

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Online via the Zoom App on 30 September 2020**

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

The meeting started at 6.00 pm and ended at 9.10 pm

#### **196 Public speaking**

Sophie Martin had submitted a question, asking how many individuals have been issued with a Section 59 Police Reform Act 2002 warning notice in 2019/2020 in Exmouth and how have EDDC followed up with persistent offenders who continue to race up and down Queen's Drive and around Exmouth Town persistently. She also asked if the recently installed CCTV has been effective, as she believed the purpose of it was to help identify potential offences. She outlined how the attractions and potential of the town were blighted by the ongoing problem of antisocial behaviour resulting from cars speeding in the town.

In response, the issue was recognised as a police matter for enforcement, but that the Local Action Group, set up under the umbrella of the Community Safety Partnership, continued to work to resolve the perennial problem. A highway barrier had been considered by the County Council in previous years, but was not considered viable.

Data has been requested from the Police, and agreement was made to write to Sophie Martin, outlining the background of the work of the Community Safety Partnership in dealing with this issue and the enforcement data; and for the Chief Executive to ensure our Community Safety Officer raised the matter with the Police and liaise with Exmouth Police Inspector, Antonia Weekes in that regard.

#### **197 Minutes of the previous meeting**

The minutes of Cabinet held on 21 July 2020 were confirmed as a true record.

#### **198 Declarations of interest**

Minute 205 Minutes of the Overview Committee 24 September 2020.  
Councillor Andrew Moulding, Personal, Patron of Arc.

Minute 205 Minutes of the Overview Committee 24 September 2020.  
Councillor Ian Hall, Personal, Devon County Councillor and Mental Health Champion, Vice-Chairman of the Trustees of Arc, Chair of Cloakham Lawns Sports Centre.

Minute 207 Exeter and East Devon Enterprise Zone.  
Councillor Paul Hayward, Personal, Director of Science Park Ltd.

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

There were no items identified.

#### **200 Forward Plan**

Members agreed the contents of the Forward Plan for key decisions for the period 1 October 2020 to 31 January 2021.

201 **Minutes of Scrutiny Committee held on 21 May 2020**

Members received and noted the Minutes of Scrutiny Committee held on 21 May 2020.

202 **Minutes of Community Grant Panel held on 1 September 2020**

Members received and noted the Minutes of Community Grant Panel held on 1 September 2020.

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

**Minute 25 Crowdfund East Devon - Budleigh Salterton Community Workshop Bid**

a maximum grant of £4,867 be made towards the project from the Crowdfund East Devon pledge.

**Minute 26 Crowdfund East Devon - Coleridge Memorial Statue Bid**

a maximum grant of £5,160 be made towards the project from the Crowdfund East Devon pledge.

203 **Minutes of Strata Joint Scrutiny Committee held on 8 September 2020**

Members received and noted the Minutes of Strata Joint Scrutiny Committee held on 8 September 2020.

204 **Minutes of Budget Setting and Capital Allocation Panel held on 16 September 2020**

Members received and noted the Minutes of Budget Setting and Capital Allocation Panel held on 16 September 2020.

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

**Minute 5 Draft Financial Strategy 2021 – 2031**

1. the debate by the Budget Setting and Capital Allocations Panel on the Draft Financial Strategy 2021 – 2031 is taken into account prior to the strategy being presented to Council;
2. a Task and Finish Forum be set up on the topic of Commercialisation, to include specifically the issue of asset transfer to town and parish councils in conjunction with the Asset Management Forum. The Forum to consist of ten members, politically balanced. In the event that political cannot be achieved, to reapportion seats as appropriate.

205 **Minutes of the Overview Committee 24 September 2020**

The minutes of the Overview Committee of 24 September 2020 were submitted as a late item with agreement of the Leader.

Members received and noted the minutes of the Overview Committee of 24 September.

Discussion on Minute 64 (relating to Local Authority Mental Health Challenge and the Healthy Weight Declaration) included:

- Need for supporting staff and councillors with poor mental health
- Clarity on the role being recommended by the Overview Committee, to establish if the desire was to sign up to the declaration or to go further in providing a form of mental health service;
- Complexity of the subject matter for one officer to cover was questioned, with warnings of the possible ramifications if incorrect advice was given.

**RESOLVED** that Cabinet note and thank the Overview Committee for its work and recommendations; and instruct the Strategic Lead for Housing, Health and Environment to prepare a report to be brought to the next Cabinet to consider the recommendations and cost/resourcing implications, with a view to signing the Local Authority Mental Health Declaration.

## 206 **Minutes of the Housing Review Board 17 September 2020**

The minutes of the Housing Review Board of 17 September 2020 were submitted as a late item with agreement of the Leader.

Members received and noted the Minutes of the Housing Review Board of 17 September 2020.

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

### **Minute 72 Advantage South West - renewal of subscription**

that the Council continue paying the annual subscription to maintain the membership to Advantage South West.

### **Minute 73 Air source heat pumps**

Approve the continued use and installation of air source heat pumps as a viable carbon efficient alternative to conventional boilers.

### **Minute 75 Climate change action plan**

1. Members agree to the climate strategy actions detailed in the report.
2. Members endorse the cultural shift required to move to a carbon neutral housing service within 20 years.
1. Approval is given for the need for an additional Programme Works Officer who will focus on energy efficiency measures and drive forward the programme for improvements to the housing stock, with additional funding being designated from the Housing Revenue Account.

**Minute 78 Finance report to end August 2020**

Agree the budget reallocations within the report, note the impact assessments and approve the report on the Housing Revenue Account financial position to end of August 2020.

**Minute 79 Stock condition survey**

Approve the delivery of the stock condition survey by an external consultant sourced through an approved procurement framework.

**Minute 80 Formal complaints**

1. that the Housing Leadership Team re-iterate the importance of outstanding customer care, considering additional training and awareness opportunities where appropriate.
2. that the Housing Operational Managers group reviews processes to ensure they are effectively co-ordinating responses and updates on formal complaints and councillor enquiries raised with them.
3. that the Housing Services Manager works with the council's Information and Complaints Officer, and customers on the Designated Tenant Complaints Panel, to self-assess against the ombudsman's new code by 31 December 2020.
4. that the Housing Services Manager ensures that better communication is given from Housing Officers in responding to queries from tenants to effectively manage expectations of customers.

**Minute 81 Sailor's Rest, Exmouth - allocations and management**

Approve the policy to provide support and clarity to the allocation and management process for the flats at 18A and 18B St. Andrews Road, Exmouth, whilst they are being used as move on accommodation.

**Minute 82 Structure of the housing service**

RECOMMENDED:

1. that Cabinet note the changes to the structure and approve the need for the recruitment of a specialist Mental Health Support Officer to work within the housing services team.
2. that Cabinet approve additional funding (£37,500 – Grade 6 with associated costs) is designated from the Housing Revenue Account.

207 **Exeter & East Devon Enterprise Zone**

The Enterprise Zone Programme Manager provided an update on the financial position with regard to the Enterprise Zone (EZ) programme which sought approval for additional borrowing against future ring-fenced business rate income. The additional borrowing would allow further investment in enabling the delivery of new commercial space and jobs in the Enterprise Zone, supporting recovery from Covid-19 and providing opportunities for clean and inclusive growth.

In response to a question on the Covid-19 Economy and Business Recovery Prospectus, it was confirmed that a further report was set to go before Cabinet in October on the plan.

**RESOLVED that Cabinet:**

1. Notes the progress made within the Enterprise Zone designation
2. Agrees the principle of a £1m fund to enable the continuation of an Enterprise Zone Business Rate Relief programme

3. Receives further papers setting out detailed investment proposals.

### **RECOMMENDED to Council**

4. That it agrees the principle of increasing borrowing up to £20m against ring fenced business rate income to fund the delivery of capital projects.

### **REASON**

Cabinet last received a paper on the financial position of the EZ in March 2019. During the intervening period, work had focused on gaining approval for projects that support the delivery of the EZ, in terms of overcoming identified barriers and bringing forward catalytic investments that could increase the pace of delivery for new commercial space and jobs.

## 208 **COVID-19 Recovery planning**

The Service Lead Countryside and Leisure outlined the work that had and was being progressed to produce a cohesive approach to East Devon DC's recovery planning as the district emerges from the Response stage of Covid-19. The report aimed to give Cabinet reassurance that the Recovery planning work had followed best practice guidance from the Devon Emergency Planning Partnership (DEPP) in terms of process and documentation. The Council had been fully engaged with Team Devon's strategic recovery planning work through participation in various sub groups such as the Devon Recovery Co-ordination Group and the Economy and Business Recovery group.

The Leader expressed his thanks to officers for their efforts during the pandemic, with specific thanks to the Chief Executive in regard to his report to Team Devon earlier that day.

Other Members voiced their thanks and admiration for the achievements across the services by officers in difficult circumstances, dealing with vastly increased workloads. The Portfolio Holder for Finance led a short applause by the Cabinet and Members to show their appreciation.

### **RESOLVED that Cabinet:**

1. Approved the Service recovery planning process and supports the work of council officers providing leadership and support to the Council's recovery work.
2. Noted that officers of East Devon District Council were leading the work on the Service Recovery Action Plan and would continue to provide support to progress the individual work streams.
3. Continued to support and participate in the engagement of Devon CC's strategic recovery co-ordination work through Officers membership of its thematic sub groups.

### **REASON**

To ensure that East Devon District Council could continue to co-ordinate its recovery planning work with its internal services and to participate fully with Team Devon's strategic recovery planning work. This would enable a continuation of current recovery planning work and so retain a cohesive approach to its Service Recovery Action Plan going forward whilst uncertainty still remains over the likelihood and impacts of further spikes of the pandemic. Other recovery plans had been produced at a strategic level such as Team Devon's Economy & Business Recovery Plan but these were not place-

based and sufficiently fine-grained as to be effective at district level. There were and would continue to be issues and themes that were best progressed at this strategic level and so the Council's alignment with these recovery plans would be important. The focus for this Council had been working on its own internal recovery arrangements.

## 209 **Towards Zero Carbon Development in the West End**

Henry Gent had submitted two questions on this report prior to the meeting.

### **Question 1: CO2 emissions from energy from waste**

A recent report provided several estimates for the CO2 emissions from waste incinerators. The average figure is 800 g CO2/KWhe. Table 3 in the report from UKWIN (below) provides several examples of different estimates.

[UKWIN-2018-Incineration-Climate-Change-Report.pdf](#)

What is the figure used by WSP in the feasibility study when calculating the CO2 emissions by the proposed EfW Hill Barton power station in g CO2/kWhe ?

#### **Answer**

WSP (consultants) has not used a figure for emissions from the process of waste incineration in this report.

Referring to DCC approved planning application, the Portfolio Holder for Coast, Country and Environment read out the Council's environment officer submission to the application, which covered the extensive gas cleaning system to be incorporated in the efW plant and the ongoing maintenance and monitoring.

The Portfolio Holder stated he would research further information on emissions and respond to Mr Gent directly.

### **Question 2: proportion of feedstock that will be fossil fuel based products**

Of the waste feedstock to be burned at the EfW Hill Barton CHP station, what proportion will be fossil fuel based products?

#### **Answer**

The County Council acts as the Waste Disposal Authority and hence it determined the planning application for the EfW plant at Hill Barton. The following is an extract from the relevant officer report;

"The energy generation process will utilise fibre fuel derived from commercial and industrial waste, commonly known as Refuse Derived Fuel (RDF). This fuel is typically composed of plastics, composites, textiles, and small amounts of wood, paper & cardboard, and is the residual material remaining after recyclable materials, metals and inert materials have been removed from the waste received at transfer stations and material recycling facilities such as the EMS facility at Hill Barton."

The Service Lead Growth, Development and Prosperity set out the key issues associated with achieving large scale zero carbon development in the West End of the District. He provided an overview of the results of a recently completed feasibility study and sought endorsement for the principle of submitting a funding application to the Heat Network Investment Programme.

In response to a question about burning plastics, the Portfolio Holder for Coast, Country and Environment outlined how filtering systems within the stack of a plant deal with gases given off through burning, with checks by the Environment Agency to ensure these are fully operational. He also added that he would like to see some flexibility to review

any new technology in the field reviewed, as and when it arose, because of the timescales of delivery.

**RESOLVED that Cabinet:**

1. Noted the findings of the feasibility study and the key issues associated with achieving zero carbon development at Cranbrook and Skypark.
2. Endorsed the principle of submitting a funding bid to the Heat Network Investment Programme.
3. Received a further report setting out a proposal for the role that Council could play in enabling the delivery of zero carbon development including the investment case.

**REASON**

To ensure that there was a clear pathway for achieving large scale zero carbon development in the West End of the District.

210 **Nature Recovery Networks & Re-Wilding projects**

Mr Ed Dolphin read out a statement, in which he welcomed and complimented the report confirming the wide recognition that our natural environment is degrading rapidly and there is a need for action. He felt that some aspects of the plan for re-wilding can be controversial, especially in urban settings, grass cutting being one theme to recent stories and letters in the Sidmouth Herald. The experimental regime needs refinement, but many objections are based on misconceptions, which is recognised in the report, recommending a campaign of public engagement and enlightenment. He highlighted that he works with a number of environmental groups and organisations and our natural environment is in crisis, the decline of insect populations being one of the most significant problems confronting us. EDDC's Nature Recovery Networks & Re-wilding Projects can make an important contribution to biodiversity in East Devon, and he commended the report to the Cabinet.

The Strategic Lead Housing, Health and Environment presented his report that promoted the wider coverage of nature recovery networks and re-wilding projects, building on the work undertaken already in some of the district's green spaces. It took the form of a review document with a series of recommendations to form a policy on nature recovery networks and re-wilding activity. The report built on the priorities and objectives set out in the Green Space Plan and was consistent with the council's corporate outstanding environment theme. The report looked at national guidance and considers definitions and existing projects. The initiative advances a commitment in the Climate Change Strategy and stated objectives in several Service Plans.

Tree planting was raised as an issue for inclusion in the recommendation, but agreement was reached that this would be included in a specific report on the work required to deliver this action from the Climate Change Strategy.

Members spoke about the need to address factors such as the extreme decline in insect species, including a statement about the Woodbury Wide Awake festival that built on wildflower surveys in that area.

Concern was raised about planting areas set out in new developments as a requirement of the planning conditions, which were subsequently removed or impacted by the owners

of the newly built properties. An example was given of trees without Tree Preservation Orders being removed from a development in Exmouth.

**RESOLVED that Cabinet:**

To progress the Climate Change Strategy and Service Plan commitments on nature recovery and re-wilding;

1. extend coverage of nature recovery networks and rewilding projects, carefully defining EDDC aspirations;
2. work through the green spaces identified in the Green Space Plan and assess whether they were suitable for recovery/re-wilding;
3. identify a suitable re-wilding site in every East Devon town as an exemplar within a year;
4. identify areas of Housing land suitable for nature recovery and/or re-wilding and consult with tenants with proposals;
5. map and record areas identified for recovery/re-wilding and monitor the benefits arising from the process;
6. establish an improved understanding of the position of fauna and flora species in the district;
7. establish a campaign to promote the benefits of rewilding in a range of settings; and
8. establish a project group, adopt the guiding principles, and specify what constitutes re-wilding and how this can be achieved in the district.

**REASON**

To progress ambitions in the Climate Change Strategy, Green Space Plan, and Service Plans aimed at achieving improved biodiversity and natural habitats through re-wilding and implementing nature recovery corridors.

211 **Exeter Airport**

The Service Lead Growth, Development and Prosperity provided an overview of the impact of the Covid-19 pandemic on the operation of Exeter Airport and set out a proposed package of support. This provided a response to a request for business rate relief and sought approval for additional funds to be made available through the Enterprise Zone programme to enable the Long Lane enhancement scheme to progress. The potential to bid to the forthcoming Free Port programme was highlighted as well as the potential to develop a sustainable aviation cluster centred on the Airport.

In response to a query on protecting the Council's investment, the Service Lead confirmed that the Airport are willing to enter in negotiations to conclude the terms of a funding agreement with security provided in the form of a Parent Company Guarantee.

Discussion took place on encouraging all local MPs to pursue the proposal from MP Simon Jupp for introducing business rates relief for airports on a national basis. Other nearby airports such as Bournemouth also had no current rate relief, as opposed to the approach in Scotland of providing a one year business rate holiday for all airports. Members were asked to use their best endeavours to lobby MPs to help secure action on rate relief on a national stage. The Strategic Lead for Finance confirmed that, if forthcoming, this would overwrite the local rate relief that was being put forward in the report.



The issue of the impact of heavy goods traffic outside of the Long Lane scheme would be taken up with the County Council.

**RESOLVED that Cabinet:**

1. Note the significant impact of the Covid-19 pandemic on the operation of the Airport,
2. Supported the proposed business rate relief request within State Aid limits to be funded through the Enterprise Zone programme,
3. Endorsed increasing the budget for the Long Lane project by £1.1m,
4. Granted delegated authority to the Chief Executive in consultation with the Leader, Deputy Leader and Portfolio Holder for Finance to agree the terms of and complete the funding agreements and any other necessary legal documentation to achieve the above recommendations,
5. Noted the potential for an application to be submitted for Freeport status and to receive a further report on these proposals before any bid was submitted,
6. Endorsed the concept of a sustainable aviation cluster centred on Exeter Airport and received a further report on how this concept could come forward.

**RECOMMENDED to Council:**

7. The borrowing of up to £3.7m against ring fenced business rate income to implement the scheme.

**REASON:**

To ensure that there was a package of support in place for the Airport to help counteract the impact of the lockdown, promote recovery and chart a course to a more sustainable future.

212 **Deferred items to next Cabinet**

The Leader, with the agreement of the Cabinet, deferred the following items to the next meeting of the Cabinet:

- Financial Strategy 2021 – 2031
- Revenue and Capital Outturn Report 2019 – 2020
- Financial Monitoring Report 2020/21
- Member Champions
- Complaints to the Ombudsman during 2019/20
- Protocol for Members Advisory Panels on Planning Matters update
- Leader's annual report on urgent executive decisions
- Acquisition of Ocean Blue, The Esplanade, Exmouth – Process Followed and Business Case for Acquisition

**Attendance List**

**Present:**

**Portfolio Holders**

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
J Bailey	Portfolio Holder Corporate Services and COVID-19 Response and Recovery
G Jung	Portfolio Holder Coast, Country and Environment

P Millar	Portfolio Holder Democracy and Transparency
M Rixson	Portfolio Holder Climate Action
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Policy Co-ordination and Regional Engagement

**Cabinet apologies:**

D Ledger	Portfolio Holder Strategic Planning
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**Also present (for some or all the meeting)**

Councillor Mike Allen  
Councillor Denise Bickley  
Councillor Susie Bond  
Councillor Colin Brown  
Councillor Maddy Chapman  
Councillor Olly Davey  
Councillor Alan Dent  
Councillor Peter Faithfull  
Councillor Steve Gazzard  
Councillor Ian Hall  
Councillor Sam Hawkins  
Councillor Nick Hookway  
Councillor Sarah Jackson  
Councillor Paul Jarvis  
Councillor Vicky Johns  
Councillor Kathy McLauchlan  
Councillor Helen Parr  
Councillor Geoff Pook  
Councillor Geoff Pratt  
Councillor Val Ranger  
Councillor Eleanor Rylance  
Councillor Brenda Taylor  
Councillor Joe Whibley  
Councillor Tom Wright

**Also present:**

**Officers:**

Tim Child, Service Lead - Place, Assets & Commercialisation  
Simon Davey, Strategic Lead Finance  
Ed Freeman, Service Lead Strategic Planning and Development Management  
John Golding, Strategic Lead Housing, Health and Environment  
Naomi Harnett, Principal Projects Manager East Of Exeter  
Susan Howl, Democratic Services Manager  
Debbie Meakin, Democratic Services Officer  
Charles Plowden, Service Lead Countryside and Leisure  
John Symes, Finance Manager  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)  
Mark Williams, Chief Executive  
Andrew Wood, Service Lead - Growth Development and Prosperity

Chairman .....

Date: .....