

# Agenda for Council

## Wednesday, 25 February 2015; 6.30pm



To: [All elected Members of the Council](#); Honorary Aldermen

**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

**Contact:** [Diana Vernon](#), 01395 571541 (or group number 01395 517546);  
Issued 16 February 2015

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Prior to the formal start of the meeting, the Chairman will invite Revd Jeremy White, former vicar of Uplyme, to say a prayer.

Dear Sir/Madam

### **Meeting of the Council of the District of East Devon on Wednesday 25 February 2015 at 6.30 pm**

You are called upon to attend the above meeting to be held in the Council Chamber, Knowle, Sidmouth. 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 read "Mark Williams".

Chief Executive

**Note:** This meeting is being audio recorded by EDDC for subsequent publication on the Council's website.

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.

## **Agenda:**

### **1 Councillor Derek Button**

Members are invited to stand at the start of the meeting as a mark of respect for Councillor Derek Button who passed away last month. When the Chairman has addressed the Council, he will invite others to speak about their former valued colleague.

### **2 [Public speaking](#)**

3 Minutes of the meeting of the Council held on 17 December 2014.

4 Apologies

### **5 [Declarations of interest](#)**

6 [Matters of urgency](#) – none identified

7 Announcements from the Chairman and Leader

8 Confidential/exempt items – 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.

### **9 Revenue Estimates, Capital Programme & Council Tax 2015/16**

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 11 February 2015 relating to the Council's Revenue and Capital Estimates for 2015/16 and precept details of the parish and town councils, Devon County Council, Devon and Cornwall Police Authority 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 are detailed in the report. Devon County Council meet to agree their Council Tax requirement on the 19 February and Devon & Somerset Fire & Rescue Authority meet on the 20 February. Therefore the amounts in the report are based on recommendations only at this stage. If amendments are made to these provisional figures then the report will be updated and circulated accordingly.

**Note 2** a recorded vote will be taken of the vote on this item so that 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).

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

11 Reports from the Cabinet and the Council's Committees and questions on those reports:

|   |         |                     |
|---|---------|---------------------|
| Cabinet                                 | Minutes | 134-155, 156-180    |
| †Overview and Scrutiny Committee        | Minutes | 55-57, 58-67        |
| †Housing Review Board                   | Minutes | 57-73               |
| Development Management Committee        | Minutes | 41-46, 47-51, 52-56 |
| Planning Inspections Committee          | Minutes | 19-21               |
| Standards Committee                     | Minutes | 11-18               |
| Audit and Governance Committee          | Minutes | 36-45               |
| Licensing and Enforcement Sub Committee | Minutes | 17-19, 20-22, 23-25 |

†The recommendations of these meetings have already been referred to Cabinet for consideration

12 **To note receipt of Motion: East Devon District Council Scrutiny**

This council strongly recommends a future district council (after 7th May 2015) to create a new committee to deal with development strategy for East Devon. Its primary ongoing role will be to ensure East Devon has an adopted local plan in place at all times and which will ensure that housing development takes account of local need, the desires of local people, and environmental and other constraints. The new strategic planning committee should as a matter of the utmost urgency address the previous administration's failure to deliver an adopted local plan, which has placed East Devon under threat from rapacious developers, and has resulted in inappropriate development in many parts of East Devon.

Proposed by Councillor Ben Ingham Councillor, Seconded by Roger Giles and supported by Susie Bond, Trevor Cope and Claire Wright.

At the annual meeting of the Council, it was agreed that the Council's constitution be amended to clarify motions on notice at Council and regularise good practice and current ways of working (New procedural Standing Order 10.3)

"Where a motion on notice has been submitted in accordance with this standing order, and prior to the despatch of the agenda, the Chief Executive may seek to clarify the purpose and/or wording of such a motion (such action may include recommending its rewording) so as to ensure that any such motion, if approved, is compliant with the Council's legal and administrative powers.

Where the wording of the motion is not immediately relevant to the business of the Council, the presumption is that it will be referred to the relevant committee or Overview and Scrutiny Committee in the first instance to enable research to be properly carried out into the issue to facilitate a relevant and informed debate.

The Leader, at his discretion, may invite a Portfolio Holder to respond to a motion or a question (under Procedural Rule 9.2)."

In the light of the above and similar work currently being undertaken by the Corporate Business Think Tank and the Overview and Scrutiny Committee, this motion will be referred directly to that Committee for consideration.

### **13 STRATA Joint Scrutiny Committee**

The Committee's rules of procedure allow use of substitute members:

7.3 The members of the JSC may also nominate a substitute to attend a meeting of the JSC provided that at least 24 hours notice has been given to the Proper Officer.

Nominations have been invited to serve as substitute members.

Nominations received from the Conservative Group (2 required) – Bob Buxton, Mike Allen, Mike Howe, Steve Hall

Other nominations – Geoff Pook (Independent).

Please note that under Procedure Rule 9.2, Councillors may submit written questions to Council Leader or specific Portfolio Holders

[Decision making and equalities](#)

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**Report to:** Council  
**Date of Meeting:** 25 February 2015  
**Public Document:** Yes  
**Exemption:** None



**Review date for release** -  
**Agenda item:** 9

**Subject:** Council Tax Resolution 2015/16

**Purpose of report:** The purpose of this report is to enable the Council to calculate and set the Council Tax for 2015/16.

In agreeing to Cabinet recommendations on the Revenue and Capital Estimates 2015/16 (Minute Number 167) on the 11 February 2015 this gives the Council Tax requirement for this Council of £6,733,090 resulting in a Council Tax Band D amount of £121.78. The District Council's council tax has been frozen at this level for the last 5 years.

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 2015/16

**Officer:** Simon Davey, Strategic Lead – Finance (CFO/S151)  
[sdavey@eastdevon.gov.uk](mailto:sdavey@eastdevon.gov.uk); 01395 517490

**Financial implications:** This report sets the Council's Council Tax requirement for 2015/16 which is derived from its Budget Requirement as previously debated and finally recommended by Cabinet on 11 February 2015.

**Legal implications:** There are no legal observations required.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** -

**Link to Council Plan:** Funding this Outstanding Place

## Report in full

### 1 Council Tax Resolution 2015/16

1.1 The precept levels of other precepting bodies are detailed below. **Devon County Council meet to agree their Council Tax requirement on the 19 February and Devon & Somerset Fire & Rescue Authority meet on the 20 February; therefore the amounts below are based only on recommendations at the stage of writing this report.** If amendments are made to these provisional figures then this report will be updated and circulated to Council accordingly.

- **Town & Parish Councils**

The Town & Parish Council Precepts for 2015/16 are detailed in Schedule 1 and total £2,326,539.34. The increase in the average Band D Council Tax for Town and Parish councils is 8.17% and results in an average Band D Council Tax figure of £42.08 for 2015/16.

- **Devon County Council**

Devon County Council precept set at £64,205,457.03. This results in a Band D Council Tax of £1,161.27, a 1.99% increase on the previous year.

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

Police and Crime Commissioner for Devon and Cornwall set their precept at £9,369,826.83. This results in a Band D Council Tax of £169.47, being a 1.99% increase on the previous year.

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

Devon & Somerset Fire & Rescue Authority set their precept at £4,335,763.38. This results in a Band D Council Tax of £78.42, 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 2015/16 budget.

1.3 The total Band D Council Tax will be as follows:

| <b>COUNCIL TAX LEVIES</b>                            | <b>2014/2015</b> | <b>2015/2016</b> | <b>Variation</b> |
|--|------------------|------------------|------------------|
|  | <b>£</b>         | <b>£</b>         | <b>%</b>         |
| East Devon District Council                          | 121.78           | 121.78           | Nil              |
| Parish & Town Councils (Average)                     | 38.90            | 42.08            | 8.17%            |
| Sub Total  | 160.68           | 163.86           | -                |
| Devon County Council                                 | 1,138.59         | 1,161.27         | 1.99%            |
| Police and Crime Commissioner for Devon and Cornwall | 166.16           | 169.47           | 1.99%            |
| Devon & Somerset Fire & Rescue Authority             | 76.89            | 78.42            | 1.99%            |
| <b>TOTALS</b>  | <b>£1,542.32</b> | <b>£1,573.02</b> | <b>1.99%</b>     |

**The Council is recommended to resolve as follows:**

1. It be noted that on 7 January 2015 the Cabinet (minute reference 143 refers) calculated the Council Tax Base 2015/16
  - (a) for the whole Council area as 55,289 [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 2015/16 (excluding Parish precepts) is £6,733,090
  
3. That the following amounts be calculated for the year 2015/16 in accordance with Sections 30 to 36 of the Act:
  - (a) £92,015,137 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) £82,955,508 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £9,059,629 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) £163.86 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) £2,326,539 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) £121.78 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 2015/2016 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               | £774.18              | £112.98                                 | £52.28                         |
| B               | £903.21              | £131.81                                 | £60.99                         |
| C               | £1,032.24            | £150.64                                 | £69.71                         |
| <u>D</u>        | <u>£1,161.27</u>     | <u>£169.47</u>                          | <u>£78.42</u>                  |
| E               | £1,419.33            | £207.13                                 | £95.85                         |
| F               | £1,677.39            | £244.79                                 | £113.27                        |
| G               | £1,935.45            | £282.45                                 | £130.70                        |
| H               | £2,322.54            | £338.94                                 | £156.84                        |

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 2015/2016 for each of the categories of dwellings shown in Schedule 3.

6 The Council has determined that its relevant basic amount of Council Tax for 2015/16 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 2015/16 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 2015/16

| Parish                    | Parish Precept | Tax Base | Basic Parish Tax | Basic Tax Parish + EDDC | Basic Tax + DCC + Fire Authority + Police & Crime Comm D&C |
|---------------------------|----------------|----------|------------------|-------------------------|--|
|                           | £              |          | £                | £                       | £  |
| All Saints                | 8,019          | 250      | 32.08            | 153.86                  | 1,563.02   |
| Awliscombe                | 3,732          | 229      | 16.30            | 138.08                  | 1,547.24   |
| Axminster                 | 138,817        | 2449     | 56.68            | 178.46                  | 1,587.62   |
| Axmouth                   | 11,078         | 242      | 45.78            | 167.56                  | 1,576.72   |
| Aylesbeare                | 6,200          | 257      | 24.12            | 145.90                  | 1,555.06   |
| Beer                      | 15,584         | 654      | 23.83            | 145.61                  | 1,554.77   |
| Bishops Clyst             | 21,730         | 512      | 42.44            | 164.22                  | 1,573.38   |
| Brampford Speke           | 6,214          | 145      | 42.86            | 164.64                  | 1,573.80   |
| Branscombe                | 7,255          | 326      | 22.25            | 144.03                  | 1,553.19   |
| Broadclyst                | 116,478        | 1263     | 92.22            | 214.00                  | 1,623.16   |
| Broadhembury              | 7,568          | 296      | 25.57            | 147.35                  | 1,556.51   |
| Buckerell                 | 2,857          | 112      | 25.51            | 147.29                  | 1,556.45   |
| Budleigh Salterton        | 95,251         | 2716     | 35.07            | 156.85                  | 1,566.01   |
| Chardstock                | 5,656          | 404      | 14.00            | 135.78                  | 1,544.94   |
| Clyst Honiton             | 3,370          | 100      | 33.70            | 155.48                  | 1,564.64   |
| Clyst Hydon               | 2,281          | 121      | 18.85            | 140.63                  | 1,549.79   |
| Clyst St George           | 5,930          | 351      | 16.89            | 138.67                  | 1,547.83   |
| Clyst St Lawrence         | -              | 44       | 0.00             | 121.78                  | 1,530.94   |
| Colaton Raleigh           | 6,263          | 296      | 21.16            | 142.94                  | 1,552.10   |
| Colyton                   | 46,988         | 1409     | 33.35            | 155.13                  | 1,564.29   |
| Combe Raleigh             | 1,160          | 93       | 12.47            | 134.25                  | 1,543.41   |
| Combpyne-Rousdon          | 3,425          | 193      | 17.75            | 139.53                  | 1,548.69   |
| Cotleigh                  | 3,530          | 104      | 33.94            | 155.72                  | 1,564.88   |
| Cranbrook                 | 44,148         | 849      | 52.00            | 173.78                  | 1,582.94   |
| Dalwood                   | 6,047          | 209      | 28.93            | 150.71                  | 1,559.87   |
| Dunkeswell                | 25,724         | 557      | 46.18            | 167.96                  | 1,577.12   |
| East Budleigh with Bicton | 20,015         | 494      | 40.52            | 162.30                  | 1,571.46   |
| Exmouth                   | 372,757        | 12250    | 30.43            | 152.21                  | 1,561.37   |
| Farringdon                | 3,556          | 146      | 24.36            | 146.14                  | 1,555.30   |
| Farway                    | 1,741          | 131      | 13.29            | 135.07                  | 1,544.23   |
| Feniton                   | 14,958         | 622      | 24.05            | 145.83                  | 1,554.99   |
| Gittisham                 | 7,143          | 238      | 30.01            | 151.79                  | 1,560.95   |
| Hawkchurch                | 6,831          | 248      | 27.54            | 149.32                  | 1,558.48   |
| Honiton                   | 206,859        | 3725     | 55.53            | 177.31                  | 1,586.47   |
| Huxham                    | -              | 38       | 0.00             | 121.78                  | 1,530.94   |
| Kilmington                | 10,151         | 392      | 25.90            | 147.68                  | 1,556.84   |
| Luppitt                   | 10,569         | 208      | 50.81            | 172.59                  | 1,581.75   |
| Lymptone                  | 36,400         | 813      | 44.77            | 166.55                  | 1,575.71   |
| Membury                   | 4,495          | 265      | 16.96            | 138.74                  | 1,547.90   |
| Monkton                   | 5,068          | 77       | 65.82            | 187.60                  | 1,596.76   |
| Musbury                   | 4,629          | 225      | 20.57            | 142.35                  | 1,551.51   |
| Netherexe                 | -              | 25       | 0.00             | 121.78                  | 1,530.94   |
| Newton Popleford          | 37,500         | 885      | 42.37            | 164.15                  | 1,573.31   |
| Northleigh                | 2,191          | 86       | 25.48            | 147.26                  | 1,556.42   |
| Offwell                   | 3,062          | 185      | 16.55            | 138.33                  | 1,547.49   |
| Otterton                  | 10,100         | 291      | 34.71            | 156.49                  | 1,565.65   |
| Ottery St Mary            | 162,651        | 3545     | 45.88            | 167.66                  | 1,576.82   |
| Payhembury                | 5,453          | 292      | 18.68            | 140.46                  | 1,549.62   |
| Plymtree                  | 3,709          | 250      | 14.84            | 136.62                  | 1,545.78   |
| Poltimore                 | 5,660          | 127      | 44.57            | 166.35                  | 1,575.51   |
| Rewe                      | 6,352          | 188      | 33.79            | 155.57                  | 1,564.73   |
| Rockbeare                 | 19,937         | 331      | 60.23            | 182.01                  | 1,591.17   |
| Seaton                    | 203,886        | 2997     | 68.03            | 189.81                  | 1,598.97   |
| Sheldon                   | 986            | 82       | 12.02            | 133.80                  | 1,542.96   |
| Shute                     | 4,634          | 284      | 16.32            | 138.10                  | 1,547.26   |
| Sidmouth                  | 413,328        | 6855     | 60.30            | 182.08                  | 1,591.24   |
| Southleigh                | 1,918          | 103      | 18.62            | 140.40                  | 1,549.56   |
| Stockland                 | 5,048          | 329      | 15.34            | 137.12                  | 1,546.28   |
| Stoke Canon               | 7,725          | 232      | 33.30            | 155.08                  | 1,564.24   |
| Talaton                   | 8,353          | 247      | 33.82            | 155.60                  | 1,564.76   |
| Uplyme                    | 20,247         | 852      | 23.76            | 145.54                  | 1,554.70   |
| Uptontery                 | 11,528         | 310      | 37.19            | 158.97                  | 1,568.13   |
| Upton Pyne                | 5,935          | 214      | 27.73            | 149.51                  | 1,558.67   |
| Whimble                   | 19,079         | 703      | 27.14            | 148.92                  | 1,558.08   |
| Widworthy                 | 2,103          | 135      | 15.58            | 137.36                  | 1,546.52   |
| Woodbury                  | 59,757         | 1344     | 44.46            | 166.24                  | 1,575.40   |
| Yarcombe                  | 4,920          | 213      | 23.10            | 144.88                  | 1,554.04   |

**SCHEDULE 2 2015/16  
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                | 102.58 | 119.67 | 136.77 | 153.86 | 188.05 | 222.24 | 256.44 | 307.72 |
| Awliscombe                | 92.06  | 107.40 | 122.74 | 138.08 | 168.76 | 199.44 | 230.14 | 276.16 |
| Axminster                 | 118.98 | 138.80 | 158.63 | 178.46 | 218.12 | 257.77 | 297.44 | 356.92 |
| Axmouth                   | 111.71 | 130.33 | 148.94 | 167.56 | 204.79 | 242.03 | 279.27 | 335.12 |
| Aylesbeare                | 97.27  | 113.48 | 129.69 | 145.90 | 178.32 | 210.74 | 243.17 | 291.80 |
| Beer                      | 97.08  | 113.25 | 129.43 | 145.61 | 177.97 | 210.32 | 242.69 | 291.22 |
| Bishops Clyst             | 109.48 | 127.73 | 145.97 | 164.22 | 200.71 | 237.20 | 273.70 | 328.44 |
| Bramford Speke            | 109.76 | 128.06 | 146.35 | 164.64 | 201.22 | 237.81 | 274.40 | 329.28 |
| Branscombe                | 96.02  | 112.03 | 128.03 | 144.03 | 176.03 | 208.04 | 240.05 | 288.06 |
| Broadclyst                | 142.67 | 166.45 | 190.22 | 214.00 | 261.55 | 309.11 | 356.67 | 428.00 |
| Broadhembury              | 98.24  | 114.61 | 130.98 | 147.35 | 180.09 | 212.83 | 245.59 | 294.70 |
| Buckerell                 | 98.20  | 114.56 | 130.93 | 147.29 | 180.02 | 212.75 | 245.49 | 294.58 |
| Budleigh Salterton        | 104.57 | 122.00 | 139.42 | 156.85 | 191.70 | 226.56 | 261.42 | 313.70 |
| Chardstock                | 90.52  | 105.61 | 120.69 | 135.78 | 165.95 | 196.12 | 226.30 | 271.56 |
| Clyst Honiton             | 103.66 | 120.93 | 138.21 | 155.48 | 190.03 | 224.58 | 259.14 | 310.96 |
| Clyst Hydon               | 93.76  | 109.38 | 125.01 | 140.63 | 171.88 | 203.13 | 234.39 | 281.26 |
| Clyst St George           | 92.45  | 107.86 | 123.26 | 138.67 | 169.48 | 200.30 | 231.12 | 277.34 |
| Clyst St Lawrence         | 81.19  | 94.72  | 108.25 | 121.78 | 148.84 | 175.90 | 202.97 | 243.56 |
| Colaton Raleigh           | 95.30  | 111.18 | 127.06 | 142.94 | 174.70 | 206.46 | 238.24 | 285.88 |
| Colyton                   | 103.42 | 120.66 | 137.89 | 155.13 | 189.60 | 224.07 | 258.55 | 310.26 |
| Combe Raleigh             | 89.50  | 104.42 | 119.33 | 134.25 | 164.08 | 193.91 | 223.75 | 268.50 |
| Compyne-Rousdon           | 93.02  | 108.53 | 124.03 | 139.53 | 170.53 | 201.54 | 232.55 | 279.06 |
| Cotleigh                  | 103.82 | 121.12 | 138.42 | 155.72 | 190.32 | 224.92 | 259.54 | 311.44 |
| Cranbrook                 | 115.86 | 135.16 | 154.47 | 173.78 | 212.40 | 251.01 | 289.64 | 347.56 |
| Dalwood                   | 100.48 | 117.22 | 133.97 | 150.71 | 184.20 | 217.69 | 251.19 | 301.42 |
| Dunkeswell                | 111.98 | 130.64 | 149.30 | 167.96 | 205.28 | 242.60 | 279.94 | 335.92 |
| East Budleigh with Bicton | 108.20 | 126.24 | 144.27 | 162.30 | 198.36 | 234.43 | 270.50 | 324.60 |
| Exmouth                   | 101.48 | 118.39 | 135.30 | 152.21 | 186.03 | 219.85 | 253.69 | 304.42 |
| Farringdon                | 97.43  | 113.67 | 129.90 | 146.14 | 178.61 | 211.09 | 243.57 | 292.28 |
| Farway                    | 90.05  | 105.06 | 120.06 | 135.07 | 165.08 | 195.10 | 225.12 | 270.14 |
| Feniton                   | 97.22  | 113.43 | 129.63 | 145.83 | 178.23 | 210.64 | 243.05 | 291.66 |
| Gittisham                 | 101.20 | 118.06 | 134.93 | 151.79 | 185.52 | 219.25 | 252.99 | 303.58 |
| Hawkchurch                | 99.55  | 116.14 | 132.73 | 149.32 | 182.50 | 215.68 | 248.87 | 298.64 |
| Honiton                   | 118.21 | 137.91 | 157.61 | 177.31 | 216.71 | 256.11 | 295.52 | 354.62 |
| Huxham                    | 81.19  | 94.72  | 108.25 | 121.78 | 148.84 | 175.90 | 202.97 | 243.56 |
| Kilmington                | 98.46  | 114.86 | 131.27 | 147.68 | 180.50 | 213.31 | 246.14 | 295.36 |
| Luppitt                   | 115.06 | 134.24 | 153.41 | 172.59 | 210.94 | 249.29 | 287.65 | 345.18 |
| Lypmstone                 | 111.04 | 129.54 | 148.05 | 166.55 | 203.56 | 240.57 | 277.59 | 333.10 |
| Membury                   | 92.50  | 107.91 | 123.33 | 138.74 | 169.57 | 200.40 | 231.24 | 277.48 |
| Monkton                   | 125.07 | 145.91 | 166.76 | 187.60 | 229.29 | 270.97 | 312.67 | 375.20 |
| Musbury                   | 94.90  | 110.72 | 126.53 | 142.35 | 173.98 | 205.61 | 237.25 | 284.70 |
| Netherexe                 | 81.19  | 94.72  | 108.25 | 121.78 | 148.84 | 175.90 | 202.97 | 243.56 |
| Newton Popleford          | 109.44 | 127.67 | 145.91 | 164.15 | 200.63 | 237.10 | 273.59 | 328.30 |
| Northleigh                | 98.18  | 114.54 | 130.90 | 147.26 | 179.98 | 212.70 | 245.44 | 294.52 |
| Offwell                   | 92.22  | 107.59 | 122.96 | 138.33 | 169.07 | 199.81 | 230.55 | 276.66 |
| Otterton                  | 104.33 | 121.72 | 139.10 | 156.49 | 191.26 | 226.04 | 260.82 | 312.98 |
| Ottery St Mary            | 111.78 | 130.40 | 149.03 | 167.66 | 204.92 | 242.17 | 279.44 | 335.32 |
| Payhembury                | 93.64  | 109.25 | 124.85 | 140.46 | 171.67 | 202.88 | 234.10 | 280.92 |
| Plymtree                  | 91.08  | 106.26 | 121.44 | 136.62 | 166.98 | 197.34 | 227.70 | 273.24 |
| Poltimore                 | 110.90 | 129.39 | 147.87 | 166.35 | 203.31 | 240.28 | 277.25 | 332.70 |
| Rewe                      | 103.72 | 121.00 | 138.29 | 155.57 | 190.14 | 224.71 | 259.29 | 311.14 |
| Rockbeare                 | 121.34 | 141.57 | 161.79 | 182.01 | 222.45 | 262.90 | 303.35 | 364.02 |
| Seaton                    | 126.54 | 147.63 | 168.72 | 189.81 | 231.99 | 274.17 | 316.35 | 379.62 |
| Sheldon                   | 89.20  | 104.07 | 118.93 | 133.80 | 163.53 | 193.26 | 223.00 | 267.60 |
| Shute                     | 92.07  | 107.41 | 122.76 | 138.10 | 168.79 | 199.47 | 230.17 | 276.20 |
| Sidmouth                  | 121.39 | 141.62 | 161.85 | 182.08 | 222.54 | 263.00 | 303.47 | 364.16 |
| Southleigh                | 93.60  | 109.20 | 124.80 | 140.40 | 171.60 | 202.80 | 234.00 | 280.80 |
| Stockland                 | 91.42  | 106.65 | 121.89 | 137.12 | 167.59 | 198.06 | 228.54 | 274.24 |
| Stoke Canon               | 103.39 | 120.62 | 137.85 | 155.08 | 189.54 | 224.00 | 258.47 | 310.16 |
| Talaton                   | 103.74 | 121.02 | 138.31 | 155.60 | 190.18 | 224.75 | 259.34 | 311.20 |
| Uplyme                    | 97.03  | 113.20 | 129.37 | 145.54 | 177.88 | 210.22 | 242.57 | 291.08 |
| Upottery                  | 105.98 | 123.65 | 141.31 | 158.97 | 194.29 | 229.62 | 264.95 | 317.94 |
| Upton Pyne                | 99.68  | 116.29 | 132.90 | 149.51 | 182.73 | 215.95 | 249.19 | 299.02 |
| Whimple                   | 99.28  | 115.83 | 132.37 | 148.92 | 182.01 | 215.10 | 248.20 | 297.84 |
| Widworthy                 | 91.58  | 106.84 | 122.10 | 137.36 | 167.88 | 198.40 | 228.94 | 274.72 |
| Woodbury                  | 110.83 | 129.30 | 147.77 | 166.24 | 203.18 | 240.12 | 277.07 | 332.48 |
| Yarcombe                  | 96.59  | 112.69 | 128.78 | 144.88 | 177.07 | 209.27 | 241.47 | 289.76 |

**SCHEDULE 3 2015/16**  
**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                | 1,042.02 | 1,215.68 | 1,389.36 | 1,563.02 | 1,910.36 | 2,257.69 | 2,605.04 | 3,126.04 |
| Awliscombe                | 1,031.50 | 1,203.41 | 1,375.33 | 1,547.24 | 1,891.07 | 2,234.89 | 2,578.74 | 3,094.48 |
| Axminster                 | 1,058.42 | 1,234.81 | 1,411.22 | 1,587.62 | 1,940.43 | 2,293.22 | 2,646.04 | 3,175.24 |
| Axmouth                   | 1,051.15 | 1,226.34 | 1,401.53 | 1,576.72 | 1,927.10 | 2,277.48 | 2,627.87 | 3,153.44 |
| Aylesbeare                | 1,036.71 | 1,209.49 | 1,382.28 | 1,555.06 | 1,900.63 | 2,246.19 | 2,591.77 | 3,110.12 |
| Beer                      | 1,036.52 | 1,209.26 | 1,382.02 | 1,554.77 | 1,900.28 | 2,245.77 | 2,591.29 | 3,109.54 |
| Bishops Clyst             | 1,048.92 | 1,223.74 | 1,398.56 | 1,573.38 | 1,923.02 | 2,272.65 | 2,622.30 | 3,146.76 |
| Bramford Speke            | 1,049.20 | 1,224.07 | 1,398.94 | 1,573.80 | 1,923.53 | 2,273.26 | 2,623.00 | 3,147.60 |
| Branscombe                | 1,035.46 | 1,208.04 | 1,380.62 | 1,553.19 | 1,898.34 | 2,243.49 | 2,588.65 | 3,106.38 |
| Broadclyst                | 1,082.11 | 1,262.46 | 1,442.81 | 1,623.16 | 1,983.86 | 2,344.56 | 2,705.27 | 3,246.32 |
| Broadhembury              | 1,037.68 | 1,210.62 | 1,383.57 | 1,556.51 | 1,902.40 | 2,248.28 | 2,594.19 | 3,113.02 |
| Buckerell                 | 1,037.64 | 1,210.57 | 1,383.52 | 1,556.45 | 1,902.33 | 2,248.20 | 2,594.09 | 3,112.90 |
| Budleigh Salterton        | 1,044.01 | 1,218.01 | 1,392.01 | 1,566.01 | 1,914.01 | 2,262.01 | 2,610.02 | 3,132.02 |
| Chardstock                | 1,029.96 | 1,201.62 | 1,373.28 | 1,544.94 | 1,888.26 | 2,231.57 | 2,574.90 | 3,089.88 |
| Clyst Honiton             | 1,043.10 | 1,216.94 | 1,390.80 | 1,564.64 | 1,912.34 | 2,260.03 | 2,607.74 | 3,129.28 |
| Clyst Hydon               | 1,033.20 | 1,205.39 | 1,377.60 | 1,549.79 | 1,894.19 | 2,238.58 | 2,582.99 | 3,099.58 |
| Clyst St George           | 1,031.89 | 1,203.87 | 1,375.85 | 1,547.83 | 1,891.79 | 2,235.75 | 2,579.72 | 3,095.66 |
| Clyst St Lawrence         | 1,020.63 | 1,190.73 | 1,360.84 | 1,530.94 | 1,871.15 | 2,211.35 | 2,551.57 | 3,061.88 |
| Colaton Raleigh           | 1,034.74 | 1,207.19 | 1,379.65 | 1,552.10 | 1,897.01 | 2,241.91 | 2,586.84 | 3,104.20 |
| Colyton                   | 1,042.86 | 1,216.67 | 1,390.48 | 1,564.29 | 1,911.91 | 2,259.52 | 2,607.15 | 3,128.58 |
| Combe Raleigh             | 1,028.94 | 1,200.43 | 1,371.92 | 1,543.41 | 1,886.39 | 2,229.36 | 2,572.35 | 3,086.82 |
| Compyne-Rousdon           | 1,032.46 | 1,204.54 | 1,376.62 | 1,548.69 | 1,892.84 | 2,236.99 | 2,581.15 | 3,097.38 |
| Cotleigh                  | 1,043.26 | 1,217.13 | 1,391.01 | 1,564.88 | 1,912.63 | 2,260.37 | 2,608.14 | 3,129.76 |
| Cranbrook                 | 1,055.30 | 1,231.17 | 1,407.06 | 1,582.94 | 1,934.71 | 2,286.46 | 2,638.24 | 3,165.88 |
| Dalwood                   | 1,039.92 | 1,213.23 | 1,386.56 | 1,559.87 | 1,906.51 | 2,253.14 | 2,599.79 | 3,119.74 |
| Dunleswell                | 1,051.42 | 1,226.65 | 1,401.89 | 1,577.12 | 1,927.59 | 2,278.05 | 2,628.54 | 3,154.24 |
| East Budleigh with Bicton | 1,047.64 | 1,222.25 | 1,396.86 | 1,571.46 | 1,920.67 | 2,269.88 | 2,619.10 | 3,142.92 |
| Exmouth                   | 1,040.92 | 1,214.40 | 1,387.89 | 1,561.37 | 1,908.34 | 2,255.30 | 2,602.29 | 3,122.74 |
| Farringdon                | 1,036.87 | 1,209.68 | 1,382.49 | 1,555.30 | 1,900.92 | 2,246.54 | 2,592.17 | 3,110.60 |
| Farway                    | 1,029.49 | 1,201.07 | 1,372.65 | 1,544.23 | 1,887.39 | 2,230.55 | 2,573.72 | 3,088.46 |
| Feniton                   | 1,036.66 | 1,209.44 | 1,382.22 | 1,554.99 | 1,900.54 | 2,246.09 | 2,591.65 | 3,109.98 |
| Gittisham                 | 1,040.64 | 1,214.07 | 1,387.52 | 1,560.95 | 1,907.83 | 2,254.70 | 2,601.59 | 3,121.90 |
| Hawkchurch                | 1,038.99 | 1,212.15 | 1,385.32 | 1,558.48 | 1,904.81 | 2,251.13 | 2,597.47 | 3,116.96 |
| Honiton                   | 1,057.65 | 1,233.92 | 1,410.20 | 1,586.47 | 1,939.02 | 2,291.56 | 2,644.12 | 3,172.94 |
| Huxham                    | 1,020.63 | 1,190.73 | 1,360.84 | 1,530.94 | 1,871.15 | 2,211.35 | 2,551.57 | 3,061.88 |
| Kilmington                | 1,037.90 | 1,210.87 | 1,383.86 | 1,556.84 | 1,902.81 | 2,248.76 | 2,594.74 | 3,113.68 |
| Luppitt                   | 1,054.50 | 1,230.25 | 1,406.00 | 1,581.75 | 1,933.25 | 2,284.74 | 2,636.25 | 3,163.50 |
| Lypstone                  | 1,050.48 | 1,225.55 | 1,400.64 | 1,575.71 | 1,925.87 | 2,276.02 | 2,626.19 | 3,151.42 |
| Membury                   | 1,031.94 | 1,203.92 | 1,375.92 | 1,547.90 | 1,891.88 | 2,235.85 | 2,579.84 | 3,095.80 |
| Monkton                   | 1,064.51 | 1,241.92 | 1,419.35 | 1,596.76 | 1,951.60 | 2,306.42 | 2,661.27 | 3,193.52 |
| Musbury                   | 1,034.34 | 1,206.73 | 1,379.12 | 1,551.51 | 1,896.29 | 2,241.06 | 2,585.85 | 3,103.02 |
| Netherexe                 | 1,020.63 | 1,190.73 | 1,360.84 | 1,530.94 | 1,871.15 | 2,211.35 | 2,551.57 | 3,061.88 |
| Newton Popleford          | 1,048.88 | 1,223.68 | 1,398.50 | 1,573.31 | 1,922.94 | 2,272.55 | 2,622.19 | 3,146.62 |
| Northleigh                | 1,037.62 | 1,210.55 | 1,383.49 | 1,556.42 | 1,902.29 | 2,248.15 | 2,594.04 | 3,112.84 |
| Offwell                   | 1,031.66 | 1,203.60 | 1,375.55 | 1,547.49 | 1,891.38 | 2,235.26 | 2,579.15 | 3,094.98 |
| Otterton                  | 1,043.77 | 1,217.73 | 1,391.69 | 1,565.65 | 1,913.57 | 2,261.49 | 2,609.42 | 3,131.30 |
| Ottery St Mary            | 1,051.22 | 1,226.41 | 1,401.62 | 1,576.82 | 1,927.23 | 2,277.62 | 2,628.04 | 3,153.64 |
| Payhembury                | 1,033.08 | 1,205.26 | 1,377.44 | 1,549.62 | 1,893.98 | 2,238.33 | 2,582.70 | 3,099.24 |
| Plymtree                  | 1,030.52 | 1,202.27 | 1,374.03 | 1,545.78 | 1,889.29 | 2,232.79 | 2,576.30 | 3,091.56 |
| Poltimore                 | 1,050.34 | 1,225.40 | 1,400.46 | 1,575.51 | 1,925.62 | 2,275.73 | 2,625.85 | 3,151.02 |
| Rewe                      | 1,043.16 | 1,217.01 | 1,390.88 | 1,564.73 | 1,912.45 | 2,260.16 | 2,607.89 | 3,129.46 |
| Rockbeare                 | 1,060.78 | 1,237.58 | 1,414.38 | 1,591.17 | 1,944.76 | 2,298.35 | 2,651.95 | 3,182.34 |
| Seaton                    | 1,065.98 | 1,243.64 | 1,421.31 | 1,598.97 | 1,954.30 | 2,309.62 | 2,664.95 | 3,197.94 |
| Sheldon                   | 1,028.64 | 1,200.08 | 1,371.52 | 1,542.96 | 1,885.84 | 2,228.71 | 2,571.60 | 3,085.92 |
| Shute                     | 1,031.51 | 1,203.42 | 1,375.35 | 1,547.26 | 1,891.10 | 2,234.92 | 2,578.77 | 3,094.52 |
| Sidmouth                  | 1,060.83 | 1,237.63 | 1,414.44 | 1,591.24 | 1,944.85 | 2,298.45 | 2,652.07 | 3,182.48 |
| Southleigh                | 1,033.04 | 1,205.21 | 1,377.39 | 1,549.56 | 1,893.91 | 2,238.25 | 2,582.60 | 3,099.12 |
| Stockland                 | 1,030.86 | 1,202.66 | 1,374.48 | 1,546.28 | 1,889.90 | 2,233.51 | 2,577.14 | 3,092.56 |
| Stoke Canon               | 1,042.83 | 1,216.63 | 1,390.44 | 1,564.24 | 1,911.85 | 2,259.45 | 2,607.07 | 3,128.48 |
| Talaton                   | 1,043.18 | 1,217.03 | 1,390.90 | 1,564.76 | 1,912.49 | 2,260.20 | 2,607.94 | 3,129.52 |
| Uplyme                    | 1,036.47 | 1,209.21 | 1,381.96 | 1,554.70 | 1,900.19 | 2,245.67 | 2,591.17 | 3,109.40 |
| Upottery                  | 1,045.42 | 1,219.66 | 1,393.90 | 1,568.13 | 1,916.60 | 2,265.07 | 2,613.55 | 3,136.26 |
| Upton Pyne                | 1,039.12 | 1,212.30 | 1,385.49 | 1,558.67 | 1,905.04 | 2,251.40 | 2,597.79 | 3,117.34 |
| Whimble                   | 1,038.72 | 1,211.84 | 1,384.96 | 1,558.08 | 1,904.32 | 2,250.55 | 2,596.80 | 3,116.16 |
| Widworthy                 | 1,031.02 | 1,202.85 | 1,374.69 | 1,546.52 | 1,890.19 | 2,233.85 | 2,577.54 | 3,093.04 |
| Woodbury                  | 1,050.27 | 1,225.31 | 1,400.36 | 1,575.40 | 1,925.49 | 2,275.57 | 2,625.67 | 3,150.80 |
| Yarcombe                  | 1,036.03 | 1,208.70 | 1,381.37 | 1,554.04 | 1,899.38 | 2,244.72 | 2,590.07 | 3,108.08 |

# Meeting of the Council – 25 February 2015

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of the Council held at Knowle, Sidmouth on 17 December 2014**

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

The meeting started at 6.30pm and ended at 8.44 pm.

#### **\*40 Public Speaking**

The Chairman welcomed Councillors and members of the public present.

Mr Richard Thurlow referred to a past review of office accommodation – referred to Cabinet on 14 July 2010. He said that more than 4 years on, no progress had been made but costs had accumulated. He believed this reflected poor management, a lack of proper investigation into possible options and no rational analysis. He said that decisions were based on worst-case scenarios and the ambition of the Council leadership. The projected energy savings to be achieved through the proposed move to sites in Exmouth and Honiton used misleading interest rate projections. He said that the financial case for the move did not stack up and asked for an independent study to be commissioned to give reassurance that the decisions being taken were based on correct financial data.

Mr Richard Eley advised that the decisions on relocation would be subject to judicial review involving a critical analysis of data. He referred to boundary issues in respect of the Knowle site and the inaccurate measurement of the office footprint. He said that the energy cost predictions were based on incorrect assumptions and should be professionally reviewed and adjusted, and that fixed price energy options should be explored. In addition, the relocation team had not factored in the potential and likely reform of local government.

Mr Jeremy Woodward referred to the report of June 2012. He said that the Knowle offices could be refurbished and modern technology used to achieve new ways of working. The energy prices used to predict savings were inflated. The Knowle offices were energy efficiency Band C and this rating could be further improved with more sustainable ways of working. He said that the statistical information on which decisions were being made should be independently audited to ensure accuracy.

Mr Mike Temple asked the Deputy Chief Executive to confirm that the Council intended to challenge the Inspector's ruling in respect of the public right of way across the Knowle grounds. He asked if the Council was trying to prevent public access to a public park. He also questioned the Council's claim that existing parkland would be retained for public use when a significant proportion was being offered to potential developers. He also questioned the provision of 30 parking spaces at Exmouth Town Hall and said that this would be inadequate for the number of staff assigned to that office with no parking available for visitors.

Mr John Withrington referred to Minute 31 of the Development Management Committee of 21 October 2014 and the importance of having a Local Plan in place. He questioned whether there was a lack of political will and asked if EDDC was ready to commit to a date for the Plan to be in place for the benefit of the whole district.

In response to issues raised by the first three speakers, Mark Williams, Chief Executive advised that an independent audit would be carried out on office-move data. The external auditors were appointed by Government and their impartiality could be relied upon. In respect of rights of way issues, Mr Williams advised that these had yet to be decided but that possibly comments made had been misleading; there were other public access points

to the parkland and no intent to prevent public access. Equally, the measurements of parkland or building footprint could be made clear. In response to concerns about parking provision at Exmouth Town Hall, Mr Williams advised that the offices, until recently, had been occupied by Devon County Council and there was not a perceived parking problem.

In respect of the fifth speaker, Mr Williams advised that the progress of the Local Plan was covered in Question 3 at agenda item 8.

**\*41 Minutes**

The minutes meeting of the Council held on 15 October 2014 were confirmed and signed as a true record.

**\*42 Declarations**

No declarations of interest were made.

**\*43 Chairman/Leader notices/announcements**

On behalf of the Council, the Chairman congratulated Feniton-born and King's School educated athlete Jo Pavey on being placed third in the 2014 BBC Sports Personality of the Year competition - based on a public vote. The Chairman reminded Council of Jo's successful sporting career including winning gold at the European Championships this year and her previous Commonwealth and Olympic achievements. The Chairman said that he had sent a letter of congratulation to Jo from the Council and had extended her an invitation to attend his civic dinner in March.

The Chairman invited Members, partners and Honorary Aldermen to join him for a festive celebration at the close of the meeting.

**\*44 Questions (Procedure Rules 9.2 and 9.5)**

Eleven questions had been submitted in accordance with Procedure Rule 9.2 - the printed [questions and answers](#) were circulated at the meeting. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). There were no supplementary questions in respect of question 6. The responses to the supplementary questions are set out below.

**a) Question 1 – National House Building Council**

A point of clarification of the question was made – new homes were not built by Local Government Officers.

In the written response, the Leader had advised that he would raise the concerns with the Local Government Association through the People and Places Board and would ask other authorities if there was any appetite for the LABC to have a 'clerk-of-works' type role. In response to a supplementary question, the Leader confirmed that he would report back on this.

**b) Question 2 – progress of SHMA (Strategic Housing Market Assessment) report**

In response to a supplementary question about any increase in staffing resource to progress this assessment, the Leader advised that new appointments had already been made within the planning team. He gave assurance that work on the Local Plan was a priority and emphasised the importance of getting it right so that the Plan was fit for purpose.

c) **Question 3 – emerging East Devon Local Plan**

In response to a supplementary question, the Leader advised that Mr Thickett would remain as our Local Plan Inspector in addition to his new appointment as Director for Wales.

d) **Question 4 – Improved rail infrastructure**

The Leader outlined positive work with local partnerships to further improve the rail network provision in the area. The three leaders of EDDC, Exeter City Council and Teignbridge District Council had submitted a response to consultation; outcomes would be reported to a future Council meeting.

e) **Question 5 – Whistle blowing policy**

The Leader said that an internal investigation into former councillor Graham Brown was unnecessary and would not be carried out; the Police investigation, now closed, had been thorough and detailed.

f) **Question 7 – Office relocation**

The Leader advised that the predicted 'break-even' of the relocation project based on current proposals and 20-year plan would be at the end of year 10.

g) **Question 8 – Office relocation - Skypark**

The Leader advised that the Skypark option had been based on information available at the time; the situation had changed which meant that this was no longer the favoured option.

h) **Question 9 – Office relocation – staff feedback**

The Leader confirmed that although a full staff survey had not been undertaken this year, there had been opportunities for staff to give feedback.

i) **Question 10 – S106 funding**

The Leader invited Councillor Jill Elson, Portfolio Holder – Sustainable Homes and Communities to respond to a supplementary question. Councillor Elson advised that the Council was concerned by the Government's proposal to withdraw Section 106 funding and she had consequently written to both the local MPs who were similarly concerned. Councillor Elson added that she would work hard within the remit of her Portfolio to try to protect the viability of local communities. The Leader of the Council was also in talks with other authority leaders to make a strong case for the retention of Section 106 monies.

j) **Question 11 – Tri-partite agreement with other authorities**

The Leader assured Members that any such agreement would retain the sovereignty of individual councils. Closer working with neighbouring authorities was a logical and practical step and effective partnership working was already being progressed.

\*45 **Minutes of Cabinet and Committees**

**RESOLVED**

1. that the under-mentioned minutes be received and the recommendations approved

**Cabinet**

Minutes 92-113, 114-133

**Development Management Committee**

Minutes 27-34, 35-40

**Planning Inspections Committee**

Minutes 16-18

**Standards Committee**

Minutes 1-10

**Audit and Governance Committee**

Minutes 25-35

**Licensing and Enforcement Committee**

Minutes 7-9

**Licensing and Enforcement Sub Committee**

Minutes 14-16

**RESOLVED**

2. that the under-mentioned minutes be received.

Cabinet (minutes 99,121,122) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

**Overview and Scrutiny Committee**

Minutes 35-43, 44-54

**Housing Review Board**

Minutes 41-56

**Arising from consideration of the above minutes:-**

**a) Cabinet (Relocation update minute 123 refers)**

Councillor Graham Troman proposed an amendment to the recommendation as printed. He proposed that a thorough examination of all data in respect of the relocation be carried out by:

1. Audit and Governance Committee
2. Overview and Scrutiny Committee
3. Internal auditors
4. Independent external auditors

He said that this way the Council would have four checks and balances in place before any decisions were made on the possible relocation of the Knowle.

Councillor Chris Wale seconded the amendment.

Councillor Peter Bowden, Vice Chairman of the Audit and Governance Committee advised (in the absence of the Committee Chairman) that the relocation of the Council offices was to be discussed at the Committee meeting on 8 January 2015. The issue was in respect of good governance and not political opinion.



Councillor Stuart Hughes referred to a motion he raised in December 2012. This was to put on hold relocation plans until the Government had ruled on the recommendations of the Michael Heseltine report 'No Stone Unturned'. The motion was referred to Cabinet where it was deferred to await the outcome of the Knowle application and was therefore still outstanding. Councillor Hughes also suggested that the vacated site at Green Close could be explored for possible use by this Council.

The amendment was put to the vote and supported with a clear majority.

Councillor Claire Wright proposed an amendment to the substantive motion. She asked that the relocation project be put on hold until the outcome of local authority reform was known. Following legal advice on the amendment, Councillor Wright gave a more specific timeframe as - following the outcome of the May 2015 elections.

The amendment was seconded by Councillor Susie Bond.

In proposing the amendment, Councillor Claire Wright advised that she was concerned about the costs incurred so far in the office relocation project and about projected costs, including borrowing, and lack of information being provided to the public. She said that in times of financial austerity, better use should be made of money earmarked to finance the project. The Knowle offices were in Energy Efficiency Band C – the same rating as for the Exmouth Town Hall offices – and therefore not a sound enough reason for the move. She said that the energy costs and predictions were inaccurate and the move was wrong in a period of local authority uncertainty. Councillor Wright supported the agreed checks and balances proposed by Councillor Troman.

During the subsequent debate, the following points were made:

- The Knowle office buildings were not fit for purpose - the decision to move was made a year ago.
- The offices at Knowle could not adequately accommodate people with mobility problems.
- New offices would facilitate use of modern technology and mobile working.
- Costs would be fully scrutinised; the Council had a good reputation for financial prudence and effective and efficient use of budgets for the benefit of the whole of East Devon.
- Sidmouth was not the best geographical location for offices to serve East Devon.
- Exmouth was looking forward to an increased EDDC presence in the town.
- Concern was raised that despite finance workshops being offered to Councillors to explain background figures, this opportunity was not being taken up by many.
- The amount of information available to all Councillors was questioned.
- Significant changes were anticipated at the May 2015 elections and so a decision should be delayed until a new council was in place.
- Newly elected Councillors would rely on the advice already given.
- The future of local government was too uncertain for a decision on relocating the authority's offices to be made now.
- The relocation budget should be used for other, more pressing and important projects.
- Negotiations in respect of contracts and exchanges were already taking place – the work involved plus the agreed checks and audits was likely to extend beyond May 2015.
- The interest of local people beyond the Sidmouth area was questioned.

Councillor Giles proposed a recorded vote – this was seconded by Councillor Ingham. When put to the vote, the proposal of a recorded vote was supported.

In summing up, Councillor Wright referred to the importance of two-way communications and local democracy. She highlighted costs already incurred by the project – including legal fees – and projected costs. The amendment to put the relocation project on hold until the new council was in place in May 2015 was put to the vote.

Results of the recorded vote:

Those in favour:

Susie Bond, Peter Burrows, Trevor Cope, Roger Giles, Ben Ingham, Brenda Taylor, Claire Wright. (7)

Those against:

Graham Godbeer, Christine Drew, Paul Diviani, Mike Allen, David Atkins, Ray Bloxham, Peter Bowden, David Chapman, Maddy Chapman, Iain Chubb, David Cox, Deborah Custance Baker, Vivien Duval Steer, Jill Elson, Steve Gazzard, Pat Graham, Steve Hall, Stuart Hughes, Douglas Hull, John Humphreys, John Jeffery, Stephanie Jones, Sheila Kerridge, David Key, Jim Knight, Andrew Moulding, Frances Newth, John O’Leary, Helen Parr, Pauline Stott, Peter Sullivan, Ian Thomas, Graham Troman, Phil Twiss, Chris Wale, Mark Williamson, Eileen Wragg, Steve Wragg, Tom Wright. (39)

**RESOLVED:**

1. that the emerging changes to the relocation project be recognised and the following be agreed:
  - a. The marketing exercise for Knowle and Manstone has resulted in a range of offers and, following a detailed assessment process, price, form and quality of development propositions have been received that merit further detailed negotiation towards selection of a preferred developer.
  - b. Leading offers for Knowle do not include options to sell Manstone in which case EDDC can choose to retain Manstone for the foreseeable future as a depot function and continued employment use.
  - c. The reduced offer for EDDC’s Heathpark site no longer represents a sufficiently persuasive level of capital receipt and will not be pursued further.
  - d. The retention of Heathpark in EDDC ownership means that this now represents the most cost effective and straightforward location to develop a new headquarters building for the Council.
  - e. Relocation to Skypark is no longer a viable proposition based on the reduced offer for Heathpark and combination of Knowle market value and prudential borrowing.
  - f. The East Devon Business Centre (EDBC) should preferably be retained and could potentially be combined within a new EDDC HQ development.
  - g. In the interim, Exmouth Town Hall has been vacated by Devon County.
  - h. A new HQ in Honiton can be restricted in size and cost to a 170 desk equivalent scale with an improved Exmouth Town Hall for 80 EDDC staff as a main satellite office in the district’s largest community.
  - i. As part of its commitment to more mobile working and accessibility, the Council will offer a service presence as customers require in future at locations elsewhere in the district.

- j. That relocation continues to make financial and operational sense on a whole life cost basis, specifically 20-year projections combining capital receipt and repayment of prudential borrowing versus existing office running cost and unfunded expenditure on existing building repair, maintenance and improvement.
2. that the Deputy Chief Executive, in consultation with the Office Accommodation Executive Group, be authorised to take forward further actions in pursuit of the above recommendations and Project Plan,
3. that further reports be produced for Cabinet and Council on project progress and to seek formal approval for any disposal of Knowle;
4. that a thorough examination of all facts and figures in respect of the relocation be carried out by:
  - a) The Audit and Governance Committee
  - b) The Overview and Scrutiny Committee
  - c) The internal auditors
  - d) The independent external auditors

**b) Housing Review Board**

In presenting the minutes, the Chairman, Councillor Pauline Stott extended special thanks to John Golding and his staff for the excellent services provided; East Devon District Council's housing services ranked as one of the best in the county.

**c) Licensing and Enforcement**

In presenting the minutes, the Chairman, Councillor Steve Hall recommended the Council's newsletter on licensing activities and the availability of all licensing policies for information and comment.

**\*46 Motion – East Devon District Council Scrutiny**

The following motion was proposed by Councillor Roger Giles, seconded by Councillor Ben Ingham and supported by Councillors Susie Bond, Trevor Cope and Claire Wright

An effective and independent scrutiny function is important for achieving a transparent and an effective council. Scrutiny should be a completely open and impartial process, not subject to interference or pressure.

This Council believes the Overview and Scrutiny Committee alone should determine what matters it considers, who it calls as witnesses and who forms part of its considerations. The Chairman and Vice Chairman of Overview and Scrutiny must be non-majority party councillors in order for the Overview and Scrutiny Committee to be fully effective.

In proposing, Councillor Giles said that he strongly believed in the need for effective scrutiny and gave recent examples of where he saw that the scrutiny function had not achieved satisfactory outcomes. He believed that the function of scrutiny was being curtailed by the Council's majority group.

In seconding, Councillor Ingham referred to the past Scrutiny Chairmen and Vice Chairmen listed on the agenda; recently these positions had been held by the majority group.

Councillor Bloxham, Portfolio Holder – Corporate Business said that the quality of scrutiny had a direct impact on service delivery. The Viewpoint Survey 2014 indicated that the Council's service delivery was generally highly respected by the public. He said that the

quality of the Council's scrutiny function was not reliant on the Chairman and Vice Chairman but was the responsibility of the whole committee. He suggested that the motion be referred for consideration by a joint Think Tank (Corporate Business and Corporate Services) and that the issue be widened to include the Housing Review Board and joint scrutiny groups.

The proposal to refer the motion to the joint Corporate Business and Corporate Services Think Tank was supported by Councillor Tom Wright who suggested that the arrangement of scrutiny functions at other authorities should be considered.

Issues raised during the debate included:

- The role of scrutiny was to challenge and oppose and this was most effectively carried out if the meetings were chaired by non-majority group councillors.
- Councillors should be aware of public perception and appoint non-majority group councillors to the roles of Chairman and Vice Chairman.
- Although all members of the scrutiny committee contributed to the function, it was the Chairman, Vice Chairman and Officers who set the agenda.
- The scrutiny function was one of critical friend and held Cabinet to account.
- There had been good examples of effective scrutiny.
- Members recognised the importance of strong debate.

Councillor Giles accepted Councillor Bloxham's proposal in the spirit that it was made.

**RESOLVED:**

that the motion be referred for consideration to a joint Think Tank (Corporate Business and Corporate Services) with the issue being widened to include the Housing Review Board and joint scrutiny groups

**Attendance list**

**Councillors present:**

Graham Godbeer, Chairman  
Christine Drew, Vice Chairman  
Mike Allen  
David Atkins  
Ray Bloxham  
Susie Bond  
Peter Bowden  
Peter Burrows  
David Chapman  
Maddy Chapman  
Iain Chubb  
Trevor Cope  
David Cox  
Deborah Custance Baker  
Paul Diviani  
Vivien Duval Steer  
Jill Elson  
Steve Gazzard  
Roger Giles  
Pat Graham  
Steve Hall

Stuart Hughes  
Douglas Hull  
John Humphreys  
Ben Ingham  
John Jeffery  
Stephanie Jones  
Sheila Kerridge  
David Key  
Jim Knight  
Andrew Moulding  
Frances Newth  
John O'Leary  
Helen Parr  
Pauline Stott  
Peter Sullivan  
Brenda Taylor  
Ian Thomas  
Graham Troman  
Phil Twiss  
Christopher Wale  
Mark Williamson  
Eileen Wragg  
Steve Wragg  
Claire Wright  
Tom Wright

**Also present:**

**Honorary Aldermen** – Mike Green, Ann and Graham Liverton, Tony Reed and David Scott

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Rachel Pocock, Corporate Legal and Democratic Services Manager  
Amanda Coombes, Democratic Services Officer  
Diana Vernon, Democratic Services Manager  
Hannah Whitfield, Democratic Services Officer

**Councillor apologies:** Roger Boote, Derek Button, Bob Buxton, Geoff Chamberlain, Alan Dent, Martin Gammell, Peter Halse, Mike Howe, Tony Howard, Geoff Pook, Ken Potter, Philip Skinner, Tim Wood

**Honorary Aldermen apologies:**

Vivienne Ash, Bernard Hughes, Bob Peachey

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 7 January 2015**

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

The meeting started at 5.30pm and ended at 8.30 pm.

#### **\*134 Public Speaking**

The Leader welcomed Councillors and members of the public present.

Councillor Douglas Hull, Vice Chairman of the Arts and Culture Forum referred to agenda item 16 – Thelma Hulbert Gallery report. He asked to speak at the start of the meeting, as, due to an evening commitment, he was unable to stay for the entire meeting. He asked Members to appreciate the work of the gallery's outreach programme. He had been unaware of the gallery figures until they had appeared on the agenda. He said that as Vice Chairman of the Forum, he should have been informed and been given the opportunity to understand the figures in advance. He said that the report should have been referred in the first instance to the Forum for its input. In response, Councillor John O'Leary, Chairman of the Forum and the Council's Member Champion for Culture advised that there had not been time to call a meeting of the Forum as the figures had only recently become available.

#### **\*135 Minutes**

The minutes of the Cabinet meeting held on 3 December 2014 were confirmed and signed as a true record.

In response to a request for an update on Minute 124 in respect of the proposed increase to the LED loan facility, the Chief Executive advised that legal advice was still awaited but that he was not anticipating that this would be problematic.

#### **\*136 Declarations**

Cllr Jill Elson – Min no. 142

Personal interest

Reason: Trustee and Chair of Exmouth and District Community Transport Group

Cllr Pat Graham - Min no. 144

Personal interest

Reason: Councillor Graham's husband is president of the Sea Cadets.

Cllr Roger Giles – Minute no. 146

Personal interest

Reason: Member of Ottery St Mary Town Council

Cllr Peter Bowden – Minute no. 155

Disclosable Pecuniary interest – for which a dispensation has been granted

Reason: Will benefit from the Whimple flood defence improvement scheme

#### **\*137 Exclusion of the public**

##### **RESOLVED:**

that the classification given to the documents to be submitted to the Cabinet be confirmed; there were four items which officers recommended should be dealt with in Part B.

**\*138 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 January to 30 April 2015.

**\*139 Matters referred to the Cabinet**

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

**\*140 Recycling and Refuse Partnership Board – 27 November 2014**

Members received and noted the minutes of the meeting of the Recycling and Refuse Partnership Board held on 27 November 2014.

The minutes referred to statistical information, SITA's performance, and the Board's commitment to consider all legal implications throughout the procurement process. The Board had received and noted the consultation feedback, procurement timetable and evaluation criteria. A detailed report on progress of the commissioning phase of the new waste contract including a business case for Integrated Devon Waste was considered later in the meeting (agenda item 20).

**\*141 Seaton Regeneration Programme Board – 5 December 2014**

The action notes from a meeting of the Board held on 5 December gave details of positive progress being made to regenerate Seaton.

**\*142 Draft Revenue and Capital Budgets – key decision**

Simon Davey, Strategic Lead - Finance presented the draft revenue and capital estimates 2015/16 for adoption by Cabinet. He reminded Councillors of the budget process:

- The estimates would be next considered in detail by the Overview and Scrutiny Committee at its special meeting on 14 January 2015.
- The draft housing revenue account and housing service plan 2015/16 would be considered by the Housing Review Board at its meeting on 15 January 2015.
- The business community would also be consulted.
- Recommendations would then be referred to the Cabinet for consideration at its meeting on 11 February 2015.
- The final decision on the 2015/16 draft revenue and capital budgets would be made by Council at its meeting on 25 February 2015.

It was noted that a number of assumptions had been made in preparing the budgets, including in respect of inflation and interest rates. Budgets were based on no service cuts being made. Income budgets had been increased in line with 1.5% inflation where appropriate and in line with expected demand. The draft budget for 2015/16 assumed a council tax freeze so that the Council could receive government grant and avoid the cost of a referendum. The key issues to be considered were:

**General Fund**

Risks identified included a further reduction in overall government funding (for a further year), the demand-led cost of the localisation of council tax benefit, the business rates retention scheme, the uncertainty of local authorities no longer being responsible for the administration of housing benefit payments and possible changes to the new homes bonus scheme in future years.

The report set out how the 2014/15 funding gap identified in the medium term financial plan (of around £2m) had been addressed. Steps had also been taken (including a management restructure) to address the anticipated budget gap 2015/16 (of £0.38m). However due to additional costs and reduction in anticipated income (from car parks, planning application fees and recycling), there was still a budget gap. Further steps were taken to deliver a balanced budget - including use of new homes bonus monies, STRATA savings, use of surpluses from the collection fund and business rates. As a consequence, the draft budget maintained the general fund balance within the Council's adopted range. The medium term financial plan estimates showed a budget deficit in the order of £2.8m by 2020/21. Therefore, when the budget for 2015/16 was agreed, Council would consider budgets for 2016/17 onwards – a strategic report would be referred to Cabinet in March 2015 with proposals to balance the budget to 2020/21. This was in line with the Council's effective forward-looking approach.

The draft revenue budget book 2015/16 was circulated with the agenda.

Members were requested to consider two special items (to be met from the general fund balance 2015/16) – not included within the draft budget, namely:

- A Tree Inspections Officer (£15,000 including on-costs)
- Streetscene Management/ Engineer (£34,000 including on-costs)

Agreeing to these items would affect future budgets.

The transformation reserve had an uncommitted balance of £0.250m and it was proposed that this would be used to fund back-capture scanning and to enable toilets at Branscombe to be refurbished and transferred. This would leave an uncommitted balance of £0.163.

In response to a question about why the transformation reserve was being used in respect of the Branscombe toilets, the Strategic Lead – Finance advised that the initial outlay would have a positive effect on future budgets. The Strategic Development and Partnership Portfolio Holder added that although various asset transfers had been carried out without cost to the Council, it was possible that further potential asset transfers would be brought forward with a 'dowry' arrangement to enable local authorities or local/voluntary groups to take over the asset. Although this would be an initial cost, it would achieve future savings for the Council.

### **Housing Revenue Account**

Currently in a healthy position, which was essential to enable the Council to invest in council houses to ensure they are maintained to a high standard and to meet debt commitments required as part of the self-finance regime. The rent increase was in line with rent reform.

### **Capital**

The capital programme was to be funded from the capital reserve and borrowing – particularly in respect of the Exmouth regeneration projects. This would generate sufficient capital receipts to pay back loans by 2018/19. The Capital Strategy and Allocation Group had appraised capital bids based on agreed criteria to help deliver the Council's stated priorities. The draft capital budget for 2015/16 was detailed in the budget book and showed a shortfall to be met from capital reserves of £0.404m - Members noted the resultant effect on the capital reserves.



**Cranbrook 2015/16 budget and precept**

A budget for Cranbrook in 2015/16 was recommended. EDDC needed to set an initial precept for the new town council, which would be created at the 2015 elections in May. The report detailed the processes and considerations involved. The new town council, when established, would appoint its own clerk. In the interim, EDDC staff would assist with servicing meetings until the clerk was in post.

General comments made during the subsequent debate included:

- It would be helpful to highlight where outside services - such as legal advice and use of consultants had been bought-in to assist with complex projects. The Audit and Governance Committee had requested this information. The Chief Executive advised that the Council recouped costs where possible, for example, through payment from developers.
- Where income from the current year was under budget, this shortfall had been taken into account but not highlighted as a separate item.
- The additional posts would be a cost to the Council but there were examples within the Council of where recruitment would generate additional income and were therefore cost-neutral. The additional income being generated by the legal post (given as an example) had been factored into the budget for next year. This was an exception; the two proposed posts would not generate an income but would be a cost to the authority.
- The budget book indicated which services were mandatory and which were discretionary – this was seen as helpful.
- There was concern that Universal Credit would have an on-going impact on rent collection.
- Car park income was down year-on-year. There were many reasons for this but one of them was likely to be the trialled 4 hour parking for the cost of 3 hours in the shoppers' car parks. Part-time workers were taking advantage of this arrangement and effectively blocking car park spaces.

The Portfolio Holder – Finance welcomed the increasing involvement of all Members in the budget process. He congratulated Simon Davey and his team for the clear budget information. This was the fifth year in which the Council was in a position to hold the council tax at its current level; he said that this was a sign of great achievement. There would be challenges ahead but the Council's track record of prudence and forward budget planning would stand it in good stead. He added that the Council had done a good job in keeping costs down and containing budgets.

**RESOLVED:**

1. that the draft revenue and capital estimates be adopted before being forwarded to the Overview and Scrutiny Committee and Housing Review Board for consideration;
2. that a budget for Cranbrook Town Council of £44,148 for 2015/16 be agreed – giving a council tax band D amount of £52.

**REASON:**

1. There is a requirement for 2015/16 to set balanced budgets, to levy a council tax and to set council house rents.
2. EDDC was required to make arrangements for the new town council of Cranbrook, which would be set up following the 2015 elections.

**\*143 2015/16 Council Tax base – key decision**

The report of the Revenues and Benefits Service Lead set out the tax base for 2015/16 and included the breakdown for each parish (including Cranbrook), expressed in terms of band D equivalent properties on which the council tax will be based.

**RESOLVED:**

1. To confirm the tax base for 2015/2016 at **55,289** band D equivalent properties;
2. To confirm the amount for each parish as the amount shown against the name of that parish as detailed under section 3 of the report.

**REASON:**

The calculation of the tax base is prescribed under The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 which came into force on 30 November 2012. This was made under powers of the Local Government Finance Act 1992. See also Local Government Finance Act 1992 (as amended) & the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (as amended)

The council tax base is defined as the number of band D equivalent properties in a local authority's area. The tax base is necessary to calculate council tax for a given area.

**\*144 Exmouth Sea Cadets – proposed phased rental increases – key decision**

The Portfolio Holder – Sustainable Homes and Communities welcomed and supported the proposed relocation of the Exmouth Sea Cadets to an adjoining site. Both existing and proposed sites were Council-owned and arrangements were needed to enable the Sea Cadets to lease both sites for an overlap 12-month period whilst the new facility was being built. Phased rental would assist the Cadets and the proposed 50-year lease for the new site would enable the Cadets to secure funding towards the cost of the new building from charitable sources. The proposed new facility was of strategic importance to the regeneration of Exmouth. Councillor Elson advised that the Sea Cadets were to be congratulated for looking to the future and for their effective fund raising efforts.

The Portfolio Holder – Strategic Development and Partnership commended the hard work of the Cadets and thanked the Officers (particularly the Economy and Regeneration Manager) for their efforts in bringing this project forward. He advised that he would write separately to the Sea Cadets to suggest that they appoint a project manager, due to the complexity of the project, to act as a point of contact with the Council.

During the subsequent debate, the following comments were raised:

- A report would be referred to the March Cabinet meeting on a proposed scheme to enable organisations in need of temporary support, due to an increase in rent to market value levels, to apply for a Council grant.
- It was unfortunate that the Sea Cadets and Sea Scouts had been unable to work together with the Council for improved facilities for both organisations and achieve a degree of economies of scale. The Council continued to be willing to work with the Sea Scouts when they brought proposals forward.
- The report indicated equalities impact as 'high'. This was a positive indication of the inclusive work of the Sea Cadets with disadvantaged young people.

**RESOLVED:**

that the lease terms offered include zero rent in year 1, £700 per annum in year 2, rising to £1000 in year 3, which is below the market rent value for the premises of £1500 per annum in years 1-5.

**REASON:**

This below-market value rental is proposed as a means of supporting the Exmouth Sea Cadets through the building phase and to assist in their transition towards paying full market value rent for the property. It acknowledges that there will be some lead in time before they can realise a source of income from making the property available to other community leisure groups.

**\*145 Financial monitoring report 2014/15 – month 8 November 2014**

The Strategic Lead - Finance presented the summary of the Council's overall financial position for 2013/14 at the end of month eight (30 November 2014).

- The general fund balance (predicted as £3,397k) was being maintained at or above the adopted level (within the range of £2,800 - £3,600k).
- The housing revenue account balance (predicted as £4,703k) would be maintained at or above the adopted level of £2,100k (£500 per property). In addition, £2.9m was held in a volatility reserve.
- There was sufficient capital reserve to balance this year's capital programme. The total required from the capital reserve was £1,806k, with a predicted capital requirement of £25,131k.

Members were advised investment rates available had fluctuated in recent months, which had affected return on investment.

**RESOLVED:**

that the variances identified as part of the revenue and capital monitoring process up to month eight be acknowledged,

**REASON:**

To up-date Members on the overall financial position of the authority following the end of each month; the report included recommendations where corrective action is required for the remainder of the year.

**\*146 Proposed designation of Ottery St Mary parish Neighbourhood Area**

The report of the Neighbourhood Planning Officer set out a proposal received to designate Ottery St Mary Parish as a Neighbourhood Area. The public consultation period had now expired and no objections to the proposal had been received. Councillor Roger Giles, Ottery St Mary Town Ward Councillor, thanked officers for their work with the parish. He said that the designation would benefit the local community.

**RESOLVED**

that Ottery St Mary Parish be designated a Neighbourhood Area..

**REASON**

The legal requirements have been properly followed and the area is deemed appropriate for designation.

\*147 **Asset Management – tenanted non-residential property review**

**Beach huts and chalets asset cluster**

The Deputy Chief Executive presented the report of the Principal Estates Surveyor in respect of a review of tenanted non-residential property undertaken as part of the Council's Asset Management Plan. A report on beach huts and chalets based on this review (including the overall management and financial information and arrangements site by site) had been considered by the Asset Management Forum. The review process had been challenging due to the range of locations, structures, arrangements and pricing. The aim of the recommendations had been to address certain discrepancies including where the provision was actually a cost to the Council as well improving the provision overall and introducing an ongoing replacement programme. The recommendations reflected a more co-ordinated approach and a greater standardisation of arrangements across the district.

Discussion included:

- Although it was appreciated that the beach hut provision should not be subsidised by the Council, new arrangements should not put long-standing tenants in difficulty – not everyone had the space or ability to store the huts over the winter period.
- The Council was not charging enough for managing the huts – there should be a greater differential between site-only and maintenance/management of beach huts.
- The short-term provision of beach huts should be retained as this was a valued service to tourists and visitors and provided useful local income streams to the Tourist Information Centres.
- The service needed to operate more commercially.
- A proposal for a rolling tendering process of 20% of huts and chalets per year was not supported. It was felt that tendering in 2016 would allow ample time for consultation and review of approach.
- Consultation with current users was regarded as essential.
- Developing a 'sinking' fund was a prudent approach to cover replacement costs.
- The proposal was to improve the current arrangements in Sidmouth where provision was below standard. Options would be considered when planning permission was in place.

**RESOLVED**

1. that a sinking fund of £19,000 per annum be established to ensure retained huts and chalets can be replaced at the end of their life;
2. that the Property & Estates Services team work up a detailed proposal and feasibility assessment to deliver a scheme at Jacobs Ladder for the provision of new, more permanent beach huts;
3. that an additional site on the beach at Sidmouth, between the end of the Esplanade and Chit rocks, be established for the provision of 10 sites for beach huts subject to planning permission and viability assessment;
4. that the Seaton Searchlight Emplacement be marketed for sale and invitations invited on both a freehold and leasehold basis (interest already expressed was noted);
5. that the future of the huts and chalets at Exmouth be considered (in consultation with the Town Council) as part of the wider Exmouth regeneration programme to ensure a coherent approach;
6. that 5 year leases be tendered for the existing 56 sites at Beer and 93 sites at Budleigh Salterton to commence 1 April 2016 subject to consultation with current users;
7. that all sites be included within StreetScene's rolling condition survey programme of infrastructure assets;
8. that all beach hut tenants be responsible for their own NNDR (National non domestic rates) payments, where applicable;

9. that all site tenants commit to their beach hut/chalet conforming (within a realistic range) in respect of design, style and colour
10. that Beer concession sites be brought into line with open market rents at renewal.
11. that the following proposals be referred back to the Asset Management Forum for further consideration, with the Forum being made fully aware of the importance of undertaking consultation:
  - a) that at Seaton and Budleigh Salterton, from April 2016 the managed hut sites be offered on an open market basis as a site-only package, and will include a one-off charge of £250 for the existing hut;
  - b) that alternative use options for the beach hut storage unit at Budleigh Salterton be explored and reported back to the Council's Asset Management Forum at a future date;

## **REASON**

To progress recommendations of the Asset Management Forum's review of the Council's beach huts and chalets.

### 148 **Theлма Hulbert Gallery – progress report**

The report of the Service Lead – Countryside and Leisure and presentation by the Gallery Curator updated Members on the gallery since March 2014. Members were advised of progress made in securing grants and income together with the successes of the outreach work. Members were reminded of the gallery's recent Devon Tourism Awards – this and other positive achievements were set out within the report and highlighted during the presentation.

Members had indicated that they wished to see a reduction in overall financial support to the gallery and Cabinet had considered the business survival strategy at its meeting in March 2014, which outlined a 3-year budget plan and new governance arrangements. It had not been possible to progress the proposal to establish the gallery as a trust; this had resulted in the loss of some potential income streams. However, a significant education grant had been awarded from the Arts Council and applications for other new grants were successful. Income streams – the gallery shop and exhibition takings plus sponsorship, room hire and donations had improved over a six-month period. There was evidence of sustained growth, performance showed improvement year on year in respect of income and footfall.

The discussion included the following:

- The efforts of staff in taking forward the Council's recommendations and the value of the outreach programme was acknowledged;
- Although the report clearly indicated improved performance, the gallery was still a significant cost to the Council. This was a discretionary service.
- Continued receipt of grants in future years could not be guaranteed. It was easier to obtain grants for capital projects and outreach work but harder to find funding for ongoing running costs.
- The gallery had made significant improvements in a relatively short time. More time was needed to achieve further successes and to build on the trend of improvement.
- It would be useful to broaden the attraction of the facility and widen its appeal.
- Action was now being taken to capture detailed visitor information.
- It was important to continue to monitor progress and receive regular updates and to determine what the Council wanted from the gallery in a district-wide and strategic context.

- The Member Champion for Culture highlighted the wide use of the gallery, the social outreach work, the exceptional gallery team, continued progress and the high quality exhibitions. The gallery was nationally important.

Councillor Ian Thomas asked for his vote against the recommended budget to be recorded.

### **RECOMMENDED**

that the proposed budget set for 2015/16 be agreed to enable the Thelma Hulbert Gallery to achieve a significantly improved financial performance.

### **REASONS**

The recent budget setting process for 2015/16 has scrutinised the recent grant awards for the THG and considered the potential for driving up its income potential. The process has also noted and incorporated emerging sponsorship income for 2015/16 as well as the significant growth in its shop sales year on year. The budget is therefore set to challenge the THG to reduce its overall cost to this Council by £15,920 in comparison with its budget 2014/15. This performance, if achieved, is a clear demonstration of the improved financial performance of the THG and the success of its new team in securing grants and new income streams that help reduce the annual contribution made to its running costs.

### **\*149 Chine Café, Seaton**

The report of the Senior Estates Surveyor set out the options for the future of the Council-owned Chine Café, currently vacant and requiring refurbishment. At the same time as considering the options, Members were asked to note that the public toilets attached to the building were due for refurbishment in 2016/17.

Councillor Stephanie Jones, Member Champion – Seaton asked the Council to look at other options as she felt that a prospective tenant was being asked to contribute too much to the scheme. Councillor Jim Knight, Ward Member, said that the proposal was too great a burden for a prospective tenant and that the Council should offer financial support to make the proposal more attractive.

These concerns were acknowledged but Members felt that testing the market in the first instance was a useful way forward. If there was no market interest, the proposal could then be reviewed.

### **RESOLVED**

1. that a 25 year plus lease of the Chine Café and attached public toilets be offered on a tender basis with the tenant required to provide toilets which can be used under a community toilets' scheme as part of the redevelopment;
2. that delegated authority be given to the Principal Estates Surveyor to agree terms and grant a lease in consultation with the Portfolio Holder for Economy.

### **REASON**

To enable the re-letting and refurbishment of the Chine Café, Seaton.

**\*150 Monthly performance report – November 2014**

The Cabinet considered the report of the Strategic Lead - Organisational Development and Transformation setting out performance information for the 2014/15 financial year for November 2014.

Most of the performance indicators showed acceptable performance, with four showing excellent performance.

- percentage of planning appeal decisions where the planning inspector has disagreed with the Council's decision
- percentage of council tax collected
- days taken to process housing benefit/council tax benefit new claims and change events
- percentage of invoices paid within 10 working days.

However, one performance indicator continued to show concern and the indicator continued to be monitored very carefully. The current position reflected genuine long-term health issues and an ageing workforce:

- Working days lost due to sickness absence.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2014/15 financial year for November 2014 be noted.

**REASON:**

The performance monitoring report highlights progress using a monthly snapshot report; SPAR reports on monthly indicators and systems thinking measures in key service areas including Streetscene, Housing, Development Management and Revenues and Benefits.

**\*151 Exclusion of the public**

**RESOLVED**

that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

**\*152 New recycling and waste collection contract – key decision**

The Strategic Lead – Housing, Health and Environment presented his report, which provided an update on the preparations for continuing the delivery of a high quality refuse and recycling service. New arrangements will need to come into effect when the current contract expires in March 2016. Consideration had been given to extending the current contract but there were limitations on the Council's ability to do this – set out in the legal implications within the report.

Two main options were being explored – either to complete an EU compliant procurement process or an integrated Devon waste arrangement of a local authority owned company with Devon County Council and neighbouring authorities. The report set out the processes, phases involved, and action already taken, including consultation, to help determine service specification.

Further reports would be referred to Cabinet to keep Members up to date on progress and for monitoring purposes.

**RESOLVED:**

1. that the procurement approach outlined in the report be endorsed;
2. that the indicative procurement timetable be agreed;
3. that the service purpose and 'what matters' to customers criteria be approved;
4. that authority be delegated to the Chief Executive in consultation with the Environment Portfolio Holder to decide on EDDC's future involvement with Integrated Devon Waste following detailed analysis of the business case;
5. that authority be delegated to the Service Lead - StreetScene to take all necessary procedural steps in the procurement process.

**REASON:**

To ensure that East Devon District Council maintains a household refuse and recycling collection service for residents.

**\*153 Queen's Drive, Exmouth – key decision**

The report of the Economy and Regeneration Manager updated Members on the progress of negotiations with the potential developer for the Watersports Centre, Exmouth. In presenting the report, the Deputy Chief Executive particularly asked Members to note the legal and financial comments. Negotiations (including in respect of heads of terms which were updated at the meeting) with the developer had progressed since the November meeting of Cabinet. Members were now asked to consider land disposal issues, the community-interest company (which would operate the centre), timescales and next steps.

Cabinet referred to the proposed development as a world-class attraction which would generate significant capital receipts.

**RESOLVED**

that the Deputy Chief Executive be authorised to agree Heads of Terms and pursue necessary contract agreement in consultation with the Strategic Lead – Finance, the Legal Services team and Portfolio Holder – Strategic Development and Partnership.

**REASON:**

To enable progress to be made in respect of the Watersports Centre proposal for the Queen's Drive redevelopment.

**\*154 Leisure East Devon – Joint Working Group – 25 November 2014**

Members considered the notes of the meeting of the Leisure East Devon Joint Working Group held on 25 November 2014. The notes indicated the ongoing work being undertaken to reduce the Council subsidy to LED and to monitor and help reduce operating costs. The delays in respect of transfer of responsibility for Ocean Blue were unfortunate but necessary as the Council had to take special care in respect of state aid issues to protect the Council and ensure that any arrangements were entered into lawfully and with due diligence.

**RESOLVED**

that the costs of the four most expensive LED grounds maintenance sites be investigated.

**REASON:**

To explore ways of reducing costs.



\*155 **Capital Strategy and Allocation Group – 1 December 2014**

Members noted the report of the meeting of the Capital Strategy and Allocation Group held on 1 December 2014 and its recommendations. These were taken into account during the preparation of the draft capital budget.

**Attendance list**

**Present:**

Paul Diviani                      Leader/Chairman

Andrew Moulding      Deputy Leader/Portfolio Holder Strategic Development and Partnership

**Portfolio Holders:**

Ray Bloxham                      Corporate Business

David Cox                              Finance

Jill Elson                              Sustainable Homes and Communities

Ian Thomas                              Economy

Phil Twiss                              Corporate Services

**Deputy Portfolio Holders**

Stephanie Jones      Sustainable Homes and Communities

Tom Wright                              Environment

**Also present:**

**Councillors:**

Mike Allen

Peter Bowden

Deborah Custance Baker

Christine Drew

Steve Gazzard

Roger Giles

Graham Godbeer

Pat Graham

Peter Halse

Douglas Hull

Sheila Kerridge

Jim Knight

Frances Newth

John O'Leary

Helen Parr

Pauline Stott

Brenda Taylor

Tim Wood

**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  
Rachel Pocock, Corporate Legal and Democratic Services Manager  
Andrew Hancock, Service Lead - Streetscene  
Charles Plowden, Service Lead – Countryside and Leisure  
Donna Best, Senior Estates Surveyor  
Lisa Mansell, Communications and Public Affairs Manager  
Alison Hayward, Economy and Regeneration Manager  
Carol Austin, Communication and Promotions Officer, Regeneration  
Angela Blackwell, Gallery Curator  
Amanda Coombes, Democratic Services Officer  
Diana Vernon, Democratic Services Manager

**Apologies:**

**Cabinet:**

Iain Chubb                      Portfolio Holder - Environment

**Non Cabinet:**

Roger Boote  
Bob Buxton  
David Chapman  
Maddy Chapman  
Alan Dent  
Steve Hall  
Tony Howard  
Geoff Pook  
Peter Sullivan  
Mark Williamson

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 11 February 2015**

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

The meeting started at 5.30pm and ended at 7.20 pm.

#### **\*156 Public Speaking**

The Leader welcomed Councillors and members of the public present.

#### **\*157 Minutes**

The minutes of the Cabinet meeting held on 7 January 2015 were confirmed and signed as a true record.

In response to a request seeking an update on progress in transferring responsibility for Ocean Blue, the Strategic Lead Finance advised that the facility agreement was now with solicitors acting for LED. Members of the LED Board would be kept up to date.

#### **\*158 Declarations**

Cllr Jill Elson – Min no. 167

Personal interest

Reason: Trustee and Chair of Exmouth and District Community Transport Group

Cllr Mike Allen – Min no. 169

Personal interest

Reason: Member of the Honiton Development Trust Committee

Cllr Jill Elson – Min no. 169

Personal interest

Reason: Chairman of Governors, Exmouth Community College

Cllr Andrew Moulding – Min no. 169

Personal interest

Reason: President of Cloakham Lawn Sports Centre

Cllr Ian Thomas – Min no. 169

Personal interest

Reason: Chairman of Uplyme and Lyme Regis Cricket Club

#### **\*159 Matter of urgency – Recycling and Refuse**

The Leader agreed for the minutes of the Recycling and Refuse Partnership Board to be considered as a matter of urgency. The Cabinet was being asked by the Partnership Board to endorse the preferred option for providing the recycling and refuse service in East Devon at the expiry of the current contract. With this decision made, work could be undertaken to progress this option.

(The item was considered in the private part of the meeting (Part B) as it included information relating to finance or business affairs (Para 3 Schedule 12A) and commercially sensitive information.)

#### **\*160 Exclusion of the public**

##### **RESOLVED:**

that the classification given to the documents to be submitted to the Cabinet be confirmed; (including the urgent item at minute 159) - there were therefore three items which officers recommended should be dealt with in Part B.

\*161 **Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 February to 31 May 2015.

\*162 **Matters referred to the Cabinet**

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

163 **Overview and Scrutiny Committee meetings – 14 and 22 January 2015**

Members received and noted the minutes of the meetings of the Overview and Scrutiny Committee held on 14 and 22 January 2015.

The meeting on 14 January 2015 had met to consider budgets and services plans; the Committee's recommendations were taken into account later in this meeting at agenda item 12 - Revenues and Capital Estimates (2105/16).

Councillor Tim Wood, Chairman of the Committee asked Cabinet to support the recommendations in respect of Task and Finish Forum.

**RESOLVED (1) that the following be taken into account at agenda item 12:**

**Minute 57 – Draft Budget and Service Plans for 2015/16**

1. that the draft revenue and capital estimates be recommended to Council with the inclusion of: a) Tree Inspections Officer post, b) Streetscene Management/Engineer post;
2. that the prepared budgets in future years include a page collating information on sums spent on external service provision, including external consultants and external legal advice, for reasons of transparency.

**RESOLVED (2) that the following decisions be supported**

**Minute 63 – Task and Finish Forum improvements**

that the issue of agreeing a scope for a forum at committee, and the minimum number of councillors to be on a forum, be discussed further at a think tank of the Portfolio Holder – Corporate Business alongside other scrutiny issues, before being brought back to the committee for final agreement.

**Minute 64 – Business Task and Finish Forum**

1. that the Business Task and Finish Forum reconvene with the existing membership of Mike Allen, Vivien Duval Steer, Claire Wright, Steve Gazzard, Peter Burrows, Maddy Chapman and Alan Dent, under the chairmanship of Councillor Graham Troman;
2. that the revised scope as set out in the report, incorporating the amendments advised by the Chairman, be agreed.

**Minute 65 – Evaluation and protection of trees task and finish forum**

1. that the revised scope presented to the committee be adopted with the addition of reference to inclusion of conservation areas in the specific topic areas of the scope, and the addition of the Woodland Trust and the Forestry Commission to the consultees;
2. that Councillor Mike Howe be chairman of the forum.

**RECOMMENDED: that the following be referred to Council for determination:**

1. that the Council continue to promote efforts to transfer local facilities such as toilets, community halls, play areas, and sports pitches to local parishes or community or sports groups; effective progress in this respect would almost certainly require a district wide approach;
2. that the Asset Management Forum, in undertaking its review of public conveniences owned by the Council, take into account the views of the Budget Scrutiny Task and Finish Forum on shared ownership and community toilet schemes;
3. that the business case for an additional post to Legal Services be supported, on the grounds that overall savings can be made by undertaking more work using in-house expertise;
4. that there should be greater transparency in the Council financial information (including the Budget and Outturn report) in detailing the use and costs in obtaining external legal services and external consultancy services;
5. that consideration be given to increasing the resources, possibly in conjunction with neighbouring authorities, for the further development of a coherent strategy and plan for the maintenance and improvement of the economic well-being of the district. (There was a suspicion that inadequate resources devoted to this activity had, amongst other things actually contributed to extra costs and delay in the production of a convincing local plan);
6. that the Local Government Association be requested to pursue a review of the government requirement for reporting annual accounts with a view to simplifying the process to save significant staff time for local authorities in its production;
7. that an annual audit review of the cost and effectiveness of external consultants be undertaken.

164 **Housing Review Board – meeting on 15 January 2015**

Members received and noted the minutes of the meetings of the Housing Review Board held on 15 January.

Councillor Pauline Stott, Chairman of the Housing Review Board drew Members' attention to the importance to the local community of the Men's Shed initiative. She also referred to the effective work carried out by the housing team, which had significantly reduced the waiting list for Council accommodation.

The Portfolio Holder – Sustainable Homes and Communities referred to the future of support services at EDDC and advised that costs to tenants for Home Safeguard would be increased on a 3-year transitional basis with the housing service offering to meet with tenants to discuss arrangements. Mobile support would continue.

Councillor Tim Wood added his support to the effective work of the service. He reminded Councillors that the Council had been criticised last year for its cuts to the homelessness budget. However, the proactive work undertaken by the housing service to address homelessness had proved very effective; this was reflected in the reduction in the number of homeless cases within the district.

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

Minute 62 – Standardised Tenants and Residents (STAR) survey results.

Minute 73 – Housing Review Board forward plan.

Minute 65 – the variances identified as part of the HRA revenue and capital monitoring process up to month eight.

Minute 68 – work of the Community Development Team.

Minute 71 – fire risk assessment report.

Minute 72 – dampness eradication programme report.

Minute 73 – annual report to tenants.

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

**Minute 61 – Men’s Shed Exmouth proposal**

that the proposal to seek temporary accommodation for the Men’s Shed at Clayton House be agreed.

**Minute 70 – Gas Safety checks – proposed changes to access procedure.**

**RESOLVED (3) – that the following be taken into account at agenda item 12:**

that the draft budget be approved.

**RECOMMENDED – that the following be referred to Council for determination:**

**Minute 66 – the Housing Service Plan for 2015-2016.**

**Minute 67 – that the following be agreed to take forward the support service from April 2015:**

- Option 1b – charging for support by way of a flat rate of support to all sheltered tenants, and with housing benefit (HB) covering the current housing management element of the service (subject to meeting HB eligibility criteria).
- that the additional cost of £1400-£3000 to pay for VAT consultant advice in relation to these service models be sanctioned.

**Minute 68 – that the capacity of the Community Development Team be increased by 0.6 (FTE) as well as taking on an apprentice, and increasing the budget by £10,000 per annum.**

**Minute 69 – the proposed updates to the Devon Home Choice policy.**

**\*165 Community Fund Panel – meeting on 6 January 2015**

Members received the report of the meeting of the Community Fund Panel held on 6 January 2015 and approved the recommendations made – including that any uncommitted funding from the 2014/15 financial year be rolled over to add to next year’s fund if that was possible, if not, use of the funds in the current year was set out in the report as an alternative.

**166 Programme of meetings 2015/16**

The Cabinet considered the proposed timetable of meetings for the next Council year. It followed the previously agreed pattern of meetings which allowed the reporting flow of minutes from Overview and Scrutiny and Housing Review Board to Cabinet and then on to Council.

**RECOMMENDED:**

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

**RESOLVED**

that the 2015 Annual Council meeting be held on 27 May.

**REASON**

To meet the legal requirement to hold an annual meeting and also such other meetings as necessary for the conduct of the Council’s business in accordance with its constitution.

167 **Draft Revenue and Capital Estimates 2015/16 – key decision**

The Strategic Lead – Finance presented the revenue and capital estimates 2015/16 and reminded Members of the procedure. The Housing Review Board, Overview and Scrutiny Committee and business community had considered the budgets. No amendments were recommended other than support from the Overview and Scrutiny Committee for the inclusion of the two special item bids for a Tree Inspections Officer post and Streetscene Management/Engineer post to be met from the General Fund balance.

Councillor Tim Wood, Chairman of the Overview and Scrutiny Committee added that support for the posts reflected the Council's care for the environment and the appreciation that teams within the two sections were under great pressure.

The Cabinet was now asked to make final recommendations to Council on the draft revenue and capital estimates 2015/16. Other than including the budget for the two new posts supported by the Overview and Scrutiny Committee, the only other amendments were:

- to reduce the draft budget by £70,000 for 2015/16 under the heading 'Renovation of Public Conveniences' for reasons given in the report,
- to fund a request from Devon County Council for a capital contribution of £50,000 to help deliver the Millbrook, Axminster Flood Alleviation Scheme. Details of the scheme as detailed in the report.

The report included the proposed initial precept for Cranbrook Town Council.

Members noted the requirement on local authorities to set prudential indicators as part of the budget setting process (Prudential Code for Capital Finance in Local Authorities) as set out in the Treasury Management Strategy 2015/16- Minimum Revenue Provision policy statement and Annual Investment Strategy.

**RECOMMENDED:**

1. that net Revenue General Fund Estimates of £14.901m be approved, requiring £0.105m to be used from the General Fund Balance;
2. that a Council Tax requirement be set for 2015/16 at £6.733m with a resulting Council Tax Band D of £121.78;
3. that the Housing Revenue Account Estimates with a net surplus of £0.151m be approved;
4. that Council house rents be increased from April 2015 in line with the Rent Convergence restructuring scheme with the general increase being 2.44%;
5. that Council garage rents be increased from April 2015 by 1%;
6. that the Capital Budget totalling £9.860m be approved;
7. that a Council Tax requirement for Cranbrook Town Council be agreed at £44,148 for 2015/16 giving a Council Tax Band D amount of £52.

**REASON:**

There is 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 2015/16.

**168 Treasury Management Strategy – key decision**

Accountant, Claire Mitchell presented the Treasury Management Strategy and highlighted key areas. Members were reminded that the adoption of an annual Treasury Management Strategy by Council was one of the main recommendations of the CIPFA Code of Practice for Treasury Management in Public Services. The strategy for 2015/16 covered four main areas, namely the capital plans including prudential indicators, the minimum revenue provision policy, the treasury management strategy (how the investments and borrowings are organised), including treasury indicators (which limit the treasury risk and activities of the Council), and an investment strategy (the parameters on how the investments are to be managed).

The requirement to set prudential indicators relating to all treasury activities that the authority would undertake in the forthcoming financial year is also referenced in Minute 167.

**RECOMMENDED:**

1. that the Treasury Management Strategy, including the Prudential Indicators for 2015/16 be adopted;
2. that the Minimum Revenue Provision policy statement be approved;
3. that an interest rate of 4% above base, as determined by the authority, be applied to outstanding amounts due in line with the requirements of the Public Health Act 1936;
4. that the Strategy be used as the basis for training newly elected Councillors and for increasing the financial understanding of re-elected experienced Councillors following the May 2015 elections.

**REASON:**

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

**\*169 EDDC Playing Pitches Strategy (PPS) – key decision**

The Leader invited John Drew (Withycombe Rugby Football Club) and Shaune Cox (Exmouth United Football Club) to address the Cabinet.

John Drew advised that he had been involved with rugby football for most of his life and was currently Vice President, funding officer and committee member of the Withycombe Club. The Club had senior and youth teams and its membership was growing steadily. The needs of the neighbouring Community College also had to be accommodated. There was a need for more space; he considered that the only option was an all-weather pitch with changing rooms and a clubhouse. This would attract more users and funding from sporting organisations. He believed that this could only be achieved with Council support.

Shaune Cox was a volunteer coach and spoke on behalf of the Chairman of the Football Club. The Club had used the Rolle Playing Fields but its lease had now expired and the Club was 'homeless'. Consideration had been given to using the land at St John's Road where there was adequate space to meet the Club's needs. The Club would be willing to maintain the pitches if made available. The Playing Pitches Strategy would be helpful for developing plans and securing funding/sponsorship.

Cabinet had considered the draft strategy at its meeting in October 2014 and requested that further specific work be carried out and referred back. Cabinet was now asked to allow the updated draft strategy to be approved for consultation. Feedback would then be used to produce a final draft Playing Pitch Strategy, which would be referred to Cabinet and Development Management Committee before being referred to Council for approval.



Debate on the report included:

- There was a shortage of playing fields in Exmouth and Honiton. If no action was taken, the problem would be exacerbated by further anticipated growth of the towns;
- Land available for pitches was limited as there were few flat sites close to the centres and some sites had flooding issues. For example, the Allhallows playing fields were over-used and had waterlogging problems.
- The Honiton Clubs were unable to put on enough matches (due to lack of suitable pitches) to rise in the leagues.
- The Exmouth Regeneration Programme Board had undertaken an assessment of the needs of local sports clubs as part of its work.
- Much could be achieved through partnership working and negotiation - with the potential for clubs and organisations to make joint funding bids.
- The Strategy suggested preferred approaches but did not preclude alternatives – pitch provision would not be considered in isolation and would be subject to review over time. Flexibility was important.
- With a Strategy in place, individual clubs could bid for funding from sporting organisations and for Section 106 funds.
- Devon County Council should be made aware of the shortage of school pitches as Education Section 106 monies from developers could be requested towards specific educational recreational space.
- Despite a shortage of green space, school playing fields were being sold for development.
- Dual use pitches could be effective – the Cranbrook Secondary School pitches would be made available for community use.
- Work was still needed to address the problems of inadequate pitch provision but the Council was aware of the need and urgency.
- Could the land at St John's be used as a temporary measure?
- The clubs should not be asked to wait another year – immediate action to address the shortage (even if temporarily) should be taken and run in parallel with the development of the Strategy. There was potential to accelerate some stopgap provision.

#### **RESOLVED:**

1. that the revised draft East Devon Playing Pitch Strategy be endorsed for four weeks' consultation with relevant bodies;
2. that it be noted that the Playing Pitch Strategy would be a live document and work towards addressing issues through action plans would be ongoing;
3. that the Planning Policy team pursue options to address the immediate needs of clubs in Exmouth and Honiton at the same time/in parallel to developing the strategic approach to pitch provision. For example to look into the reason for the delays in respect of the St John's pitches and investigate whether this site could be used on a temporary basis.

#### **REASON:**

Although there is no requirement for consultation when producing a PPS, it is important to take account of views of a range of stakeholders. The new Sport England methodology for producing a PPS requires close working with stakeholders (especially National Governing Bodies for sports) to ensure the strategy has multiple ownerships and is able to be applied by many bodies and guide investment from multiple sources. This being the case it is important to receive feedback from key stakeholders on draft action plans.

Work to address issues highlighted by the PPS through action plans will be an ongoing process, Cabinet endorsement of the draft PPS at this stage will enable work to progress. Definitive action plans to resolve issues such as at Honiton will be developed over the course of the next twelve months by the steering group. There is no need for this to delay the progress of the PPS towards endorsement for use in determining planning applications.

**\*170 Revised car parking permits**

Members considered the report of the Service Lead – Environmental Health and Car Parks, which set out two proposals:

- a new ‘guest permit’ to enable proprietors of guest houses and holiday lets to buy a car parking permit for use by their guests in Council car parks across East Devon;
- a new ‘Sidmouth Town Centre’ disabled resident’s parking permit (offered to town centre disabled residents living in a property without its own off-road parking space).

In supporting the proposal, Members recognised that an East Devon-wide guest parking ticket would benefit the whole of the district.

**RESOLVED:**

1. that the principle of a new transferrable “guest” parking permit be approved, with the Chief Executive, in consultation with the Portfolio Holder – Environment, being given delegated authority to agree the detail of the tariff;
2. that a new Sidmouth Town Centre Disabled Residents’ Parking permit be approved and made available to qualifying residents only for a charge of £520 per year.

**REASON:**

Section 122 of the Road Traffic Regulation Act 1984 sets out the duties of all local authorities in respect of a range of traffic related functions including the provision of off-street parking.

EDDC continues to exercise care to find the right balance between the needs of residents, especially in this case, those people who live in Sidmouth town centre with a car of their own and no access to their own off-street parking space and the likely impact on the tourism economy arising from an improved visitor package on offer from guest houses and holiday lets.

The recommendations will not interfere with the security of (or access to) any other premises and it is believed that they will not be prejudicial to the amenity of the locality. They are in all other material respects consistent with other relevant factors including the Council’s desire to support its town centre and tourism economies.

**\*171 Changes to Non-Domestic Rates (following Autumn Statement)**

The Service Lead – Revenues and Benefits’ report was in response to the Business Rate measures announced in the Chancellor of the Exchequer’s Autumn Statement (3 December 2014). The report set out an explanation of the new measures and sought approval for discretionary powers to be used in order to grant a reduction in non-domestic rates where the government’s eligibility criteria were met.

**RESOLVED**

1. that the use of discretionary powers be approved where ratepayers meet the government’s qualifying criteria in respect of:

- an extension of transitional relief for 2015/16 and 2016/17;
- the level of retail rate relief has increased from £1,000 to £1,500 for 2015/16

2. that note be made of the changes to Business Rates announced in the Chancellor of the Exchequer's Autumn Statement in respect of:

- the rating multiplier increase being capped at 2%.
- A doubling of Small Business Rate Relief

### **REASON**

The measures announced in the Autumn Statement will be fully funded by the government at no cost to EDDC and will provide support to businesses during this difficult economic climate.

### **\*172 Neighbourhood Planning Guidance**

Consideration was given to the report of the Senior Planning Officer advising of a range of material produced by Communities and Local Government in support of the production of Neighbourhood Plans. Members also noted that a time limit was to be imposed, with effect from 9 February 2015, on various stages of Neighbourhood Plan production.

Members welcomed the level of take-up from local communities, which recognised the value of the Neighbourhood Plans.

### **RESOLVED**

1. that the publication of Neighbourhood Planning guidance be noted;
2. that delegated authority be given to the Service Lead – Planning Strategy and Development Management, in consultation with the Leader of the Council and Ward Member(s), to designate Neighbourhood Areas where the proposed area is contiguous with the parish boundary and there are no strategic sites contained within the proposed area.

### **REASON**

To raise Members' awareness of the range of guidance being produced and made available to local communities, in addition to officer support. Delegated authority will allow EDDC to meet new guidelines (including timetable requirements) introduced by government.

### **\*173 Lympstone examination and decision statement**

Members considered the report giving feedback on the Lympstone Neighbourhood Plan; the Examiner has recommended that the Plan can now proceed to referendum subject to proposed modifications. Cabinet was asked to consider formally the Examiner's recommendations set out in the report with the Council's proposed response. The parish council had agreed to all the modifications and had produced a new version of the Plan to be submitted to referendum. EDDC was responsible for arranging a referendum – all electors within the parish would be invited to vote on whether the Neighbourhood Plan should be used in make planning decisions in the Parish.

Councillor David Atkins, Ward Member, welcomed the progress being made and that Lympstone was the first community in East Devon to have reached the referendum stage of the Neighbourhood Plan process.

**RESOLVED**

1. that the Examiner's recommendations on the Lymptstone Neighbourhood Plan be endorsed;
2. that a 'referendum version' of the Neighbourhood Plan (incorporating the Examiner's modifications) proceed to referendum and a decision notice to this effect be published;
3. that the Neighbourhood Plan group be congratulated for 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 are accepted in their entirety by the Parish Council

174 **Shared parental leave policy**

Members considered the new shared parental leave policy – new regulations introduced a statutory right to shared parental leave for eligible parents of babies due to be born on or after 5 April 2015.

**RECOMMENDED**

that the draft policy be agreed, with delegated responsibility being given to the Strategic Lead – Organisational Development and Transformation to consult and agree the policy with UNISON.

**REASON**

To implement the new shared parental leave regulations.

\*175 **Exemption from standing orders – 2 x sheltered housing schemes**

Members considered a request for two sheltered housing schemes to be exempt from a tender exercise for the upgrade and renewal of maintenance on all alarm equipment installed in East Devon's sheltered housing. The two schemes required work to be carried out immediately due to problems being experienced.

**RESOLVED**

that approval be given for two sheltered housing schemes (Broadview and Palmer House) to be upgraded immediately and not included as part of the wider procurement exercise that is taking place across equipment in sheltered housing.

**REASON**

To enable the work on the two identified schemes to be carried out immediately to ensure the safety of residents living in these properties.

\*176 **Monthly performance report – December 2014**

The Cabinet considered the report of the Strategic Lead - Organisational Development and Transformation setting out performance information for the 2014/15 financial year for December 2014.

Most of the performance indicators showed acceptable performance, with three showing excellent performance, namely:

- percentage of planning appeal decisions where the planning inspector has disagreed with the Council's decision
- percentage of council tax collected
- percentage of invoices paid within 10 working days.

However, the performance indicator in respect of working days lost due to sickness absence continued to show concern. Analysis undertaken has highlighted an increase in the number of staff with long-term sickness issues - these cases were being dealt with on an individual basis.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2014/15 financial year for December 2014 be noted.

**REASON:**

The performance monitoring report highlights progress using a monthly snapshot report; SPAR reports on monthly indicators and systems thinking measures in key service areas including Streetscene, Housing, Development Management and Revenues and Benefits.

**\*177 Exclusion of the public**

**RESOLVED**

that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item and referenced at Minute 159 in respect of the urgent item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

**\*178 Appointment of Interpretation Contractor for Seaton Jurassic – key decision**

The report of the Senior Manager – Regeneration and Economic Development advised Members of the current position regarding the appointment of the Interpretation contractor for Seaton Jurassic. The report also included an update on progress with the project and the current fundraising efforts.

**RESOLVED:**

1. that the appointment of Ecological Construction Solutions under a pre-construction agreement up to a sum (identified in the report) be approved to undertake the final design work for the interpretation works,
2. that delegated authority be given to the Deputy Chief Executive in conjunction with the Portfolio Holder to confirm the appointment of Ecological Construction Solutions for the Interpretation Contract subject to the final contract sum being within the budget set out in paragraph 1.1 of the report.

**REASON:**

The Project Team has undertaken a tender process to select the Interpretation Contractor who will construct and fit out the exhibits for Seaton Jurassic. The preferred contractor will commence work on constructing the exhibits off-site from April 2015 and then on-site from July 2015 when the main construction work has been completed.

**\*179 Purchase of land at Mudbank Lane**

The Strategic Lead – Housing and Environment sought Cabinet support for the purchase of specified land for a mixed tenure housing development. The proposal was for the Council to work in partnership with Devon and Cornwall Housing.

The Portfolio Holder – Sustainable Homes and Communities praised EDDC housing officers and the Devon and Cornwall Housing team for the exception work they had carried out to meet tight timetables to progress this opportunity.

**RESOLVED**

1. that the offer for the purchase of land at Mudbank Lane, Exmouth, be agreed, subject to contract;
2. that a partnership with Devon and Cornwall Housing for the redevelopment of the land purchased, be agreed.

**REASON:**

To secure the site for a partner to deliver a mixed tenure housing development.

**\*180 East Devon Recycling and Refuse Partnership Board – 6 February 2015**

Members noted the minutes of a meeting of the Partnership Board held on 6 February 2015. Particular consideration was given to the recommendations within the minutes in respect of the integrated Devon Waste Partnership and the preferred option for delivery of the waste service. It was anticipated that the option would help increase recycling rates and reduce waste sent to landfill.

Councillor Tom Wright asked for the minutes to be corrected to include his apologies, which he had given in advance of the meeting.

**RESOLVED:**

1. that the Integrated Devon Waste option be not pursued at this point but the Council to continue to work with partners to investigate avoided disposal savings and sharing;
2. that Council's own contract procurement process be continued;
3. that an independent waste analysis be undertaken in the Spring to underpin decisions on service provision for the new contract – with funding (of a level detailed in the confidential Partnership Board minutes) being provided to support this essential data gathering work.

**REASON**

Based on the risk analysis undertaken.

**Attendance list**

**Present:**

Paul Diviani Leader/Chairman

Andrew Moulding Deputy Leader/Portfolio Holder Strategic Development and Partnership

**Portfolio Holders:**

Ray Bloxham Corporate Business

Iain Chubb Portfolio Holder - Environment

David Cox Finance

Jill Elson Sustainable Homes and Communities

Ian Thomas Economy

Phil Twiss Corporate Services

**Deputy Portfolio Holders**

Stephanie Jones Sustainable Homes and Communities

Tom Wright Environment

**Also present:**

**Councillors:**

Mike Allen

David Atkins

David Chapman

Maddy Chapman

Deborah Custance Baker

Alan Dent

Christine Drew

Steve Hall

Tony Howard

John Humphreys

Sheila Kerridge

Frances Newth

John O'Leary

Helen Parr

Geoff Pook

Pauline Stott

Peter Sullivan

Tim Wood

**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

Karen Jenkins, Strategic Lead – Organisational Development and Transformation

Andrew Ennis, Service Lead – Environmental Health and Car Parks

Henry Gordon Lennox – Principal Solicitor

Charlie Plowden, Service Lead – Countryside and Leisure

Amanda Coombes, Democratic Services Officer

Claire Mitchell, Accountant

Graeme Thompson, Planning Policy Officer

Diana Vernon, Democratic Services Manager

**Councillor apologies**

**Non Cabinet:**

- Geoff Chamberlain
- Steve Gazzard
- Graham Godbeer
- Ken Potter
- Mark Williamson

Chairman .....

Date.....



## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Overview and Scrutiny Committee held at Knowle, Sidmouth on 14 January 2015**

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

The meeting started at 10.00am and ended at 11.53am.

#### **\*55 Public Speaking**

No questions were asked, or statements made by the public.

#### **\*56 Declarations of Interest**

Cllr Jill Elson – Min no. 57

Personal interest

Reason: Trustee and Chair of Exmouth and District Community Transport Group

Cllr Eileen Wragg – Min no. 57

Personal interest

Reason: Member of South West Regional Flood and Coastal Committee

#### **\*57 Draft Budget and Service Plans for 2015/16**

The Strategic Lead for Finance, Simon Davey, outlined the draft report already presented to Cabinet on 7 January. He highlighted the key areas of:

- The proposed draft budget for the General Fund was a balanced budget with the exception of £56,100 being used from the General Fund Balance, leaving the Balance with the Council's adopted range.
- Two special items totalling £49,000 were not included in the draft budget and members were asked to consider their recommendation for their inclusion or not in the budget.
- 15% reduction in general government funding grant
- Proposed budget assumed council tax freeze for fifth consecutive year.
- Significant increase in New Homes Bonus mainly because of housing growth particularly associated with Cranbrook.
- Spending Power calculation
- Transformation reserve
- Strategy for future budgets
- Housing Revenue Account
- Capital Programme
- Cranbrook 2015/16 budget and precept

General comments made during the subsequent debate included:

- Clarification on what projects had received funding for Exmouth regeneration. The main projects including Queen's Drive had already been identified; the balance was set for other schemes that had yet to come to Cabinet with full costs for approval. The sale of the Elizabeth Hall was confirmed as contributing to the repair and improvement of the Mamhead slipway;
- In response to a question about the cost of accelerating refurbishment of the Exmouth Town Hall if relocation to that site (as part of a dual site option) was agreed, it was confirmed that some capital could be used, but some borrowing may also be necessary which would incur costs. This acceleration has only been discussed and

not agreed – the implications of it will need to be fully costed. At present there was no allocation in the capital budget to the refurbishment of Exmouth Town Hall;

- The service plan for economic development, which included regeneration and the growth point, was now available online along with the service plans for all services
- In response to debate on car park income, Members heard that penalty charge income had decreased, but contrary to opinion that ticket charges and permit charges were too high, the level of sales remained at the same level.
- Some Members believed that there was an issue of part-time workers taking advantage of the arrangement of a fourth hour free with three paid hours, effectively blocking car park spaces for shoppers. Members were reminded that a permit option provided a much cheaper method of parking for workers than by using the offer of the fourth hour free, but particular car parks could be referred to the service for further investigation into the claims. The Vice Chairman informed the committee that the offer was working well in Sidmouth to the benefit of local traders;
- Signage was felt to be complicated for the offers in car parks. This was already under review as mixed feedback on the signage had already been received;
- Planning income decrease was based on the expected applications into the service during the forthcoming financial year;
- Clearer explanation and amalgamation of spending on external legal services and consultants had already been discussed by the Budget Scrutiny TaFF and a recommendation would come before the committee at their 22 January 2015 meeting;

Service plan review raised the following debate:

- Delayed final version of the service plan relating to economic development was available and could be debated further at the meeting of the committee in February when the Portfolio Holder would be updating the committee on his work;
- The cost of a social media intern would be minimal as it would be a part time post but was not yet factored into the budget but funding maybe be forthcoming from making it Local grant;
- Air quality issues in Honiton were not progressing as quickly as the service wanted. It was likely that any improvements would be funded through agreement with developers but no money was set aside in the budget currently to action a significant junction improvement;
- Under the requirements of Health and Safety legislation, the service had a duty to consider public safety in residential homes. Working with both the County Council health team and the Quality Care Commission, the team hoped to work proactively to reduce slip and trip risks;
- In answer to a question about Exmouth amenity development, the Service Lead – Streetscene assured members that work was in progress, including a meeting with Exeter City Council as the harbour authority;
- Reference to relocation in the service plans was not supported by Councillor Giles.

Other specific queries to the budget book included:

- Concern that civic expenses had increased again for the second year in a row, relating to employee costs of the administrative time required for the Chairman and Leader of the council; other members felt that with the workload was significant for both positions;
- In answer to a concern about increasing employee costs for organisation development, the phasing of staff changeover for communications was outlined to the committee;

- STRATA implementation had led to a reduction in costs for the service provision and a reduction in pension provision, which is now allocated to a different budget;
- Outsourced legal services were sought at competitive rates but would always be more expensive than an in-house option. A recommendation from the Budget Scrutiny TaFF supported the move to an additional post in order for more work to be undertaken by the team to help reduce outsourcing, but the service was demand led and so it was difficult to predict where outsourcing may be required. One suggestion was to reduce the attendance of legal officers to committee meetings, but this was felt to be useful to offer advice to Members, depending on the agenda of the committee;

Special items debate included:

- Support for the post of tree inspection officer as the committee felt for a modest cost the benefits to the service would be considerable in easing workload;
- Support for the post of an engineer as the committee agreed that the demands on the service were high, in light of the areas the service was required to cover. These included flood management and associated funding bids; beach management; sustainable urban drainage checks; land drainage issues and structures.

### **RECOMMENDED**

1. that the draft revenue and capital estimates be recommended to Council with the inclusion of: a) Tree Inspections Officer post; b)Streetscene Management/Engineer post;
2. that the prepared budgets in future years include a page collating information on sums spent on external service provision, including external consultants and external legal advice, for reasons of transparency.

### **Attendance list**

#### **Present:**

Tim Wood (Chairman)  
Graham Troman (Vice Chairman)  
Mike Allen  
David Chapman  
Maddy Chapman  
Roger Giles  
Peter Halse  
Sheila Kerridge  
David Key  
Frances Newth  
Brenda Taylor  
Eileen Wragg  
Steve Wragg

#### Also present:

Pauline Stott  
Ray Bloxham  
Tom Wright  
Iain Chubb  
David Cox  
Phil Twiss  
Geoff Pook  
Ian Thomas

Christine Drew  
Jill Elson

John Golding  
Simon Davey  
Karen Jenkins  
Mandy White  
Laurelie Gifford  
Richard Cohen  
Andrew Hancock  
Charlie Plowden  
Rachel Pocock  
Debbie Meakin, Democratic Services Officer  
Henry Gordon Lennox, Principal Solicitor

**Apologies:**

Derek Button  
Tony Howard  
Deborah Custance Baker  
Chris Wale  
Ben Ingham  
Steve Hall  
Steve Wragg  
Alan Dent  
Stephanie Jones  
Mark Williamson

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Overview and Scrutiny Committee held at Knowle, Sidmouth on 22 January 2015**

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

The meeting started at 6.30pm and ended at 8.55pm.

#### **\*58 Public Speaking**

Richard Eley spoke about the projected energy cost savings that a move in offices was reported to provide, recently discussed at the Audit and Governance Committee. He recognised that internal audit had been instructed to review the relocation figures and reminded councillors of their duty to check them. He commented that the predictions for energy costs in the future were extremely high, especially in the light of the government predicted rates of cost increase that were significantly lower than the 10.47% increase above inflation figure being used in the relocation calculations. It was too important a decision to get wrong and the local community deserved better.

#### **\*59 Minutes**

The minutes of the 13 November 2014 meeting were agreed subject to the following amendments:

**Minute 47** (page 4 of agenda papers) second paragraph be replaced with:

Mr Paul Arnott spoke from the floor putting some critical questions regarding the work both of the police and the Council in the investigation of a former councillor. He claimed that "the chief executive of the compromised authority did what he could to meddle with the internal investigations" and also asked the police and crime commissioner, Mr Hogg, if he found it coincidental that something like six hundred days after a report was made from this authority to the police about the conduct of a former councillor, five hundred and ninety-nine days later, and one day before he appeared before the committee, the police finally announced that there would be no further action. Mr Hogg did not comment at the time but later, in response to questions to Mr Hogg and senior police officers, it was made clear by Superintendent Perkin that the police investigation had been long and complex and that they did not think the senior investigating officer would have been aware of this meeting.

**Minute 54** (page 12 of agenda papers) 8<sup>th</sup> paragraph from the start of the minute be replaced with:

Councillor Claire Wright commented on the recent circulation of a letter of the East Devon Alliance. She went on to state that any attempt to eject her from the membership of the Business TaFF would send a message to the public that the Council had something to hide.

The minutes of the 14 January 2015 meeting were agreed.

#### **\*60 Declarations of Interest**

Cllr Claire Wright – Min no.65

Personal interest

Reason: Devon Tree Champion for Woodland Trust

Cllr John Humphreys – Min no.65

Personal interest

Reason: Tree surgery is a service provided by his horticultural business

**\*61 Office relocation update**

The Deputy Chief Executive updated the committee on progress made since his last update to Cabinet on 3 December 2014. In considering the Cabinet minutes at Council on 17 December 2014, Council resolved that a thorough examination of all facts and calculations in respect of the relocation be carried out by the Audit and Governance Committee; the Overview and Scrutiny Committee; internal auditors; and independent auditors.

The Office Accommodation Project Executive Group met on 8 Jan 2015 to consider the shortlist of developer proposals for Knowle. A preferred developer was selected and has a period of exclusivity in which to pursue their proposal in detail. This involves pre-application discussions with the Planning Authority.

The Strategic Lead – Finance is finalising the commissioning of Grant Thornton to review the figures that are informing the Council’s cost calculations in response to the resolution by Council on 17 December 2014. SWAP (our internal auditors) have also been asked to undertake the same work and report to the Council.

In response to Richard Eley’s points, the Deputy Chief Executive voiced sympathy with him given the difficulty in predicting future energy rates. Energy rates would form part of the work tasked to both internal and external auditors.

Councillors commented on and questioned various aspects of the potential relocation, including the following:

- Relocation should be reconsidered in the light of how the economy had changed, including decreasing energy costs;
- The relocation energy increase percentages had been taken from previously published Department of Energy and Climate Change (DECC) detailed figures. Other alternative percentages had also been used to assess the potential financial impact. As an example, energy increases over 10% would lead to relocation leading to a cost neutral position in 10 years; increased energy costs of 5% lead to that position in 13 years. These would however be fully examined and reported back to Council members and the public by both the internal and external auditors;
- In response to a question, the Deputy Chief Executive confirmed that no bidder for the Knowle site expressed an interest in retaining the existing structure, except for the bat roost that would have to remain;
- In response to a suggestion to put the relocation on hold until the auditors had reported, the Chief Executive reminded the committee that no final decision to sell the Knowle site had been made, but it was prudent to continue work on the assumption that relocation (as already agreed by council) would still take place. He assured councillors that they would have all the information necessary before them when they had to make the final decision;
- Exmouth Town Council welcomed the prospect of a district council presence at Exmouth;
- Any responses to questions by members of the public by the Deputy Chief Executive should also be provided to councillors for information;
- It was requested that information presented to councillors on all costs was straightforward and clear to understand;
- The view was expressed that, in the light of decision to relocate, there would be excessive pressure on the Development Management Committee if and when an application for redevelopment of the Knowle site came before them. It was therefore suggested that any such application should be heard by a neighbouring authority. In response, the Chief Executive stated that this view was doing the DMC a massive

disservice and that members should have confidence in the DMC hearing any such application on planning merits. It was, in any case, not possible for a neighbouring authority to determine an application outside its own area unless the Secretary of State agreed to it; this would not be considered by the Secretary of State until the application was actually submitted;

- The land that the current offices sat on was seen to be the most valuable land asset held by the council;
- One councillor felt that the members of the committee who had spoken on the relocation issue had concerns about the relocation, as did the public. This implied that the majority of the committee held the same view but it then became clear that views on the matter were very varied.

The Leader reminded councillors that the Council should not and would not be taking any decision that would not be in the best interest of the district, including Sidmouth residents. He assured members that everyone was working towards the best possible decision.

The Chairman informed the committee that he was in talks with the Chairman of Audit and Governance and relevant officers to work out how best each committee could scrutinise the auditors findings in order to ensure the best value for the district.

## **\*62 Portfolio Holder update - Environment**

The Chairman welcomed Councillor Iain Chubb, Portfolio Holder – Environment, and his deputy, Councillor Tom Wright. Following on from an update to the committee on refuse and recycling in October, a comprehensive report had been provided to the committee outlining the remaining areas of service under this portfolio,.

The report highlighted some of the key achievements of service areas in recent months, and the major issues faced in the coming year. The report gave a clear indication of the workload of services.

Comments and questions included:

- Congratulations to the teams involved under this portfolio
- In response to a question, an explanation of the garden waste scheme provided by Otter Rotters;
- Points confirming the desirability of continuing to work towards a closer relationship with the CCG and the DCC care teams as there were clear health benefits to maintaining a good environment;
- The fact that changes to the approach to domestic violence in recent years had seen a switch away from refuges to protection of the victim in their own home;
- The news that the Deputy Portfolio Holder was working on a response on behalf of the council to the draft plan currently out for consultation by the Police and Crime Commissioner.

The Chairman echoed the thanks to the hardworking teams under the responsibility of the Portfolio Holder.

## **\*63 Task and Finish Forum improvements**

The Democratic Services officer presented two elements aimed at improving the efficiency of task and finish forums set up by the Committee. These were firstly to agree the scope of a forum's work at the O&S committee, and secondly to set a membership level of a forum at seven to nine members.

During debate, the following points were made:

- A draft scope would be required to be presented to the committee. This activity had already been undertaken by the Democratic Services Officer for previous forums and the activity would continue, but be presented to the O&S committee for agreement rather than for agreement by the forum.
- In response to a question and comments, the Democratic Services officer explained that her assessment of the business TaFF (as requested by the committee) and tree TaFF had led her to the conclusion that the forums were being used to pursue topics that did not match the intended purpose of the forum. She reminded the committee of the work over the past years in introducing scoping to both the committee and forums. Both needed to be clear on where the focus should be, and what constitutionally can be reviewed by the forum. In response, the councillor seeking clarification refuted any suggestion of a personal agenda being pursued. In her view, the running of the business TaFF was in fact bringing the council into disrepute, and she was undertaking an issue of public concern that needed highlighting. Two other councillors commented that those involved in any forum should have an open mind and follow the scope; and that the report was accurate with no specific members being identified in the report.
- It was felt that all members should declare relevant interests before putting themselves forward for taking part in a forum.
- Previous TaFFs had worked well and produced valid results later adopted by the council.
- The key to a successful TaFF was have enthusiastic and diligent members, and that to restrict the numbers to between 7 and 9 members may be too prescriptive.
- It was agreed that any changes to the way forums are set up and their membership could be discussed at the previously agreed think tank on scrutiny rather than being finally decided at the meeting.

The Portfolio Holder for Corporate Business welcomed any referral to his scheduled think tank on 28 January, adding that the scoping arrangements of other authorities could be examined. The results of that think tank can come back to the committee for debate in due course.

## **RESOLVED**

That the issue of agreeing a scope for a forum at committee, and the minimum number of councillors to be on a forum, be discussed further at a think tank of the Portfolio Holder – Corporate Business alongside other scrutiny issues, before being brought back to the committee for final agreement.

### **\*64 Business Task and Finish Forum**

The committee received a report on the forum, agreeing that the forum should reconvene but with a new scope. A revised scope had been drawn up based on changes in recent months, including the newly formed East Devon Business Support Group. The Chairman had also had input into the revised scope prior to it being presented to the committee for debate, to which he added verbally that he had taken an board an amendment to item 5 under the specific areas to explore which now read as:

“5. how best, either via this structure (EDBSGroup), or in other ways businesses in the district may best pursue their concerns with Council including putting points about planning issues relevant to any Local Plan; and how best the Council should keep local business informed of administrative and legislative changes that may affect their well-being.”



The Chairman reminded the committee that any direct comments on the emerging Local Plan constitutionally sit with the Development Management Committee and full Council, not with the forum.

The committee debated the role of the forum, including:

- The need to consult with the full range of businesses across the district, including the self employed;
- The newly formed East Devon Business Support Group and the topics of discussion already covered by that group;
- The fact that the original scope was no longer relevant and there was a need to move on.
- Councillor Troman would continue as chairman of the forum.

## **RESOLVED**

1. that the Business Task and Finish Forum reconvene with the existing membership of Mile Allen, Vivien Duval Steer, Claire Wright, Steve Gazzard, Peter Burrows, Maddy Chapman and Alan Dent, under the chairmanship of Councillor Graham Troman;
2. that the revised scope as set out in the report, incorporating the amendment advised by the Chairman, be agreed.

### **\*65 Evaluation and protection of trees task and finish forum**

The committee received and noted the notes of the first meeting of this forum, held on 5 December 2014. A revised scope was presented to the committee for debate and agreement, in light of agreement on the scope not being agreed at the first meeting of the forum. The scope was agreed with some small additions.

Councillor Tony Howard, who had chaired the first meeting of the forum, reported to the committee the low attendance, subsequent impasse on agreement on the scope, and his decision to suspend the meeting. His position as chairman had also been challenged. He also shared with the committee his concern about subsequent reporting on social media, which was picked up both local and national press. He had decided to stand down as chairman of the forum.

The Chairman sought agreement from the committee that Councillor Mike Howe, an addition to the original membership of the forum, would act as chairman for forthcoming meetings.

## **RESOLVED**

1. that the revised scope presented to the committee be adopted with the addition of reference to inclusion of conservation areas in the specific topic areas of the scope, and the addition of the Woodland Trust and the Forestry Commission to the consultees;
2. that Councillor Mike Howe be chairman for the forum.

### **\*66 Second report of the Budget Scrutiny Task and finish forum**

The committee agreed the recommendations set out in the report. In commenting on the budget breakdown for economic development, one committee member expressed a need to look at the level of budget spend on economic development with a view to increasing it to incentivise business growth.

## **RECOMMENDED**

1. that the Council continue to promote efforts to transfer local facilities such as toilets, community halls, play areas, and sports pitches to local parishes or community or sports groups; effective progress in this respect would almost certainly require a district wide approach;
2. that the Asset Management Forum, in undertaking its review of public conveniences owned by the Council, take into account the views of this Forum on shared ownership and community toilet schemes;
3. that the business case for an additional post to Legal Services be supported, on the grounds that overall savings can be made by undertaking more work using in-house expertise;
4. that there should be greater transparency in the Council financial information (including the Budget and Outturn report) in detailing the use and costs in obtaining external legal services and external consultancy services;
5. that consideration be given to increasing the resources, possibly in conjunction with neighbouring authorities, for the further development of a coherent strategy and plan for the maintenance and improvement of the economic well-being of the district. (There was a suspicion that inadequate resources devoted to this activity had, amongst other things actually contributed to extra costs and delay in the production of a convincing local plan);
6. that the Local Government Association be requested to pursue a review of the government requirement for reporting annual accounts with a view to simplifying the process to save significant staff time for local authorities in its production;
7. that an annual audit review of the cost and effectiveness of external consultants is undertaken.

### **\*67 Overview and scrutiny forward plan**

The forward plan for the committee was noted. A report was due to the next meeting of the committee on the issue of contracts relating to substantial grants and this would include reference to the contract relating to the Beehive, Honiton.

### **Attendance list**

#### **Present:**

Tim Wood (Chairman)  
Graham Troman (Vice Chairman)  
Mike Allen  
Peter Bowden  
David Chapman  
Maddy Chapman  
Deborah Custance Baker  
Vivien Duval Steer  
Roger Giles  
Pater Halse  
John Humphreys  
Sheila Kerridge  
Frances Newth  
Brenda Taylor  
Tony Howard

David Cox  
Tom Wright  
Ray Bloxham

Mike Howe  
Graham Godbeer  
Pauline Stott  
Christine Drew  
Andrew Moulding  
Douglas Hull  
Peter Sullivan  
Ian Thomas  
Steve Gazzard  
Iain Chubb  
Phillip Twiss  
Jill Elson  
Pauline Stott  
Paul Diviani

Richard Cohen, Deputy Chief Executive  
John Golding, Strategic Lead Housing and Environment  
Debbie Meakin, Democratic Services Officer  
Giles Salter, Solicitor  
Mark Williams, Chief Executive

**Apologies:**

David Key  
Derek Button  
Alan Dent  
Eileen Wragg  
Steve Wragg

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 15 January 2015**

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

The meeting started at 6.00pm and ended at 8.20pm

#### **\*57 Public Speaking**

2 members of the public wished to speak at the appropriate agenda item.

#### **\*58 Minutes**

The minutes of the Housing Review Board meeting held on 6 November 2014 were confirmed and signed as a true record.

Kevin Johnson from Robert Heath Heating presented the Board with a cheque for £1000 won by Mike Glover at a recent gas safety event. The money is to be spent on an EDDC housing activity project.

#### **\*59 Declarations of Interest**

Mike Berridge: Personal Interest - Family member lives in a Council owned property; Housing tenant.

Joyce Ebborn: Personal Interest - Housing tenant

Harry Roberts: Personal Interest - Housing tenant

Pat Rous: Personal Interest - Housing tenant

Cllr Susie Bond: Personal Interest - Mother uses Homesafeguard

Cllr Jim Knight: Personal Interest – Daughter lives in a Council owned property. He is also a Devon County Council Councillor.

#### **\*60 Exclusion of the Public**

##### **RESOLVED:**

To agree any items to be dealt with after the public (including press) have been excluded. There were no items that officers recommended should be dealt with in Part B.

#### **\*61 Men's Shed Exmouth proposal**

Public speaking on this matter highlighted that this initiative was being managed by the Open Door project part of the Churches Together programme. The scheme met the social needs of unemployed men where they can be active and do things as a group to improve their general health and wellbeing. It was highlighted that this provided a service for tenants that could be easily accessed in terms of location, which was very important especially for more vulnerable tenants. The venue was crucial in order to meet and enjoy each other's company as well as providing tools, computers, darts and a pool table. It was open 3 days a week for 15 – 20 men to meet up. Its three main objectives were;

1. Socialise,
2. Social Action – community type projects
3. Production of woodwork e.g. benches

The present venue was now too small, dusty and not ideal so the organisers were looking for temporary accommodation at Clayton House, Exmouth.

The Chairman and Cllr Drew supported this valued service as it gave purpose to men's lives. The Portfolio Holder – Sustainable Homes and Communities agreed it filled a gap in lives and hoped the Board would support the initiative. Jane Reading, Tenant & Communities Section Leader answered questions and agreed there would be a formal consultation with neighbours once the proposal was agreed by the Board. Through general discussion Option B was the preferred site as it was not so close to the flats. Talks with Environmental Health over noise and dust issues were taking place. Planning permission would also be required.

**RECOMMENDED:** that the proposal be agreed.

**\*62 Standardised Tenants and Residents (STAR) Survey Results**

James Ayland from BMG Research showed a presentation to the Board with results from this survey of tenants and leaseholders. 1500 postal surveys were sent out with 1100 responses. Repairs, maintenance, and quality of homes received the highest scores in this satisfaction survey with overall satisfaction very high. The anti-social behaviour score was slightly higher than the last survey's results in 2012. 50% of general needs tenants, 36% of sheltered housing tenants and 73% leaseholders had access to the internet. The results showed EDDC was performing well against national benchmarks and were in the top quartile of all results compiled nationally. Dennis Boobier, Housing Needs & Strategy Manager explained the need to target areas that are not doing so well from the survey results to improve overall satisfaction.

**RESOLVED:** that the survey results be noted.

**\*63 Housing Review Board forward plan**

The Strategic Lead – Housing, Health and Environment presented the forward plan and advised Members that the forward plan would help act as a reminder of agenda items to come forward to future meetings.

**RESOLVED:** that the forward plan be noted.

**\*64 Housing Revenue Account draft budget 2015/16**

Strategic Lead – Housing, Health and Environment stated the report provided the Housing Review Board with details of the draft Housing Revenue Account for 2015/16; which followed closely the Council's 30-year plan. This account showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a Housing Revenue Account was a statutory requirement for Councils who manage and own their housing stock, and therefore a key document for the Board to influence. 2012/13 saw major reform to social housing finance and a move to self-financing, which involved the Council taking on debt rather than paying a subsidy to government from tenants' rents. As a result of this and prudent management the budget showed a healthy HRA balance going into the new financial year. There had been 10 additional staff taken on and additional investment into tenants' homes.

Income from rents and other charges showed an estimated £18m turnover. Council home rents were to be increased by 2.44% making an average rent £81.93 per week in 2015/16. There had been a provision for bad debts especially in anticipation of the new Welfare Reforms. Damp penetration was an unforeseen expenditure after last year's bad weather.

The question of new housing was raised with acquisitions and new builds part funded by receipts from Right to Buy sales. The Board was reminded that the £9m spent on repairs was £9m into East Devon's economy.

**RECOMMENDED:** that the draft budget be approved and recommend to Cabinet.

**\*65 Financial Monitoring report**

The Board was presented with a summary of the overall financial position on the Housing Revenue Account, HRA Capital Programme and the Business Plan for 2014/15 at the end of month eight (November 2014).

Regular monitoring was intended to highlight any areas of concern or unforeseen expenditure in the HRA and associated capital programme, enabling corrective action to be taken as required. Any variances would be reflected in the Business Plan.

Current monitoring indicated that:

- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- The position on the HRA Business Plan remained healthy.

**RESOLVED:** that the variances identified as part of the HRA revenue and capital monitoring process up to month eight be acknowledged.

**\*66 Housing Service Plan**

All Council services had organised an annual Service Planning exercise and produced a Service Plan, which set out details of past performance and achievements, future challenges and targets while striving for continuous improvement throughout the service.

The Service Plan identified the key service objectives, challenges ahead, and outlined areas of performance that should be measured. It also considered efficiencies, key risks, training needs, equalities, opportunities to do things differently, and workforce planning. For housing, the Service Plan linked with and complemented the Homes and Sustainable Communities Plan and Housing Revenue Account Business Plan, Homelessness Strategy, Private Sector Renewal Plan, Empty Homes Strategy, Energy Conservation Act Plan and other service specific policies, the Council Plan and various housing budgets.

The Service Plan was intended as a working document and service managers would cascade the contents of the Plan at team meetings. It was a good discipline to complete an annual statement of what the Service expects to achieve, set out in a structured way, using a template, involving staff, service users, and members in the process. The Plan reproduced the ten key aims in the Homes and Communities Plan. It also set out a series of Systems Thinking purposes to capture 'what matters' to our customers.

**RECOMMENDED:** that the Housing Service Plan for 2015 – 2016 be accepted.

**\*67 The future of support services at East Devon District Council**

Public speaking on this matter raised the question - would tenants in receipt of housing benefit have to pay the extra cost of the housing management fee? Amy Gilbert, Support Services Manager responded that the housing benefit team had stated that the fee would be covered. She reported on the high numbers of attendees on the consultations days; the report showed all their feedback. She emphasised that attendees had been asked for their preferences and not a vote on each change option to the service.

The biggest concern for tenants was financial. Option 1 could be made more favourable by claiming back the housing management element through housing benefits. A hardship fund was to be set up for tenants in need. Option 2 involved running a service when there was no certainty of user numbers and was a high risk. Option 1b was suggested to the Board as it was a fairer system and considered any changes in tenants needs.

The vice-chairman asked why a consultant had been used to carry out the surveys when in-house staff could have been used. It was explained that expertise in this area on VAT was not available in-house.

The Portfolio Holder – Sustainable Homes and Communities thanked the staff for their hard work emphasising that tenants wanted to feel safe and not having the support service was not an option. Tenants in sheltered housing would pay towards an alarm and support charges, therefore, costs were being paid by those who used the service rather than all tenants. The charges were being phased in over 3 years.

**RECOMMENDED:** that the Housing Review Board agree option 1b to take the support service forward from April 2015.

- Option 1b Charging for support by way of a flat rate of support to all sheltered tenants, and with housing benefit (HB) covering the current housing management element of the service (subject to meeting HB eligibility criteria);
- And that the Board sanctions the additional cost of £1400-£3000 to pay for VAT consultant advice in relation to these service models.

**\*68 Community Development update**

Jane Reading, Tenant & Communities Section Leader updated the Board on Community Development Worker staffing numbers. There were presently five Community Development Workers working in the team. An additional part time officer working 0.6 days was proposed to the Board. Each Community Development Worker updated the Board with the range of projects they currently deliver, including:

- SWITCH; structured clubs for young people in Axminster and the Littleham area of Exmouth, arranged and delivered community festivals and fun days across the district. In addition, the team recruited and trained volunteers, supported youth groups and other groups by providing advice and guidance. Running trips and activities for young people some of which have been in partnership with the Countryside team.
- worked with the targeted families support project, were the key players in the development of the Honiton Together initiative and in securing significant funds for this to be developed.
- worked to facilitate community groups in securing the future of youth centres in Axminster, Honiton and Sidmouth.
- worked with the Support Services team to promote and encourage the use of community centres .
- established the very successful Men's Shed project in Littleham.
- Run projects such as 'digital inclusion' for the whole community to improve communication.

The Portfolio Holder – Sustainable Homes and Communities thanked the staff for their hard work in helping families across the generations.

**RESOLVED:** that the work carried out by the Community Development Team be noted

**RECOMMENDED:**

1. that the capacity of the team be increased by 0.6 (FTE), in addition to taking on an apprentice
2. that the budget be increased £10,000 per annum.

**\*69 Devon Home Choice policy update**

The Devon Home Choice Partnership Agreement stated that an annual policy review would be undertaken from 1 September each year. The Devon Home Choice (DHC) Board had completed the annual review for 2014 and had set out proposals for change to the DHC Policy that would be introduced in early 2015. The key proposals set out in the paper were:

1. Allocation policies should make clear that social tenants who needed to move to take up a job or live closer to employment or training were included in the 'hardship' reasonable preference category.
2. Any residency (or local connection) requirement introduced as a result of the Localism Act provisions should not apply to social tenants who needed to move for work.
3. That local authorities set aside a proportion of lets to enable existing social tenants to move across local authority boundaries within England for work related reasons, and published this quota (and the rationale behind it) as part of their allocation policy. The government suggested a minimum of 1% of lettings.
4. That area-based schemes, like Devon Home Choice, provided for cross boundary movement between local authorities for tenants moving for work related reasons.

**RESOLVED:** that the Devon Home Choice policy update be noted and recommendations be agreed.

**\*70 Gas Safety checks – access procedure**

The Housing Needs & Strategy Manager discussed the report that set out proposals to change the existing process for gaining access to properties, where the tenant was not cooperating with the Council to undertake the annual gas safety checks and servicing required by law. Each year around 3,200 annual gas safety checks were undertaken in council homes. In most cases tenants allowed the service engineer to complete the service at the appointed time. The procedure allowed for appointments that had been changed by mutual agreement however, there were tenants who did not allow access. Properties must be safe due to the devastating effects of a potential gas explosion – putting neighbours at risk especially in flats.

Kevin Johnson from Robert Heath Heating informed the Board that service engineers worked a shift system 7 days a week so there was no excuse for tenants not to find time for the safety checks. A service interval timer could be installed in cases where access was repeatedly denied. This acted as a good deterrent as it interrupted heating and hot water supplies – the tenant then had no option but to contact an engineer.

The Housing Needs & Strategy Manager emphasised that only a small percentage of tenants were not cooperating but the Council's legal obligations had to be covered.



John Golding wanted it noted his appreciation to the contractors Robert Heath Heating and especially Kevin Johnson for their professionalism.

**RECOMMENDED:** that the report proposals be agreed.

**\*71 Fire Risk Assessments**

The Housing Needs & Strategy Manager provided an update relating to the Council meeting the Fire Regulations in terms of Fire Risk Assessments (FRA) in blocks of flats. FRA on blocks of flats over the last two years had been undertaken. The Council owned 225 'blocks' of flats, including sheltered schemes and community centres. FRA had been completed at each block of flats. The FRA recommended the work that needed to be done to bring the fire safety within each block up to the required standard.

**RESOLVED:** that the report be noted.

**\*72 Dampness eradication programme**

The Housing Needs & Strategy Manager provided an update relating to the work undertaken on the 400+ Council properties that were affected by damp/water penetration following last winter's bad weather. A lot of work had been completed and all the affected properties had the cavity wall insulation removed; assistance to help dry the property out and where necessary minor repairs carried out. In some properties that work resolved the problem of damp getting into the property. However, around 250 properties required much more extensive work. It had been hoped that this would be completed in October/November 2014 but this was not the case.

**RESOLVED:** that the report be noted.

**\*73 Annual Report to Tenants**

Strategic Lead - Housing, Health and Environment presented with the latest version of this report. Each year an annual report to tenants was produced outlining performance during the year, key achievements, challenges faced and how the local standards and information on what would be done over the next 12 months are met.

**RESOLVED:** that the report be noted.

**Attendance list**

**Present:**

Cllr Pauline Stott (Chairman)  
Cllr Susie Bond  
Cllr Christine Drew  
Cllr Jim Knight

**Co-opted tenant members:**

Mike Berridge (Vice Chairman)  
Pat Rous  
Joyce Ebborn  
John Powley  
Harry Roberts

Also present:

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities

Tenant Scrutiny Panel:

Jose Ireland

Eric Howard

Ted Payne

Officers:

John Golding, Strategic Lead - Housing, Health and Environment

Dennis Boobier, Housing Needs & Strategy Manager

Jane Reading, Tenant & Communities Section Leader

Amy Gilbert, Support Services Manager

Giles Salter, Solicitor

Mandy White, Accountant

Natalie Brown, Information & Analysis Officer

Emma Charlton, Housing Projects Officer

James Ayland, BMG Research Group

Polly Anderson, Community Development Worker

Victoria Robinson, Community Development Worker

Alex Gibson, Community Development Worker

Deirdre Ryan, Community Development Worker

Mark Gerry, Community Development Worker

Kevin Johnson – Robert Heath Heating

Amanda Coombes, Democratic Services Officer

**Apologies:**

Cllr Steph Jones

Cllr Douglas Hull

John Powley

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 16 December 2014**

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

The meeting started at 2.00pm and ended at 5.57pm.

#### **\*41 Minutes**

The minutes of the Development Management Committee meeting held on 11 November 2014 were confirmed and signed as a true record.

#### **\*42 Declarations of interest**

Cllr Ben Ingham; 14/1982/OUT; Personal Interest (spoke as ward member and did not take part in the debate or vote); Applicant is a friend of the Councillor's partner.

Cllr Peter Burrows; 14/2207/OUT; Personal Interest (remained in the Chamber during the debate and vote); Councillor is a member of Seaton Town Council.

Cllr Vivien Duval Steer; 14/2239/FUL; Personal Interest (remained in the Chamber during the debate and vote); Councillor is a member of Exmouth Town Council and a member of the Exmouth LED Forum.

Cllr Vivien Duval Steer; 14/2268/FUL; Personal Interest (remained in the Chamber during the debate and vote); Councillor is a member of Exmouth Town Council.

Cllr Mark Williamson; 14/2268/FUL & 14/2239/FUL; Personal Interest (remained in the Chamber during the debate and vote); Councillor is a member of Exmouth Town Council.

Cllr Peter Sullivan; 14/0825/FUL & 14/1987/FUL; Personal Interest (remained in the Chamber during the debate and vote); Councillor is a member of Sidmouth Town Council.

Cllr Peter Sullivan; 14/2239/FUL; Personal Interest (remained in the Chamber during the debate and vote); Councillor is an EDDC nominated member of the LED Leisure Management Ltd.

#### **\*43 Implications of changes to Government guidance on infrastructure contributions through planning obligations**

The Chairman agreed for the Service Lead – Planning's report to be taken as an urgent item in order to inform Members of key changes to government guidance recently introduced. The report outlined the implications of the changes in terms of decision making on planning applications, infrastructure provision, planning policy setting and the Community Infrastructure Levy.

The Service Lead – Planning outlined that the changes followed a government consultation document entitled 'planning performance and planning contributions' published in March 2014. Responding to the consultation document, the Committee, at its 3 April 2014 meeting, had strongly objected to proposals that thresholds for obligations should be set at national level. This was on the basis that setting them at local level allowed for viability issues and local need for contributions to be taken into account. Despite concerns being raised by a large number of other local planning authorities about the introduction of the proposed threshold limit, the government had chosen to introduce the changes by amending the National Planning Policy Framework Policy (NPPF) as outlined in the committee report. The Service Lead - Planning highlighted that the amended guidance stated that in designated rural areas (the whole of East Devon District, excluding the wards of Exmouth, Honiton, Seaton and Sidmouth), local authorities may choose to apply a lower threshold of 5 units or less – no affordable housing or tariff-style contributions should be sought from these developments.

In addition to the immediate implications of the changes outlined, the full impact of the longer term implications on the timetable for re-submission of the Local Plan and Community Infrastructure Levy charging schedule had not yet been fully considered. However, there was potential for further delay as a result of the changes introduced.

The Chairman invited the Clerk to Broadclyst Parish Council, Angie Hurren, who registered her wish to speak on the item, to address the Committee. The Clerk spoke of the Parish Council's concerns about how sustainable development would be delivered in light of the amended guidance, particularly the social element of sustainability and the impact this would have on community life. The Parish Council questioned where the funding for the necessary infrastructure to maintain sustainable villages would come from if not through planning obligations.

During discussion, the Committee spoke of the changes being unwelcome and concerns were raised that they could be harmful to the health and wellbeing of East Devon's villages. In response to a question, the Principal Solicitor clarified that the Committee was being asked to agree that planning obligations sought on developments previously resolved to approve be amended to reflect the revised guidance where the decision notice had not yet been issued. The revised guidance was a change in material circumstance and therefore the Council needed to act reasonably and review the planning obligations being sought on those applications.

**RESOLVED:**

1. that the changes to government guidance and the implications of these changes on infrastructure contributions through planning obligations be noted.
2. that in the designated rural areas of the district the optional lower threshold of 5 units or less be applied.
3. that the planning obligations sought on developments previously resolved to approve, but the decision notice has not yet been issued, be amended to reflect the revised guidance.

**\*44 Planning appeal statistics**

The Committee received and noted the Service Lead – Planning's report setting out appeals recently lodged and five appeal decisions notified, of which four had been dismissed.

Members' attention was drawn to the appeal dismissed for the proposed erection of a solar farm at land to west and north west of Pithayes Farm, Whimple. The Inspector had upheld countryside protection, green wedge and coalescence reasons for refusal. The Service Lead - Planning also highlighted another appeal dismissed for four dwellings on land south of Newtown Cottages (Newtown), Talaton. The Inspector had taken a similar approach to the recent appeal which had been dismissed in Offwell. Although there were limited facilities available in Talaton, these were some distance from the site and poor public transport provision would result in increased use of the private car. The Inspector had upheld sustainability, countryside protection and wildlife reasons for refusal.

**\*45 Response to technical consultation on the 'Right to Build'**

The Committee considered the Senior Planning Officer and Service Lead – Planning's report setting out the Council's proposed responses to the Government's latest technical consultation on the 'Right to Build'.

The detailed consultation was broken into a number of sections setting out the scope of the right to build, establishing local demand for custom build through a register, meeting demand for custom build, special types of custom build and implementation. The Service – Lead – Planning explained that although self-builders were to be encouraged, officers had concerns about how 'custom build' was defined and the resource and financial implications on the Council if the proposals to introduce a register were introduced. A member of the Committee asked whether thought had been given to parish and town councils maintaining the register of interested parties. The Service Lead – Planning responded that, although not mentioned in the consultation document, this was a possible option and if the committee was minded this suggestion could be included into the Council's response to the consultation.

The Chairman thanked the Senior Planning Officer and Service Lead – Planning for preparing the responses.

**RESOLVED:**

that the proposed responses to the Government consultation on 'Right to Build' as detailed in the committee report be submitted to the Department for Communities and Local Government as the Council's formal response, subject to the potential for parish and town councils to maintain registers of interested parties being included under the appropriate question.

**\*46 Applications for Planning Permission and matters for determination**

**RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 8 – 2014/2015.

**Attendance list**

**Present:**

Committee Members

Councillors:

Helen Parr (Chairman)

David Key (Vice Chairman)

Mike Allen

David Atkins

Roger Boote

Peter Burrows

Bob Buxton

Geoff Chamberlain

Vivien Duval Steer

Ben Ingham

Peter Sullivan

Mark Williamson

Officers

Ed Freeman, Service Lead – Planning  
Henry Gordon Lennox, Principal Solicitor  
Chris Rose, Principal Planning Officer  
Gavin Spiller, Principal Planning Officer  
Hannah Whitfield, Democratic Services Officer

Also present

Councillors:

Deborah Custance Baker  
Paul Diviani  
Christine Drew  
Stephanie Jones  
Phil Twiss

**Apologies:**

Committee Members

Councillors:

Alan Dent  
Martin Gammell  
Mike Howe  
Geoff Pook

Non-committee members

Councillors:

Steve Gazzard  
Graham Godbeer  
Tony Howard  
Chris Wale

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 20 January 2015**

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

The meeting started at 2.00pm and ended at 3.27pm.

#### **\*47 Minutes**

The minutes of the Development Management Committee meeting held on 16 December 2014 were confirmed and signed as a true record.

#### **\*48 Declarations of interest**

Cllr Peter Burrows; 14/2493/VAR; Personal Interest (remained in the Chamber during the debate and vote); Councillor is a member of Seaton Town Council and has signed up as a Seaton Tourist Information Centre volunteer.

#### **\*49 Planning appeal statistics**

The Committee received and noted the Service Lead – Planning’s report setting out appeals recently lodged and eight appeal decisions notified, of which six had been dismissed, one had been allowed and one enforcement notice had been quashed.

Members’ attention was drawn to the appeal allowed for the proposal to demolish existing outbuildings and construct two dwellings at Ferndale, Axminster. The Inspector had overruled landscape and amenity reasons for refusal, concluding that the proposed dwellings would not appear unacceptably dominant and would not cause harm to the character and appearance of the area.

Principal Planning Officer, Gavin Spiller, highlighted that the appeal against the Committee’s decision to refuse a new dwelling at land adjacent to Bridge Farm, Woodbury Salterton had been dismissed. However the Inspector had only upheld the amenity reason for refusal and not the sustainability reason.

In respect of the appeal against an enforcement notice served in respect of unauthorised works to the United Reform Church, Aylesbeare, the Inspector had considered that, as planning permission had been granted and works had commenced, a breach of condition notice should have been served instead. The Principal Solicitor advised that a breach of condition notice had been served that morning.

#### **\*50 Consultation on further changes to statutory consultee arrangements for the planning application process**

At their meeting in October 2014, the Committee had considered a report highlighting key points within a government consultation document on delivering sustainable drainage systems (SuDs) and the Council’s proposed response to the questions posed, in which a number of concerns were raised. In December 2014, a further consultation was published on this issue responding to the various comments received from consultees and seeking comments on a number of new proposals. Principal Planning Officer, James Brown presented the Service Lead - Planning’s report summarising the new proposals along with the proposed responses to the questions posed by the consultation.

The Principal Planning Officer clarified, in response to a question that under the new proposals Devon County Council, as the Lead Local Flood Authority, would be made the statutory consultee on development in relation to surface water drainage on major applications. Surface water drainage schemes for minor developments would rest with EDDC as the local planning authority. However, it was hoped that if there were specific issues in relation to a development that the Council would be able to use the Lead Flood Authority's resource.

Concern was raised about the threshold for which the Lead Flood Authority would act as the statutory consultee being limited to major developments. Members considered that they should also act as the statutory consultee on developments where there was evidence of flooding issues presented by the public or from local knowledge.

In response to a comment by a member of the Committee about the reliance of the computer generated flood zone maps used by the Environment Agency, the Principal Planning Officer advised that the Environment Agency provided a detailed resource and were constantly refining the plans they used. If there were concerns about specific areas, this should be taken up directly with the Agency.

**RESOLVED:**

that the responses as set out on the Committee report be submitted to the Department for Communities and Local Government as the Council's formal response to the consultation, subject to the response to question 3 being amended to include a consultation requirement on developments where there is evidence of flooding issues presented by the public or from local knowledge.

**\*51 Applications for Planning Permission and matters for determination**

**RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 9 – 2014/2015.

**Attendance list**

**Present:**

Committee Members

Councillors:

Helen Parr (Chairman)

David Key (Vice Chairman)

Roger Boote

Peter Burrows

Bob Buxton

Geoff Chamberlain

Vivien Duval Steer

Martin Gammell

Mike Howe

Geoff Pook

Peter Sullivan

Mark Williamson



Officers

James Brown, Principal Planning Officer  
Henry Gordon Lennox, Principal Solicitor  
Gavin Spiller, Principal Planning Officer  
Hannah Whitfield, Democratic Services Officer

Also present

Councillors:  
Susie Bond

**Apologies:**

Committee Members

Councillors:  
Mike Allen  
David Atkins  
Alan Dent  
Ben Ingham

Non-committee members

Councillors:  
David Cox  
Steve Gazzard  
Roger Giles  
Graham Godbeer  
Stephanie Jones

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 10 February 2015**

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

The meeting started at 2.00pm and ended at 7.01pm.

#### **\*52 Minutes**

The minutes of the Development Management Committee meeting held on 20 January were confirmed and signed as a true record.

#### **\*53 Declarations of interest**

Cllr Geoff Chamberlain; 14/2310/FUL; Personal Interest (remained in the Chamber during the debate and vote); A member of the public registered to speak in support of the application is the son of a friend.

Cllr Peter Burrows; 14/1897/FUL & 14/2829/COU; Personal Interest (remained in the Chamber during the debate and vote); Member of Seaton Town Council.

Cllr Alan Dent; 14/2779/FUL; Personal Interest (remained in the Chamber during the debate and vote); Member of Budleigh Salterton Town Council.

Cllr Peter Sullivan; 14/2604/FUL, 14/2783/FUL, 14/2742/FUL & 14/1987/FUL; Personal Interest (remained in the Chamber during the debate and vote); Member of Sidmouth Town Council.

#### **\*54 Planning appeal statistics**

The Committee received and noted the Service Lead – Planning’s report setting out appeals recently lodged and six appeal decisions notified, of which three had been dismissed. The Principal Planning Officer, Gavin Spiller, drew Members’ attention to the three appeal decisions allowed and the Inspector’s conclusions.

The ward members for Woodbury and Lypstone spoke against the appeal decision allowed for the prior approval of a proposed change of use of an agricultural building to a dwellinghouse and associated operational development on land south of Courtlands Lane, Exmouth. Neither considered the site sustainable due to it not being easily accessible to local facilities and services, and both were concerned that it would encourage similar applications. In response, the Principal Planning Officer commented there had been in excess of 40 appeal decisions countrywide for prior approvals and most had followed the Council’s stance of considering sustainability.

#### **\*55 Adoption of the Devon Waste Plan and proposed Waste Management and Infrastructure – Supplementary Planning Document**

The Committee considered the Planning Policy Manager’s report setting out proposed responses to a Devon County Council consultation on a scoping document for a Supplementary Planning Document (SPD) on Waste Management and Infrastructure.

The County Council, as Waste Planning Authority, had adopted the Devon Waste Plan, which set out policies and proposals for the management of waste in Devon. Of specific relevance to East Devon were policy references to further development and capacity at Hill Barton and Greendale Barton – the adopted Waste Plan now included the District Council’s recommendations for lower capacities for these two sites. Following the adoption of the Waste Plan the County Council were now proposing to produce an SPD. They had issued a scoping document for the SPD and were inviting comment on the content.

The Committee was advised that the scope for the SPD as drafted was encouraging others (which would specifically include local planning authorities) to consider waste issues and collection/management in their work. Officers recommended that the SPD scope should be widened to address matters relating to both the operations of other bodies as they might relate to and improve waste management and the full implementation of the overall policies of the Waste Plan.

During discussion about the proposed responses, the ward member for Clyst Valley asked that, in light of the comments made by the Inspector during the examination of the Plan, the Council's proposed response be extended to cover transport and highways issues relating to the operation of the waste facilities at Greendale and Hill Barton. Concerns were particularly about the impacts of vehicle movements from the A3052/A376 from Greendale/Hill Barton through to Junction 30 of the M5 motorway.

**RESOLVED:**

that the proposed responses to the questions, as detailed in the Committee report, be submitted to Devon County Council as the Council's response to the consultation on the scope for the Waste Management and Infrastructure Supplementary Planning Document, subject to inclusion that it should also address transport and highways issues relating to the operation of the waste facilities at Greendale and Hill Barton.

**\*56 Applications for Planning Permission and matters for determination**

**RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 10 – 2014/2015.

**Attendance list**

**Present:**

Committee Members

Councillors:

Helen Parr (Chairman)

David Key (Vice Chairman)

David Atkins

Roger Boote

Peter Burrows

Bob Buxton

Geoff Chamberlain

Alan Dent

Vivien Duval Steer

Martin Gammell

Mike Howe

Ben Ingham

Geoff Pook

Peter Sullivan

Mark Williamson

Officers

James Brown, Principal Planning Officer  
Matt Dickins, Planning Policy Manager  
Henry Gordon Lennox, Principal Solicitor  
Alison Hayward, Economy & Regeneration Manager  
Gavin Spiller, Principal Planning Officer  
Janet Wallace, Principal Environmental Health Officer  
Hannah Whitfield, Democratic Services Officer

Also present

Councillors:

Ray Bloxham  
Susie Bond  
Steve Hall  
Tony Howard  
Douglas Hull  
Graham Godbeer  
Andrew Moulding  
Chris Wale  
Tom Wright

**Apologies:**

Committee Members

Councillor Mike Allen

Non-committee members

Councillors:

Steve Gazzard  
Stephanie Jones

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Planning Inspections Committee held at Knowle, Sidmouth on 16 January 2015**

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

The meeting started at 10.00am and ended at 10.34am.

**\*19 Minutes**

The minutes of the Planning Inspections Committee meeting held on 28 November 2014 were confirmed and signed as a true record.

**\*20 Declarations of interest**

There were none.

**\*21 Application referred to the Planning Inspections Committee**

The Committee considered the following application:

Sidmouth Sidford: 14/0825/FUL – Construction of a dwelling on land at 68 Sidford High Street, Sidford, Sidmouth

The committee report, including recommendation, can be viewed at:

<http://new.eastdevon.gov.uk/media/561097/161214-combined-dmc-agenda-compressed.pdf>

**RESOLVED:** DEFERRED to allow officers the opportunity to negotiate reducing the levels of the proposed dwelling through its digging in, with the decision on the application to be delegated to the Chairman of the Development Management Committee in consultation with the Ward Members.

#### **Attendance list**

##### **Present:**

##### Committee Members

Councillors:

Helen Parr (Chairman)

David Key (Vice Chairman)

David Atkins

Roger Boote

Martin Gammell

Geoff Pook

Peter Sullivan

Mark Williamson

Officers

James Brown, Principal Planning Officer  
Andrew Digby, Planning Officer  
Henry Gordon Lennox, Principal Solicitor  
Hannah Whitfield, Democratic Services Officer

Ward Members

Councillors:  
Christine Drew  
Graham Troman

Apologies

Councillor Alan Dent

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Standards Committee held at Knowle, Sidmouth on Tuesday, 20 January 2015**

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

The meeting started at 10.00am and ended at 10.55am

**\*11 Public speaking**

There were no questions asked.

**\*12 Minutes**

The minutes of the meeting of the Standards Committee held on 28 October 2014 were confirmed and signed as a true record.

**\*13 Declarations of interest**

There were none.

**\*14 Probity in planning and lobbying by and of councillors**

At their last meeting, the Committee had considered a report on probity in planning and the lobbying by and of councillors. Following a lengthy discussion, the Committee resolved to defer the issues to the following meeting to allow the Deputy Monitoring Officer to draft a further discussion document on introducing declarations at Development Management Committee (DMC) meetings where there had been significant lobbying of committee members by developers or supporters or those opposing an application.

The Committee considered the Deputy Monitoring Officer's further report on the matter. Key points included:

- Lobbying was a legitimate part of public life. Only when accompanied by aggravating factors, such as intimidation, should it be a concern to members and the public. Cases of intimidation were likely to be referred to the police.
- Reference was made to a recent Ombudsman report highlighting the importance of members having the correct information before making a decision. The preparation of an officer report to DMC for each application considered was key to ensuring fairness and transparency in planning decision making.
- The Council's advice, endorsed by the Standards Committee, to town and parish councils was that where they have been involved in pre-application discussions with developers, to ensure transparency, this should be made known to EDDC's planning department when submitting their consultation response.
- The Council's Planning Code of Good Practice provides for members to report any significant contact with the applicant or other parties to the Development Manager. It was suggested that to build on this the Committee might wish to consider that where there has been significant lobbying, and it involves a member of DMC, that this be recorded for transparency purposes in the committee report. A further suggestion was that if a member had been subject to significant lobbying and it had not been noted in the committee report then a simple declaration could be made to that effect at the meeting. This could be followed by a statement that the member retained an open

mind and would only reach a decision in relation to the application after consideration of all the relevant facts.

- Following changes introduced by the Localism Act 2011 members were entitled to engage with people about a matter and express views without it preventing them from subsequently taking part in the decision making process. To avoid public perceptions about bias and unfairness in the decision making by DMC members, the Council's Planning Code advised against members expressing strong views in advance of a meeting or giving a indication of how they might vote.

Points made and questions raised during discussion on the report included:

- The use of the word 'developer' should be replaced with 'applicant' as this was considered more appropriate – most people tended to associate the word developer with large scale developments.
- Declarations of significant lobbying should apply to Ward Members who comment on or address the DMC as well as the Committee members.
- The suggestions set out in the report had taken on board the Committee's previous discussions on the subject and would help to strengthen accountability and improve transparency in the planning process.
- Lobbying of and by councillors that sit on other committees should not be overlooked.
- Members would know themselves what constituted 'significant' lobbying. Although significant lobbying would not be defined, a non exhaustive list of examples could be included in the Planning Code, such as excessive and persistent emails from the applicant, a supporter or an objector. It was in the interests of individual councillors to declare where they had been significantly lobbied to avoid accusations of undue influence.

**RESOLVED:**

1. that the Deputy Monitoring Officer draft changes to the Council's Planning Code of Good Practice to include.
  - Where there has been significant lobbying by an applicant, supporter or objector regarding an application coming before the Development Management Committee, and it involves a member of that Committee or a Ward Member, that this is reported to the Development Manager and recorded for transparency purposes in the committee report.
  - Where there has been significant lobbying by an applicant, supporter or objector regarding an application and it had not been noted in the committee report, for example it happened after the report was published, then the member should make a declaration to that effect at the meeting. This to be followed by a statement that the member retains an open mind and would only reach a decision in relation to the application after consideration of all the relevant facts.
  - A non exhaustive list of examples of 'significant' lobbying.

The amended Planning Code to be presented to the next Standards Committee meeting for approval before being recommended to Council.

2. that the Service Lead – Planning be invited to the next meeting to explain how the changes to the Planning Code would work in practice.



\*15 **Complaint update**

The Committee considered and noted the report of the interim Monitoring Officer, which detailed the level of code of conduct complaints received since the last meeting.

The Interim Monitoring advised that an increasing number of the complaints received in respect of parish councils were about procedural issues rather than a potential breach of the Code of Conduct. This was an issue that may need to be addressed in order to manage the expectations of the complainant – although the Monitoring Officer could offer advice to the parish council, it was not their role to get involved in the sovereignty of councils.

He also updated the Committee that having carried out further assessment he did not consider complaint MO-C073, which related to a planning application, to be a Code of Conduct matter. The Councillor had been supporting and representing their community.

Members of the Committee raised that they felt there was a lack of detail on the outcomes of the complaints contained within the report. They did not feel this gave a true reflection of the work involved and could lead members of the public to think that complaints received were quickly dismissed. Members wished to see more information in the report on the reasons for the Interim Monitoring Officer reaching the decision he had on each complaint and details of any other actions taken, such as procedural advice being given to the council. The Committee confirmed that they wished for the complaints to remain anonymous so the report could still be considered in public.

**RESOLVED:**

that more detail is included in respect of the complaint outcomes in future complaint update reports to the Committee.

\*16 **Whistleblowing Policy**

The Deputy Monitoring Officer and Corporate Legal and Democratic Services Manager advised the Committee that the Council's current Whistleblowing policy required updating in light of legal changes, including that any disclosure must now be in the public interest. The existing policy, which had been included on the agenda for information, would be updated in light of the changes and included on the agenda for the next meeting.

**RESOLVED:**

that the Deputy Monitoring Officer and Corporate Legal and Democratic Services Manager make the necessary changes to the Whistleblowing policy and present the updated Policy to the next Committee meeting.

17 **Councillor attendance at committee meetings**

The Chairman invited Committee member Cllr Tony Howard, who had asked for this item to be placed on the agenda, to address the Committee.

Councillor Tony Howard introduced the idea of publishing an annual report on Councillor attendance at Committee meetings of which they were a member. He spoke about the importance of this information being in the public domain in the interests of transparency and democracy. He also mentioned concern that

Councillors did not always stay until the end of meetings and this led to the risk of meetings being inquorate. Therefore, in addition to attendance at meetings it was also suggested that the length of time a councillor was at each meeting could also be recorded and published.

During discussion a member of the Committee advised that in some other authorities a Councillor's attendance at committees of which they were a member was shown on their profile along with an attendance percentage.

A non Committee member raised concern about what was trying to be achieved by publishing the information and commented that the effectiveness of a councillor was not necessarily based on how many meetings they attended.

**RECOMMENDATION:**

that the Democratic Service Team find a suitable system for recording Councillor attendance at committee meetings, of which they are a member, and length of attendance with a view to, subject to Council approval, introducing the system from Annual Council 2015 and reporting the data on an annual basis.

**\*18 Forward Plan**

The Committee noted the contents of the forward plan and future meeting dates.

The following items would be included for consideration at April's meeting:

- Planning Code of Good Practice – updated in line with the Committee's recommendation
- Updated Whistleblowing policy

**Attendance list**

**Present:**

Councillors:  
Graham Godbeer (Chairman)  
Susie Bond  
Tony Howard  
Frances Newth

**Co-opted non-voting members:**

Cllr Courtney Richards, Co-opted Parish/Town Council member  
Ray Davison, Co-opted Independent member  
David Mason, Co-opted Parish/Town Council member  
Tim Swarbrick, Co-opted Independent member

**Also present:**

Alison Willan, Independent Person

Councillors:  
Ray Bloxham  
Roger Giles

**Officers:**

Ian Clarke, Interim Monitoring Officer

Rachel Pocock, Deputy Monitoring Officer and Corporate Legal and Democratic Services Manager

Hannah Whitfield, Democratic Services Officer

**Apologies:**

Cllr Geoff Chamberlain – Committee member

Cllr Alan Dent – substitute Committee member

John Walpole, Independent Person

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Audit & Governance Committee held at Knowle, Sidmouth on 8 January 2015**

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

The meeting started at 2.30pm and ended at 4.20pm.

**\*36 Public Speaking**

There was no public speaking.

**\*37 Minutes**

The minutes of the Audit and Governance Committee meeting held on 20 November 2014 were confirmed and signed as a true record.

**\*38 Declarations**

Councillor Peter Bowden - personal interest - minute 41: VAT on fuel receipts.

**\*39 Certification Report 2013/14**

Members considered the report of Grant Thornton regarding the Certification Report 2013/14 which outlined the Council's performance in applying for government grants, claims and returns and the preparation of information used in claims.

It was noted that the Council had submitted two claims and returns for certification for the financial year 2013/14, relating to expenditure of £33.364 million.

The report summarised the external auditors' overall assessment of the Council's management arrangements in respect of the certification process. There were no significant matters to be brought to the Council's attention in relation to individual claims. None of the claims or returns were qualified or amended which was consistent with last year. Grant Thornton stated that few authorities receive no qualification and no amendments to their Housing Benefit claim and the council should be commended for this.

The Council and its officers were commended for completing the work on schedule and for having no qualifications on claims. Members noted that there was a reduction proposed in certification fees.

The external auditors were thanked for their report and their continuing support of the Council's improvement. The Strategic Lead Finance and his team were also thanked for all their hard work.

**RESOLVED:** that the contents of the Certification Report 2013/14 be noted.

**\*40 East Devon Fraud Briefing – Grant Thornton**

Barrie Morris of Grant Thornton presented an East Devon Fraud Briefing provided by the Audit Commission, the purpose of which was to:

- Provide an information source to support councillors in considering their councils fraud detection activities;
- Extend an opportunity for councillors to consider fraud detection performance, compared with similar local authorities;
- Give focus to discussing local and national fraud risks, reflect on local priorities and the proportionate responses needed;
- Be a catalyst for reviewing the council's current strategy, resources and capability for tackling fraud.

There were 25 cases of detected fraud in East Devon, the value of which was £113,932. The value of detected Housing Benefit and Council Tax Benefit was £112,675 in 2013/14. There were no detected cases of council tax discount fraud, social housing fraud, right to buy fraud or other types of fraud reported in East Devon in 2013/14.

During discussions the following points were noted:

- The growth in houses in the District would affect the number of cases of Housing Tax Benefit in East Devon;
- Systems thinking principles meant the customer was no remote from the council, remoteness can lead to a fraud environment;
- It was easier to identify big cases of fraud than smaller ones;
- EDDC was working closely with other Devon authorities to detect fraud issues, particularly around council tax discounts.

Following questions raised by members, Simon Davey, Strategic Lead Finance, was requested to provide details of the number of cases of detected fraud in East Devon for 2012/13 and also the number of detected cases of internal fraud for 2013/14.

**RESOLVED:** that the report be noted.

**\*41 Internal Audit plan – Review of 2014/15 Qtr 3**

Members considered the report of the Audit Manager which provided the outturn position for the internal audit plan at the end of December 2014 providing an update for quarter 3.

The Committee was advised that there were 2 operational audits that had been deferred from earlier in the year (Enforcement Agents and Regeneration) and 2 audits that had commenced that were originally scheduled for Qtr 4 (Remote and Mobile working and Leisure East Devon). There had been no irregularities reported to SWAP that had required investigation in quarter 3.

In quarter 3 there were two IT audits planned for Remote and Mobile Working and E-Procurement. There were no special reviews carried out in quarter 3. But partial assurance had been given for audits on Tenancy Fraud, Private Water Supply Regulation and Emergency Planning.

The Committee noted the progress made on the audit plan 2014/15 to date and the SWAP Manager reported that all scheduled audits were on target.

The Chairman thanked the internal auditor for presenting his report.

**RESOLVED:** that the content of the internal audit plan – quarterly update 2014/15 be noted.

**\*42 Office Relocation Project Assurance**

Mr Tony Green reported that Full Council on 17 December 2014 had voted for the Audit & Governance Committee to thoroughly investigate all the data relating to the relocation project and report back. He asked specifically what extra scrutiny would the Committee apply to the project that it would not normally be applying?

Mr Richard Eley asked questions surrounding the Council's energy costs and why there was a difference in assumed energy costs between the general budget and those for the relocation project. He also asked if SWAP was happy with these assumptions and whether the Council had considered fixing its energy costs?

The Audit Manager, South West Audit Partnership (SWAP), reported that he could give the assurance from an internal audit point of view that all the current protocols were in place for the relocation project. He reported that he was a member of the Relocation Board Steering Group and was actively involved in overseeing its work.

Members of the Committee noted that as a separate piece of work, Grant Thornton, External Auditors, had been requested to undertake an audit of the relocation financial model calculations and assumptions, which it was expected would be considered by a joint meeting of the Overview and Scrutiny and Audit & Governance Committees in March.

Andrew Ellins, SWAP, reported that he would be preparing a full internal audit report for consideration by the Committee at its March meeting on the relocation process and would include whether he considered that protocols had been met during this process

Members noted that it was the responsibility of the Audit & Governance Committee to carry out due diligence on the project, ensure that there was a Risk Register in place and that the project was properly managed; policy on any office relocation was a matter for Cainet and Council.

In answer to the question from Richard Eley, Simon Davey, Strategic Lead Finance, reported that he had prepared a budget based on an 8% increase in electricity costs for 2015/16. The energy costs assumed for the relocation project was for a different period of time. The energy costs for 2015/16 would continue to be monitored as part of the Council's budget monitoring process. The Council's electricity and gas was procured through a framework agreement allowing the council to purchase energy under a tender arrangement for a number of public sector bodies..

The Audit Manager, SWAP was thanked for his report. He confirmed that he would make a report on the Office Relocation project at each meeting of the Committee.

**RESOLVED:**

1. that the Audit Manager, South West Audit Partnership, be requested to provide a Part A report on the relocation processes and costs to the March meeting of the Committee;
2. that the report be noted.

**\*43 Thelma Hulbert Gallery**

Members noted the progress report on the Thelma Hulbert Gallery which had been presented to Cabinet the previous evening.

**\*44 Strategic Planning Policy**

Members wished to know how the issues raised regarding Strategic Planning Policy at the last meeting of the Committee was proceeding. The deadline for changing the constitution was the Annual Council meeting in May.

**RESOLVED:**

that the Deputy Chief Executive be requested to prepare a report on progress on this issue to the next meeting of the Committee.

**\*45 Audit and Governance Forward Plan**

The Committee noted the contents of the Forward Plan for 2014/15, which was updated during the meeting.

Items to be considered at the March Committee included:

- Annual Audit Plan 2015/16
- Audit Plan/Audit Committee update
- Office relocation project update
- Risk Management Review
- Strategic Planning policy update

**RESOLVED:**

that the updated Forward Plan be noted.

**Attendance list**

**Present:**

Councillors

Ken Potter (Chairman)

Peter Bowden (Vice Chairman)

Bob Buxton

Steve Gazzard

Steve Hall

**Also Present:**

Graham Troman

**Apologies:**

Roger Boote

Tony Howard

Geoff Pook

**Officers:**

Simon Davey, Head of Finance

Chris Lane, Democratic Services Officer

Andrew Ellins, Audit Manager, South West Audit Partnership (SWAP)

Barrie Morris, Senior Audit Manager, Grant Thornton

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



EAST DEVON DISTRICT COUNCIL  
Minutes of a Meeting of the Licensing &  
Enforcement Sub-Committee held at Knowle, Sidmouth on  
Wednesday, 3 December 2014

**Attendance list at the end of the document**

**The meeting started at 9.30 am and ended at 9.35 am**

- \*17 Minutes  
The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 10 November 2014, were confirmed and signed as a true record.
- \*18 Declarations of interest  
There were none.
- \*19 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary

The Sub Committee gave consideration to an application for the grant of a premises licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary.

The Licensing Officer explained the background of the application and the negotiations that had been carried out. Successful negotiations had included the withdrawal of recorded music from the application in response to concerns raised by EDDC's Environmental Health Officer over potential noise.

**RESOLVED**

that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

**Schedule:**

**Type of application:**

Application for the grant of a premises licence

**Name of premises and address:**

Osborne's Coffee & Wine Bar, Welwyn House, Fore Street, Beer, Devon EX12 3JB

**Agreed position reached by the parties:**

Following mediation the applicant and the Council's Environmental Health Service have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.

The application be approved as submitted subject to the following amendment:  
That the applicants withdraw the request for recorded music from the application.  
Approval was recommended subject to the amended operating schedule and the relevant mandatory conditions required by the Licensing Act 2003.

**Attendance list**  
**Councillors present**

Steve Hall (Chairman)  
Frances Newth

**Apologies from non members of the Sub Committee**

John O'Leary  
Tom Wright

**Officers present**

Neil McDonald, Licensing Officer  
Chris Lane, Democratic Services

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

EAST DEVON DISTRICT COUNCIL  
Minutes of a Meeting of the Licensing &  
Enforcement Sub-Committee held at Knowle, Sidmouth on  
Wednesday, 17 December 2014

**Attendance list at the end of the document**

**The meeting started at 9.30 am and ended at 9.40 am**

- \*20 Minutes  
The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 3 December 2014, were confirmed and signed as a true record.
- \*21 Declarations of interest  
There were none.
- \*22 Application for a premises licence to allow recorded music on the premises and the sale of alcohol on and off the premises at Oak Barn Furnishings Coffee Lounge, Knowle Hill, Budleigh Salterton

The Sub Committee gave consideration to an application for a Premises Licence to allow recorded music on the premises and the sale of alcohol on and off the premises at Oak Barn Furnishings Coffee Lounge, Knowle Hill, Budleigh Salterton.

The Sub Committee carefully considered the application with the amendments the applicant proposed for the licensable activities and the extension of proposed hours of operation with a view to deciding whether the application promoted the licensing objectives, as required by the Licensing Act 2003. Government Guidance, the Council's own licensing policy and the Human Rights Act 1998 were also taken into account in making the decision.

The Sub Committee carefully considered the relevant representations that all parties had made and the written representations and other documentation put before the Sub Committee. They considered the particular locality of the premises in a small village and its physical relationship with other residential and commercial properties in the vicinity.

The Sub Committee considered it relevant that no representations had been received from the police in relation to the Licensing Act objectives that had been the subject of representations, following mediation, which were, public nuisance, public safety, crime and disorder and protection of children from harm. From this the Sub Committee concluded that the police did not consider that there were currently any significant problems associated with the current operation of the premises, or that there was likely to be if the application was granted.

The applicant's case (represented by Messrs Terry Coates and Mike Henderson) was the premises were a furniture shop and had a coffee lounge that served food to enhance the customer's experience. The applicant was requesting the sale of alcohol (wine) with meals at customers' request. The facilities had a 5\* rating, a CCTV system and the premises were well managed. The applicant stated the Devonshire Sofas, next door, was not part of the application and that there would be no extra traffic at the site as a result of the application.

The interested party's case, Major J V White RA (Retd), on paper was firstly, in relation to the prevention of crime and disorder, imprecise, uncertain and unenforceable conditions offered in the application. Regarding public safety issues linked to planning consent, vehicular access and egress onto the highway B3179 roundabout at Knowle Hill. There were concerns over the opening times and the applicant's intentions as to the operation of the premises.

Regarding the prevention of public nuisance, concerns as to the operation of the licence outside. Regarding the protection of children from harm, the present name of the premises did not indicate to the public that alcohol would be on sale. The interested party did not attend the hearing.

The Sub Committee carefully considered the operating schedule put forward by the applicant and the likely impact of the application. In relation to the evidence the Sub Committee had heard regarding the history of the premises, they considered that the establishment was well managed with good policies in place and adequate supervision from line management.

The Sub Committee did not accept that there was evidence of a significant public nuisance, risk of crime and disorder or risk to public safety arising from the current operation of the premises. At the present time there was no real evidence that the operation the applicant proposed to run would cause the unacceptable impact local residents suggested.

All parties were reminded of the closure and review powers which the Government brought into force when the new licences were operational from 24 November 2005. Premises which did not operate in an acceptable way in terms of the licensing objectives may in extreme cases be closed down by police action or have their scope of operation reduced by the licensing authority.

- RESOLVED
1. that a grant of the Premises Licence be made as follows:
    - a) The extent of the areas within which the various licensable activities will be permitted as indicated by the legends on the applicant's plan.
    - b) Permitted hours for the various licensable activities shall be as set out in the Appendix A.
    - c) The conditions will now be as shown in Appendix F.
    - d) The mandatory conditions of Section 19 of the Licensing Act 2003 shall be imposed.
  
  2. the designated Premises Supervisor will be:  
Michael Henderson, 15A Knowle Road, Budleigh Salterton.

**Attendance list**

**Councillors present**

Jim Knight (Chairman)  
John O'Leary  
Pauline Stott

**Councillor also present:**

Steve Hall  
Peter Sullivan

**Councillor apologies from non members of the Sub Committee**

Maddy Chapman  
Steve Gazzard  
Tom Wright

**Officers present**

Giles Salter, Solicitor  
Neil McDonald, Licensing  
Chris Lane, Democratic Services

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

EAST DEVON DISTRICT COUNCIL  
Minutes of a Meeting of the Licensing &  
Enforcement Sub-Committee held at Knowle, Sidmouth on  
Wednesday, 4 February 2015

**Attendance list at the end of the document**

**The meeting started at 9.30 am and ended at 9.35 am**

- \*23 Minutes  
The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 17 December 2014, were confirmed and signed as a true record.
- \*24 Declarations of interest  
There were none.
- \*25 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary  
The Sub Committee gave consideration to an application for the grant of a premises licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Chairman and Vice Chairman considered equality impacts when making their decision.

The Licensing Officer explained the background of the application and the negotiations that had been carried out.

**RESOLVED**

that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

**Schedule:**

**Type of application:**

Application for the grant of a premises licence

**Name of premises and address:**

Axminster Town Football Club, Chard Road, Axminster, Devon EX13 5RH.

**Agreed position reached by the parties:**

Following mediation the applicant, Devon & Cornwall Constabulary and the Council's Environmental Health Service have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.

The application be approved as submitted subject to the following conditions:

1. CCTV must be installed, operated and maintained to the satisfaction of the Licensing Authority and the Chief Officer of Police in accordance with the requirements set out in the EDDC Licensing Policy.
2. CCTV images must be retained for a minimum of 14 days and to be produced on the request of the Police or a Licensing Officer of East Devon District Council. Recording media must be set to 25 frames per second.

3. The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.
4. A4 sized warning notices must be displayed in public areas of the premises and at all entrances advising that CCTV is in operation. The signs located at entrances should be located on the exterior of the building at, and adjacent to, all public access doors. All signs must comply with the requirements of the Data Protection Act 2002.
5. SIA registered door supervisors shall be employed at the premises at the discretion of the Designated Premises Supervisor or Premises Licence Holder in accordance with their assessment of risk. A written risk assessment shall be prepared on a monthly basis and reflect anticipated events for the forthcoming period. The risk assessment shall be made available for inspection by the Police or Licensing Authority when requested.
6. The licence holder must ensure that staff regularly patrol the premises both indoors and outdoors to supervise the orderly conduct of patrons.
7. Customers must be asked not to stand around talking in the street outside the premises or car park and will be asked to leave the vicinity quickly and quietly.
8. Suitable signage must be displayed in the terraced area beer garden shall cease at midnight.
9. The use of the terraced area beer garden shall cease at midnight.
10. An announcement will be made prior to closing requesting patrons co-operation in leaving the premises as quietly and quickly as possible.
11. A noise limiter must be installed in the premises to control the volume of the music. The limiter must be set by an Environmental Health Officer for Pollution. The limiter must be capable of controlling all frequency bands independently.

**Attendance list**

**Councillors present**

Steve Hall (Chairman)  
Jim Knight

**Apologies from non members of the Sub Committee**

Steve Gazzard

**Officers present**

Neil McDonald, Licensing Officer  
Chris Lane, Democratic Services

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