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**Agenda for Council
Wednesday, 26th February, 2020, 5.30 pm**

To: All elected Members of the Council; Honorary Aldermen

Venue: Council Chamber, Blackdown House, Honiton

Contact: Susan Howl, Democratic Services Manager;

01395 517541; email showl@eastdevon.gov.uk

(or group number 01395 517546)

Issued Monday, 17 February 2020

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on
Wednesday, 26th February, 2020 at 5.30 pm**

You are called upon to attend the above meeting to be held in the Council Chamber, Blackdown House, Honiton. 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 light blue horizontal line.

Chief Executive

1 Public speaking

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

2 Minutes of the previous meeting (Pages 6 - 17)

3 Apologies

4 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

5 Matters of urgency

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

6 **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 18 - 35)**

9 **Revenue Estimates, Capital Programme & Council Tax Resolution 2020/21 (Pages 36 - 45)**

- a) To consider the report of the Council's Section 151 Officer, Strategic Lead - Finance, and the recommendations contained therein which include approval of the recommendations of the Cabinet on 5 February 2020 relating to the Council's Revenue and Capital Estimates for 2020/21 and precept details of the parish and town councils, Devon County Council, Devon and Cornwall Police & Crime Commissioner and the Devon and Somerset Fire and Rescue Authority.
- b) To approve the calculations for setting the Council Tax in accordance with the Local Government Finance Act 1992 as amended by the Localism Act 2011. These calculations form the basis of the formal setting of the Council Tax for the District.

Note 1 The precept levels of other precepting bodies will be detailed in the report. The figures will be collated and the report sent out on Tuesday 18 February.

Note 2 A recorded vote will be taken of the vote on this item so that there is a record of how Members have voted in budget setting (legislation which came into force on 25 February 2014 - The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014).

Note 3 Section 106 of the Local Government Finance Act 1992 precludes councillors from voting on the setting of the Council's budget / council tax where there is an outstanding council tax debt of over two months. It is also a requirement, where you attend any meeting to set the budget and this preclusion applies, that you must declare the fact you are precluded from voting. A failure to do this is a criminal offence.

10 Reports from the Cabinet and the Council's Committees and questions on those reports (Pages 46 - 48)

- a) Minutes of Cabinet held on 8 January 2020 Minute numbers 106 - 123
(Pages 49 - 59)
- b) Minutes of Cabinet held on 5 February 2020 Minute numbers 124 - 145
(Pages 60 - 71)
- c) Minutes of Scrutiny Committee held on 6 February 2020 Minute numbers 50 - 59 (Pages 72 - 75)
- d) Minutes of the Joint Overview & Scrutiny Committees Budget meeting held on 15 January 2020 Minute numbers 1 - 6 (Pages 76 - 84)
- e) Minutes of the Overview Committee held on 30 January 2020 Minute numbers 40 - 49 (Pages 85 - 90)
- f) Minutes of Housing Review Board held on 23 January 2020 Minute numbers 45 - 62 (Pages 91 - 99)
- g) Minutes of Development Management Committee held on 7 January 2020 Minute numbers 83 - 88 (Pages 100 - 102)
- h) Minutes of Development Management Committee held on 4 February 2020 Minute numbers 89 - 96 (Pages 103 - 106)
- i) Minutes of Audit & Governance Committee held on 30 January 2020 Minute numbers 23 - 32 (Pages 107 - 109)
- j) Minutes of Licensing & Enforcement Committee held on 12 February 2020 Minute numbers 26 - 33 (Pages 110 - 114)
- k) Minutes of Licensing & Enforcement Sub Committee held on 12 February 2020 Minute numbers 11 - 16 (Pages 115 - 116)
- l) Minutes of Standards Committee held on 21 January 2020 Minute numbers 9 - 17 (Pages 117 - 119)

11 Changes to the political balance, the committee allocations and the Constitution (Pages 120 - 123)

12 Motion: Fireworks

This is modelled on motions approved by Councils in Torbay, Lincoln, Neath Port Talbot, Bradford, Lancaster and West Dumbartonshire and seeks to clarify policy while taking into account advice from our officers.

That this Council agrees to;

- (i) request the organisers of all public firework displays within East Devon, of which the Council is aware or becomes aware, to advertise them in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (ii) continue to support public awareness about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- (iii) write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90 decibels for those sold to the public for private displays;
- (iv) encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public use; and
- (v) recommends that Cabinet adapts the Drone Policy (being recommended to it from Overview Committee 30 January 2020) so as to prohibit;
 - a) the release of lanterns from EDDC property and land
 - b) the release of any firework (above 90db) from EDDC land.

Proposed by Councillor Mike Allen

Seconded by Councillor David Key

Supported by Councillors Paul Millar, Paul Arnott and Val Ranger

13 Motion: Proposed Review of Cabinet Decisions on Budget (Page 124)

The enclosed Housing Review Board papers show the council’s debt rising from £81 million to £141 million by 2041. This includes a figure of £10,000 per house, totalling £42 million, to reduce carbon emissions, and £20 million to replace the houses the council has to sell under right-to-buy.

The latest estimate per house of upgrades necessary, presented to Cabinet and Overview, is £25,000. Independent estimates from Government suggest that £40,000 may be needed to raise standards to the required levels. So if we add this in to the budget for our 4,200 properties, we will need to spend a further £15,000 to £30,000 per property, so we will have an additional debt of between £63 million and £126 million to factor in.

The Cabinet has also made decisions creating further uncounted liabilities for phase 4 flood alleviation in Feniton, and the Exmouth seafront projects.

The Council is aware of the major deficit in the revenue account in the next few years and this has been delayed, not eliminated

Council therefore resolves that it has no confidence in the future financial plans of this Council and that no approval of the 2021/22 budget expenditures shall occur until the Council is presented with an updated budget and forward plan for 2021-2026 and the full implications to the Housing Revenue Account and General Fund

account can be shown to be funded

Proposed by Cllr Mike Allen

Seconded by Cllr Dean Barrow

Supported by Councillors Moulding, Hall, Twiss, Dent, Skinner and De Saram.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Members of the public exercising their right to speak during Public Question Time will be recorded.

[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 Council Chamber, Blackdown House, Honiton on 18 December 2019****Attendance list at end of document**

The meeting started at 5.30 pm and ended at 5.50 pm

43 Honorary Aldermen and Alderwomen

The Council was asked to consider conferring the title of Honorary Alderman or Alderwoman on former Councillors for their eminent service to East Devon District Council. The Chairman made individual reference to the service each had rendered to the Council and their valued contribution to the Council and community.

Councillor Ben Ingham proposed that the title of 'Honorary Alderman' or 'Honorary Alderwoman' be conferred to the following former Councillors;

Roger Giles, who represented Ottery St Mary and served as an EDDC Councillor for 24 years between 1995 – 2019.

Peter Burrows, who represented Seaton and served as an EDDC Councillor for 13 years between 2003 – 07, and 2010 – 2019.

Douglas Hull, who represented Axminster and served as an EDDC Councillor for 36 years between 1979 – 87, and 1991 – 2019.

Paul Diviani, who represented Yarty and served as an EDDC Councillor for 20 years between 1999 – 2019, including as Chairman and Leader.

Jill Elson, who represented Exmouth and served as an EDDC Councillor for 36 years between 1979 – 1995 and 1999 – 2019.

Graham Godbeer, who represented Coly Valley and served as an EDDC Councillor for 12 years between 2007 – 2019.

Steve Hall, who represented Budleigh Salterton and served as an EDDC Councillor for 12 years between 2007 – 2019.

John Humphreys, who represented Exmouth and served as an EDDC Councillor for 12 years between 2007 – 2019.

Jim Knight, who represented Seaton and served as an EDDC Councillor for 18 years between 1991 – 2003 and 2005 – 2019.

Pauline Stott, who represented Exmouth and served as an EDDC Councillor for 20 years between 1999 – 2019.

Mark Williamson, who represented Exmouth and served as an EDDC Councillor for 12 years between 2007 – 2019.

Councillor Andrew Moulding seconded the proposal and spoke of all the achievements of former Councillors, some of whom he had known for many years. He wished them all and their families every happiness for the future.

The Chairman put the proposals to the vote.

The vote was carried by a majority with one abstention.

RESOLVED: that the title of 'Honorary Alderman' or 'Honorary Alderwoman' be conferred on the following in recognition of their eminent services to East Devon District Council as past Members:-

Roger Giles
Peter Burrows
Douglas Hull
Paul Diviani
Jill Elson
Graham Godbeer
Steve Hall
John Humphreys
Jim Knight
Pauline Stott
Mark Williamson

(The resolution was required to be passed by not less than two-thirds of the Members of the Council voting thereon.)

Attendance List
Councillors present:

S Hughes (Chairman)	N Hookway	M Chapman
V Ranger (Vice-Chairman)	O Davey	D Barrow
P Jarvis	L Jeffery	P Faithfull
S Jackson	T McCollum	I Hall
S Chamberlain	J Rowland	M Howe
P Arnott	D Bickley	B Ingham
K Blakey	K McLauchlan	G Jung
K Bloxham	S Hawkins	G Pratt
F King	A Moulding	M Rixson
F Caygill	D Key	E Rylance
A Colman	C Gardner	P Skinner
P Millar	S Bond	B Taylor
T Woodward	C Brown	I Thomas

Officers in attendance:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Karen Simpkin, Strategic Lead Organisational Development and Transformation
Susan Howl, Democratic Services Manager

Councillor apologies:

M Armstrong
C Wright
J Whibley
V Johns
D Ledger
J Bailey
P Hayward

M Allen
D Manley
I Chubb
A Dent
S Gazzard
H Parr
G Pook
B De Saram
P Twiss
E Wragg
T Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 18 December 2019

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.00 pm

44 Public speaking

There were no members of the public wishing to speak.

45 Minutes of the previous meeting

The Chairman moved the minutes of the last meeting of Council on 23rd October 2019 and signed them as a true record.

46 Declarations of interest

There were no declarations of interest.

47 Matters of urgency - Amendment to appointments on the Scrutiny Committee and Community Grant Panel

The Liberal Democrat Group had requested to reallocate committee seats.

The Chairman agreed to take this as an urgent item so that the group could deliver their democratic mandate by ensuring the seats are allocated to the most appropriate members.

Members confirmed that Councillor Andrew Colman would replace Councillor Fabian King on the Scrutiny Committee, and that Councillor Andrew Colman would replace Councillor Fabian King on the Community Grant Panel.

48 Announcements from the Chairman and Leader

The Leader had an announcement to make.

He stated that the contractual completion date of the Knowle had been due to take place on 18 December. The developers, Pegasus Life, now known as Life Story Group Ltd, had not completed and had asked for an extension into the new year. In order to protect the Council's interests, legal proceedings are being instituted to cover the £9m payment, damages and any additional costs incurred. He went on to say that it was a disappointing delay on the part of the developers and the Council will be issuing a press release to express its dismay to the public and announce the legal action being taken. The Council is taking property litigation advice, and have written to the developers with the detail of its claim and expectation of issuing official proceedings forthwith.

There will be no immediate impact on the finances of the Council this year, but if legal proceedings become protracted, future implications will be considered in due course. In the meantime, the Council will maintain security on the Knowle site.

The Chairman also had an announcement to make.

He stated that in recognition of the important work that they carry out and as a gesture of good will, he had made a donation from the Chairman's fund, to each of the seven food banks which help the residents of East Devon.

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

There were none.

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

Twenty five questions had been submitted in accordance with Procedure Rule 9.2 – the questions and answers were circulated and published with the agenda. Councillors submitting questions were entitled to put a related supplementary question (Procedure Rule 9.5). A summary of the supplementary question asked and response is set out below.

Q11 Supplementary - Cllr Millar stated that whilst campaigning for the general election recently, there were a number of occasions when comments in the press from the Leader had arisen which appeared to ridicule Cllr Millar or other political candidates, and asked whether he would acknowledge the message such remarks may send to the public?

In response, the Leader stated that any remarks that Councillors make have to be reflected upon.

Q20 Supplementary – Cllr Millar stated that he did acknowledge the hard work and expertise of all staff at the Council, particularly the more junior staff who often get forgotten. However, in the case of the Peer Review, it was a case of chief executives marking their own homework and was neither independent or carried any authority. In the written answer to his question, Cllr Millar's reference to a review of the few highest paid officers was regarded as potentially making the entire workforce fearful of pay cuts, and, therefore, was an inaccurate interpretation. He referred to the increasing numbers of people in East Devon using food banks and that the threat of raising council tax would not assist them. Could the Leader explain why he does not see a moral justification for reviewing the pay of the highest paid staff?

In response, the Leader said that in his opinion their earnings were justified and accordingly there was no need to review them.

Q24 Supplementary – Cllr Cathy Gardner clarified that her question had specifically referred to public access to council meetings such as the one on 18 December, but it was not until paragraph 7 that an answer had been forthcoming. She stated that the building had been deliberately designed with a door which would be locked at 5pm and so there was no provision for unimpeded public access after this time. She asked the Leader who was responsible for making this decision, and what steps he would be taking to ensure that this situation was rectified?

In response, the Leader said that a written answer would be provided after the question had been given further consideration.

Q25 Supplementary – Cllr Cathy Gardner stated that whilst short term cover is to be expected in the event of maternity leave, as an example, could the Leader reassure members that no staff were employed longer than necessary on short term contracts to avoid them receiving the security of employment in a full time contract?

In response the Leader asked the Chief Executive to provide an answer. The Chief Executive said that the main reason for short, time limited contracts is related to the funding available for the work involved. Many posts end up being kept on whenever possible so that employees do benefit from such security.

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

The Chairman requested that he receive minutes of the following committees and approve any recommendations.

(a) **Minutes of Cabinet held on 30 October 2019 Minute numbers 74 - 86**
Cllr Ingham presented the minutes of Cabinet held on 30 October. These were agreed.

(b) **Minutes of Cabinet held on 27 November 2019 Minute numbers 87 - 105**
Cllr Ingham presented the minutes of Cabinet held on 27 November. Members were informed by the Chief Executive that on page 32 of the agenda (Cabinet Minute 105 refers), the recommendation from Cabinet to Council refers to agreement of a rent guarantee of £31,875, which should now have VAT added to it. Accordingly the figure should read £38,250.

This was noted, and agreed.

Arising from consideration of the minutes the following minute was called by two Councillors:-

➤ **Cabinet of 27 November, minute number 97 – Peer Review Report and associated Action Plan**

Cllr Paul Arnott wanted to point out that the Peer Review process involved some councillors being asked to meet the Peer Review Panel. During these meetings he understood that serious reservations were expressed about the Council which failed to appear in the report. Accordingly he wanted to dissent from accepting the report as it is currently.

The Leader confirmed that Cllr Arnott had the option of dissenting against the recommendations made by the Peer Review Team.

The Chief Executive clarified that Cllrs who had concerns could look at the LGA website where guidance and terms of reference on the way they conducted Peer Reviews could be seen. It may be the case that some participants do not consider that their concerns have been minuted, but the process of triangulation operated by the team is to act as a check and balance on whether some comments are generally accepted or one off views, which should not be added to reports.

Cllr Millar commented that he had attended meetings of the Peer Review and there were concerns expressed by a number of councillors about how the Council was run, none of which were reported in the final document.

Cllr Arnott asked the Chairman how to proceed in order to record that he would not accept the Peer Review.

The Chairman requested the names of those who wanted it noted in the minutes that they disagreed with the report of the Peer Review.

They are Cllrs; Paul Millar, Paul Arnott, Fabian King, Andrew Colman, Eleanor Rylance, Brenda Taylor, Luke Jeffery, Val Ranger, Jack Rowlands, Sarah Jackson, Denise Bickley, Cathy Gardner, and Marianne Rixson.

Cllr Andrew Moulding stated that he had attended meetings including Group Leaders with the Peer Review Team and the only criticisms of the Council appeared to come from Cllr Arnott and so it would not be expected

that they would be included in a report.

He went on to comment that one of the recommendations related to developing a cohesive leadership group and it was the view of the Conservative Group that the way to create positive relationships was via the creation of a shadow Cabinet rather than holding ad hoc meetings. Accordingly neither Cllr Moulding nor his Deputy would be attending future Cabinet and Leaders meetings.

He wanted to request that the Governance Working Group invite representatives from other local authorities who currently have a shadow Cabinet and who could outline the benefits or otherwise of this.

In response the Leader said that he had no problem with the Governance Working Group inviting experts they considered would help them develop an informed view.

Cllr Rixson stated that the request for a shadow Cabinet was pre-empting the outcome of the Governance Working Party and was the third time this had been suggested by the Conservative Group. She went on to say that if the Council moves to a Committee system in future, a shadow Cabinet would not be required anyway.

Following this debate, the minutes of Cabinet held on 27 November were agreed.

**(c) Minutes of Extraordinary Scrutiny Committee held on 24 October 2019
Minute numbers 31 - 33**

Cllr Bloxham presented the minutes of the Extraordinary Scrutiny meeting held on 24 October. These were agreed.

**(d) Minutes of Extraordinary Scrutiny Committee held on 7 November 2019
Minute numbers 34 - 40**

Cllr Bloxham presented the minutes of the Extraordinary Scrutiny meeting held on 7 November. These were agreed.

**(e) Minutes of Scrutiny Committee held on 21 November 2019
Minute numbers 41 - 49**

Cllr Bloxham presented the minutes of the Scrutiny meeting held on 21 November. These were agreed.

**(f) Minutes of Overview Committee held on 14 November 2019
Minute numbers 28 - 39**

Cllr Hookway presented the minutes of the Overview Committee held on 14 November.

Cllr Rylance requested that references to the 'reliance' and 'dependency' of people in relation to food banks in the document on poverty should be replaced by the word 'need'.

With this noted the minutes were agreed.

**(g) Minutes of Strategic Planning Committee held on 22 October 2019
Minute numbers 18 - 30**

Cllr Bond presented the minutes of the Strategic Planning Committee held on 22 October.

➤ **Strategic Planning Committee of 22 October, minute number 27 – Glover Review of Protected Landscapes in England**

Cllr Paul Arnott stated that at the meeting it had been resolved to hold a special meeting to develop a position in relation to the development of a National Park. However at the next meeting held on 9 December, there was no date set for a group to meet for this purpose. He was disappointed by the lack of progress and asked Cllr Bond as Chair of Strategic Planning to inform him when a meeting would take place.

Cllr Bond responded by saying that she had been looking at reports presented to Cabinet in Dorset and obtaining more background information before calling a meeting.

Cllr Gardner expressed concern that despite the wishes of many Cllrs to explore the issues around a National Park, Cllr Bond was conducting her own research before calling a meeting instead of doing this within a group setting.

Following further comments from Cllrs, Cllr Bond confirmed that she would be calling a meeting of a group to explore issues surrounding the development of a National Park.

Following this debate the minutes were agreed.

(h) Minutes of Strategic Planning Committee held on 9 December 2019 Minute numbers 31 - 38

Cllr Bond presented the minutes of the Strategic Planning Committee held on 9 December.

Arising from consideration of the minutes:-

➤ **Strategic Planning Committee of 9 December, minute number 36 – Delivery of the Axminster Urban Extension**

Cllr Andrew Moulding said that following the meeting on 9 December and the re-election of Neil Parrish as local MP, he wanted to call on the Leader and the Portfolio Holder to arrange a meeting with Neil Parrish to consider the options for delivering the Axminster Urban Extension and Relief Road.

Cllr Bond responded by saying that she had already spoken to Cllr Ian Hall on this matter and noted that Neil Parrish had agreed to look into funding.

Following this debate the minutes were agreed.

(i) Minutes of Development Management Committee held on 29 October 2019 Minute numbers 61 - 71

Cllr Howe presented the minutes of the Development Management Committee held on 29 October. These were agreed.

(j) Minutes of Development Management Committee held on 3 December 2019 minute numbers 72 - 82

Cllr Howe presented the minutes of the Development Management Committee held on 3 December.

Cllr Olly Davey pointed out an error in the declarations of interest for the meeting (Minute 73 refers) that in the case of the application 19/1258/MFUL, he did not know the applicant, but Cllr Gazzard did.

With this amendment to the minutes they were agreed.

**(k) Minutes of Audit & Governance Committee held on 24 October 2019
Minute numbers 12 - 22**

Cllr Hawkins presented the minutes of the Audit & Governance Committee held on 24 October. These were agreed.

**52 Appointment of Co-opted Tenant Representative Members on
Housing Review Board**

Members confirmed the co-option of Cindy Collier and Christine Morrison as Tenant Representative Members of the Housing Review Board following interviews which were held on 21 November to fill the vacant positions.

53 Council Plan 2020 - 2024

The Chairman invited comments from Cllrs on the Council Plan.

Cllr Millar considered that the plan was very well written but proposed an amendment in order to reduce the use of the word 'outstanding' from its appearance 21 times to 19. Specifically, in the paragraph which currently reads, 'To be an outstanding and well-run Council which provides great services and outstanding opportunities for East Devon – now and for future generations', he proposed replacing the second use of 'outstanding'. Also, under Council Priority Four, Outstanding Council and Services, he proposed removing the word 'outstanding' from the line which currently reads, 'This means operating as an outstanding organisation with the highest standards of organisational development'.

The Chairman invited a member to second Cllr Millar's amendment.

Cllr Howe seconded the amendment.

The Chairman then invited those present to vote in support of the amendment.

The amendment was carried with a majority.

54 2020/21 Council Tax Base Report

The Chairman invited Members to confirm the Tax Base for 2020/21 as set out in the report, and to confirm the amount for each parish as detailed under section 3 of the report. It is a legal requirement to calculate the Tax base for an area in order to determine the amount of Council Tax, which would be brought back to Council in February 2020 for final approval.

The recommendations were agreed unanimously.

55 Motion: Housing Needs in East Devon - Housing Company TAFF

In the absence of Cllr Ledger, the Chairman invited Cllr Rowland as proposer to speak to the motion.

Cllr Rowland stated that in March 2017, the Overview Committee produced a Task and Finish Forum (TAFF) report entitled Housing Delivery. The report recommended the creation of a council-owned housing company and a business case was developed for setting up a local housing company. On 25 October 2017 the housing company was set up but it has been dormant since then. A Housing sub-committee was set up to push forward delivery, note reports from officers and provide recommendations to Cabinet, but

no minutes are on the website and no recommendations have been brought forward to Cabinet for approval.

The recent Peer Review report of September 2019, recommends that the Council should explore the opportunity to acquire land to build more houses given the financial capacity within the Housing Revenue Account (HRA). Recent reports commissioned by EDDC have also confirmed that housing needs within the district are not being met. EDDC continues to be under pressure from the right to buy scheme with a net loss year on year to the housing stock available. The housing company offers an opportunity to change this situation. The Council Plan refers to the Council's own housing company but there is no evidence of property purchase or house building.

The Motion proposes a way forward to make progress to meet demand.

The Council needs to look at sites, its own assets and the skills required, as part of a fully scoped business model. The housing company has the potential to become a useful asset to the Council and its residents providing opportunities away from the private rented sector.

Cllr Rowland moved the motion and urged Cllrs to support it for the reasons outlined.

The Chairman invited the seconder, Cllr Mike Howe to speak to the motion.

Cllr Howe said that the Council is currently unable to deliver the social housing needed across East Devon. Property is needed to sell in order to give social housing a boost, so that the profits can be ploughed in where they are needed most. He queried the recently announced restructuring of the regeneration teams of EDDC and hoped that they would be able to support the work to develop more housing.

Cllr Millar wanted to comment in support of the motion. To emphasise the business case articulated by Cllr Rowland, figures provided relating to one of his questions to Council indicated that Council spend on housing people in temporary accommodation had increased from £17,500 in 2015 to £285,000 in 2019, an increase of 1,500% in four years. This situation is a result of central government policy which rolled out universal credit and continuing right to buy. He concluded by stating that there was an economic and moral case for supporting the motion and supporting poor people whilst saving money as a Council.

Further discussion about the motion included the following comments;

- Options should be explored by the Council to do more to tackle issues of using temporary accommodation.
- The motion does provide an opportunity to meet the needs of residents and address Council finances.
- There is a perfect opportunity in Axminster to test out the housing company at Millway Rise. This is a huge area of Council owned land, with an opportunity to provide more housing and infrastructure.
- There is an increase in homelessness figures and insecure tenancies. The council currently has to sell four properties before it can buy one.
- It takes time to get the right mechanism to take effective action. Some Cllrs have reservations about what can be done and how quickly but should regard this as an opportunity for long term investment now the cap has been lifted on Housing Revenue Grant.
- With an opportunity to act it would be good to encourage local developers to develop local housing.

The Chairman invited Cllr Rowland to give his right to reply.

Cllr Rowland summed up by welcoming the cross party support for the motion and formally proposed the motion.

Cllr Howe seconded the motion.

The Chairman invited those present to vote. The motion was carried unanimously.

RESOLVED;

1. That Cabinet establishes a politically balanced Housing Company TAFF comprising the relevant portfolio holders, members of the Strategic Planning Committee and also the Housing Review Board to re-evaluate the business model of East Devon Homes Ltd with a view to ensuring it is better fit for purpose and also integrates effectively with the work of the Housing Review Board.
2. That the TAFF will be expected to fully scope options into altering the delivery models of the housing company as they have been ineffective so far. Recommendations will be reported back to Cabinet, Strategic Planning Committee and the Housing Review Board and then to Council.

The Chairman closed the meeting at 7pm.

Attendance List

Councillors present:

S Hughes (Chairman)	O Davey	P Faithfull
V Ranger (Vice-Chairman)	L Jeffery	I Hall
P Jarvis	T McCollum	M Howe
S Jackson	J Rowland	B Ingham
S Chamberlain	D Bickley	G Jung
P Arnott	K McLauchlan	H Parr
K Blakey	S Hawkins	G Pratt
K Bloxham	A Moulding	M Rixson
F King	D Key	E Rylance
F Caygill	C Gardner	P Skinner
A Colman	S Bond	B Taylor
P Millar	C Brown	I Thomas
T Woodward	M Chapman	P Twiss
N Hookway	D Barrow	

Officers in attendance:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Karen Simpkin, Strategic Lead Organisational Development and Transformation
Susan Howl, Democratic Services Manager

Councillor apologies:

M Armstrong
C Wright
J Whibley

V Johns
D Ledger
J Bailey
P Hayward
M Allen
D Manley
I Chubb
A Dent
S Gazzard
G Pook
B De Saram
E Wragg
T Wright

Chairman

Date:

Agenda Item 8 for council on 26 February 2020

Questions by Members to Full Council on 26 February 2020 under Procedure Rule 9.2

**Question 1: Procedure Rule 9.2 to the Chairman from Councillor Paul Millar
Re Accountability of Cabinet**

To ask the Chairman, is there a mechanism in the Constitution if a majority of Members wish to reverse a Cabinet decision beyond Scrutiny Call-In procedure.

Answer:

Not that I am aware of, but please note that I don't profess to know the Constitution front to back. If you would like a definitive answer I suggest you ask the Monitoring Officer.

**Question 2: Procedure Rule 9.2 to the Leader from Councillor Paul Millar
Re Member Engagement**

To ask the Leader, excluding the Cabinet, will he immediately commit to wider member engagement on an informal basis before taking major policies to the Cabinet table?

Answer:

Major policies should be being considered by the Overview Committee as part of their formulation thereby facilitating wider member engagement.

**Question 3: Procedure Rule 9.2 to the Leader from Councillor Paul Millar
Re Settlement Agreements**

To ask the Leader, in light of the publicity around settlement agreements entered into by this Council in recent years and concerns that this Council is not taking decisions with openness, transparency and accountability, will he agree that for settlement agreements there should be a robust process in place for dealing with them which should include Member oversight and, if so, will he agree to such a process being put in place as soon as possible?

Answer:

Referring to previous answers to questions on settlement agreements, it is considered that there are robust processes in place and that member oversight is not required on individual cases. Any settlement agreements which are entered into follow good practice advice including that recently published by the Equality and Human Rights Commission and are subject to oversight by an independent legal advisor, UNISON or ACAS.

Question 4: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Re Queen's Drive Delivery Group

To ask the Leader, what was his justification prior to the Cabinet meeting of Wednesday 5th February to refuse to open up the Queen's Drive Delivery Group to other Councillors and/or the public?

Answer:

The answer to Q8 asked at Council on 23rd October 2019 refers.

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

Re Homes and Sustainable Communities Portfolio Team

To ask the Portfolio Holder for Sustainable Homes and Communities, pursuant to Q13 from the last Full Council, how many times has her Portfolio Team met since the new Council was formed?

Answer:

None as yet, but I will assess the need for and purpose of such a meeting as and when required.

Question 6: Procedure Rule 9.2 to the Portfolio Holder for Economy from Councillor Paul Millar

To ask the Portfolio Holder for Economy, how many times has his Portfolio Team met since the new Council was formed?

Answer:

None.

Question 7: Procedure Rule 9.2 to the Portfolio Holder for Strategic Development from Councillor Paul Millar

To ask the Portfolio Holder for Strategic Development, how many times has her Portfolio Team met since the new Council was formed?

Answer:

None.

Question 8: Procedure Rule 9.2 to the Portfolio Holder for Asset Management from Councillor Paul Millar

To ask the Portfolio Holder for Asset Management, how many times has his Portfolio Team met since the new Council was formed?

Answer:

The asset management portfolio team has met twice, once on 12/11/19 and once on 12/2/20.

Question 9: Procedure Rule 9.2 to the Portfolio Holder for Corporate Services from Councillor Paul Millar

To ask the Portfolio Holder for Corporate Services, how many times has her Portfolio Team met since the new Council was formed?

Answer:

I have not convened any corporate services portfolio team meetings but have held a Member Development Working Party, to engage the wider membership in member development which falls within the corporate services portfolio.

Question 10: Procedure Rule 9.2 to the Portfolio Holder for Environment from Councillor Paul Millar

To ask the Portfolio Holder for Environment, how many times has his Portfolio Team met since the new Council was formed?

Answer:

None.

Many of the subjects that are key environmental drivers have been covered by Cabinet and Full Council agendas such as Climate Change, Seaton wetlands, Fly tipping etc that there has not been a need for separate meetings.

There are regular meetings regarding our excellent Recycling and Waste Partnership Board, and anyone is welcome to attend.

I do attend most Council meetings and discuss Environmental Issues, (as my Attendance Record shows) and I attend a great number of meetings at Town and Parish level to discuss local issues on environmental and flood issues.

I was proposing a meeting in October to discuss the onward transmission of our recycling, but the issue was referred to Scrutiny.

I am happy to arrange or attend any meeting which will improve or enhance our environment.

**Question 11: Procedure Rule 9.2 to the Leader from Councillor Paul Millar
Re Scrutiny Call-In Procedure**

To ask the Leader, pursuant to Q14 from the last Full Council, if it is not the procedure rules that surround the Scrutiny function, why does he think the Scrutiny Committee recommended in March 2019 to review its Call-In procedure ('the issue of Call-ins would be put onto the Scrutiny Committee Forward Plan and discussed in further detail at a meeting following the elections, with a view to re-presenting recommendations for changes to the process in future')?

Answer:

I don't intend to seek to second guess the motivations of the previous Scrutiny Committee. Cllr Millar can ask those members directly if he so wishes.

Question 12: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Re Validity of motions

To ask the Leader, pursuant to Q19 from the last Full Council, why in his opinion a legal or financial assessment needs to be carried out into Motions which only set out reasonable moral aspirations?

Answer:

In the context of a question about Council policy on tree cover (Q19 from 18th December 2019 meeting) this question does not make any sense.

Question 13: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Councillor Paul Millar

Gross cost of temporary accommodation

To ask the Portfolio Holder for Sustainable Homes and Communities, pursuant to Q7 from the last Full Council, what is the gross cost of temporary accommodation to the Council before money is recovered from the DWP and residents?

Answer:

2018/19 £285,531.42; 2019/20 to end of January 2020 £242,001.30

Question 14: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Home & Communities from Councillor Paul Millar

Re Homemaker

To ask the Portfolio Holder for Sustainable Homes and Communities, what assessment has she made of the quality of service and value of money provided to the residents and the Council by the Homemaker South West.

Answer:

HomeMaker provides independent money advice and assists clients' access benefits and is a service the Council and clients value. We pay for the service quarterly and are very happy with the service our clients receive, and are busy putting lots of work their way. We currently have 18 tenants on the waiting list and are looking to increase the capacity we are offered under current arrangements with HomeMaker.

There is regular and close liaison between our organisations to monitor activity, make referrals and review outcomes. Officers receive quarterly reports (last one in December 2019) and periodically review and assess the effectiveness of the HomeMaker service. The Council monitors and meets with HomeMaker monthly to go through live cases.

During the period April 2018 – September 2019 inclusive, the value of gains made on our behalf were £155k. Deducting what we spent over the period (£45k) we saved £110k over the period.

We comment on the value of this service in the Poverty report which was considered by Overview Committee in November 2019.

Question 15: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes and Communities from Councillor Paul Millar

Housing Repairs Contract

To ask the Portfolio holder for Sustainable Homes and Communities, what is her initial assessment of the quality of service and value for money provided to residents and the Council by the new housing repairs company, Ian Williams Ltd.

Answer:

As reported to the Housing Review Board last month, there are concerns about the performance of the Integrated Asset Management contractor. After a good mobilisation period and initial settling in period our partner has struggled to meet demand. Additional resources have been drafted in to meet the demand for responsive repairs and bringing void properties back into use.

An Improvement Plan and Issues Log is driving improved performance and officers have met with the senior management of the contractor and have been keeping me appraised of the issues.

Question 16: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes and Communities from Councillor Paul Millar

Right to Buy

To ask the Portfolio Holder for Sustainable Homes and Communities, what steps is she taking to lobby the government on reforming Right to Buy, and can she confirm whether she has written to the Chancellor ahead of the March Budget using local statistics from the Poverty report?

Answer:

I have been working with Shelter on compiling evidence to challenge the Right to Buy scheme. I have an aversion to the Right to Buy because it is taking much needed stock out of public ownership at a time when we are under pressure to provide a decent home to an increasing number of people.

I have been discussing the position with a range of people, preparing evidence to present at a time I consider appropriate, aimed at changing social housing policy.

I have not written to the new Chancellor on the evidence in the poverty report. I am however preparing correspondence for the Housing Minister.

Question 17: Procedure Rule 9.2 to the Portfolio Holder for Strategic Development from Councillor Paul Millar

Re Greater Exeter Strategic Plans

To ask the Portfolio Holder for Strategic Development, what were her specific concerns about the GESP in April 2019?

Answer:

Thank you for your question and for raising the profile of GESP. Prior to the May 2019 election, my concerns around GESP involved the lack of openness, transparency and engagement with the wider membership of the Council, and specifically the ward members whose wards might be targeted for growth. An

Advisory Reference Forum (4 members from each authority) was set up with the primary purpose of engaging those not in the ruling group. Following the 2019 election, we increased the membership of the forum to 10 from each of the participating councils to address previous concerns.

All this information is available within the SPC minutes, but I am always more than happy to discuss any issue relating to my portfolio with any interested councillors.

Question 18: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Re Outstanding

To ask the Leader, is it an ambition for East Devon to be an ‘outstanding Council’, or does he believe the Council has achieved that goal already.

Answer:

Yes – it is the ambition to be outstanding hence it being included in the Council Plan. The recent IIP assessment and Platinum award resulted in the assessor making the following pertinent comments;

‘I observed a very strong commitment to developing every aspect of your organisation in a consistent manner so that the Council Plan can be brought to fruition.

Your ambition *‘to be an outstanding, well-run council which provides great services and outstanding opportunities for East Devon – now and for future generations’* is further supported by your internal culture and ethos of continuing to achieve outstanding performance and strive to be the best. This is underpinned by the underlying values and principles that identify the kind of organisation you are.’

Question 19: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Re Chief Executive’s Bike Rides

To ask the Leader, whether he is aware of the Chief Executive’s long bicycle rides during working hours clocking up many miles, to further ask in whose interests are these wild excursions and whether this offers the taxpayer value for money for his £120,000 per year salary, and confirm whether the Chief Executive receives an appraisal and, if so, by whom?

Answer:

I am aware that the Chief Executive tries to commute by bicycle as much as possible and I would like to see more members and officers using climate friendly modes of transport. His appraisal is carried out by me, Deputy Leader and Leader of the Opposition and is facilitated by South West Councils.

Question 20: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Re Chief Executive

To ask the Leader, if a Member had a concern about the conduct of the Chief Executive, which could not be resolved informally, to whom or to what body would that Member be able to seek recourse?

Answer:

If any member has a concern they should approach me in the first instance.

Question 21: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Re Cabinet Meetings

To ask the Leader, with reference to the Cabinet meeting of the 5th February, why did he not honour his policy at previous meetings of allowing Ward Members to speak for 5 minutes at the last Cabinet, whether he will agree to attend training to improve his chairing skills, and whether he will apologise to Cllr Hookway for his rank discourtesy in not allowing him to fully develop his points at the last Cabinet meeting?

Answer:

I don't have a policy of allowing Ward Members to speak for 5 minutes. I seek to ensure that Ward Members have the opportunity to speak but equally I need to ensure the meeting runs in a timely and orderly fashion. I therefore don't consider an apology necessary. I am always happy to consider self-improvement, something I would encourage us all to do.

Question 22: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Re Cabinet Briefings

To ask the Leader, with reference to the questions asked by members of the Cabinet to officers at the meeting of the 5th February, does he believe his Cabinet are making the most of their Cabinet briefing sessions?

Answer:

Yes.

Question 23: Procedure Rule 9.2 to the Portfolio Holder for Corporate Services from Councillor Paul Millar

Re Members Microphones

To ask the Portfolio Holder for Corporate Services, what was the total cost of purchasing Chamber microphones for Members, can they be returned if proven not to provide electronic voting capabilities, and what progress has she made since the Member Development meeting of Wednesday 5th February to establish a timetable with the relevant Strategic Lead to ensure these become fit for purpose as soon as possible?

Answer:

The microphones, operational software, installation and assisted listening system cost £43,448. The additional software costs for the enhanced functionality was £14,500.

The microphones do have electronic voting capability, it was trialled following the election but a technical issue prevented it being rolled out then. This has now been resolved but increasing levels of supporting being required of the Democratic Services team, when coupled with the key member of staff who has the greatest knowledge on the equipment being off sick for a period of time, it has not been possible to progress this further prior to now. It has been included within the Service Plan for Governance and Licensing for 2020/21 as an objective. I am pleased to report that since 5th February I have been informed that the member of staff with the best experience to progress this is now on a phased return to work and so I expect that this will be able to be progressed in the very near future.

Question 24: Procedure Rule 9.2 to the Portfolio Holder for Asset Management from Councillor Joe Whibley

Can he provide a full breakdown of;

- (a) fees,
- (b) usage,
- (c) income and
- (d) maintenance costs of the Manor Gardens band stand in each of the last five years.

Answer:

	2014	2015	2016	2017	2018	2019
ELECTRICITY BULK BILLING	212.54	224.96	119.63	337.85	378.38	183.89
PROPERTY INSURANCE	200.00	132.00	133.38	147.42	77.45	110.00
PERFORMING RIGHTS FEES	68.09	147.00	0.00	0.00	0.00	0.00
PERFORMING RIGHTS SOCIETY FEES	-140.74	-184.24	0.00	0.00	0.00	0.00
EVENTS	0.00	-30.00	0.00	0.00	0.00	0.00
PROPERTY MAINTENANCE AD HOC	250.00	0.00	12.50	150.11	68.73	2,068.42
PLANNED MTCE Corp Budget	0.00	111.50	0.00	31.50	0.00	575.00
VANDALISM CONTRACTORS	0.00	732.35	475.15	1,118.68	0.00	0.00
MATERIALS LAND AND BUILD	0.00	0.00	16.94	324.91	0.00	0.00
	589.89	1,133.57	757.60	2,110.47	524.56	2,937.31

2019 is to date in current financial year.

In addition, we have had the following events bookings, as included in the table below.

Dates	Location	Exclusive use	Event type	Organiser	Payment
31 Dec 2019	Manor Gardens	Yes	Firework display	Exmouth Town Council	£90.50
20-27 August 2019	Manor Gardens	Yes	Manorfest	Hospitality Events	£846.72
14 August 2019	Manor Gardens	No	Hive Live	Space*	£60.50

	(Bandstand used mainly)				
8 August 2019	Manor Gardens Bandstand	Yes	Outdoor Theatre	Pantaloons	Cancelled, EDDC take a 30% share of tickets
21 July 2019	Manor Gardens Bandstand	No	Concert	Wren Music	£60.50
14 & 17 July 2019	Manor Gardens	No	Love Parks	EDDC internal event	N/A
22 June 2019	Manor Gardens	Yes	Pride	Exmouth pride Committee	£189.32
23 May 2019	Manor Gardens Bandstand	No	Concert	Exmouth Community College Music Department	£95.50
1-7 May 2019	Manor Gardens	Yes	Manorfest	Hospitality Events	£846.72
30 October 2018	Manor Gardens	Yes	Open Air Cinema	Stuart Crook from Pop-Up-Events	£
18 August 2019	Manor Gardens	Yes	Love4Exmouth		Cancelled
15 August 2018	Manor Gardens (Bandstand used mainly)	No	Hive Live	Space*	£60.50
26-30 July 2018	Manor Gardens	Yes	Manorfest	Hospitality Events	£735.40
14 July 2018	Manor Gardens	No	Love Parks	EDDC internal event	N/A
14 July 2018	Manor Gardens Bandstand	Yes	Concert	King Alfred Concert Band	£50.20
7 July 2018	Manor Gardens	No	Charity event	Hospiscare	£60.50
30 May 2018 – 3 June 2018	Manor Gardens	?	Exmouth Festival	Exmouth Town Council	£
24 May 2018	Manor Gardens Bandstand	No	Concert	Exmouth Community College Music Department	£95.50
3 – 7 May 2018	Manor Gardens	Yes	Manorfest	Hospitality Events	£735.40
3 April 2018	Manor Gardens	Yes	Open Air Cinema	Stuart Crook from Pop-Up-Events	£245.30
31 December 2017	Manor Gardens	Yes	Fireworks	Exmouth Town Council	£85.00
17 December 2017	Manor Gardens Bandstand	No	Carol Service	David Jewison	£73.20

27 October 2017	Manor Gardens	Yes	Open Air Cinema	Stuart Crook from Pop-Up-Events	£223.00
16 September 2017	Manor Gardens	Yes	Food festival	Debra Quine	£236.00
2 September 2017	Manor Gardens	Yes	Wedding Blessing	Kirsty Greenway	£300.00
27 August 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
25 August 2017	Manor Gardens	Yes	Open Air Cinema	Stuart Crook from Pop-Up-Events	£223.00
19 & 20 August 2017	Manor Gardens	Yes	Love4Exmouth	John and David	£176.40
16 August 2017	Manor Gardens Bandstand	No	Musicians events	Space*	£58.20
13 August 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
6 August 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
30 July 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
30 July 2017	Manor Gardens	Yes	Shakespeare Performance	Exmouth Town Council	£35.20
23 July 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
19 July 2017	Manor Gardens	No	Love Parks	EDDC internal	N/A
18 July 2017	Manor Gardens Bandstand	No	Concert	Wren Music	£73.20
16 July 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
15 July 2017	Manor Gardens	No	Love Parks	EDDC internal	N/A
9 July 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
8 July 2017	Manor Gardens Bandstand	No	Concert	King Alfred Concert Band	£65.60
8 July 2017	Manor Gardens	Yes	Twilight Walk	Hospiscare	£93.40 (in hire of The Maer)
2 July 2017	Manor Gardens Bandstand	No	SOS Band	Exmouth Town Council	£22.22
1 July 2017	Manor Gardens	Yes	Wedding	Bumble & Bee, Manor	£35.20

				Gardens, Exmouth	
1 July 2017	Manor Gardens	Yes	Pride	Exmouth Pride Committee	£111.20
28 & 29 June 2017	Manor Gardens	Yes	Open Air Cinema	Stuart Crook from Pop-Up- Events	£223.00 each
25 June 2017	Manor Gardens Bandstand	No	Concert	Jenny Bolt	£50.20
30 May 2017- 2 June 2017	Manor Gardens	Yes	Exmouth Festival	Exmouth Town Council	
25 May 2017	Manor Gardens Bandstand	No	Concert	Exmouth Community College	£74.30
10 & 11 May 2017	Manor Gardens	Yes	Open Air Cinema	Stuart Crook from Pop-Up- Events	£223.00 each
31 December 2016	Manor Gardens	Yes	NYE Fireworks	Exmouth Town Council	£30.60
3 December 2016	Manor Gardens	Yes	Christmas Cracker Fireworks	Exmouth Town Council	£30.60
26 August 2016	Manor Gardens	Yes	Proms in The Park	Town Council Band and Bumble and Bee	£30.60
22 August 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
21 August 2016	Manor Gardens Bandstand	No	Puppet Show	Love4Exmouth John/Dave	£30.60
21 August 2016	Manor Gardens Bandstand	No	45 Anniversary Concert	Centre Stage	£30.60
20 August 2016	Manor Gardens Bandstand	No	Puppet Show	Love4Exmouth John/Dave	£30.60
15 August 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
14 August 2016	Manor Gardens Bandstand	No	Concert	SW Comms Brass Band	£30.60
10 August 2016	Manor Gardens Bandstand	Yes	Canterbury Tales	Pantaloons	£30.60
8 August 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
1 August 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
31 July 2016	Manor Gardens Bandstand	Yes	Midsummer Night's Dream	Exmouth Town Council	£50.60

25 July 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
24 July 2016	Manor Gardens	No	Love parks	EDDC internal event	N/A
22 July 2015	Manor Gardens	No	Schools Out for Summer	Bumble and Bee	£30.60
21 July 2016	Manor Gardens Bandstand	No	45 Anniversary Concert	Centre Stage	£30.60
20 July 2016	Manor Gardens	No	Love parks	EDDC internal event	N/A
18 July 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
17 July 2016	Manor Gardens Bandstand	No	Concert	SW Comms Brass Band	£30.60
17 July 2016	Manor Gardens	No	Love parks	EDDC internal event	N/A
11 July 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
07 July 2016	Manor Gardens Bandstand	No	Concert	SW Comms Brass Band	£30.60
04 July 2016	Manor Gardens Bandstand	No	Concert	Exmouth Town Concert Band	£30.60
02 July 2016	Manor Gardens	Yes	Pride	Exmouth Pride Committee	£30.60
11 June 2016	Manor Gardens Bandstand	No	Concert	Community Church Choir	£50.60
25 May – 5 June 2016	Manor Gardens		Exmouth Festival	Exmouth Town Council	

If more detailed information or clarification on the above is required please contact the Strategic Lead (Finance).

Question 25: Procedure Rule 9.2 to the Portfolio Holder for Finance from Councillor Joe Whibley

Can the portfolio holder provide a fully costed breakdown of the reported yearly financial losses of Queen’s Drive Space?

Answer:

To enable the broad range of leisure facilities and activities the following costs have been incurred in the current year (2019/20).

<u>Account Name</u>	<u>2019</u>
PROPERTY MAINTENANCE AD HOC	375.00
SECURITY SERVICE	7,968.00
SECURITY SERVICE	120.00
PLANNED MTCE Corp Budget	210.00
MATERIALS LAND AND BUILD	494.14
MATERIALS LAND AND BUILD	581.83
ELECTRICITY BULK BILLING	843.35
ELECTRICITY BULK BILLING	3,065.51
RATES	8,960.75
WATER CHARGES	962.43
IDT Exp EQUIPMENT HIRE 6202	1,059.93
IDT Exp REFUSE DISPOSAL 6207	166.00
EQUIPMENT & PLANT PURCHASE	39.36
EQUIPMENT & PLANT PURCHASE	820.84
IDT Exp ADVERTISING 6231	160.00
EQUIPMENT HIRE	8,727.76
FURNITURE PURCHASE	64.99
STOCK PURCHASE	111.30
MATERIALS	1,670.23
STATIONERY	26.63
STRATA External Print Jobs	135.00
STRATA External Print Jobs	373.00
NON PROPERTY CONTRACTORS	17,514.21
NON PROPERTY CONTRACTORS	20.00
INS Claims FEES I&E	2,500.00
RECYCLING COLLECTION	1,936.27
CONSULTANCY=ADVICE	4,250.00
LICENCES	103.50
SPECIAL PROMOTIONS/EVENTS	21,015.66
PHONE MOBILES STRATA INT RECHG	31.50
PHONE MOBILES STRATA INT RECHG	5.00
IT CONSULTANCY	175.00
CONFERENCE EXPENSES	200.00
ADVERTISING GENERAL	1,647.70
ADVERTISING GENERAL	78.71
BAR SALES	- 3,976.96
FACILITIES HIRE EXEMPT	- 186.80
FACILITIES HIRE EXEMPT	- 70.00
DEPOSITS Bonds Received	- 1,000.00
TICKETS SALES	- 6,986.17
TICKETS SALES	67.42
EVENTS	- 631.66
Sponsorship	- 3,000.00
RENT	- 19,460.00
RENT	110.00
Total	51,279.43

Costs in 2018/19 were included in part in the overall Queens Drive Delivery project.

Question 26: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Can the Leader confirm who wrote pages 8 to 14, 'Case Study: Queen's Drive, Exmouth: seafront regeneration project', of the Peer Review Position Statement circulated to Members by the CEO in September 2019?

Answer:

The Deputy CEO.

Question 27: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Will the Leader consider implementing the recommendation in paragraph 32 in the government's Statutory Guidance on Overview and Scrutiny Committees in Local and Combined Authorities (2019) by taking votes by secret ballot for the Scrutiny Chairman?

Answer:

This hardly strikes me as a transparent approach or consistent with the objectives of our Constitution and would appear to run contrary to the IEDA's stated position on transparency. I think it is a strong commitment to the scrutiny function and being able to hold the Cabinet to account that the Chairman does not come from the ruling group. A secret ballot where there is a ruling group with an overall majority has the potential to undermine this.

Question 28: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Can the Leader advise Council of the charging mechanism and administrative / logistical arrangements for the Electric Car Charging Points at Blackdown House and also advise us of the costs incurred to date for the electrical charging supply thereof (including supply & installation of the charging units and the electrical supply charges incurred) against the revenue earned from staff / user reimbursement?

Answer:

The nett cost of installation of the two dual outlet four electric car charging points at Blackdown House was £8,816. We do not charge for use of the charging points at Blackdown House at the moment. We can review the situation at a future date if, for example, demand for electric car charging increases. Also, the wider issue of availability and the case for car charging points is a matter to be addressed within our Climate Change Strategy.

Question 29: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Can the Leader provide Council with the current ratio of female to male employees within EDDC, together with the ratio for BAME employees and also for those employees who are registered as disabled?

Answer:

We produce an annual people data report in May/June each year which details this information but as at 24 February 2020 the position is;

- Ratio of female to male employees is 51.5 : 48.5
- Employees with disabilities is 6.97%

- Number of employees from BAME is 16.7%

Question 30: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Given that East Devon is recognised as the Devon District most affected by Ash Dieback, can the Leader advise Council how many trees were planted by EDDC (or planted via direct financial contribution) for the financial year 2018/19 and for the 10 years before that? Can Leader also advise of the number of planned trees to be planted 2019-20 & 2020-21 and the financial budget set aside to facilitate the same?

Answer:

We do not hold an accurate picture and inventory of trees planted over the last few years, but we will be capturing numbers and species for the purposes of carbon offsetting and future assessment of our carbon footprint.

We have planted several orchards on Housing land over the last few years and a significant number of trees have been planted in the West End through Council initiatives and those of our partners. Most recently we planted trees just two weeks ago as part of our Wild Exmouth initiative, and earlier in the year at Land of Canaan, Ottery St Mary.

We will be formulating a methodology to accurately gauge the number of trees planted and nature recovery areas enabled now that we have given this work priority in the Council Plan.

We are currently exploring opportunities for tree planting in the future associated with commitments contained in our Climate Change Strategy.

The Countryside Team through its Tree Officers are also actively engaged in the Devon Ash Dieback Forum that has provided advice, data and guidance on how to identify, combat and manage the impacts of this disease. This has led to the recently awarded project funding for the 'Saving Devon Trees' initiative which we have funded along with the Woodland Trust, National Trust and Devon Wildlife Trust. This Heritage Lottery Fund project will provide resources to help understand the impact of Ash Dieback better and provide funds for new tree planting in our district. East Devon has the highest concentration of Ash trees across the county and so we are aware of the potential impacts on our landscape and wildlife from the disease if it is not being monitored. We want to work with our Tree Wardens and local communities to help us identify where the disease has got a foothold and then provide advice and hopefully funding through this new lottery project to help manage the impacts.

Question 31: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Is there a long-term District-wide Tree Management Policy available and, if so, where might members access this?

Answer:

Our policy on Trees is captured in a series of documents including the Local Plan, Council Plan; Climate Change Strategy; Green Space Plan; Countryside & Leisure Service Plan; and Planning Policy, including Tree Preservation Order policy. All these documents are available on our website.

We have also undertaken a comprehensive Systems Thinking review of trees and a Tree TaFF was completed several years ago, which captured our approach to valuing, managing and protecting our treestock.

We are exploring the merits of an Emergency Tree Plan with the Woodland Trust who have been encouraging local authorities to produce a plan in response to the climate change emergency.

Question 32: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Can the Leader explain the GDPR / Data Protection Policy which members of the SMT have recently used to justify the withholding of constituents personal data from Ward Members which effectively prevents Ward Members from properly and routinely assisting residents in their own wards? Furthermore, can the Leader tell me if the SMT, and other officers in positions of responsibility and those with access to confidential personal data, have signed confidentiality agreements akin to those signed by all elected members and in accordance with the Council's adopted Code of Conduct?

Answer:

As Cllr Hayward will no doubt recall from the data protection training following his election, there is a difference in approach depending on whether a Councillor is acting as a Ward Member as opposed to fulfilling a Council function (i.e. such as being on a committee). In the latter case a Councillor is considered to be part of EDDC as data controller, while as a Ward Member a Councillor is not. This is why a Councillor must be separately registered with the Information Commissioner as a data controller. As such if EDDC passes personal information to a Ward Member there needs to have a lawful basis to do so. As Cllr Hayward has stated, in this instance he is acting as a Ward Member and therefore in order for a Ward Member to access personal data there essentially needs to be consent from the individual whose personal data is involved. This approach is in accordance with legislative requirements under the General Data Protection Regulations 2016 and Data Protection Act 2018 and our [Data Protection Policy](#) (see in particular sections 5.1 and 5.2). All officers are employees of EDDC as the data controller and are contractually bound to comply with the Council's requirements in relation to data protection and confidentiality. There is also a general statement in the Code of Conduct for Employees about maintaining confidentiality which all officers are also bound by. If there are concerns about accessing personal data then it can be discussed with the Council's Data Protection Officer.

Question 33: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Can the Leader tell me what consideration, if any, has been given to replicate the provision of a Register of Interests among members of the SMT and other officers with delegated powers and responsibilities, to govern situations where Council expenditure of more than £500 can be authorised without recourse to a resolution of this Council?

Answer:

All staff complete, and are reminded to update annually, a Register of Interest as required by the Code of Conduct for Employees. The Code also contains overarching principles regarding not being influenced by improper motives and what

is expected of them during a tendering process. Officers contractually agree to follow the Council's policies and so further safeguards exist in the Financial Regulations and Contract Standing Orders as well as a number of controls within the procurement systems.

Question 34: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Can the Leader tell Council the number of FPN's issued in the last 12m, and in the 5 years previously, for the offence of dog fouling in the district and, additionally, the revenue raised from those notices? Can he also tell members of how many of these FPN's were challenged and the success rate of those appeals? Can the Leader share with Council the costs of the District Dog warden scheme for the financial year 2018-19 and the forecasted costs for the current financial year? Finally, has the Cabinet given any consideration as to the implementation and provision of a district Dog DNA scheme which allows for the identification of dog mess and DNA matching to the offending animal, similar to schemes run by Councils in Essex & Leicestershire and which is funded by the successful prosecution of errant owners with almost 100% accuracy using DNA technology?

Answer:

Almost 30 officers in the Environmental Health and Streetscene teams have the training and ability to issue fixed penalty notices for a number of offences, including dog fouling, alongside their other work. This enforcement is coordinated by the Environmental Protection team and there has not been a dedicated dog warden since 2014 when the service was reviewed. Substantial savings were made and there is now no identified cost for dog related services; education and enforcement is now far more efficient and effective. The fixed penalty fines are £80. The number of incidents for which sufficient evidence is received is very low, mainly because the incidence of fouling is also very low. In 2016 6 were issued and 3 paid; in 2017 3 were issued and 3 paid; in 2018 2 were issued and 1 paid; in 2019 3 were issued and 2 paid. So the income in 5 years has been £720. The EP team make every effort to secure payment and in all cases of non-payment either the offender or witness could not subsequently be found or the evidence was found to be not sufficiently robust. We have statistical evidence which indicates that there are around 20,000 dogs in East Devon and the heavy use of dog waste bins is further indication that the vast majority of dog owners always do the right thing and pick up. Officers and town and parish councillors report back to us that our streets and pavements have never been cleaner and they rarely see fouling. If there are particular hot spots reported we have concentrated education and community engagement in those areas. Enquiries to the EP team about dog fouling have halved since 2015, from 290 per year to 157. Almost all of these were from people wanting to know what to do if they were able to identify someone not picking up. With regards to the question about a DNA scheme there is no need for the team to consider this because the incidence of fouling is so low in East Devon, as evidenced above. These schemes are extremely difficult and expensive to implement and enforce (20,000 dogs to be tested), and our approach which focuses on education and community involvement has already been shown to be successful.

There are a few Councils that have had some publicity including Barking & Dagenham and Market Harborough in Leicestershire. Dog poo samples cost around £120 each to test but the legal loophole is that there is no statutory power to obtain a dna sample from dogs themselves. It therefore relies on a voluntary scheme in

which responsible dog owners locally already have their dogs dna fingerprinted (at their own expense) to eliminate their dogs as suspects. Most seem to agree its headline grabbing, raises awareness and may act as a deterrent but not really a practical or proportionate enforcement tool.

Question 35: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Is the Leader able to provide me with the comprehensive schedule of Overage Agreements relating to previous approved planning applications which was previously sought in July 2019 but not, as yet, provided (Council of [24 July 2019](#), minute 25, response to Q11 supplementary from Cllr Hayward refers)?

Answer:

Apologies that this has not yet been provided. I would like to reassure Cllr Hayward that work is underway and I expect the information to be made available soon.

Question 36: Procedure Rule 9.2 to the Portfolio Holder for Corporate Services from Councillor Paul Millar

What was the total cost charged by Investors in People to the Council for its recent assessment, and can the raw data of the questionnaire for staff before Christmas be shared with the Scrutiny Committee?

Answer:

The total cost since May 2019 of the recent assessment is £15,804.

With regard to the raw data from the survey, this is only one part of the process and the practitioner has agreed to go through all the data collected if required to do so.

Question 37: Procedure Rule 9.2 to the Portfolio Holder for Corporate Services from Councillor Paul Millar

Will she ensure mental health awareness training is offered to all Members?

Answer:

I would refer you to the minutes of the Member Development Working Group of 5th February which state "It was also noted that Karen Simpkin runs courses for officers on a number of areas, including mental health awareness and dementia awareness and it was felt that these would be helpful for members too." The Strategic Lead for Organisational Development has already scheduled a dementia awareness course and I can confirm that a mental health awareness course will also be scheduled.



Report to: **Council**
 Date of Meeting: 26th February 2020
 Public Document: Yes
 Exemption: None

Review date for release

Subject: **Council Tax Resolution 2020/21**

Purpose of report:

The purpose of this report is to enable the Council to calculate and set the Council Tax for 2020/21.

In agreeing to the Cabinet recommendations on the Revenue and Capital Budgets 2020/21 (Minute Number 135) on the 5th February 2020 this gives the Council Tax requirement for this Council of £8,827,496 resulting in a Council Tax Band D amount of £146.78. This is an increase of £5 a year (3.53%), within the threshold stipulated by government before triggering a council tax referendum.

The Budget report to Cabinet on 5th February 2020 can be found here: [Revenue and Capital Budgets 2020/21 Report](#), this report contains links to the detailed Revenue and Capital Budget report to Cabinet on the 8th January 2020/21.

In accordance with Section 25 of the Local Government Act 2003 the Chief Financial Officer (Strategic Lead Finance) has reported to the authority on the robustness of the 2020/21 budgets and is satisfied with the adequacy of the proposed financial reserves. **The 2020/21 budget recommended by Cabinet is balanced with expenditure matched by available income.**

There is a legal requirement for the Council to set a budget and associated Council Tax; the process for Council Tax Billing starts the day after the Council meeting in order to meet the necessary deadlines (bill printing, dispatch and appropriate direct debit notifications etc.). The obligation to make a lawful budget each year is shared equally by each Member.

A delay in setting the Council Tax will have very serious financial consequences. It will render the Council vulnerable to legal proceedings and serious financial losses will accrue very soon from a late setting of Council Tax; not only in its own loss of income to run services, but preceptors are still required to be paid at £11 million a month and this will have to be met by this Council.

The budget reports to Cabinet and the Housing Review Board highlight future consideration that need to be addressed in order to set a balanced budgets from **2021/22 onwards**. A refreshed Medium Term Financial Plan is required to be debated with updated actions in order to balance future budgets and a revised Housing Revenue Account Business Plan is required to consider the implication of the cost of replacing right to buy properties and the costs associated with the Carbon Reduction Plan.

These will be subject to further debate and necessary decisions required before the Council can set its 2021/22 budget.

The Council Tax setting process is that all preceptors (Devon County Council, Police and Crime Commissioner for Devon and Cornwall, Devon & Somerset Fire & Rescue Authority and town and parish councils) will set their budgets and relevant council tax requirement and then this Council, as the billing authority, will formally set the Council Tax for the area to include all amounts to be collected. This report sets out the details of this Council's Council Tax requirement and the precepts for other bodies.

Recommendation:

To approve the formal Council Tax Resolution at Appendix A

Reason for recommendation:

The Council as a billing authority is required to set the Council Tax for 2020/21

Officer:

Simon Davey, Strategic Lead Finance (CFO/S151)

Portfolio Holder:

Portfolio Holder for Finance

Financial implications:

This report sets the Council's Council Tax requirement for 2020/21 which is derived from its Budget Requirement as recommended by Cabinet on 5th February 2020.

Legal implications:

There are no legal observations required

Equalities impact:

Low Impact

Climate change:

High Impact

The budget approval gives the Council the resources necessary to undertake its business which will significantly contribute to the carbon footprint of the Council. There are budgets proposed to address this issue and fund actions for 2020/21 which start to reduce the Council's Carbon emissions.

Risk:

Low Risk

Links to background information:

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Link to [Council Plan](#):

Outstanding Place and Environment
Outstanding Homes and Communities
Outstanding Economic Growth, Productivity, and Prosperity
Outstanding Council and Council Services

Report in full

1 Council Tax Resolution 2020/21

1.1 The precept levels of other precepting bodies are detailed below.

It should be noted the amounts below for Devon County Council and Fire and Rescue Authority are provisional as they don't meet to set their budget and precept until the 20th February (County) and 21st February (Fire). Should the amounts change then a revised report will be issued to Council.

- **Town & Parish Councils**

The Town & Parish Council Precepts for 2020/21 are detailed in Schedule 1 and total £4,258,412.59. The increase in the average Band D Council Tax for Town and Parish councils is 3.86% and results in an average Band D Council Tax figure of £70.81 for 2020/21.

- **Devon County Council**

Devon County Council set their precept at £86,570,563.86. This results in a Band D Council Tax of £1,439.46. This is a total increase of 3.99%; includes a charge for adult social care services representing 2% of the increase.

- **Police and Crime Commissioner for Devon and Cornwall**

Police and Crime Commissioner for Devon and Cornwall set their precept at £13,329,651.24. This results in a Band D Council Tax of £221.64, being a 4.41% increase on the previous year.

- **Devon & Somerset Fire & Rescue Authority**

Devon & Somerset Fire & Rescue Authority set their precept at £5,306,841.84. This results in a Band D Council Tax of £88.24, being a 1.99% increase on the previous year.

1.2 This Council's calculations are set out in the formal Council Tax Resolution in Appendix A. This follows Cabinet's recommendation to Council on the 2020/21 budget.

- 1.3 This recommendation is reflected in the formal Council Tax Resolution at Appendix A and the total Band D Council Tax will be as follows:

COUNCIL TAX LEVIES	2019/2020	2020/2021	Variation
	£	£	%
East Devon District Council	141.78	146.78	3.53%
Parish & Town Councils (Average)	68.18	70.81	3.86%
Sub Total	209.96	217.59	-
Devon County Council	1,384.29	1,439.46*	3.99%
Police and Crime Commissioner for Devon and Cornwall	212.28	221.64	4.41%
Devon & Somerset Fire & Rescue Authority	86.52	88.24	1.99%
TOTALS	£1,893.05	£1,966.93	3.90%

* This increase of 3.99% includes a charge for adult social care services representing 2% of the increase.

The Council is recommended to resolve as follows:

1. It be noted that on 18th December 2019 Council (minute reference 54 refers) calculated the Council Tax Base 2020/21
 - (a) for the whole Council area as 60,141 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as detailed in Schedule 1 attached.
2. As a preliminary step, calculate that the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) is £8,827,496.
3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 30 to 36 of the Act:
 - (a) £90,438,863 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £77,352,954 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £13,085,909 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £217.59 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £4,258,413 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule 1).
 - (f) £146.78 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

- (g) The amounts stated in column 5 of the schedule 1 attached given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area specified in column 1 of Schedule 1 divided in each case by the amount at 1(a) above, calculated by the Council in accordance with Section 34(3) of the Act, as the basic amounts of its Council tax for the year for dwellings in those parts of its area set out in column 1 of Schedule 1 to which one or more special items relate.
- (h) The amounts set out in Schedule 2 attached given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
4. That it be noted that for the year 2020/21 Devon County Council, Police and Crime Commissioner for Devon and Cornwall and Devon and Somerset Fire and Rescue Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands	Precepting Authority		
	Devon County Council	Police & Crime Com for Devon & Cornwall	Devon & Somerset Fire & Rescue
A	£959.64	£147.76	£58.83
B	£1,119.58	£172.39	£68.63
C	£1,279.52	£197.01	£78.44
<u>D</u>	<u>£1,439.46</u>	<u>£221.64</u>	<u>£88.24</u>
E	£1,759.34	£270.89	£107.85
F	£2,079.22	£320.15	£127.46
G	£2,399.10	£369.40	£147.07
H	£2,878.92	£443.28	£176.48

5. That, having calculated the aggregate in each case of the amounts at 3 (h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of council tax for the year 2020/21 for each of the categories of dwellings shown in Schedule 3.

The Council has determined that its relevant basic amount of Council Tax for 2020/21 is **not** excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2020/21 is excessive and therefore the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

SCHEDULE 1 2020/21

Parish	Parish Precept	Tax Base	Basic Parish Tax	Basic Tax Parish + EDDC	Basic Tax + DCC + Fire Authority + Police & Crime Comm D&C
	£		£	£	£
All Saints	12,000.00	257	46.69	193.47	1,942.81
Awliscombe	5,000.00	243	20.58	167.36	1,916.70
Axminster	249,450.00	2768	90.12	236.90	1,986.24
Axmouthe	12,582.00	253	49.73	196.51	1,945.85
Aylesbeare	7,622.00	269	28.33	175.11	1,924.45
Beer	20,768.64	678	30.63	177.41	1,926.75
Bishops Clyst	39,636.06	599	66.17	212.95	1,962.29
Brampford Speke	7,350.00	150	49.00	195.78	1,945.12
Branscombe	7,700.00	331	23.26	170.04	1,919.38
Broadclyst	391,898.60	1970	198.93	345.71	2,095.05
Broadhembury	8,264.28	311	26.57	173.35	1,922.69
Buckerell	3,170.00	114	27.81	174.59	1,923.93
Budleigh Salterton	116,750.00	2825	41.33	188.11	1,937.45
Chardstock	15,750.00	422	37.32	184.10	1,933.44
Clyst Honiton	20,114.00	113	178.00	324.78	2,074.12
Clyst Hydon	2,866.00	127	22.57	169.35	1,918.69
Clyst St George	9,135.00	405	22.56	169.34	1,918.68
Clyst St Lawrence	-	47	0.00	146.78	1,896.12
Colaton Raleigh	8,073.00	309	26.13	172.91	1,922.25
Colyton	57,520.00	1457	39.48	186.26	1,935.60
Combe Raleigh	2,222.00	100	22.22	169.00	1,918.34
Combpyne-Rousdon	5,120.00	196	26.12	172.90	1,922.24
Cotleigh	3,600.00	111	32.43	179.21	1,928.55
Cranbrook	469,559.02	1834	256.03	402.81	2,152.15
Dalwood	6,800.00	207	32.85	179.63	1,928.97
Dunkeswell	35,595.00	601	59.23	206.01	1,955.35
East Budleigh with Bicton	26,500.00	503	52.68	199.46	1,948.80
Exmouth	771,394.00	12928	59.67	206.45	1,955.79
Farringdon	6,032.00	154	39.17	185.95	1,935.29
Farway	3,000.00	131	22.90	169.68	1,919.02
Feniton	20,000.00	679	29.46	176.24	1,925.58
Gittisham	8,160.00	329	24.80	171.58	1,920.92
Hawkchurch	10,000.00	262	38.17	184.95	1,934.29
Honiton	299,660.00	3903	76.78	223.56	1,972.90
Huxham	-	46	0.00	146.78	1,896.12
Kilmington	21,000.00	410	51.22	198.00	1,947.34
Luppitt	12,000.00	213	56.34	203.12	1,952.46
Lympstone	47,000.00	910	51.65	198.43	1,947.77
Membury	10,830.00	270	40.11	186.89	1,936.23
Monkton	5,500.00	77	71.43	218.21	1,967.55
Musbury	7,500.00	237	31.65	178.43	1,927.77
Netherexe	-	24	0.00	146.78	1,896.12
Newton Popleford	47,500.00	952	49.89	196.67	1,946.01
Northleigh	2,200.00	83	26.51	173.29	1,922.63
Offwell	6,028.00	190	31.73	178.51	1,927.85
Otterton	11,660.00	308	37.86	184.64	1,933.98
Ottery St Mary	156,000.00	2884	54.09	200.87	1,950.21
Payhembury	7,567.60	310	24.41	171.19	1,920.53
Plymtree	4,420.00	261	16.93	163.71	1,913.05
Poltimore	5,845.00	137	42.66	189.44	1,938.78
Rewe	9,000.00	193	46.63	193.41	1,942.75
Rockbeare	31,951.00	372	85.89	232.67	1,982.01
Seaton	337,982.00	3231	104.61	251.39	2,000.73
Sheldon	-	84	0.00	146.78	1,896.12
Shute	4,800.00	293	16.38	163.16	1,912.50
Sidmouth	591,120.00	7034	84.04	230.82	1,980.16
Southleigh	2,500.00	116	21.55	168.33	1,917.67
Stockland	11,078.00	328	33.77	180.55	1,929.89
Stoke Canon	10,000.00	240	41.67	188.45	1,937.79
Talaton	8,636.00	247	34.96	181.74	1,931.08
Uplyme	40,664.49	872	46.63	193.41	1,942.75
Uppottery	13,000.00	327	39.76	186.54	1,935.88
Upton Pyne	10,282.90	223	46.11	192.89	1,942.23
West Hill	56,375.00	1157	48.73	195.51	1,944.85
Whimple	30,000.00	730	41.10	187.88	1,937.22
Widworthy	2,750.00	140	19.64	166.42	1,915.76
Woodbury	83,866.00	1435	58.44	205.22	1,954.56
Yarcombe	6,065.00	221	27.44	174.22	1,923.56

SCHEDULE 2 2020/21
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS (Town and Parish tax)

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	128.98	150.47	171.97	193.47	236.47	279.46	322.45	386.94
Awliscombe	111.57	130.17	148.76	167.36	204.55	241.75	278.93	334.72
Axminster	157.93	184.25	210.58	236.90	289.55	342.19	394.83	473.80
Axmouthe	131.00	152.84	174.67	196.51	240.18	283.85	327.51	393.02
Aylesbeare	116.74	136.19	155.65	175.11	214.03	252.94	291.85	350.22
Beer	118.27	137.98	157.70	177.41	216.84	256.26	295.68	354.82
Bishops Clyst	141.96	165.63	189.29	212.95	260.27	307.60	354.91	425.90
Brampford Speke	130.52	152.27	174.03	195.78	239.29	282.80	326.30	391.56
Branscombe	113.36	132.25	151.15	170.04	207.83	245.62	283.40	340.08
Broadclyst	230.47	268.88	307.30	345.71	422.54	499.36	576.18	691.42
Broadhembury	115.56	134.83	154.09	173.35	211.87	250.40	288.91	346.70
Buckerell	116.39	135.79	155.19	174.59	213.39	252.19	290.98	349.18
Budleigh Salterton	125.40	146.31	167.21	188.11	229.91	271.72	313.51	376.22
Chardstock	122.73	143.19	163.64	184.10	225.01	265.93	306.83	368.20
Clyst Honiton	216.52	252.60	288.69	324.78	396.96	469.13	541.30	649.56
Clyst Hydon	112.90	131.71	150.53	169.35	206.99	244.62	282.25	338.70
Clyst St George	112.89	131.71	150.52	169.34	206.97	244.61	282.23	338.68
Clyst St Lawrence	97.85	114.16	130.47	146.78	179.40	212.02	244.63	293.56
Colaton Raleigh	115.27	134.48	153.70	172.91	211.34	249.76	288.18	345.82
Colyton	124.17	144.87	165.56	186.26	227.65	269.05	310.43	372.52
Combe Raleigh	112.66	131.44	150.22	169.00	206.56	244.12	281.66	338.00
Combpyne-Rousdon	115.26	134.48	153.69	172.90	211.32	249.75	288.16	345.80
Cotleigh	119.47	139.38	159.30	179.21	219.04	258.86	298.68	358.42
Cranbrook	268.54	313.29	358.05	402.81	492.33	581.84	671.35	805.62
Dalwood	119.75	139.71	159.67	179.63	219.55	259.47	299.38	359.26
Dunkeswell	137.34	160.23	183.12	206.01	251.79	297.57	343.35	412.02
East Budleigh with Bicton	132.97	155.13	177.30	199.46	243.79	288.11	332.43	398.92
Exmouth	137.63	160.57	183.51	206.45	252.33	298.21	344.08	412.90
Farringdon	123.96	144.63	165.29	185.95	227.27	268.60	309.91	371.90
Farway	113.12	131.97	150.83	169.68	207.39	245.10	282.80	339.36
Feniton	117.49	137.07	156.66	176.24	215.41	254.57	293.73	352.48
Gittisham	114.38	133.45	152.51	171.58	209.71	247.84	285.96	343.16
Hawkchurch	123.30	143.85	164.40	184.95	226.05	267.15	308.25	369.90
Honiton	149.04	173.88	198.72	223.56	273.24	322.92	372.60	447.12
Huxham	97.85	114.16	130.47	146.78	179.40	212.02	244.63	293.56
Kilmington	132.00	154.00	176.00	198.00	242.00	286.00	330.00	396.00
Luppitt	135.41	157.98	180.55	203.12	248.26	293.40	338.53	406.24
Lympstone	132.28	154.33	176.38	198.43	242.53	286.63	330.71	396.86
Membury	124.59	145.36	166.12	186.89	228.42	269.96	311.48	373.78
Monkton	145.47	169.72	193.96	218.21	266.70	315.20	363.68	436.42
Musbury	118.95	138.78	158.60	178.43	218.08	257.74	297.38	356.86
Netherexe	97.85	114.16	130.47	146.78	179.40	212.02	244.63	293.56
Newton Poppleford	131.11	152.96	174.82	196.67	240.38	284.08	327.78	393.34
Northleigh	115.52	134.78	154.03	173.29	211.80	250.31	288.81	346.58
Offwell	119.00	138.84	158.67	178.51	218.18	257.85	297.51	357.02
Otterton	123.09	143.61	164.12	184.64	225.67	266.71	307.73	369.28
Ottery St Mary	133.91	156.23	178.55	200.87	245.51	290.15	334.78	401.74
Payhembury	114.12	133.15	152.17	171.19	209.23	247.28	285.31	342.38
Plymtree	109.14	127.33	145.52	163.71	200.09	236.47	272.85	327.42
Poltimore	126.29	147.34	168.39	189.44	231.54	273.64	315.73	378.88
Rewe	128.94	150.43	171.92	193.41	236.39	279.37	322.35	386.82
Rockbeare	155.11	180.96	206.82	232.67	284.38	336.08	387.78	465.34
Seaton	167.59	195.52	223.46	251.39	307.26	363.12	418.98	502.78
Sheldon	97.85	114.16	130.47	146.78	179.40	212.02	244.63	293.56
Shute	108.77	126.90	145.03	163.16	199.42	235.68	271.93	326.32
Sidmouth	153.88	179.52	205.17	230.82	282.12	333.41	384.70	461.64
Southleigh	112.22	130.92	149.63	168.33	205.74	243.15	280.55	336.66
Stockland	120.36	140.43	160.49	180.55	220.67	260.80	300.91	361.10
Stoke Canon	125.63	146.57	167.51	188.45	230.33	272.21	314.08	376.90
Talaton	121.16	141.35	161.55	181.74	222.13	262.52	302.90	363.48
Uplyme	128.94	150.43	171.92	193.41	236.39	279.37	322.35	386.82
Upottery	124.36	145.08	165.81	186.54	228.00	269.45	310.90	373.08
Upton Pyne	128.59	150.02	171.46	192.89	235.76	278.62	321.48	385.78
West Hill	130.34	152.06	173.79	195.51	238.96	282.41	325.85	391.02
Whimble	125.25	146.13	167.00	187.88	229.63	271.39	313.13	375.76
Widworthy	110.94	129.44	147.93	166.42	203.40	240.39	277.36	332.84
Woodbury	136.81	159.61	182.42	205.22	250.83	296.43	342.03	410.44
Yarcombe	116.14	135.50	154.86	174.22	212.94	251.66	290.36	348.44

SCHEDULE 3 2020/21
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS, DEVON COUNTY COUNCIL, POLICE AND CRIME COMMISSIONER
FOR DEVON & CORNWALL and DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	1,295.21	1,511.07	1,726.94	1,942.81	2,374.55	2,806.29	3,238.02	3,885.62
Awliscombe	1,277.80	1,490.77	1,703.73	1,916.70	2,342.63	2,768.58	3,194.50	3,833.40
Axminster	1,324.16	1,544.85	1,765.55	1,986.24	2,427.63	2,869.02	3,310.40	3,972.48
Axmouthe	1,297.23	1,513.44	1,729.64	1,945.85	2,378.26	2,810.68	3,243.08	3,891.70
Aylesbeare	1,282.97	1,496.79	1,710.62	1,924.45	2,352.11	2,779.77	3,207.42	3,848.90
Beer	1,284.50	1,498.58	1,712.67	1,926.75	2,354.92	2,783.09	3,211.25	3,853.50
Bishops Clyst	1,308.19	1,526.23	1,744.26	1,962.29	2,398.35	2,834.43	3,270.48	3,924.58
Bramford Speke	1,296.75	1,512.87	1,729.00	1,945.12	2,377.37	2,809.63	3,241.87	3,890.24
Branscombe	1,279.59	1,492.85	1,706.12	1,919.38	2,345.91	2,772.45	3,198.97	3,838.76
Broadclyst	1,396.70	1,629.48	1,862.27	2,095.05	2,560.62	3,026.19	3,491.75	4,190.10
Broadhembury	1,281.79	1,495.43	1,709.06	1,922.69	2,349.95	2,777.23	3,204.48	3,845.38
Buckerell	1,282.62	1,496.39	1,710.16	1,923.93	2,351.47	2,779.02	3,206.55	3,847.86
Budleigh Salterton	1,291.63	1,506.91	1,722.18	1,937.45	2,367.99	2,798.55	3,229.08	3,874.90
Chardstock	1,288.96	1,503.79	1,718.61	1,933.44	2,363.09	2,792.76	3,222.40	3,866.88
Clyst Honiton	1,382.75	1,613.20	1,843.66	2,074.12	2,535.04	2,995.96	3,456.87	4,148.24
Clyst Hydon	1,279.13	1,492.31	1,705.50	1,918.69	2,345.07	2,771.45	3,197.82	3,837.38
Clyst St George	1,279.12	1,492.31	1,705.49	1,918.68	2,345.05	2,771.44	3,197.80	3,837.36
Clyst St Lawrence	1,264.08	1,474.76	1,685.44	1,896.12	2,317.48	2,738.85	3,160.20	3,792.24
Colaton Raleigh	1,281.50	1,495.08	1,708.67	1,922.25	2,349.42	2,776.59	3,203.75	3,844.50
Colyton	1,290.40	1,505.47	1,720.53	1,935.60	2,365.73	2,795.88	3,226.00	3,871.20
Combe Raleigh	1,278.89	1,492.04	1,705.19	1,918.34	2,344.64	2,770.95	3,197.23	3,836.68
Combpyne-Rousdon	1,281.49	1,495.08	1,708.66	1,922.24	2,349.40	2,776.58	3,203.73	3,844.48
Cotleigh	1,285.70	1,499.98	1,714.27	1,928.55	2,357.12	2,785.69	3,214.25	3,857.10
Cranbrook	1,434.77	1,673.89	1,913.02	2,152.15	2,630.41	3,108.67	3,586.92	4,304.30
Dalwood	1,285.98	1,500.31	1,714.64	1,928.97	2,357.63	2,786.30	3,214.95	3,857.94
Dunkeswell	1,303.57	1,520.83	1,738.09	1,955.35	2,389.87	2,824.40	3,258.92	3,910.70
East Budleigh with Bicton	1,299.20	1,515.73	1,732.27	1,948.80	2,381.87	2,814.94	3,248.00	3,897.60
Exmouth	1,303.86	1,521.17	1,738.48	1,955.79	2,390.41	2,825.04	3,259.65	3,911.58
Farringdon	1,290.19	1,505.23	1,720.26	1,935.29	2,365.35	2,795.43	3,225.48	3,870.58
Farway	1,279.35	1,492.57	1,705.80	1,919.02	2,345.47	2,771.93	3,198.37	3,838.04
Feniton	1,283.72	1,497.67	1,711.63	1,925.58	2,353.49	2,781.40	3,209.30	3,851.16
Gittisham	1,280.61	1,494.05	1,707.48	1,920.92	2,347.79	2,774.67	3,201.53	3,841.84
Hawkchurch	1,289.53	1,504.45	1,719.37	1,934.29	2,364.13	2,793.98	3,223.82	3,868.58
Honiton	1,315.27	1,534.48	1,753.69	1,972.90	2,411.32	2,849.75	3,288.17	3,945.80
Huxham	1,264.08	1,474.76	1,685.44	1,896.12	2,317.48	2,738.85	3,160.20	3,792.24
Kilminster	1,298.23	1,514.60	1,730.97	1,947.34	2,380.08	2,812.83	3,245.57	3,894.68
Luppitt	1,301.64	1,518.58	1,735.52	1,952.46	2,386.34	2,820.23	3,254.10	3,904.92
Lympstone	1,298.51	1,514.93	1,731.35	1,947.77	2,380.61	2,813.46	3,246.28	3,895.54
Membury	1,290.82	1,505.96	1,721.09	1,936.23	2,366.50	2,796.79	3,227.05	3,872.46
Monkton	1,311.70	1,530.32	1,748.93	1,967.55	2,404.78	2,842.03	3,279.25	3,935.10
Musbury	1,285.18	1,499.38	1,713.57	1,927.77	2,356.16	2,784.57	3,212.95	3,855.54
Netherexe	1,264.08	1,474.76	1,685.44	1,896.12	2,317.48	2,738.85	3,160.20	3,792.24
Newton Popleford	1,297.34	1,513.56	1,729.79	1,946.01	2,378.46	2,810.91	3,243.35	3,892.02
Northleigh	1,281.75	1,495.38	1,709.00	1,922.63	2,349.88	2,777.14	3,204.38	3,845.26
Offwell	1,285.23	1,499.44	1,713.64	1,927.85	2,356.26	2,784.68	3,213.08	3,855.70
Otterton	1,289.32	1,504.21	1,719.09	1,933.98	2,363.75	2,793.54	3,223.30	3,867.96
Ottery St Mary	1,300.14	1,516.83	1,733.52	1,950.21	2,383.59	2,816.98	3,250.35	3,900.42
Payhembury	1,280.35	1,493.75	1,707.14	1,920.53	2,347.31	2,774.11	3,200.88	3,841.06
Plymtree	1,275.37	1,487.93	1,700.49	1,913.05	2,338.17	2,763.30	3,188.42	3,826.10
Poltimore	1,292.52	1,507.94	1,723.36	1,938.78	2,369.62	2,800.47	3,231.30	3,877.56
Rewe	1,295.17	1,511.03	1,726.89	1,942.75	2,374.47	2,806.20	3,237.92	3,885.50
Rockbeare	1,321.34	1,541.56	1,761.79	1,982.01	2,422.46	2,862.91	3,303.35	3,964.02
Seaton	1,333.82	1,556.12	1,778.43	2,000.73	2,445.34	2,889.95	3,334.55	4,001.46
Sheldon	1,264.08	1,474.76	1,685.44	1,896.12	2,317.48	2,738.85	3,160.20	3,792.24
Shute	1,275.00	1,487.50	1,700.00	1,912.50	2,337.50	2,762.51	3,187.50	3,825.00
Sidmouth	1,320.11	1,540.12	1,760.14	1,980.16	2,420.20	2,860.24	3,300.27	3,960.32
Southleigh	1,278.45	1,491.52	1,704.60	1,917.67	2,343.82	2,769.98	3,196.12	3,835.34
Stockland	1,286.59	1,501.03	1,715.46	1,929.89	2,358.75	2,787.63	3,216.48	3,859.78
Stoke Canon	1,291.86	1,507.17	1,722.48	1,937.79	2,368.41	2,799.04	3,229.65	3,875.58
Talaton	1,287.39	1,501.95	1,716.52	1,931.08	2,360.21	2,789.35	3,218.47	3,862.16
Uplyme	1,295.17	1,511.03	1,726.89	1,942.75	2,374.47	2,806.20	3,237.92	3,885.50
Upottery	1,290.59	1,505.68	1,720.78	1,935.88	2,366.08	2,796.28	3,226.47	3,871.76
Upton Pyne	1,294.82	1,510.62	1,726.43	1,942.23	2,373.84	2,805.45	3,237.05	3,884.46
West Hill	1,296.57	1,512.66	1,728.76	1,944.85	2,377.04	2,809.24	3,241.42	3,889.70
Whimple	1,291.48	1,506.73	1,721.97	1,937.22	2,367.71	2,798.22	3,228.70	3,874.44
Widworthy	1,277.17	1,490.04	1,702.90	1,915.76	2,341.48	2,767.22	3,192.93	3,831.52
Woodbury	1,303.04	1,520.21	1,737.39	1,954.56	2,388.91	2,823.26	3,257.60	3,909.12
Yarcombe	1,282.37	1,496.10	1,709.83	1,923.56	2,351.02	2,778.49	3,205.93	3,847.12

Summary of recommendations being presented to Council

26 February 2020 (Minutes in full have been circulated and are available on line.)

Cabinet – 8 January 2020	
116 Council Tax Reduction Scheme for Working Age - Income Banded Discount Scheme from 2020/21	
RECOMMENDED	that Council is; <ol style="list-style-type: none"> 1. To consider fully the equality impact assessment in relation the scheme. 2. to adopt the new Council Tax Income banded discount as set out in the report under section 6 from 1 April 2020. 3. to adopt the Council Tax Discretionary & Exceptional Hardship Fund Policy.
119 Climate Change - EDDC Local Climate Change Action Plan and carbon footprint	
RECOMMENDED	to Council that; <ol style="list-style-type: none"> 3. Both the General Fund and the Housing Revenue Account establish climate change emergency budgets in the sums detailed in the report.

Cabinet – 5 February 2020	
135 Revenue and Capital Budget 2020/21	
RECOMMENDED	that Council to approve; <ol style="list-style-type: none"> 1. the Net Revenue General Fund Budget of £14.777m, 2. a Council Tax increase of £5 a year giving a Band D council tax of £146.78 a year for 2020/21, 3. the Housing Revenue Account Estimates with a net surplus of £0.927m and, 4. the Net Capital Budget totalling £8.069m for 2020/21.
136 Capital strategy 2020/21 - 2023/24	
RECOMMENDED	that Council adopt of the Capital Strategy 2020/21 – 2023/24.

137 Treasury Management including the Strategy 2020/21 - Minimum Revenue Provision Policy Statement and Annual Investment Strategy	
RECOMMENDED	that Council approve and adopt: The Treasury Management Strategy 2020/21 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy, including; <ul style="list-style-type: none"> a. the Prudential Indicators for 2020/21, b. the Minimum Revenue Provision Policy Statement and c. the creditworthiness criteria and updated list of counterparties.
138 Climate Change Strategy	
RECOMMENDED	that Council adopt: the Climate Change Strategy 2020 – 2025 incorporating the Climate Change Action Plan.
142 Heart of the South West Joint Committee Governance Arrangements	
RECOMMENDED	that Council agree: <ol style="list-style-type: none"> 1. the amendments to the Heart of the South West Joint Committee’s list of functions in the Arrangements document and note the updated budget position for 2019/20, 2. the recommendation from the Joint Committee on 27 September 2019, to re-appoint Somerset County Council as the Administering Authority for the Joint Committee, and 3. that provision be made of £2,800 as a contribution to the administration and work programme of the Joint Committee in the 2020/21 financial year, subject to all other Constituent Members making a financial contribution based on the methodology agreed in previous years.

Scrutiny Committee – 6 February 2020	
58 Process for assessing Commercial Investment opportunities	
RECOMMENDED	that Council consider the following; <ul style="list-style-type: none"> a. that there be further engagement with Councillors through Commercialisation Workshops.

	<p>b. that following the Commercialisation Workshops, an officer report be discussed at Council in April regarding an ethical investment policy.</p> <p>c. that the Commercial Investment Flow chart be updated to reflect the changes in SMT structure.</p> <p>d. that the Ward Members for the ward in which the investment proposition is located be notified prior to the exchange of contracts and before the press are notified.</p>
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Standards Committee – 21 January 2020	
16 Members Declaration of interest Audit Report	
RECOMMENDED	To Council that the findings of the Audit Report be noted, highlighting the fact that 56% of members did not complete their declarations of interest within the required 28 days following the election, with the potential consequence of committing a criminal offence. All members would be provided with a copy of the Declaration of Interest Audit Report and reminded of the importance of updating their Register of Interests within 28 days of any changes.

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 8 January 2020****Attendance list at end of document**

The meeting started at 5.30 pm and ended at 7.56 pm

106 **Public speaking**

There were no members of the public wishing to speak.

107 **Minutes of the previous meeting**

The minutes of Cabinet held on 27 November 2019 were confirmed and signed as a true record.

108 **Declarations of interest**

Minute 117 Draft Revenue and Capital Budgets 2020/21.
Councillor Kevin Blakey, Personal, Member of Cranbrook Town Council

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Geoff Pook, Personal, Member of SAHM steering group.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Ian Hall, Personal, DCC councillor and member of the Triangular Health Care Forum.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Ian Thomas, Personal, Lives in the Triangular Health Care area.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Marcus Hartnell, Personal, Member of SAHM steering group.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Phil Twiss, Personal, Governor of the Royal Devon & Exeter NHS foundation Trust and Devon County Council Adult Health Scrutiny liaison working with the NHS, CCG, RD&E, SWAST, DCC Social care and other health care professionals.

109 **Matters of urgency**

There were no matters of urgency.

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

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

111 **Forward Plan**

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

112 **Minutes of South and East Devon Habitat Regulations Executive Committee held on 30 October 2019**

Members received and noted the Minutes of South and East Devon Habitat Regulations Executive Committee held on 30 October 2019.

113 **Minutes of Overview Committee held on 14 November 2019**

Members received and noted the Minutes of Overview Committee held on 14 November 2019.

RESOLVED that the following recommendation be agreed:

Minute 36 Poverty in East Devon

1. Consider funding the creation of an East Devon Poverty Strategy to further develop and target the areas identified within this report that we are able to influence and to support a corporate approach to ensure consistency across Council Services.
2. Carry out a review of the funding and delivery arrangements for Money Advice to ensure that we're focussing on the key issues identified in the report.
3. Recommend that Council protect the existing funding levels contributed for Money Advice to Homemaker South West and Citizens of circa £120,000 for 2020/21 to enable the review (Recommendation 2) to be undertaken.
4. Update Corporate Debt Policy to include; Breathing Space in-line with proposed Government changes & to consider any other supportive measures that may be beneficial.
5. Agree to the Council's frontline services, in collaboration, setting up a series of local events across the District with key stakeholders that focus on Universal Credit, Money/Debt advice (including how to avoid Loan sharks), budgeting, fuel poverty etc. with the over-arching aim of supporting people to become more financially resilient.
6. Consider lobbying central Government directly and/or through our MPs in the following areas;
 - Right to Buy
 - Removing the freeze on Local Housing Allowance Rates in order to be reassessed to reflect market rents.
 - Universal Credit – More financial support to be given to customers to help with the transition. More funding to be given to local Councils to reflect the support that customers need with moving onto this Benefit.
7. Continue to explore opportunities to increase our supply of social housing through either redevelopment of existing stock and/or building new Council Housing, in conjunction with a review of the current Housing Revenue Account business plan.
8. Agree to the Council working alongside East Devon foodbanks to better understand demand and eradicate dependency that could lead to a reduction and possible extinction of the need for foodbanks in the district.
9. Undertake a detailed analysis of fuel poverty in the district with a view to developing a separate action plan.
10. To lobby government re the issues surrounding the need for financial support to claimants while in the transition on to Universal Credit.

114 **Minutes of Scrutiny Committee held on 21 November 2019**

Members received and noted the Minutes of Scrutiny Committee held on 21 November 2019.

115 **Minutes of Capital Strategy and Allocation Group held on 4 December 2019**

Members received and noted the Minutes of Capital Strategy and Allocation Group held on 4 December 2019.

RESOLVED that the following recommendation be agreed:

Minute 15 Capital bids proposed for the 2020-21 Capital Programme:

Minute 15a Axminster leisure centre - replacement sports hall flooring

1. the bid for £56,000 be supported on a 40% contribution basis.
2. delegated authority be given to the Strategic Lead for Finance to review the reporting of the LED Monitoring Group.

Minute 15b Sports halls replacement doors

the bid for £35,000 towards replacement sports hall doors be approved, with high priority due to the current health and safety risk.

Minute 15c Sidmouth swimming pool gym extension

the bid be deferred subject to LED attending a Capital Strategy and Allocations Group meeting and explaining their investment programme and expenditure strategy.

Minute 15d Manstone depot, Sidmouth, perimeter fencing

the bid of £30,000 for replacement perimeter fencing at Manstone depot, Sidmouth be approved.

Minute 15e Purchase of digital telecare equipment to replace non digital stock

the bid of £240,063 be approved and the purchase of replacement telecare equipment be phased over a five year period, if possible.

Minute 15f Self-build project

the bid of £1,000,000 for a self-build pilot study be approved, subject to the Strategic Lead for Finance amending the financial model.

Minute 15g Greenway Lane play area, Budleigh Salterton

the bid for £80,000 for the removal and replacement of play equipment and safety surfacing at Greenway Lane play area, Budleigh Salterton be approved, with a review of funding for play areas being undertaken in the future.

Minute 15h The Crescent play area, Exmouth

the bid for £80,000 for the removal and replacement of play equipment and safety surfacing at the Crescent play area, Exmouth be approved, with a review of funding for play areas being undertaken in the future.

Minute 15i Butts Close play area, Honiton

the bid for £60,000 for the removal and replacement of play equipment and safety surfacing at Butts Close play area, Honiton be approved, with a review of funding for play areas being undertaken in the future.

Minute 15j Axmouth Harbour maintenance

the bid for £20,000 for maintenance works at Axmouth Harbour be approved.

Minute 15k Greenway Lane footbridge repainting, Budleigh Salterton

the bid to repaint the Greenway Lane footbridge in Budleigh Salterton be deferred for a year to enable discussions with the town council over the longer term future of the bridge.

Minute 15l Sidmouth seafront railings repainting

the bid for £20,000 for the repainting of railings on Sidmouth seafront be approved, with the asset being considered for potential transfer to the town council.

Minute 15m Brixington open space enhancements, Exmouth

the bid for £150,000 for Brixington open space enhancements, Exmouth not be approved.

Minute 15n Exmouth Plantation

the bid for £40,000 be approved for inland cliff stabilisation measures at the Plantation, Exmouth.

Minute 15o Low carbon materials trial

the proposal for £20,000 for a low carbon materials trial be approved subject to delegated authority being given to the Service Lead – Street Scene to negotiate and achieve discounted prices with suppliers.

Minute 15p Gunfield Gardens fence refurbishment

the bid for £20,000 for fence refurbishment at Gunfield Gardens, Exmouth be approved.

Minute 15q Jacobs Ladder, Sidmouth, repainting and structural works

the bid for £30,000 for the repainting and structural works at Jacobs Ladder, Sidmouth be approved, with the asset being considered for potential transfer to the town council.

Minute 15r Replacement of lighting stock and LED conversion

the bid for £40,000 for the replacement of unsafe lighting stock and LED conversion be approved.

Minute 15s Capping wall construction, Jacobs Ladder, Sidmouth

the proposal for £40,000 for capping wall construction at Jacobs Ladder, Sidmouth be deferred to allow for consultation with ward members and investigations into necessary planning requirements to be undertaken.

Minute 15t St Swithun's Churchyard wall, Woodbury

the bid for £40,000 for the churchyard wall reconstruction at St Swithun's Woodbury, be approved.

Minute 15u Delivery of Clyst Valley Regional Park

the bid of £2,249,000 for delivery of Clyst Valley Regional Park be approved on the basis that it was a nil cost to the Council's capital budget.

116 **Council Tax Reduction Scheme for Working Age - Income Banded Discount Scheme from 2020/21**

The Service Lead Revenues, Benefits & Customer Services presented the report that sought approval on the new income banded discount scheme to be implemented from 1 April 2020 following public consultation on the draft scheme. Members of Cabinet had approved at the meeting on 4 September 2019 to consult on a new draft scheme that would see an increase in the amount of financial support available as the maximum available would rise from 80% to 85%.

The Portfolio Holders for Finance and Sustainable Homes and Communities congratulated Libby Jarrett and her team for their hard work and professionalism in creating this new scheme.

RECOMMENDED: that Cabinet recommends to Council

1. To consider fully the equality impact assessment in relation the scheme.
2. to adopt the new Council Tax Income banded discount as set out in the report under section 6 from 1 April 2020.
3. to adopt the Council Tax Discretionary & Exceptional Hardship Fund Policy.

REASON:

The report set out the reasons why the need to change the working age scheme. The new scheme being proposed would better align with Universal Credit and simplified the administrative process. Alongside this the new scheme being recommended increased the financial support to claimants as maximum entitlement will raise from 80% to 85%. This measure would provide direct financial support to those on the lowest incomes. The new scheme would mean that approximately 86% of claimants would be better off, 8% would be unaffected and only 6% would lose out. This proposal supported the Council's approach in helping to alleviate poverty.

117 **Draft Revenue and Capital Budgets 2020/21**

The Strategic Lead Finance presented the draft revenue and capital budgets for 2020/21 for adoption by the Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board. Recommendations from these meetings would be presented back to the Cabinet on 5 February 2020 when members finalise budget proposals to be recommended to Council.

RESOLVED:

that the draft revenue and capital estimates before being forwarded for consideration to a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board, be agreed.

REASON:

There was a requirement to set balanced budgets and to levy a Council Tax for 2020/21.

The Portfolio Holder Finance thanked Simon Davey and his team for their efforts in the production of the budget. He reminded members for the need to continue to look at savings initiatives and to think of ways to bridge future funding gaps.

118 **Loan to finance purchase of Seaton Hospital**

The report set out a request from Seaton Area Health Matters (SAHM) for the Council to purchase Seaton Hospital under special arrangements for public bodies direct from NHS Property Services. To be passed directly to SAHM (being set up as Charitable Incorporated Organisation - CIO) in a back to back legal agreement. The funding of the purchase would be met by the CIO through a 40-year loan from the Council with all costs recovered by the Council and with the necessary loan security being put in place. The estimate loan amount will up to £2.1m being the balance required after other funds being applied by CIO to meet the purchase cost.

The Portfolio Holder Asset Management set out the aims of SAHM and how EDDC was the conduit for access to the PWLB funding. He reminded members at this stage an agreement in principal was just being asked for. He suggested amending the recommendation to require a report to come back to the Cabinet supported by a full business case for the Cabinet to take the view as to whether to recommend the loan to Council.

Discussions included the following:

- The hospital had already lost its inpatient beds and was not safe in the hands of NHS Property Services, there was a risk of losing the building if it was not protected. This was matter of principal
- The report at this stage was just asking for an agreement in principal and would come back to Cabinet for further debate once they was a more concise business plan
- This was an excellent opportunity – a trailblazer
- The need to look at the risks when underwriting such a loan
- Why wasn't Devon County Council (DCC) with an established track record as well as the legal expertise with working with the NHS supporting the hospital?
- In the interim period to get the proposed users in the hospital in order to add validity to the business plan
- The need to slow down on such a decision and look at different ways of working with all health provision across the whole area
- This was the whole ethos of what the council was about, engaging and supporting its residents as well as looking after their health and wellbeing
- The Budleigh Salterton Health Hub had not generated as much income as had been expected, caution was needed
- This was a big commitment. A rigorous business plan tested by external bodies for heavy risk analysis was necessary
- More detail was required. There was a duty to the taxpayer for assurance that the loan would be repaid
- Was this robust and sustainable – would the council foreclose if the loan was defaulted?
- DCC was the statutory body to deliver health and social care, why could they not access a PWLB loan?
- The residents of Seaton had already financially contributed to the hospital and would most likely continue to do so
- The arrangement was complimentary to what was trying to be achieved across the Axe Valley area
- If the recommendation was agreed other possible proposals from community hospitals would have to be considered in the same manner. The Town Council could apply for a PWLB loan

- It appeared to be all risk and no reward. Would the NHS guarantee the borrowing?
- Concern in supporting one hospital when there were others in the district
- DCC should be getting more involved
- This was not in the council plan or a council priority however there was a need to find the right route to keep the hospital

The Portfolio Holder Asset Management withdrew from the vote as he had a personal interest in the matter.

The Chairman and Portfolio Holder Environment thanked Councillors Pook and Rowland for their efforts in getting the matter this stage.

RESOLVED:

1. that the significant importance of the future use of Seaton Hospital as a medical facility serving the triangular health hub area of Seaton, Axminster and Lyme Regis be endorsed, and
2. that SAHM make direct contact with DCC councillors responsible for health care to get their expertise and influence and help in obtaining funding.

REASON:

A proposal had been submitted for the Council to facilitate the creation of a community Health Hub in Seaton.

119 **Climate Change - EDDC Local Climate Change Action Plan and carbon footprint**

The Strategic Lead Housing, Health & Environment presented his report which was part of the council's response to the Devon Climate Change Declaration and as such, EDDC committed to producing a local climate change action plan to be informed by a comprehensive carbon footprint assessment. The report presented the results of this work and identified the next stage in the council's carbon neutral journey.

The Council Plan clearly stated that the council was committed to reducing its carbon footprint and overtime become a carbon neutral council. This was a huge challenge, but one that EDDC were working towards through a clear understanding of its carbon and greenhouse gas emissions and what it could do to reduce them.

The report also addressed resourcing of the ambitions and plans in order that EDDC could make meaningful progress towards becoming carbon neutral, and the organisational changes required to put the plan into the action.

The Portfolio Holder Environment thanked John Golding and his team for the hard efforts in producing the report. The Portfolio Holder Asset Management said this was an excellent detailed document and stated the need to see how future collected data evidenced that the council was indeed reducing its carbon footprint.

RESOLVED:

1. that the carbon footprint assessment and endorse the draft Climate Change Action Plan be noted; and
2. that the Climate Change Action Plan being incorporated into a Climate Change Strategy and the intention of this being presented for adoption at the February 2020 Council meeting, be agreed.

RECOMMENDED: that Cabinet recommend to Council

3. both the General Fund and the Housing Revenue Account establish climate change emergency budgets in the sums detailed in the report.

REASON:

This report progresses several of the commitments contained in the Devon Climate Change Emergency Declaration. The carbon footprint analysis informs the Climate Change Action Plan, which aims to reduce the Council's carbon foot print, ultimately achieving a carbon neutral position.

120 **Whimble Neighbourhood Area**

An application had been received to amend the extent of the Whimble Neighbourhood Area so that it followed the Parish boundary and included the (previously excluded) strategic site to the west. The neighbourhood plan would not be able to amend or supercede the strategic policies set out for this area in the Local Plan or Cranbrook Plan (once adopted). Legislation had changed since the original Neighbourhood Area was designated so that Members no longer had the ability to refuse a designation covering the whole Parish (unless exceptional circumstances apply) but the constitution required the application to be brought before them. As a result, the report was brought before Cabinet for information only.

RESOLVED:

1. that Members noted the application to extend the Whimble Neighbourhood Area, and
2. that the date of designation of the revised Whimble Neighbourhood Area was 8 January 2020.

REASON:

Members were required to consider applications for designation of neighbourhood areas containing strategic land allocations. Members were unable to refuse to designate the area unless specified exceptions apply, which they do not in this case.

121 **Seaton Wetlands Link Project**

The report advised of a series of masterplan project interventions that were either in progress, or could be taken forward and that if all completed, would deliver a new circular walking/cycle route from Seaton Jurassic and Seaton Tramway up to Seaton Wetlands.

Seaton Wetlands, Seaton Jurassic and Seaton Tramway were run by different organisations but collectively offer a combined environmental, heritage and educational experience. From the point of view of the visitor, it was one experience that could use up a whole day where people could combine visits to all three attractions from one starting point. It would present an almost unique offer, including transport, education, natural history, wildlife watching and refreshment.

Cllr Marcus Hartnell, Ward Member for Seaton welcomed the report and stated that commercial opportunities needed to be fully investigated to sustain the venture. He requested that Ward Members briefings about this project and masterplan were a matter of course.

RESOLVED: that Cabinet noted;

1. that an Officer Delivery Group was to be established to co-ordinate the masterplan project for the Seaton Wetlands Link project with a focus on delivering a masterplan of project interventions that will create a circular walking/cycling route linking Seaton's key attractions, and
2. that quarterly updates will be provided to the Asset Management and Environment Portfolio Holders and local ward members.

REASON:

To enable a corporate approach to progress the feasibility of delivery of these project interventions working with external partners as required and securing necessary funding.

122 **Devon Wide Housing Assistance Policy 2018 review and additions**

The report identified and included amendments following the 12-month review of the policy by the Devon District Council's Private Sector Housing Managers group and Devon County Council. The policy identified and included the addition of a new Accessible Homes Grant called a Stair lift Grant which had been piloted in Exeter, Mid Devon and Teignbridge.

RESOLVED:

that the minor amendments to the policy including the new Accessible Homes Grant called a Stair lift Grant be offered across East Devon, be agreed.

REASON:

The amendments to the policy provide clarity and seek to make grants more inclusive. The addition of the Stair lift Grant has been successful in the pilot District Councils and would be of benefit to applicable customers in East Devon.

123 **Honiton Dowell Street car park**

The report advised of representations received in response to proposals to manage Honiton's Dowell Street car park on behalf of Honiton Town Council.

RESOLVED:

1. that Honiton Dowell Street Car Park be included in East Devon District Council's Off-street Parking Places Order (subject to there being in place a lease in favour of East Devon District Council),
2. that EDDC enters into a ten-year full repairing and insuring lease of Dowell Street car park, and
3. that delegated authority be granted to the Chief Executive in consultation with the Portfolio Holder Asset Management to enter into a detailed agreement with Honiton Town Council to provide car park management services on terms to be agreed, be agreed.

REASON:

There was demand for additional public car parking in the town and at present the use of the car park was unrestricted. The Town Council had considered the issues raised in the representations and had requested that the Council proceed with putting in place measures to enable EDDC to manage the car park as a public pay and display car park.

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
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

Also present (for some or all the meeting)

Councillor Phil Twiss
Councillor Mike Allen
Councillor Paul Arnott
Councillor Dean Barrow
Councillor Kim Bloxham
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Cathy Gardner
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Sam Hawkins
Councillor Nick Hookway
Councillor Mike Howe
Councillor Luke Jeffery
Councillor Dan Ledger
Councillor Tony McCollum
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Val Ranger
Councillor Marianne Rixson
Councillor Jack Rowland
Councillor Eleanor Rylance
Councillor Philip Skinner
Councillor Tom Wright

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
Richard Cohen, Deputy Chief Executive
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
Amy Gilbert-Jeans, Service Lead Housing

John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Alison Hayward, Senior Manager Regeneration & Economic Development
Libby Jarrett, Service Lead Revenues and Benefits
Charles Plowden, Service Lead Countryside and Leisure
John Symes, Finance Manager
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity
Sharon Church, Benefits Manager
George Whitlock, Data Analyst

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 5 February 2020****Attendance list at end of document**

The meeting started at 5.32 pm and ended at 8.35 pm

124 Public speaking

There were three people wishing to speak. One spoke at minute 139 New Feniton Flood Alleviation Scheme and two spoke at minute 140 Queen's Drive Redevelopment Project.

125 Minutes of the previous meeting

The minutes of Cabinet held on 8 January 2020 were confirmed as a true record.

126 Declarations of interest

Minute 139 New Feniton Flood Alleviation Scheme.

Councillor Susie Bond, Personal, Has been involved with the scheme from the start.

Minute 140 Queen's Drive Redevelopment Project.

Councillor Bruce De Saram, Personal, Member of the Queen's Drive Delivery Group.

Minute 140 Queen's Drive Redevelopment Project.

Councillor Nick Hookway, Personal, Part of a community group with a keen interest on the site.

127 Matters of urgency

There were no matters of urgency.

128 Confidential/exempt item(s)

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

129 Forward Plan

Members agreed the contents of the forward plan for key decisions for the period 1 March to 30 June 2020.

130 Minutes from Asset Management Forum held on 9 January 2020

Members received and noted the Minutes from Asset Management Forum held on 9 January 2020.

RESOLVED that the following recommendation be agreed:

Minute 24 Notes from the previous meeting

a review into remote capabilities of meeting facilities be carried out.

Minute 32 Marpool workshops, Exmouth

Marpool workshops Exmouth be declared surplus to service requirements.

131 **Minutes of Strata Joint Scrutiny Committee held on 13 January 2020**

Members received and noted the Minutes of Strata Joint Scrutiny Committee held on 13 January 2020.

132 **Minutes of the Joint Overview and Scrutiny Committees held on 15 January 2020**

Members received and noted Minutes of the Joint Overview and Scrutiny Committees held on 15 January 2020.

RESOLVED that the recommendations at Minute 6 be taken into account with the related report (Minute 135 Revenue and Capital Budget 2020/21):

133 **Minutes of Housing Review Board held on 23 January 2020**

Members received and noted the Minutes of Housing Review Board held on 23 January 2020.

RESOLVED (1) that the recommendations at Minutes 51, 52 and 53 be taken into account with the related report (Minute 135 Revenue and Capital Budget 2020/21):

RESOLVED (2) that the following recommendations be agreed:

Minute 54 Future Right to Buy spend

1. delegated authority be given to the Strategic Lead Housing, Health & Environment, Portfolio Holder for Sustainable Homes & Communities and Chair of Housing Review Board to approve purchases to meet the 2020/2021 spending requirements using Right to Buy receipts and borrowing from public works loans board together with any commuted sums that may become available.
2. following consideration of the options put forward for spending Right to Buy receipts in the future, that option 5 be pursued; a combination of purchasing stock and to look at developing new build.
3. paying back some Right to Buy receipts may be a possibility be noted.

Minute 56 Homes Standard

1. the contents of the self-assessment document appended to the report be noted.
2. a budget of approximately £20,000 be approved to fund an external consultant to undertake a health check/audit of all areas of statutory compliance.
3. the Property and Asset Manager consider options for combining the final two years of electrical inspections (due to finish 2021/2022) into the coming year 2020/21 in order to finish the programme one year early.

Minute 57 Review of fire safety policy
the fire safety policy be approved.

Minute 59 Extension to gas servicing contract
the existing gas servicing and repair contract is extended for one further year.

Minute 60 Extension to asbestos surveying contract

the existing asbestos surveying contract is extended for one further year.

134 **Programme of Meetings 2020/21**

The Cabinet considered the proposed timetable of meetings for the next Council year.

RECOMMENDED:

that the draft meetings timetable be referred for approval to the annual meeting of the Council.

RESOLVED:

that the 2020 Annual Council meeting be held on Wednesday 13 May.

135 **Revenue and Capital Budget 2020/21**

The Strategic Lead Finance presented the Revenue and Capital Estimates for 2020/21. Cabinet adopted draft Revenue and Capital Estimates for 2020/21 at its meeting on 8 January 2020. A joint meeting of the Overview and Scrutiny Committees reviewed those budgets on 15 January and the Housing Review Board considered the Housing Revenue Account budgets on 23 January.

Cabinet agreed the following recommendations from the Joint Overview and Scrutiny (Minute 6 refers);

2. Include within the Finance Key Service Objectives that it should '*carry out an urgent review of the Capital Strategy and Allocations Group, specifically the fitness for purpose of the climate change matrix which is used to determine the fate of applications*' in light of the CSAG decision over providing open space at Brixington.
3. Include within the Finance Key Service Objectives wording on the Commercialisation Strategy to say '*Enable officer to prepare plans to execute commercialisation in priority areas to deliver the Commercialisation Strategy.*'
4. Include two additional Key Service Objectives for Governance & Licensing namely, '*Enable enhanced meeting management through fully utilising the Bosch equipment in the Chamber by implementing electronic voting and speaker queuing*' and '*Assess options for live-streaming and / or webcasting of meetings and virtual member attendance at meetings*'.
5. In the Place, Assets and Commercialisation Service to replace the word '*target*' with '*approach*' in relation to Asset Transfer to Towns and Parishes.
6. In the Planning Service include a Key Service Objective in relation to ensuring proper Construction Environment Management Plans are put in place for development and then enforced robustly where necessary.
7. In the Planning Service, agree to the Key Service Objective on the carrying out of a review of the Playing Pitch Strategy, but ensure that the spirit of the Strategy, once adopted, is followed at all levels within the Council.

Cabinet determined that there should not be two additional posts in the Economic Development service and it was therefore unnecessary for the amount allocated in the budget for Climate Change Action Plan of £0.323m to be reduced by £0.100m to provide for them. Cabinet therefore did not accept recommendations 8 and 9 of Minute 6 of the Overview and Scrutiny Meeting.

Cabinet agreed the recommendations in Minutes 51, 52 and 53 of the Housing Review Board from the meeting of the 23rd January 2020.

As part of the Prudential Code for Capital Finance in Local Authorities the Council was required to set prudential indicators as part of its budget setting process, these indicators were detailed in the Treasury Management Strategy 2020/21 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy contained in the report for members' consideration.

Alongside the Treasury Management Strategy sits the Capital Strategy which was also contained in the agenda for adoption.

RECOMMENDED: to Council to approve:

1. the Net Revenue General Fund Budget of £14.777m,
2. a Council Tax increase of £5 a year giving a Band D council tax of £146.78 a year for 2020/21,
3. the Housing Revenue Account Estimates with a net surplus of £0.927m and,
4. the Net Capital Budget totalling £8.069m for 2020/21.

REASON:

There was a requirement for the Council to set a balanced budget for both the General Fund and Housing Revenue Account and to levy a Council Tax for 2020/21.

136 **Capital strategy 2020/21 - 2023/24**

The Finance Manager presented the report that asked Cabinet to consider this strategy which formed part of the annual budget setting approval process. The report draws together various adopted strategies and agreed process of the Council that govern how the Council manages capital expenditure and investment decisions.

The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code required local authorities to produce a capital strategy to demonstrate that capital expenditure and investment decisions were taken in line with desired outcomes and take account of stewardship, value for money, prudence, sustainability and affordability. This Council's practices met these outcomes and it was useful to set these out in one place to demonstrate this.

The Capital Strategy was a key document, it provided a high level overview of how capital expenditure, capital financing and treasury management activity contribute to the delivery of desired outcomes. It also provided an overview of how associated risk was managed and the implications for future financial sustainability. It included an overview of the governance processes for approval and monitoring of capital expenditure.

The Portfolio Holder for Finance thanked John Symes and his team for their efforts in creating the strategy.

RECOMMENDED:

that Council adopt of the Capital Strategy 2020/21 – 2023/24.

REASON:

In order to comply with good practice there was a requirement for the Council to have in place an adopted Capital Strategy.

137 **Treasury Management including the Strategy 2020/21 - Minimum Revenue Provision Policy Statement and Annual Investment Strategy**

The report detailed the overall position and performance of the Council's investment portfolio for the first six months of 2019/20.

The Chartered Institute of Public Finance and Accountancy (CIPFA) produced a Code of Practice for treasury management for Public Services. One of the main recommendations of the code was the requirement for an annual Treasury Management Strategy to be formally adopted by the Council. There was also a requirement to set prudential indicators relating to all treasury activities that the authority would undertake in the forthcoming financial year.

RESOLVED:

that the Treasury Management Mid-Year Review 2019/20 – 1 April 2019 to 30 September 2019 – the investment values and performance for the period to 30 September 2019 be noted.

RECOMMENDED: that Council approve and adopt:

The Treasury Management Strategy 2020/21 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy, including;

- a. the Prudential Indicators for 2020/21,
- b. the Minimum Revenue Provision Policy Statement and
- c. the creditworthiness criteria and updated list of counterparties.

REASON:

The Council was required:

1. to produce an annual review of its treasury management activities and performance.
2. to produce a half yearly review of its treasury management activities and performance.
3. to formally adopt a Treasury Management Strategy and set prudential indicators before the beginning of the financial year.

138 **Climate Change Strategy**

The Strategic Lead Housing, Health & Environment presented this new strategy. Having completed a carbon footprint exercise and adopted a climate change action plan it was recommended that these elements of EDDC's climate change actions be incorporated in a climate change strategy. This provided a context for the actions proposed to take to become carbon neutral.

The Strategy pulled together elements of the previous cabinet reports and briefings into a narrative that explained what was trying to be achieved and why. The central piece of the Climate Change Strategy was the Action Plan and the Devon Climate Change Declaration. This would constitute a key policy document for the Council.

Discussions included the following:

- The need for our MPs and County Councillors to lobby central government directly for financial support due to the enormous sums involved to address the issues within the Climate Change Strategy

- Any social housing improvements to reducing carbon emissions would come from the HRA
- The need to get on with it even with a lot of unknowns at present.

The Portfolio Holder for Environment thanked John Golding for his report.

RECOMMENDED: that Council adopt:
the Climate Change Strategy 2020 – 2025 incorporating the Climate Change Action Plan.

REASON:

To present a strategy document to sit with the Climate Change Action Plan.

139 **New Feniton Flood Alleviation Scheme**

The completion of the Feniton Flood Alleviation Scheme in 2020/21 to allow a review of grant funding to bridge the current budget shortfall needed to be agreed; it was intended that Phase 3 would be delivered in early summer 2020 and Phase 4 would follow in 2021.

Martyn Smith, Chairman of Feniton Parish Council spoke of the anguish and impact flooding in the village had on its residents, with some being flooded more than once and then having to live in temporary accommodation miles away while their houses were being repaired. He described the mental anguish residents had when it rains and how essential the work of the flood wardens was when they step in to put in place measures to prevent flooding. Mr Smith emphasised the need for Phase 3 to go ahead.

The Deputy Leader spoke of her and all the residents of Feniton gratitude to Tom Buxton-Smith for the incredible work he has done to get to this stage in the scheme.

RESOLVED:

1. to proceed with the delivery of Phase 3 of the flood alleviation scheme (being the proposed May 2020 undertrack crossing) on the basis of an emerging cost basis contract subject to the Environment Agency confirming the availability of the additional funding as detailed in the report,
2. that delegated authority be granted to the Strategic Lead Housing, Health and Environment in consultation with the Strategic Lead Governance and Licensing to negotiate and enter into the emerging costs basis contract with Network Rail and its contractor to deliver Phase 3, and
3. that Phase 4 of the flood alleviation scheme (being the linking up and completing the project) be scheduled for delivery in 2021/22, to allow sufficient time to apply for further Government grants and plan and procure the project for a summer construction, with a further report detailing the precise delivery date.

REASON:

As it stands, the project budget was insufficient to complete both Phase 3 (UTX) and Phase 4, without further applications for Central Government grant money. It was not known if these applications would be successful prior to the last mobilisation date (end February) for Network Rail to deliver the Phase 3 UTX this year. Indications from the Environment Agency had been positive that more funding should be available. A change to the partnership funding percentage would allow enough budget to complete Phase 3

and this approval by the Environment Agency should be known prior to the Cabinet meeting.

Much time and effort had gone into securing the May 2020 UTX, and delaying this would add additional cost to the project. There were no other possession dates available in 2020, and dates for 2021 had not yet been planned. The project would benefit more than 70 properties in Feniton as well as providing relief from the anxiety of the ever present flood risk. It was understood that the project was eligible for further Central Government Grant money, however this was not yet formally signed off. Risk to EDDC was that if Phase 3 was built and if Phase 4 was not funded, the project had wasted £770k for an unconnected culvert under the railway and offering no flood risk reduction to Feniton.

140 **Queen's Drive Redevelopment Project**

The purpose of the report was to provide information on the final findings of the work completed by the council's external advisors, along with their recommendations for the next steps, in relation to the Queen's Drive redevelopment project. It should be noted that Phase 1 (Road and Car Park) works were now complete and Grenadier Estates were on site and well on their way to deliver the new watersports centre (Phase 2). The focus was therefore the future of the Phase 3 site.

Jane Ashton spoke on behalf of Andy Lock who was a member of Transition Exmouth and who was involved in the HemingwayDesign visionary exercise. Transition Exmouth endorsed a sustainable approach to the outcome of Phase 3 and were keen that environmental, social, economic and cultural considerations with a future driven by good health and well-being for all were crucial. Early on in the consultation it was stated that Exmouth had declining visitor numbers, shorter visits and less spend per head compared to elsewhere in East Devon. Queen's Drive Phase 3 may not in itself reverse this trend unless it was imaginative and progressive. There was concern that the project was playing it safe with an addition of a hotel adjacent to a family play area, this was not the best use of space and did not address the wider objectives previously set.

Councillor Brian Bailey from Exmouth Town Council said if there was to be a hotel then the site should be sold to give the council funds to develop the rest of the area for play and recreation which made economic sense. The recreational area could then be more inventive. The hotel should be a mid-market hotel to attract younger people and families. The Harbour View Café needed to be developed by a separate business from the hotel in order to keep prices reasonable.

Discussions included the following:

- Ward members needed to be included in the discussions of Phase 3
- The need to get the seafront finished but in a manner that supported the democratic process
- The selection panel was ill suited. EDDC was held in low regard by Exmouth residents
- EDDC was not to get involved in direct investment
- To keep the guidelines in mind and get real-time marketing information
- Take advantage of the empty site by ensuring Climate Change issues would be paramount to future development and businesses
- Professional advice stated the need for a hotel. Clarity was needed for potential hotel businesses who may be interested
- There had never been a business plan with no evidence to show the need for a hotel on the seafront

- What the community wants must come first
- Concern a lot of the site may be taken up by the hotel with not much left for the community. Must see a cohesive approach to the whole site

RESOLVED:

1. a selection panel comprising of the Leader, the Portfolio Holders for Asset Management, Finance and Economy, an EDDC Exmouth ward member appointed by the Leader, the Service Lead (Place, Assets and Commercialisation) and Project Manager – Place & Prosperity, be established for the purpose of agreeing the selection criteria for the commercial development (Phase 3a & 3b), which should be agreed in consultation with the Exmouth Queen's Drive Delivery Group. Then carrying out the evaluation of the bids received following the marketing exercise with a view to making a recommendation to Cabinet in relation to the preferred bidder / operator. That the Strategic Lead Finance be given delegated authority to progress the rest of the actions identified in Section 6 of the report,
2. that where any Phase 3b land is not disposed of under Recommendation 1 above, any further decisions on any disposals or development proposals in relation to delivery of the open leisure spaces/public realm would remain with the Cabinet and a separate report to be brought to Cabinet,
3. that if, following the marketing exercise, there was an opportunity for the council to be involved in direct investment and/or delivery of new development on the site, that this would be assessed through the Commercial Investment Framework process before being reported to Cabinet,
4. that delegated authority be granted to the Strategic Lead Finance in consultation with the Leader and Portfolio Holder for Asset Management to oversee delivery of further popular temporary attractions on Queen's Drive Space during the 2020 season, and
5. that the Exmouth Queen's Drive Delivery Group sits in public as from 1 March 2020 with Parts A & B agendas as required.

REASON:

To enable the final phase of the Queen's Drive redevelopment project to complete the thorough independent scoping process that had been underway for the last 2 years since the council decided to undertake to refresh the vision for Queen's Drive phase 3 in 2016. To progress to the next stages of delivery.

To ensure that the popular Queen's Drive Space could continue to offer a range of leisure and free play activities for local residents and visitors to Exmouth throughout 2020.

141 **Exemption to standing orders - Events Consultant**

To inform members of the reappointment of Andrew Hopkins as Events Consultant for Queen's Drive Space.

RESOLVED:

that the attached Exemption to Standing Orders in respect of the appointment of Andrew Hopkins as Events Consultant for Queen's Drive Space for 2020, be noted.

REASON:

To ensure continuation of the programme of spring and summer events at Queen's Drive Space in 2020.

142 **Heart of the South West Joint Committee Governance Arrangements**

The report provided an update for the Constituent Authorities on the Joint Committee's governance arrangements and budgetary position for 2019/20. The report contained recommendations for amendments to the Committee's Arrangements document following the governance review.

Discussions included the following:

- The council had a responsibility to drive the local economy forward
- The council could only use its influence if it was part of the joint committee
- This was an important body that helped the council participate and bring in funding and investment for the area
- This was good value for money

RECOMMENDED: that Council agree:

1. the amendments to the Heart of the South West Joint Committee's list of functions in the Arrangements document and note the updated budget position for 2019/20,
2. the recommendation from the Joint Committee on 27 September 2019, to re-appoint Somerset County Council as the Administering Authority for the Joint Committee, and
3. that provision be made of £2,800 as a contribution to the administration and work programme of the Joint Committee in the 2020/21 financial year, subject to all other Constituent Members making a financial contribution based on the methodology agreed in previous years.

REASON:

In recent months the Joint Committee had reviewed and updated its governance arrangements in the light of experience since its establishment in early 2018 and in response to changing Government policy and local circumstances. Some changes were required to the Committee's Arrangements document as a result and these needed to be formally agreed by the Constituent Authorities. It was essential that the Joint Committee remains: fit for purpose, represents a sustainable way of working into the future; and delivers value for the resources committed to it by the Constituent Authorities.

143 **Establishing (1) a Housing Company TaFF and (2) a Poverty Working Panel**

An agreement was sought to the setting up of a Housing Company Task and Finish Forum (TaFF) and Poverty Working Panel following recent motions agreed by Council.

Poverty Working Panel

There was a discussion to increase the membership to represent cross parties and allow the chair to be selected by the group. The Portfolio Holder for Sustainable Homes and Communities stated the panel must be established early in order to input into the future

strategy. She said she welcomed cross party involvement and saw this as a positive contribution to this serious matter. She agreed that the membership should be increased.

Housing Company TaFF

The Portfolio Holder for Asset Management proposed Councillor Dan Ledger as Chairman of the TaFF and was happy for himself to be elected Vice-Chairman.

RESOLVED that:

1. a Poverty Working Panel be established on the basis set out in paragraphs 5 & 6 of the report, with the membership being increased to 10,
2. a Housing Company TaFF be established on the basis set out in paragraphs 9 & 12 and to appoint Councillor Dan Ledger as Chairman, and
3. that the resourcing implications that may arise, be noted.

REASON:

To satisfy the wishes of Council in accordance with the motions agreed at the Council meetings of 23 October and 18 December 2019.

144 **Update on fly tipping and littering enforcement and the introduction of the additional fixed penalty provision for householder duty of care**

The Service Lead Environmental Health and Car Parks updated members on fly tipping and littering enforcement and introduce of the additional fixed penalty provision for householder duty of care.

RESOLVED that:

An additional fixed penalty fine be introduced and set in line with existing fly tipping penalties as follows:

1. £200 fine (reduced to £120 if paid within 10 days of service of the notice) for small fly tips of 180 litres (a standard wheeled bin) or less, and
2. £400 fine (reduced to £200 if paid within 10 days of service of the notice) for medium and large fly tips.

REASON:

To enable officers from both the Environmental Health and Streetscene teams to issue a fixed penalty notice to a person who had breached their duty of care by not ensuring that their waste had been properly disposed of.

145 **Response to the Otterton Neighbourhood Plan Submission**

To agree the response by this Council to the Regulation 16 submission consultation for the Otterton Neighbourhood Plan.

RESOLVED that:

1. the formal submission of the Otterton Neighbourhood Plan be noted and congratulations given to the producers of the plan on the dedicated hard work and commitment in producing the document, and
2. the proposed representation set out at paragraph 5.2 in this report in response to the consultation, be made.

REASON:

To ensure that the view of the District Council was recorded and inform the consideration of the Neighbourhood Plan by the independent Examiner.

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
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

Also present (for some or all the meeting)

Councillor Mike Allen
Councillor Paul Arnott
Councillor Dean Barrow
Councillor Kim Bloxham
Councillor Fred Caygill
Councillor Bruce De Saram
Councillor Sam Hawkins
Councillor Paul Hayward
Councillor Nick Hookway
Councillor Sarah Jackson
Councillor Vicky Johns
Councillor Dan Ledger
Councillor Tony McCollum
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Val Ranger
Councillor Marianne Rixson
Councillor Jack Rowland
Councillor Joe Whibley
Councillor Chris Wright
Councillor Tom Wright

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
Richard Cohen, Deputy Chief Executive
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
John Golding, Strategic Lead Housing, Health and Environment

Henry Gordon Lennox, Strategic Lead Governance and Licensing
Andrew Hancock, Service Lead StreetScene
Alison Hayward, Senior Manager Regeneration & Economic Development
Karen Simpkin, Strategic Lead Organisational Development and Transformation
John Symes, Finance Manager
Mark Williams, Chief Executive

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 6 February 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.35 pm

50 Election Of Chairman

RESOLVED that Cllr Maddy Chapman be elected Chairman for the meeting.

51 Appointment of Vice Chairman

RESOLVED that Cllr Bruce De Saram be nominated as Vice Chairman for the meeting.

52 Public Speaking

There were no members of the public who wished to speak.

53 Minutes of the previous meeting

The minutes of the previous meeting held on 21 November 2019 were agreed and signed as a true record.

Cllr Jack Rowland wished to raise the issue of the lack of a progress report at the meeting on the public portal into the Exacom system to permit public access to the data held on the collection and spend of Section 106 and CIL monies. However, it was noted that a report would be made by Ed Freeman, Service Lead – Planning Strategy and Development Management to the next meeting of the Committee on 5 March.

54 Declarations of interest

There were no declarations of interest.

55 Matters of urgency

There were no matters of urgency.

56 Confidential/exempt item(s)

There were no confidential/exempt items.

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

There were no decisions called in.

58 Process for assessing Commercial Investment opportunities

Consideration was given to the report and presentation of Tim Child, Service Lead – Place, Assets & Commercialisation which advised members of the history, criteria and purpose of the Council’s adopted Commercial Investment Framework and informed discussions and recommendations.

Members noted that the Commercial Investment Framework provided the mechanism to help deliver £450,000 net income per annum set out within the Council’s Transformation Strategy and on which the Capital Strategy and Treasury Management Strategy have been developed. Being more commercial generally and generating this £450,000 net income per annum is key to the pathway to financial self-sufficiency and to address the Council’s budget shortfall along with the benefits of contributing to the wider growth and prosperity and place making aspirations benefitting not only the council but the residents and visitors to East Devon. There was a £20M fund to generate the £450,000 net income required.

At the joint Overview & Scrutiny Committee of 15th January discussions took place around the adopted Commercial Investment Framework. Councillors were interested in the degree of engagement with them in the consideration of individual transactions, the importance of commercial sensitivity and its impact in terms of confidentiality and the ability to share information.

During discussions the following points were noted:

- There was a clear preference expressed to invest within the district.
- It was a cautious and proportionate approach being taken, due to EDDC’s financial position being relatively comfortable.
- Applying a clear and costed risk managed and studied programme of investment using rigorous criteria and with appropriate decision making capabilities to respond to market opportunities in an agile but safe manner.
- Need to ensure agility in terms of the allocation of resources but also in decision making to take advantage of commercial opportunities when they arise but doing so in a safe, accountable and democratic way.
- Investment opportunities under £5M are delegated to the Deputy Chief Executive and those over £5M for Cabinet decision. The delegation will escalate to the Chief Executive following the departure of the Deputy chief Executive.
- The greatest challenge had been around availability of a good quality of investments within East Devon. It had been a difficult market in the last 6 months.
- There were a number of opportunities that were being progressed and a number that had been rejected.
- A concern that the requirement to invest in East Devon could drive up the cost of investment opportunities. There was no evidence of this happening and no investment would be pursued unless it stacked up financially.
- In terms of ethical considerations around the investment policy members were interested in how these might be addressed. Officers advised of one recent example with regard to a petrol filling station which was able to be considered in the context both of commercial case and the Council plan and emerging Climate Change concerns. The acquisition was not pursued.
- There had been a recent increase in Public Works Loan Board (PWLB) rate to consider in terms of the viability of investments. The Council would only borrow on a fixed rate so a PWLB rate increase is factored in at the outset and for the duration of the loan periods.
- Concern over a possible crash in the commercial property market and the importance of buying property at the right time.

- Members were reassured of the experience and professional qualifications within the officer team and the council more broadly (eg legal and finance colleagues) as well and the ability and budget to bring in external expertise as required.
- Ward members should have more involvement in the investment decision making process.
- Importance of getting the policy right and generate the £450,000 of additional income that is currently required as part of a balanced budget.
- It was important that the decision to invest should be done ethically and wisely. There needed to be an ethical framework around investment decisions. There was concern that the decision to invest was currently in the hands of too few people.
- The scoring matrix is confidential because otherwise the market would know how potential investments were scored.
- Concern over the length of time the process to find suitable investments for the council was taking.
- The £4M invested in Seaton Jurassic had been funded from a variety of sources. Seaton Jurassic was not a commercial investment and was taken forward as a regeneration project before the council's commercial investment fund was initiated.

RESOLVED 1. that the content of the presentation be noted.

2. that Council be **RECOMMENDED** to consider the following:

- a. that there be further engagement with Councillors through Commercialisation Workshops.
- b. that following the Commercialisation Workshops, an officer report be discussed at Council in April regarding an ethical investment policy.
- c. that the Commercial Investment Flow chart be updated to reflect the changes in SMT structure.
- d. that the Ward Members for the ward in which the investment proposition is located be notified prior to the exchange of contracts and before the press are notified.

59 **Forward Plan**

Noted that the next meeting would include discussion on staffing review, an update on Section 106 and CIL process and the quarterly monitoring report. It was also requested that discussion on Council Housing Policy be added to a future meeting. There were number of items on the Overview Committee Forward Plan that has been suggested could be discussed by scrutiny Committee.

T McCollum
V Ranger
J Rowland
E Rylance
J Whibley
M Chapman
B De Saram
P Jarvis
A Colman

Councillors also present (for some or all the meeting)

S Bond
P Faithfull
G Jung
P Millar
A Moulding
T Wright
P Arnott
H Parr
G Pook

Officers in attendance:

Tim Child, Service Lead - Place, Assets & Commercialisation
Christopher Lane, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Richard Cohen, Deputy Chief Executive

Councillor apologies:

A Dent
K Bloxham
K McLauchlan
C Gardner

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Joint Overview and Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 15 January 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 6.00 pm

1 Public speaking

There were no public speakers at the meeting.

2 Minutes of the previous meeting

The minutes of the previous meeting held on 5 September 2019 were agreed and signed as a true record.

3 Declarations of interest

Cllr Kim Bloxham Minute 6, Personal Interest, Member of Cranbrook Town Council

Cllr Sam Hawkins Minute 6, Personal Interest, Member of Cranbrook Town Council

Cllr John Loudon, Minute 6, Personal Interest, Member of Sidmouth Town Council

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential items.

6 Draft Revenue and Capital Budgets 2020/21 and Key Service Objectives

The Chairman welcomed the Strategic Lead Finance to open the meeting with an overview of the budget position in the context of the Medium Term Financial Plan (MTFP) and the main factors influencing this and future budgets.

The report presented the draft revenue and capital budgets for 2020/21 for consideration by this joint meeting of the Overview and Scrutiny Committee. Recommendations from this meeting would be presented to the Cabinet on 5th February 2020 when members would finalise budget proposals to be recommended to Council.

Members noted that the projected deficit was £0.7M in 2020/21 rising to £1.6M in 2021/22, giving a total deficit in the next two years of £2.3M.

At the beginning of the meeting Cllr Fabian King expressed a concern over whether Commercialisation Strategy as presented was fit for purpose. He was concerned that there did not seem to be a viable plan and that the senior management of the Council

needed to acknowledge the need to change. He considered that managing change had not been handled well or planned. He was concerned that the Council would not be able to generate sufficient income through its Commercialisation Strategy.

During discussions the following points were noted:

- There had been no significant generation of additional income by the Council.
- There was an issue of management of change by the Council.
- Need to progress the process of change.
- A Transformation Strategy had been in place for a number of years.
- Significant budget savings had been achieved over recent years in response to the reduction and removal of Government grants.
- There had been considerable thought given to the posts that were being made redundant under 'Fit for Purpose'. Systems thinking had made the way the Council worked more efficient and Development Management had seen a recent reduction in workload.
- It was acknowledged that there had been a number of proposed income generating areas that had slipped in the budget.
- The Commercialisation post was to assist Service Leads on preparing business plans but the Senior Management Team (SMT) were responsible for delivery of commercialisation initiatives.
- Why have we not invested in commercial initiatives or housing? The Council were limited by that lack of suitable property available in the district.
- If there was no money we would have no choices to take.
- Concern expressed that Council Tax had not been increased for many years previously.
- The Action Plan was weak as there was a lack of commercial income.
- Concerns about how much car park initiatives would achieve in 2021. Would like reassurances about the future.
- Would have to look at other initiatives if current ones did not bring in income.
- What would happen with Cranbrook in future years?
- The need to produce a balanced budget by being more commercially driven.
- Concern about proposals to create an alternative shopping centre to Cranbrook town centre on the outskirts of Exeter.
- There was there need for someone to drive forward a cultural change at EDDC. Concern that the £60K for commercialisation would not be spent effectively.

Discussion of Key Service Objectives

Countryside and Leisure service plan

Clarification and debate covered:

- The £60K in the budget for Butts Lane play equipment was not required and should be spent elsewhere.
- Support expressed for HRA outreach programmes.
- The purchase of land at Seaton Wetlands Link project needed to be reviewed by the Overview Committee.
- Balance needed between staffing levels in the Countryside Team and the Economic Development Team.

- Wildlife Exmouth – a presentation would be prepared for Exmouth Town Council.
- What proportion of the services work was funded by EDDC and what was funded by grants? This could be sent out to members.
- The service had adopted a commercial approach and was very good at achieving grant aid funding for its work.
- Invasive foreign species in waterways was a problem and would take time to overcome.
- Praise to the service for the initiatives they were taking regarding health benefits and tourism.
- What could be done to demonstrate the benefits of the Thelma Hulbert Gallery? It was acknowledged that the Gallery Manager was very proactive.
- Sidmouth Manor Pavilion was highly valued in the community.

Environmental Health and Car Parks service plan

Clarification and debate covered:

- Recruitment was underway for a Climate Change Emergency Officer.
- Work was progressing on a pilot refill drinking water scheme.
- Possibility of pursuing a money back scheme for plastic bottles.
- Need to introduce a realistic charging scheme for parking of motorhomes, particularly in Exmouth.
- Concerns over the public health aspect of water fountains, particularly possible infection by drug users. The Service Lead confirmed that anything done in this regard would be risk assessed.

Finance service plan

Clarification and debate covered:

- Develop and articulate the Commercialisation Strategy.
- Support for the banded discount scheme.
- Concern that 10% of the district still could not receive adequate broadband coverage. This was a key strategy of the Council.
- Support for enabling officers to prepare plans to execute commercialisation in priority areas to deliver the Commercialisation Strategy. There was also the need to include a communication plan in this, highlighting successes, such as the levels of recycling within the district.
- There would be additional staff appointed to allow better out of hours access and security to Blackdown House.
- Include within the finance Key Service Objectives that it should 'carry out an urgent review of the Capital Strategy and Allocations Group, specifically the fitness for purpose of the climate change matrix which is used to determine the fate of applications' in light of the CSAG decision over providing open space at Brixington.
- Include within the finance Key Service Objectives wording on the commercialisation Strategy to say 'Enable officer to prepare plans to execute commercialisation in priority areas to deliver the Commercialisation Strategy'.

Growth, Development and Prosperity service plan

Clarification and debate covered:

- This was a new service created from the Growth Point and Economic Development teams and the strength of the team lay in the officer team and their relationships with outside agencies.

- Two thirds of businesses in East Devon were rural and it could be considered that there was no clear rural development strategy.
- Officers should be enabled to prepare plans to deliver the commercialisation strategy.
- Concern that the SMT were unclear regarding the Commercialisation Strategy and that this needed further clarification.
- Possibility of adding an additional member of staff to look at ways to promote the development of commercial premises. There was also a need for a good quality member of staff to undertake research and grant bidding work. The budget for the service should be increased to include these two members of staff.
- There was the need to allow time for the new team to 'bed in'.
- Skypark had not so far developed as was hoped and this was due to a number of reasons.
- Lack of private development coming forward for business units and the need for the district council to deliver small business units, such as those proposed in Seaton
- 90% of businesses were smaller businesses with less than 6 employees, but not all wanted to grow bigger.
- Should look at reassessing the Local Plan and the level of housing need.

Governance and Licensing service plan

Clarification and debate covered:

- Noted the two additional objectives namely - *Enable enhanced meeting management through fully utilising the Bosch equipment in the Chamber by implementing electronic voting and speaker queuing* and *'Assess options for live-streaming and / or webcasting of meetings and virtual member attendance at meetings'*.
- Possibility of commercialisation of legal services and sharing with other Council's.
- Need to look at possibility of reducing the number of Licensing pages on the website.
- Should the Monitoring Officer be a standalone role. This had been considered previously when one of the Deputy Chief Executives was also the Monitoring Officer and it was determined that there was not enough work to justify this.

Housing service plan

The Chairman reminded the committees that the Housing Review Board would be examining this service plan, but welcomed any comments from Members on the general fund aspects of the plan.

Clarification and debate covered:

- Council housing was a big area to address for the Climate Change agenda.
- The stock condition survey had indicated that the cost of making the 4,200 council properties carbon neutral would be in the region of £44M, at £25K per property.
- There was a report going to Housing Review Board on proposals to fund this work.
- Where was the housing portfolio in terms of its long term plan?
- Was the HomeSafeguard service fit for purpose in terms of having up to date technology? It was acknowledged that it had been a challenge to keep

up with technology on this area, but there was an equipment upgrade in progress.

- Need to help tenants understand their conditions of tenancy better.
- In view of the effect of the Homelessness Reduction Act, would building our own accommodation be more effective. This was being explored and a HIMO in Exmouth with 8 letting rooms was being purchased.
- Would the Axminster Fairshare scheme be rolled out across the rest of the district? This scheme had worked well and the service were looking at rolling it out throughout the rest of the district.
- Possibility of looking at larger property division where possible.
- Need to look at development opportunities to enable more council housing to be built.
- Possibility of purchasing houses direct from developers should be investigated.

Organisational Development and Transformation service plan

Clarification and debate covered:

- Included the aim of achieving 'platinum' standard for Investors in People, which would mean the Council being in the top 1% of Councils.
- Concern about the lack of involvement of councillors in some commercial decisions.
- Need to investigate the process through which we go through before the Council should look to buy a property as a commercial investment. The Overview Committee should be asked to investigate the way things were being done.
- Could ward members be informed before acquisitions were made?
- Possibility of reviewing the delegated powers process? A list of delegated powers would be circulated to members.

Place, Assets and Commercialisation service plan

Clarification and debate covered:

- This was a new service recently established.
- Concern that the Asset Transfer policy says to 'target' parish/town councils, which could give a negative impression, and far better to refer to approach. It was noted that this policy was subject to public consultation under Careful Choices. It was acknowledged that asset devolution was important in terms of commercialisation and engagement.
- Any potential asset transfer would be considered by the Asset Management Forum.
- Is there a list of potential assets that could be sold?
- No mention of the Poverty agenda in the plan.
- The Council acquisition policy has been limited by lack of opportunity and restrictions on the council's investments.
- It was planned to start work improvements to the Honiton Swimming Pool changing rooms shortly.
- Work had started on an expansion plan for East Devon Business Centre.
- Need to establish what assets EDDC could transfer to town/parish councils.
- Town/parish councils should not be expected to take on loss making assets from EDDC
- How much had been spent on Queens Drive Phase 3, how much more needed to be spent and what would be the eventual debt?

- It was recommended that the process for assessing Commercial Investment opportunities was deferred to Scrutiny

Planning service plan

Clarification and debate covered:

- Importance of encouraging small and medium size house builders. Need to reduce house buildings carbon footprint and improve room sizes and design.
- Encourage sites with planning permission to be developed.
- Importance of environmental protection and mitigation.
- Planning fees were set nationally and it was difficult to increase income. Building Control fees had recently been increased.
- Delivery of regeneration of market towns had been delayed.
- The level of the River Clyst had been rising faster than it had been in recent memory .Need to emphasis flood prevention works in any new development.
- Encourage communities to prepare a Neighbourhood Plan.
- In the Planning Service include a Key Service Objective in relation to ensuring proper Construction Environment Management Plans (CEMP) are put in place for development and then enforced robustly where necessary
- Quality of documents on the planning app needed improving. There was also the issue of the poor usability of the system. The Service Lead indicated that he was aware of these problems.
- Playing Field strategy agree to the Key Service Objective on the carrying out of a review of the Playing Pitch Strategy, but ensure that the spirit of the Strategy, once adopted, is followed at all levels within the Council.
- The council cannot insist that house builders must use its building control service to check on quality.
- Target dates in the plan needed to be updated.
- Concern about progress with GESP and whether this had been properly considered by Councillors.
- Agree to the Key Service Objective on the carrying out of a review of the Playing Pitch Strategy, but ensure that the spirit of the Strategy, once adopted, is followed at all levels within the Council.

Street Scene service plan

Clarification and debate covered:

- The Blue Flag target for Seaton beach could be aligned with the town councils ambitions for seafront enhancement.
- Discretionary spend of £2M could be reduced by 10% and put into the budget headroom?
- The 70,000 property tipping point in the district had been reached and this shad resulted in a considerable increase in the waste and recycling contract cost.
- Issue of whether on street recycling needed improving upon.
- Significant cost of beach management schemes.
- Thanks to officers for moving forward the Sidmouth Beach Management Scheme.
- Need to provide Exmouth Town Council with itemised lit of work service undertakes for Exmouth Town Council.
- Possibility of providing shared community allotments in any areas of spare land.

- Honiton Butts Lane play area was underused.
- It was anticipated that the self-funded participation officer would help increase recycling rates further and increase income from recycling.

The Chairman thanked the officers involved in preparing the service plans presented to the Committees.

RECOMMENDED by both Overview and Scrutiny Committee,
that Cabinet;

1. Receive greater clarification on what the Commercialisation fixed term position for 2 years (£60k pa) will actually be spent on.
2. Include within the Finance Key Service Objectives that it should '*carry out an urgent review of the Capital Strategy and Allocations Group, specifically the fitness for purpose of the climate change matrix which is used to determine the fate of applications*' in light of the CSAG decision over providing open space at Brixington.
3. Include within the Finance Key Service Objectives wording on the Commercialisation Strategy to say '*Enable officer to prepare plans to execute commercialisation in priority areas to deliver the Commercialisation Strategy.*'
4. Include two additional Key Service Objectives for Governance & Licensing namely, '*Enable enhanced meeting management through fully utilising the Bosch equipment in the Chamber by implementing electronic voting and speaker queuing*' and '*Assess options for live-streaming and / or webcasting of meetings and virtual member attendance at meetings*'.
5. In the Place, Assets and Commercialisation Service to replace the word '*target*' with '*approach*' in relation to Asset Transfer to Towns and Parishes.
6. In the Planning Service include a Key Service Objective in relation to ensuring proper Construction Environment Management Plans are put in place for development and then enforced robustly where necessary.
7. In the Planning Service, agree to the Key Service Objective on the carrying out of a review of the Playing Pitch Strategy, but ensure that the spirit of the Strategy, once adopted, is followed at all levels within the Council.
8. In the Growth, Development and Prosperity Service, include two additional posts for roles to (i) investigate ways in which the Council can promote development of commercial premises, and (ii) research and bid for grants and

RECOMMENDED by both Overview and Scrutiny Committee to Cabinet

9. That the draft Budget proposed on the agenda including the schemes and funding tabled in paragraph 2.13 of the report, subject to;
 - a. It being made clear that for the additional request for £323k towards the Climate Change Action Plan, this is up to £323k,
 - b. Consideration of the suitability of having a £323k fund towards the Climate Change Action Plan in light of the requests for the two additional posts in Growth, Development and Prosperity Service.

Attendance List

Councillors present:

A Dent (Vice-Chairman)
K Bloxham
T McCollum
K McLauchlan

J Rowland
E Rylance
M Chapman
B De Saram
C Gardner
P Jarvis
F King
M Allen
S Hawkins
N Hookway (Chairman)
J Loudoun
P Millar
M Rixson
T Woodward

Councillors also present (for some or all the meeting)

J Bailey
K Blakey
S Bond
B Ingham
G Jung
A Moulding
P Arnott
D Barrow
D Bickley
F Caygill
P Faithfull
P Skinner
I Thomas
E Wragg
T Wright
H Parr

Officers in attendance:

Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
Ed Freeman, Service Lead Strategic Planning and Development Management
Amy Gilbert-Jeans, Service Lead Housing
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Christopher Lane, Democratic Services Officer
Charles Plowden, Service Lead Countryside and Leisure
Karen Simpkin, Strategic Lead Organisational Development and Transformation
John Symes, Finance Manager
Mark Williams, Chief Executive
Tim Child, Service Lead - Place, Assets & Commercialisation
Andrew Hancock, Service Lead StreetScene
Sarah Jenkins, Democratic Services Officer
Andrew Wood, Service Lead - Growth Development and Prosperity

Councillor apologies:

V Ranger
J Whibley

I Chubb
S Chamberlain
I Hall
M Hartnell
V Johns
A Colman

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 30 January 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 9.11 pm

40 Public Speaking

There were no members of the public wishing to speak.

41 Minutes of the previous meeting

The minutes of the previous meeting held on 14 November 2019 were approved and signed as a correct record.

42 Declarations of interest

9. Economic Development in Coastal & Rural Areas - A short presentation by Councillor Mike Allen.

Councillor Mike Allen, Personal, Assists with running a food bank.

10. Update on the Devon & Somerset Fire & Rescue Service Consultation of future Service Delivery - Safer Together.

Councillor Ian Hall, Personal, Devon County Councillor.

43 Matters of urgency**Poverty Working Panel**

The Chairman advised that Cllr Paul Millar had requested to raise as a matter of urgency the report and recommendation of the Monitoring Officer regarding the appointment and composition of a Poverty Working Panel which would be considered by Cabinet at its meeting on 5 February 2020.

The Chairman confirmed that he had accepted Cllr Millar's request on the basis of special circumstances due to the timescales involved.

Cllr Millar advised that the recommendation of the Monitoring Officer included the following:

'It is recommended that the Panel should be chaired by the Portfolio Holder for Homes and Sustainable Communities. In terms of the makeup of the Panel, it is recommended that this should comprise seven councillors, as per the Constitution, and that the Monitoring Officer be given delegated authority in consultation with the Portfolio Holder for Homes and Sustainable Communities to agree the membership with Group Leaders to ensure, as far as possible, a cross-party involvement.'

The Overview Committee discussed the proposed composition of the Poverty Working Panel, with particular reference to cross-party balance. The appointment of the Panel's

Chairman was discussed and it was noted that the motion to establish the Panel had come from members in the first instance.

RECOMMENDED:

That Cabinet;

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

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

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

45 **Draft Drone Policy**

Tim Child, Senior Manager Property and Estates, presented the draft Drone Policy which would only apply to EDDC owned land and would ensure that the Council's interests were protected. Permission would be granted solely for those uses set out in the Policy and for commercial operators only.

The Committee noted that the requirements of the Policy would be incorporated into the appropriate signage over time as signage was replaced or updated.

Following discussion, it was agreed to recommend that the reference to the release of lanterns be removed from the Policy as this would be dealt with elsewhere under a different policy.

RESOLVED:

That the Overview Committee noted the draft Drone Policy and agreed the following recommendations:

RECOMMENDED:

That Cabinet:

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

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

Linda Perry, Place, Assets and Commercialisation, presented the findings of the House of Lords Select Committee on Regenerating Seaside Towns and Communities and the implications for EDDC.

The Deputy Chief Executive advised that questions remained regarding the response of the previous Government. EDDC would follow up on previous commitments with the Secretary of State for Housing, Communities and Local Government to ascertain whether East Devon would see the same benefits as other areas of the country.

The Committee discussed the implications of the report from an economic perspective and the need to be proactive in attracting larger businesses and a younger population.

RESOLVED:

That the report be noted and that the following recommendations be agreed:

RECOMMENDATION:

That Cabinet:

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.

47 **Economic Development in Coastal & Rural Areas - A short presentation by Councillor Mike Allen**

Cllr Allen presented his report on economic development in rural and coastal areas and the following issues were discussed:

- The need for more small business units and opportunities for expansion for small businesses
- 3 year survival rates for small businesses
- The need to attract larger businesses and retain skilled and qualified younger people
- The poverty cycle, reliance on food banks and zero hours employment contracts

The Chairman advised that currently there were no planned resources to deliver economic development in rural and coastal areas.

The Deputy Chief Executive suggested that the Committee may wish to request an officer report to address the issues raised by Cllr Allen.

Cllr Allen stressed that the resources should be recommended at the current time due to the point reached in the budget cycle.

It was noted that all previous proposals and amendments were withdrawn.

Cllr Allen proposed that the Overview Committee recommends to Cabinet the resources needed within economic development and that a report be requested from the economic development team in time for the current budget round. This was seconded and **RESOLVED**.

RECOMMENDATION:

That Cabinet:

1. Agrees that 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.

48 **Update on the Devon & Somerset Fire & Rescue Service Consultation of future Service Delivery - Safer Together**

The Committee discussed the revised recommendations of the Devon and Somerset Fire and Rescue Authority approved on 10 January 2020 and the implications for the service in East Devon.

The update was noted.

49 **Overview Forward Plan 2019/20**

The Committee discussed the Forward Plan, including the four recommendations from the joint meeting of the Overview and Scrutiny Committee held on 15 January 2020.

The Forward Plan was agreed:

Meeting date	Topic
27 February 2020	Governance Arrangements at EDDC
26 March 2020	Items from joint Overview & Scrutiny Budget meeting on 15 January 2020: Commercialisation Strategy Consultancy Spend 2020 / 21
tbc	Items from joint Overview & Scrutiny Budget meeting on 15 January 2020: Delivery at Cranbrook Town Centre Seaton Wetlands Link Project

Other work was discussed and agreed as follows:

Meeting date Priority or referral	Topic
tbc	Public Toilet Review – consultation plan
26 March 2020	Income generation - agreed to include in the Commercialisation Strategy (above)
tbc	High Street and village centre regeneration, expand to include the development of new high street in reference to Cranbrook – agreed to include in Delivery at Cranbrook Town Centre (above)
Low priority	Natural Capital in the Heart of the South West document

tbc	Business case for increase in community engagement officers, to include community focus (see below)
Refer to Scrutiny Committee	Review out of hours telephone system provided by the Council for residents and tenants
tbc	Climate change – including rising sea levels, coastal erosion, single use plastics, to determine what can be done locally as well as lobby Government and feed in to the Devon Group
High priority	Fairer funding from Government for the South West region – clarification from the Chief Executive would be needed
tbc	Community focus – include with the Business case for increase in community engagement officers (above)
Low priority	Promotion of EDDC services to local residents
tbc	Improving working with Town and Parish Councils – to be scoped
Covered elsewhere – remove from Overview	Tackling poverty – awaiting the outcome of the Poverty Working Panel
Refer to Scrutiny Committee	Review of internal recharges – understanding the breakdown of recharges, and being satisfied that these are correctly applied to be confident that the Council is as efficient as possible before examination of making further budget reductions
Refer to Scrutiny Committee	Street trading
Refer to Scrutiny Committee	Right to buy effect on housing stock
Refer to Housing Review Board	Delivery of housing, specifically assisted living – has been discussed by the Housing Review Board, to be discussed further by Strategic Planning Committee before being referred back to HRB
Medium priority	Transport – specifically fare for 16 – 18 year olds still in education by not qualifying for state help
Refer to Scrutiny Committee	Policy implementation – that policies put in place were being applied in practice
High priority	GESP involvement

Due to the workload in the Forward Plan, the Committee discussed the need to meet more often. It was agreed to wait for the outcome of the Governance Review and to discuss the practicalities with the Democratic Services Manager.

Attendance List

Councillors present:

N Hookway (Chairman)
V Johns (Vice-Chairman)
M Allen
S Chamberlain
B De Saram
I Hall
M Hartnell
S Hawkins
F King
M Rixson
T Woodward
P Millar

Councillors also present (for some or all the meeting)

S Bond
P Faithfull
B Ingham
D Ledger
A Moulding

Officers in attendance:

Linda Perry
Tim Child, Service Lead - Place, Assets & Commercialisation
Richard Cohen, Deputy Chief Executive
Alison Hayward, Senior Manager Regeneration & Economic Development
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Andrew Wood, Service Lead - Growth Development and Prosperity

Councillor apologies:

J Loudoun

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Housing Review Board held at Council Chamber, Exmouth Town Hall, Exmouth EX8 1AW on 23 January 2020****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 4.20 pm

45 Public speaking

There were no matters raised by the public.

The Chairman welcomed two newly co-opted members to the Board, Cindy Collier and Christine Morrison, and invited those present to introduce themselves. It was noted that one vacant independent community representative position remained on the Board and the Democratic Services Officer and the Housing Service Lead updated the recruitment process so far.

46 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 19 September 2019 were confirmed and signed as a true record.

47 Declarations of interest

Councillor Dan Ledger: Personal interest – employed by a third party contractor for the current repairs and maintenance service.

Cat Summers: Personal interest – housing tenant.

Pat Gore: Personal interest – housing tenant.

Cindy Collier: Personal interest – housing tenant.

Christine Morrison: Personal interest – housing tenant.

Peter Sullivan: Personal interest – housing tenant and vice chair trustees of Sidmouth Consolidated Charities.

48 Matters of urgency

There were no matters of urgency raised at the meeting.

49 Confidential/exempt item(s)

There were no confidential or exempt items.

50 Housing Review Board forward plan

The 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.

The following items were added to the forward plan:

- Climate change action plan.
- Year two of Your Home, Your Wellbeing study.

- Regulators Consumer Standards:
 - Neighbourhood and community.
 - Tenancy.
 - Tenant involvement and empowerment.
- Homes (Fitness for Habitation) Act 2018 and disrepair claims.

RESOLVED: that the forward plan be noted and updated.

51 **Housing Service Plan 2020/21**

The Strategic Lead – Housing, Health and Environment presented the draft Service Plan for the Housing Service covering the period 2020-2021, for consideration by the Board.

The Service Plan was a working document produced annually by all EDDC services and set out the key achievements over the past year and the forthcoming issues to be faced by the service. It linked closely with the Council Plan and the aim of the process was to produce a work plan for the coming year with a realistic view of the challenges and risks ahead. Producing a Service Plan presented a good opportunity to look back and reflect and also the ability to forward plan. A range of service improvements were identified through a number of SMART objectives (specific, measurable, achievable, relevant, time bound). The Plan linked closely with the Housing Strategy and was designed to complement a number of other housing plans and policies as part of how the Council managed its own housing stock, managed homelessness, and the services it delivered in the private sector. The Plan also considered service challenges and pressures over the next three years, as well as climate change implications. Performance should be monitored constantly against the 'live' document. The Service Plan was coordinated annually with budget planning.

Headlines from the Housing Service Plan were:

- A focus on delivering our housing purpose(s).
- A commitment to tackle homelessness.
- Recognition of poverty as a significant factor in people's lives.
- Revision of the HRA Business plan with updated stock condition data.
- A focus on new development opportunities with the need to review the current acquisition programme.
- Emphasis on the importance of compliance and keeping tenants safe in their homes.
- A focus on mental health and how we are addressing the challenges this is presenting us as a landlord.
- Embedding the Integrated Asset Management Contract.
- The need to raise our profile in the private sector around the work of the private sector housing team.
- Mapping the future of Home Safeguard with a realistic view of risks ahead including digital switchover, refresh of the marketing strategy, relocating the service, review of the staffing rota.
- An emphasis on evidencing value for money with the need to scrutinise some areas to satisfy ourselves that we are achieving what matters most to the customer, in line with our systems thinking purpose.
- Acting on the climate change agenda and building towards a carbon neutral council.

The service planning day involved powerful input from frontline staff on the day to day challenges of the job, ideas for service improvement and the needs of the customers. The Service Plan would be presented to the tenant groups over the next few months and cascade to housing staff. The Board's input into the Service Plan was welcomed, before it was finalised and reported to Cabinet.

The Vice Chairman explained that he was vice chair trustees of Sidmouth Consolidated Charities, which provided grants to those in hardship. Such charities had been impacted on the number of people requesting support. Although EDDC were providing people with a home, these properties were unfurnished and some people were unable to furnish it. He felt that the Council should not be putting people into empty/unfurnished homes. The Strategic Lead – Housing, Health and Environment replied that the housing options team had reported that the number of people moving into properties with absolutely nothing was increasing. Even after living in council housing for one or two years, some people still had nothing. This was referred to as furniture poverty. Staff were being resourceful and helping tenants out where possible. It was important to ensure that the Council's tenants were comfortable and had well-furnished homes. Reference was made to the objective in the forthcoming Service Plan that looked at a feasibility study of the housing service increasing resources and support in that area in order to explore the provision of furnished tenancies.

RECOMMENDED: that Cabinet approve the Housing Service Plan for 2020/21.

52 **Housing Revenue and Capital Budgets 2020/21**

Consideration was given to the Housing Accountant's report which presented the draft HRA revenue and capital budgets for 2020/21. At the same time as preparing the draft budget, draft Service Plans had been prepared and aligned, and linked back to the Council Plan.

The draft budget had been adopted by Cabinet and was now for consideration by the Housing Review Board. Recommendations from the Board would be presented to Cabinet on 5 February 2020, when members would finalise budget proposals to be recommended to Council.

The Housing Revenue Account (HRA) currently had 4,190 dwelling and 738 garages. It was underpinned and influenced by the business plan. This plan needed to be refreshed to consider:

- The implication of a new maintenance contractor.
- To reflect additional work on asset management planning and to further develop management information from the Housing IT system.
- The end of rent reductions.
- Implication of Universal Credit rollout.
- A need to reconsider the debt level and use of Right to Buy Receipts linked to future development ambitions.
- The implications of the climate change action plan.

This work was planned for 2020/21 to be included in the budget. The draft 2020/21 budget continued to invest in and maintain existing properties to a high standard with a comprehensive planned programme of expenditure, adaptations and routine repairs. It also provided an acceptable surplus (£.0927m) which would need to be prioritised between:

- contributing to the purchase programme to counteract the impact of continuing Right to Buy (RTB) sales and ensuring capital receipts were spent and not returned to government
- the ambitions in the Council Plan on climate change.

The Housing Accountant demonstrated some future financial modelling and evaluation for the Board to consider. This showed that:

- Financing all elements of the budget was possible.
- There needed to be a different approach to debt management.
- There was a requirement of a detailed asset management strategy to underpin the revised business plan.
- Stress testing, scenario analysis and other investigations were required to ensure all objectives could be met and influence decision making.

Concern was expressed whether there was sufficient funds in the budget for roof repairs. The Strategic Lead – Housing, Health and Environment advised that the new stock condition survey would provide more up to date information on this need. The current Business Plan was based on the old stock condition survey. Following the conclusion of the new survey it was possible that additional money would be needed in the budget.

The Council's Solicitor raised concerns about the number of disrepair cases that could come forward as a result of private lawyers encouraging tenants to take the Council to court, under the Homes (Fitness for Habitation) Act 2018. It was noted that a disrepair report would be presented to the Board at its next meeting. The Housing Accountant replied that there was no specific allocated budget, but that landlord services had funds available for such issues. Monitoring of the situation would enable it to be budgeted for if necessary. Reference to disrepair had been made in the Service Plan and training was being provided for staff.

RECOMMENDED:

1. that the HRA draft revenue and capital estimates are approved.
2. that the future considerations be noted.

53 Housing Revenue Account budget update 2019/20

The Housing Accountant's report provided the HRB with the current position to December 2019 and details of the year end forecast of the draft Housing Revenue Account (HRA) for 2019/20. The HRA showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a HRA was a statutory duty for councils who managed and owned their housing stock, and therefore a key document for the Board to influence.

The report also provided the position of the HRA capital programme for both affordable housing and other capital items outside of the HRA. The Housing Revenue Account (HRA) was underpinned and influenced by the HRA Business Plan. The budget process utilised the principles contained within it, notably, to maintain an acceptable surplus whilst at the same time maintaining stock levels through the purchase programme to counteract the impact of continuing right to buy sales.

It was noted that income was expected to be marginally lower than previously anticipated primarily due to an increase in lost rent resulting from voids. Responsive repairs was significantly overspent due to the transition from the old cost plus contract to the new price per property contracts. The old contract caused issues due to the erratic nature of

invoicing. The new contract provided more stability and timely invoicing through data sharing. There had been a number of underspends and savings made across the HRA and these were explained in the report.

The revenue reserves position at year end was expected to stay at the adopted levels and still included the volatility reserve, with the surplus being used to fund new homes in future years. It was noted that no revenue contribution to capital through the HRA would be required within the year.

The current business plan included a programme of expenditure to replace properties lost through Right to Buy (RTB) sales and ensure that RTB receipts were invested and not returned to central government.

RECOMMENDED: that Cabinet approve the Housing Revenue Account update to December 2019.

54 **Future Right to Buy spend**

The Housing Enabling Officer's report sought delegated authority to continue the programme of property acquisitions in 2020/21 using Right to Buy receipts and borrowing from public works loans board (PWLB). The report also set options for spending the receipts going forward and considered a number of options.

The Board considered the amount of receipts that needed to be spent in the 2020/21 financial year and it was noted that this was a significant increase from the previous two year. There were five options for spending Right to Buy receipts, explained in the report were:

1. Buying from the open market.
2. Building Council housing.
3. Use the receipts as grant to give to registered providers (RPs).
4. Return the receipts.
5. A blend of the above.

The Council were congratulated on purchasing 61 properties since 2017.

RECOMMENDED:

1. that delegated authority be given to the Strategic Lead – Housing, Health & Environment, Portfolio Holder for Sustainable Homes & Communities and Chair of Housing Review Board to approve purchases to meet the 2020/2021 spending requirements using Right to Buy receipts and borrowing from public works loans board together with any commuted sums that may become available.
2. that following consideration of the options put forward for spending Right to Buy receipts in the future, that option 5 be pursued; a combination of purchasing stock and to look at developing new build.
3. that it be noted that paying back some Right to Buy receipts may be a possibility.

55 **Integrated asset management contract update**

The Property and Asset Manager's detailed report updated the Board on progress with the new Integrated Asset Management Contract (IAM) with Ian Williams Ltd which commenced on 1 July 2019.

After a good mobilisation phase, where the energy and focus had been high, performance had struggled to be consistently high. There had been issues with IT integration and staffing and training difficulties. It was noted that resident feedback on the service was paramount, and although there had been some teething issues, positive comments had also been received. Three areas were now being targeted to improve performance:

- Voids process and delivery.
- Reactive repairs processes.
- Key performance indicators/contract management.

It was noted that much higher than anticipated numbers of reactive repair requests and voids, and the poor condition of voids had also impacted service delivery.

The Vice Chairman thanked the Property and Asset Manager for attending the Repairs Service Review Group meeting earlier in the week so that involved tenants had the opportunity to understand the current position. He reported that he had been involved in the IAM project since the early stages and challenges had been expected. There was a need to ensure that the contract was being run as expected, but tenants on the whole were happy with the work that was being undertaken.

It was reported that the Citizen's Advice Bureau (CAB) had experienced problems reporting repairs on behalf of vulnerable tenants. The Housing Service Lead explained that this issue had now been resolved, with guidance being reiterated to staff, and improved working in partnership with CAB.

The Solicitor advised that he had received an offer of staff training from Devonshire Solicitors on contract management. HRB members could also attend if required. It was noted that staff were also being re-trained by Echelon consultants.

It was suggested that Ian Williams Ltd be invited to the next meeting of the Housing Review Board for an update on progress and to allow them to give their views on performance.

RESOLVED:

1. that the update report be noted.
2. that Ian Williams Ltd be invited to the next meeting of the Housing Review Board to discuss the Integrated Asset Management contract.

56 **Homes standard**

The Housing Service Lead explained that the Council had undertaken a self-assessment of current service delivery against the Social Housing Regulators Home Standard. There would be a series of reports for the HRB that would focus on each of the Regulators Consumer Standards in order to ensure that the Housing Service was meeting all regulatory conditions.

The Homes Standard set out the minimum requirements for what must be achieved to ensure tenants remained safe in their homes and specifically incorporated all compliance legislation across a range of areas including fire safety, gas safety, electrical safety, lifts and legionella.

The remaining three standards were:

- Neighbourhood and community.
- Tenancy.

- Tenant involvement and empowerment.

The Board noted the Council's current position, evidence and actions for further consideration. The Housing Service Lead suggested that some external assessment be sought to test the Council, in addition to the self-assessment.

RECOMMENDED:

1. that the contents of the self-assessment document appended to the report be noted.
2. that a budget of approximately £20,000 be approved to fund an external consultant to undertake a health check/audit of all areas of statutory compliance.
3. that the Property and Asset Manager consider options for combining the final two years of electrical inspections (due to finish 2021/2022) into the coming year 2020/21 in order to finish the programme one year early.

57 **Review of fire safety policy**

The Housing Review Board noted the amendments to the fire safety policy. The Housing Service Lead explained that the policy had been reviewed and updated, with very little changes made.

RECOMMENDED: that the fire safety policy be approved.

58 **Grenfell Tower inquiry phase 1 report October 2019**

The Compliance Surveyor had prepared a report to brief Housing Service Management team on the outcome/findings of the Grenfell Tower inquiry, phase 1 report, as well as the Council's current position and recommendations. This was presented to the Board, who were reassured that the Council was in a good place in respect of fire safety. The Council was:

- up to date with fire risk assessments,
- had no high rise blocks of flats,
- had no external Aluminium Composite Material (ACM) cladding,
- had a good partnership working relationship with the Fire Service,
- all blocks of flats had a red fire boxes which the fire service were aware of,
- had a five year electrical programme,
- had fire resisting composite doors.

East Devon District Council would continue to fully adopt all the recommendations in the inquiry report and would continue to update the HRB on progress. Officer reassured the Board that they were never complacent and would embrace good practice in the field.

RESOLVED: that the report be noted.

59 **Extension to gas servicing contract**

The Housing Review Board considered the report of the Senior Technical Officer (Asset Management and Compliance) which outlined the option to extend the existing gas servicing contract (due to expire on 30 September 2020) by a further year. The extension was allowed within the procurement process of the contract (there was the option to expend for a further two years on an annual basis and by agreement of both client and contractor).

Reasons for extending the existing contract included:

- To maintain properties to a good standard and compliant whilst achieving good value for money.
- To assist in achieving continuity of components and services across the property & asset service.
- To assist in achieving statutory 100% compliance in relation gas servicing across all our stock with gas components all in line with the gas policy.
- To assist in continuing to attend to all gas related breakdowns including carrying out all required remedial work.

RECOMMENDED: that the existing gas servicing and repair contract is extended for one further year.

60 **Extension to asbestos surveying contract**

The Housing Review Board considered the report of the Senior Technical Officer (Asset Management and Compliance) that explained the option to extend the existing asbestos surveying contract by a further year.

RECOMMENDED: that the existing asbestos surveying contract be extended by a further year.

61 **Performance monitoring report - quarter 2**

The Board was presented with the Housing Service performance indicator report for quarter 2 2019/20, with details of selected indicators measuring performance across the Housing Service.

RESOLVED: that the Housing Review Board note the performance of the Housing Service.

62 **Poverty - a local picture**

The Housing Review Board received the report which had been presented to Overview Committee on 14 November 2019, providing information on poverty within East Devon. The evidence based report focused on areas that the district council could influence and outlined work that was already undertaken. The four main areas were:

- Debt and financial vulnerability.
- Homelessness.
- Employment and earnings.
- Health and wellbeing.

The Board noted the nine recommendations contained in the report that had gone from Overview Committee to Cabinet, particularly the creation of an East Devon Poverty Strategy. They also noted how many of the issues linked closely with areas considered by the HRB.

Attendance List

Board members present:

Councillor Tony McCollum (Chairman)
Peter Sullivan, Tenant
Cat Summers, Tenant
Councillor Dan Ledger
Councillor Helen Parr
Cindy Collier, Tenant
Christine Morrison, Tenant

Councillors also present (for some or all the meeting)

M Armstrong
S Gazzard
P Millar

Officers in attendance:

Sue Bewes, Landlord Services Manager
Michelle Davidson, Property and Asset Management
Vicki Farrow, Property and Asset Manager
Amy Gilbert-Jeans, Service Lead Housing
John Golding, Strategic Lead Housing, Health and Environment
Tim Laurence-Othen, Housing Projects Officer
Andrew Mitchell, Housing Needs and Strategy Manager
Giles Salter, Solicitor
Melissa Wall, Housing Enabling Officer
Rob Ward, Accountant
Alethea Thompson, Democratic Services Officer
Sophie Davies, Senior Repairs Advisor, Property & Asset Management

Councillor apologies:

Christine Drew, Independent Community Representative
Pat Gore, Tenant
Councillor Ian Hall
Councillor Kim Bloxham

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 7 January 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.40 am

83 Minutes of the previous meeting

The minutes of the Development Management Committee held on 3 December 2019 were confirmed as a true record.

84 Declarations of interest

Minute 85. Planning appeal statistics.

Councillor Paul Hayward, Personal, Clerk to Newton Poppleford & Harpford Parish Council.

Minute 86. 19/1204/FUL (Minor).

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution the Chairman (on behalf of the Committee) advised lobbying in respect of this application.

Minute 86. 19/1204/FUL (Minor).

Councillor Nick Hookway, Personal, Member of the Board of Trustees for LED Leisure Management Ltd.

Minute 88. 19/1874/FUL (Other).

Councillor Paul Hayward, Personal, Known to the applicant.

85 Planning appeal statistics

The Committee noted the Development Manager's report and attention was drawn to two appeals for the same location in Pinhoe. The Development Manager advised of the decision for application 18/2513/FUL – Valley View Paddock (Land Adjoining Huntsland), Church Hill, Pinhoe. The Inspector upheld the decision to refuse the proposal to change the use of land for siting of a mobile dwelling on the basis of the unsustainable location of the site and also dismissed a related appeal to an enforcement notice for the removal of the mobile dwelling served on application 18/F0191 – Land Adjacent Road at Huntsland, Church Hill, Pinhoe.

The Development Manager also drew Members' attention to the appeal and related costs for non-determination for application 18/2608/OUT - Land South Of King Alfred Way, Newton Poppleford that Members previously considered. The Inspector determined that the decision to defer the application in March 2019 and June 2019 was not justified by sound planning reasons resulting in an unreasonable delay to the determination of the application. As such the Inspector awarded full costs to the applicant for the Council's unreasonable behaviour and wasted expense.

The Development Manager strongly encouraged Members to base their decisions on planning policy and material considerations to avoid the loss of appeals and costs being awarded against the council.

86 **19/1204/FUL (Minor)**

WOODBURY AND LYMPSTONE

Applicant:

GB House And Son

Location:

Land Opposite Woodbury Business Park, Woodbury.

Proposal:

Change of use of agricultural land for an overspill car parking area to be used in association with Woodbury Business Park.

RESOLVED:

Refused contrary to officer recommendation.

Members determined that the proposal adversely affected the visual amenity of the area and caused harm to the setting of the nearby listed farm building. In the absence of any material considerations and public benefits that outweighed this harm, the proposal was considered contrary to Strategy 7 and Policies E7 and EN9 of the adopted East Devon Local Plan.

87 **19/2208/FUL (Minor)**

WOODBURY AND LYMPSTONE

Applicant:

Mr Andy Dyer (Andy J Dyer Ltd.)

Location:

Strawberry Fields Livery Yard, Meeting Lane, Lympstone, EX8 5HS.

Proposal:

Conversion of two barns/stables to form one dwelling with a link extension (resubmission of application reference 18/0869/FUL)

RESOLVED:

Approved as per officer recommendation.

88 **19/1874/FUL (Other)**

AXMINSTER

Applicant:

Mr Andrew Young

Location:

Land South West Of Stoney Bridge, Axminster.

Proposal:

Change of use of land from agricultural to private amenity/recreational use and siting of steam tractor workmen's hut for such purposes.

RESOLVED:

Approved as per officer recommendation.

Attendance List

Councillors present (for some or all the meeting):

M Howe (Chairman)
K McLauchlan (Vice-Chairman)
P Arnott
K Bloxham
C Brown
O Davey
S Gazzard
P Hayward
N Hookway
D Key
T McCollum
H Parr
G Pratt
J Rowland
E Wragg
T Wright

Councillors also present (for some or all the meeting)

S Bond
G Jung

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing
Chris Rose, Development Manager
Wendy Harris, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 4 February 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.50 am

89 Minutes of the previous meeting

The minutes of the Development Management Committee held on 7 January 2020 were confirmed as a true record.

90 Declarations of interest

Minute 93. 19/1571/FUL (Minor).

Councillor Olly Davey, Personal, Registered an objection as an Exmouth Town Councillor.

Minute 93. 19/1571/FUL (Minor).

Councillor Steve Gazzard, Personal, Exmouth Town Councillor.

91 Planning appeal statistics

The Committee received and noted the Development Manager's report setting out six appeal decisions notified – four had been dismissed and two had been allowed. In addition, Members were advised that a further appeal was determined as invalid by the Planning Inspectorate.

The Development Manager drew attention to the two appeals allowed. Members were reminded of the appeal allowed for application 18/2608/OUT – Land South Of King Alfred Way, Newton Poppleford for non-determination and were advised about application 19/0281/FUL – 16 Parkey Cottages, Clyst St George. The Inspector determined there was minimal impact on the character and appearance of the area. The Development Manager drew Members' attention to the implication that the Inspectorate look favourably when considering applications for extensions of residential gardens into the countryside.

Finally the Development Manager drew Members' attention to a High Court decision not on the agenda but related to an application in East Devon. Members' noted the High Court had determined that Policy E18 - Loss of Holiday Accommodation of the Local Plan does not apply outside of Exmouth, Budleigh Salterton, Seaton and Sidmouth. The Development Manager advised Members' that the outcome of this decision is that applications seeking to remove conditions restricting properties to holiday lets no longer require 12 months of marketing but that applications must be considered on the basis of other policies in the Development Plan including whether they are located close to a range of services and facilities in accordance with the criteria to Policy D8 of the Local Plan.

92 19/1161/OUT (Minor)**EXE VALLEY**

Applicant:

Mr & Mrs Reeves.

Location:

Land West Of Kilmore House, Poltimore.

Proposal:

Outline application with all matters reserved for the erection of five affordable dwellings and three open market dwellings.

RESOLVED:

Deferred to enable the applicant to provide an assessment of the impact of the proposal on the setting of Poltimore House and to address non-compliance with Strategy 35.

93 **19/1571/FUL (Minor)**

EXMOUTH TOWN

Applicant:

Mr Andrew Mann.

Location:

62 – 64 New Street, Exmouth.

Proposal:

Conversion of 2nd floor to provide additional living accommodation to include raising the roof, first floor extension and dormer window extension (part retrospective).

RESOLVED:

Refused contrary to officer recommendation.

Members determined that the proposal represents overdevelopment of the site with a resultant overbearing impact from the external alterations. As such the proposal results in a loss of amenity to surrounding residents contrary to Policy D1 of the Local Plan.

94 **19/2140/OUT (Minor)**

DUNKESWELL AND OTTERHEAD

Applicant:

T Kendall.

Location:

Storage Building Land North Of Powells Way.

Proposal:

Conversion and extension of existing storage building to form single dwelling (outline application with all matters reserved).

RESOLVED:

Refused contrary to officer recommendation.

Members determined that the proposal was contrary to Policy D8 of the Local Plan by virtue of the substantial extension proposed. As a result of this, and resultant visual impact on this prominent site, the proposal is considered to be harmful to the Streetscene contrary to Strategy 7 and Policies D1 and D8 of the Local Plan and Policy BE1 of the Dunkeswell Neighbourhood Plan.

95 **19/1775/FUL (Minor)**

SIDMOUTH TOWN

Applicant:

Mr Mitch Tonks.

Location:

Sidmouth Drill Hall, The Esplanade, Sidmouth, EX10 8BE.

Proposal:

Conversion of hall to restaurant (A3 use), creation of new balcony, replacement of rear extension with new rear extension, external terrace to form seating area and addition of new flue.

RESOLVED:

Approved as per officer recommendation but subject to an additional condition requiring the submission of details of how the proposal will mitigate against the risk of flooding given its location within Flood Zone 3.

96 **19/2348/FUL (Minor)**

HONITON ST PAULS

Applicant:

Mr & Mrs B White.

Location:

13 – 15 High Street, Honiton.

Proposal:

Erection of 2 dwellings in rear garden.

RESOLVED:

Refused as per officer recommendation.

Attendance List

Councillors present (for some or all the meeting):

M Howe (Chairman)

K McLauchlan (Vice-Chairman)

P Arnott

K Bloxham

C Brown

O Davey

S Gazzard

P Hayward
D Key
H Parr
G Pratt
J Rowland
E Wragg
T Wright

Councillors also present (for some or all the meeting)

D Bickley
S Bond
G Jung
F King
M Rixson

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing
Chris Rose, Development Manager
Richard Cohen, Deputy Chief Executive
Alison Hayward, Senior Manager Regeneration & Economic Development
Wendy Harris, Democratic Services Officer
Magdalena Halls, Planning Apprentice

Councillor apologies:

N Hookway
T McCollum

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Audit and Governance Committee held at Council Chamber, Blackdown House on 30 January 2020****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 3.19 pm

23 Public speaking

There were no members of the public wishing to speak.

24 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 24 October 2019 were confirmed as a true record.

25 Declarations on interest

Minute 31. Annual Internal Audit report - STRATA.
Councillor Phil Twiss, Personal, Chairman of Strata Joint Scrutiny Committee.

Minute 32. Internal Audit Activity - Quarter 3 2019/20 SWAP.
Councillor Paul Hayward, Personal, Undertakes internal audit services for Town and Parish councils.

26 Annual Audit letter - Grant Thornton

Steve Johnson, Audit Manager Grant Thornton presented the Annual Audit letter which summarised the key findings from their work for the year ending March 2019.

RESOLVED:

that the content of the Annual Audit Plan be noted.

27 Audit update - Grant Thornton

Steve Johnson, Audit Manager presented the report on progress in delivering our responsibilities as the external auditors.

Financial Statements Audit

Grant Thornton commenced the planning for the 2019/20 audit and would issue a detailed audit plan, setting out our proposed approach to the audit of the council's 2019/20 financial statements to the March Audit Committee.

Value for Money

The scope of this work was set out in the guidance issued by the National Audit Office. The Code requires auditors to satisfy themselves that; "the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources".

Audit Fees

Grant Thornton stated that work in the Local Government sector in 2018/19 had highlighted areas where financial reporting, in particular, property, plant and equipment and pensions, needed to improve. There was also an increase in the complexity of Local Government financial transactions and financial reporting.

Grant Thornton were currently reviewing the impact of these changes on both the cost and timing of audits. They would discuss this with the S151 Officer including any proposed variations to the Scale Fee set by PSAA Limited, before communicating fully with the Audit and Governance Committee.

RESOLVED:

that the Audit update report be noted.

28 **Annual Internal Audit report - STRATA**

The statement of assurance was provided by the Head of Audit Partnership, the provider of Internal Audit Services to Strata Service Solutions for audits in relation to the 2018-19 internal audit plan. The provision of ICT services was the responsibility of Strata Services Solutions under the arrangements specified within the original Partnership Agreement between Exeter City Council, East Devon District Council and Teignbridge District Council.

The assurance statement consisted of the following elements:

- Overall Assurance Statement;
- Governance;
- ICT Service operations.

Overall, based on work performed during the year and experience from the current year progress, the Head of Internal Audit's Opinion was of "Substantial Assurance" on the adequacy and effectiveness of the internal control framework in the Strata Service Solutions.

Craig Moodie from DAP was thanked for his informative and interesting report and it was hoped that similar audit reports would be made to future meetings of the Committee.

29 **Internal Audit Activity - Quarter 3 2019/20 SWAP**

Alastair Woodland, Assistant Director SWAP reminded members that the Audit and Governance Committee agreed the 2019-20 Internal Audit Plan at its March 2019 meeting. The report was to provide an update on the 2019/20 Internal Audit Plan as at end of December 2019. There were no adverse audit opinions.

RESOLVED:

that the Internal Audit Progress Report be noted.

30 **Risk Management review - half year review**

Risk information for the 2019/20 financial year was supplied to allow the Audit and Governance Committee to monitor the risk status of Strategic and Operational Risks. This followed the full review of risks by responsible officers during November/ December 2019.

RESOLVED:

that the current status of risks following the full risk review undertaken in November/December 2019 be noted.

31 **RIPA update**

At the meeting of 18 January 2018, Members agreed to receive an update on RIPA activity throughout the year. The RIPA Senior Responsible Officer advised that there had been no requests for RIPA authorisation since the last committee.

32 **Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2019-20.

Items to be considered at the March committee included:

- Annual Audit Plan 2020/21 and Review of Internal Audit Charter
- Internal Audit Plan Progress
- External Audit Plan
- Audit Committee update
- Accounting Policies Approval
- RIPA update
- Relocation project close-out report

Attendance List

Councillors present:

S Hawkins (Chairman)
D Barrow
P Hayward
M Rixson
P Twiss
C Wright

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Steve Johnson, Grant Thornton
Craig Moodie, DAP
John Symes, Finance Manager
Georgina Teale, SWAP
Alastair Woodland, SWAP

Councillor apologies:

G Pratt
F Caygill
S Chamberlain
S Gazzard

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Committee held at Council Chamber, Blackdown House, Honiton on 12 February 2020****Attendance list at end of document**

The meeting started at 10.30 am and ended at 11.30 am

26 Public Speaking

There were no questions raised by members of the public.

27 Minutes of the previous meeting

The minutes of the meeting of the Licensing & Enforcement Committee held on 16 October 2019 were confirmed and signed as a true record.

28 Declarations of interest

Minute 31 Cranbrook Town Council: Kim Bloxham Cranbrook Town Councillor. Personal interest.

Minute 32 Seaton Taxi rank: Jack Rowland Seaton Town Councillor and member of Seaton Seafront enhancement scheme. Personal interest.

29 Matters of urgency

There were no matters of urgency.

30 Confidential/exempt item(s)

There were no confidential/exempt items.

31 Committee Update - Licensing Act 2003, Gambling Act 2005, Taxi & General (Street Trading) Licensing

The Licensing Manager presented his report to the Committee. It provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, taxi legislation and general licensing, including street trading.

The Licensing Manager highlighted that the licensing team covered many things across East Devon. This included:

- All alcohol related matters.
- Taxis and private hire work.
- Gambling (excluding online betting)
- Street trading.
- Charitable collections
- Cemeteries and burial bookings.

It was noted that on 5 November 2019, officers attended the Ottery St Mary Tar Barrel event checking the various Temporary Event Notices issued for sales of alcohol and late

night refreshment food stalls. 25 licensing checks were conducted and the working arrangements involving licensing and the organisers works effectively over many months prior to the event.

In December an email was received from the Home Office sent to all Licensing Committee with an attachment letter from Kit Malthouse MP, Minister for Crime & Policing. The contents were provided for the information of the Committee as an Appendix and primarily referred to the government's desire to improve collaboration between Planning and Licensing Committees.

The Licensing Manager reported that the statutory fees prescribed by the Licensing Act 2003 had not been increased since they came into force on 7th February 2005. These fees were set centrally by the Secretary of State and there was no discretion on these fees, which must be administered and collected in accordance with the regulations.

Officers from EDDC Licensing and Finance services reviewed costs incurred to grant alcohol licences and notices and identified that a Temporary Event Notice (TEN), having a nationally set fee of £21, actually cost the council in excess of £60 to administer in 2015. The impact of fees not increasing is evident given that the licensing team administered 849 TENs for the year 2018/19 amounting to uncollected fees of more than £30,000.

It was noted that the number of taxi/private hire drivers was reducing year on year with fewer new drivers coming forward to replace them. The officers had conducted inspections of taxi vehicles whilst parked on East Devon taxi ranks ensuring that vehicles comply with legislation and meet required safety standards. Officers had also investigated five licence holders over the previous period, three of which concerned vehicle compliance and two relating to the behaviour of drivers resulting in written warnings being administered.

Members noted that from January 2020, new regulations introduced by Defra required all licensing authorities in England and Wales to submit details of currently licensed vehicles under the Air Quality (Taxis and Private Hire Vehicles Database) Regulations 2019. On 15th January 2020 licensing officers attended a licensing briefing organised by the Institute of Licensing where staff from Defra provided an update on the air quality Regulations including progress made by the cities creating Clear Air Zones (CAZs). Bristol has announced its aim of preventing privately owned diesel vehicles from entering the central zone in the day time whilst proposing that taxis and buses will pay a charge to enter the CAZ. This aspect of the CAZs had generated most interest from the East Devon taxi trade particularly regarding possible plans for other south west cities considering CAZs in the future.

The Council had identified climate change as a priority and has reflected this with the need for delivering green policies along with examples being the possible uptake of Ultra-Low and Zero emission vehicles.

Members had approved an increase to the Hackney Carriage Fare Tariff and resolved that Tariff 1 be increased on the first half mile by £0.50 to £3.50 along with the vehicle soiling charge being increased from £50 to £80. Before the resolution can proceed, the proposal must be advertised. The final stage will require every hackney carriage having the meter changed in each vehicle. Officers have identified that a number of taxis in the district operate on outdated meters and whilst they function correctly, they would not have the technical capacity to accept another tariff upgrade. To replace these would be another additional cost for the trade.

It was noted that the uptake of street trading has been high for events occurring in villages and towns since October 2017 and implementation had identified changing trends in locations being sought by applicants with Cranbrook being an area where consents had been granted over the last two years. Licensing Officers had worked closely with Cranbrook town council and gained greater understanding of the issues in the town. Following objections from the town council, two applications seeking to trade from vans parked in the town were refused by officers on the grounds of road safety.

The Licensing Manager reported that the Sidmouth Folk Festival event took place between 2nd and 9th August and all 60 sea front pitches managed by the licensing team were allocated under the process that had operated since 2008. Officer's work extended hours with a presence in the town from 7am over all eight days. It was noted that the council's move to offices in Honiton had increased the time officers were engaged in the event. The time spent by the licensing team each year from March through to August and the overall commitment involving members of the team is considerable as officers are engaged in trader applications from March through to summer.

This level of involvement through to attending the event impacts upon other areas of licensing work and it was considered timely to consider the future approach given increasing demands on the licensing team by reviewing whether the current process remained cost effective and the best use of council resources. An option that was at an early stage would be for the organisers of Sidmouth Folk week to have responsibility for trading on The Esplanade.

The Licensing Manager reported that the meeting between Members, Taxi Proprietors and Officers, which had been bi-annual would revert from 2020 to being annual, due to workload. With the next meeting being in November 2020.

During discussions the following points were noted:

- Suggested changes to the fees for Licensing Act 2003 applications, including TENS to allow the Council to recover its costs.
- Concerns that any excessive increases to TENS fees would discourage the applicants from smaller organisations.
- Could the increase in fees for Licensing Act 2003 and TENS applications be on a sliding scale depending on what is applied for and the level of income expected.
- Concern expressed that there were a number of late applications made for TENS. It was noted that there was little available in law to allow local authorities to restrict the late applications for TENS.

- RESOLVED** 1. that the Chairman be requested to contact the Home Office and Local Government Association to argue for the principle of the introduction of locally set Licensing Act 2003 fees.
2. that the Licensing Manager's update report be noted.

32 **Seaton Taxi Rank**

The Licensing Manager's report updated the Committee on Seaton Town Council's request to remove the taxi rank in Marine Place and to relocate it on Castle Hill, Seaton. It was noted that the Town Council had requested this change which would require a series of legal steps to be taken before adopting the change. The Devon County Council

Highways Officer had now indicated that they were happy for EDDC to consult on relocating the taxi rank in Seaton. The results of this consultation would be reported to the meeting of the Committee on 15 April 2020.

RESOLVED that the Committee note the update.

33 **Street Trading**

Members noted that following introduction of a new street trading regime in October 2017, there had been a number of changes, including removal of application fees in 2018. Through gaining a clearer understanding of how the regime had grown there was a proposal to further revise the policy. It was also proposed to commence the necessary work to require applicants to pay fees for obtaining consent, as detailed in the report, if approved, the changes were to recover costs incurred and to ensure standards were maintained for obtaining street trading consents across the district.

During discussions the following points were noted:

- The £30 Street Trading fee for each individual site may affect the viability of smaller businesses.
- The Street Trading situation in East Devon was constantly changing and it was not certain what was coming next.
- Are there any sites in East Devon where street traders know they could operate from? The Licensing Manager reported that this was a work in progress.
- Question about the rationale for reducing the time that a street traders can trade in once place from 30 to 20 minutes. The Licensing Manager reported this was a proportion timescale, if traders were allowed to stay any longer they could be expected to be charged for a street trading permit.
- The next meeting will discuss the consultation responses for these changes from Street Traders in East Devon.

The Chairman wished to thank the Licensing Office for the report.

- RESOLVED**
1. that the charging fees for Street Trading Consents with Application and Trading Fees as appended to Appendix B be approved and consultation be undertaken.
 2. that the revised Street Trading Policy including new guidelines relevant to Cranbrook be adopted.
 3. that the actions that will be taken as a consequence of the above be noted.

Attendance List

Councillors present:

P Jarvis (Chairman)
K Bloxham (Vice-Chairman)
C Brown
M Chapman
N Hookway
S Jackson
J Rowland
B Taylor
J Whibley

T Wright
P Millar

Officers in attendance:
Christopher Lane, Democratic Services Officer
Giles Salter, Solicitor
Steve Saunders, Licensing Manager
Zoe Jones, Licensing Officer

Councillor apologies:
S Gazzard

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Sub Committee held at Blackdown House, Honiton on 12 February 2020****Attendance list at end of document**

The meeting started at 12.00 pm and ended at 1.30 pm

11 Minutes of the previous meeting

The minutes of the meeting held on 18 September 2019 were confirmed and signed as a true 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

RESOLVED that the classification given to the documents to be submitted to the Sub-Committee be confirmed and that the report relating to exempt information be dealt with under Part B of the agenda.

15 The Vice Chairman to move the following:

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session.

16 To determine whether the person named in the report is a fit and proper person to continue to be licensed as a hackney carriage driver

Consideration was given to whether a new applicant was a fit and proper person to continue to be licensed as a Hackney Carriage Driver.

Members considered the Council's policy on all issues, the overriding duty of the Sub Committee was protection of the public.

RESOLVED that Mr AC's Hackney Carriage Drivers licence be revoked for the following reasons:

1. Behaviour and language towards licensing officers in emails.
2. Language used in his interview with licensing officers and a failure to apologise.
3. Failure to respond to correspondence inviting him to the sub-committee meeting and failure to attend the meeting.
4. Returning his Hackney Carriage vehicle plate to a member of staff other than a licensing officer and not informing the Licensing Office of this.

Attendance List

Councillors present:

K Bloxham (Vice-Chairman)

P Jarvis (Chairman)

J Rowland

Councillors also present (for some or all the meeting)

T Wright

Officers in attendance:

Christopher Lane, Democratic Services Officer

Lucy Maxwell, Licensing Officer

Giles Salter, Solicitor

Stephen Saunders

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Standards Committee held at Blackdown House, Honiton on 21 January 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.35 am

9 Public speaking

The Chairman advised that this was Mr Tim Swarbrick's last meeting and thanked Mr Swarbrick for his eight years of service which had greatly assisted the Standards Committee.

There were no questions asked.

10 Minutes of the previous meeting

The Monitoring Officer advised that the attendance list in the minutes of the meeting held on 13 August 2019 would be corrected to include the 4 co-optees and to record Alison Willan's attendance under the appropriate heading.

Regarding item 6 of the minutes of 13 August 2019, it was noted that Cabinet did not wish to reconsider its previous recommendation for district councillors to only have voluntary DBS checks.

Regarding item 7 of the minutes of 13 August 2019, there was discussion as to whether the minutes accurately recorded the decision taken by the Committee on the process of recruiting co-optee members. Members expressed concern that, as recorded in the minutes, the process may result in the recruitment panel not being politically balanced.

The Monitoring Officer advised that the agenda item was to consider the accuracy of the minutes as a true record of decisions taken at the meeting. Concern was raised that it would be unwise to ignore the advice of independent co-optees and to preclude them from the recruitment process.

Following discussion, it was agreed that the Monitoring Officer would circulate details of the recruitment process, as set out in the minutes of 13 August 2019, and that this process would be followed to recruit a co-optee to replace Mr Swarbrick. The process would then be reviewed and amended if considered necessary.

Subject to the amendments to the attendance list and the correction of the minimum number of Standards Committee members on the recruitment panel to read 3, the minutes of the meeting held on 13 August 2019 were confirmed and signed as a true record.

11 Declarations of interest

Minutes of the previous meeting.

Councillor Phil Twiss, Personal, DCC Councillor who sits on their Standards Committee.

12 Matters of urgency

There were none.

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

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

14 **Code complaint update**

The Committee considered and noted the report of the Monitoring Officer, which provided an update for the Committee on Code related cases received from 1 May 2019 to 13 January 2020.

RESOLVED that the report be noted.

15 **Gifts and Hospitality Register Annual Report**

It was noted that this was a new report to ensure that the Standards Committee are aware of gifts and hospitality being received by members and officers. The Monitoring Officer advised that the guidance note on updating gifts and hospitality through Modern.Gov had now been uploaded to the member library.

The Committee discussed whether the limit of £25 should be reviewed and whether an upper limit for gifts and hospitality would be appropriate.

The Monitoring Officer advised that the limit of £25 had been reviewed in January 2018 and found to be reasonable. It was noted that members may also declare gifts and hospitality below the £25 threshold if they considered it appropriate to do so in the interests of transparency. It was a matter for members themselves to decide whether or not to accept gifts and hospitality and if accepted, to ensure that these were registered. Under the Code of Conduct any relevant interests should also be declared at meetings when gifts and hospitality had been accepted.

In response to a question, the Monitoring Officer advised that failure to disclose gifts and hospitality would be dealt with under the Code of Conduct for members and as a disciplinary matter for officers. It was emphasised that the context and nature of a gift or hospitality, rather than just the monetary value, was vital when members or officers were considering whether to accept or not.

It was agreed that the Monitoring Officer would remind members of the requirement to register gifts and hospitality as part of the annual reminder of members' responsibilities.

RESOLVED that the content of the report and the gifts and hospitality received by members and officers during 2019 be noted.

16 **Members Declaration of interest Audit Report**

The report advised the Standards Committee of the outcome of a recent audit into member declarations of interest following the May 2019 election and introduction of Modern.Gov. The Committee was concerned to note that 56% of members did not complete their register of interests within the 28 day legal requirement. The Monitoring Officer advised that it was a potential criminal offence not to declare pecuniary interests within 28 days.

Following the election, members had been made aware of the 28 day requirement during mandatory Code of Conduct training and by way of follow-up emails from the Monitoring Officer.

Members would be advised of the need to check their Register of Interests on an annual basis and of the on-going requirement to register any changes within 28 days of the change occurring.

Further discussions included the following:

- The caveat for ward members to state that they are keeping an open mind is specifically pertinent for members of the Development Management Committee who need to protect their future decision making
- Regarding Part B items, it was noted that all members have access to Part B reports which should remain confidential within the Council at all times and should not be discussed publicly

..... Clarity regarding the role of substitute members of the Committee

RECOMMENDATION to the Council that the findings of the Audit Report be noted, highlighting the fact that 56% of members did not complete their declarations of interest within the required 28 days following the election, with the potential consequence of committing a criminal offence. All members would be provided with a copy of the Declaration of Interest Audit Report and reminded of the importance of updating their Register of Interests within 28 days of any changes.

17 **Forward Plan**

Carried forward from the previous meeting:

- Experiences of Standards training from town / parish councils

Members wished to add the following items to the Forward Plan for consideration at a future meeting:

- Report on the Committee on Standards in Public Life report on ethical standards (January 2019)
- Report on having electronic voting at Development Management Committee

Attendance List

Councillors present:

S Hughes (Chairman)

J Bailey

D Manley

K McLauchlan

P Twiss

Others present:

Martin Goscomb, co-opted independent member

Cllr Pauline Stott, co-opted town/parish council member

Tim Swarbrick, co-opted independent member

Councillors also present (for some or all the meeting)

M Armstrong

S Bond

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing

Sarah Jenkins, Democratic Services Officer (minutes)

Christopher Lane, Democratic Services Officer

Apologies:

Cllr Bob Nelson, co-opted town/parish council member

Alison Willan, independent person

Chairman

Date:



Report to: Council

Date of Meeting: 26th February 2020

Public Document: Yes

Exemption: None

Review date for release None

Subject: **Change to the political balance, the committee allocations and the Constitution.**

Purpose of report: Following Cllr Whibley leaving the Independent Group and Cllr Millar joining the Independent EDA it is necessary to make changes to the political framework.

Recommendation: **That Council;**

- 1. Agrees to the changes to the political balance detailed in paragraph 2 and revisions to the Committee allocations set out in Appendix A.**
- 2. Agree the changes to the committee appointments detailed in paragraph 5 below and the change to the Chair and Vice Chair of the Scrutiny Committee detailed in paragraph 6 below.**

Reason for recommendation: To update the political balance following Cllr Whibley leaving the Independent Group and Cllr Millar joining the Independent EDA and effect changes that flow from that.

Officer: Henry Gordon Lennox, Monitoring Officer

Portfolio Holder: Choose Portfolio Holder.

Financial implications: There are no financial implications.

Legal implications: Only Full Council can amend the Constitution and, outside of the arrangements applicable to the Executive, make appointments.

Equalities impact: Low Impact

Climate change: Low Impact

Risk: Low Risk

Links to background information:

- [Annual Council 22nd May 2019](#)
- [Full Council 23rd October 2019](#)

Link to [Council Plan](#): Outstanding Council and Council Services

Political balance and Committee allocations

1. Following the resignation of Cllr Whibley from the Independent Group and Cllr Millar joining the Independent EDA Group it is necessary to revise the political balance of the Council and amend the committee allocations and membership accordingly.

Revised political balance

2. The revised political balance is detailed in the table below and Council is asked to agree that the allocation to different political groups of seats to be filled by the Council be determined as follows in respect of overview, regulatory and other committees.

Independent Group	(18 members) – 30%	32 seats
Conservative Group	(19 members) – 32%	35 seats
Independent EDA	(12 members) – 20%	22 seats
Liberal Democrats Group	(8 members) – 13%	14 seats
Green Party	(2 members) – 3%	3 seats
Independent	(1 member) – 2%	2 seats
Total	(60) 100%	108 seats

3. The allocation of seats on individual overview/scrutiny, regulatory and other committees has been updated as a consequence and the revised allocations are contained in **Appendix A** to this report,

Revised Committee membership

4. To accommodate the above changes, and to ensure that the seats on the committees are allocated as per Appendix A, the following changes are necessary;

Independent Group – **gain** a seat on the Overview Committee but **lose** a seat on each of the HRB, Standards, Interviewing Chief Officer and Employment Appeals Committees

Conservatives – *no changes*

Independent EDA – **gain** a seat on the Strategic Planning, Overview and Employment Appeals Committees

Liberal Democrats – **gain** a seat on the HRB and Standards Committees but **lose** a seat on the Audit & Governance and Overview Committees

Green Party – **gain** a seat on Interviewing Chief Officers Committee but **lose** a seat on the Strategic Planning Committee

Independent Independents – **gain** a seat on Audit & Governance Committee but **lose** a seat on the Overview Committee

5. The Group Leaders have advised of the following changes to facilitate this or which are otherwise required;
- a. Independent Group are allocating their Overview seat to Cllr C Wright and removing Cllrs Bloxham, McClauchlan, Thomas and Johns from HRB, Standards, Interviewing Chief Officer and Employment Appeals Committees respectively. The Scrutiny and Licensing & Enforcement Committee seats that were Cllr Whibley's are now to be given to Cllrs Johns.
 - b. Conservative Group are switching Cllr Dent and Cllr Brown from Scrutiny and Licensing and Enforcement respectively.
 - c. Independent EDA are allocating their Strategic Planning Committee, Overview and Employment Appeals Committee seats to Cllr Arnott, Cllr Millar and Cllr Hayward respectively.
 - d. Liberal Democrats are allocating their HRB and Standards seats to Cllrs Taylor and Rylance respectively and removing Cllrs Chamberlain from Audit & Governance and Overview respectively. They are also removing Cllr King from Strategic Planning Committee and allocating this seat to Cllr Chamberlain.
 - e. Green Party are allocating their Interviewing Chief Officers Committee seat to Cllr Woodward and removing Cllr Davey from the Strategic Planning Committee.
 - f. Cllr Whibley is allocated the Independent Independent seats on Licensing & Enforcement and Audit and Governance.

Change in Chairmanship of Scrutiny Committee

6. The Chair of Scrutiny, Cllr Dent is stepping down from the role and the Conservative Group are proposing to replace him with Cllr Brown. The Independent Group are changing the Vice Chair of Scrutiny so that Cllr McCollum replaces Cllr Bloxham.

MEMBERSHIP OF COMMITTEES – SEATS AND PROPORTIONAL BALANCE 2019/20
APPENDIX A

Number in Group % of Council membership	15seats: Scrutiny	13seats Overview	5 seats: Housing Review Board	15 seats Strategic Planning	16 seats Development Management	10 seats Audit and Governance	*5 seats Standards	7 seats Interview (Chief Officers)	7 seats Employ- ment Appeals	15 seats Licensing & Enforce- ment	108 total seats
18 Independent Group (30%)	5	4	1	5	5	3	1	2	2	4	32 30%
19 Conservatives (32%)	5	4	2	5	5	3	2	2	2	5	35 32%
12 Independent EDA (20%)	3	3	1	3	3	2	1	1	2	3	22 20%
8 Liberal Democrats (13%)	2	1	1	2	2	1	1	1	1	2	14 13%
2 Green Party (3%)	0	1	0	0	1	0	0	1	0	0	3 3%
1 Independent (2%)	0	0	0	0	0	1	0	0	0	1	2 (2%)

NOTE:

1. The **Cabinet** is not shown on the above table as it is not a legal requirement for the political balance rules to apply.

Appendix 2: Right to Buy & Climate Change Investment Debt Profile Impact

