

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 10 February 2016

Attendance list at end of document

The meeting started at 5.30pm and ended at 9.30pm

***164 Public Speaking**

Tony Howard, spoke on agenda item 16 – West Hill Community Governance Review. Mr Howard gave apologies on behalf of Dr Margaret Hall chairman for West Hill Parish Council Campaign Group who could not attend the meeting. The Governance review was well received by the Group with Ottery St Mary and West Hill both gaining from this. West Hill would be empowered to control its parish's growth. The financial reserves should be pro rata based on the number of council tax payers from each community.

Cllr Jo Talbot spoke on agenda item 16 – West Hill Community Governance Review. As a founder member of West Hill Parish Council Campaign Group she had voted for an independent council. She did have concerns in respect of the boundary and financial reserves. West Hill had grown over the years but without its own Parish Council. Ottery St Mary's growth should be the sole focus of Ottery St Mary Town Council.

Mayor Glyn Dobson from Ottery St Mary Town Council spoke on agenda item 16 – West Hill Community Governance Review. He agreed that West Hill should have its own parish council but stated there would be financial implications to this. Facilities such as the public toilets were provided to West Hill by Ottery St Mary Town Council, which meant the Town Council would be subsidising this provision. Mayor Dobson agreed to the suggested new boundary. He said that the name of the new parish council should be left for the new parish council to decide.

John Harding from Tipton St John spoke on agenda item 16 – West Hill Community Governance Review. Mr Harding said there had been no clear information sent to residents as to whether this was a good or bad decision. He asked that the Council provided the residents with an understanding of these effects during the next round of consultations. He accepted the proposals to the boundary change.

Councillor Paul Carter, Ward Member for Ottery St Mary Rural agreed the proposed boundary fitted well and the comments received by residents outlined where they wanted it to be.

The Chief Executive confirmed he had reviewed all comments sent in and the decision to make this new parish council would be made at the next full Council meeting later this month. He informed the meeting that funding for the new parish council would come from the council tax precept; this was the case for all parish councils.

***165 Minutes**

The minutes of the Cabinet meeting held on 6 January 2016 were confirmed and signed as a true record.

***166 Declarations**

Councillor Jill Elson – Minute 14 and Minute 22

Interest: Personal

Reason: Sits on the board of Exmouth Community College

Councillor Andrew Moulding – Minute 11
Interest: Personal
Reason: Son has used the Handy Person Scheme

Councillor Phil Twiss– Minute 19
Interest: Personal
Reason: Runs an IT business but not involved with BT

Councillor Eileen Wragg – Minute 20
Interest: Personal
Reason: On Health and Wellbeing Board DCC

Councillor Paul Diviani – Minute 20
Interest: Personal
Reason: On Health and Wellbeing Board DCC

Councillor Paul Diviani – Minute 17
Interest: Personal
Reason: Sits on South West Energy and the Environment Group (SWEEG)

***167 Matters referred to the Cabinet**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committees.

***168 Exclusion of the public**

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

***169 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 March 2016 to 30 June 2016.

***170 Seaton Regeneration Programme Board held on 3 December 2015**

Members received the action notes of the Seaton Regeneration Programme Board held on 3 December 2015.

***171 Notes of the Community Fund Panel held on 12 January 2016**

Members received the notes of the Community Fund Panel held on 12 January 2016 and supported the recommended financial support for applications received for Awliscombe Parish Hall and Kilmington Village Hall.

172 Minutes of the Joint Overview and Scrutiny held on 13 January 2016

Members received and noted the minutes of the Joint Overview and Scrutiny held on 13 January 2016 to consider the Draft Revenue and Capital Budgets 2016/17 and Service Plans.

RECOMMENDED (1) that the following be taken into account during the budget setting process (agenda item 14 refers):

1. that the Council increases the Council Tax for 2016/17 by £5 per year (equivalent to 4.1%);

2. that the draft revenue budget be recommended to Council with the following inclusion of special item bids:
 - a. Exmouth Beach Management Plan at £50k
 - b. Seaton Beach Management Plan at £50k
 - c. Seaton East of West Walk gabions at £5k
 - d. Trimble GEO 7X asset surveying tool at £8k
 - e. Exmouth Orcombe Point steps at £5k
 - f. Annis's Knob Beer Cliff works at £15k
 - g. Sidford Rugby Club rabbit fencing works at £4k
 - h. Recycling and Refuse assuming new scheme roll out to mirror success of trial experience at £172k
 - i. On site building manager at Younghayes Centre at £10k
 - j. Implications of National Living Wage – implementation of grade differentials and implications with apprentices at £18k
 - k. Additional one FTE recourse in the tree service at £27k
3. that the special item bid for the Gov Delivery - multimedia messaging system at £9k be funded from the transformation budget.
4. that the service plans be recommended to Council including a minor amendment to reporting of two performance indicators within the Growth Point Team service plan;
5. that the draft Capital budget be recommended to Council
6. **RECOMMENDATION of the Overview Committee**
That the additional post of Research and Funding Officer, at £29,588 per annum plus 25% on cost, be made to the Regeneration and Economic Development service, and the remaining elements of the bid with additional staff and purchase of additional skills for the service be further debated by Cabinet
7. **RECOMMENDATION of the Scrutiny Committee**
That the proposal of three additional staff and purchase of additional skills for the Regeneration and Economic Development service be debated further by Cabinet.

173 **Minutes of the Housing Review Board held on 14 January 2016**

Members received and noted the minutes of the Housing Review Board held on 14 January 2016.

Councillor Pauline Stott informed members that the Handy Man Scheme had been extended for six months and was free to all people over the age of 70.

The Portfolio Holder Sustainable Homes and Communities reminded members that the Council needed to sell four council houses in order to buy one new home to put on its register.

RESOLVED (1) that the following be noted:

Minute 55 – Forward Plan update (1)

Minute 61 - Garage review - progress to date

Minute 63 - Budget monitoring report

the variances identified as part of the HRA revenue and capital monitoring process up to month eight.

RESOLVED (2) that the following recommendations be agreed:

Minute 53 - Energy South West initiative

1. that the project be supported and encouraged and the benefits of the scheme be advertised to tenants.
2. that consideration of the transfer of the management of void properties to Energy South West be deferred until after the pilot has taken place and the results are available for the Board.

Minute 54 - Start time of Housing Review Board meetings

that the Housing Review Board meetings start at 2:30pm for the 2016/17 civic year.

Minute 55 – Forward Plan update (2)

that a Task and Finish Forum be established to consider the 30 year Housing Revenue Account Business Plan. Membership of the TaFF would include Councillor Stott, Pat Rous, Christine Drew, Councillor Douglas Hull, Harry Roberts and Mike Berridge.

Minute 59 - Repair timescales

that following the completion of the pilot project changes be implemented to priority repairs timescales to improve the system further.

Minute 60 - Extension to handy person scheme

that the handy person scheme be extended for a further six months until the end of August 2016.

Minute 61 - Garage review

that the disposal of three rural garage sites at Bakers Mead, Shute, Plymtree and Luppitt.

RECOMMENDED (1) that the following be taken into account during the budget setting process (agenda item 14 refers):

Minute 56 - Draft Housing Revenue Account budget 2016/17

RECOMMENDED (2) that the following be referred to Council for determination:

Minute 57 - Draft Housing Service Plan 2016/17 – for approval.

Minute 58 – that the revised Asbestos Management Plan and procedures applicable to Council homes be approved.

Minute 62 - Pets policy and leaflet – for approval.

Minute 63 - Budget monitoring report

that the Overview Committee be asked consider the strategic planning issues relating to how and where the Council should build future affordable housing.

***174 Minutes of the Recycling and Refuse Partnership Board held on 20 January 2016**

Members received and noted minutes of the Recycling and Refuse Partnership Board held on 20 January 2016

RESOLVED (1) that the following be noted:

Minute 40 – Statistical information – update report.

Minute 42 - SITA Senior Contract Manager update - performance

Minute 43 - Sustainable waste service trial (Feniton & Exmouth) – update – with thanks **extended to the teams involved.**

Minute 44 - Devon County Council textile contract – update

Minute 49 - Procurement of new recycling, waste collection and associated services contract – progress report

RESOLVED (2) that the following recommendation be agreed:

Minute 45 - Otter Rotters update

1. that an examination of Otter Rotters' health and safety working practices take place as a matter of urgency,
2. that further investigation of the legal status of the partnership with Otter Rotters be undertaken,
3. that officers meet again with Otter Rotters to explain the Council's concerns on the lack of auditable data provided by them,
4. that should Otter Rotters fail to provide the information required then consideration be given to the Council ceasing its support.

Minute 46 - Avoided disposal costs

that Officers pursue avoided disposal costs with Devon County Council and report back to the Board following DCC's March Cabinet meeting.

***175 Recycling and Refuse Collection Contract**

The Strategic Lead – Housing, Health & Environment and the Service Lead, Streetscene presented the report which outlined the final stages of the procurement process in respect of the contract for recycling, waste collection and associated services. Members were asked to select a contractor and a service delivery option (Lot) for the next 7+ years.

The report set out the evaluation of Best and Final Offers, including the evaluation criteria used to score the submissions under a Price/Quality 60/40% split framework. It explained how the trials in Feniton and Exmouth (the Colony) had influenced the recommendations and demonstrated that an enhanced weekly kerbside recycling collection service combined with a three-weekly residual waste collection arrangement was viable for most households. In conclusion, the report made a recommendation for an award of contract based on the Tender Evaluation Panel's scoring as set out in the report.

The Portfolio Holder Environment congratulated and thanked the Waste and Communication Teams for their hard work to getting to this final stage of the contract for recycling, waste collection and associated services. Other positive comments were the saving of £300K on such an important contract and how excellent the procurement process had been.

The recommendations of both the Overview Committee and Scrutiny Committee on 9 February 2016 were taken into account during the debate, namely:

1. that, based on the evaluation of tenders for the Recycling, Waste Collection and Associated Services contract by the Tender Evaluation Panel, Bidder A be appointed to deliver and operate the services specified in the contract and tender documents;
2. that the tender be awarded on the basis of Lot 3 (enhanced weekly kerbside recycling and a three-weekly residual collection service);
3. agree to a three month extension to the current contract to enable the contract to commence in July 2016, giving an appropriate mobilisation timeframe, with a corresponding extension of the depot lease;
4. that delegated authority be given to the Strategic Lead (Housing, Health and Environment) and Strategic Lead (Legal, Licensing and Democratic Services) to negotiate and complete the contract and depot lease extensions and new waste contract.
5. request that Devon County Council provide the information on cost per tonne for disposal of residual waste to this and other authorities in the county, in the next two months.

RESOLVED:

- 1) that based on the evaluation of tenders for the Recycling, Waste Collection and Associated Services contract the Tender Evaluation Panel recommend the appointment of Bidder A to deliver and operate the services specified in the contract and tender documents,
- 2) that the Tender Evaluation Panel also recommended that the Council award the tender on the basis of Lot 3 (enhanced weekly kerbside recycling and a three-weekly residual collection service) for the reasons stated in the report,
- 3) that delegated authority be given to the Strategic Lead (Housing Health and Environment) and Strategic Lead (Legal, Licensing and Democratic Services) to negotiate and complete the contract and depot lease extensions and also the new waste contract,
- 4) that a three month extension to the current contract be agreed to enable the contract to commence in July 2016, giving an appropriate mobilisation timeframe, with a corresponding extension of the depot lease.
- 5) that Devon County Council be asked to provide the information on cost per tonne for disposal of residual waste to this and other authorities in the county, in the next two months.

REASON:

To select a suitable contractor for the collection of recycling, waste and associated services for the period 2016 – 2023, with the possibility of a further three years extension of contract.

176 **Revenue and Capital Estimates 2016/17**

The Strategic Lead – Finance informed Cabinet of the adopted draft Revenue and Capital Estimates for 2016/17 at its meeting on 6 January 2016. A meeting of the Overview and Scrutiny Committees reviewed those budgets on 13 January and the Housing Review Board considered the Housing Revenue Account budgets on 14 January.

Proposals from those meetings were detailed in the report and the minutes of those meetings were contained on the agenda. It was for Cabinet to consider those comments and proposals and to make final recommendations to Council.

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 2016/17 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy.

The government announced on 9 February 2016 the final 2016/17 Local Government Finance Settlement. There was one change in the final settlement which was the Council would receive an additional £0.186m in other grant funding from the Rural Services Delivery Grant and Transition Grant. Another government announcement concerned the 1% reduction for council house rents which for a one-year exemption did not include sheltered housing. The standard rent increase still applied to sheltered housing. This gave the Housing Revenue Account a revised balance of £213k.

Discussions around the new post of Economic Development Officer included the following:

- the post was not necessary, as no business case had been put forward
- the need for this new post was necessary in order to gain funding to improve the towns in the district
- the new post would allow for bid applications to be made with the research backing this
- this resource would allow for redevelopment opportunities
- over a thousand young people leave school locally each year for which work and job opportunities must be provided
- business sites need marketing
- long term outcomes could be judged by the new Officer's achievements
- work needed to be done to access the value of the post
- the Council was run as a business therefore the business case must be proven
- fund a post of a Research and Funding Officer as a very minimum
- the Asset Management Forum to give suggestions for the new post's job specification
- The debate also included an endorsement of the view that the special item bid for Regeneration and Economic Development resources be considered at a future Budget Working Party.

RECOMMENDED:

1. that the Net Revenue General Fund Estimate of £14.265m be approved.
2. that Special Item Bids – One off Costs totalling £0.309m (identified in 2.2.1 of the report) be added to the Net Revenue General Fund Estimates (recommendation 1 above) in line with the Overview and Scrutiny Committees recommendation.
3. that Special Item Bids – Ongoing Costs (identified in 2.2.2 of the report) be added to the Net Revenue General Fund Estimates (recommendation 1 above) in line with

Overview Committee's recommendation to include £0.101m into the 2016/17 budget, which included £0.037m for the Research and Funding Officer in the Regeneration and Economic Development area, and a future debate to be held on the total bid submitted from this area.

4. that the Council Tax level be raised by £5 (4.1%) for 2016/17.
5. that the Housing Revenue Account Estimates with a net surplus of £0.213m be approved and that assuming sheltered accommodation rents were excluded from the 1% reduction the standard increase of September CPI plus 1% be applied to these properties.
6. that the Net Capital Budget totalling £18.541m be approved.

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 2016/17.

177 **Treasury Management Strategy 2016/17 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy**

Claire Mitchell, Accountant presented the report stating the Chartered Institute of Public Finance and Accountancy (CIPFA) produce a Code of Practice for Treasury Management for Public Services. One of the main recommendations of this 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.

Two amendments were made to the report on page 101 for item 4.3 - Specified and Non-Specified Investments:

1. The reclassification of corporate bonds with a credit rating of AAA and a duration of less than one year from non-specified to specified investments.

The addition of the following:

2. The Council limits non-specified treasury investments to 10% of the value of its investment portfolio at the point of investment, with the maximum amount invested being in line with criteria.

RECOMMENDED:

that Council approve and adopt:

1. the Treasury Management Strategy including the Prudential Indicators for 2016/17;
2. the Minimum Revenue Provision Policy Statement;
3. the approach to borrowing in advance of need; and,
4. the updated list of counterparties.

REASON:

The Council was required to formally adopt a Treasury Management Strategy and set prudential indicators before the beginning of the financial year.

178 **West Hill Boundary Review**

The Chief Executive reported that at its meeting in July 2015, Cabinet agreed that a Community Governance Review be undertaken following a request from the 'West Hill Parish Council Campaign'. Following publication of the Terms of Reference and the first phase of consultation a decision was now required on whether to proceed to the second stage of the Community Governance Review. The report appends a summary of

the various views that were received and recommends the formal publication of draft proposals.

RECOMMENDED:

1. that having regard to the relevant statutory criteria and the results of the first phase of consultation, a new Parish Council be established for the area known as 'West Hill' and that the proposal be formally published with a 3 month period for representations.
2. that the proposed boundary be as set out in Appendix D to the report (reflecting comments made by local residents in the consultation).
3. that the new Parish Council be known as 'West Hill Parish Council' with a membership of 7 councillors and that no warding provisions be incorporated.

REASON:

In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews.

179 **ESCo Energy Services**

Andy Wood, East of Exeter Projects Director gave a presentation to update members. The report recommended the formation of an Energy Service Company (ESCo) in partnership with the RD&E NHS Trust, University of Exeter, Devon County Council, Exeter City Council and Teignbridge District Council. The purpose of this was to procure a private sector partner(s) to enable investment in further District Heating Networks to connect the city centre of Exeter with the Royal Devon and Exeter hospital sites and to utilise heat from the Energy from Waste plant at Marsh Barton to serve new development at South West Exeter.

Tony Norton from the University of Exeter and Naomi Harnett, Principal Projects Manager answered members' questions. The main issue was the huge investment without much notice being given. The scheme could be accepted in the future but presently it was thought the money could be better spent. 25 years was a long time in a world where technologies were constantly changing.

RECOMMENDED:

that the Council agrees to become a shareholder of the public sector Energy Services Company (ESCo) subject to the Chief Executive, Strategic Lead (Finance), Strategic Lead (Legal, Licensing and Democratic Services) and Portfolio Holder Finance being satisfied that the legal and financial governance arrangements of the ESCo are appropriate and protect the Councils' interests.

REASON:

The proposed Energy Services Company and two district heating networks would:

1. deliver a financial return to EDDC
2. provide low carbon energy at a reduced cost to public sector partners
3. support a rate of financial return and reduced project risks such that it would, with the benefit of investment from the public sector partners, be attractive to a private sector partner.

***180 Seaton Town Hall – Asset Transfer update**

The Portfolio Holder Finance reminded members that in July 2015 Cabinet considered and agreed a report to transfer Seaton Town Hall to Seaton Town Council. Some of the details of that transfer contained in the report had now changed and although this did not alter the resolution of Cabinet, it was considered appropriate to update members on these amendments and the transfer progress.

These amendments were to the original initiative outlined to Cabinet in July but were not seen as fundamental requiring Cabinet to revisit its resolution. The variations did not directly affect this Council as the asset transfer was still to the Town Council; the variation was around the relationship between the Town Council and Seaton's Voice and improvements to the Hall:

- The Town Council was now to vacate the Town Hall and to use Marshlands, another property within Seaton, as its offices.
- The Town Council would grant Seaton's Voice a long lease to occupy the Town Hall and to continue to operate the Hall as a community facility. A lease would also to be granted by the Town Council to the Seaton Museum for its element of the building.
- Seaton Town Council would contribute to the running of the Hall in relation to landlord costs but Seaton's Voice would determine and finance improvements to the facilities; thereby not requiring the Town Council to seek consultation on obtaining a Public Works Loan.

In addition, it was agreed for this Council to support the organisations involved over the coming months leading to the transfer and where necessary and appropriate to provide professional support to facilitate the transfer. From this Council the Finance Portfolio Holder and the Chairman of the Asset Management Forum had played a vital role in facilitating the asset transfer. Councillor Marcus Hartnell had been a key contact for the Town Council. On reflection and consideration to future proposals for asset transfers, the need to give sufficient and timely support to keep projects on track must be ensured.

As of this week and with considerable effort from Councillor Marcus Hartnell aided by Councillor Peter Burrows, Seaton Town Council had agreed the Heads of Terms to this transfer. This prompt conclusion should allow the transfer to be completed by 31 March 2016.

RESOLVED:

that the current position with the transfer of Seaton Town Hall to the Town Council be noted.

REASON:

To provide an update position for members relating to the transfer of an asset to a Town Council.

***181 East Devon Broadband**

The Portfolio Holder Corporate Services updated members on a bid that had been made to Broadband Delivery UK (BDUK), part of the Department for Culture, Media and Sport. To support connectivity in the South West, the government had allocated £10m to the broadband programme from April 2016. The fund would be available for local projects to bid into.

At this stage the bid did not commit the Council, a request had been made for funding to see if this scheme would be supported by BDUK either through grant or possible investment. The outline case was for joint-venture between the Council and Broadway Partners, co-investors in East Devon Broadband to provide superfast broadband capability to as many of the 'final 10%, or 5%' of residents and businesses of East Devon, who would not be covered by the Connecting Devon & Somerset (CD&S) roll-out of superfast broadband. The 'final 10%, or 5%' of properties was an unknown figure but it was envisaged by working with BDUK and hopefully CD&S this would become clearer.

RESOLVED:

that Members were informed of the details contained in a bid made to BDUK for a scheme to improve superfast broadband coverage within the District.

REASON:

To update members

182 **Thelma Hulbert Gallery update**

The Service Lead – Countryside & Leisure informed Cabinet of the progress made by the Thelma Hulbert Gallery (THG) since its January 2015 Cabinet meeting. The report detailed progress made in securing grants and income as well as the successes made in its outreach work which provided a significant social value to the local community and the Council. He thanked Andrew Ennis, Service Lead Environmental Health and Car Parks for his help in achieving the new THG signage in the grounds and car parks.

Angela Blackwell, Gallery Curator/Manager gave a presentation on the work and achievements THG had made during 2015 to date.

Councillor John O'Leary, Arts and Culture Champion, confirmed the successful year for THG. There had been successful arts exhibitions, outreach work and delivering a core part of the Council's health and wellbeing agenda. He thanked Charlie Plowden, Angela Blackwell and their team for their hard work towards this success.

Discussions included the following:

- Great gardens with the bonus of an art gallery attached
- Weight of commercial and social value immense
- Activities needed to go further west of the district for more residents to benefit

RECOMMENDED:

that the proposed budget set for 2016/17 to enable the Thelma Hulbert Gallery to continue to achieve an improved financial performance, be agreed.

REASON:

The recent budget setting process for 2016/17 had scrutinised the recent grant awards for the THG and considered the potential for driving up its income potential. The process had also noted and incorporated the potential for income growth for 2016/17 based upon the financial performance of its shop sales, donations and sponsorship year to date. The budget was therefore set to continue to challenge the excellent progress the THG had made in reducing its overall cost to the Council by a further reduction of costs of £4,680 for 2016/17. The proposed budget for 2016/17 was £110,420 (above the recharges line it is £73,080). This equated to a further 6.02% saving on the 2015/16 budget and would

achieve a total of £20,600 operational savings to the Council since agreeing the THG Business Survival Strategy in 2014/15. This performance if achieved was a clear demonstration of the improving financial performance of the THG and the continued success of its new team in securing grants and new income streams that helped reduce the annual contribution made to its running costs.

***183 Financial Monitoring Report 2015/16 - Month 9 December 2015**

The report gave a summary of the Council's overall financial position for 2015/16 at the end of month nine (31 December 2015).

Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level.
- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- There was a sufficient Capital Reserve to balance this year's capital programme.

RESOLVED:

that the variances identified as part of the Revenue and Capital Monitoring process up to month nine be acknowledged.

REASON:

To update members on the overall financial position of the Authority following the end of each month and included recommendations where corrective action was required for the remainder of the financial year.

***184 Honiton and Exmouth Pitches project – Stage 1**

Graeme Thompson, Planning Policy Officer updated Cabinet on progress in relation to the identification of sites to deliver sports pitches in Honiton and Exmouth (following on from adoption of the Playing Pitch Strategy (PPS) and related resolution by Cabinet in June 2015). He highlighted the process ahead and resource implications, and requested clarity on how Cabinet saw the implementation of any future recommendations being delivered.

Discussions included the following:

- Schools in Exmouth had no playing pitches
- Possibly create a policy for interest free loans to fund bid applications to sporting associations
- Workshops were available for all parties concerned

Members thanked Graeme for his continual hard work with this project.

RESOLVED:

1. that progress to date in identifying and discounting certain sites on feasibility grounds be noted
2. that the work programme moving forward be agreed
3. that the resource implications of continuing with this work be recognised
4. that the possibility of compulsory purchasing land for the delivery of sports pitches if no other suitable alternative exists, be agreed

REASON:

To ensure that Cabinet were up to date on the:

1. progress of this work and understood and agreed the processes in place as well as the resource implications of this work
2. to ensure that if in the future it was determined that compulsory purchase was necessary, that there had been an in-principle agreement to this approach at an early stage.

***185 Enforce sales of properties**

To seek resolutions from Cabinet to enforce the sale of five properties in the same ownership which were empty and in poor condition. Formal actions had been taken by the council in order to attempt to renovate and bring these properties back into use but engagement with the owner both informal and formal had failed. Actions in default had been carried out and costs accrued. Debts were outstanding; the Council had the formal powers to recover the debts by enforcing the sale of these properties.

Enforced sale had been identified as the most appropriate action to take regarding the five properties identified in the report. A further report would be submitted to Cabinet at a later date outlining what options the Council could consider to bring the outstanding two properties back into use.

RESOLVED:

that the five resolutions to enforce the sale of five properties in the same ownership which were empty and in poor condition be agreed.

REASON:

To confirm the resolutions for the five properties identified to enable the council to recover the outstanding debts.

***186 Seaton Jurassic update**

The report updated members on the progress with Seaton Jurassic. Information was provided on the additional funding that has been identified over the last 12 months.

Seaton Jurassic will open to the public on 26 March 2016 and expects to welcome 60,000 visitors per year.

The Deputy Chief Executive thanked Councillor Graham Godbeer in particular for the all the work he had put in to get this important visitor attraction to happen.

RESOLVED:

that the report be noted

REASON:

To acknowledge the current position with Seaton Jurassic

***187 Exemption to standing orders – SJ Kitchen and Cafe**

The report by the Senior Manager Regeneration & Economic explained the reasoning and the process of appointment of Fruition and Bartlett for the cafe and kitchen fit outs respectively at Seaton Jurassic with an exemption to the contract standing order process.

With the completion of the main build work for Seaton Jurassic and the installation of the internal and external exhibition materials well under way it was necessary to commission the fit out works for the cafe, shop and kitchen in order to ensure their timely completion.

The Project Team was advised by the project manager and employer's agents, Ward Williams Associates. The quote received from Fruition to undertake the cafe fit out works was for the sum of £87,408.79 and the final quotation from Bartlett for the kitchen & servery fit-out was for £59,359.00, bringing the total contract value of the combined works to £146,767.79.

Cafe and Shop Fit-Out.

The design works for the café and shop fit-out work were previously tendered and three quotes for the works were received. The Project Steering Group chose Fruition to carry out the works based on their experience, cost and ability to deliver the client's vision for the café. Once the design works were completed to the satisfaction of the Project Steering Group it was necessary to instruct a contractor to do the fit-out works.

Kitchen and Servery Fit-Out

The kitchen fit-out works were tendered by the main contractor Kier. Two firms responded and Bartlett was selected due to their cost, experience and local ability to provide back up. However, for programming reasons the works were not awarded through the Kier main contract. It was also significantly cheaper to award the contract to Bartlett directly.

With the purpose of respecting the delivery programme of Seaton Jurassic the Project Team identified that it would offer best value to appoint Fruition and Bartlett to undertake these works without the need for further tendering. An exemption report was therefore prepared and duly signed by the Procurement Officer and others.

RESOLVED:

that the exemption to contract standing orders be agreed for the reasons given in the report.

REASON:

The appointment of Fruition is an extension to the existing design contract for the purpose of achieving best value. Bartlett submitted the lowest of two tenders and appointing them directly was significantly cheaper than doing it through the main contractor.

***188 Monthly Performance reports – December 2015**

The Deputy Chief Executive presented the report setting out performance information for December 2015. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicators that showed excellent performance:

1. Percentage of planning appeal decisions where the planning inspector had disagreed with the Council's decision
2. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
3. Creditor Days - % of invoices paid in 10 working days.

There was one performance indicator showing as concern:

1. Working days lost due to sickness absence – Sickness for December last year was 7.61 per. Based on the current outturn of 7.24 FTE days the final absence figure was projected to be 9.65 FTE days per person.

RESOLVED:

that the progress and proposed improvement action for performance measures for December 2015 be noted.

REASON:

The performance reports highlighted progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Development Control, Housing and Revenues and Benefits.

Attendance list

Present:

Paul Diviani Leader
Andrew Moulding Deputy Leader/Strategic Development and Partnership

Portfolio Holders:

Tom Wright Corporate Business
Iain Chubb Environment
Jill Elson Sustainable Homes and Communities
Phil Twiss Corporate Services
Ian Thomas Portfolio Holder Finance

Cabinet Members without Portfolio

Geoff Pook
Eileen Wragg

Cabinet apologies:

Philip Skinner Portfolio Holder Economy

Non-Cabinet apologies:

Matt Booth
Peter Bowden
Ian Hall
Steve Hall
Marcus Hartnell
Dawn Manley
Brenda Taylor

Also present:

Councillors:

Mike Allen
Megan Armstrong
Brian Bailey
David Barratt
Colin Brown
Paul Carter
David Chapman
Maddy Chapman
Alan Dent
John Dyson
Peter Faithfull

David Foster
Steve Gazzard
Roger Giles
Graham Godbeer
Alison Greenhalgh
John Humphreys
Geoff Jung
Bill Nash
Cherry Nicholas
John O’Leary
Helen Parr
Pauline Stott
Mark Williamson

Honorary Alderman

David Cox

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead – Legal, Licensing and Democratic Services
Angela Blackwell, Gallery Curator
Andrew Hancock, Service Lead Streetscene
Naomi Harnett, Principal Projects Manager
Alison Hayward, Senior Manager - Regeneration & Economic Development
Claire Mitchell, Accountant
Tony Norton, University of Exeter
Susan Percival, Accountant
Charlie Plowden, Service Lead Countryside
Graeme Thompson, Planning Policy Officer
Andy Wood, East of Exeter Projects Director
Amanda Coombes, Democratic Services Officer

Chairman Date.....