 2.14 – the build back better high streets in which although the Government recognises the impact of business rates does absolutely nothing to redress the balance;
- Suggestion to incorporate the Queen's Drive Space into the section of 'promote and encourage element' on page 73 to encourage more visitors;
- Concerns raised about developers that want to take retail space and turn it into residential space.

Committee Member discussion included:

- The importance of the Urban Capacity Study that looks at increasing the number of homes in our town centres to increase vibrancy and vitality in our town centres. The need to consider how to save shops while still increasing the number of homes;
- The need to look at density from a policy point of view;
- The Strand in Exmouth has a lot of upward development. There are shops and offices that have residential over;
- There is a need to adapt to change and allow town centres to adapt to change; Seeing an increase in leisure use with cafes expanding out onto pavements. In response the Service Lead – Planning Strategy and Development Management advised that Central Government were in the process of making all temporary uses such as outdoor seating areas permanent which would help businesses in the town centre. He also referred to the Class E Use which would also add to that flexibility;
- The importance of prioritising pedestrians and cyclists when looking at development in our high streets and referred to a report by Living Streets;
- Support for Promote and Encourage Element within paragraph 5.2 and that all three Elements mesh together;
- The importance of reducing car access to our high streets and focus on public transport access;
- Encourage high street furniture;
- Clarification sought on why the Portfolio Holder for Economy and Assets was not included as a contributor. In response the Service Lead – Planning Strategy and Development Management apologised for the error and advised more care in report writing would be taken in the future;
- Clarification sought on paragraph 2.2. In response the Service Lead – Planning Strategy and Development Management advised it was the Cranbrook DPD that was progressing and apologised for the confusion;
- There is no question that town centres have to change and that they will change for ever but there is a need for flexibility to encourage people into towns.

Strategic Planning Committee:

- 1. Endorsed that the issues raised in this report are be used to inform more detailed work to be undertaken on the draft plan.**
- 2. Considered each of the elements to town centre policy referred to in paragraph 5.2 of the report and advised which elements they would in principle support.**

The Committee considered the Service Lead – Planning Strategy and Development Management's report detailing the potential approaches to take in the local plan in achieving biodiversity net gain in preparation for this becoming an Environment Bill.

The Service Lead – Planning Strategy and Development Management drew Members' attention to the importance of ensuring the prevention of harm with regards to biodiversity and emphasised the requirement to put back what was lost through development.

Members' considered the levels of biodiversity gain and the requirement to deliver a 10% minimum net gain and whether there was options to go higher to deliver a 20% net gain.

Comments raised by Non-Committee Members included:

- The Chair, on behalf of the Portfolio Holder for Coast, Country and Environment sought clarification whether any off site provisions would be going out of the East Devon district. In response the Service Lead – Planning Strategy and Development Management advised there was an option to deliver off site outside the district but equally there was an option to retain monies and develop projects within the district and sought Members' views;
- Endorse all three recommendations;
- Reference to paragraph 5.5 and a suggestion to contact Lichfield District Council and other councils that have adopted this policy. In response the Service Lead – Planning Strategy and Development Management advised he was not aware of any contact with Lichfield District and confirmed he was happy to make contact to discuss the issues they had encountered if Members' were minded to pursue that approach;
- Concerns raised about straying into 'green washing' territory with regards to habitat mitigation;
- East Devon has quite a few small parcels of land which could be used as boosters for biodiversity with investment in meadow grasses and wildflowers;
- The need for biodiversity planning across the Greater Exeter area especially Dawlish Warren and the Exe Estuary and the need to look at supporting adjacent authorities in those areas.

Comments made by Committee Members included:

- Felt like a narrow report in terms of focussing largely on biodiversity net gain and not the wider impacts of biodiversity. There was no detail on protected species and a suggestion was made for more information from an ecological aspect. In response the Service Lead – Planning Strategy and Development Management advised he was in the process of recruiting an Ecologist to help take this forward;
- Concerns raised about how the percentages were measured on page 78;
- Concerns raised about cutting down mature trees and increasing the biodiversity by 10%-30%. This is not acceptable;
- Preference for the higher percentage;
- The need to value the existing biodiversity on site first;
- Mitigation should be kept within East Devon;
- Reference to paragraph 6.2 and the need to for further details.

Strategic Planning Committee

- 1. Noted the detail of the report and endorsed that work continue to look at the potential approach of requiring at least 20% biodiversity net gain (subject to viability testing) and the role that the Council might want to play in delivery.**

2. **Endorsed that a review of existing council owned land for their potential suitability to deliver biodiversity net gain be undertaken**
3. **Endorsed that work continues on producing a Habitat Regulations Assessment (HRA) for the publication version of the local plan for late 2022.**

32 **Landscape Protection - Strategic Approach**

The Service Lead – Planning Strategy and Development Management presented a report for Members' consideration to the issues in association with landscape designations and protection. He outlined the existing designations for review which included:

- Areas of Outstanding Natural Beauty (AONB)
- Jurassic Coast World Heritage Site (WHS)
- Coastal Preservation Area (CPA)
- Green Wedge
- Land of Local Amenity Importance (LLAI)
- Clyst Valley Regional Park

Members' attention was drawn to the comments received on page 92 that were most relevant to the landscape matters and page 95 that detailed a number of issues raised for Members to consider.

Comments received during discussion included:

- Support for Green Wedges;
- Further discussion was required to look at National Parks in response to the Glover Review;
- Pleased that West Hill and Ottery St Mary were specifically mentioned in the conclusion because Green Wedges and Settlements were really important;
- Strongly support the upholding of villages to stop coalescing of communities;
- Agree that the assessment should consider landscape character and biodiversity contributions;
- Green Wedges are often Green Corridors and should be well protected.

Strategic Planning Committee

1. **Considered the actions raised in the report which will inform more detailed work on the draft local plan.**
2. **Subject to deletion of the reference to availability of resources caveat in relation to assessment of former AGLVs and other countryside areas the Committee endorsed the actions set out in paragraph 6.1.**

Attendance List

Councillors present:

D Ledger (Chair)

O Davey (Vice-Chair)

P Arnott

J Bailey

K Blakey

J Bonetta

P Hayward

B Ingham

A Moulding

G Pratt
P Skinner

Councillors also present (for some or all the meeting)

C Brown
B De Saram
P Faithfull
I Hall
S Jackson
V Johns
M Rixson

Officers in attendance:

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

Councillor apologies:

M Allen
S Chamberlain

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Strategic Planning Committee held online via the zoom app on 5 October 2021

Attendance list at end of document

The meeting started at 2.02 pm and ended at 5.18 pm. The meeting was briefly adjourned at 4.15 pm and reconvened at 4.25 pm.

33 Public speaking

There were two members of the public present who wished to address the Committee when the relevant item was considered. (Minute 38 - The Role and Function of Settlements – Final Draft).

34 Minutes of the previous meeting

Members were happy to accept the minutes of the consultative Strategic Planning Committee meeting held on 7 September 2021.

35 Declarations of interest

Minute 38. The role and function of settlements.

Councillor Andrew Moulding, Personal, Development Officer for Axminster Cricket Club and President of Cloakham Lawns Sports Centre.

Minute 38. The role and function of settlements.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and a resident of Broadclyst. Also is part of a team that is putting together the Neighbourhood Plan for Broadclyst.

Minute 38. The role and function of settlements.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 38. The role and function of settlements.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor and owns a business in an area of one of the settlements and that has a built up area boundary.

Minute 38. The role and function of settlements.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 38. The role and function of settlements.

Councillor Paul Arnott, Personal, Colyton Parish Councillor.

Minute 38. The role and function of settlements.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan.

Minute 38. The role and function of settlements.

Councillor Philip Skinner, Personal, Owns land that is in the HELAA process and is known to the owners of Darts Farm.

Minute 39. Principles of settlement boundaries (BUABs).

Councillor Andrew Moulding, Personal, Development Officer for Axminster Cricket Club and President of Cloakham Lawns Sports Centre.

Minute 39. Principles of settlement boundaries (BUABs).

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and a resident of Broadclyst. Also is part of a team that is putting together the Neighbourhood Plan for Broadclyst.

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Minute 40. The importance of health considerations in the preparation of and content of the new local plan.

Councillor Andrew Moulding, Personal, Development Officer for Axminster Cricket Club and President of Cloakham Lawns Sports Centre.

Minute 40. The importance of health considerations in the preparation of and content of the new local plan.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 40. The importance of health considerations in the preparation of and content of the new local plan.

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Minute 41. Evidence collection and potential policy approaches for sport and recreation.

Councillor Andrew Moulding, Personal, Development Officer for Axminster Cricket Club and President of Cloakham Lawns Sports Centre.

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Minute 41. Evidence collection and potential policy approaches for sport and recreation. Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan.

36 **Matters of urgency**

There were no matters of urgency raised.

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

There were no items that officers recommended should be dealt with requiring exclusion of the press and public.

38 **The role and function of settlements**

The Chair invited the two public speakers to speak.

Mr Paul Gamble raised a question on the Role and Function of Settlements – final draft and sought clarification as to why All Saints was not recognised as having a public transport service. He referred to the response he had received from this council on 13 September 2021 which stated ‘we didn’t include the bus service running from All Saints Cross bus stop as, although it may be a reasonable walking distance, it is detached from the existing built form of the settlement, and along country lanes which would not be attractive to walk along, particularly after dark’.

Mr Gamble advised that All Saints Cross bus stop was approximately 100m from All Saints and was used regularly by people of all ages and provided a valuable, regular link from the village to Axminster. He considered the lane was safe to walk along and referred to the All Saints Sports Playing Pitch, which was included in the list of services, being located in the same lane as the bus stop.

He referred to Members comments from the Strategic Planning Committee held on 20 July detailed on page 14 and quoted ‘the proximity of services should be taken into account, even if outside the actual village’ and referred to Ebford being in proximity to the St George and Dragon pub and Dart’s Farm and Exton and Westclyst being identified in tier 4 as they were close to a range of facilities elsewhere.

In response the Service Lead - Planning Strategy and Development Management advised that the bus service was discounted due to the distance from the main village and that it was located down an unsafe and unlit country lane. He acknowledged that the sports pitches had now been included at Members request but considered these pitches would be used during the day which was less of an issue. He acknowledged Mr Gambles concerns and advised the decision was subject to judgment about whether Members wanted to give consideration to facilities and services that are outside of settlement boundaries and welcomed Members views during debate.

Mr Bruce Hartley-Raven spoke on behalf of the owners of Darts Farm who advised that as part of the Call for Sites Consultation in March 2021 land had been submitted to the north east of Darts Farm to enable the expansion of Darts Farm and for the opportunity of much needed housing. He raised concerns that Clyst St George had not been defined as a village even though it had a number of community facilities and was close to other hubs including Darts Farm, the adjacent business park and the Devon and Somerset Fire

Rescue HQ and that it would not be able to benefit from any planned or designated growth through the emerging local plan.

He urged Members to reconsider and amend the draft document.

The Service Lead - Planning Strategy and Development Management presented the report that updated Members on the engagement undertaken to develop an evidence document that detailed the settlement hierarchy in the emerging local plan.

He drew attention to the comments by Mr Hartley-Raven and acknowledged that Members had submitted comments that identified that the proximity of services should be taken into account, even if outside the village. He asked Members to be mindful of how these services are particularly given the age profile of many of our rural communities and the mobility issues residents may have. He also highlighted the roads to Darts Farm and the George and Dragon Pub are busy main roads that do not have any crossing points.

One comments was raised by a Non-Committee Member:

The Portfolio Holder Coast, Country and Environment advised there was a need to identify and protect our natural areas first before considering building in a town. He agreed with the comments about the narrow footpath at Clyst St George and advised that a cycleway across the road was refused by Devon County Council Highways.

Comments raised by Committee Members included:

- Concerns raised about the inaccuracy of the population figures and not producing the services that are actually needed especially in terms of medical services. In response the Service Lead, Planning Strategy and Development Management advised that the most up-to-date data had been used and if new population data came through while preparing the local plan that would be taken into account.
- Clarification sought about whether there was another mechanism to produce accurate population figures.
- Concerns raised that certain assumptions are being made about where things are actually located.
- There are a lot of inaccuracies in the document that may lead to wrong decision being made.
- There is a need to build services in parallel to the number of houses being built.
- Westclyst is not a settlement it is part of Broadclyst.
- The need to draft a local plan that is flexible to allow for changing circumstances;
- Concerns that there are limitations on the growth that we are allowing in settlements especially in those settlements that want growth;
- There is a need to consider the demographics as many of our villages have older people in them;
- It is crucial to consider how we are classing the open countryside and the settlements and whether we are going to allow growth. In response the Service Lead – Planning Strategy and Development Management advised this was significant for Clyst St George and advised that if Darts Farm and the George and Dragon and other facilities were included, that were on the edge of the settlement and within walking distance of the settlement this would bring Clyst St George into tier four of the settlement hierarchy;
- A fundamental issue with Clyst St George is that it has an extremely hazardous road with a narrow footpath;
- There is a need to resolve the issue that too many communities are not being allowed to grow. We must be more pragmatic, more open and more flexible to allow small growth in our smallest communities. In response the Service Lead –

Planning Strategy and Development Management advised there were mechanisms in place to allow small growth but advised Members to be mindful of consistency of planning merits rather than whether communities want growth or not;

- The way forward to allow rural villages to prosper is to look at smaller organic growth through community led housing;
- Concerns raised about economic development and the key balance between jobs and housing which is changing due to the pandemic and the need for an economic plan to minimise the amount of travelling by cars and to maximise the connectivity. There is a need to think holistically about jobs, infrastructure and housing. In response the Service Lead – Planning Strategy and Development Management advised about the close work with the Economic Development Team to develop evidence for employment needs within the district and how to deliver jobs through the local plan;
- Concerns raised that Lympstone Commando Centre should not be included with Exton as it is misleading. In response the Service Lead – Planning Strategy and Development Management advised the Committee that it had not influenced the consideration of Exton in the hierarchy.

That Strategic Planning Committee endorsed the findings of the Role and Function Settlements – Final Draft and endorsed its use as evidence which will be updated as further data and evidence comes forward.

39 **Principles of settlement boundaries (BUABs)**

The Committee considered and discussed the report and topic paper presented by the Service Lead – Planning Strategy and Development Management which set out the national planning policy context and the consideration of alternative approaches to help to deliver the local plan strategy.

The Service Lead – Planning Strategy and Development Management highlighted to Members the need to focus on the principles rather than on particular boundaries as this would be discussed at a later stage.

Discussion by Committee Members included:

- Support was expressed for criteria based policy;
- There is a need to put in place protection to stop overdevelopment in villages;
- There is a need for proper strategic planning;
- There is a need to protect our beautiful environment that people have come to enjoy and to also attract many visitors to the area;
- What are the principles we are trying to achieve – a suggestion was made about the essential need to build low cost social housing in villages;
- Reference was made to the rural exception sites that provide 66% of the homes as affordable housing which is a key area we can promote through the local plan and through our policies;
- Support was expressed for built up area boundaries as these give planning certainty which has worked well and have generally been upheld through the planning process. There is a danger with criteria based planning that it will cause sprawl and uncertainty;
- Support was expressed for an hybrid alternative involving boundaries and criteria based policies as there is a danger for the Planning Committee to consider applications on merits rather than on principles;

- Suggestion to ask parish councils that wish to develop to identify areas which can then be added to a register for future development. In response the Service Lead – Planning Strategy and Development Management advised that Neighbourhood Plans allow the freedom for towns and parishes to define their area boundaries and allocate sites that they want to see developed. The local plan is tied by different legislation and there is a need to take a more holistic and consistent approach across the district through the local plan.
- Allow self-builders to build within the villages that they were born into. In response the Service Lead – Planning Strategy and Development Management advised that the hybrid approach would allow a small scale of growth outside the boundary which could include self-build or social housing that would meet the needs of communities.
- There is a need for rules and exceptions to rules especially when dealing with planning applications;
- Fully support the hybrid approach with the need to be careful about our built up area boundaries and to encourage communities to do a neighbourhood plan to allow small scale growth;
- Suggestion made for a further report setting out the options for a criteria based policy on development adjacent to settlements

That the principles of settlement boundaries topic paper were considered and that a further report will come back to Committee setting out options for a criteria based policy on development adjacent to settlements.

40 **The importance of health considerations in the preparation of and content of the new local plan**

The Service Lead – Planning Strategy and Development Management presented a report that provided Members with key issues about how and why health considerations were applicable to the many aspects and policy areas of the local plan and how these issues could impact the local plan work currently being done.

Non-Committee Members comments included:

- Reference was made to paragraph 3.2 and the lack of reference to public toilet provision in the local plan. In response the Service Lead – Planning Strategy and Development Management advised he was happy to give this some thought but highlighted that the majority of public toilets were owned by the Council and so there was no need for planning policy to control them.
- In agreement with walkable neighbourhoods and the need for cycle routes but there is also a need for cycle infrastructure such as bike stores and a bike hire scheme;
- Reference to paragraph 11 and access to wholesome, locally produced foods and support was expressed for pursuing a policy to limit clusters of fast food outlets in towns;
- There is no reference to the Poverty Strategy that was recently approved as a council policy. In response the Service Lead – Planning Strategy and Development Management advised this would be incorporated into the key policies where appropriate in the local plan.
- Reference to paragraph 8.1 and support expressed for energy efficient homes

Committee Members discussion included:

- The report was welcomed by Members;

- Reference made to paragraph 1.5 and a slight concern was raised when developers cannot provide high quality education, training and employment;
- The market will decide whether fast food outlets are required in towns, it should not be for the Council to limit clusters through planning policy;
- Welcome the focus on the health benefits of active travel as not enough attention is paid on this;
- Would like to see in the local plan that all new developments produce a travel plan showing how the residents of that development are going to travel and design developments with cycle storage and provision for cycle and walking routes;
- New developments should provide allotments or gardens for people to grow their own produce to encourage healthier diets;
- Further suggestion for allotments particularly on the larger developments;
- Landscaping in our towns is critical;
- Reference made to paragraphs 7.2 and 7.3 about public transport and concerns raised about overcrowding especially since the pandemic;
- Clarification sought on paragraph 8.1 and how can Building Control be influenced to make sure houses are energy efficient so people do not end up paying high energy bills. It was advised there was a need to wait for government guidance on how to move forward on low carbon developments.
- Reference made to paragraph 9.1 about air quality and a suggestion was made to include smell which can be extremely harmful to residents when they have an unsociable neighbour. In response the Service Lead – Planning Strategy and Development Management referred to environmental nuisances which included smell, noise, fly nuisance from farms etc. and acknowledged these nuisances can impact on mental health.

That the overall importance of taking health considerations, including environmental nuisances such as smell and noise into account and promoting healthy lifestyles through the local plan were endorsed.

41 Evidence collection and potential policy approaches for sport and recreation

Members considered the Service Lead – Planning Strategy and Development Management report outlining the evidence gathering and strategy production on sport and recreation to support policy developments in the local plan.

To help Members with their discussion their attention was drawn to the ongoing work by the Planning Policy Team on the Playing Pitch Strategy, the comments received from Sport England during the issues and options consultation recommending a built sports facilities strategy, which was in the process of being commissioned and the ongoing work with the Leisure Strategy which was being developed through the LED Forum.

Questions raised by Non-Committee Members included:

- Clarification sought on the reasons why Sport England had advised to use an external consultant for the Playing Pitch Strategy rather than keep it in house. The Service Lead – Planning Strategy and Development Management advised that this was discussed at a recent working group meeting and referred to the playing pitch condition assessments and whether we had the expertise to do that. This was currently being discussed with Sport England.
- A comment was made that the previous strategy did not deliver the pitches that East Devon needed and perhaps different approaches should be explored.

Discussion from Committee Members included:

- Concerns raised about private land owned sports pitches being used constantly for other events which makes it very difficult to use these pitches for sports. Clarification sought on when is a sport pitch not a sports pitch. The Service Lead – Planning Strategy and Development Management acknowledged the concerns raised and advised that private land owners can use the pitches for other purposes as well as sports and referred to permitted development rights for temporary events.
- Suggestion made to ask the Scrutiny Committee to look into this and whether a letter can be sent to the Secretary of State for Licensing and Planning to overcome this problem in the future

That the ongoing evidence gathering to support policy around sports and leisure be noted.

RECOMMENDATION

Request Scrutiny Committee to look at the effect of the extended 56 day temporary use under permitted development rights with a possible report to the Secretary of State on the impact.

Attendance List

Councillors present (for some or all the meeting)

D Ledger (Chair)
O Davey (Vice-Chair)
M Allen
P Arnott
J Bailey
P Hayward
M Howe
B Ingham
A Moulding
G Pratt
E Rylance
P Skinner

Councillors also present (for some or all the meeting)

M Armstrong
D Bickley
P Faithfull
S Jackson
G Jung
R Lawrence
P Millar
H Parr
E Wragg

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Shirley Shaw, Planning Barrister
Nicola Cooper, Solicitor

Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer

Councillor apologies:

K Blakey
J Bonetta

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of the Consultative Planning Committee held online via zoom on 4 August 2021

Attendance list at end of document

The meeting started at 10.02 am and ended at 2.03 pm. The meeting was adjourned at 12:42pm and reconvened at 1pm.

28 Minutes of the previous meeting

The minutes of the Planning Committee held on 15 July 2021 were recommended to senior officers for approval.

29 Declarations of interest

Minute 32. 21/1058/FUL (Minor) - AXMINSTER.

Councillors Kim Bloxham, Sarah Chamberlain, Olly Davey, Bruce De Saram, Steve Gazzard, David Key, Geoff Pook, Geoff Pratt, Philip Skinner, Tony Woodward, Personal, In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution advised lobbying in respect of this application.

Minute 34. 21/0587/FUL (Minor) EXMOUTH HALSDON.

Councillors Olly Davey, Bruce De Saram, Steve Gazzard Personal, Exmouth Town Councillor.

Minute 34. 21/0587/FUL (Minor) EXMOUTH HALSDON.

Councillors Kim Bloxham, Olly Davey, Bruce De Saram, Steve Gazzard, Richard Lawrence, Geoff Pook, Philip Skinner, Tony Woodward, Eileen Wragg, Personal, In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution advised lobbying in respect of this application.

Minute 34. 21/0587/FUL (Minor) EXMOUTH HALSDON.

Councillor Philip Skinner, Personal, Received a vitriolic email from the applicant and requested to be removed to the virtual lobby during discussion and voting for this application. Councillor Skinner was removed to the virtual lobby during the application and did not take part in discussion and did not vote.

Minute 35. 21/1420/VAR (Minor) - HONITON ST MICHAELS.

Councillor Geoff Pook, Personal, Previous owner of the site before it was developed.

Minute 37. 21/1132/FUL (Minor) - SIDMOUTH SIDFORD.

Councillors Kim Bloxham, Bruce De Saram, Sarah Chamberlain, Olly Davey, Steve Gazzard, David Key, Geoff Pook, Philip Skinner, Tony Woodward, Eileen Wragg, Personal, In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution advised lobbying in respect of this application.

30 Appeal status report 2020 - 2021

The Development Manager updated Members on the planning appeals status report that provided an overview of planning appeals from 1 April 202 to 31 March 2021.

Members noted that out of the 44 appeal decisions determined for the year only 14 had been allowed. The Development Manager advised this equated to a 68% success rate which fell short of the Council's target of 70% and was also below last year's success rate of 75%. He advised that out of the 44 appeals decisions allowed one had been an informal hearing with the remainder determined by written representations highlighting that out of the 14 decisions allowed five related to committee items, four of which had been overturned and one went with officer recommendation.

The Development Manager highlighted a key point for Members to take into consideration when determining planning applications in relation to the continued difficulty of winning appeals for householder extensions. Members noted that the council only had a 50% success rate on these appeals and that the trend could be an explanation for the small drop in performance.

The Development Manager updated Members on the six applications for full awards on appeal costs against the council and advised all six applications had been refused.

The Committee acknowledged the report and its contents.

31 **Planning appeal statistics**

The Committee noted the Development Manager's report setting out a list of five planning appeals, all of which were dismissed.

32 **21/1058/FUL (Minor) - AXMINSTER**

Applicant:

Mr & Mrs J Bostock.

Location:

Rose Farm, Wyke, Axminster, EX13 8TN.

Proposal:

Erection of open fronted general storage barn.

RECOMMENDATION:

Of approval contrary to officer recommendation.

Members considered that a need for the building had been demonstrated, that there was no harmful visual impact upon the countryside and no harm to the setting of nearby heritage assets. Conditions should be delegated to the Development Manager in consultation with the Ward Members and Chair of Planning Committee.

33 **21/0954/FUL (Minor) - DUNKESWELL & OTTERHEAD**

Applicant:

Mr Richard Jones.

Location:

61 Jenwood Road, Dunkeswell, Honiton, EX14 4UY.

Proposal:

Change of use and alterations to detached double garage to create an annexe for use by family.

RECOMMENDATION:

Of refusal as per officer recommendation.

34 **21/0587/FUL (Minor) EXMOUTH HALSDON**

Applicant:

Mrs Demelza Tucker (Skinner Construction Limited).

Location:

21 Hulham Road, Exmouth, EX8 3JZ.

Proposal:

Construction of replacement dwelling and garage.

RECOMMENDATION:

Of approval as per officer recommendation but with the deletion of repeated Condition 7.

35 **21/1420/VAR (Minor) - HONITON ST MICHAELS**

Applicant:

Mr Craig Bernhardt.

Location:

Unit 5 Weston Park, Devonshire Road, Heathpark Industrial Estate, Honiton, EX14 1ST

Proposal:

Variation of Condition 1 (extension to opening hours) of 19/2150/VAR.

RECOMMENDATION:

Of approval as per officer recommendation but subject to revised wording to Condition 1 to replace 06:00 with 07:00 hours and approval of the Noise Management Plan in consultation with Ward Members.

36 **21/0891/FUL (Minor) - SEATON**

Applicant:

Wilkins.

Location:

Hook and Parrot Inn, East Walk, Seaton, EX12 2LN.

Proposal:

Demolition of existing public house and three residential apartments and construction of replacement bar/restaurant and nine apartments.

RECOMMENDATION:

Of deferral for further consultation and information in relation to the land outside of the application site and to enable negotiation between officers and the applicant to address the issues and concerns raised in the Committee Report and during discussion.

37 **21/1132/FUL (Minor) - SIDMOUTH SIDFORD**

Applicant:

Mr & Mrs Paley.

Location:

Land to the rear of Trow View, Two Bridges Road, Sidford, Sidmouth, EX10 9PL.

Proposal:

Construction of one detached dwelling and private driveway on land to rear of Trow View.

RECOMMENDATION:

Of approval as per officer recommendation.

Attendance List

Councillors present (for some or all of the meeting)

E Wragg (Chair)

S Chamberlain (Vice-Chair)

K Bloxham

C Brown

O Davey

B De Saram

S Gazzard

D Key

R Lawrence

G Pook

G Pratt

P Skinner

T Woodward

Councillors also present (for some or all the meeting)

M Allen

M Armstrong

P Arnott

I Hall

M Hartnell

P Hayward

S Jackson

G Jung

D Ledger

P Millar

A Moulding

M Rixson

J Rowland

Officers in attendance:

Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Amanda Coombes, Democratic Services Officer

Councillor apologies:

M Howe
J Whibley
C Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of the Consultative Planning Committee held online via zoom on 1 September 2021****Attendance list at end of document**

The meeting started at 10.05 am and ended at 12.55 pm

38 Minutes of the previous meeting

Members were happy to accept the minutes of the consultative meeting Planning Committee held on 4 August 2021.

39 Declarations of interest

Minute 41. 21/0781/MFUL (Major) SIDMOUTH SIDFORD.

Councillor Eileen Wragg, Personal, Received an email from a Sidmouth Ward Member regarding the application.

Minute 42. 21/1584/FUL (Minor) DUNKESWELL & OTTERHEAD.

Councillors Colin Brown and David Key, Personal, Ward Member for Dunkeswell & Otterhead.

Minute 43. 20/2819/COU (Minor) DUNKESWELL & OTTERHEAD.

Councillors Colin Brown and David Key, Personal, Ward Member for Dunkeswell & Otterhead.

Minute 45. 21/1313/OUT (Minor) OTTERY ST MARY.

Councillor Geoff Pratt, Personal, Was a member of the Ottery St Mary and West Hill Neighbouring Plan Working Group and Ward Member for Ottery St Mary.

Minute 46. 21/0482/FUL (Minor) WOODBURY & LYMPSTONE.

Councillor Philip Skinner, Personal, Known to the applicant and requested to be removed to the virtual lobby during the discussion and voting for the application. Councillor Skinner was removed to the virtual lobby during the application and did not take part in discussions and did not vote.

Minute 46. 21/0482/FUL (Minor) WOODBURY & LYMPSTONE.

Councillor Sarah Chamberlain, Personal, Known to the public speaker speaking in support of the application and abstained from the vote.

Non-Committee Members

Minute 41. 21/0781/MFUL (Major) SIDMOUTH SIDFORD.

Councillor Denise Bickley, Personal, Adjoining Ward Member; Parent of former pupils and works in the school office in Woolbrook Road, Sidmouth.

Minute 45. 21/1313/OUT (Minor) OTTERY ST MARY.

Councillor Peter Faithfull, Personal, Owns a property that abuts the property on the north side of the application site.

40 Planning appeal statistics

The Committee noted the Service Lead's planning appeals statistics report that set out the appeals lodged and the 5 decisions notified.

Members' attention was drawn to two of the appeals allowed and the Service Lead referred to the first application 20/2043/VAR – April Rise, Crewkerne Road, Axminster, for a change of use to allow a holiday accommodation to be used as an unrestricted dwelling. The Inspector determined that although the property as a permanent residence would generate different travel patterns it would not lead to a less sustainable pattern of vehicular movements. The Service Lead raised concerns about the Inspector's approach to the decision and asked Members to be mindful when considering these types of applications in terms of their sustainability.

The second application 20/0191/FUL – Home Farm, Clyst Honiton referred to a construction of a warehouse building and Members were advised that the Inspector had allowed the appeal as greater weight had been given to the historic use of the premises.

The Service Lead also drew Members attention to the appeal dismissed for application 20/2410/MFUL – Honiton Cattle Market, Silver Street, Honiton, which took place as a public inquiry and was pleased to advise the site would be retained for employment purposes.

Finally the Service Lead drew Members' attention to application 20/2882/FUL – The Laurels, Longmeadow Road, Lymptone. The Inspector determined the proposed development would not have an adverse impact on the character and appearance of the area and therefore allowed the appeal.

Members' were reminded about the Inspectorates relaxed approach to house extensions and asked Members to consider this when determining these types of applications.

41 **21/0781/MFUL (Major) SIDMOUTH SIDFORD**

Applicant:

Chief Operating Officer, Carol Chapman.

Location:

Sidmouth C of E Primary School, Manstone Avenue, Sidmouth, EX10 9TJ.

Proposal:

Demolition of existing buildings to west of play area and construction of a new hall, staffroom, ancillary accommodation and learning resource area; Refurbish part of the existing building creating an additional classroom; Construction of a new two storey accommodation block to the south of play area; Construct a new library to the east of the play area; New multi-use games area (MUGA) with a 3G surface.

RECOMMENDATION:

Of approval as per officer recommendation.

42 **21/1584/FUL (Minor) DUNKESWELL & OTTERHEAD**

Applicant:

Jutindharo (for HBMT).

Location:

Odle Cottage, Upottery, Honiton, EX14 9QE.

Proposal:

Change of use of agricultural land to ancillary accommodation in connection with the Hartridge Buddhist Monastery comprising the provision of three meditation huts.

RECOMMENDATION:

Of approval as per officer recommendation.

43 **20/2819/COU (Minor) DUNKESWELL & OTTERHEAD**

Applicant:

Mr & Mrs Tomkinson.

Location:

Beacon Farm, Beacon, Yarcombe, Honiton, EX14 9LU.

Proposal:

Change of use of outbuilding from ancillary accommodation to the main house to an independent residential unit for use as a holiday let.

RECOMMENDATION:

Of approval contrary to officer recommendation.

Members considered that the economic benefits of the development outweigh the conflict with policy. Conditions delegated to the Service Lead in consultation with the Chair of Planning Committee and the Ward Members.

44 **21/1279/FUL (Minor) HONITON ST MICHAELS**

Applicant:

Mr & Mrs Allen.

Location:

Land to front of 20 Highfield, Honiton, EX14 1JD.

Proposal:

Erection of a dwelling with landscaping and parking.

RECOMMENDATION:

Of approval contrary to officer recommendation.

Members considered that the proposal would not significantly harm the character of the area and the limited harm was outweighed by the benefits of the new dwelling. Conditions delegated to the Service Lead in consultation with the Chair of Planning Committee and the Ward Members.

45 **21/1313/OUT (Minor) OTTERY ST MARY**

Applicant:

Mrs J Jones.

Location:

3 Orchard Close, Ottery St Mary, EX11 1HT.

Proposal:

Erection of a chalet bungalow (all matters reserved).

RECOMMENDATION:

Of approval as per officer recommendation.

46 **21/0482/FUL (Minor) WOODBURY & LYMPSTONE**

Applicant:

Mr M Carter.

Location:

Greendale Farm Shop, Sidmouth Road, Farringdon, Exeter, EX5 2JU.

Proposal:

Construction of building for use as registered nursery and associated ancillary works.

RECOMMENDATION:

Of approval as per officer recommendation.

47 **21/1316/LBC (Minor) COLY VALLEY**

Applicant:

Mr & Mrs Oliver & Helen Rowe.

Location:

Greenways, Hillhead, Colyton, EX24 6NJ.

Proposal:

Replacement single storey kitchen extension on rear (west) elevation and two replacement windows at first floor on rear (west) elevation.

RECOMMENDATION:

Of approval as per officer recommendation.

Attendance List

Councillors present:

E Wragg (Chair)

S Chamberlain (Vice-Chair)

K Bloxham

C Brown

B De Saram

S Gazzard

D Key

R Lawrence

G Pook

G Pratt

P Skinner

T Woodward

Councillors also present (for some or all the meeting)

D Bickley
P Faithfull
B Ingham
M Rixson

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Wendy Harris, Democratic Services Officer
Amanda Coombes, Democratic Services Officer

Councillor apologies:

O Davey
M Howe
J Whibley
C Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Consultative Planning Committee held online via zoom on 29 September 2021

Attendance list at end of document

The meeting started at 10.04 am and ended at 1.25 pm

48 Minutes of the previous meeting

Members were happy to accept the minutes of the consultative Planning Committee held on 1 September 2021.

49 Declarations of interest

Minute 51. 21/1788/VAR (Major) OTTERY ST MARY.

Councillor Eileen Wragg, Personal, Received a telephone call and emails from Committee Ward Member, Councillor Pratt, asking for information.

Minute 51. 21/1788/VAR (Major) OTTERY ST MARY.

Councillor Geoff Pratt, Personal, Member of the East Devon AONB Partnership. Ward Member for Ottery St Mary and had been contacted by two owners of properties involved in the planning application.

Minute 52. 20/2058/MFUL (Major) DUNKESWELL & OTTERHEAD.

Councillor Colin Brown, Personal, Ward Member for Dunkeswell & Otterhead.

Minute 52. 20/2058/MFUL (Major) DUNKESWELL & OTTERHEAD.

Councillor David Key, Personal, Ward Member for Dunkeswell & Otterhead.

Minute 53. 20/1436/FUL & 20/1437/LBC (Minor) BROADCLYST.

Councillor Philip Skinner, Personal, Had rented the buildings from the previous owner 25 years ago.

Minute 53. 20/1436/FUL & 20/1437/LBC (Minor) BROADCLYST.

Councillor Sarah Chamberlain, Personal, Ward Member for Broadclyst, Broadclyst Parish Councillor and also a resident of Broadclyst Station. Also had received an email from a neighbour about the planning application.

Minute 54. 21/1441/ADV (Minor) CLYST VALLEY.

Councillor Mike Howe, Personal, Ward Member for Clyst Valley and Bishops Clyst Parish Councillor.

Minute 55. 21/1530/FUL (Minor) EXMOUTH BRIXINGTON.

Councillors Bruce De Saram, Joe Whibley, Oily Davey, Steve Gazzard and Tony Woodward, Personal, Exmouth Town Councillor.

Non Committee Member

Minute 53. 20/1436/FUL & 20/1437/LBC (Minor) BROADCLYST.

Councillor Eleanor Rylance, Personal, Received emails from both owners of the adjoining properties and from the agent of the owners of a field that abuts the proposed development. Had also received a voicemail from the agent of one of the owners of the adjoining property.

50 **Planning appeal statistics**

Members noted the planning appeals statistics report that set out four appeal decision notices, of which three had been dismissed and one allowed.

The Development Management drew Members' attention to the appeal allowed for a conversion and alteration to the ground floor of an agricultural building for application 20/1449/FUL – The Rowans, Sidmouth Road, Clyst St Mary. The Inspector had allowed the appeal on the basis that it was in a sustainable location as it was close to the settlement of Clyst St Mary which had a range of services and close to a bus route and employment at Hill Barton.

51 **21/1788/VAR (Major) OTTERY ST MARY**

Applicant:

Mr M German (Barton Grange Developments Ltd)

Location:

Barton Grange, Barton Rise, Tipton St John, EX10 0AN.

Proposal:

Variation of Condition 2 (Approved Plans) and Condition 6 (Landscaping Scheme) of planning permission reference 15/2753/VAR to allow for reverting to the original green living wall and alterations to landscaping (retrospective).

RECOMMENDATION:

Of approval as per officer recommendation.

52 **20/2058/MFUL (Major) DUNKESWELL & OTTERHEAD**

Applicant:

Mr S Twiss.

Location:

Otter Falls, Old Spurtham Farm, New Road, Upottery, EX14 9QD.

Proposal:

Development of holiday accommodation units comprising of construction of 12 glamping pods and three holiday lodges together with associated access, parking, landscaping and drainage works.

RECOMMENDATION:

Of approval as per officer recommendation.

53 **20/1436/FUL & 20/1437/LBC (Minor) BROADCLYST**

Applicant:

Roberta Gillam.

Location:

Ratclyffe Farm, Clyst Hydon, EX15 2NQ.

Proposal:

Conversion of curtilage listed barn to form two dwelling houses and associated works.

RECOMMENDATION:

Of approval as per officer recommendation.

54 **21/1441/ADV (Minor) CLYST VALLEY**

Applicant:

Mr Graham Hughes.

Location:

Martins of Exeter Ltd., Sandygate, Exeter, EX2 7JL.

Proposal:

Installation of 1 x 48 sheet freestanding digital advertising display unit, measuring 6.4m wide x 3.4m high and comprising pressed metal frame and sealed LED lighting.

RECOMMENDATION:

Of refusal contrary to officer recommendation.

Members considered that the proposal was inappropriately positioned, out of character with the area and an unsympathetic structure resulting in harm to the visual amenity of the area contrary to Criteria 1, 3 and 5 of Policy D4.

55 **21/1530/FUL (Minor) EXMOUTH BRIXINGTON**

Applicant:

Mr Scott Jordan.

Location:

10 Brimpenny Road, Exmouth, EX8 4NH.

Proposal:

Demolition of existing side extension and construction of proposed new dwelling.

RECOMMENDATION:

Of approval as per officer recommendation.

56 **21/1101/FUL (Minor) SEATON**

Applicant:

Mrs Jo Beckett.

Location:

Flat 2 Stanmore, 36 Beer Road, Seaton, EX12 2PG.

Proposal:

Proposed loft conversion with front and rear dormers and single storey home office in garden.

RECOMMENDATION:

Of approval as per officer recommendation.

Attendance List

Councillors present (for some or all the meeting)

E Wragg (Chair)
S Chamberlain (Vice-Chair)
C Brown
O Davey
B De Saram
S Gazzard
M Howe
D Key
R Lawrence
G Pratt
P Skinner
J Whibley
T Woodward

Councillors also present (for some or all the meeting)

P Faithfull
G Jung
E Rylance

Officers in attendance:

Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Nicola Cooper, Solicitor

Councillor apologies:

K Bloxham
G Pook
C Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of the Licensing and Enforcement Sub Committee held online via the Zoom app on 11 August 2021

Attendance list at end of document

The meeting started at 9.30 am and ended at 10.40 am

11 Minutes of the previous meeting held on 7 July 2021

The minutes of the previous meeting held on 7 July 2021 were agreed as a correct record.

12 Declarations of interest

There were no declarations of interest.

13 Matters of urgency

There were no matters of urgency.

14 Confidential/exempt items

There were no confidential / exempt items.

15 Determination of an application for the grant of a premises licence to allow the provision of regulated entertainment, provision of late night refreshment and the sale of alcohol for consumption ON the premises at 'Hawkfest', Hills Farm, Whitford Road, Kilminster, EX13 7NS. The application is to cover the period of 26 – 30 August 2021

The Sub Committee considered the application for the grant of a premises licence to allow the provision of regulated entertainment, provision of late night refreshment and the sale of alcohol for consumption ON the premises at 'Hawkfest', Hills Farm, Whitford Road, Kilminster, EX13 7NS. The application is to cover the period of 26 – 30 August 2021. The meeting was a hearing to consider the application for a premises licence under the Licensing Act 2003.

The Chair introduced the members of the Sub Committee.

The applicant, present and entitled to make representations, was Steve Littley, accompanied by Kris Tait of the Hawkfest Event Management Team.

The interested party, present and entitled to make representations was Cllr Peter Ball, Kilminster Parish Council, also representing Richard Quincey, Louise Quincey, John Thorne, Jean Thorne, Simon Buse and Samantha Buse.

There were no representations from any of the responsible bodies.

The Sub Committee's legal advisor, Giles Salter, outlined the procedure for the meeting.

The Licensing Manager, Steve Saunders, presented his report and summarised the application. Informal mediation had taken place and none of the representations had been withdrawn. Interested parties making representations had agreed that Cllr Peter Ball would represent them at the meeting. There had been no further updates to the report and the appendices since publication prior to the meeting.

In response to a question from a Member, Mr Saunders confirmed that there had not been any previous complaints regarding the premises and its current licence.

The applicant's case, presented by Kris Tait and Steve Littley, made the following points:

- The licence application was for up to 1,000 attendees although it was anticipated that attendance would be considerably less
- Tickets for the event are sold in advance through a fan club website only with no tickets available at the gate
- The band, Hawkwind, had been in existence for 52 years and the event management team knew the demographic of its fans well. The majority of those attending the event would be in the 50+ age range and families who had followed the band for many years
- The event schedule planned for bands to stop at approximately 11pm and the organisers were committed to ensuring that noise levels always remained within agreed levels
- Directions to the event are provided with tickets and a holding car park would ensure that traffic entering the site would not need to queue on Whitford Road, Kilmington village
- The event is family orientated with magic shows and other family friendly activities

In response to questions from the Sub Committee, the applicant advised the following:

- The application sought to license the marquee for up to 1,000 people and once live music had ended in the marquee, late night music would continue in the function room which was sound proofed
- To date approximately 530 tickets had been sold and tickets are for the whole weekend with no day tickets available
- An emergency telephone number would be available for local residents during the weekend with the Parish Council assisting in communicating this to residents
- The provision of stewards / security for the event was outlined together with first attenders and a first aid centre in the event office. It was noted that a defibrillator is available nearby in Kilmington
- Covid-19 safety measures will be in place
- There would be food available at the event and attendees would also bring their own food and could access local facilities which are within easy reach of the site
- There would be no traffic movement within the site for the duration of the event and attendees wishing to leave during the weekend would be required to use a separate car park
- It was anticipated that bands would start playing at approximately 2pm on Saturday and 3pm on Sunday

The interested party, Cllr Peter Ball, addressed the Sub Committee and made the following points:

- Kilmington Parish Council had held meetings and had good discussions with the applicant regarding concerns raised by local residents

- There were concerns about the size of the event in relation to the size of Kilmington with a small population of approximately 830 and traffic safety for residents and those accessing the site
- Local residents had experienced difficulty in obtaining more information and details of what was being proposed and some concerns would have been alleviated sooner if information had been more readily available
- Concerns remained regarding noise and traffic and residents were seeking greater certainty that noise levels would be monitored and that all possible actions would be taken to ensure the safety of all road users
- There is an increase in traffic generally due to the number of 'staycations' and the A35 at Kilmington is a known accident black spot. Whitford Road has a 30mph speed limit and is used by horse riders, cyclists and residents accessing the children's playground

Regarding traffic management measures, the legal advisor clarified that the Sub Committee's remit when determining licence applications only covered the application site itself and that conditions could not be imposed on the highways. The Sub Committee noted the concerns of local residents and suggested that the Parish Council contacts the Police regarding signage to the event should the licence be granted, and also continues to hold discussions with the event organiser. The applicant advised that 'no access' signage would be in place at various points to ensure that event traffic followed the agreed route.

In response to a question from Members, Cllr Ball confirmed that the Parish Council would make the emergency phone number available to residents through all available social media channels.

In their closing statement the applicant advised that, as a local venue, they wished to maintain a good relationship with neighbouring residents. The focus of the event was as a family festival with a good reputation which had been built up and which all those involved wanted to maintain.

The Chair thanked all participants for attending the meeting and advised that the decision of the Sub Committee would be notified to all parties in writing within five working days.

Attendance List

Councillors present:

K Bloxham (Vice-Chair)

A Dent

J Whibley (Chair)

Councillors also present (for some or all the meeting)

None

Officers in attendance:

Giles Salter, Solicitor

Stephen Saunders, Licensing Manager

Wendy Harris, Democratic Services Officer

Rebecca Heal, Solicitor

Sarah Jenkins, Democratic Services Officer

Councillor apologies:

None

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Sub Committee held Online via the Zoom app on 8 September 2021

Attendance list at end of document

The meeting started at 9.30 am and ended at 10.43 am

16 Minutes of the previous meeting held on 11 August 2021

The minutes of the previous meeting held on 11 August 2021 were agreed as a correct record.

17 Declarations of interest

Minute 20. All Members of the Sub Committee had received an email from the interested party, Mr Stephen Pemberton, on 9th August 2021.

18 Matters of urgency

There were no matters of urgency.

19 Confidential/exempt items

There were no confidential / exempt items.

20 Determination of an application for the grant of a premises licence to allow the provision of regulated entertainment and the sale of alcohol for consumption ON the premises at The Ham Recreation Ground and adjoining car park, Sidmouth, EX10 8DB. The application is to cover the period of 1st – 5th June 2022.

The Sub Committee considered the application for the grant of a premises licence to allow the provision of regulated entertainment and the sale of alcohol for consumption ON the premises at The Ham Recreation Ground and adjoining car park, Sidmouth, EX10 8DB. The application is to cover the period of 1st – 5th June 2022. The meeting was a hearing to consider the application for a premises licence under the Licensing Act 2003.

The Chair introduced the members of the Sub Committee.

The applicant, present and entitled to make representations, was Ian Bowden, accompanied by John Radford, agent and Event Production Manager.

The interested parties, present and entitled to make representations were Simon Pemberton and Garland Pickard.

The Licensing Authority had received representations from East Devon District Council Environmental Health who had no objections.

The Sub Committee's legal advisor, Giles Salter, outlined the procedure for the meeting.

The Licensing Officer, Emily Westlake, outlined the application and advised that three representations had been received, with two being objections from local residents and one positive representation from Sidmouth Town Council. No updates or amendments had been made since the publication of the report.

There were no questions for the Licensing Officer from Members or the applicant. In response to a question from the interested party, the Licensing Officer and the applicant's agent, Mr Radford, advised that the likely set-up would be 4 to 5 days before the festival, with a 2 to 3 day taking down period afterwards.

In making the applicant's case, the agent, Mr Radford, made the following points:

- The applicant had responded to feedback on the initial application and had subsequently submitted a revised application which was now before the Sub Committee
- The festival organisers would engage with all responsible and statutory authorities at the appropriate stages of planning the event and all documentation regarding the safe management of the festival would be produced at the proper time as planning was on-going
- The festival and the facilities to be provided are in line with Health and Safety Executive guidance
- The event organisers had received very positive feedback locally and, although the event was not as big as the Sidmouth Folk Festival, the team had benefitted from guidance from the Folk Festival organisers
- It was hoped to establish a 5 year plan for the Jazz and Blues Festival to be an on-going event

In response to questions from Members to the applicant, the following points were advised:

- The applicant intended to close both the music and the sale of alcohol before the end of the licensable hours at 11pm to allow time for safe egress for the public from the event
- Risk assessments for the festival had not yet been completed but would be available at the appropriate times before the start of the event and would be produced on a holistic basis with full engagement and input from all statutory bodies and blue light emergency services
- Facilities, including the provision of portaloos, would be provided in line with Health and Safety Executive guidance and recommendations, and will be managed in line with best practice

In response to questions from the interested party to the applicant, the following points were made:

- Regarding questions about capacity at the event, the Sub Committee's legal advisor clarified that the remit of the hearing was to consider only licensable activities in relation to capacity
- A safety management plan and risk assessment had not yet been completed and was not required under the Licensing Act for the purposes of the hearing
- Should the licence be granted, conditions could be expected to include that suitable safety management plans and risk assessments are provided

The interested party, Mr Stephen Pemberton, addressed the Sub Committee and the following points were included:

- The objection links to all of the licensing objectives and specifically to public safety and health and safety issues created by closing the access to the Ham Path and cycleway to and from Sidmouth seafront
- There are concerns regarding health and safety issues for members of the public using the unsafe small bridge to the riverside and concerns regarding excessive and unsafe numbers of people attending the event

In response to questions from Members of the Sub Committee, the interested party advised the following:

- Hoardings would be installed on the new Alma bridge and zig zag path to prevent public viewing of the festival from that point and this could result in a safety issue should people try to look over or around the hoardings
- The state of the small bridge renders it unsafe for the volume of people who would be diverted across it as proposed by the festival organisers
- Temporary closure of the Ham Path would result in directing users to other busier routes which would cause a safety hazard
- The proposed footpath to the festival is not lit at night and existing lighting near the small bridge would not be sufficient

The applicant's agent also put questions to the interested party and, in response, the following points were made:

- The interested party had not had any need to communicate concerns regarding the safety of the small bridge and footpath to any authorities as the Ham Path and cycleway had never been closed before
- Alternative routes to the Ham Path and cycleway are used, but by very few people and the majority of pedestrians and cyclists would use the Ham Path, avoiding the small unsafe bridge for the reasons which had been set out by the interested party
- Information that the Ham path had never been closed previously was based on local knowledge from residents of more than 60 years

With the agreement of the Chair, the applicant's agent clarified that the Ham Path had been closed on previous occasions for significant periods of several hours to ensure safe installation of equipment. Regarding capacity at the festival, the capacity for concerts on the Ham is 2,000 seated.

With the agreement of the Chair, the interested party expressed concern that the Ham Path and cycleway would be closed for a period of 14 days.

In their closing statement, the applicant's agent and the applicant advised that documentation relating to event safety and risk assessments would be produced in consultation with the relevant statutory bodies and does not form part of the licensing process. The event organisers would continue to engage with local authorities and the public in order to deliver a safe and successful event.

The Chair thanked all participants for attending the meeting and advised that the decision of the Sub Committee would be notified to all parties in writing within five working days.

Attendance List

Councillors present:

M Chapman (appointed Vice-Chair for this meeting)

A Dent (appointed Chair for this meeting)

T Woodward

Councillors also present (for some or all the meeting)

None

Officers in attendance:

Rebecca Heal, Solicitor

Giles Salter, Solicitor

Sarah Jenkins, Democratic Services Officer

Alethea Thompson, Democratic Services Officer

Emily Westlake, Licensing Officer

Louise Bennett, Licensing Support Officer

Councillor apologies:

None

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Audit and Governance Committee held at Online via the Zoom app. on 23 September 2021

Attendance list at end of document

The meeting started at 2.32 pm and ended at 3.45 pm

1 Public speaking

None

2 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 18 March 2021 were recommended for approval.

3 Declarations on interest

Min 98. Section 106 and CIL update.

Councillor Paul Hayward, Personal, Clerk to 3 parish councils in receipt of S106 funding.

4 Matters of urgency

None

5 Confidential/exempt item(s)

None

6 Internal Audit Outturn Report 2020-21 - SWAP

Alastair Woodland from SWAP introduced the report that provided an update on the 2020/21 Internal Audit Plan as at July 2021.

During discussions the Committee agreed that an update from an officer from Housing in relation to the terms of the KPIs and the position of the Integrated Asset Management Contract was required for the next meeting.

Having received the report and noted the contents, members;

RECOMMENDED:

to note progress made in delivery of the 2020/21 internal audit plan and significant findings.

7 Internal Audit Annual Opinion Report 2020/21 - SWAP

The Internal Audit function played a central role in corporate governance by providing annual assurance to the Audit and Governance and Standards Committees, through looking over financial controls and checking on the probity of the organisation.

The Chair congratulated officers for getting to this stage in the audit, in what had been a challenging year.

Having received the report and noted the contents, members;

RECOMMENDED:

to note the Annual Opinion on the effectiveness of governance, risk and control in the delivery of EDDC Objectives.

8 Internal Audit Plan Progress September 2021 (2021/22)

SWAP provided an update on the 2021/22 Internal Audit Plan as at September 2021.

Having received the report and noted the contents, members;

RECOMMENDED:

to note progress made in delivery of the 2021/22 internal audit plan and findings Reported.

9 Revenue and Capital Outturn Report 2020/21

The Finance Manager informed the Committee of the financial outturn position for 2020/21.

Having received the report and noted the contents, members;

RECOMMENDED:

To note the Revenue and Capital Outturn position for 2020/21 and the recommendations to Cabinet on 14 July 2021.

10 Risk Review Summer 2021 Part 1

Risk information for the 2021/22 financial year was supplied to allow the Committee to monitor the risk status of Strategic and Operational Risks. This followed the full review of risks by responsible officers during May/June 2021.

In answer to a question from the Chair the Committee was informed that the Service Lead Growth, Development & Prosperity, would in future reviews provide a fuller update in terms of Cranbrook and relevant projects to how they were progressing.

Having received the report and noted the contents, members;

RECOMMENDED:

To note the current status of risks following the full risk review undertaken in May/June 2021.

11 Partnership Review 2020/21

Partnership information for the 2020/21 financial year until March 2021 allowed the Committee to monitor the status of the council's partnerships. This followed the year-end review of partnerships by responsible officers for 2020/21.

Having received the report and noted the contents, members;

RECOMMENDED:

To ensure that the Partnership Management Policy and Guidance was being followed and all partnership were being monitored.

12 Section 106 and CIL update

The Service Lead Strategic Planning and Development Management updated members on the progress in implementing the actions identified in the SWAP audit that was presented to members at their meeting on the 28th January. The audit report made two recommendations relating to appointing additional temporary staff resource to help get the Exacom system up to date and the updating of guidance on the participatory budgeting process. A further two recommendations were made in relation to the introduction of the public facing Exacom module and the use of Exacom for recovering outstanding payments. Officers had been working hard to progress these actions which had been largely completed within the required timescales.

The Committee thanked all officers for their hard work in resolving these previous issues.

Having received the report and noted the contents, members;

RECOMMENDED:

To note the progress that had been made to implement the actions of the S106 and CIL audit.

13 External Audit Plan 2020/21 - Grant Thornton

Jackson Murray from Grant Thornton provided an overview of the planned scope and timing of the statutory audit of the council for those charged with governance.

Having received the report and noted the contents, members;

RECOMMENDED:

To note the External Audit Plan 2020/21.

14 Grant Fraud Assurance report

The Service Lead Revenues, Benefits, Customer Services, Fraud & Compliance provided an update of the measures taken to protect against fraud & error for the administration of Covid-19 grants. Reporting to members was an action from the assurance report submitted to the Department for Business Energy & Industrial Strategy (BEIS).

Having received the report and noted the contents, members;

RECOMMENDED:

To note the information provided in the report and agree no recommendations were required.

15 Informing the Audit Risk Assessment 2020/21

The Strategic Lead Finance informed members of the areas of the auditor risk assessment that the Council's external auditors were required to make under auditing standards.

Having received the report and noted the contents, members;

RECOMMENDED:

To note the management responses to the questions raised in the Audit Risk Assessment which were consistent with the Committee's understanding.

16 Audit and Governance Forward Plan

Members noted the contents of the Committee Forward Plan for 2021/22.

Items to be considered at the November committee included:

- Audit Committee Progress update
- DBS Checks for Councillors - update from LGA
- Review of the Anti-Fraud Theft and Corruption Policy
- Review of the Anti-Bribery Policy
- Review of the Whistleblowing Policy
- Review of the Local Code of Corporate Governance
- RIPA update and policy review

Attendance List

Councillors present:

S Hawkins (Chair)
D Barrow
P Hayward
N Hookway
G Pook

Councillors also present (for some or all the meeting)

P Arnott
S Jackson
J Rowland

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Ed Freeman, Service Lead Planning Strategy and Development Management
Beth AC Garner
Libby Jarrett, Service Lead Revenues and Benefits
Jackson Murray
John Symes, Finance Manager
Georgina Teale
Mark Williams, Chief Executive
Alastair Woodland
Andrew Staines, Revenues, Fraud and Compliance Manager

Councillor apologies:

P Twiss

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Personnel Committee held online on 2 September 2021

Attendance list at end of document

The meeting started at 10.00 am and ended at 11.18 am

1 Chair Introduction

The Chair welcomed the newly appointed HR Manager, outlining her past achievements to date, and continued development to obtain a Senior Leader MBA Degree Apprenticeship.

2 Public speaking

There were no members of the public registered to speak.

3 Declarations of interest

Cllr J Loudoun; Minute 6: Personal Interest; Former employee of union and receives a pension from that union.

4 Matters of urgency

None.

5 Confidential/exempt item(s)

None.

6 Implementation of proposed independent review of EDDC Management Structure and workforce/HR priorities

The report set out a proposal to revise the original remit for the independent management review, following discussions on the potential procurement frameworks and the desire to include aspects such as:

- Current workforce challenges
- Management pay review
- Succession planning
- Leadership and management development.

An HR Manager has now been appointed and has identified workforce challenges as:

- Ensuring that workforce capacity meets service demand, within budgetary constraints
- Overcoming significant recruitment challenges
- Establishing more robust succession planning
- Learning from the recent office relocation and pandemic working arrangements which support both excellent service delivery and retention of staff

- Continuing to support managers and staff through recent significant changes in working practices and high service demands, relating the work to the emerging Council Plan, and a strong focus on staff health and wellbeing
- Build upon positive employee and trade union relations to support high performance, recruitment and retention, including retaining the Platinum Investors in People (IIP) accreditation.

Prioritising these elements meant that recruitment, retention, and how staff would operate post-pandemic, would need to be addressed first, delaying the review of the management structure until next year.

The interventions to deal with these challenges were set out in the report, alongside the proposed written specification for the appointment of an organisation to undertake the review. The proposed evaluation criteria and procurement approach were also set out for the committee to consider. The expected timeframe led to recommendations for consideration in February, to coincide with the budget setting for 2022/23.

Discussions had been made with framework providers, giving a confidence that a suitable provider could be found.

Debate from the committee included:

- Clarity on how information from exit interviews was used;
- Involvement of the Chair of Personnel and the Portfolio Holder for Council and Corporate Co-ordination in putting forward the revised approach; discussion would take place after the meeting on the merits of extending this to include another Member from the committee, retaining political balance;
- IIP accreditation renewal was not due for 18 months, so did not attract expenditure for 2022/23 budget. The accreditation was a means of independent assessment on how well the Council was run, and the Platinum accreditation achieved was testament to that. The Council continued to be the best Council both regionally and nationally;
- Work was already underway in assessing how the workforce would operate post-pandemic, including a staff survey and Service Lead evaluation of office-based needs;
- Current informal career pathways would be expanded to look at customer care centre entry level posts that lead to posts within services. The IIP accreditation benefits included regular performance reviews of staff, which enabled high performers to be identified;
- There was no specific budget for continuous improvement, but training budgets were in place, although reduced in recent years due to budget pressures. Assessment would be made on the effectiveness of online learning modules. Continual improvement was a core value for all services across the Council, as part of the embedded process of the systems thinking approach. This had led to both efficiencies in service delivery for the benefit of our customers, and also made budget savings in eliminating waste;
- Awareness of the Council's IIP accreditation should be raised, as it is a selling point for recruitment of staff.

A separate issue of staff availability to see the public at Exmouth Town Hall currently, which had been raised at the previous Cabinet meeting, would be discussed outside of the meeting.

RECOMMENDED to Senior Officer for Decision

1. To prioritise an independent review of the pay and grading structure and rates of pay to ensure that the Council achieves its vision and values to seek continuous improvement and to recognise the pressure on resources, alongside its aspiration to be a median pay employer and to mitigate against current and significant recruitment and retention issues, with the independent review of the management structure then commissioned to be undertaken following this.
2. That external resources to undertake the review are sourced via a Central Professional Services Procurement Framework.
3. That the proposed written specification and evaluation criteria set out in the report be approved.
4. In order for the Council's commitment to transparency to be clearly demonstrated and to avoid 'behind the scenes' lobbying, that all correspondence from Councillors with the successful bidder will be disclosed to the Personnel Committee.
5. That the other HR priorities recommended in the report, which also aim to secure continuous improvement, enable the Council to adapt to new ways of working and mitigate against resource pressures and current workforce challenges, be approved.

Attendance List

Councillors present:

I Thomas (Chair)
M Armstrong
P Arnott
D Bickley
K Blakey
B De Saram
I Hall
P Hayward
R Lawrence
J Loudoun
N Hookway

Councillors also present (for some or all the meeting)

S Hawkins
J Bailey
C Brown
S Chamberlain
M Chapman
P Millar
A Moulding

Officers in attendance:

Simon Davey, Strategic Lead Finance
Joanna Fellows, Corporate HR Manager
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Debbie Meakin, Democratic Services Officer
Mark Williams, Chief Executive

Councillor apologies:
V Ranger

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Standards Committee held online via zoom on 14 September 2021

Attendance list at end of document

The meeting started at 2.00 pm and ended at 2.45 pm

1 Public speaking

There were no members of the public registered to speak.

2 Minutes of the previous meeting held on 19 January 2021

The minutes of the previous meeting held on 19 January 2021 were recommended to senior officers for approval.

3 Declarations of interest

None.

4 Matters of urgency

None.

5 Confidential/exempt item(s)

None.

6 East Devon District Council Standards Regime update

The Committee were presented with an update report covering:

- Possible arrangements for introduction of a Standards Assessment Sub-Committee
- Review of Code of Conduct and Protocol for relationships between Members and Officers
- Paying for training costs
- Information on code of conduct complaints for the period 1 January 2020 to 31 December 2020, and the period 1 January 2021 to 31 August 2021.

Discussion included:

- Clarification on budget for District Councillor training was provided as £5k per year, reported as an underspend if the budget was not used;
- Any recommendations by the Standards Working Group would come back to the Standards Committee;
- The Standards Working Group should undertake a review of the Employee Code of Conduct, in tandem with the work they were already undertaking on the Councillor Code of Conduct, and the planned review of the Member/Officer relationship protocol. The Committee agreed this approach and asked the Monitoring Officer to action, which he agreed to do;
- Mixed views on the Chair of Standards Committee acting as Chair for the Standards Assessment Sub Committee (SASC), and if that should not take place.

The membership of the Standards Committee had already increased, giving a wider number of Members to call upon to sit on the SASC as required, with different Committee Members called upon to sit on any subsequent Standards Hearings Sub Committee (SHSC); on balance, the Committee felt that the detail in the revised standards procedure should remain;

- Drawing from the wider membership for the SASC had been discussed previously, but on balance it was felt that this was difficult to put into practice on a practical basis from 60 members and keeping political balance;
- That the revised standards procedure document should include a definition of Independent Representatives and Town and Parish Representatives.

RECOMMENDED to Council

1. Approval of a revised procedure for dealing with Code of Conduct complaints, and related Constitutional amendments to implement it;
2. Approve that any training requirement imposed by way of sanction against a District Councillor be paid for by the District Council and that a budget of £5,000 be provided for this purpose.

Attendance List

Councillors present:

I Thomas (Chair)
D Barrow
J Loudoun
E Rylance
P Twiss

Co-opted members present:

Pat Coulter
Martin Goscomb
Robert Wood
Pauline Stott

Councillors also present (for some or all the meeting)

P Arnott
M Chapman
P Faithfull
T McCollum
P Millar

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Debbie Meakin, Democratic Services Officer

Apologies:

C Gardner
Bob Nelson

Report to: Council



Date of Meeting 20th October 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Changes to Councillor appointments

Report summary:

To seek Council's endorsement to some changes to committee appointments and appointments to panels, forums and joint bodies following recent resignations and following interviews to fill vacancies on Housing Review Board.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

Council recommend that:

1. Cllr Bonetta be appointed as the Vice Chair of the Overview Committee.
2. Cllr Hookway be appointed as the Vice Chair of the Audit and Governance Committee
3. Cllr Millar be appointed to the Strata Joint Scrutiny Committee.
4. Cllr Pook be appointed to replace Susie Bond on the Member Development Working Group.
5. That the makeup of the LED Monitoring Forum be revised to remove the Member Champion for Sports and Leisure, the number of councillor appointees be increased from four to five and Cllr Millar be appointed as the fifth appointee.
6. Sue Saunders and Stephen Beer be appointed as Tenant / Leaseholder Representatives on the Housing Review Board.

Reason for recommendation:

To ensure that the Council's governance arrangements are up to date.

Officer: Henry Gordon Lennox, Monitoring Officer

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☒ Democracy, Transparency and Communications
- ☐ Economy and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information N/A

Link to [Statement of Intent](#)

Priorities (check which apply)

- ☐ Better Homes and Communities for all
 - ☐ Greener East Devon
 - ☐ A resilient Economy
 - ☐ Services that matter
-

Report in full

1. Following the resignation of Fabian King, Councillor Jamie Kemp was elected as the representative of the Exe Valley Ward. Changes to the committee allocations were made under delegated authority to appoint councillors to the positions left vacant by Fabian King given that the political balance and committee seat allocations were unaffected by the result. In that regard, Cllr Bonetta was appointed to the Overview Committee and Cllr Kemp was appointed to the Scrutiny Committee and Audit & Governance Committee.
 2. However, two Vice Chair positions became vacant and there is no delegated authority in place to permit replacements to be appointed. The Democratic Alliance Group wish to recommend the appointment of Cllr Bonetta to be Vice Chair of the Overview Committee and Cllr Hookway to be the Vice Chair of the Audit & Governance Committee.
 3. In addition, there are two other positions that require Council's consideration. Firstly, the position on the Strata Joint Scrutiny Committee where Cllr Millar is nominated to replace Fabian King. Secondly, the position on the Member Development Working Group where Susie Bond needs to be replaced. The Independents will need to nominate a councillor to replace Susie Bond and this nomination will be notified to Council at the meeting.
 4. The Administration wishes to revise the makeup of the LED Monitoring Forum. This is a Council function. The wish is to remove the Member Champion for Sports and Leisure and increase the number of councillor appointees from four to five. The fifth position would be given to Cllr Millar. This means that the representation across the panels, groups and joint bodies is still reflective of the political balance as far as reasonably practicable.
 5. As was reported to the Annual Council meeting in May, the Housing Review Board had a vacancy in one of the Tenant / Leaseholder Representative positions. In addition Christine Morrison has since resigned from the position. Accordingly interviews have been held and it is recommend that the Council appoint Sue Saunders and Stephen Beer as Tenant / Leaseholder Representatives.
-

Financial implications:

There are no direct financial implications from the recommendations.

Legal implications:

There are no legal implications requiring comment.

Report to: Council

Date of Meeting 20 October 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Proposed Temporary Car Park Management Arrangements, Webster's Garage site, Axminster

This report describes a proposal for the Council's car parks team to enter into an agreement with the owners and developers of the former Webster's Garage site in Axminster to manage temporary car park pending long-term redevelopment of the site. The car park is currently closed and it is felt to be in the best interests of the town economy, the council and the site owner to implement this agreement and to reopen the car park without delay.

Is the proposed decision in accordance with:

Budget Yes ☐ No ☒

Policy Framework Yes ☐ No ☒

Recommendation:

That the Council enters into a temporary contract with the site owner to manage the public car park at the former Webster's Garage site in Axminster.

Reason for recommendation:

In simple terms, the arrangements are beneficial for both town centre businesses in terms of availability of public car parking and to this Council in terms income generation. The revenue, which will pass to the site owner, should also facilitate the long-term regeneration of this important town centre site.

Officer: Andrew Ennis, Service Lead for Environmental Health and Car Parks

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☐ Democracy, Transparency and Communications
- ☒ Economy and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

Climate change Low Impact

This car park is already well used. The proposed management arrangements are not anticipated to result in any increase in emissions of greenhouse gases locally. However in the longer term this and other car parks will need to be reviewed as part of our climate emergency action plan to ensure that opportunities for introducing incentives to discourage the use of petrol and diesel fuelled vehicles in our towns and to consider the provision of electric vehicle charging infrastructure at this site are not overlooked.

Risk: . This proposal is low risk. The site is currently closed and this Council is able to provide a short term viable option for managing this public car park. The site owner retains responsibility for maintenance and repair and will be providing insurance cover so the Council's exposure to risk is low.

Links to background information None

Link to [Statement of Intent](#)

Priorities (check which apply)

- ☐ Better Homes and Communities for all
- ☐ Greener East Devon
- ☒ A resilient Economy
- ☒ Services that matter

Report in full

1. Colleagues from the Council's Place and Prosperity and Planning Applications teams are currently in discussions with the site owners around the long term redevelopment of the site of the former Webster's Garage in the centre of Axminster. These redevelopment proposals incorporate the Council's South Street short stay car park that has already been sold to the developer and as I understand it, the whole project is seen as an opportunity to contribute to the economic regeneration of the town centre.
2. The Council entered into discussions with the site owner on 2015 for the management of a temporary car park on the site on the basis that we felt that it was in the Council's interests to become involved. Unfortunately at that time the owner decided to lease his site on to NCP but recent events have seen the car park close to the public and the owners are actively seeking another provider to carry out interim management of car parking operations pending submission and determination of a planning application for the site and subsequent redevelopment.
3. It is understood that a planning application for the redevelopment of this site is currently in draft form and will be submitted for formal consideration in the near future. The owner is therefore seeking a management arrangement for around 18 months which is I believe the period remaining on his temporary planning consent for his car parking operation.

Urgency

4. The owner is keen to re-open this revenue stream as it is important to him in funding the long term development. It is also important for the town that the car park reopens as soon as possible to visually convey the message that Axminster is "open for business" and of course, to offer increased parking availability in the run up to Christmas. The Council will also benefit financially from the arrangement so we believe it is clearly in everyone's best interests to enter into this agreement and begin the process of adding the site to the East Devon Parking Places Order without delay.

5. This report is therefore being presented today as an urgent item with the consent of the Chair, effectively bypassing a Cabinet recommendation (with the support of the Leader and Portfolio Holder for Property and Assets) asking full Council for approval. This approval if given can then be implemented as a Senior Officer Decision

Detailed arrangements

6. The Council will enter into a legal agreement with Hallmark Estates (Devon) Limited (the owner) for car parking management services for an initial period of 1 year (extendable subject to planning consent).
7. The car park will remain in Hallmark's ownership and all aspects of liability for insurance and all site maintenance will remain theirs.
8. The Council will supply welcome signage and tariff information at cost to Hallmark (actual costs to be confirmed and agreed).
9. The Council will supply and install one pay machine that will be connected via the cloud to its own network. The location within the site is to be agreed and Hallmark will complete any necessary groundworks to achieve a suitable stable base to which the machine can be securely fixed. The pay machine will remain in the Council's ownership and will be relocated to another site upon termination of the agreement. The machine (installed) will cost around £4,500 and will have an operational life of around ten years.
10. The Council will provide management and support services for a seven days per week car parking operation and will patrol the car park regularly.
11. The Council will also provide a pay by phone service alongside card and cash payment options. The third party costs incurred through processing cash and in handling card and mobile phone transactions at this site will be passed on to Hallmark.
12. Finally, in order to effectively manage the car park we will need authority to amend the East Devon (off street) Parking Places Order to enable our team to use Civil Enforcement Procedures by issuing penalty charge notices and accessing the independent appeals adjudication process and the simplified debt recovery arrangements that come along with it. There is an initial legal and advertising cost associated with this and these costs will be passed on to Hallmark. There will also be legal costs associated with drafting and entering into the management agreement and those costs will also be passed on to Hallmark.
13. In summary, Hallmark will contribute to the initial costs of the ticket machine along with meeting the costs of the necessary legal work, advertising, signage and operating costs including £7,800 annually towards the Council's operational staffing and management of the car park.
14. Finally, there will be a business rates liability for Hallmark and we have agreed for expediency that as we will be the organisation providing the service and collecting the

money, EDDC will deduct business rates prior to transferring surplus revenue to Hallmark as part of this arrangement.

Financial implications:

Financial details are contained in the report and will be of financial benefit to the Council as explained.

Legal implications:

It is open to EDDC to enter into a management agreement to manage a car park on behalf of a car park owner, including the use of the Council's enforcement powers. To facilitate this the site must be included within the Council's Parking Order (PPO) and this has an advertisement time of 28 days meaning that it will take a number of weeks for this to be achieved. There will be costs associated with amending the PPO, including the advertisement costs and also with drawing up and agreeing the commercial management agreement, it is right that the car park owner pays these costs. The commercial agreement should be in place prior to the Council operating the car park on behalf of the owner.

Briefing on Removal of Universal Credit £20-Per-Week Uplift Appendix 1

In East Devon, the latest figures presented to Councillors on the total number of households on Universal Credit across the District stands at 2,320 (Source: 'Employment and skills situation post September ending of furlough', Poverty Working Panel, 20th September 2021)

Analysis from the TUC [earlier this year](#) found that the South West region has the highest proportion of people in work negatively affected by the Universal Credit £20 a week cut in the UK. In total, four in ten Universal Credit claimants in our region are already in work.

Recent [analysis](#) from the ONS suggests that the reason for so many people in work having to claim Universal Credit is due to a combination of low wages, seasonal work and high housing costs. House prices in tourist hotspots such as Exmouth, Budleigh Salterton, Sidmouth and Seaton are rising significantly and becoming increasingly out of reach for the low paid.

To compound the above factors, energy costs are rising this winter, with people with typical household levels of energy use seeing their bills increase by £139 to £1,277 a year. This will particularly affect families.

There is also the planned increase in National Insurance to pay for social care, and an expected increase in food prices, which will increase poverty.

Taken together, these factors represent a cliff edge with people on low wages in our District at higher risk of destitution than any time in recent memory. The £20 a week Universal Credit uplift had added up to a total of just over £1,000 a year for people on low incomes. Reinstating this uplift will prevent the low-waged from falling into serious financial hardship and for those who are living in the private-rented sector, will prevent some evictions.

Although [it is argued](#) that the cut immediately saves the Treasury around £6bn-a-year in immediate costs, these savings are likely to disappear and become higher costs when Councils are forced to step in and spend large sums of money housing destitute people in hotels and B&Bs at exorbitant cost to the local ratepayer as we accord with our statutory duties to relieve homelessness. The effect being made homeless has on mental and physical health will also place a further burden on the NHS.