

## **EAST DEVON DISTRICT COUNCIL**

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

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

The meeting started at 5.30 pm and ended at 8.10 pm

#### **146 Public speaking**

There were no members of the public wishing to speak.

#### **147 Minutes of the previous meeting**

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

#### **148 Declarations of interest**

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

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

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

#### **149 Matters of urgency**

There were no matter of urgency.

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

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

#### **151 Forward Plan**

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

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

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

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

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

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

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

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

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

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

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

**Minute 35** Paper sack trial

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

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

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

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

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

**RESOLVED that:**

**Minute 43** Poverty Working Panel

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

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

**Minute 45** Draft Drone Policy

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

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

**Minute 46** House of Lords Select Committee on Regenerating Seaside Towns

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

This minute be noted.

**Minute 47** Economic Development in Coastal & Rural Areas

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

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

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

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

157 **Long Lane Enhancement Scheme**

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

Comments or questions raised during the debate included the following;

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

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

**RESOLVED:**

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

**REASON:**

To enable the Long Lane Enhancement works to be implemented.

158 **Business Rates - rate relief measures**

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

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

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

**RESOLVED:**

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

**REASON:**

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

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

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

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

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

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

### **RESOLVED:**

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

### **REASON:**

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

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

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

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

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

**RESOLVED:**

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

**REASON:**

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

## 161 **UK Refugee Resettlement Scheme**

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

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

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

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

Comments or questions raised during the debate included the following;

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

**RESOLVED:**

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

**REASON:**

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

162 **Relocation - Project Close Out Report**

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

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

Comments or questions raised during the debate included the following;

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

**RESOLVED:**

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

**REASON:**

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

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

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

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

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

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

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

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

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

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

**RESOLVED:**



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

**REASON:**

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

**Attendance List**

**Present:**

**Portfolio Holders**

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

**Cabinet apologies:**

M Armstrong	Portfolio Holder for Sustainable Homes and Communities
-------------	--

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

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

**Also present:**

**Officers:**

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

Chairman .....

Date: .....