

**Agenda for Council**  
**Wednesday, 22 February 2017; 6.30pm**



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

**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL  
[View directions](#)

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Prior to the formal start of the meeting, the Chairman will invite Revd Handel Bennett to say a prayer.

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on  
Wednesday 22 February 2017 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 [Public speaking](#)
- 2 [Minutes of the Council meeting held on 21 December 2016](#)
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#) – none identified
- 6 Announcements from the Chairman and Leader
- 7 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.
- 8 To answer questions asked by Members of the Council pursuant to Procedure Rules No 9.2 and 9.5.
- 9 **Revenue Estimates, Capital Programme & Council Tax 2017/18** (to follow)
  - 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 8 February 2017 relating to the Council's Revenue and Capital Estimates for 2017/18 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 will be detailed in the report. Devon County Council is to meet to agree their Council Tax requirement on 16 February and Devon & Somerset Fire & Rescue Authority meet on 17 February. The figures will be collated and the report sent out on Monday 20 February.

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

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

<b>10</b>	Reports from the Cabinet and the Council’s Committees and questions on those reports:		
	Cabinet	Minutes	114 - 131, 132 - 153
	†Overview and Scrutiny – joint meeting	Minutes	1 - 4
	†Housing Review Board	Minutes	37 - 58
	Strategic Planning Committee	Minutes	23 - 31, (plus minutes to follow)
	Development Management Committee	Minutes	31 - 34, 35 - 38
	Audit and Governance Committee	Minutes	36 - 45
	Licensing and Enforcement Committee	Minutes	(minutes to follow)
	Licensing and Enforcement Sub Committee	Minutes	14 - 15

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

**11 Motion - Safeguarding procedures**

“That this Council introduces a protocol for Councillors for safeguarding vulnerable adults and children in the community.

Councillors are increasingly being encouraged to engage with the community and this engagement can often involve meetings with individuals on a one-to-one basis – including vulnerable adults and children. This Council recognises the importance of putting the correct safeguarding measures in place and, in so doing, setting an example within the community. In the light of this intention and the legal duties falling on this Council in respect of the safeguarding of vulnerable adults and children, the Chief Executive be requested to prepare a report on the appropriateness of requiring all Councillors to be the subject of a DBS (Disclosure and Barring Service – formerly CRB) check and attending specific safeguarding training.”

Proposed by Councillor Andrew Moulding, seconded by Councillor Phil Twiss and supported by Pauline Stott, Maria Hale, Paul Carter, Colin Brown, Jenny Brown, David Key, Steve Hall, Darryl Nicholas, Cherry Nicholas, Brian Bailey, Graham Godbeer, Paul Diviani, Bruce De Saram, Mike Allen, Alan Dent and Bill Nash

**12 Greater Exeter Strategic Plan - Joint Informal Advisory Reference Forum membership**

If Council approved the setting up of this Joint Forum (membership to be 5 Councillors from each participating Council – East Devon, Exeter, Mid Devon and Teignbridge) when the minutes of the Strategic Planning Committee were considered at item 10 of this agenda, nominations from each political group are now invited (3 Conservatives, 1 Independent, 1 Liberal Democrat - membership to be politically balanced.)

**13 Arts and Culture Forum – community representatives**

To confirm the appointment of Brian Norris and Sally Twiss as community representatives on the Arts and Culture Forum.

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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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 21 December 2016**

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

The meeting started at 6.30pm and ended at 8.32pm

**\*45 Obituaries – Honorary Alderman Dr Bill Waterworth and Honorary  
Alderman Trevor Ffoulkes**

The Chairman formally reported, with great sadness, the loss of two Honorary Aldermen since the last meeting of Council. Honorary Alderman Bill Waterworth who had passed away at the end of October and Honorary Alderman Trevor Ffoulkes in early November.

Dr Bill Waterworth was elected onto the Council in 1991, representing Eden Vale Ward until 2003 when boundary changes meant that his Ward was then Coly Valley. In his 16 years of service, Dr Waterworth served on a range of Committees including those on which he was given positions of responsibility. He also served on a number of Sub Committees, Panels and Forum including the Rural Aid/Community Fund Panel and Town Enhancement Grants Sub Committee appreciating the importance of local involvement and grass root funding. He was renowned for his attention to detail.

Trevor Ffoulkes was elected onto the Council in 1987, representing Seaton Ward. During his 16 years of service on the Council, Trevor served on a range of committees, sub committees and working parties including those on which he was given positions of responsibility. He cared deeply about his local ward and was a member of a number of committees and working parties which sought to achieve the best for Seaton – such as the Seaton Town Centre Regeneration Scheme Steering Group, Seaton Town Hall Advisory Committee and Seaton Arts Festival Working Group.

The Chairman invited Members to stand as a mark of respect.

**\*46 Public speaking**

The Chairman welcomed those present and invited members of the public to speak to the Council.

Sally Galsworthy spoke on the Queen's Drive development making reference to the one remaining developer involved in the project and commenting on the risks should that developer pull out. She spoke of the anger of the residents in Exmouth towards the project expressed at meetings, the town poll and on a recent march, which had been attended by some 400 people.

Laura Freeman made reference to the outcome of the recent town poll seeking additional independent consultation on the redevelopment of Queen's Drive. She considered that despite the restricted opening times of the poll, there had been a good turnout and that the outcome should be honoured and not ignored. She requested that the whole project be reviewed with a new outline application reflecting what the people of Exmouth wished to see for the area.

Jane Ashton spoke on the costs relating to both the Queen's Drive development and relocation and also made reference to the collection of Section 106 and CIL contributions. She considered that the failure to foresee the additional costs involved in both projects was the result of the incompetence of those involved and that they should be removed from their positions. In respect of Queen's Drive she commented that it would cost the Council less if it was to start the whole project from scratch.

Alec Huett advised that he had attended many meetings in the past regarding the regeneration of Exmouth and that Queen's Drive had never been seen as a priority. He queried why the masterplan had changed so much from what had first been envisaged and commented that the plans would split the town into two leisure and retail zones. He advised that he was against any large development on the sea front when it should be the town centre that was the priority for regeneration works.

Richard Thurlow spoke on the increased costs relating to the refurbishment of Exmouth Town Hall – which would now cost more than refurbishing the Knowle. He advised that there was no detail or adequate rationale to explain the reasons for the increased costs and therefore did not consider that Members could make their decision based on fact.

Tony Green spoke on the Development Management Committee meeting held on 6 December and congratulated the Committee on their decision regarding the Knowle site. He stated that the Committee had to make their decision on material planning considerations only and therefore any comments relating to the relocation project or the adequacy of the existing building for its purpose should have been disregarded to avoid the appearance of bias. He asked for confirmation that this was the case and if so, asked that members of the committee be reminded of this.

The Chairman invited the Chief Executive to respond to questions raised by the speakers. In response to the first five speakers, the Chief Executive advised that no questions had been asked and therefore they would be noted as statements, however he advised that some of the issues raised were covered in the Cabinet minutes. In response to the last speaker, the Chief Executive advised that information was often submitted by the applicant giving reasons for a proposal – the key issue was that when the Committee came to vote they only did so on relevant material planning considerations and not immaterial planning considerations.

**\*47 Minutes**

The minutes of the meeting of the Council held on 26 October 2016 were confirmed and signed as a true record.

**\*48 Declarations of interest**

Councillor Stuart Hughes; Minute No. \*52

Type of interest – Personal interest

Reason – Devon County Cabinet Member for Highway Management & Flood Prevention

\*49 **Matters of urgency**

There was one matter of urgency relating to the review of the membership of the Community Fund Panel due to the availability of the existing membership to attend meetings.

**RESOLVED: that Cllrs Geoff Jung and Marianne Rixson replace Cllrs Matt Booth and Matt Coppel on the Community Fund Panel.**

\*50 **Chairman/Leader notices/announcements**

- Congratulations were passed to Cllr Maria Hale on the birth of her daughter.
- Members, Honorary Aldermen, Partners and Officers were invited to join the Chairman for his Christmas reception at the close of the meeting.
- The Leader wished everyone a happy Christmas and peaceful New Year.

\*51 **Questions (Procedure Rules 9.2 and 9.5)**

Fourteen 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). The response to the supplementary question asked is set out below.

- a) Question 1 – In response to the supplementary question, the Portfolio Holder – Environment advised there was nothing to prevent Cllr Hull from viewing the finances relating to both the Thelma Hulbert Gallery and the Manor Pavilion Theatre.
- b) Question 2 – No supplementary question was asked.
- c) Question 3 – In response to the supplementary question, the Leader referred Cllr Longhurst to minute 89 of the Cabinet meeting held on 9 November 2016. He advised that when dealing with a site the size of Queen's Drive it was inevitable that there would be times when it was not possible to get exact costings.
- d) Question 4 – No supplementary question was asked.
- e) Question 5 – In response to the supplementary question, the Leader advised that where possible the best advice was sought. He did not consider it appropriate to compare a domestic project with an office relocation project.
- f) Question 6 – In response to the supplementary question, the Leader advised that Exeter City Council did not receive the level of the searches received by EDDC and referred Cllr Dyson to the answer to his original question which stated that by the end of February the target was to reduce the turnaround time to 48 hours. He could see no issue with there being a performance indicator linked to property search completions.
- g) Question 7 – In response to the supplementary question, the Portfolio Holder – Economy advised there would be consultation on phase two of the project as part of the planning process and consultation on phase three of the project.
- h) Question 8 – In response to the supplementary question, the Portfolio Holder – Economy referred Cllr Armstrong to the answer to her original question.

- i) Question 9 – In response to the supplementary question, the Portfolio Holder – Economy spoke of disappointment about the delays to the progress of Queen’s Drive. The Council had not wanted to be in legal proceedings with its tenants and would have preferred to try and reach agreement - Officers had done their utmost to try and achieve this. The length of the delay could not have been foreseen and over the two year delay it was inevitable that things would change. The Council was now in a position where it could push forward with its exciting investment plans for Exmouth.
- j) Question 10 – In response to the supplementary question, the Leader advised that Development Management Committee had made its decision on the application relating to the Knowle site. With regard to the next step, communication was awaited from the applicant - whatever their decision the Council would deal with it and move forward.
- k) Question 11 – In response to the supplementary question, the Leader advised that it was possible for the price for the Knowle to be negotiated, however dialogue needed to be held with Pegasus Life and until then it was not helpful to speculate.
- l) Question 12 – In response to the supplementary question, the Leader advised that no change to those responsible for the relocation project was required and referred Cllr Gardner to the report that would be taken to the Audit and Governance Committee on 5 January 2017.
- m) Question 13 – In response to the supplementary question, the Leader advised documents would be released in due course.
- n) Question 14 – In response to the supplementary question, the Leader advised that the officer referred to had given their professional opinion at the Cabinet meeting.

**\*52 Minutes of Cabinet and Committees**

**RESOLVED**

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

**Cabinet**

Minutes 74 – 92, 93 – 113

**Strategic Planning Committee**

Minutes 15 – 22

**Development Management Committee**

Minutes 23 – 26, 27 – 30

**Audit and Governance Committee**

Minutes 24 – 35

**Standards Committee**

Minutes 8 – 14

**Licensing and Enforcement Committee**

Minutes 4 – 8

**Licensing and Enforcement Sub Committee**

Minutes 11 – 13



that the under-mentioned minutes be received.

Cabinet (minutes 83, 85, 103, 104) had noted or accepted the following Overview/Scrutiny Committees' recommendations with or without amendment.

**Scrutiny Committee**

Minutes 19 – 25, 26 – 32

**Overview Committee**

Minutes 9 – 14, 15 – 19

Arising from consideration of the above minutes:-

➤ **Cabinet (minute \*83 – Overview Committee minute \*13 – Quality of house building in East Devon)**

Cllr Hull spoke on the role of the National House Builders Council (NHBC) and the need for an in depth study into the way that the NHBC undertook their checks as he considered these to currently be inadequate. He thanked the Chief Executive for including his request in the letter to Mr Coleville MP.

➤ **Cabinet (minute 89 – Queen's Drive site, Exmouth update)**

Cllr Longhurst referred to the additional funds required for both the Queen's Drive and relocation projects. He considered there to be an insufficient breakdown of the finances to enable Members to make a decision on increasing the funds. He welcomed the report that would be presented to Audit and Governance on 5 January but proposed an amendment to the recommendation to include '...and the Council agrees that in projects of this nature, Councillors should receive regular updates every six months and statement of the budget and associated expenditure included as an agenda item and minuted at every meeting.' The amendment was seconded by Cllr Ingham.

Comments during discussion on the amendment included:

- There were no guarantees that grant fund applications would be successful;
- It was appropriate that Members should have financial updates on projects of this nature at least every six months;
- Preparing the financial statement would not be a good use of officer time;
- Should await the report from SWAP to Audit and Governance;
- Members were responsible and accountable for public money and therefore it was reasonable to request regular financial updates;
- Insufficient costing details were contained in the committee report to Cabinet;
- The amendment was premature – Members should await the evidence from the auditors as this would give a basis for debate;
- The amendment wouldn't preclude any action resulting from Audit and Governance Committee's consideration of the auditor's report.

A recorded vote was proposed by Cllr Longurst and seconded by Councillor Ingham. The proposal for a recorded vote was put to the vote and carried.

The amendment was put to the vote and lost.

For: Councillors Megan Armstrong, Peter Burrows, Peter Faithfull, Cathy Gardner, Steve Gazzard, Roger Giles, Pat Graham, Douglas Hull, Ben Ingham, Geoff Jung, Rob Longhurst, Dawn Manley, Marianne Rixson, Brenda Taylor and Eileen Wragg (15)

Against: Councillors Paul Diviani, Dean Barrow, Peter Bowden, Colin Brown, Jenny Brown, Paul Carter, Maddy Chapman, Iain Chubb, Bruce de Saram, Jill Elson, Graham Godbeer, Simon Grundy, Ian Hall, Steve Hall, Mike Howe, John Humphreys, Jim Knight, Andrew Moulding, Bill Nash, Cherry Nicholas, John O'Leary, Chris Pepper, Geoff Pook, Philip Skinner, Pauline Stott, Mark Williamson, Tom Wright, Phil Twiss, Ian Thomas and Helen Parr (30)

Abstention: Councillor Stuart Hughes (1)

➤ **Cabinet (minute 106 – Relocation report update)**

Cllr Cathy Gardner spoke of there being no business case for relocation or justification for accelerating the refurbishment of Exmouth Town Hall in isolation to the rest of the relocation project. She raised concern that the Council would be approving the refurbishment before passing through Gateway 7 and advised that the Council should be following best practice project management procedures.

Comments raised during discussion included:

- As the largest town in East Devon there should have been a Council presence of key services in Exmouth a long time ago. Benefits were already being realised from the relocation of the housing prevention officers to the town;
- Providing services from the Town Hall would lead to a reduction in officer time wasted spent travelling to Exmouth;
- Concerns expressed about the increase in costs of the refurbishment, however the Council needed to deliver services in the town;
- Refurbishment should be seen as an investment and the chance to offer a better service to the Town;
- Robust project management was expected to ensure value for money;
- The Town Hall was a strategic asset, therefore the Council should progress with refurbishment;
- Knowle site was allocated for housing, therefore accelerating the refurbishment of the Town Hall was not considered to be a significant risk;
- Maintenance of the building had been neglected – this needed to be put right;
- Best value would be achieved through the normal tendering processes;
- Delays in the relocation process had largely led to the increased costs;
- Support for the refurbishment, however the process needed to be transparent and accountable to the public. Members currently didn't have sufficient facts before them.

➤ **Scrutiny (minute \*28 – NEW Devon CCG Consultation)**

Cllr Cathy Gardner advised since the meeting where recommendations were made in respect of the NEW Devon CCG consultation more information had come to light and therefore the recommendations should be strengthened. In response the Chief Executive advised that procedurally it was not possible to amend an approved minute (the minute had been approved by Cabinet on 14 December), however it might be possible to

include the comments in the Council's consultation response and invited Cllr Gardner to submit her comments to him.

The Portfolio Holder – Sustainable Homes and Communities encouraged all Councillors to respond to the consultation.

### **Attendance list**

#### **Councillors present:**

Stuart Hughes (Chairman)

Helen Parr (Vice Chairman)

Megan Armstrong

Dean Barrow

Peter Bowden

Colin Brown

Jenny Brown

Peter Burrows

Paul Carter

Maddy Chapman

Iain Chubb

Paul Diviani

Bruce de Saram

John Dyson (for part of the meeting)

Jill Elson

Peter Faithfull

Cathy Gardner

Steve Gazzard

Roger Giles

Graham Godbeer

Pat Graham

Simon Grundy

Ian Hall

Steve Hall

Mike Howe

Douglas Hull

John Humphreys

Ben Ingham

Geoff Jung

Jim Knight

Rob Longhurst

Dawn Manley

Andrew Moulding

Bill Nash

Cherry Nicholas

Darryl Nicholas

John O'Leary

Christopher Pepper

Geoff Pook

Marianne Rixson

Philip Skinner

Pauline Stott

Brenda Taylor

Ian Thomas

Phil Twiss  
Mark Williamson  
Eileen Wragg  
Tom Wright

**Honorary Aldermen:**

Trevor Cope  
Peter Halse  
Frances Newth  
Ann Liverton  
Graham Liverton  
Steve Wragg

**Officers:**

Richard Cohen, Deputy Chief Executive  
Henry Gordon Lennox, Strategic Lead – Governance and Licensing  
Steve Pratten, Relocation Manager  
Mark Williams, Chief Executive  
Hannah Whitfield, Democratic Services Officer

**Councillor apologies:**

Mike Allen  
Brian Bailey  
David Barratt  
Susie Bond  
Matthew Booth  
Alan Dent  
Maria Hale  
Marcus Hartnell  
David Key  
Darryl Nicholas  
Val Ranger

**Honorary Aldermen apologies:**

David Cox  
Vivien Duval Steer  
Christine Drew  
Stephanie Jones  
Ken Potter  
Tim Wood

Chairman .....

Date .....

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the meeting of Cabinet held**  
**at Knowle, Sidmouth on 11 January 2017**

**Attendance list at end of document**

The meeting started at 5.30pm and ended at 6.39pm

**\*114 Public Speaking**

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

**\*115 Minutes**

The minutes of the Cabinet meeting held on 14 December 2016 were confirmed and signed as a true record.

**\*116 Declarations**

None

**\*117 Matter of urgency**

None

**\*118 Matters referred to the Cabinet**

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

**\*119 Exclusion of the public**

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

**\*120 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 February 2017 to 31 May 2017.

**\*121 Notes of the Exmouth Regeneration Programme Board held on 1 December 2016**

Members received the notes from the Exmouth Regeneration Programme Board held on 1 December 2016.

**\*122 Notes of the Community Fund Panel held on 7 November 2016**

Members received the notes of the Community Fund Panel held on 7 November 2016

**RESOLVED (1) that the following recommendations be approved**

**Minute 7 - Consideration of applications received for Rent Support Grant (RSG)**

1. that in the cases of Exmouth Rugby Football Club, Honiton Rugby Football Club, Withycombe Rugby Football Club, and Port Royal, no Rent Support Grant be given. The Panel felt there was not enough of an identifiable need for a grant to mitigate a modest rent increase. It also felt clubs were substantial, with the amount paid for the facilities a modest percentage of overall turnover.

2. that Mountbatten Park Sports and Social Club, Seaton Bowling Club and 5th Exmouth St Andrews Sea Scout Group should receive a Rent Support Grant equivalent to 20% of the total increase in new rent over existing rent being applied in each of the next five years. This would mean that full new lease rentals would effectively not be payable until year 6.
3. that Asset Management Forum consider the outcomes of the first round of RSG and make recommendations on the scheme's future.

**\*123 Minutes of the Recycling and Waste Partnership board held on 7 December 2016**

Members received the Minutes of the Recycling and Waste Partnership board held on 7 December 2016

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

**Minute 46 - Recycling and Waste Partnership Board updated terms of reference**

**Minute 47 - Mobilisation update**

**Minute 48 - Joint contract review and operational update**

**Minute 49 - STRATA business case - IT update**

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

**Minute 50 - Options to avoid a four week gap in waste collections at change over**  
an update report be received at the next meeting of the Recycling and Waste Partnership Board.

**Minute 54 - Otter Rotters update**

a district wide garden waste collection service be reviewed following completion of the new contract phase two roll out.

**\*124 Notes of the New Homes Bonus held on 13 December 2016**

Members received the notes of the New Homes Bonus held on 13 December 2016

**RESOLVED that the following be agreed**

the recommendations of the Panel in respect of applications received under the scheme

**125 Minutes of the Capital Strategy & Allocation Group held on 14 December 2016**

Members received and noted the minutes of the Capital Strategy & Allocation Group held on 14 December 2016

**Recommended that the Group's recommendations be referred to Council and considered during the annual budget process.**

**\*126 Draft Revenue and Capital Budgets 2017/18**

The Strategic Lead, Finance presented the draft revenue and capital budgets for 2017/18 for adoption by the Cabinet before consideration by a joint meeting of the Overview and

Scrutiny Committees (18 January) and meeting of the Housing Review Board (12 January).

Recommendations from these meetings would be presented to the Cabinet on 8 February 2017 when members will finalise budget proposals to be recommended to Council.

The Portfolio Holder Finance congratulated Simon Davey and his team for their hard work.

**RESOLVED:**

that the draft revenue and capital estimates are adopted and shall be forwarded to the joint meeting of the Overview and Scrutiny Committees and to the Housing Review Board for their consideration.

**REASON:**

There is a requirement for 2017/18 to set balanced budgets and to levy a Council Tax.

\*127 **2017/18 Council Tax Base**

This report set out the tax base for 2017/18 which included the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax would be based. This was an important component in the Council's budget setting process for 2017/18.

**RESOLVED:**

1. that the tax base for 2017/18 at 57,477 Band D equivalent properties, and
2. the amount for each parish and as detailed under section 3 of the report, be confirmed

**REASON:**

The calculation of the tax base was 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 was defined as the number of Band D equivalent properties in a local authority's area. The tax base was necessary to calculate Council Tax for a given area.

128 **Joint Safeguarding Policy for Devon**

The Strategic Lead, Housing, Health & Environment explained that Districts across Devon had produced and had been adopting a joint safeguarding policy designed to protect children and vulnerable adults. In raising safeguarding standards it was seen that all were working towards the same outcomes and that a consistent policy approach would be useful. The policy covers children and adults in one high-level statement, and incorporated modern slavery and counter terrorism. This would update and replace the existing safeguarding policies.

**RECOMMENDED:**

that the Joint Safeguarding Policy be adopted and implemented.

**REASON:**

To ensure that there was a 'fit for purpose' safeguarding policy in place for the organisation.

**\*129 Monthly Performance reports – November 2016**

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

There were three indicators that were showing excellent performance:

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

There were no performance indicators showing as concern.

**RESOLVED:**

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

**REASON:**

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

**\*130 Stockland Neighbourhood Plan to be formally 'made'**

The Stockland Neighbourhood Plan has now passed referendum and it must be formally 'made' by East Devon District Council for it to form part of the development plan.

**RESOLVED:**

1. that the Stockland Neighbourhood Plan be 'made' so it forms part of the development plan, and
2. that Members congratulate the Neighbourhood Plan Group on their hard work.

**REASON:**

The Stockland Neighbourhood Plan received a majority 'yes' vote in the referendum as required by the regulations and there was no substantive reason not to 'make' the Plan.

**\*131 Response to Uplyme Neighbourhood Plan Submission**

To agree the response by this Council to the current consultation for the Uplyme Neighbourhood Plan.

Additional text was added to the Council's comments number 3 - Policy UHG4 in the report. The final paragraph reads;

'Following the recent publication of the East Budleigh with Bicton Neighbourhood Plan Examiner's report, the Examiner recommended removal of the policy that allocated a rural exception site on the basis that a rural exception site is one that does not comply with, and is an exception to, policy and the allocation of one would cause confusion for a decision maker. We would therefore advise an amendment to the policy to remove



references to the allocations being exceptions and instead allocate them as 'affordable housing sites'.

**RESOLVED:**

1. that Members note the formal submission of the Uplyme Neighbourhood Plan and congratulate them on their hard work and commitment in its production, and
2. that the Council make the representations set out in paragraph 5.2 of the report, with delegated authority given to the Chief Executive, in consultation with the Monitoring Officer and Ward Member, to consider further the representation in relation to Policy UHG4 and as necessary make amendments to it.

**REASON:**

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

**Attendance list**

**Present:**

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

**Portfolio Holders:**

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

**Cabinet Members without Portfolio:**

Geoff Pook

**Cabinet apologies:**

Paul Diviani Leader  
Eileen Wragg

**Non-Cabinet apologies:**

Paul Carter  
Maddy Chapman  
Alan Dent  
Pat Graham  
Ian Hall  
Cherry Nicholas  
Brenda Taylor

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

**Councillors:**

Megan Armstrong  
Brian Bailey  
David Barratt  
Peter Bowden  
Colin Brown  
Jenny Brown  
John Dyson  
Peter Faithfull

Steve Gazzard  
Roger Giles  
Graham Godbeer  
Geoff Jung  
Rob Longhurst  
Darryl Nicholas  
Marianne Rixson  
Pauline Stott  
Mark Williamson

**Also present:**

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead – Housing, Health & Environment  
Henry Gordon Lennox - Strategic Lead - Governance and Licensing  
Karen Jenkins, Strategic Lead - Organisational Development and Transformation  
Amanda Coombes, Democratic Services Officer

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

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the meeting of Cabinet held**  
**at Knowle, Sidmouth on 8 February 2017**

**Attendance list at end of document**

The meeting started at 5.31pm and ended at 7.07pm

**\*132 Public Speaking**

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

**\*133 Minutes**

The minutes of the Cabinet meeting held on 11 January 2017 were confirmed and signed as a true record.

**\*134 Declarations**

Councillor Jill Elson – Minute 145  
Interest: Personal  
Reason: Community Transport

Councillor Andrew Moulding – Minute 145  
Interest: Personal  
Reason: Trustee of Axminster Heritage Ltd

Councillor Tom Wright – Minute 145  
Interest: Personal  
Reason: Member of Budleigh Salterton Cricket Club

**\*135 Matter of urgency**

None

**\*136 Matters referred to the Cabinet**

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

**\*137 Exclusion of the public**

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

**\*138 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 March 2017 to 30 June 2017.

**139 Minutes of the Housing Review Board held on 12 January 2017**

Members received the Minutes of the Housing Review Board held on 12 January 2017

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

**Minute 40 – Forward Plan**

**Minute 44 - Insurance claim settlement (storm damage)**

**Minute 53 - Shared house update (St Andrews Road, Exmouth) –** the work is now complete and the property is let.

**Minute 55 - Annual report to tenants 2015/16**

**Minute 56 - HouseMark annual benchmarking report**

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

**Minute 43 - Support and alarm service charges to sheltered homes 2017/18**

That the previously agreed final year of the three year phased introduction of support charges in sheltered housing be not applied.

**Minute 45 - New models of housing delivery**

1. the Housing Review Board support the outline proposal to establish a Local Housing Company in preference to joining a Joint Venture arrangement,
2. the Housing Review Board invites the Strategic Lead – Housing, Health and Environment to work up the Local Housing Company proposal, including an initial risk assessment and due diligence considerations;
3. a further report is brought back to the Housing Review Board and to Cabinet on the findings and suggested way forward.

**Minute 47 - Alternative models to deliver housing repairs and maintenance**

The Strategic Lead – Housing, Health and Environment be authorised to appoint consultants to scope, appraise and advise on alternative service delivery options for the repairs and maintenance of tenants' homes.

**Minute 48 - Extension of responsive repairs and voids contract**

that the current responsive day to day repairs and void work to Council housing stock contract be extended for one year from July 2017 to July 2018.

**Minute 49 (1) – Revised asbestos management plan and procedures**

**Minute 50 - Legionella management plan**

**Minute 51 (1) – Review of Landlord Disabled Adaptation policy** (for Council homes)

**Minute 52 - Installation of air source heat pumps at Rodney Close, Exmouth**

**Minute 54 - Right to Buy update**

1. the update report on the use of Right to Buy receipts and commuted sums to secure suitable property to add to the Council's housing stock be noted.
2. delegated authority be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities and Chair of the Housing Review Board to approve further purchases to meet Right to Buy spending deadlines using either Housing Revenue Account funding or a loan from the Public Works Loan Board as match funding.
3. the options put forward be noted and supported, including working with Registered Providers to spend the Right to Buy receipts.
4. delegated authority be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities and Chair of the Housing Review Board to approve bids from Registered Providers for grant.
5. delegated authority be extended to the Strategic Lead – Governance and Licensing so that the implementation of a Registered Provider agreement and Registered Provider bidding criteria can be approved.

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

**Minute 41 - Draft Housing Revenue Account budget 2017/18**

**Minute 49 (2) – an additional £100,000 be approved for the management of asbestos in the housing stock**

**Minute 51 (2) – Review of Landlord Disabled Adaptation policy** increase revenue budget to £100,000 for adaptations to housing stock for disabled persons (2017/18 revenue budget)

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

**Minute 42 - Draft Housing Service Plan 2017/18.**

**Minute 46 – Revised tenancy policy and tenancy strategy**

**Minute 57 - Housing Review Board recruitment**

1. the revised recruitment and selection process of co-opted members of the Housing Review Board be adopted.
2. three current Board members be selected to assist in the selection of co-opted members; these were Councillor Jim Knight, tenant Mike Berridge and independent community representative Christine Drew.
3. the terms of reference of the Housing Review Board be updated accordingly.

140 **Minutes of the Strata Joint Executive Committee held on 16 January 2017**

Members received and noted the Minutes of the Strata Joint Executive Committee held on 16 January 2017

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

**Minute 6 - Update on Strata Implementation Plan creating revised Business Plan 2017/18**

1. the Revised Business Plan for Strata;
2. the adoption of the revised Business Plan for Strata which includes a revised savings profile; and
3. the following additions to their capital programmes to allow the 2017/18 convergence plan and new contact centre software to be delivered

<b>Capital Funding 2017/18 for Software Convergence Plans</b>		
<b>Organisation</b>	<b>Contribution %</b>	<b>Capital Funding</b>
East Devon District Council	36.692	£190,615
Exeter City Council	35.936	£186,687
Teignbridge District Council	27.372	£142,198
<b>Total</b>		<b>£519,500</b>

**\*141 Minutes of the Strata Joint Scrutiny Committee held on 16 January 2017**

Members received and noted the Minutes of the Strata Joint Scrutiny Committee held on 16 January 2017

**\*142 Minutes of the Strategic Planning Committee held on 17 January 2017**

Members received and noted the Minutes of the Strategic Planning Committee held on 17 January 2017, and further;

**Minute 28 – Adoption of Gypsy and Traveller Site Design and Layout Supplementary Planning document**

**RESOLVED:** that Cabinet adopts the Gypsy and Traveller Site Design and Layout Supplementary Planning Document as agreed by the Strategic Planning Committee.

**Minute 31 - Status of Planning Guidance**

**RESOLVED** – that Cabinet confirms withdrawal of the Planning Guidance shown in the table at 2.5, listed as ‘withdraw’ in the committee report ‘Status of Planning Guidance’ as reported to the Strategic Planning Committee on 17 January 20107.

**143 Minutes of the Joint Overview and Scrutiny Committees held on 18 January 2017**

The Chairman of Joint Overview and Scrutiny Committees wished to thank Simon Davey, officers and members for a particularly useful and informative meeting. He also thanked Cllr Graham Godbeer for stepping in as the vice chairman.

Members received and noted minutes of the Joint Overview and Scrutiny Committees held on 18 January 2017, and further;

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

**Minute 4 - Committee recommended amendments to the Draft Service Plans for 2017/18**

1. the addition of a performance indicator for local land charges searches;
2. the addition of an objective to review charges that could be made for planning related activity (this is in line with the Transformation Strategy);
3. Planning's key performance indicator on planning application determination timescales be amended to align to the figures reported to Government;
4. the addition of drafting a rural economic strategy;

and that those reviewed Service Plans for 2017/18 be recommended to Council for adoption.

**Minute 5 - Draft Revenue and Capital Budgets 2017/18**

1. the Council increases the Council Tax for 2017/18 by £5 per year;
2. the draft Capital Budget for 2017/18 be recommended to Council and the committees support the inclusion of the Axminster Heritage Centre grant of £50K.
3. the draft Revenue Budget for 2017/18 be recommended to Council, subject to the inclusion of:
  - a) Greater Exeter Strategic Plan £234,000 one off sum;
  - b) Economic Development Officer £38,500 per year;
  - c) Property Records Officer £22,500 per year;
  - d) Business Administration Apprentice £16,880 per year – expected to be for an 18 month placement;
  - e) Corporate Property Systems Development £22,500 one off sum;

and the deferral of the transformation strategy saving relating to Street Scene - recharge event cost clear up, until a review of the implications of the recharge by the is undertaken by the Scrutiny Committee, and their recommendations considered.

144 **Programme of meetings 2017/18**

The Cabinet considered the proposed timetable of meetings for the next Council year. The date of the July Cabinet meeting will be changed from Wednesday 5 July to Wednesday 12 July to avoid a clash with the LGA Annual Conference – the amended timetable will be referred to the annual meeting of the Council.

**RECOMMENDED:**

that the draft meetings timetable (including the amended date of the July Cabinet) be referred for approval to the annual meeting of the Council.

**RESOLVED:**

that the 2017 Annual Council meeting be held on Wednesday 17 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.

145 **Revenue and Capital Estimates 2017/18**

The Strategic Lead, Finance informed Cabinet of the adopted draft Revenue and Capital Estimates for 2017/18 at its meeting on 11 January 2017. A meeting of the Overview and Scrutiny Committees reviewed those budgets on 18 January and the Housing Review Board considered the Housing Revenue Account budgets on 12 January.

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

As part of the Prudential Code for Capital Finance in Local Authorities the Council was required to set prudential indicators as part of its budget setting process, these indicators were detailed in the Treasury Management Strategy 2017/18 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy.

**RECOMMENDED:**

that Cabinet recommends to Council:

1. the Net Revenue General Fund Estimate of £13.782m as referenced in 2.6 of the report be approved,
2. a Council Tax increase of £5 a year giving a Band D council tax of £131.78 a year for 2017/18 be approved,
3. the Housing Revenue Account Estimates with a net surplus of £0.522m be approved,
4. the Net Capital Budget totalling £13.087m be approved, and
5. a Council Tax requirement for West Hill Parish Council is agreed at £55,000 for 2017/18 giving a Council Tax Band D amount of £50.41 be agreed.

**REASON:**

There was a requirement for the Council to set a balanced budget for both the General Fund and Housing Revenue Account and to levy a Council Tax for 2017/18.

146 **Treasury Management Strategy 2017/18 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy**

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

Two amendments were made to Table 12. of the strategy;

1. the General Fund upper limit for Years 2-5 was now 85%
2. the HRA upper limit for Years 6-10 was now 25%

**RECOMMENDED:**

that Council approve and adopt:

1. the Treasury Management Strategy including the Prudential Indicators for 2017/18;
2. the Minimum Revenue Provision Policy Statement; and
3. the updated list of counterparties be approved.



**REASON:**

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

\*147 **Financial Monitoring Report 2016/17 - Month 9, December 2016**

The report gave a summary of the Council's overall financial position for 2016/17 at the end of month nine (31 December 2016).

Current monitoring indicates that:

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

The Portfolio Holder Sustainable Homes and Communities wished to congratulate the council's tenants for their excellent record for paying rents on time, which contributed to the HRA's healthy position.

The Deputy Leader praised the Finance and Treasury departments for their excellent work. He noted that this demonstrated the council's finances were in very good hands and that the figures showed balanced budgets and a healthy financial forecast.

**RESOLVED:**

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

**REASON:**

The report updates Members on the overall financial position of the Authority following the end of each month and includes recommendations where corrective action is required for the remainder of the financial year.

148 **Heart of the South West Devolution Update**

The Deputy Chief Executive gave an update following the July 2016 'in principle' Council approvals to progress negotiations for a devolution deal and the establishment of a Combined Authority, both subject to further report and the approval of the 17 councils.

The report outlined proposals for the:

- Preparation and approval of a HotSW Productivity Plan to take forward the HotSW Prospectus for Productivity which was prepared in support of the partnership's aspirations to secure a devolution deal and approved by the councils in February 2016.
- Creation of a formal HotSW Joint Committee of the local authorities, national park authorities and partners to take forward the Productivity Plan.

The proposals outlined above were covered by common recommendations in the report to be considered by all of the councils during February/March 2017.

Discussions included the following:

- The need to scale down the numerous committees; uses up officers' time across all authorities
- No detail on how devolution would be delivered
- Shortage of people for skilled jobs
- No discussions had been taken up with secondary schools

- Funding must go the right people and the right places
- The need to understand the workforce
- Skills, innovation and work ethic was vital.
- Need to investigate the deal to see how to get more funding
- Where was the HotSW going, could a need a more detailed update be provided?
- Update was vague with scarce resources at EDDC going towards this
- This was a productivity plan – should demonstrate increased innovation for skills, tradesmen and apprenticeships
- This a more refined and focused document that Local Authorities would own into the future
- EDDC as a Local Authority had sufficient diversity and growth potential so would really benefit from this partnership
- Members had the freedom and time to be able take the final decision later on

**RECOMMENDED:**

that Cabinet recommends to Council:

1. the update about the HotSW Combined Authority / devolution deal proposals (including noting that a Joint Committee, if established, will have responsibility for developing future 'deal' and combined authority proposals for recommendation to the constituent authorities ) be noted,
2. the proposals for the HotSW Productivity Plan preparation and consultation proposals (including noting that a Joint Committee, if established, will have responsibility for approving and overseeing the implementation of the Productivity Plan) be approved,
3. that the following be agreed;
  - (a) 'In principle' to the establishment of a HotSW Joint Committee with a Commencement Date of Friday 1st September 2017 in accordance with the summary proposals set out in the report;
  - (b) the 'in principle' decision at (a) above was subject to further recommendation and report to the constituent authorities after the County Council elections in May 2017 and confirmatory decisions to:
    - approve the establishment of the Joint Committee;
    - a constitutional 'Arrangements' document;
    - an 'Inter-Authority Agreement' setting out the support arrangements;
    - appoint representatives to the Join Committee;
    - appoint an Administering Authority.

**REASON:**

The urgent and essential need to improve productivity across the HotSW area was the driver for the recommendations in the report.

The Productivity Plan would replace the Local Enterprise Partnership's Strategic Economic Plan. It would be the key strategic document for the partners to engage with Government on a range of investment opportunities and powers emerging from the Industrial Strategy and the National Infrastructure Fund.

The recommendations reflect the position reached with the Government on the Combined Authority / devolution deal matters. With no agreement in sight on either issue the Leaders wished to put in place an alternative formal collaboration arrangement at HotSW level to maintain and take forward the momentum achieved by the partnership.

The HotSW Joint Committee would provide a formal strategic partnership to complement and maximise the ability of local sub-regional arrangements to deliver their aspirations. It would allow the partners to collaborate to agree and deliver the Productivity Plan as well as engage effectively with the Government, other deal areas and other LEPs on a range of policy agendas. It would allow the partnership to test and improve its ability to work together as a potential precursor to the establishment of a Combined Authority at some point in the future. It would also provide a mechanism to work alongside and influence the LEP on strategic investment decisions affecting the HotSW area and to secure improvements to LEP governance and accountability.

Without a Joint Committee in place at this time at a strategic level, the HotSW area was likely to find itself disadvantaged in terms of taking advantage of Government policy initiatives and new funding opportunities compared to those areas that have and were establishing formal strategic partnerships. Although a Joint Committee cannot undertake the full range of functions of a Combined Authority, it would provide a mechanism towards the establishment of a Combined Authority if deemed appropriate, including the potential to operate as a shadow Combined Authority at some point in the future.

**\*149 Urgent asbestos works required to Council housing stock**

The report advised Cabinet that exemption to standing orders had been applied in order to complete urgent works relating to the presence of asbestos containing material (ACM) across 2 sites within the Council's housing stock.

The two sites were;

- Home Safeguard Offices, Lymebourne Park, Sidmouth. Basement area currently out of bounds due to ACM found to be present
- Poplar Mount sheltered flats, Axminster. Loft space area currently out of bounds due to ACM found to be present.

As an immediate safety precaution, the areas were both currently closed off and no access was currently permitted without the support of an asbestos specialist who can carefully manage any urgent need to enter the spaces. This required significant works and cost in terms of creating an enclosed area that can be safely accessed.

**RESOLVED:**

that the exemption to Contract Standing Orders to enable the removal of the ACM in order to ensure access can be resumed to the two sites be noted.

**REASON:**

To ensure the ongoing health and safety of sites that may need to be accessed at anytime of the day or night to ensure service delivery is maintained.

**\*150 Consultation on draft proposals to introduce a new Public Space Protection Order – Anti-Social Behaviour and Controlled Drinking etc in Exmouth and Sidmouth**

The Principal Environmental Health Officer presented the report that sought Cabinet approval to undertake a consultation process introducing a Public Space Protection Order (PSPO), to target antisocial behaviour within Exmouth town centre and the surrounding area. It was to replace existing Designated Public Places Orders to control the consumption of alcohol within areas of Exmouth and Sidmouth. The facility to introduce PSPOs was included within the Anti-Social Behaviour Crime and Policing Act 2014.

**RESOLVED:**

that a consultation on the introduction of a new PSPO as required by the Anti-Social Behaviour Crime and Policing Act 2014 be carried out.

**REASON:**

In order to meet the requirements to carry out a consultation before introducing a PSPO.

\*151 **Energy Act 2011 and the Minimum Energy Efficiency Standards (MEES) from April 2018**

The Council's Corporate Asset Management Plan highlighted the need to respond to the implications of the Energy Act 2011. The Action Plan adopted by the Asset Management Forum in July 2015 had now been completed. The report summarised current industry thinking, the Act's potential impact on East Devon District Council's tenanted property portfolio and recommended mitigation measures.

**RESOLVED:**

1. that monitoring developments in guidance on the application of this legislation from now until April 2018, and beyond to April 2023 be continued. Changes in the legislation between now and April 2018 were possible,
2. that in order to cover the worst case scenario, a bid for commitment in the capital programme for installation of low energy lighting in workspace units at Riverside (Seaton), Manstone (Sidmouth), and Salterton Workshops (Budleigh) in 2018 would be made and noted. The total budget estimate for this was approx. £85,000 + VAT,
3. that a capital programme bid had been made for the installation of a roof mounted solar PV system and low energy lighting at East Devon Business Centre Honiton. The total cost budget was £60,000 with £5,000 per annum estimated savings; be noted,
4. that from now until April 2018, ensure the impact of these regulations were considered in the drafting of any new leases, particularly in relation to alterations to the premises by tenants, and responsibility for improvements required by the new legislation; be noted.

**REASON:**

1. Statutory compliance and good practice as a Local Authority and Landlord of commercial premises.
2. To minimise the potential inability to let certain properties (if exemptions do not apply) and therefore a potential reduction in revenue income.
3. To avoid the potential reputational damage and financial loss from Trading Standards imposing a penalty notice on EDDC for non-compliance.
4. To reduce the carbon footprint of EDDC's estate and running costs at its operational buildings.

\*152 **Monthly Performance reports – December 2016**

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

There were three indicators that were showing excellent performance:

1. Percentage of planning appeal decisions allowed against the authority's decision to refuse

**RESOLVED:**

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

**REASON:**

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

\*153 **Banking Arrangements**

The report reviewed the provision of the general banking facilities, as the contract with Lloyds Bank plc was due for renewal.

**RESOLVED:**

that the exemption to the Council's contract standing orders and renewal of the contract with Lloyds Bank plc for 5 years be approved.

**REASON:**

The service provided by Lloyds Bank plc was satisfactory and the cost and amount of work involved in switching to another provider would outweigh the marginal annual savings achieved.

**Attendance list**

**Present:**

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

**Portfolio Holders:**

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

**Cabinet Members without Portfolio:**

Geoff Pook  
Eileen Wragg

**Non-Cabinet apologies:**

Mike Allen  
Peter Bowden  
Maddy Chapman  
Steve Gazzard  
Mike Howe  
Douglas Hull  
Ben Ingham  
Val Ranger  
Brenda Taylor  
Mark Williamson

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

**Councillors:**

Megan Armstrong  
Brian Bailey  
David Barratt  
Colin Brown  
Jenny Brown  
Paul Carter  
Alan Dent  
John Dyson  
Peter Faithfull  
Roger Giles  
Graham Godbeer  
Ian Hall  
Steve Hall  
John Humphreys  
Geoff Jung  
Rob Longhurst  
Dawn Manley  
John O'Leary  
Helen Parr  
Marianne Rixson  
Pauline Stott

**Also present:**

**Officers:**

Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead – Housing, Health & Environment  
Henry Gordon Lennox - Strategic Lead - Governance and Licensing  
Janet Wallace, Principal Environmental Health Officer  
Alice Gill, Technical Officer Environmental Health  
Amanda Coombes, Democratic Services Officer

**Officer apologies:**

Mark Williams, Chief Executive

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Overview and Scrutiny Committees held at Knowle, Sidmouth on 18 January 2017**

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

The meeting started at 9.00am and ended at 12.55pm. Councillor Roger Giles acted as Chairman for the joint meeting, with Councillor Graham Godbeer acting as Vice Chairman in the absence of Councillor Peter Bowden.

#### **\*1 Public speaking**

There were no public speakers at the meeting.

#### **\*2 Declarations**

Minute 4: Councillor Jill Elson; personal interest; Community Transport

Minute 4: Councillor Andrew Moulding; personal interest; Trustee of the Axminster Heritage Centre

Minute 4: Councillor John Dyson; personal interest; Trustee of Folk Festival committee

#### **\*3 Draft service plans for 2017/18**

The committees considered the service plans for 2017/18 and discussion arose as follows:

##### **Countryside and Arts**

- Separate arrangements for the parking of theatre production staff were in place for the Manor Pavilion car park; with an estimated £10K set up fee to make this car park pay and display, the projected income was between £20K and £30K for first year
- A number of savings had already been incorporated into the service through the Transformation Strategy.

##### **Environmental Health and Car Parks**

- In response to comments about difficulties in enforcing dog fouling offences, the committee were reminded about the work of the team to proactively discourage such offences, and that the majority of dog owners in the District were responsible in picking up dog mess;
- Overall the District had a positive record on air pollution and the Honiton air quality management area order may be revoked this year;
- Work continued in reviewing car park charges, considering feedback from users to help establish how to simply as much as possible the charges in the District;
- Every mobile catering business/vendor should be properly registered and are not exempt from displaying a certificate;
- The car park adjacent to the library and surgery in the Blackmore area of Sidmouth, owned by the Council, would be one of the sites considered for taking on to manage more effectively; there was also planned work on the car park at Camperdown Terrace to increase capacity.

##### **Finance**

- The suggestion of an additional performance indicator for local land charge searches was made. During 2016, significant delays in the processing of property searches had arisen from a shortage of trained staff. This situation had now been resolved, with an expectation to reach normal processing times by February 2017; however the suggestion was made for the re-introduction of a performance indicator for the Scrutiny committee to monitor.

### **Governance and Licensing**

- A question was posed about where the Council's transparency aims could be found and members where referred to previous Cabinet minutes which reiterated the Council's position on transparency.

### **Growth Point Services**

No specific comments were made on this service plan.

### **Housing**

No specific comments were made on this service plan.

### **Organisational Development and Transformation**

No specific comments were made on this service plan.

### **Planning**

- The percentage of affordable housing delivered should be reported regularly. At present the number isn't recorded as a percentage but could be calculated;
- Review planning application fees and pre-application fees;
- Habitat and flood mitigation measures are very stringent;
- In response to a question about the performance monitoring of the government eight week target for determination of a planning application, the committee were informed that a further systems thinking review has delivered some options for amended working, which is currently being trialed. Until the trials have been completed, the service is not in a position to evaluate if current staffing levels are right to deliver the service and improve on that performance target. The performance monitoring report will also need updating to reflect what the government now requires in reporting performance.

### **Property and Estates**

- Discussions ongoing with the office of the Police and Crime Commissioner, Town Council and other interested parties on the future of the Exmouth CCTV system;
- Staffing issue with service needs resolving to ensure projects are delivered.

### **Economy and Regeneration**

- Future publication to councillors and officer on local economic intelligence possible now that appropriate officer in place;
- Will include in March report to the Overview Committee on Economy the rural economy element expressed by members.

### **Streetscene**

- Report coming forward on public toilet review;
- Service continues to work with Otter Rotters to get an improved collection service of garden waste; if it proves not possible for that organisation to provide a district wide service, other options will be explored;
- Service is working towards a solution to resolve compactor skip drop off of waste;
- DCC recycling credits issue has progressed and a model has been put forward by DCC to deduct any reasonable processing costs and split remaining value 50/50.



**RECOMMENDED** by the Overview and the Scrutiny Committees that the Services Plans for 2017/18 be amended in light of comments relating to:

- a the addition of a performance indicator for local land charges searches;
- b the addition of an objective to review charges that could be made for planning related activity (this is in line with the Transformation Strategy);
- c Planning's key performance indicator on planning application determination timescales be amended to align to the figures reported to Government;
- d the addition of drafting a rural economic strategy;

and that those reviewed Service Plans for 2017/18 be recommended to Council for adoption.

**\*4 Draft Revenue and Capital Budgets 2017/18**

The Cabinet report of 11 January 2017 outlined the financial position with a balanced budget produced in line with the Financial Plan, assuming a Council Tax increase of £5 for 2017/18. The draft budget showed a surplus position.

Included in the draft budget were savings identified through the Transformation Strategy. Three additional bids were presented to the committees alongside the draft budget, for consideration for inclusion.

**Council Tax increase**

The increase of £5 equated to £290K of income lost if not agreed. Not increasing at this level has a cumulative negative impact on future years.

A suggestion was made for a review of property values against council tax banding, which may reveal more income available.

The committees supported the assumed increase of £5 a year

**Additional bids**

The Portfolio Holder for Strategic Development and Partnerships presented the bid for the Greater Exeter Strategic Plan (GESP) – budget allocation requested of £234,000 one off sum. As set out in the report, this sum represented two posts for three years to enable the planning team to continue the work related to the documents linked to the Local Plan as well as work on the GESP. The timing was key to ensure that the Council was involved in the very early stages of the plan, to both comment and influence the plan as it emerges. The Strategic Planning Committee had recommended that this sum be included in the draft budget in their meeting the previous day.

In response to a comment about ensuring the GESP was properly integrated with the LEP priorities, the Portfolio Holder outlined that the wider area concept of development plans gave a better chance of securing funds from the LEP.

The committees discussed the benefits to early involvement in the process and felt the addition to the budget was necessary.

The Portfolio Holder for Economy presented the bid for the Economic Development Officer – budget allocation requested £38,500 per year. Whilst this was an ongoing cost to the Council in future years, he felt that the post was urgently required to help deliver the work the Council expected.

The committee discussed the benefits of the post in helping to deliver a wider investment by business in the area and the aspirations of the Council to promote local economic growth and productivity, as well as increase the development of employment land and business

premises.

The Portfolio Holder for Economy presented the bid for Additional Resources in Estates Team – budget allocation requested £39,380 per year and one off sum of £22,500.

The additional resources request covered:

- Property Records Officer £22,500 per year;
- Business Administration Apprentice £16,880 per year – expected to be for an 18 month placement;
- Corporate Property Systems Development £22,500 one off sum.

Clarification was sought on the work covered by these additional posts if agreed, and the form of software needed to integrate the property records to help inform all services of the council. Some discussion arose over the existing post, now classed as a Service Lead for Estates and Property Services, which had been uplifted in the budget in order to secure the right candidate in competition with the private sector rate. After debate, the conclusion was to agree to the inclusion of the item into the draft budget, but an update on the success of the expansion of the service would need to come to the Scrutiny Committee at a future date.

### **Savings identified from the Transformation Strategy**

The Cabinet report detailed the agreed savings from the Transformation Strategy where some variance had been calculated from the original budgeted savings.

From this list, the committees sought clarification, including on the following:

- StreetScene - recharge event cost clear up. Members commented on the impact a recharge would make on festival organisers who already faced considerable costs in putting on an event, such as the Ottery St Mary Tar Barrel event, or the Sidmouth Folk Festival. Other events using Council owned land already included an element of the hire fee to cover clear up costs. The total saving identified for this recharge was £9K. The recharge was considered in light of how this cost only benefitted one area of the District; others argued that the benefits of the events outweighed this idea because of the economic benefit to the towns and knock on effect to the District. A suggestion was made to look at recharging an element to mobile food sellers at such events, as a means of recovering part of the cost;
- Homesafeguard – income from fees. The Portfolio Holder for Homes and Communities outlined the work involved in setting appropriate fees, including listening to feedback from tenants and private home users of the service;
- A review of officer travel payments was less difficult to negotiate with staff and unions if the budget pressure was stronger, this is likely to be the case in future years but at this stage, other transformation savings had balanced the budget for 2017/18.

### **Application for capital grant from the Axminster Heritage Centre**

A grant request of £50K from the Axminster Heritage Centre had been included in the draft Capital Budget 2017/18, but highlighted for discussion because the grant related to an asset that was not owned by the Council.

Councillor Andrew Moulding spoke about the developing work in regeneration of Axminster, with the Heritage Centre being a key part of the development of the town centre. He outlined some of the offer of the centre and the benefits of it to both the local community and visitors to the area.

The centre was also adept at sourcing other funding, and was unlikely to spend this grant unless other funding bids proved successful.

Members of the committees questioned why an asset not belonging to the Council should be linked to the capital programme. The committees agreed that in this instance, the grant should be included, but supported the suggestion that the Audit and Governance Committee should review how such applications are considered to be included within the capital programme.

### **Budget book queries**

Clarification was sought on a number of elements of the draft budget detail. In response to those queries:

- Markets variance under the Economy portfolio related to the reduction of market activity for the council now being just the market building in Sidmouth town centre;
- The variance for the AONB and countryside teams related to the additional contribution towards the habitat mitigation wardens;
- Income for the sale of the Knowle building was set out in the capital programme financing: in year capital receipts General Fund.

### **RECOMMENDED** by the Overview and Scrutiny Committees:

1. that the Council increases the Council Tax for 2017/18 by £5 per year;
2. that the draft Capital Budget for 2017/18 be recommended to Council and the committees support the inclusion of the Axminster Heritage Centre grant of £50K.
3. that the draft Revenue Budget for 2017/18 be recommended to Council, subject to the inclusion of:
  - a) Greater Exeter Strategic Plan £234,000 one off sum;
  - b) Economic Development Officer £38,500 per year;
  - c) Property Records Officer £22,500 per year;
  - d) Business Administration Apprentice £16,880 per year – expected to be for an 18 month placement;
  - e) Corporate Property Systems Development £22,500 one off sum;

and the deferral of the transformation strategy saving relating to Street Scene - recharge event cost clear up, until a review of the implications of the recharge by the is undertaken by the Scrutiny Committee, and their recommendations considered.

**RECOMMENDED** by the Overview and Scrutiny Committees to the Audit and Governance Committee that a review of the procedure for considering capital grants for assets not owned by the Council being included in the Capital programme, be undertaken.

**RESOLVED** that the Scrutiny Committee receive an update report from the Estates Team on the work of their service one year after the recruitment of the Property Records Officer and Business Administration Apprentice, subject to the agreement of those posts being included in the Revenue Budget for 2017/18 by Council on 22 February 2017.

**Attendance list (present for all or part of the meeting):**

**Committee Members present:**

Roger Giles  
Graham Godbeer  
Simon Grundy  
Dean Barrow  
Mike Allen  
Marianne Rixson  
Marcus Hartnell  
Bill Nash  
Bruce De Saram  
Maddy Chapman  
Cherry Nicholas  
Peter Faithfull  
Rob Longhurst  
John Humphreys

**Other Members**

Ian Thomas  
Iain Chubb  
Andrew Moulding  
Tom Wright  
Jill Elson  
Philip Skinner  
Phil Twiss  
Paul Diviani  
John Dyson  
Geoff Jung

**Officers present:**

Richard Cohen, Deputy Chief Executive, Development, Regeneration and Partnership  
Simon Davey, Strategic Lead - Finance  
John Golding, Strategic Lead – Housing and Environment  
Henry Gordon Lennox, Strategic Lead – Governance and Licensing  
Ed Freeman, Service Lead – Planning Strategy and Development Management  
Charlie Plowden, Service Lead – Countryside and Leisure  
Laurelie Gifford, Financial Services Manager  
Donna Best, Principal Estates Surveyor  
Debbie Meakin, Democratic Services Officer

**Apologies:**

Mark Williams, Chief Executive

Alan Dent  
Cathy Gardner  
Val Ranger  
Peter Bowden  
Ian Hall  
Pauline Stott

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 12 January 2017**

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

The meeting started at 2.30pm and ended at 4.50pm.

#### **\*37 Public Speaking**

There were no questions raised by members of the public.

The Chairman informed those present that the meeting of the Housing Revenue Account Business Plan Task and Finish Forum due to be held on 20 January 2017 had been postponed.

#### **\*38 Minutes**

The minutes of the Housing Review Board meeting held on 8 September 2016 were confirmed and signed as a true record.

#### **\*39 Declarations of Interest**

Mike Berridge: Personal interest - family member lives in a Council owned property and a housing tenant.

Joyce Ebborn: Personal interest - housing tenant

Victor Kemp: Personal interest – housing tenant and in dispute with the Council over an adaptation request to his property.

Cllr Jim Knight: Personal interest - family member lives in a Council owned property and another family member lies in a housing association property.

Pat Rous: Personal interest - housing tenant.

#### **\*40 Forward plan**

The Strategic Lead, Housing, Health and Environment presented the forward plan and advised Members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either himself or the Democratic Services Officer.

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

#### **\*41 Draft Housing Revenue Account 2017/18**

The Strategic Lead – Housing, Health and Environment’s report provided the Board with details of the draft Housing Revenue Account (HRA) for 2017/18. The account showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a HRA was a statutory requirement for Council’s who managed and owned their stock, and was a key document for the Board to influence.

2012/13 saw the 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 careful budget management over many years a healthy HRA balance was showing going into the new financial year. The budget had been produced in accordance with HRA Business Plan assumptions.

The Council had a timetable for the production of its budgets for 2017/18, which involved the development of draft estimates and scrutiny by various member and officer groups. The report presented an opportunity for the Housing Review Board to input into this process.

The Strategic Lead – Housing, Health and Environment explained the format of the report and it was noted that the 2016/17 and 2017/18 budgets were very consistent. The biggest issue was the second year of the 1% rent reduction, and this had been factored into next year's budget. A generous allowance had been made for the loss of income due to voids and rent arrears. The Board acknowledged that rent collection performance was critical for the income of the HRA. A healthy HRA surplus was predicted and the purpose of the volatility fund was explained to the Board. Other features of the budget were included on the agenda and would be discussed later during the meeting.

The Strategic Lead – Housing, Health and Environment introduced the new housing accountant and thanked him for his help in compiling the budget.

**RECOMMENDED:** that the draft housing revenue account 2017/18 report be approved.

**\*42 Draft housing service plan 2017/18**

The Strategic Lead – Housing, Health and Environment's report presented the draft service plan for the Housing Service, covering the period 2017/18 for the Board's consideration. The Service Plan was a document that was produced annually and which set out the key achievements over the past year and the forthcoming issues to be faced by the service. A range of service improvements were identified, performance data reported, consultation proposals outlined and budget information provided.

The Strategic Lead – Housing, Health and Environment explained that this year's plan was a similar style and format, with no dramatic changes from the previous year. It was noted that there had been considerable staff changes, with existing staff being successfully promoted. The plan would be considered by the joint Overview and Scrutiny Committees, before being presented to Cabinet for consideration and then to Council for adoption.

**RECOMMENDED:** that the draft Housing Service Plan for 2017/18 be approved.

**\*43 Support and alarm service charges to sheltered homes 2017/18**

The Landlord Services Manager's report updated the Board on the current position regarding the support and Home Safeguard charges and services to customers, and suggested that the final year of the three year phased in support charges anticipated for 2017/18 was not applied. The benefit of this would be to tenants as their support charges would remain at the current level, instead of rising to the expected levels in April 2017. This would be an added burden on the Housing Revenue Account, although it had been included in the budget estimates for 2017/18. The burden would reduce as tenants, that the Council currently subsidised, decreased because the subsidy only applied to those that were tenants of sheltered housing and resident at 6 April 2015. New tenants moving in would pay the full amount.

**RECOMMENDED:** that the previously agreed final year of the three year phased introduction of support charges in sheltered housing is not applied.

**\*44 Insurance claim settlement**

The report of the Senior Technical Officer updated the Board on the final settlement of the storm damage insurance claim, with regard to inclement weather and damp/water penetration to tenants' homes as a direct result of the 2013/14 storms. It was noted that approval had been given by the Strategic Lead – Housing, Health and Environment for the outstanding insurance claim to be settled for the total of £1.5 million. Work had been undertaken to properties before the insurance claim settled, including some improvement works.

The Strategic Lead – Housing, Health and Environment thanked the Senior Technical Officer for the massive amount of work involved with repairing the properties and settling the claim.

**RESOLVED:** that it be noted that the outstanding insurance claim be settled for the total of £1.5 million.

**\*45 New models of housing delivery**

The Board was presented with a report which explored the emerging options for development and stock holding being established by some councils in response to the complex operating environment. The report looked at the merits of a joint venture company and a local housing company for the delivery of affordable housing funded by the Council. It also considered the key drivers and considerations when establishing a new housing delivery vehicle and the benefits that might be derived by operating a development programme and providing housing management arrangements outside of the constraints of the housing revenue account.

The Strategic Lead – Housing, Health and Environment also gave a presentation on the new models of housing delivery. This included:

- The context of the housing revenue account and its constraints.
- Motivations for establishing a new housing delivery model.
- The drivers and ambition to be more effective in meeting the wider housing needs of the area.
- Permissive, enabling powers.
- Flexible range of tenancy options and rent setting.
- What and where next.

In summary the Board supported this exciting opportunity. There was a need to be clear about benefits, implications and risks surrounding a new business model and culture change required.

The Board welcomed the idea and were supportive of this approach. They felt that the local housing company option should be progressed, rather than a joint venture company.

**RECOMMENDED:**

1. that the Housing Review Board support the outline proposal to establish a Local Housing Company in preference to joining a Joint Venture arrangement,
2. that the Housing Review Board invites the Strategic Lead – Housing, Health and Environment to work up the Local Housing Company proposal, including an initial risk assessment and due diligence considerations;
3. that a further report is brought back to the Housing Review Board and to Cabinet on the findings and suggested way forward.

**\*46 Tenancy strategy and policy review**

The Board's approval was sought for the revised tenancy strategy and tenancy policy, which had been updated to reflect current good practice and procedures.

The tenancy strategy set out what the Council would do as a landlord and what it expected Registered Providers working in East Devon to do. It explained expectations with regard to affordability, length and type of tenancies, reviews and assistance at the end of a tenancy, disposal and conversion of stock, mobility, transfers, downsizing and under occupation, choice based lettings, vulnerable groups, and properties with adaptations.

The tenancy policy focused more on what the Council would do as a landlord. It set out how it would ensure the right type of tenancy was allocated to each tenant, how it would address issues of under occupation of properties and how it would provide family or adapted properties where these were required. It also set out the circumstances in which affordable rents would be charged. The policy included sections on:

- tenancy agreements
- tenancy types and conditions
- sustaining tenancies
- tackling tenancy fraud
- ending the tenancy
- succeeding to a tenancy
- tackling under occupation
- adapted properties
- transfers
- mutual exchanges.

**RECOMMENDED:** that the revised tenancy policy and tenancy strategy be approved.

**\*47 Alternative models to deliver housing repairs and maintenance**

Consideration was given to the report of the Strategic Lead – Housing, Health and Environment which started to explore alternative models for future delivery of the housing repairs service to achieve higher levels of performance and improved value for money. New service delivery models could be widened to include improvement programmes, servicing and other works to tenants' homes. The drivers for exploring alternative models for providing this service included the need for budget efficiencies and building on the high levels of performance currently achieved. There was also an opportunity to have greater control over the repairs and maintenance of tenants' homes whilst drawing on contractors' expertise and sharing the risks with them.

The Strategic Lead – Housing, Health and Environment explained wholly owned subsidiaries and joint venture companies and the principles and advantages of these. The drivers for a more sophisticated procurement of repairs and maintenance to Council homes were:

- greater control over the service
- cost savings and efficiencies
- incentives for service improvement

The report suggested that external consultants be commissioned to undertake a focused piece of work looking at the current trends in the sector, the options for alternative service delivery models and the opportunities for providing tenants a more cost efficient, high performing service.

**RECOMMENDED:** that the Strategic Lead – Housing, Health and Environment be authorised to appoint consultants to scope, appraise and advise on alternative service delivery options for the repairs and maintenance of tenants' homes.

**\*48 Extension of responsive repairs and voids contract**

The Property and Asset Manager's report recommended that a one year extension be awarded to allow a full options appraisal with regard to future contract options to take place, followed by a tender process to secure future contracting arrangements for responsive repairs and void work to properties. It was noted that current contractor performance was



good and continuing to improve and that officers had a good working relationship with the contractors.

**RECOMMENDED:** that the current responsive day to day repairs and void work to Council housing stock contract is extend for one year, from July 2017 to July 2018.

**\*49 Asbestos management policy update**

The Property and Asset Manager's report informed the Board that the asbestos policy and associated procedures agreed in January 2016 was now due for further review in order to reflect changes in current legislation and to incorporate good practice across the sector.

**RECOMMENDED:**

1. that the revised asbestos management plan and procedures for the Council's housing stock be approved (subject to approval from a specialist asbestos consultant).
2. that an additional £100,000 be approved for the management of asbestos in the housing stock.

**\*50 Legionella management plan and procedures**

The Property and Asset Manager's report advised members of the Council's responsibilities in relation to legionella management within its housing stock and to ensure that appropriate testing and management of risks was undertaken. It was noted that a 'legionella awareness leaflet' was being created specifically for tenants to raise awareness of the topic and to ensure that good practice was promoted in terms of how tenants managed their homes.

**RECOMMENDED:** that the legionella management plan be approved.

**\*51 Review of landlord disabled adaptation policy**

In 2014 the Housing Review Board agreed a revised landlord adaptation policy. The Property and Asset Manager's report set out a further review to the policy and recommended that the policy be reviewed every two years or sooner if there was a significant legislative need to review.

**RECOMMENDED:**

1. that the revised landlord disabled adaptation policy for Council homes be approved.
2. that the 2017/18 revenue budget for adaptations be increased to £100,000.

**\*52 Installation of air source heat pumps at Rodney Close, Exmouth**

The Property and Asset Manager's report set out a proposal to install an alternative form of heating at Council owned properties in Rodney Close, Exmouth. In line with the objectives to improve the energy efficiency of the Council's housing stock, this was an ideal opportunity to explore the benefits that renewable energy could bring. Rodney Close was a 25 unit sheltered housing scheme which was 'off gas' and currently had night storage heaters. This form of heating system was not particularly efficient and was expensive to run.

Air source heat pumps were an alternative form of heating. They worked by absorbing heat from outside and directing this within the building as hot air. Evidence suggested that a high efficiency heat pump could provide up to 4 times as much heat as a standard electric heater. The units would be installed on the outside of individual properties and were designed to withstand the toughest of winter climates. The units were deemed extremely reliable with impressive low running costs. The units came with an easy to use controller

that was installed on the inside of the property with two functions, one for heating and one for hot water temperature

**RECOMMENDED:** that the heating upgrade scheme proposed at Rodney Close, Exmouth be approved and rolled out during 2017.

**\*53 Shared house update**

The Property and Asset Manager's report brought members up to date with the outcome of the retrofit work for the shared house at 102 St Andrews Road, Exmouth. The report included learning from the project, final costs and letting arrangements. The finished property provided six furnished bedrooms with en-suite shower rooms, an office with en-suite facilities, shared dining, kitchen and utility areas.

Rooms were being allocated through Devon Home Choice and would be let to single people between 21 and 55 years of age. Day to day management of the shared house would be the responsibility of the Landlord Services team.

There had been tenant involvement in the project from the very beginning. The initial idea for a shared house came from the Virtual Housing Team, which includes a tenant member. Tenants were involved in selecting kitchen fittings, paint colours, colour and types of flooring and carpets. There was also tenant produced artwork in the communal areas.

It was noted that the project lapsed in time, which had cost implications, and the budget overran. The major additional costs were outlined in the report. The building was retrofitted to enerPhit standards, which would produce energy efficiency and running cost savings.

The project had received positive local and national publicity and had been shortlisted for a Housing Innovation Retrofit Scheme award.

**RESOLVED:** that it be noted that the work to the shared house in St Andrews Road, Exmouth is now complete and the property is let.

**\*54 Right to Buy update**

The Housing Enabling and Allocation Manager's report provided the Board with an update on property acquired using Right to Buy (RTB) receipts and commuted sums. It also set out proposals for future spending. Properties that had exchanged and completed since September 2016 were detailed in the report. It was noted that the allocated amount of commuted sums for affordable housing from the Fortfield Hotel had now been spent. There were limited commuted sums from elsewhere in the district that were available to use. The deadline to spend Right to Buy receipts by the end of December 2016 had been met. The next deadline was to spend approximately £130,000 of RTB receipts by the end of April 2017 – representing two or three additional property purchases.

The report proposed to purchase two or three properties in Exmouth. There were limited commuted sum monies for Exmouth so the remaining 70% would need to be funded either from the Housing Revenue Account or by borrowing from the Public Works Loan Board (PWLb).

The report also put forward options for working with Registered Providers to spend the RTB receipts and to borrow money from the PWLB to match fund receipts.

**RECOMMENDED:**

1. that the update report on the use of Right to Buy receipts and commuted sums to secure suitable property to add to the Council's housing stock be noted.
2. that delegated authority be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities and Chair of the Housing Review Board to approve further purchases to meet Right to Buy spending deadlines using either Housing Revenue Account funding or a loan from the Public Works Loan Board as match funding.
3. that the options put forward be noted and supported, including working with Registered Providers to spend the Right to Buy receipts.
4. that delegated authority be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities and Chair of the Housing Review Board to approve bids from Registered Providers for grant.
5. that delegated authority be extended to the Strategic Lead – Governance and Licensing so that the implementation of a Registered Provider agreement and Registered Provider bidding criteria can be approved.

**\*55 Annual report to tenants 2015/16**

The annual report to tenants 2015/16 was included on the agenda for the Board's information.

**RESOLVED:** that the annual report to tenants 2015/16 be noted.

**\*56 HouseMark annual benchmarking report**

The Information and Analysis Officer's report presented the results of HouseMark's cost and performance benchmarking exercise using 2015/16's financial and performance data, it also used some costs and performance from 2014/15 as a comparison. The report compared EDDC with its peers in a number of key areas across the housing service. It was noted that the services scored were doing well, although some costs were high compared to peers.

**RESOLVED:** that the HouseMark 2015/16 benchmarking report be noted.

**\*57 Housing Review Board recruitment**

Consideration was given to the Democratic Services Officer's report which reviewed the recruitment and selection procedures for tenant and leaseholder members of the Housing Review Board and for independent community representative Board members. The revised process ensured that the recruitment and selection process for all co-opted members of the HRB was consistent. Arrangements would also be put in place to avoid the necessity for holding an election, which would be a costly exercise.

The report proposed that in order to involve existing members of the Board in the selection of new co-opted members, three Board members put their names forward to work with officers on the selection process when a vacancy on the Board occurred. Alternatively all existing Board members could be involved in the process, in which case a 'meet the Board' event could be organised for applicants and an opportunity for the Board to choose the new member(s). The Board agreed that three members (one tenant, one councillor and one independent representative) should be selected and members were asked to put their names forward.

**RECOMMENDED:**

1. that the revised recruitment and selection process of co-opted members of the Housing Review Board be adopted.

2. that three current Board members be selected to assist in the selection of co-opted members; these were Councillor Jim Knight, tenant Mike Berridge and independent community representative Christine Drew.
3. that the terms of reference of the Housing Review Board be updated accordingly.

**\*58 Date of the next Housing Review Board meetings**

The Board noted the date of the next HRB meeting.

Thursday 9 March 2017 – 2:30pm, Council Chamber, Knowle, Sidmouth

**Attendance list**

**Present:**

Cllr Pauline Stott (Chairman)  
Cllr Megan Armstrong  
Cllr Jim Knight  
Cllr Brenda Taylor

Co-opted tenant members:

Pat Rous (Vice Chairman)  
Mike Berridge  
Joyce Ebborn  
Victor Kemp

Independent community representatives:

Christine Drew

Officers:

Isaac Aisu, HRA Accountant  
Sue Bewes, Landlord Services Manager  
Natalie Brown, Information and Analysis Officer  
Emma Charlton, Housing Projects Officer  
Mark Dale, Senior Technical Officer  
Simon Davey, Strategic Lead - Finance  
Michelle Davidson, Housing Adviser  
Amy Gilbert-Jeans, Property and Asset Manager  
John Golding, Strategic Lead - Housing, Health and Environment  
Marian Hitchcock, PA to Strategic Lead Housing, Health & Environment and Housing  
Paul Lowe, Housing Enabling & Allocations Manager  
Andrew Mitchell, Housing Needs & Strategy Manager  
Jane Reading, Tenant & Communities Section Leader  
Giles Salter, Solicitor  
Alethea Thompson, Democratic Services Officer  
Melissa Wall, Housing Projects Officer  
Mark Williams, Chief Executive

**Also present:**

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities  
Cllr David Barrett  
Cllr Peter Faithful  
Cllr Tom Wright  
Jose Ireland, Tenant Scrutiny Panel

Jim Kelleher, Tenant Scrutiny Panel  
Sylvia Martin, Tenant Scrutiny Panel  
Cllr Ian Thomas, Portfolio Holder - Finance

**Apologies:**

Cllr Ian Hall  
Angela Bea, tenant  
Julie Bingham, independent community representative  
Cllr Steve Gazzard

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 17 January 2017**

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

The meeting started at 10.00am and ended at 11.50am.

In the absence of the Chairman, the Vice Chairman, Cllr Bowden, chaired the meeting. The Committee agreed to Cllr Howe acting as Vice Chairman for the meeting.

#### **\*23 Public speaking**

The Chairman welcomed everyone present to the meeting. There were no members of the public that wished to speak.

#### **\*24 Minutes**

The minutes of the Strategic Planning Committee meeting held on 21 November 2016 were confirmed and signed as a true record.

#### **\*25 Declarations of interest**

Cllr Mike Howe; Minute 26

Interest - Personal

Reason: Property and business owner in Clyst St Mary

#### **26 Greater Exeter Strategic Plan – Local Development Scheme and other matters**

The report before the committee set out the next stages for agreement, in order to progress the production of the Greater Exeter Strategic Plan (GESP). These included:

- Agreement of a revised timetable, starting with consultation in February 2017 on an Issues Report, Greater Exeter Draft Statement of Community Involvement (SCI), and Housing and Employment Land Availability Assessment (HELAA) “call for sites”;
- Governance arrangement of each authority approving the GESP at each relevant stage; with a recommended member steering group consisting of the relevant portfolio holder from each of the five authorities; plus a joint informal advisory reference forum to comment on plan drafts. Member briefings would also be included to permit all councillors to review and comment on draft plan proposals;
- Agreeing the Issues Report for publication and consultation. This would fulfil a requirement to consult at an early stage, but also help introduce and explain the reasoning behind the agreed strategy;
- Supporting a joint SCI that covers GESP specific consultation only, as existing SCI policies for each authority do not currently match and would be time consuming to review and consolidate;
- Resourcing appropriately to deal with workload.

The committee were supportive of the recommendations, and comments included:

- Any work must also include co-operation with Somerset and Dorset – this would be included in the process of producing a GESP; Links should also be made with the Local Enterprise Partnership (LEP);
- The GESP needs to take into account the growth plan and economic aspirations of the district – the GESP was understood to be more than a “planner’s plan” with a strategic view covering other factors such as economic growth;
- Seeking assurances that the GESP would not subsume the Local Plan recently agreed – councillors were assured that the decisions still rested with them to agree as a Council, with the GESP following the same process as the Local Plan in

- requiring it to be evidence based. The GESP was explained as a strategic level of plan, not containing specific detail as found in some sections of the Local Plan;
- Working together with the other authorities at this early stage allowed greater scope for influence, including in aspects such as equitable distribution of housing allocation;
  - The GESP and the Local Plan were not in competition with each other – there would be a level of synergy between them; this meant moving away from the traditional tiered approach of plans to apply to applications, to material weight of factors from both plans;
  - Development Management Committee would refer to the Local Plan as taking preference on application decisions until the GESP emerges; then the GESP will start to carry greater weight, but only in the strategic elements of decision making;
  - Housing allocation numbers may well increase over the years purely because of the growing demand over time, but again any suggestion of number had to be evidence based;
  - Software previously identified for detailing land within the five-year land supply would be investigated to see if it could be used across the areas for efficiencies in linking up land identified for development;
  - Governance arrangements set out in the report were welcomed to ensure Councillor involvement, but concern was raised that there were too many forums and groups of a similar nature that could lead to duplication, differing influences and added pressure on busy councillors. Some form of rationalisation of the groups would be helpful;
  - Infrastructure in the greater Exeter area needed careful consideration and not just a review of the existing measures, and some of the problems with road junctions were used as examples; the strategic plan of the County Council would need to be taken into account with creating the GESP, and vice versa;
  - Keen to take opportunity to influence the plan for the wider area at this early stage to ensure that Councillors can comment on and influence the GESP.

### **RECOMMENDATION that Council**

1. The process of production of the Greater Exeter Strategic Plan is agreed, noting that it may be subject to review as the plan is prepared;
2. The draft budget for 2017/18 includes £78,000 per annum for up to 3 years (with a review of resources after 2 years) be made available for the appointment of two additional temporary members of staff to provide sufficient capacity in the Planning Policy Team to be able to work on the Greater Exeter Strategic Plan, and to avoid delays in production of the planned Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) and other planning policy work to deliver the development proposed in the Local Plan.
3. In the event that recommendations 1 and 2 are agreed that the following actions to progress work on the Strategic Plan also be agreed:
  - a) The timetable for the Greater Exeter Strategic Plan;
  - b) The Local Development Scheme be updated to include the Greater Exeter Strategic Plan with immediate effect;
  - c) The Greater Exeter Strategic Plan be prepared under Section 28 of the Planning and Compulsory Purchase Act 2004, without the need for a statutory joint planning committee;

- d) a Member Steering Group be set up with a representative from each of the five councils, to which East Devon's Portfolio Holder for Strategic Development and Partnerships be appointed, with Portfolio Holder for Economy as his deputy;
- e) a joint informal advisory reference forum is set up consisting of 5 councillors each from Devon, East Devon, Exeter, Mid Devon and Teignbridge to consider and make comments on draft plan proposals before they are formally considered by each council;
- f) that the Strategic Planning Committee be authorised to deal with all aspects of the preparation of the Greater Exeter Strategic Plan on behalf of the Council, save for the final adoption of the Strategic Plan which shall remain with the Council;
- g) that resolving any inconsistencies arising from the decisions of individual councils is delegated to the Chief Executive in consultation with the Portfolio Holder for Strategic Development and Partnerships.

**RESOLVED:** that the Strategic Planning Committee:

1. Approve the "Issues" document and the draft Greater Exeter Statement of Community Involvement for consultation purposes;
2. Delegates authority to the Service Lead - Planning Strategy and Development Management to agree minor changes to wording, corrections and minor format changes which may be required and to agree to the consultation being carried out provided Council agrees recommendations 1 and 2 above.

**\*27 Proposed changes to New Homes Bonus**

The report updated the Committee on the implications of the government's provisional announcement of the Local Governance Finance Settlement on the bonus scheme.

The proposed changes to the scheme are:

- Reduction in the number of years payments are made from 6 years to 5 years in 2017 – 18, and then 4 years from 2018 – 19 for existing and future years allocation;
- No payment will be made on housing growth below 0.4% of the council tax base in each year.

Unless there was a change in government policy, there would be no grant by 2020. A white paper was pending from the government, but there was no indication at this stage of a replacement scheme. Councillors expressed the success of the scheme and concern on the implications if no replacement scheme was brought in.

**RESOLVED:** that the Strategic Planning Committee notes the District Council's Network briefing note on proposed changes to the New Homes Bonus, and writes to each local Member of Parliament to outline the implications of the scheme reduction.

**\*28 Adoption of Gypsy and Traveller Site Design and Layout Supplementary Planning Document**

The Gypsy and Traveller Site Design and Layout Supplementary Planning Document, previously considered by the committee, had been subject to consultation. Feedback from that consultation had been considered and some amendment made to produce the final plan before the committee.

A further report would come forward on the implications of implementation and cost of



delivery of such sites; this report covered setting a standard for sites.

**RESOLVED:** that the amendments to the Gypsy and Traveller Site Design and Layout Supplementary Planning Document be agreed.

**RECOMMENDED:** that Cabinet adopts the Gypsy and Traveller Site Design and Layout Supplementary Planning Document, as agreed by the committee.

**\*29 Heat Network Strategies for the West End**

The report by the Projects Director for the Exeter and East Devon Growth Point set out in technical detail the development of heat networks and energy networks, including the analysis by the Centre for Energy and Environment. Working towards bringing forward technologies and energy sources locally were stressed, linked to the original zero carbon objective. This necessitated a need for a heat network strategy to make provision that enables the scaling up of renewable energy technologies to deliver increased CO2 emissions reduction. The strategy would be used as part of the evidence base for the Cranbrook Development Plan Document (DPD).

The technologies were an exciting opportunity for ground-breaking work at Cranbrook on energy delivery.

Comments by councillors included:

- Ensure clear cost analysis on the technologies proposed, so that technologies adopted for energy delivery were not expensive. In response, explanation was given on the robust examination of the Cranbrook DPD of which this strategy would form part of the evidence base and so be fully tested;
- Need for more education of councillors on the technologies available;
- Look for co-operation, competitiveness and sustainability from energy providers.

**RESOLVED:**

1. that the 'Heat Network Strategies for the West End' report be adopted as part of the evidence base for the Cranbrook Development Plan Document (DPD);
2. that the recommendations in the 'Heat Network Strategies for the West End' report form the basis for framing policies and proposals within the Cranbrook DPD for achieving zero carbon development at Cranbrook, and inform subsequent decision making on development proposals at Cranbrook and the wider West End.

**\*30 South Marine Plan Draft for consultation – November 16**

The draft plan by the Marine Management Organisation is currently under consultation until late January 2017. The draft plan, when adopted, contains policies that, as well as guiding development that affects the marine environment, could also be relevant to the consideration of planning applications with close links to the coast, with a direct overlap between terrestrial planning and the "intertidal" zone. The report set out what elements of the proposed plan were most relevant to the Council.

Legal observations were amended to those shown on the printed agenda as being "contained within the report".

In response to a question about the involvement of the Ministry of Defence, the response was that they were sometimes required as a consultee, but this was rare. However the adoption of the plan gave clear policy to consider if such a planning application arose – examples given included for an offshore wind farm.

**RESOLVED:**

1. that the Strategic Planning Committee recognises the importance of the draft Marine Plan to the activities of the Council, including planning decisions, policy development and advice on neighbourhood planning;
2. that the Council submits comments of support in response to the consultation on the draft Marine Plan.

**\*31 Status of Planning Guidance**

The report set out the consolidation process of planning guidance, to seek out elements that were now outdated or superseded. This included relating to sites that have been developed, and the adoption of a new Local Plan.

The specific elements were set out in the report for the committee to consider for withdraw, including the reasons for removing it. This consolidation would give clarity to the Development Management Committee on planning guidance for their use in determination of planning applications.

The work of the service was commended in ensuring that relevant guidance was retained and updated.

**RECOMMENDED:** that Cabinet confirms withdrawal of the Planning Guidance shown in the table at 2.5 listed as ‘Withdraw’ in the committee report “Status of Planning Guidance” as reported to the Strategic Planning Committee on 17 January 2017.

**RESOLVED:** that the Strategic Planning Committee;

1. Confirms that the former Supplementary Planning Guidance documents listed in the table at 2.5 as “Change status to endorsed” in the committee report be used as guidance to inform decision making.
2. Notes the further work required to update the Conservation Area Appraisals and agrees that the existing documents continue to be used as guidance to inform decision making in the meantime.

**Attendance list**

**Committee Members:**

Councillors

Peter Bowden – Vice Chairman in the Chair

Mike Howe – Acting Vice Chairman

Mike Allen

Susie Bond

Peter Burrows

Jill Elson

Graham Godbeer

Geoff Jung

David Key

Rob Longhurst

Philip Skinner

Brenda Taylor

Mark Williamson

**Also present (present for all or part of the meeting):**

Councillors:

Geoff Pook

Colin Brown

Brian Bailey

Tom Wright

Peter Faithfull

**Officers present (present for all or part of the meeting):**

Mark Williams, Chief Executive

Matt Dickins, Planning Policy Manager

Ed Freeman, Service Lead – Strategic Planning and Development Management

Chris Rose, Development Manager

Henry Gordon Lennox, Strategic Lead – Governance and Licensing

Debbie Meakin, Democratic Services Officer

**Apologies**

**Committee Members:**

Andrew Moulding

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 10 January 2017**

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

The meeting started at 10.45am and ended at 12.15pm.

#### **\*31 Minutes**

The minutes of the Development Management Committee meeting held on 6 December 2016 were confirmed and signed as a true record.

#### **\*32 Declarations of interest**

Cllr Steve Gazzard; 16/0835/FUL; Personal Interest; Exmouth Town Councillor

Cllr Brian Bailey; 16/0835/FUL; Personal Interest; Exmouth Town Councillor

Cllr Mark Williamson; 16/0835/FUL; Personal Interest; Exmouth Town Councillor

Cllr Peter Burrows; 16/2728/FUL; Personal Interest; Seaton Town Councillor

Cllr David Barratt; 16/2526/FUL & 16/1971/FUL; Personal Interest; Sidmouth Town Councillor

Cllr Paul Carter; 16/1709/FUL; Personal Interest (left the Chamber during consideration of the application); Related to the applicant

Cllr Paul Carter; 16/2633/FUL; Personal Interest; Ottery St Mary Town Councillor

#### **\*33 Appeal statistics**

The Committee received and noted the report presented by the Development Manager setting out appeals recently lodged and outlining the four decisions notified – three had been allowed, including one following a Committee Site Inspection, and one had been dismissed.

The Development Manager drew Members' attention to the appeal allowed for the construction of a detached dwelling at West Hayes, West Hill. The Inspector concluded that the Built-up Area Boundary (BUAB) for West Hill carried no weight as it was carried over from the old Local Plan and further stated that the BUAB for West Hill should be determined through the emerging East Devon Villages Plan DPD.

The Development Manager advised the Committee that the consideration of the BUAB for the villages was not going to change immediately because of a single appeal decision as applications would be considered on their merits. However, Members were advised that a publication draft of the Villages DPD would hopefully be presented to the Strategic Planning Committee in February 2017 and that if endorsed by Members, would become a material planning consideration of weight that would be used for the determination of future applications and potentially replace the BUAB's established through the old Local Plan.

#### **\*34 Applications for Planning Permission and matters for determination**

##### **RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 8 – 2016/2017.

**Attendance list**

**Present:**

Committee Members

Councillors:

David Key (Chairman)

Mike Howe (Vice Chairman )

Brian Bailey

David Barratt

Susie Bond

Colin Brown

Paul Carter

Steve Gazzard

Simon Grundy

Ben Ingham

Helen Parr

Mark Williamson

Officers

Henry Gordon Lennon, Strategic Lead – Governance and Licensing

Chris Rose, Development Manager

Hannah Whitfield, Democratic Services Officer

Also present for all or part of the meeting

Councillors:

Iain Chubb

Geoff Jung

Marianne Rixson

**Apologies:**

Committee Members

Councillors

Peter Burrows

Matt Coppell

Alan Dent

Chris Pepper

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 7 February 2017**

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

The meeting started at 10.00am and ended at 1.15pm (the Committee adjourned for a break at 12.05pm and reconvened at 12.15pm).

#### **\*35 Minutes**

The minutes of the Development Management Committee meeting held on 10 January 2017 were confirmed and signed as a true record.

#### **\*36 Declarations of interest**

Cllr Peter Burrows; 16/2338/MRES and 16/2795/FUL ; Personal Interest; Seaton Town Councillor

Cllr Brian Bailey; 16/2409/MFUL and 16/2631/FUL; Personal Interest; Exmouth Town Councillor

Cllr Colin Brown; 16/2532/FUL ; Pecuniary Interest; Applicant

Cllr Mark Williamson; 16/2409/MFUL and 16/2631/FUL ; Personal Interest; Exmouth Town Councillor

Cllr Mike Howe; 16/2230/FUL ; Personal Interest; Applicant known to the Councillor

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution:

- Cllrs Susie Bond and Mike Howe declared that they had been lobbied on applications 16/2338/MRES, 16/2409/MFUL and 16/2795/FUL .
- Cllr Howe chaired the meeting during consideration of application 16/2532/FUL due to the application being in the Chairman's ward.

#### **\*37 Appeal statistics**

The Committee received and noted the report presented by the Development Manager setting out appeals recently lodged and outlining the five decisions notified – three had been allowed and two had been dismissed.

The Development Manager drew Members' attention to the appeal lodged against the decision by the Committee regarding the demolition of a former care home and construction of 36 sheltered apartments, including communal facilities, access, car parking and landscaping, at Green Close in Sidford. Although the committee had approved the application , subject to a Section 106 Agreement, the applicant was not willing to agree to the overage clause imposed and had made the decision to appeal against non-determination.

In response to a question regarding whether anything could be learnt from the three appeals allowed, the Development Manager advised that no trends had been identified and outlined the judgements made by the Inspector for each of the appeals.

#### **\*38 Applications for Planning Permission and matters for determination**

##### **RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 9 – 2016/2017.

**Attendance list**

**Present:**

Committee Members

Councillors:

David Key (Chairman)

Mike Howe (Vice Chairman) (left the Chamber during consideration of application 16/2230/FUL)

Brian Bailey

David Barratt

Peter Burrows

Susie Bond

Colin Brown (left the Chamber during consideration of application 16/2532/FUL)

Paul Carter

Alan Dent

Ben Ingham

Helen Parr

Mark Williamson

Officers

Shirley Shaw, Planning Barrister

Chris Rose, Development Manager

Hannah Whitfield, Democratic Services Officer

Also present for all or part of the meeting

Councillors:

Paul Diviani

Geoff Jung

Jim Knight

John O'Leary

**Apologies:**

Committee Members

Councillors:

Steve Gazzard

Simon Grundy

Chris Pepper

Chairman .....

Date.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Audit & Governance Committee held in the Council Chamber at Knowle, Sidmouth on 5 January 2017**

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

The meeting started at 2.30pm and ended at 3.45pm

**\*36 Chairman's welcome**

The Chairman welcomed everyone to the meeting.

**\*37 Public Speaking**

There were no members of the public present.

**\*38 Minutes**

The minutes of the Audit and Governance Committee meeting held on 17 November 2016 were confirmed and signed as a true record.

**\*39 Declarations**

None

**\*40 Future of External Audit Analysis of Consultants and Agency staff fees 2015/16**

The Strategic Lead, Finance presented this report as requested by the Committee, the report detailed capital and revenue spend on consultants and specialist advice and agency staff for 2015/16.

Discussions included:

- Would it be more conducive to offer fixed term contracts?
- Fees would vary from year to year depending on specific projects being undertaken during the period
- The Outturn report shows balanced budgets

**RESOLVED:**

that the details of expenditure on consultants and agency staff in 2015/16 be noted.

**\*41 Internal Audit Activity – Quarters 2&3 2016/17**

SWAP The Audit and Governance Committee agreed the 2016-17 Internal Audit plan at its March 2016 meeting. This report provided an update on the 2016/17 Internal Audit Plan (Quarter 2). Moya Moore from SWAP spoke in detail on the report's 'Use of Consultants' review which offered reasonable assurance as an audit opinion. Most of the areas reviewed were found to be adequately controlled. Generally risks were well managed but some systems require the introduction or improvement of internal controls to ensure the achievement of objectives.

The report covered five areas:

1. Assurance over the completeness and accuracy of the Consultant's Report which was reviewed annually by the Committee.
2. Benchmarking of spend on Consultants from SWAP Partners.
3. Establishing the unqualified costs to EDDC of reading consultants reports.
4. A review of the use of Business Cases and authorisation for appointment of consultants.
5. An assessment of the extent to which recruitment for permanent established posts was delayed through the use of consultants.



The Chairman thanked Moya for her report.

**RESOLVED:**

1. that the content of the Internal audit progress report be noted, and
2. that the recommendations from the SWAP 'Use of Consultants' report be endorsed

**\*42 Audit Committee update**

Rob Andrews from KPMG, presented the Council's Progress report which provided the Audit Committee with an overview on progress in delivering their responsibilities as the external auditors.

**RESOLVED:**

that the content of the Progress report be noted.

**\*43 Certification report**

Public Sector Audit Appointments (PSAA) required its appointed auditors to prepare an annual report on the claims and returns certified for each audited body. This letter was the annual report for the certification work KPMG had undertaken for East Devon District Council.

In 2015/16 KPMG carried out certification work on only one claim, the Housing Benefit Subsidy claim. The certified value of the claim was £32.2 million, the work was completed and the claim certified on 30 November 2016.

**RESOLVED:**

that the certification work be noted.

**\*44 Identification of future internal audits 2017/18**

The Chairman asked committee members to submit any proposed future internal audits by email to him by 20 January 2017.

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

Members noted the contents of the Committee Forward Plan for 2016/17.

Items to be considered at the March Committee included:

- Annual Audit Plan 2017/18
- External Audit Plan
- Audit Committee update
- Accounting Policies approval
- Anti-Money Laundering Policy approval

**RESOLVED:**

that the Forward Plan be noted.

**Attendance list**

**Councillors:**

Mark Williamson (Chairman)  
Dean Barrow (Vice Chairman)  
Steve Gazzard  
Ben Ingham  
Bill Nash

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

**Councillors:**

Ian Thomas                      Portfolio Holder Finance  
Megan Armstrong  
Geoff Jung  
Rob Longhurst

**Apologies:**

John Dyson  
Steve Hall  
John Humphreys  
Paul Diviani                      Leader

**Officers present:**

Mark Williams, Chief Executive  
Simon Davey, Strategic Lead – Finance  
Amanda Coombes, Democratic Services Officer

Rob Andrews, Audit Manager, KPMG  
Moya Moore, Assistant Director, SWAP

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

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 11 January 2017 in the Committee Room**

- Present:** Councillors:  
Steve Hall (Chairman)  
Jim Knight (Vice Chairman)
- Apologies:** Councillors:  
Steve Gazzard  
John O'Leary
- Officers:** Stephen Saunders – Licensing Manager  
Lesley Carlo – Licensing Officer  
Neil McDonald - Licensing Officer  
Chris Lane – Democratic Services Officer

The meeting started at 9.30 am and ended at 9.35am. **Please note that there was no audio recording of the meeting as it was held in the Committee Room.**

\*14 **Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 9 November 2016, were confirmed and signed as a true record.

\*15 **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 two applications for grants of premises licences where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to the applications 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:**

Honiton Golf Club, The Club House, Middlehills, Honiton, EX14 9TR.

**Agreed position reached by the parties:**

Following mediation the applicant and the Devon and Cornwall Constabulary had agreed that they consider a hearing to be unnecessary if the agreed position set out below was approved.

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

1. CCTV will be installed, operated and maintained to the satisfaction of the Licensing Authority and the Chief Officer of Police. Images will be retained for a minimum of 14 days copies of which will be supplied to the Licensing Authority or the Police on request.
2. The premises will operate a challenge 21 policy the only acceptable forms of ID will be photo driving licence, passport or government approved pass card.

**Schedule:**

**Type of application:**

Application for the grant of a premises licence

**Name of premises and address:**

Marks & Spencer, Unit 1, Royal Avenue, Exmouth, EX8 1EN.

**Agreed position reached by the parties:**

Following mediation the applicant and the Devon and Cornwall Constabulary had agreed that they consider a hearing to be unnecessary if the agreed position set out below was approved.

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

1. Amend the hours for the sale of alcohol on and off the premises to end at 23:00 hrs (instead of midnight) with a seasonal variation to midnight for the month of December.
2. CCTV will be installed, operated and maintained to the satisfaction of the Licensing Authority and Chief Officer of Police. Images will be maintained for a period of 14 days copies of which will be supplied to the Licensing Authority or Police upon request.
3. The premises will operate a Challenge 25 policy the only acceptable forms of ID will be Passport, Photo Driving Licence and Government Approved PASS card.

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

**Report to:** Council  
**Date of Meeting:** 22 February 2017  
**Public Document:** Yes  
**Exemption:** None



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

**Subject:** Council Tax Resolution 2017/18

**Purpose of report:** The purpose of this report is to enable the Council to calculate and set the Council Tax for 2017/18.

In agreeing to Cabinet recommendations on the Revenue and Capital Estimates 2017/18 (Minute Number 145) on the 8 February 2017 this gives the Council Tax requirement for this Council of £7,574,319 resulting in a Council Tax Band D amount of £131.78. This is an increase of £5 a year (3.94%), within the threshold stipulated by government before triggering a council tax referendum. East Devon District Council currently has the 17<sup>th</sup> lowest Council Tax out of 202 other like authorities. For comparison a £5 increase in the current year would have placed it at the 21<sup>st</sup> lowest.

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 2017/18

**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 2017/18 which is derived from its Budget Requirement as recommended by Cabinet on 8 February 2017.

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

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:**

**Link to Council Plan:** Funding approval to meet the Council Plan

## Report in full

### 1 Council Tax Resolution 2017/18

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

- **Town & Parish Councils**

The Town & Parish Council Precepts for 2017/18 are detailed in Schedule 1 and total £3,294,459.81. The increase in the average Band D Council Tax for Town and Parish councils is 18.01% and results in an average Band D Council Tax figure of £57.32 for 2017/18.

- **Devon County Council**

Devon County Council precept set at £72,876,237.84. This results in a Band D Council Tax of £1,267.92. This is a total increase of 4.99%; includes a charge for adult social care services representing 3% of the increase.

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

Police and Crime Commissioner for Devon and Cornwall set their precept at £10,132,045.56. This results in a Band D Council Tax of £176.28, being a 1.99% increase on the previous year.

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

Devon & Somerset Fire & Rescue Authority set their precept at £4,688,399. This results in a Band D Council Tax of £81.57, 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 2017/18 budget.

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

<b>COUNCIL TAX LEVIES</b>	<b>2016/2017</b>	<b>2017/2018</b>	<b>Variation</b>
	<b>£</b>	<b>£</b>	<b>%</b>
East Devon District Council	126.78	131.78	3.94%
Parish & Town Councils (Average)	48.57	57.32	18.01%
Sub Total	175.35	189.10	-
Devon County Council	1,207.62	1,267.92*	4.99%
Police and Crime Commissioner for Devon and Cornwall	172.84	176.28	1.99%
Devon & Somerset Fire & Rescue Authority	79.98	81.57	1.99%
<b>TOTALS</b>	<b>£1,635.79</b>	<b>£1,714.87</b>	<b>4.83%</b>

\* This increase of 4.99% includes a charge for adult social care services representing 3% of the increase.

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

1. It be noted that on 11 January 2017 the Cabinet (minute reference 127 refers) calculated the Council Tax Base 2017/18
  - (a) for the whole Council area as 57,477 [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 2017/18 (excluding Parish precepts) is £7,574,319
3. That the following amounts be calculated for the year 2017/18 in accordance with Sections 30 to 36 of the Act:
  - (a) £94,455,112 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) £83,586,333 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £10,868,779 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) £189.10 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) £3,294,460 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) £131.78 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 2017/18 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	£845.28	£117.52	£54.38
B	£986.16	£137.11	£63.44
C	£1,127.04	£156.69	£72.51
<u>D</u>	<u>£1,267.92</u>	<u>£176.28</u>	<u>£81.57</u>
E	£1,549.68	£215.45	£99.70
F	£1,831.44	£254.63	£117.82
G	£2,113.20	£293.80	£135.95
H	£2,535.84	£352.56	£163.14

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 2017/18 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 2017/18 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 2017/18 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 2017/18**

Parish	Parish Precept	Tax Base	Basic Parish Tax	Basic Tax Parish + EDDC	Basic Tax + DCC + Fire Authority + Police & Crime Comm D&C
	£		£	£	£
All Saints	9,295.00	252	36.88	168.66	1,694.43
Awliscombe	3,962.00	235	16.86	148.64	1,674.41
Axminster	195,934.00	2654	73.83	205.61	1,731.38
Axmouthe	11,483.00	248	46.30	178.08	1,703.85
Aylesbeare	7,118.00	266	26.76	158.54	1,684.31
Beer	17,448.52	672	25.97	157.75	1,683.52
Bishops Clyst	25,110.00	523	48.01	179.79	1,705.56
Brampford Speke	6,408.00	154	41.61	173.39	1,699.16
Branscombe	7,500.00	337	22.26	154.04	1,679.81
Broadclyst	275,744.00	1510	182.61	314.39	1,840.16
Broadhembury	8,034.15	301	26.69	158.47	1,684.24
Buckerell	3,075.00	116	26.51	158.29	1,684.06
Budleigh Salterton	108,475.00	2761	39.29	171.07	1,696.84
Chardstock	10,000.00	413	24.21	155.99	1,681.76
Clyst Honiton	11,538.36	106	108.85	240.63	1,766.40
Clyst Hydon	2,325.00	123	18.90	150.68	1,676.45
Clyst St George	6,687.00	369	18.12	149.90	1,675.67
Clyst St Lawrence	-	45	0.00	131.78	1,657.55
Colaton Raleigh	7,600.00	307	24.76	156.54	1,682.31
Colyton	50,300.00	1425	35.30	167.08	1,692.85
Combe Raleigh	1,465.00	99	14.80	146.58	1,672.35
Combpyne-Rousdon	4,310.00	200	21.55	153.33	1,679.10
Cotleigh	3,578.00	106	33.75	165.53	1,691.30
Cranbrook	112,935.00	1274	88.65	220.43	1,746.20
Dalwood	6,342.00	210	30.20	161.98	1,687.75
Dunkeswell	26,608.00	590	45.10	176.88	1,702.65
East Budleigh with Bicton	22,996.09	501	45.90	177.68	1,703.45
Exmouth	737,459.00	12588	58.58	190.36	1,716.13
Farringdon	3,803.00	152	25.02	156.80	1,682.57
Farway	1,981.00	134	14.78	146.56	1,672.33
Feniton	18,695.00	650	28.76	160.54	1,686.31
Gittisham	7,997.00	239	33.46	165.24	1,691.01
Hawkchurch	8,000.00	261	30.65	162.43	1,688.20
Honiton	247,937.00	3839	64.58	196.36	1,722.13
Huxham	-	45	0.00	131.78	1,657.55
Kilminster	13,252.00	399	33.21	164.99	1,690.76
Luppitt	10,861.00	210	51.72	183.50	1,709.27
Lympstone	46,000.00	899	51.17	182.95	1,708.72
Membury	9,743.00	266	36.63	168.41	1,694.18
Monkton	5,500.00	74	74.32	206.10	1,731.87
Musbury	6,206.00	237	26.19	157.97	1,683.74
Netherexe	-	25	0.00	131.78	1,657.55
Newton Poppleford	42,500.00	901	47.17	178.95	1,704.72
Northleigh	2,191.00	84	26.08	157.86	1,683.63
Offwell	2,787.00	189	14.75	146.53	1,672.30
Otterton	10,302.00	296	34.80	166.58	1,692.35
Ottery St Mary	126,385.00	2635	47.96	179.74	1,705.51
Payhembury	5,892.00	297	19.84	151.62	1,677.39
Plymtree	4,150.00	257	16.15	147.93	1,673.70
Poltimore	5,786.00	130	44.51	176.29	1,702.06
Rewe	8,952.00	193	46.38	178.16	1,703.93
Rockbeare	31,644.00	346	91.46	223.24	1,749.01
Seaton	306,989.00	3098	99.09	230.87	1,756.64
Sheldon	500.00	84	5.95	137.73	1,663.50
Shute	4,800.00	285	16.84	148.62	1,674.39
Sidmouth	444,260.00	6974	63.70	195.48	1,721.25
Southleigh	2,174.00	104	20.90	152.68	1,678.45
Stockland	7,264.00	329	22.08	153.86	1,679.63
Stoke Canon	8,912.00	238	37.45	169.23	1,695.00
Talaton	8,726.00	247	35.33	167.11	1,692.88
Uplyme	29,817.00	872	34.19	165.97	1,691.74
Upottery	12,849.00	317	40.53	172.31	1,698.08
Upton Pyne	9,451.69	226	41.82	173.60	1,699.37
West Hill	55,000.00	1091	50.41	182.19	1,707.96
Whimple	13,813.00	724	19.08	150.86	1,676.63
Widworthy	2,450.00	135	18.15	149.93	1,675.70
Woodbury	77,960.00	1395	55.89	187.67	1,713.44
Yarcombe	5,200.00	215	24.19	155.97	1,681.74

**SCHEDULE 2 2017/18**  
**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	112.44	131.18	149.92	168.66	206.14	243.62	281.10	337.32
Awliscombe	99.09	115.61	132.13	148.64	181.67	214.70	247.73	297.28
Axminster	137.07	159.92	182.77	205.61	251.30	296.99	342.68	411.22
Axmouth	118.72	138.51	158.30	178.08	217.65	257.23	296.80	356.16
Aylesbeare	105.69	123.31	140.93	158.54	193.77	229.00	264.23	317.08
Beer	105.16	122.70	140.22	157.75	192.80	227.86	262.91	315.50
Bishops Clyst	119.86	139.84	159.82	179.79	219.74	259.70	299.65	359.58
Bramford Speke	115.59	134.86	154.13	173.39	211.92	250.45	288.98	346.78
Branscombe	102.69	119.81	136.93	154.04	188.27	222.50	256.73	308.08
Broadclyst	209.59	244.53	279.46	314.39	384.25	454.12	523.98	628.78
Broadhembury	105.64	123.26	140.86	158.47	193.68	228.90	264.11	316.94
Buckerell	105.52	123.12	140.70	158.29	193.46	228.64	263.81	316.58
Budleigh Salterton	114.04	133.06	152.06	171.07	209.08	247.10	285.11	342.14
Chardstock	103.99	121.33	138.66	155.99	190.65	225.32	259.98	311.98
Clyst Honiton	160.42	187.16	213.90	240.63	294.10	347.58	401.05	481.26
Clyst Hydon	100.45	117.20	133.94	150.68	184.16	217.65	251.13	301.36
Clyst St George	99.93	116.59	133.25	149.90	183.21	216.52	249.83	299.80
Clyst St Lawrence	87.85	102.50	117.14	131.78	161.06	190.35	219.63	263.56
Colaton Raleigh	104.36	121.76	139.15	156.54	191.32	226.11	260.90	313.08
Colyton	111.38	129.96	148.52	167.08	204.20	241.34	278.46	334.16
Combe Raleigh	97.72	114.01	130.30	146.58	179.15	211.73	244.30	293.16
Combpyne-Rousdon	102.22	119.26	136.30	153.33	187.40	221.48	255.55	306.66
Cotleigh	110.35	128.75	147.14	165.53	202.31	239.10	275.88	331.06
Cranbrook	146.95	171.45	195.94	220.43	269.41	318.40	367.38	440.86
Dalwood	107.98	125.99	143.98	161.98	197.97	233.97	269.96	323.96
Dunkeswell	117.92	137.58	157.23	176.88	216.18	255.49	294.80	353.76
East Budleigh with Bicton	118.45	138.20	157.94	177.68	217.16	256.65	296.13	355.36
Exmouth	126.90	148.06	169.21	190.36	232.66	274.97	317.26	380.72
Farringdon	104.53	121.96	139.38	156.80	191.64	226.49	261.33	313.60
Farway	97.70	114.00	130.28	146.56	179.12	211.70	244.26	293.12
Feniton	107.02	124.87	142.70	160.54	196.21	231.89	267.56	321.08
Gittisham	110.16	128.52	146.88	165.24	201.96	238.68	275.40	330.48
Hawkchurch	108.28	126.34	144.38	162.43	198.52	234.62	270.71	324.86
Honiton	130.90	152.73	174.54	196.36	239.99	283.63	327.26	392.72
Huxham	87.85	102.50	117.14	131.78	161.06	190.35	219.63	263.56
Kilmington	109.99	128.33	146.66	164.99	201.65	238.32	274.98	329.98
Luppitt	122.33	142.73	163.11	183.50	224.27	265.06	305.83	367.00
Lypstone	121.96	142.30	162.62	182.95	223.60	264.26	304.91	365.90
Membury	112.27	130.99	149.70	168.41	205.83	243.26	280.68	336.82
Monkton	137.40	160.30	183.20	206.10	251.90	297.70	343.50	412.20
Musbury	105.31	122.87	140.42	157.97	193.07	228.18	263.28	315.94
Netherexe	87.85	102.50	117.14	131.78	161.06	190.35	219.63	263.56
Newton Popleford	119.30	139.19	159.07	178.95	218.71	258.48	298.25	357.90
Northleigh	105.24	122.78	140.32	157.86	192.94	228.02	263.10	315.72
Offwell	97.68	113.97	130.25	146.53	179.09	211.66	244.21	293.06
Otterton	111.05	129.57	148.07	166.58	203.59	240.62	277.63	333.16
Ottery St Mary	119.82	139.80	159.77	179.74	219.68	259.63	299.56	359.48
Payhembury	101.08	117.93	134.78	151.62	185.31	219.01	252.70	303.24
Plymtree	98.62	115.06	131.50	147.93	180.80	213.68	246.55	295.86
Poltimore	117.52	137.12	156.70	176.29	215.46	254.64	293.81	352.58
Rewe	118.77	138.57	158.37	178.16	217.75	257.34	296.93	356.32
Rockbeare	148.82	173.64	198.44	223.24	272.84	322.46	372.06	446.48
Seaton	153.91	179.57	205.22	230.87	282.17	333.48	384.78	461.74
Sheldon	91.82	107.13	122.43	137.73	168.33	198.94	229.55	275.46
Shute	99.08	115.60	132.11	148.62	181.64	214.67	247.70	297.24
Sidmouth	130.32	152.04	173.76	195.48	238.92	282.36	325.80	390.96
Southleigh	101.78	118.76	135.72	152.68	186.60	220.54	254.46	305.36
Stockland	102.57	119.67	136.77	153.86	188.05	222.24	256.43	307.72
Stoke Canon	112.82	131.63	150.43	169.23	206.83	244.44	282.05	338.46
Talaton	111.40	129.98	148.54	167.11	204.24	241.38	278.51	334.22
Uplyme	110.64	129.09	147.53	165.97	202.85	239.74	276.61	331.94
Uptontery	114.87	134.02	153.17	172.31	210.60	248.89	287.18	344.62
Upton Pyne	115.73	135.03	154.31	173.60	212.17	250.76	289.33	347.20
West Hill	121.46	141.71	161.95	182.19	222.67	263.16	303.65	364.38
Whimble	100.57	117.34	134.10	150.86	184.38	217.91	251.43	301.72
Widworthy	99.95	116.62	133.27	149.93	183.24	216.57	249.88	299.86
Woodbury	125.11	145.97	166.82	187.67	229.37	271.08	312.78	375.34
Yarcombe	103.98	121.31	138.64	155.97	190.63	225.29	259.95	311.94

**SCHEDULE 3 2017/18**  
**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	1,129.62	1,317.89	1,506.16	1,694.43	2,070.97	2,447.51	2,824.05	3,388.86
Awliscombe	1,116.27	1,302.32	1,488.37	1,674.41	2,046.50	2,418.59	2,790.68	3,348.82
Axminster	1,154.25	1,346.63	1,539.01	1,731.38	2,116.13	2,500.88	2,885.63	3,462.76
Axmouth	1,135.90	1,325.22	1,514.54	1,703.85	2,082.48	2,461.12	2,839.75	3,407.70
Aylesbeare	1,122.87	1,310.02	1,497.17	1,684.31	2,058.60	2,432.89	2,807.18	3,368.62
Beer	1,122.34	1,309.41	1,496.46	1,683.52	2,057.63	2,431.75	2,805.86	3,367.04
Bishops Clyst	1,137.04	1,326.55	1,516.06	1,705.56	2,084.57	2,463.59	2,842.60	3,411.12
Brampford Speke	1,132.77	1,321.57	1,510.37	1,699.16	2,076.75	2,454.34	2,831.93	3,398.32
Branscombe	1,119.87	1,306.52	1,493.17	1,679.81	2,053.10	2,426.39	2,799.68	3,359.62
Broadclyst	1,226.77	1,431.24	1,635.70	1,840.16	2,249.08	2,658.01	3,066.93	3,680.32
Broadhembury	1,122.82	1,309.97	1,497.10	1,684.24	2,058.51	2,432.79	2,807.06	3,368.48
Buckerell	1,122.70	1,309.83	1,496.94	1,684.06	2,058.29	2,432.53	2,806.76	3,368.12
Budleigh Salterton	1,131.22	1,319.77	1,508.30	1,696.84	2,073.91	2,450.99	2,828.06	3,393.68
Chardstock	1,121.17	1,308.04	1,494.90	1,681.76	2,055.48	2,429.21	2,802.93	3,363.52
Clyst Honiton	1,177.60	1,373.87	1,570.14	1,766.40	2,158.93	2,551.47	2,944.00	3,532.80
Clyst Hydon	1,117.63	1,303.91	1,490.18	1,676.45	2,048.99	2,421.54	2,794.08	3,352.90
Clyst St George	1,117.11	1,303.30	1,489.49	1,675.67	2,048.04	2,420.41	2,792.78	3,351.34
Clyst St Lawrence	1,105.03	1,289.21	1,473.38	1,657.55	2,025.89	2,394.24	2,762.58	3,315.10
Colaton Raleigh	1,121.54	1,308.47	1,495.39	1,682.31	2,056.15	2,430.00	2,803.85	3,364.62
Colyton	1,128.56	1,316.67	1,504.76	1,692.85	2,069.03	2,445.23	2,821.41	3,385.70
Combe Raleigh	1,114.90	1,300.72	1,486.54	1,672.35	2,043.98	2,415.62	2,787.25	3,344.70
Combpyne-Rousdon	1,119.40	1,305.97	1,492.54	1,679.10	2,052.23	2,425.37	2,798.50	3,358.20
Cotleigh	1,127.53	1,315.46	1,503.38	1,691.30	2,067.14	2,442.99	2,818.83	3,382.60
Cranbrook	1,164.13	1,358.16	1,552.18	1,746.20	2,134.24	2,522.29	2,910.33	3,492.40
Dalwood	1,125.16	1,312.70	1,500.22	1,687.75	2,062.80	2,437.86	2,812.91	3,375.50
Dunkeswell	1,135.10	1,324.29	1,513.47	1,702.65	2,081.01	2,459.38	2,837.75	3,405.30
East Budleigh with Bicton	1,135.63	1,324.91	1,514.18	1,703.45	2,081.99	2,460.54	2,839.08	3,406.90
Exmouth	1,144.08	1,334.77	1,525.45	1,716.13	2,097.49	2,478.86	2,860.21	3,432.26
Farringdon	1,121.71	1,308.67	1,495.62	1,682.57	2,056.47	2,430.38	2,804.28	3,365.14
Farway	1,114.88	1,300.71	1,486.52	1,672.33	2,043.95	2,415.59	2,787.21	3,344.66
Feniton	1,124.20	1,311.58	1,498.94	1,686.31	2,061.04	2,435.78	2,810.51	3,372.62
Gittisham	1,127.34	1,315.23	1,503.12	1,691.01	2,066.79	2,442.57	2,818.35	3,382.02
Hawkchurch	1,125.46	1,313.05	1,500.62	1,688.20	2,063.35	2,438.51	2,813.66	3,376.40
Honiton	1,148.08	1,339.44	1,530.78	1,722.13	2,104.82	2,487.52	2,870.21	3,444.26
Huxham	1,105.03	1,289.21	1,473.38	1,657.55	2,025.89	2,394.24	2,762.58	3,315.10
Kilmington	1,127.17	1,315.04	1,502.90	1,690.76	2,066.48	2,442.21	2,817.93	3,381.52
Luppitt	1,139.51	1,329.44	1,519.35	1,709.27	2,089.10	2,468.95	2,848.78	3,418.54
Lypstone	1,139.14	1,329.01	1,518.86	1,708.72	2,088.43	2,468.15	2,847.86	3,417.44
Membury	1,129.45	1,317.70	1,505.94	1,694.18	2,070.66	2,447.15	2,823.63	3,388.36
Monkton	1,154.58	1,347.01	1,539.44	1,731.87	2,116.73	2,501.59	2,886.45	3,463.74
Musbury	1,122.49	1,309.58	1,496.66	1,683.74	2,057.90	2,432.07	2,806.23	3,367.48
Netherexe	1,105.03	1,289.21	1,473.38	1,657.55	2,025.89	2,394.24	2,762.58	3,315.10
Newton Popleford	1,136.48	1,325.90	1,515.31	1,704.72	2,083.54	2,462.37	2,841.20	3,409.44
Northleigh	1,122.42	1,309.49	1,496.56	1,683.63	2,057.77	2,431.91	2,806.05	3,367.26
Offwell	1,114.86	1,300.68	1,486.49	1,672.30	2,043.92	2,415.55	2,787.16	3,344.60
Otterton	1,128.23	1,316.28	1,504.31	1,692.35	2,068.42	2,444.51	2,820.58	3,384.70
Ottery St Mary	1,137.00	1,326.51	1,516.01	1,705.51	2,084.51	2,463.52	2,842.51	3,411.02
Payhembury	1,118.26	1,304.64	1,491.02	1,677.39	2,050.14	2,422.90	2,795.65	3,354.78
Plymtree	1,115.80	1,301.77	1,487.74	1,673.70	2,045.63	2,417.57	2,789.50	3,347.40
Poltimore	1,134.70	1,323.83	1,512.94	1,702.06	2,080.29	2,458.53	2,836.76	3,404.12
Rewe	1,135.95	1,325.28	1,514.61	1,703.93	2,082.58	2,461.23	2,839.88	3,407.86
Rockbeare	1,166.00	1,360.35	1,554.68	1,749.01	2,137.67	2,526.35	2,915.01	3,498.02
Seaton	1,171.09	1,366.28	1,561.46	1,756.64	2,147.00	2,537.37	2,927.73	3,513.28
Sheldon	1,109.00	1,293.84	1,478.67	1,663.50	2,033.16	2,402.83	2,772.50	3,327.00
Shute	1,116.26	1,302.31	1,488.35	1,674.39	2,046.47	2,418.56	2,790.65	3,348.78
Sidmouth	1,147.50	1,338.75	1,530.00	1,721.25	2,103.75	2,486.25	2,868.75	3,442.50
Southleigh	1,118.96	1,305.47	1,491.96	1,678.45	2,051.43	2,424.43	2,797.41	3,356.90
Stockland	1,119.75	1,306.38	1,493.01	1,679.63	2,052.88	2,426.13	2,799.38	3,359.26
Stoke Canon	1,130.00	1,318.34	1,506.67	1,695.00	2,071.66	2,448.33	2,825.00	3,390.00
Talaton	1,128.58	1,316.69	1,504.78	1,692.88	2,069.07	2,445.27	2,821.46	3,385.76
Uplyme	1,127.82	1,315.80	1,503.77	1,691.74	2,067.68	2,443.63	2,819.56	3,383.48
Uppottery	1,132.05	1,320.73	1,509.41	1,698.08	2,075.43	2,452.78	2,830.13	3,396.16
Upton Pyne	1,132.91	1,321.74	1,510.55	1,699.37	2,077.00	2,454.65	2,832.28	3,398.74
West Hill	1,138.64	1,328.42	1,518.19	1,707.96	2,087.50	2,467.05	2,846.60	3,415.92
Whimble	1,117.75	1,304.05	1,490.34	1,676.63	2,049.21	2,421.80	2,794.38	3,353.26
Widworthy	1,117.13	1,303.33	1,489.51	1,675.70	2,048.07	2,420.46	2,792.83	3,351.40
Woodbury	1,142.29	1,332.68	1,523.06	1,713.44	2,094.20	2,474.97	2,855.73	3,426.88
Yarcombe	1,121.16	1,308.02	1,494.88	1,681.74	2,055.46	2,429.18	2,802.90	3,363.48

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 20 February 2017**

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

The meeting started at 2.00 pm and ended at 3.35 pm.

#### **\*32 Public speaking**

Members of the public who had indicated their wish to speak were invited to address the Committee.

Allister Bibey a resident of West Hill spoke on minute 35 - Publication East Devon Villages Plan. Mr Bibey questioned whether the date that the new Built-up Area Boundaries (BUAB) defined in the Villages Plan become a policy consideration should be from 23 February 2017. He said the recommendation to change the BUAB had not been published in any consultation documents and households in West Hill were unaware of this proposal. Existing building rights should not be removed without notifying property owners who would be affected.

Robert George a resident of West Hill spoke on minute 35 - Publication East Devon Villages Plan. Mr George stated he originally supported the revisions to the BUAB for West Hill so long as he could mitigate any damage to his property value incurred by developers; if the BUAB was removed he cannot. He said the BUAB protects people now and in the future and wished it to remain as it was until the consultation had finished.

#### **\*33 Minutes**

The minutes of the Strategic Planning Committee meeting held on 17 January 2017 were confirmed and signed as a true record.

#### **\*34 Declarations of interest**

Cllr Philip Skinner; Minute 35

Interest - Personal

Reason: Knows the owner of Greendale Business Park

#### **35 Publication East Devon Villages Plan**

The Service Lead – Planning Strategy and Development Management presented the Villages Plan which had reached an advanced stage of preparation and was considered ready for 'Publication'. The report sought recommendation from the Committee to Council for pre-submission consultation on the Plan. The detail of the proposed Publication Plan was set out in the report together with a summary of work carried out to date and consultation undertaken. The proposed Publication Villages Plan was included with the agenda for consideration.

Discussions included the following:

- The Villages Development Plan Document should be the primary policy for BUAB's for Development Management purposes as it is at an advanced stage of preparation and ready for submission for examination.
- Developments on sites affected by the boundary review should be considered on a case by case basis having regard to the emerging DPD with appropriate weight being apportioned depending on the extent of objection to the relevant boundary.
- People maintain the sustainability of villages

- In East Budleigh the BUAB does not show 2 new exception sites
- The Villages Development Plan Document is part of the development plan alongside the policies of the Local Plan. They should be read together and decisions should be taken in accordance with both.
- Members noted the boundaries to Greendale and Hillbarton Business Parks which are for information to show the extent of authorised business uses at the sites but do not form BUAB's. It was proposed that a similar boundary for information be drawn around the business units at Hogsbrook Farm as well.

Members requested that additional text be added for Colyton; (in *italic*)

- 5.1 Colyton has a good range of services and facilities that serve a wide rural area. *It benefits from employment opportunities both in the town centre and the wider town.* It is an historic settlement with a large conservation area and numerous listed buildings (around 60 Listed Buildings in the Conservation Area).
- 5.2 Colyton has a small but diverse town centre which meets many of the day to day needs of local residents and the wider rural population. Such provision within the town is an incentive for local residents to support their local economy, build a thriving community and reduces the need to travel to other shopping centres by car. A healthy and vibrant local shopping centre helps to contribute towards the objectives of sustainable development.
- 5.3 The majority of the business premises are located around the Market Place although there are a small number elsewhere in the town centre. The main risk to the vitality of the area is the loss of business premises to residential uses and any erosion of shops and services would undermine the viability of the town centre and its functional importance as a meeting place and draw for tourism. Policy Colyton 01 – Town Centre Vitality will help to protect the diversity and vitality of the village centre.
- 5.4 *The BUAB encompasses a variety of uses, including valued employment sites such as the former Ceramtec buildings. The Local Plan includes policies that are relevant to the redevelopment of such areas, particularly Strategy 32 – Resisting Loss of Employment, Retail and Community Sites and Buildings (Appendix 3).*

## **RECOMMENDED**

1. that Council approves the East Devon Villages Plan (and documentation that underpins the Plan) being 'published' for a period of six weeks to allow formal comments to be made subject to the above amendments to the Colyton section and the addition of a boundary to show for information the extent of authorised business uses at Hogsbrook Farm,
2. that following the six week period the East Devon Villages Plan be submitted for examination together with any comments received during that period,
3. that the Built-up Area Boundaries defined in the Publication Villages Plan, from 23 February 2017, be used as primary policy for development management purposes instead of the boundaries on the inset plans included in the previously adopted Local Plan.

**36 Honiton Sports Pitch Strategy**

The Service Lead - Planning Strategy and Development Management presented the report which updated the Committee on responses to the latest consultation on the Honiton Sports Pitch Strategy. Members noted that adoption of the Strategy would identify the Council's preferences for how the pitch issues highlighted by the Playing Pitch Strategy and the new pitches required should be delivered. Adoption would help achieve greater access to funding opportunities and implementation of plans. The Council's role would be as facilitator, working with clubs towards realising their projects.

**RESOLVED:**

1. that the comments received in response to the latest consultation on the Revised Draft Honiton Sports Pitch Strategy and the officer responses to the comments as detailed in the Consultation Statement be noted;
2. that Members note the resourcing requirements necessary to deliver the strategy.

**RECOMMENDED:**

that the Honiton Sports Pitch Strategy be adopted for use corporately across the Council to help inform service delivery, investment priorities and as guidance/evidence in determining planning applications.

**\*37 Neighbourhood Plan update**

The Service Lead - Planning Strategy and Development Management briefed Members on the recent ministerial statement on Neighbourhood Planning and its practical implications relating to Neighbourhood Planning and the five-year housing land supply. The statement was to be taken into account as a material consideration in considering the housing supply position across the district and the weight that can be attributed to housing restraint policies within neighbourhood plans were the Council unable to demonstrate a 5 year housing land supply. It strengthened consideration of adopted Neighbourhood Plans in the decision making process in the event of a housing supply position of less than 5 years but greater than 3 years supply of housing land. Members also noted the on-going hard work of the 40 neighbourhood planning groups currently preparing plans for their communities.

Discussions included the following:

- Villages should be made viable
- LGA regard Neighbourhood Plans as the building blocks of Planning
- Neighbourhood Plan committees where a plan is made or at an advanced stage would not want to start the plan process again if they now decide to include allocation of sites

Councillor Mark Williamson proposed that the Chairman thank Claire Rodway, Senior Planning Policy Officer and Tim Spurway, Neighbourhood Planning Officer for their hard work.

**RESOLVED:** that the following be noted:

1. the potential implications of the recent ministerial statement on Neighbourhood Planning.
2. the progress of Neighbourhood Plans across the district, and the overall current provision in Neighbourhood Plans for approximately 110 houses on allocated sites beyond Local Plan provision.

**38 Pre-application charter and other planning related fees**

The report sought agreement of a revised pre-application Charging Schedule and Customer Charter and to the introduction of further planning related fees to cover the costs of the services provided. Details of proposed charges and comparison with neighbouring authorities' fees were included in the report.

**RECOMMENDED:**

1. that Council be recommended to agree the changes to the Pre-application Charging Schedule and Customer Charter - attached as Appendix 2 to the report;
2. that Council be recommended to introduce the further planning related fees as per the charging schedule - attached as Appendix 3 to the report.

**\*39 Housing viability issues: Vacant Building Credit, Overage provisions and Rent to Buy housing products**

The report outlined three key issues affecting housing viability negotiations – namely, Vacant Building Credit, overage and Rent to Buy housing delivery models. Each of these issues had the potential to impact on viability negotiations and so a clear steer was sought from members on the approach that the Council should be adopting.

**RESOLVED:**

1. that the approach that Vacant Building Credit (VBC) will be considered on a case by case basis be endorsed but that, other than in exceptional circumstances, the following criteria shall be applied:
  - VBC will only be granted where it would help to secure the redevelopment of vacant brown-field land or buildings
  - VBC will not be granted where land has been purchased for redevelopment and a 'vacant' period of time is a normal part of the development process
  - VBC will not be applied when the 'vacant' period is a policy requirement for demonstrating the land is no longer required for its current use
2. that the approach that overage (also known as 'claw-back') clauses will be applied to all planning permissions where viability information has resulted in a less than policy compliant amount of affordable housing being accepted, be endorsed. Overage will be applied to all applications, including single-phase developments, and will be applied without any periods of deferral or other restrictions;
3. that the re-worded principles to drafting overage clauses as detailed in the report be endorsed;
4. that the emergence of Rent to Buy housing delivery models be noted and endorsed as one of the options that can be considered as part of viability discussions as affordable housing, but only where more traditional forms of affordable housing are not viable or in other exceptional circumstances and where it will meet a local need.

**Attendance list**

**Committee Members:**

Councillors

Andrew Moulding - Chairman

Peter Bowden – Vice Chairman

Susie Bond

Peter Burrows

Jill Elson

Graham Godbeer  
Mike Howe  
Geoff Jung  
David Key  
Philip Skinner  
Brenda Taylor  
Mark Williamson

**Also present (present for all or part of the meeting):**

Councillors:

*Paul Diviani*  
*Geoff Pook*  
*Colin Brown*  
*Jenny Brown*  
*Brian Bailey*  
*Tom Wright*  
*Peter Faithfull*  
*John Dyson*  
*Helen Parr*  
*Alan Dent*  
*Roger Giles*

**Officers present (present for all or part of the meeting):**

Mark Williams, Chief Executive

Ed Freeman, Service Lead – Strategic Planning and Development Management  
Henry Gordon Lennox, Strategic Lead – Governance and Licensing  
Matt Dickins, Planning Policy Manager  
Linda Renshaw, Senior Planning Policy Officer  
Graeme Thompson, Planning Policy Officer  
Rachel Danemann, Development Enabling and Monitoring Officer  
Jamie Quinton, Planning Officer  
Amanda Coombes, Democratic Services Officer

**Apologies**

**Committee Members:**

Rob Longhurst

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



## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Licensing & Enforcement Committee held at Knowle, Sidmouth on Wednesday, 15 February 2017**

Attendance list at the end of the document

The meeting started at 9.30am and ended at 11.20 am

#### **\*8 Minutes**

The minutes of the meeting of the Licensing & Enforcement Committee held on 16 November 2016, were confirmed and signed as a true record.

#### **\*9 Declarations of interest**

Councillor Steve Hall

Minute 6

Disclosable Pecuniary Interest – Private Hire Licence Holder

Councillor John O’Leary

Minute 6

Disclosable Pecuniary Interest – Designated Premises Supervisor

Councillor John Dyson

Minute 6

Personal Interest - Involved with Street Collections for Sidmouth Folk Festival and Trustee of Folk Week

Councillor Geoff Jung

Minute 6

Disclosable Pecuniary Interest – Designated Personal Licence Holder

#### **\*10 Committee update – Licensing Act 2003, Gambling Act 2005 and General Licensing**

The Licensing Manager presented his report - the following issues were highlighted and discussed.

##### **1. Licensing Act 2003**

On 17 October 2016 the Licensing Manager and a Licensing Officer together with the Chairman of the Licensing & Enforcement Sub Committee accepted an invitation from Exmouth Town Council to make a guest appearance at one of their meetings to discuss and give an update on the procedures for making representations against Licensing Act applications.

On 5 November 2016 an officer attended the Ottery St Mary Tar Barrel event to check on the various temporary notices issued for late night refreshment for food stalls. A total of 25 checks were made and all was found to be in order. On 8 November 2016 a Folk Festival de-brief meeting was held at Knowle. It was reported that the festival had another very successful year with minor issues over layout of stalls and music on the Esplanade. On 30 November 2016 the Licensing Manager attended a de-brief meeting for the Ottery St Mary Tar Barrels event where it was agreed that the event had been well planned and organised.

It was noted that officers attended Licensee meetings within the East Devon area wherever possible. Following some of these meetings particular concerns had been raised about the level of policing at night in towns, particularly in Exmouth and Axminster, where there had been reports of additional levels of criminality and

disorder. These reports and concerns had also come from taxi drivers on the Strand rank at Exmouth. The lack of logs by the police for some of these incidents was also making representations against licensed premises by the public more difficult to support.

#### Gambling Act 2005

The programme of visits to licensed premises and other premises where gaming was permitted continues and whenever a licensed premises inspection occurs, the existence of gaming machines and any issues of compliance are duly considered and inspected.

## 2. Taxis

The Licensing team had continued to carry out checks of hackney carriage vehicles parked on the taxi ranks within the East Devon area to ensure that all vehicles comply with the legislation and meet the required standards for both licensed drivers and vehicles. In December officers investigated a licensed hackney carriage for failing to display the roof sign on the vehicle, this being a condition of issue and of the licence. On this occasion the officers formally warned the licence holder as to future requirements.

The next twice yearly meeting between the trade and Licensing & Enforcement Committee will be held in the first week of April 2017. During November and December officers noted a rise in applications and contact from applicants for hackney carriage driver's licences including some enquiries from outside the East Devon area. The issue of whether an applicant will be working and plying for hire in the district is a due consideration under the law that must be confirmed.

A draft taxi licensing policy had been submitted to the committee members on 17 February 2016 when it was agreed that the draft policy be circulated for formal public consultation, subject to incorporating amendments requested by members at the meeting. However since that time there had been further significant changes in legislation and procedures which will need to be included in the draft policy. Whilst the aim had been for the draft policy to be circulated for consultation and then finalised at the committee meeting in November, this had not been possible due to further changes.

Licensing staff had attended a briefing presentation on 8 November provided by the UK Immigration Service concerning the requirements of the Immigration Act 2016. It can be confirmed that with effect from 1 December 2016, the Act placed a legal standing on all Councils to ensure licences were not issued to people who did not have a Right to Licence which included those illegally present in the UK, not permitted to work in the UK, or those permitted to work in the UK but are subject to a condition that prohibits them from holding such a taxi or private hire licence.

A request to the committee in November to revise the taxi policy concerning driver testing arrangements was duly implemented. Since cessation of the DVSA driving tests, positive feedback has been passed by applicants, proprietors and trade regarding the revised driver testing arrangements being booked in a more timely manner.

## 3. General Licensing

The current policy concerning charitable street collections was subject to an additional report following a period of public consultation in 2016 and the proposal to adopt was contained in the report.

#### 4. Consultations

The bi-annual taxi liaison meeting took place on Thursday 3 November 2016, this meeting was normally attended by the Chairman and Vice Chairman, but other members were welcome to attend.

#### 5. Licensing Team update

Members noted that since the last meeting held in November, further staffing changes had occurred in the licensing team with the appointment of Lesley Carlo as a Licensing Officer. The beginning of 2017 saw the completion of staff recruitment with the structure for the team now being one manager, three licensing officers and two licensing support officers.

#### 6. Member Training

Following requests from committee members it was recognised that a training session was considered necessary to support newer members and to refresh knowledge regarding recently introduced legislation and procedures. It was intended that following the next committee meeting in May 2017, a training session would be offered on conducting hearings and taxi legislation.

#### **RESOLVED:**

1. that the report be noted;
2. that authority be delegated to the Chairman of the Committee and Licensing Manager to take the issue of lack of night time policing and logging of incidents of crime and disorder in towns in East Devon, particularly Exmouth and Axminster, to both the Audit & Governance and Scrutiny Committees.

### **11 Street Collection Policy – To seek approval from Council to adopt**

Members received the report of the Licensing Manager which sought approval to formally adopt the Charitable Street Collection Policy. In response to a question, the Licensing Manager confirmed that if a collection was made from the entrance to a shop or shop premises, then it did not need to be licensed.

**RESOLVED:** that the results of the public consultation undertaken on the Council's draft Street Collections Policy be noted.

**RECOMMENDED:** that Council at its meeting on 22 February 2017 be recommended to adopt the East Devon Charitable Street Collections Policy 2017, as attached as Appendix A & B to these minutes for the period 2017 to 2022.

### **\*12 Street Trading – Designation of Street under Schedule 12 4 of the Local Government (Miscellaneous Provisions) Act 1982**

Consideration was given to the report of the Licensing Manager setting out background information and the request for authority for public consultation to be undertaken on changing the current Street Trading arrangements within East Devon so as to provide for more flexibility whilst allowing the Council to retain its control on the issue of Street Trading consents.

During discussions the following points were raised:

- Concern about lack of staffing to inspect the 'consents' for street trading. The Licensing Manager confirmed that he hoped an additional member of staff

would be appointed for a 12 month period to assist with the new street trading policy.

- Importance of bench marking with other local authorities;
- Hope to cover additional costs of introducing the new street trading policy through licensing fees;
- Importance of having a good standard of stall and product licensed;
- Ensure experience and professionalism of stall holder before they are licensed;
- When a licence is issued then a laminated permission be provided to be displayed on the front of the stall.

**RESOLVED:**

- (1) that the Committee authorise public consultation in accordance with the legislative requirements on a proposal to:
  - (a) Rescind all the Council's previous resolutions to designate streets as 'Prohibited Streets' and 'Consent Streets' within the District, and
  - (b) Resolve to designate all 'streets' in East Devon as 'Consent Streets' as defined in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 save for certain streets in Sidmouth (listed in Appendix D to the report) which shall be 'Prohibited Streets' except during Folk Week.
- (2) that the Committee receive a further report which considers the representations made during the public consultation exercise and which makes further recommendations as to the approach to be adopted by the Council to street trading. Should this approach be to resolve to make additional consent streets then the report shall also detail for the Committee to consider; the likely resource implications, fees to be charged for consent, the Street Trading policy proposed to be adopted and standard conditions to be imposed

**\*14 Taxi Licensing Policy – To seek approval to consult on the draft policy**

Members received the report of the Licensing Manager which sought approval to formally consult on a proposed Taxi Licensing Policy. Councillor Brian Bailey, highlighted the issues with the licensing of written-off and repaired vehicles as taxis. It was confirmed that the taxi policy would be communicated to the trade via meetings, the website and also when their licences were due for renewal

Steve Saunders, Licensing Manager and Emily Westlake, Licensing Officer were thanked for their well presented and informative report.

**RESOLVED:** that approval be given for the Licensing Service to start the formal consultation process on the draft Taxi Licensing Policy.

**15 Licence Duration Policy**

Members received the report of the Licensing Manager which proposed to change the current taxi licence policy which issued a licence for a period of one year to new driver applicants who had not previously been licensed with this authority.

**RECOMMENDED:** that a change to the current taxi policy be immediately adopted:  
a. To issue licences for hackney carriage drivers, private hire drivers and dual driver licences, upon first licensing with this authority, for an initial period of one year and

thereafter to offer drivers wishing to renew their licences to do so for a period of three years or one year, and

b. To issue private hire operator licences, upon first licensing with this authority, for an initial period of one year and, thereafter to renew licences for five years where required

**Attendance list**

**Councillors present**

Steve Hall (Chairman)  
Jim Knight (Vice Chairman)  
Megan Armstrong  
Brian Bailey  
Matthew Booth  
Colin Brown  
Maddy Chapman  
Bruce de Saram  
John Dyson  
Geoff Jung  
Cherry Nicholas  
John O'Leary

**Also Present:**

Councillor Phil Twiss

**Officers present**

Richard Cohen, Deputy Chief Executive  
Giles Salter Solicitor  
Steve Saunders, Licensing Manager  
Emily Westlake, Licensing Officer  
Lesley Carlo, Licensing Officer  
Charlotte Parkinson, Assistant Licensing Officer  
Chris Lane, Democratic Services Officer

**Apologies**

Councillors:  
Jenny Brown  
Steve Gazzard

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

# East Devon District Council Street Collections Policy

## Reviewed

2016

## Policy Approval

Licensing and Enforcement Committee 15 February 2017

## Reasons for introducing the Policy

This policy gives detailed guidance on the application of Regulations to regulate charitable and other street collections, made by the Council in 1975. It explains how the collections Regulations are to be applied, and where, and how often, an organisation may make a street collection in East Devon.

## Policy Statement

Permits are required for street collections in the area of East Devon District Council, and must be obtained from the Licensing Manager before any collection takes place. Collectors will be issued with a copy of the legal regulations they must comply with.

## Terms Explained

East Devon District Council has made Regulations under the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 for the control of Street Collections.

## How will we go about it?

We will make information available about how to apply for a permit:

- At the Council's Licensing Office
- On the Council's website.

## Specific Policy Areas

There is currently no charge for the issue of a permit.

The legislation does not include statutory criteria for approval or rejection of a permit request. It is a matter for the Council's discretion, and the regulations, together with this policy, set out how the Council will normally deal with permits. An organisation applying for a permit to collect does not need to be a registered charity. Where an application is received that is considered not to be in the public interest the Licensing Manager, in consultation with the Head of Legal, Licensing and Democratic Services, may refuse the application. This is in addition to the general policy set out in paragraph 3.2. If necessary the application will be brought to the Licensing and Enforcement Committee or a Sub Committee of that Committee for consideration.

1. The District Council's general policy for the issue of permits is:

- a) That a collection for one day will be permitted per week in each of the towns in the district including Axminster, Seaton, Honiton, Ottery St Mary, Colyton, Beer, Sidmouth, Budleigh Salterton and Exmouth. Saturday is the day on which most collections take place with the exception of Axminster where Thursdays is the preferred choice of many organisations because of the market. The District Council will always attempt to be flexible and permit an organisation to collect, with prior agreement, on any day they wish providing always there is only one collection held in that town in that week.
  - b) That a collection for one day will be permitted per week on Exmouth Seafront. The District Council will always attempt to be flexible and permit an organisation to collect, with prior agreement, on any day they wish providing always there is only one collection held on the seafront in that week.
  - c) All organisations/charities will only be permitted to collect once in a calendar year in each of the district's nine towns and Exmouth Seafront.
  - d) Permits will be issued to permit collections between 10.00 am and 6.00 pm on the day approved for the collection. Exceptions to these times will be considered at the discretion of the Licensing Manager
  - e) These general restrictions will be relaxed two weeks before Christmas at the discretion at the Licensing Manager but no organisation/charity in the run up to Christmas will be granted a permit to collect on more than one Saturday in the same town.
2. The following exceptions will apply to the policy:
- a) The Royal British Legion will be permitted to collect on two days (Friday and Saturday) of the week before Remembrance Day in all the towns in the district with the exception of Axminster where the organisation will be permitted to collect on three days - Thursday (Market Day), Friday and Saturday.
  - b) Permits granted for collections in the Exmouth Town Centre will prohibit collections along the seafront. This does not prevent a collector applying for a Exmouth Seafront permit in addition.
  - c) Permits granted for collections along the Exmouth Seafront will not permit collections in the town centre and the maximum number of collectors will be restricted to six.
  - d) Where collection permits are issued for Sidmouth Town these will permit no more than two collectors to collect on Sidmouth Esplanade.
3. Collections in the villages will be considered at the discretion of the Licensing Manager.
4. Permits for 'passing through' collections will granted at the discretion of the Licensing Manager. These events are normally sponsored walks, bed pushes or cycle rides etc.
5. Permits for special occasion events, for example - Red Nose Day, Children In Need, Red Arrows Display or one off collections for major disasters will be granted at the discretion of the Licensing Manager. Often these permits are sought with very little notice – applicants should normally provide a months notice but this can be relaxed in special circumstances. Where there is a major disaster, any permission to collect at short notice will normally be given to the group of charities co-ordinating help, rather than to small groups whose credentials cannot easily be

established. These permits will not be issued where there is a clash with a long-term booking. Therefore these special event collections will normally take place on a weekday.

6. Occasionally the District Council will receive applications for permits to enable street collections in circumstances outside the terms of the council's policy. An example might be where an organisation/charity wishes to collect for longer periods or more often than the policy permits. In these circumstances the Licensing and Enforcement Committee or a Sub Committee of the Committee will consider the application.

## **Outcomes**

To regulate charitable and other street collections and ensure that there is clear guidance on our policy as well as proper audits of collections.

## **Who is responsible for delivery?**

The Licensing Manager will operate the policy on a day to day basis, with the involvement, where necessary, of the Head of Legal, Licensing and Democratic Services.

## **Performance Monitoring**

The number of permits issued is monitored on an annual basis. The effectiveness and fairness of the policy will be kept under review by the Licensing Manager.

## **Policy Consultation**

Strategic Management Team, all Town and Parish Councils

## **Policy Review**

The Head of Governance and Licensing will review the policy in 2022.

## **Related Policies and Strategies**

None



## EAST DEVON DISTRICT COUNCIL

### REGULATIONS MADE BY EAST DEVON DISTRICT COUNCIL WITH REGARD TO STREET COLLECTIONS

*IN exercise of the powers conferred upon it by section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916, as amended by section 251 of the Local Government Act 1972 and Schedule 29 to that Act and the Criminal Law Act 1977 (Commencement No. 5) Order 1978 No. 712), East Devon District Council hereby makes the Regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place within the district of East Devon to collect money or sell articles for the benefit of charitable or other purposes.*

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1. In these Regulations, unless the context otherwise requires – “collection” means a collection of money or a sale of articles for the benefit of charitable or other purposes and the word “collector” shall be construed accordingly, “promoter” means a person who causes others to act as collectors; “permit” means a permit for a collection; “contributor” means a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes; “collecting box” means a box or other receptacle for the reception of money from contributors.
2. No collection, other than a collection taken at a meeting in the open air, shall be made in any street or public place within East Devon District unless a promoter shall have obtained from the licensing authority a permit.
3. Application for a permit shall be made in writing not later than one month before the date on which it is proposed to make the collection.

Provided that the East Devon District Council may reduce the period of one month if satisfied that there are special reasons for so doing.

4. No collection shall be made except upon the day and between the hours stated in the permit.
5. The East Devon District Council may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.
6. (1) No person may assist or take part in any collection without the written authority of a promoter.  
(2) Any person authorised under paragraph (1) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the East Devon District Council or any constable.
7. No collection shall be made in any part of the carriageway of any street which has a footway.  
Provided that the East Devon District Council may, if it thinks fit, allow a collection to take place on the said carriageway where such collection has been authorised to be held in connection with a procession.
8. No collection shall be made in a manner likely to inconvenience or annoy any person.
9. No collector shall importune any person to the annoyance of such person.
10. While collecting:
  - (a) a collector shall remain stationary; and
  - (b) a collector or two collectors together shall not be nearer to another collector than 25 metres:

Provided that the East Devon District Council may, if it thinks fit, waive the requirements of this Regulation in respect of a collection which has been authorised to be held in connection with a procession.

11. No promoter, collector or person who is otherwise connected with a collection shall permit a person under the age of sixteen years to act as a collector.
12. (1) Every collector shall carry a collecting box.  
(2) All collecting boxes shall be numbered consecutively and shall be securely closed and sealed in such a way as to prevent them being opened without the seal being broken.  
(3) All money received by a collector from contributors shall immediately be placed in a collecting box.  
(4) Every collector shall deliver, unopened, all collecting boxes in his possession to a promoter.
13. A collector shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the charity or fund which is to benefit nor any collecting box which is not duly numbered.
14. (1) Subject to paragraph (2) below a collecting box shall be opened in the presence of a promoter and another responsible person.  
(2) Where a collecting box is delivered, unopened, to a bank, it may be opened by an official of the bank.  
(3) As soon as a collecting box has been opened, the person opening it shall count the contents and shall enter the amount with the number of the collecting box on a list which shall be certified by that person.
15. (1) No payment shall be made to any collector.  
(2) No payment shall be made out of the proceeds of a collection, either directly or indirectly, to any person connected with the promotion or conduct of such collection, in respect of services connected therewith, except such payments as may have been approved by the licensing authority.
16. (1) Within one month after the date of any collection the person to whom a permit has been granted shall forward to the East Devon District Council:-
  - (a) a statement in the form set out in the Schedule to these Regulations, or in a form to the like effect, showing the amount received and the expenses and payments incurred in connection with such collection, and certified by that person and a qualified accountant;
  - (b) a list of collectors;
  - (c) a list of the amounts contained in each collecting box.and shall, if required by the East Devon District Council, satisfy it as to the proper application of the proceeds of the collection.  
(2) The said person shall also, within the same period, at the expense of that person and after a qualified accountant has given his certificate under paragraph (1)(a) above, publish in such newspaper or newspapers as the East Devon District Council may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit relates, the name of the charity or fund to benefit, the date of the collection, the amount collected, and the amount of the expenses and payments incurred in connection with such collection.  
(3) The East Devon District Council may, if satisfied there are special reasons for so doing, extend the period of one month referred to in paragraph (1) above.  
(4) For the purposes of this Regulation "a qualified accountant" means a member of one or more of the following bodies:-
  - the Institute of Chartered Accountants in England and Wales
  - the Association of Certified Accountants
  - the Institute of Chartered Accountants in Ireland.
17. These regulations shall not apply:-
  - (a) in respect of a collection taken at a meeting in the open air, or
  - (b) to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade.