

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 27 November 2019**

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

The meeting started at 5.30 pm and ended at 6.45 pm

#### **87 Public speaking**

There were no members of the public wishing to speak.

#### **88 Minutes of the previous meeting**

The minutes of Cabinet held on 30 October 2019 were confirmed and signed as a true record.

#### **89 Declarations of interest**

Minute 105 Exeter Science Park Ltd - Request for Shareholders decision and to note implications of key proposals.

Councillor Ian Thomas, Personal, Shareholder representative for Exeter Science Park Limited.

#### **90 Matters of urgency**

There were no matters of urgency.

#### **91 Confidential/exempt item(s)**

There were 2 items officers recommended should be dealt with in this way. These are recorded at Minutes 104 and 105.

#### **92 Minutes of the Recycling and Waste Partnership Board held on 23 October 2019**

Members received and noted the Minutes of the Recycling and Waste Partnership Board held on 23 October 2019. The Portfolio Holder Environment wished to congratulate the Board for winning an award for the council's integration with 'Alexa', the cloud-based voice service and virtual assistant.

#### **93 Minutes of the Scrutiny Committee held on 24 October 2019**

Members received and noted the Minutes of the Extraordinary Scrutiny Committee held on 24 October 2019, being the meeting to consider the call-in of part the Cabinet's decision on 2nd October 2019 in relation to the Car Parking Tariff Review.

**RESOLVED that the following recommendation be agreed:**

**Minute 33 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules**

Cabinet accept Scrutiny's committee recommendation not to proceed with the Consultation until the work of the Task and Finish Forum has been completed and a full report is submitted back to Cabinet.

94 **Minutes of Strategic Planning Committee held on 22 October 2019**

Members received and noted the Minutes of Strategic Planning Committee held on 22 October 2019.

**RESOLVED** that the following recommendation be agreed:

**Minute 25 Garden communities and delivery vehicles**

that support for the Exeter and East Devon garden communities status be confirmed.

This item was debated at Minute 100.

95 **Cranbrook Sports Pavilion**

The Service Lead Planning Strategy and Development Management presented the report which requested authority for the project management of the Cranbrook sports pavilion. In answer to questions he confirmed the sports hub would be of national sporting bodies' standards and that external funding had come from S106 receipts as well as open space and sports governing bodies.

**RESOLVED:** that

1. East Devon District Council take the transfer of a plot of serviced land at the Ingram's sports hub in Cranbrook and procure and project manage the delivery of a sports pavilion at the sports hub (to a design to be agreed with Cranbrook Town Council) using identified Section 106 monies and external funding.
2. Delegated authority be given to the Deputy Chief Executive, in consultation with the Strategic Leads for Governance and Licensing and Finance, to carry out appropriate due diligence, agree satisfactory heads of terms with relevant parties, secure external funding and thereafter to progress the transfer of the land, delivery of the project and transfer of the completed sports pavilion to Cranbrook Town Council, upon practical completion of the building.

**REASON:**

East Devon District Council was best placed to bring together a number of different funding streams and to coordinate and manage the final design, procurement and delivery of an important asset for the town of Cranbrook.

To ensure that the asset was managed by and for the town, it needed to be subsequently transferred to the Town Council upon practical completion.

Whilst facilitating the delivery of the Pavilion, East Devon District Council did not wish to incur liabilities beyond the practical completion stage.

96 **East Devon Traveller Forum**

The Chief Executive explained why a Traveller Forum was needed in East Devon and how it should be established. It set out the proposed membership and terms of reference. The Portfolio Holder Sustainable Homes and Communities supported this report and stated how important it was to involve local communities which had worked well in other districts.

**RESOLVED** that

1. an East Devon Traveller Forum be established which would report to Cabinet,
2. the draft Terms of Reference be noted with the final Terms of Reference being left to the Forum to consider and agree upon (having regard to any advice from the Monitoring Officer)
3. the three Members nominated to attend the forum on a regular basis would be the Portfolio Holder for Sustainable Homes & Communities, Lead Member for Cranbrook and Vice Chair of Development Management Committee.

**REASON:**

To ensure that the needs of Travellers were adequately met in East Devon and that this under-represented group did not feel disenfranchised.

97 **Peer Review Report and associated Action Plan**

The Chief Executive presented the report which brought forward the 10 point action plan to address the key recommendations made by the Peer Review Team in September 2019.

**RESOLVED:**

that the 10 Point Action Plan be agreed.

**REASON:**

To ensure the council continually improved.

98 **Future Place programme and Delivery Models - Exemption to Standing Orders**

The Projects Director outlined the purpose of the report that asked for Exemption from Standing Orders to enable the appointment of Local Partnerships to undertake a review of delivery models across the Greater Exeter area. Local Partnerships was jointly owned by HM Treasury, the Local Government Association and the Welsh Government. Their main responsibility was to deliver expert support to the public sector that provided confidence, additional capacity and commercial capability, helping make best use of limited resources.

**RESOLVED:**

that the use of an Exemption from Standing Orders to enable the appointment of Local Partnerships be noted.

**REASON:**

To enable the appointment of Local Partnerships in conjunction with support through the Future Place programme.

99 **Our Towns Study: Understanding East Devon Towns**

The Deputy Chief Executive outlined that the purpose of the report was to secure approval to commission a comprehensive analysis of EDDC's towns and to identify investment and funding opportunities, planning policy options, site specific improvements and feasible projects to help create better places.

Discussions included the following:

- Concern about ensuring that spending £50k would not just produce a mass of data relevant to the study
- Money should be monitored and spent wisely
- The need for recommendations for individual towns
- There needed to be synergy between the report and the High Street Taff
- A specification list was essential for new and important relevant data

In answer to a question to what was meant by external expertise the Deputy Chief Executive stated that the steering group should be trusted to investigate where to get this expertise. Members were reminded that the tender process would uncover which 'external expertise' would be best to commission.

**RESOLVED** that Cabinet agrees:

1. to commission appropriate external expertise to carry out the Study and work with the council and local stakeholders to implement recommended actions,
2. to allocate a sum of up to £50,000 to fund the study from the Business Rate Pool funds already accrued by the council and required to be used for economic purposes, and
3. to delegate authority to the Deputy Chief Executive to finalise the study specification and tender selection in consultation with the Portfolio Holder for Economy and two members of the Overview Committee nominated by the Chair of the Overview Committee and thereafter to carry out the project.

**REASON:**

The council lacked detailed and consistent intelligence concerning its towns, their centres and their importance to surrounding communities in coastal and rural areas. This was an observation by the LGA's Peer Challenge Team and had been an issue when developing, often at short notice, bids for external funding.

Overview Committee and its proposed High Streets TAFF would work with, advise and be informed by the 'Our Towns' Study. The study would also include local stakeholder involvement to ensure that this was a shared rather than top down approach.

Informative findings and practical action recommendations would be key to the study. Individual reports for each town would be produced for council and local use. A series of evidence based recommendations for tailored town focused policies would be provided. The study would also result in a number of feasible and costed project proposals and recommended interventions specifically designed to help support and improve the towns as distinct places and local economies.

100 **Garden Communities and Delivery Vehicles**

The Projects Director presented the report which considered what was needed to ensure the delivery of great places within the District alongside the local planning process. There was considerable learning from the current generation of strategic development sites. The report reflected on this learning, considered the current direction of government policy and contemplated the potential for the council to adopt a more proactive approach going forward. The report assessed the different delivery options available to the council and the type of delivery vehicle that could be established.

**RESOLVED** that

1. the importance of having effective delivery vehicles/mechanisms in place at the earliest stage possible in order to support the development of high quality places be acknowledged,
2. support for the Exeter and East Devon Garden Community status be confirmed,
3. the principle of submitting a bid to MHCLG's New Development Corporation Competition be endorsed, and
4. Cabinet would receive a further report on the options for constituting an effective delivery vehicle up to and including the establishment of a Locally Led New Town Development Corporation.

**REASON:**

To ensure that the council had the necessary tools and resources in place to support the delivery of well designed, high quality and sustainable places.

101 **Membury Neighbourhood Plan**

The report explained that the Membury Neighbourhood Plan had been to Examination and had been found to meet the basic conditions subject to some changes. The Parish Council had agreed with most of the changes but wished to reduce the number of houses to be allowed. As a result the relevant policy of the Plan needs to be subject to a further 6 weeks of consultation. If no substantive objections are received, it can proceed to Referendum.

**RESOLVED** that

1. the Examiner's recommendations on the Membury Neighbourhood Plan (the Plan) be endorsed but agree in principle to the reduction in the number of proposed houses in Membury village from 15 to 10 (Policy HP1),
2. a further 6 week consultation be undertaken in respect of Policy HP1 of the Plan be agreed, and
3. if no substantive objections are received in response to Policy HP1, that Members agree that a 'referendum version' of the Plan (incorporating the Examiner's modifications and the amended Policy HP1 reduced to 10 houses) proceed to referendum and a decision notice to this effect be published.

**REASON:**

The Plan was the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications which, with one exception, were accepted by the Parish Council. This exception was that the Parish Council wished to reduce the number of new houses allowed in the village to reduce from the 15 recommended by the Examiner, to 10. This change would be acceptable in principle as it still met the Basic Conditions (and was in broad conformity with the Local Plan) but would need to be subject to further consultation. If this change did not receive substantive objections and Members agreed that it should proceed to Referendum, the legislation required a decision notice to be produced.

102 **Request for additional Housing Officer for a fixed term period of 12 months**

Due to rising demand and increased workload within the Housing Options team, the Strategic Lead Housing, Health and Environment explained the report set out the

reasoning behind the need to seek approval for an additional Housing Officer for a fixed term period of 12 months.

This was being requested as an immediate temporary measure that will allow time to review the current structure of the team in order to ensure it was fit for purpose going forward. The Portfolio Holder Sustainable Homes and Communities supported this additional post.

**RECOMMENDED** to Council:

an additional spend of £8,221.00 in 2019/2020 and an additional amount of £25,155.00 for 2020/2021 to enable the appointment of a Fixed Term Housing Officer for 12 months.

**REASON:**

To ensure the day to day service delivery within the Housing Options team could be maintained and that all legislative duties were met in relation to persons approaching the Council who were homeless or at risk of homelessness.

103 **Exclusion of the public**

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

104 **Sailor's Rest**

The report updated Members on the purchase of 18A & 18B St Andrews Road, Exmouth and made members aware of additional expenditure that would be required after acquisition, to ensure the property was fully compliant with fire safety legislation and was fit for letting to tenants.

**RESOLVED** that

1. the position detailed in the report be noted and to proceed with the purchase of the Property at the revised purchase price as detailed in the report, and
2. funding from the void budget and Right to Buy receipts be used to undertake the necessary repair / improvement works to the Property.

**REASON:**

To add suitable properties to the Council's housing stock and help ensure the use of Right to Buy receipts.

105 **Exeter Science Park Ltd - Request for Shareholders decision and to note implications of key proposals**

To progress further development and enabling activities for ESPL in concert with the other stakeholders: Devon County (DCC), Exeter City Council (ECC) and the University of Exeter (UoE). EDDC have a shareholding of 18.75% in Exeter Science Park Ltd (ESPL).

ESPL was seeking to obtain approval on matters that falls outside the

operational powers of the company as required under the Shareholder Agreement.

Unlike the other shareholder authorities, EDDC did not have the same delegations in place, in that they have delegations in place which permit decisions to be taken on behalf of the authorities, hence the report coming to Cabinet.

**RESOLVED** that Cabinet agree;

1. to give Shareholder Consent to ESPL entering into the construction contract with Midas for the Open Innovation Centre on the basis set out in paragraph 3.1 of the report, and
2. to delegate authority for the giving of Shareholder Consent for any request made by ESPL under the Shareholder Agreement to the Chief Executive in consultation with the Deputy CEO, Strategic Leads for Finance and Governance & Licensing, Leader, Deputy Leader and Portfolio Holder for Finance (as the council's shareholder representative in ESPL) provided the giving of consent would not constitute a Key Decision and / or would not be contrary to the budget.

**RECOMMENDED** to Council;

3. to agree a rent guarantee of £31,875 year one and thereafter increased annually at 3% for the rental payment by Exeter Science Park Limited to University of Exeter for Grow on Building 2 for the rental term of 18 years with delegated authority to the Strategic Lead (Governance & Licensing) to agree the wording of the guarantee.

## **REASON**

For Cabinet to understand the importance of these transactions to the future development of Science Park and enable an informed delegated decision-making arrangement to be put in place, to ensure that ESPL was not adversely impacted by unnecessary delays going forward and was able to progress the construction contract for the latest building on the Science Park.

For the Council to act as rent guarantor for ESPL this required a Council decision.

## **Attendance List**

### **Present:**

#### **Portfolio Holders**

B Ingham	Leader
S Bond	Deputy Leader
M Armstrong	Portfolio Holder for Sustainable Homes and Communities
J Bailey	Portfolio Holder for Corporate Services
G Jung	Portfolio Holder for Environment
G Pook	Portfolio Holder for Asset Management
I Thomas	Portfolio Holder for Finance

### **Cabinet apologies:**

K Blakey	Portfolio Holder for Economy
P Faithfull	Deputy Portfolio Holder for Environment

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

Councillor Paul Arnott  
Councillor Kim Bloxham  
Councillor Alan Dent  
Councillor Sarah Jackson  
Councillor Dan Ledger  
Councillor Tony McCollum  
Councillor Andrew Moulding  
Councillor Helen Parr  
Councillor Tom Wright

**Also present:**

**Officers:**

Richard Cohen, Deputy Chief Executive  
Amanda Coombes, Democratic Services Officer  
Simon Davey, Strategic Lead Finance  
Ed Freeman, Service Lead Strategic Planning and Development Management  
John Golding, Strategic Lead Housing, Health and Environment  
Henry Gordon Lennox, Strategic Lead Governance and Licensing  
Mark Williams, Chief Executive

Chairman .....

Date: .....