

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the meeting of Cabinet held**  
**at Knowle, Sidmouth on 12 October 2016**

**Attendance list at end of document**

The meeting started at 5.30pm and ended at 7.00pm

- \*53 **Public Speaking**  
There were no members of the public present wishing to speak.
- \*54 **Minutes**  
The minutes of the Cabinet meeting held on 14 September 2016 were confirmed and signed as a true record.
- \*55 **Declarations**  
Councillor Tom Wright – Minute 20  
Interest: Personal  
Reason: Member of LED  
  
Councillor Eileen Wragg – Minute 20  
Interest: Personal  
Reason: Member of LED
- \*56 **Matter of urgency**  
None
- \*57 **Matters referred to the Cabinet**  
There were no matters referred to the Cabinet by the Overview and Scrutiny Committees.
- \*58 **Exclusion of the public**  
There were no confidential items that officers recommended should be dealt with in this way.
- \*59 **Forward Plan**  
Members noted the contents of the forward plan for key decisions for the period 1 November 2016 to 28 February 2017.
- \*60 **Minutes of the Recycling & Refuse Partnership Board held on 20 July 2016**  
Members received minutes of the Recycling & Refuse Partnership Board held on 20 July 2016. The Portfolio Holder Environment informed members there would be member briefing by the Waste Team to update all on the additional recycling being brought in across the district.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 21 - Mobilisation planning working groups update**

1. that there be a two-phase roll out of the new service
2. that the first phase of the new service commence on 16 February 2017

3. that the new vehicles be used as soon as they were available.

**\*61 Notes of the Asset Management Forum held on 1 September 2016**

Members noted the decisions of the Asset Management Forum held on 1 September 2016.

**\*62 Minutes of the Housing Review Board held on 8 September 2016**

Members received minutes of the Housing Review Board held on 8 September 2016

**RESOLVED (1) that the following be noted:**

**Minute 26 – Forward Plan**

**Minute 27 - Annual report to tenants**

**Minute 28 - Review of housing service complaints April 2015 – March 2016**

**Minute 31 - Use of Right to Buy receipts update**

1. the update report on the use of Right to Buy receipts and Commuted Sums to secure suitable property to add to the Council's affordable housing stock.

**Minute 32 - HRA financial monitoring report 2016/17**

**RESOLVED (2) that the following recommendations be agreed:**

**Minute 29 - Sewage treatment plants**

1. the necessary expenditure on the three sewage treatment plants needing urgent maintenance/replacement in the coming year.
2. officers investigate the possibility of passing some/all of the sites over to South West Water, acknowledging that this may involve potentially significant costs to bring the plants up to standard.
3. the charges made to both tenants and private owners as outlined in the report be reviewed and compensation be paid to tenants if this is felt appropriate.

**Minute 30 - Lift replacements**

the Housing Revenue Account capital expenditure be used for the replacement of the lifts at Albion Court and Morgan Court in Exmouth, with the lift size being increased where possible.

**Minute 31 - Use of Right to Buy receipts update**

2. delegated authority be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities, and Chair of the Housing Review Board to approve further purchases to meet the Right to Buy December 2016 spending deadline and extending into next quarter using either Housing Revenue Account funding or a loan from the Public Works Loan Board as match funding.

**Minute 35 - Award of gas service and maintenance contract**

the new four year gas service and maintenance contract be awarded to Liberty Group Ltd.

**Minute 36 - Disposal of two council houses and land with planning permission for a two bedroom house at Normandy Close, Exmouth**

the request to change a previous decision that enables officers to proceed to dispose of 24 & 26 Normandy Close, with planning permission to construct an additional dwelling on the open market.

- \*63 **Minutes of the Budget Working Party held on 14 September 2016**  
Members received the notes of the Budget Working Party held on 14 September 2016

**RESOLVED (1) that the following decisions be noted:**

**Minute 3 - Medium Term Financial (MTFP) and Transformation Strategy**

1. the current budget position be noted and proposed action for savings identified through the Transformation Strategy be supported,
2. the reduction in delivery in housing in Cranbrook be referred to the Strategic Planning Committee;
3. the Strategic Lead Finance reply on behalf of the Council to the Government consultation paper on 100% Business Rate retention and Fair Funding Review in consultation with the Leader, Portfolio Holder Finance and Chief Executive;
4. town and parish councils be advised of the anticipated reduction in the Council Tax Support Grant for 2017/18 as 56% maximum – in line with the reduction being made by the Government. The remaining funding be ring fenced for use by town/parish councils and the officers be requested to produce a report on the effect of this proposal

- \*64 **Notes of the Exmouth Regeneration Programme Board held on 15 September 2016**  
Members the noted the decisions of the Exmouth Regeneration Programme Board held on 15 September 2016. Discussions included the importance of putting a working party together to work with Exeter Deaf Academy on Rolle College and parking around Mamhead slipway.

- \*65 **Minutes of the South East Devon Habitat Regulations Executive Committee held on 21 September 2016**  
Members received minutes of the South East Devon Habitat Regulations Executive Committee held on 21 September 2016.

**RESOLVED (1) that the following resolutions be noted:**

**Minute 15 – Matter of urgency**

the South East Devon Habitat Regulations Executive Committee agreed to bring forward funding (in the sum of £1000), identified in the 5 year Delivery Programme for years 2-5 to ensure the collection of data from the Wetland Bird Survey (WeBS) to year 1. For this funding to enable 2 WeBS surveys at low tide by boat on the Exe Estuary, every 5 years. The first survey would be undertaken in November 2016.

**Minute 17 – Financial report**

**Minute 18 - Annual Business Plan and Five-Year Delivery Programme**

**Minute 20 - Suitable Alternative Natural Green Space (SANGS) – Scoring site options**

**Minute 21 - Suitable Alternative Natural Green Space (SANGS) – opportunity**

1. the South East Devon Habitat Regulations Executive Committee agrees the following funding arrangements for specified land for Sustainable Alternative Natural Green Space :
  - a) Funding the purchase and instatement of land (shown in Appendix A to the report) for Suitable Alternative Natural Green Space at Dawlish at a cost of up to

£2,923,000. Teignbridge District Council has separately approved forward funding this acquisition.

- b) Repaying Teignbridge District Council up to £643,000 by March 2020, and delegating authority to the Habitat Regulations Delivery Manager and the S151 Officers of East Devon District Council (accountable body) and Teignbridge District Council to agree arrangements and the final amount in accordance with proven expenditure.
  - c) Delegating authority to be given to the S151 Officer of East Devon District Council (accountable body), Teignbridge District Council and Exeter City Council, in consultation with the Habitat Regulation Delivery Officer and the Heads of Planning of the partner authorities, to agree the reduction in Teignbridge District Council's partnership contributions to SANGS mitigation until such time as the number of dwellings permitted in Teignbridge (when taken with other funding provided) balances the amount of forward funding provided by Teignbridge District Council for the Dawlish SANGS.
  - d) The Committee to receive quarterly financial reports reporting SANGS receipts at Teignbridge and which identify the residual balance due to Teignbridge under the arrangements set out in a – c above.
2. That the ongoing management of the specified land (detailed in the confidential committee report) be addressed through a future report to the Executive Committee.

**\*66 Minutes of the Scrutiny Committee held on 6 October 2016**

Members received and noted the minutes of the Scrutiny Committee held on 6 October 2016.

**\*67 Review of East Devon – Boundary Commission**

The Chief Executive updated members on the latest stage of this review. He proposed that the most effective way to prepare the Council's submission on ward boundaries to the Boundary Commission would be to hold a member workshop outlining the possible options and giving members the opportunity to express their views. These views could then be assessed and the Chief Executive would consult with Group Leaders before submitting the Council's proposals in accordance with the deadline of the 5 December. The Chief Executive reinforced the message that the Local Government Boundary Commission's main criteria was electoral equality.

**RESOLVED:**

that a member workshop be held and the Chief Executive be given delegated authority, in consultation with the Group Leaders, to make the Council's submission to the Boundary Commission.

**REASON:**

To comply with the LGBC's aim to draw up a new pattern of council wards for East Devon District Council.

**68 Financial Plan and Transformation Strategy (2017 – 2022) and the Government's multi-year finance settlement offer**

The Strategic Lead, Finance presented this report to update members of these two key documents for approval; Finance Plan and Transformation Strategy 2017 – 2022. Details

of these documents were debated by the Budget Working Party on 14 September 2016, who agreed in principle with the proposed direction being outlined.

**RECOMMENDED:**

1. that the Financial Plan and Transformation Strategy be approved
2. to apply to Government to accept the multi-year settlement offer and to submit the Financial Plan and Transformation Strategy to meet the requirement of an efficiency plan.

**REASON:**

It was good practice in managing the finances of the Council to produce a Financial Plan looking at the future direction of the Council's budgets. By looking at the Council's budget over a longer period, action can be taken that would influence the direction and shape of future service delivery within a balanced budget.

The Transformation Strategy identified key strategic themes that underpin the transformational activity that helps achieve savings/efficiencies and to continue to protect front line services.

By accepting the Government's multi-year settlement offer this gave the Council certainty over elements of Government funding for the next 3 years, which would help ensure it has plans in place to deliver balanced budgets over the period of the Financial Plan 2017/18 to 2021/22

**\*69 East Budleigh Neighbourhood Plan- Submission**

Members were asked to agree the response by this Council to the current consultation for the East Budleigh with Bicton Neighbourhood Plan.

**RESOLVED:**

1. that the formal submission of the East Budleigh with Bicton Neighbourhood Plan be noted and the producers of the plan be congratulated on the dedicated hard work and commitment in producing the document;
2. that this council make the proposed representation set out at paragraph 5.4 of the report in response to the consultation.

**REASON:**

To ensure that the view of the District Council was recorded and informs the consideration of the neighbourhood plan by the Independent Examiner.

**\*70 Stockland Neighbourhood Plan Examiners Report**

This report provided feedback and set out proposed changes following the examination of the Stockland Neighbourhood Plan.

**RESOLVED:**

1. That members endorse the examiner's recommendations on the Stockland Neighbourhood Plan subject to a further amendment to Policy EE2 as set out at paragraph 2.9 below.
2. That members agree that a 'referendum version' of the Neighbourhood Plan (incorporating the examiner's modifications and the further amendment to Policy EE2) should proceed to referendum and a decision notice to this effect be published.
3. That members congratulate the Neighbourhood Plan group on their hard work.

**REASON:**

The legislation requires a decision notice to be produced at this stage in the process. The Neighbourhood Plan is the product of extensive local consultation and has been recommended to proceed to referendum by the Examiner subject to modifications, which, subject to additional changes to Policy EE2, are accepted in their entirety by the Parish Council.

\*71 **Monthly Performance reports – August 2016**

The report set out performance information for August 2016. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were four indicators that were showing excellent performance:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse
- Percentage of Council Tax collected
- Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
- Working days lost due to sickness absence

There were no performance indicators showing as concern.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2016/17 financial year for August 2016 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.

72 **Additional Capital Budget contribution to LED towards Exmouth wet changing room improvements and refurbishment**

Members were asked to consider an increase in budget of £64,000 as a contribution to LED for the refurbishment of wet changing rooms at Exmouth Leisure Centre.

Peter Gilpin, Chief Executive LED thanked members for their support stating that over the last three years the bulk of the £3m spent to date had come from LED (£2.1m) and the National Lottery (£500k).

**RECOMMENDED:**

That the increase to the 2016/17 capital budget for the refurbishment of Exmouth Leisure Centre wet changing rooms by £64,000 to £328,000 be approved.

**REASON:**

The agreement to support these improvements have already been agreed by Council through its allocation in the Capital Budget for 2016/17, however there is now a requirement to increase the budget with members approval.

**\*73 Viewpoint Survey 2016**

This report summarised the responses received to the 2016 Viewpoint Survey and provided comment from the Service Leads in relation to the comments made by residents in the survey.

**RESOLVED:**

that Members note the feedback and agree officer responses/actions in relation to service provision which were identified in the survey.

**REASON:**

to ensure that the feedback provided by residents was circulated effectively to Members and Officers and that the Council was clear about the actions resulting from this feedback.

**Attendance list**

**Present:**

Andrew Moulding Deputy Leader/Strategic Development and Partnership (in the Chair)

**Portfolio Holders:**

Tom Wright Corporate Business

Iain Chubb Environment

Jill Elson Sustainable Homes and Communities

Phil Twiss Corporate Services (Cllr Twiss left the meeting after agenda item 15)

Philip Skinner Economy

**Cabinet Members without Portfolio:**

Geoff Pook

Eileen Wragg

**Cabinet apologies:**

Paul Diviani Leader

Ian Thomas

**Non-Cabinet apologies:**

Mike Allen

Paul Carter

John Dyson

Maddy Chapman

Dawn Manley

John O'Leary

Brenda Taylor

Mark Williamson

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

**Councillors:**

Megan Armstrong

Brian Bailey

Peter Bowden

Colin Brown  
Jenny Brown  
Alan Dent  
Steve Gazzard  
Graham Godbeer  
Ian Hall  
Marcus Hartnell  
Rob Longhurst  
Helen Parr  
Pauline Stott

**Officer apologies:**

Richard Cohen, Deputy Chief Executive  
Henry Gordon Lennox, Strategic Lead - Legal, Licensing and Democratic Services

**Also present:**

**Officers:**

Mark Williams, Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead – Housing, Health & Environment  
Karen Jenkins, Strategic Lead - Organisational Development and Transformation  
Amanda Coombes, Democratic Services Officer

Peter Gilpin, Chief Executive LED

Chairman ..... Date.....