

Agenda for Council

Wednesday, 12 December 2018; 6.00pm



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 Rev'd Jeremy White to say a prayer.

Dear Sir/Madam

Meeting of the Council of the District of East Devon on Wednesday 12 December 2018 at 6.00 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 24 October 2018
- 3 Apologies
- 4 Declarations of interest - Guidance is available online to Councillors and co-opted members on making [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 Reports from the Cabinet and the Council's Committees and questions on those reports:

Cabinet	Minutes	77 – 96, 97 – 116
†Scrutiny Committee	Minutes	29 – 40
†Overview Committee	Minutes	17 – 23
Housing Review Board	Minutes	17 -39, 40 – 51
Strategic Planning Committee	Minutes	22 – 34
Development Management Committee	Minutes	22 – 25
Audit & Governance Committee	Minutes	25 – 35
Licensing and Enforcement Committee	Minutes	9 - 15
Licensing and Enforcement Sub Committee	Minutes	29–34, 35–37, 38-41

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

- 10 **Appointment of Co-opted Tenant Representative Members on Housing Review Board**
Following interviews which were held on 14 November 2018 to fill the two vacant tenant representative positions, members are asked to formally co-opt Pat Gore and Cat Summers to the Board.

- 11 **Motion – Processes for dealing with settlement agreements**

In light of the publicity around settlement agreements entered into by this Council in recent years there are concerns that this Council is not taking decisions with openness, transparency and accountability. Will the Council agree that for settlement agreements there should be a robust process in place for dealing with them which should include Member oversight and, if so, will the Council agree to such a process being put in place as soon as possible?

Proposed by Councillor Ben Ingham
Seconded by Councillor Megan Armstrong

Supported by Councillor Peter Faithfull, Councillor Val Ranger, Councillor Marianne Rixson, Councillor Cathy Gardner, Councillor Roger Giles and Councillor Matt Booth

12 Motion – Financial decisions to be taken in accordance with the Council’s Code of Corporate Governance

Following the urgent decision taken recently regarding Queens Drive there are concerns that this Council is not taking decisions with objectivity, integrity, honesty and accountability. Does the Council agree that all financial decisions should be taken in accordance with the principles set out in the Council’s Code of Corporate Governance?

Proposed by Councillor Ben Ingham
Seconded by Councillor Megan Armstrong

Supported by Councillor Peter Faithfull, Councillor Val Ranger, Councillor Marianne Rixson, Councillor Cathy Gardner, Councillor Roger Giles and Councillor Matt Booth

13 Motion – Findings on extreme poverty and human rights in the United Kingdom

“Following the findings of both the UK Equalities and Human Rights Commission and the UN Special Rapporteur on the impact of benefits changes and other spending cuts on people living in the UK, this Council will receive a report on the potential impacts on residents in East Devon and the need for further support from this Council, for example in supporting the roll-out of Universal Credit, homelessness prevention or for local food banks.”

Proposed by Councillor Cathy Gardner
Seconded by Councillor Marianne Rixson

Supported by Councillor Ben Ingham, Councillor Roger Giles, Councillor Matthew Booth, Councillor Peter Faithfull, Councillor Dawn Manley, Councillor Val Ranger.

[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, 24 October 2018

Attendance list at the end of document.

The meeting started at 6.00pm and ended at 8.27pm.

***28 Public speaking**

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

Jack Rowland had submitted a question in advance of the meeting, asking: "EDDC has recently decided not to list Seaton Community Hospital as an asset of community value citing that it does not meet the definition of "social wellbeing". EDDC has now declined requests from 3 community hospitals in the district giving the same reason each time. Please explain why other district councils in Devon have agreed to list community hospitals as assets of community value e.g. Tyrell Community Hospital in Ilfracombe, Moretonhampstead Community Hospital, Bovey Tracey Community Hospital and Teignmouth Community Hospital.

Why is EDDC interpreting the definition differently to neighbouring district councils on this important issue where our community hospitals may be under threat of being fully closed and sold in the future by NHS Property Services?"

In response, the Chief Executive said:

'In this case the recorded reason is as follows:

The main use of the property is the 'care element' which may be considered as furthering the social wellbeing or social interest of the community, however, this does not come within the scope of the Localism Act.

A plain English guide to the Localism Act, states:

"Every town, village or neighbourhood is home to buildings or amenities that play a vital role in local life. They might include community centres, libraries, swimming pools, village shops, markets or pubs. Local life would not be the same without them, and if they are closed or sold into private use, it can be a real loss to the community."

In this case the nominated asset does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.

The Council believes that this interpretation of the law is correct as there is no evidence to suggest that community hospitals were in the mind of the legislator when the law was enacted. This is reinforced by the definition of 'social interests' in Section 88(6) of the Localism Act 2011 which states that it is, in particular, cultural, recreational or sporting interests. In addition there certainly appears to be no reference to community hospitals for example on any relevant websites. Had it been the intent of the legislator to include health care then one would have expected it to be listed in the relevant definition. It has also been confirmed that religious observance in a building does not fall within 'social well-being' and our view is that this is analogous to circumstances surrounding health care provision.

In the Case of North Devon Council they have helpfully published their reasoning for deciding that Ilfracombe hospital was an appropriate site to be registered under

the community right to bid: <https://www.northdevon.gov.uk/media/378607/decision-notice-tyrrel-hospital.pdf>

In particular, considerable emphasis is put on the fact that Ilfracombe is an area of high deprivation and low car ownership in a rural locality. This justification has been used to justify a departure from the original legislative intention.

Teignbridge Council have not published any of their decisions but looking at the location of the relevant properties it would appear that the assets are similarly located in areas which experience the worst levels of deprivation in Devon: <http://www.devonhealthandwellbeing.org.uk/jsna/overview/archive/socio-economic-deprivation/indices-of-deprivation-2015/>

The same cannot be said to be the case in either Axminster, Honiton, Ottery St Mary or Seaton. In the circumstances therefore there is no justification for departing from the correct legal interpretation and any consequential risks'.

Jack Rowland asked a supplementary question relating to the guidance which he suggested did not provide an exhaustive list of possible community assets, and stated that many town councils such as Seaton are trying to create health and well-being centres in their communities. He was of the view that EDDC was out of step with the rest of the country.

In response, the Chief Executive stated that he had done research into other areas and could refer to examples in Derbyshire, Essex and Worcestershire where following legal advice, councils had taken a similar interpretation as EDDC. In terms of the threat to community hospitals, the NHS are keen to work with local communities on sustainable solutions in locations where community hospitals are currently located, for example in Budleigh, which demonstrates that there is an expectation that if communities can come together and work with the NHS, it is the best way to protect locations and local assets.

David Daniel wanted to ask a question about housing need in Devon. He had recently attended a Campaign to Protect Rural England (CPRE) symposium on Housing needs in Devon which had not been as well attended as an event in March on the Greater Exeter Strategic Plan (GESP). At the CPRE event, independent studies had shown that too many houses were being planned for Devon over the next ten years. It estimated that 4,300 were needed as opposed to 5,800 being planned, which was a 35% uplift. Also that two thirds of these would be occupied by inward migration. Vacant and second homes were a problem across the county and East Devon was taking a disproportionate share of development. Only Plymouth was building more than East Devon. The district was failing to build the right type of homes in the right location for locally generated populations. The Government uses a formula for calculating housing targets which will be open to challenge, but which are still lower than in the East Devon Local Plan. Sir Hugo Swire MP will be taking a message back to Government from the event and stated that we should 'Follow the facts and build the appropriate number of houses for local need'.

The Chief Executive responded by stating that EDDC are awaiting a copy of the CPRE report, which will be assessed by officers and a report will go to the Strategic Planning Committee in November. He pointed out that the figures in the Local Plan came about as a result of going through the statutory process and the

original figure was influenced by the CPRE. The Council is interested in what the CPRE have to say as well as the Government's view.

***29 Minutes**

The minutes of the [Extra ordinary Council meeting](#) and [Council meeting](#) held on 25 July 2018 were confirmed and signed as a true record.

Councillor Tom Wright wanted to raise a point from the last Council meeting when there was a debate about the Drill Hall in Sidmouth. Councillor Booth had taken part in the debate and stated that he had no interest to declare on the matter when asked by Councillor Wright, but subsequently apologised when he found out that this was not the case. Councillor Booth explained that he had formerly been a Director in a company associated with the Drill Hall but it was his belief that this had ceased to be the case in 2017. He had thought that he had no need to declare an interest accordingly, but on checking with Companies House after the July Council meeting, he established that he had not been removed as a Director as expected. He discussed this matter with the Monitoring Officer and offered an apology to the Council.

***30 Declarations of interest**

Councillor Geoff Pook – Minute *28, Public speaking – Question on Seaton Community Hospital

Type of interest – Personal interest

Reason – Vice Chair, Seaton Health Matters

Councillor Graham Godbeer – Minute *35, Appointment of a non-voting Parish Council representative to the Standards Committee

Type of interest – Personal interest

Reason – Councillor Nelson once purchased a puppy from Councillor Godbeer

Councillor Geoff Jung – Minute *37, Motion – Future housing provision in the East Devon District Council area

Type of interest – Personal interest

Reason – Member of CPRE

Councillor Geoff Pook – Minute *37, Motion – Future housing provision in the East Devon District Council area

Type of interest – Personal interest

Reason – Involved in construction industry

Councillor Matt Booth – Minute *37, Motion – Future housing provision in the East Devon District Council area

Type of interest – Personal interest

Reason – Member of CPRE

Councillor Peter Faithfull – Minute *37, Motion – Future housing provision in the East Devon District Council area

Type of interest – Personal interest

Reason – Member of CPRE

Councillor Skinner asked the Monitoring Officer for future reference if those Councillors who were members of the CPRE would be able to take part in debates about housing provision at future Council meetings. The Monitoring Officer, Henry

Gordon-Lennox, confirmed that they would be able to and should declare their membership as a Personal Interest.

*31 **Chairman/Leader notices/announcements**

The Chairman had several announcements, starting with obituaries for former Councillors.

Geoffrey Chamberlain – sadly passed away in May 2018.

Geoff Chamberlain, was elected Vice-Chairman of the Council for two years in 2005 and as a Liberal Democrat, was the only person from outside the ruling majority conservative group to have been appointed to that position.

He was also Chairman of Exmouth Town Committee in 1995 before becoming the

council's first Mayor following its formation in 1996, and guiding the new council through its difficult early years with skillful diplomacy.

He was made an Honorary Alderman of East Devon District Council in 2015, having been first elected in 1980, and was affectionately recognised as 'Father of the House'.

He was most interested in Planning but served on a huge range of Committees during his terms of office – including Tourism, Amenities, Transportation, Manpower Services, Policy, Planning, Property services, Performance Review, Environmental Planning, Overview, Standards, Licensing, as well as getting involved in many other things at a District and Town level.

He witnessed and participated in many changes to Local Government during his time in public service.

As a member of the Exmouth Pavilion Advisory Committee, his efforts to prevent the closure of the Pavilion played an 'important part' in securing its future when considerable investment was required.

He was a keen sportsman and was instrumental in bringing the East Devon Indoor Tennis Centre to Exmouth.

Geoff was chairman of Exmouth's Britain in Bloom committee, Commodore of the Exe Powerboat and Ski Club, and chairman of governors at Bassett's Farm School, as well as being a founder of the twinning arrangements between Exmouth and Langerwehe.

Colleagues described Geoff as a thoroughly likeable and friendly man, proud and soundly principled, and a reliable friend to many. His loss will be keenly felt across the district. His service to the community of Exmouth and East Devon was exemplary and unblemished and it was a privilege to have known him.

The Chairman invited further comments from colleagues who knew Geoff Chamberlain.

Councillor Eileen Wragg stated that he was a man of honour and dignity, and that despite his age, he always offered advice to colleagues in providing a service to the town and various organisations. She said that his loss would be felt.

Honorary Alderman Trevor Cope also wanted to reiterate how good it was to work with Geoff because of his vast knowledge.

Councillor Jill Elson said that she had worked closely with Geoff over many years.

Councillor Tim Dumper said that although Geoff had often operated in a non-party political manner, within the Liberal Democrat group he had been very supportive when Councillor Dumper was a parliamentary candidate on two occasions.

The Chairman asked the Council to rise in memory to Geoff Chamberlain.

Martin Gammell – sadly passed away on 12th August 2018

Martin was elected as the Liberal Democrat Councillor for Whimble in May 2011.

During his term in office, he served on a number of Committees – Development

Management; Planning Inspections; STRATA Joint Scrutiny and Employment Appeals.

He was also a member of the Economy Portfolio Holder's Think Tank, and was on the Broadclyst Sports Hall Advisory Forum.

A notable highlight of his political career at East Devon was when the students at Sidmouth College declared him 'King of the EDDC political speed dating event in 2013' and crowned him accordingly. This event of course has continued and will take place this year on November 23rd.

Martin will also be remembered for moving into the Old Station House at Whimble and attempting to restore the building to its former glory as a former railway station, writing articles for the 'Whimble News' about his progress.

The Chairman invited further comments from colleagues who knew Martin. Councillor Philip Skinner said the Martin Gammell had been a neighbour of his in the Talaton ward, and had been a thoroughly approachable and lovely man to know.

The Chairman asked the Council to rise in memory to Martin Gammell.

Geoff Pratt

The Chairman was pleased to welcome Councillor Geoff Pratt to EDDC. Cllr Pratt is an Independent Councillor who won the by-election to be elected to East Devon District Council in the Ottery St Mary rural ward on 20th September. He was one of five candidates contesting the vacant seat and was elected with 59 per cent of the vote.

Awards – The Chairman was delighted to announce that the multi-award winning partnership between EDDC's Recycling Team and SUEZ has had another success.

In 2017 the team was awarded a green apple environmental award by the Green Organisation for its improvements to recycling in the district. The Green Organisation then nominated the team for a further award this year on the world stage and the partnership had been successful. The team are now designated as Green World Ambassadors for 2018 for their work in Helping Others to Help the Environment.

The partnership are currently planning further improvements to recycling in East Devon in 2019.

Councillor Tom Wright stated that in view of the recent controversy and interest in plastics, he wanted to confirm that plastics in East Devon were recycled in Warrington and processed into pellets which could be used to make other products. Black plastic and film were the only items which could not be recycled and were removed at source.

***32 Questions (Procedure Rules 9.2 and 9.5)**

15 questions, some with several parts to them had been submitted in accordance with Procedure Rule 9.2 - the printed [questions and answers](#) were circulated prior to 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 – The supplementary question queried whether EDDC would be writing to local MPs to press the Government for revised borrowing guidelines.

In response, the Portfolio Holder for Sustainable Homes & Communities, Cllr Jill Elson, stated that she had already written to MPs for this purpose.

- b) Question 2 – The supplementary question queried that given the rise in anti-social behaviour and vandalism in parks and gardens, what EDDC would do to ensure effective patrolling of areas by the police at no additional expense to the Council.

In response, the chief Executive stated that the answer provided to the original question pertained to costs incurred to the Council to secure its own buildings. In relation to other issues in the District, EDDC has employed security for specific occasions, such as Britain in Bloom, to protect gardens against vandalism before they are judged. In relation to issues such as anti-social behaviour they are handled by the Local Area Groups when EDDC works closely with the police to ensure the police are aware of all local issues.

- c) Question 3 – The supplementary question queried how the team at EDDC ascertained the need for workshops in different areas across the District.

In response, the Portfolio Holder for Economy, Cllr Philip Skinner stated that there was a push to identify suitable sites across the District.

The Portfolio Holder for Asset Management, Geoff Pook, stated that a much more commercial approach was now being taken. This was done through use of investment monies, but the first priority of this was to create an income for the Council, and also through looking for opportunities within the District utilising council land or land owned by others. EDDC had an open mind about sites and wanted to deliver what was needed, where it was needed.

- d) Question 4 – The supplementary question queried whether EDDC has asked further questions in relation to Grant Thornton in the light of negative reports about auditors.

In response, the Chairman of the Audit & Governance Committee, Cllr Mark Williamson, stated that the Government's Business Secretary had commissioned a report into the four big audit firms, and Grant Thornton was not amongst them. He advised that Price Waterhouse Cooper (PWC) are doing a forensic analysis of these firms over the last two years and that EDDC should wait for the PWC report before drawing conclusions too early. He also pointed out that the Audit & Governance Committee were not there to listen to Grant Thornton, but to interrogate them, which is what happens.

- e) Question 5 – The supplementary question focussed on whether EDDC were using the three local MPs effectively to achieve quality developments in the District.

In response, the Portfolio Holder for Strategic Development, Cllr Paul Diviani, stated that we had ploughed our own furrow in East Devon by successfully securing advance funding from Government for infrastructure developments at Cranbrook. There had also been opportunities to secure other funding, such as through Cllr Diviani's work with the Local Government Association. It was clear that MPs are the best conduit for ensuring that information travels up and down the chain within government, and that they are in a strong position to help EDDC to achieve what is wanted in East Devon.

- f) Question 6 – The supplementary question asked was in two parts. Cllr Ranger asked if she could be referred to any previous reports on the topic of an East Devon and Dorset National park, and whether it would be fed into the Strategic

Planning Committee in November. And further with reference to the GESP, whether EDDC were taking on board how growth was impacting on the AONB and outlying areas of the District effected by the spread of Exeter.

In response, the Chief Executive stated that the previous report on this issue was at least ten years old, but that a full report was going to the Strategic Planning Committee in November. In relation to the AONB, requirements of its statutory designation meant that these had to be taken into account by the GESP team in any future proposals.

Cllr Graham Godbeer, as Chair of the East Devon AONB Partnership, challenged the question originally put to Council in terms of stating that the East Devon AONB Partnership strongly supports the presence of a National Park, because this was not the case. It was debated last year and there was no support for this development.

Cllr Diviani confirmed that view was shared by Devon County Council who would wait to hear from the areas concerned and were taking no action currently, as EDDC was also not taking any action. He informed members that he would be attending the National AONB conference in London on 29 November. He pointed out that AONB parks separately are highly regarded and were considered as part of the countryside to be kept intact. Attempts to alter this would be likely to cause AONBs to fight it strongly.

- g) Question 7 – The supplementary question concerned whether the Communications Team could be involved in this issue since EDDC is being blamed rather than Network Rail for not dealing with what is a grave concern in Feniton and an issue arising continuously on the Quarterly Performance Monitoring Reports of the Council as being of concern.

In response, the Portfolio Holder for the Environment, Cllr Wright, reiterated his concern that they had been led to believe that the necessary work would be under way by now. He was meeting with Neil Parish MP on 16th November to discuss environmental issues and had asked Cllr Bond to join him in putting pressure on the MP to take action.

- h) Questions 8 – 14. In the absence of Cllr Rylance there were no supplementary questions.
- i) Question 15 – The supplementary question queried why it took so long to repair a clock in Seaton.

In response the Chief Executive stated that all assets of the Council have a schedule of maintenance and repair and that in the opinion of officers it must have been a case of now being the right time to do the repairs.

There was a query about whether all of the questions being put in the Chamber needed to be asked when most work done by Councillors goes on outside the Chamber, and usually involves approaching the relevant officers and/or portfolio holders.

A view was expressed that in the interests of transparency, questions were to be asked and answered before moving on, but there seemed to be a tendency recently to have a general debate.

***33 Minutes of Cabinet and Committees**

RESOLVED

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

Cabinet

Minutes 39-58, 59-76

Scrutiny

Minutes 14-21, 22-28

Overview

Minutes 6-10, 11-16

Strategic Planning Committee

Minutes 8-14, 15-21

Development Management Committee

Minutes 9-12, 13-16, 17-21

Audit & Governance Committee

Minutes 1-14, 15-24

Licensing and Enforcement Committee

Minutes 5 - 8

Licensing and Enforcement Sub Committee

Minutes 11-15, 16 – 22, 23- 25, 26-28

Standards Committee

Minutes 1 - 6

Arising from consideration of the above minutes:-

➤ **Audit & Governance, minute number 22 – Expenditure on consultants and agency staff 2017/18**

Councillor Longhurst had raised an issue at the meeting relating to Strategic Plan costs totalling £50,000 and the Strategic Lead for Finance was going to update members on what this referred to. Councillor Giles asked for an explanation about what this cost related to. The Chief Executive stated this would be related to the budget previously approved by Cabinet required for the GESP team, covering secondments of staff and the use of various experts and consultants as work progressed.

***34 Amendment to appointments on the Overview and Licensing & Enforcement Committees**

RESOLVED that following the election of Councillor Geoff Pratt to the Council, he will replace Councillor Matt Booth on the Overview Committee and the Licensing & Enforcement Committee.

***35 Appointment of a non-voting Parish Council representative to the Standards Committee**

RESOLVED that Councillor Bob Nelson, currently Chair of Broadhembury PC, is confirmed as a non-voting Parish Council representative to the Standards Committee, following a recent recruitment process to fill the vacancy on the Committee.

***36 Motion - Voluntary Disclosure and Barring Service (DBS) Checks**

The following motion was proposed by Councillor Ian Hall, seconded by Councillor Iain Chubb and supported by Councillor Brian Bailey, Councillor Bruce De Saram, Councillor Mike Howe and Councillor Pauline Stott.

“That this Council supports elected Councillors from May 2019 obtaining their own basic Disclosure and Barring Service check and the voluntary disclosure of the result and further that the Council will facilitate the publication of the result of the check on the Councillor pages of the Council’s website.”

The proposer of the motion, Councillor Ian Hall, made the following comments; He wanted to move a motion that EDDC supports a non-mandatory, voluntary Disclosure and Barring Service check DBS for sitting members seeking re-election and newly elected Councillors from May 2019.

The reason for bringing the motion was to ensure EDDC has the most robust tool available to everyone through a ‘voluntary’ Disclosure and Barring Service Check (DBS).

The subject of a mandatory DBS check was discussed last September and based on advice from the Monitoring Officer it is known that this cannot be a compulsory check, which might be subject to legal challenge, but in the interests of openness and transparency councillors should not want a DBS check simply because it is mandatory. Public perception is important and other local authorities have voted unanimously for a voluntary DBS check.

Councillors all complete register of interest forms and declare various DPI and personal interests as and when required, and these particular checks and balances are effective. In talking to members of the public it is assumed that councillors would already have a DBS check in place as with their ROI declarations, ensuring that they are all fit and proper community leaders, and they can be reassured that openness & transparency is as paramount to councillors as it is to them.

When he was first elected in 2015, Cllr Hall was astonished that there were no checks at this district level of public service and with the situation for all councils changing rapidly in terms of reduced services provided and more collaborative working between authorities they must be seen to be shutting the stable door before the horse bolts.

Cllr Hall had had to undertake CRB & DBS checks as a result of other voluntary roles in the community previously, and the clear view from those who have elected him and others who support this motion view this as a very reasonable, ‘pain free’, low cost part of what is expected of all councillors as community Leaders. No one should have anything to hide and he urged all members to support this motion where he will be requesting a recorded vote be taken.

The seconder of the motion, Councillor Iain Chubb, referred to the numerous occasions currently when councillors engaged with young people and local communities. There are requirements for people to go through various checks in relation to council business, such as Taxi drivers whose applications need to be checked by the Licensing Committee and the checks made by Payroll staff in relation to the expenses claimed as a result of the use of cars. He pointed out that it seemed strange that EDDC did not have a DBS scheme in place before something bad occurred.

Cllr Wright stated that DBS checks do not protect anyone from bad things happening because many offenders have been through a process of being DBS checked. However it was important as a matter of public perception.

Cllr Booth suggested that safeguards are in place to protect councillors from misuse of DBS checks.

Henry Gordon-Lennox explained that there were three types of checks carried out. Basic checks which went back to an individual, Standard checks, and Enhanced checks which were requested and retained by employers. From a council perspective with its role in relation to data protection requirements, it was not the responsibility of the council to keep information on councillors, and if information was disclosed as a result of a DBS check it would be difficult to know what the Council could do with it.

Other points made during the debate included the following;

- There is nothing requiring a councillor to disclose anything in their past once they are elected and future behaviour cannot be predicted.
- The legality of who keeps the information is important.
- A scheme for the Council should be mandatory not voluntary.
- There is work currently going on within government in relation to the disqualification criteria for councillors and mayors. There are likely to be amendments proposed to the Local Government Act 1972 to facilitate this and make DBS checks mandatory in due course.
- The key word in the motion is 'voluntary' offering councillors a choice which will be supported by the Council, as a first step to schemes becoming mandatory.

Henry Gordon-Lennox clarified that it would currently be unlawful to impose mandatory checks. Councillors do not meet the criteria for Standard or Enhanced checks. Amendments to the motion are not necessary because the issues are self-regulatory and the Code of Conduct would not apply because there would be automatic disqualification if a Councillor was convicted for a relevant offence. It is the content of the DBS check which is critical for the public to know about, requiring a document to be posted online or statements to be made about a check being clear or otherwise. He considered that the issue had been adequately debated previously at Full Council and Cabinet and councillors would have the choice to have their DBS sheet put on the website which the Council will facilitate.

The Chairman invited Cllr Hall to give his right to reply.

Cllr Hall stated that he would prefer the scheme to be a mandatory one and reiterated that councillors should not miss this opportunity to be proactive about this issue. He requested a recorded vote.

The Chairman requested that the motion be now put and that a recorded vote take place. This was agreed by a show of hands.

The Chief Executive read out the names of all councillors present to record who voted for or against the motion, or abstained from voting.

The Councillors in support of the motion comprised; Mike Allen, Megan Armstrong, Brian Bailey, Dean Barrow, Susie Bond, Colin Brown, Peter Burrows, Paul Carter, Maddy Chapman, Iain Chubb, Alan Dent, Bruce De Saram, Paul Diviani, Tim Dumper, John Dyson, Jill Elson, Mark Evans-Martin, Peter Faithfull, Cathy Gardner, Steve Gazzard, Roger Giles, Graham Godbeer, Simon Grundy, Ian Hall, Mike Howe, Stuart Hughes, John Humphreys, Ben Ingham, Geoff Jung, David Key, Rob Longhurst, Dawn Manley, Andrew Moulding, Cherry Nicholas, Darryl Nicholas, John O'Leary, Helen Parr, Geoff Pook, Geoff Pratt, Val Ranger,

Marianne Rixson, Philip Skinner, Pauline Stott, Brenda Taylor, Phil Twiss, Mark Williamson, Eileen Wragg, Tom Wright.

There was one councillor abstaining from the vote, Councillor; Matt Booth.

The Chairman stated the outcome of the recorded vote as being 48 in favour, and one abstention.

RESOLVED:

‘that following a recorded vote, the motion proposed by Councillor Ian Hall and seconded by Councillor Chubb was carried’.

***37 Motion – Future housing provision in the East Devon District Council area**

The following motion was proposed by Councillor Ben Ingham, seconded by Councillor Roger Giles and supported by Councillor Megan Armstrong, Councillor Susie Bond, Councillor Matthew Booth, Councillor Cathy Gardner, Councillor Peter Faithfull, Councillor Geoff Jung, Councillor Rob Longhurst, Councillor Dawn Manley, Councillor Geoff Pratt, Councillor Val Ranger, Councillor Marianne Rixson.

“This Council expresses its deep reservations at the government requirements for future housing delivery in the East Devon District Council area. The Council is concerned that the requirement for a minimum of 844 homes per year might be more than would be necessary to meet local housing need, would be damaging to the countryside, quality of life and would prove deeply unpopular with the people of East Devon. The Council therefore agrees to further consideration as to whether there are exceptional circumstances and more realistic assumptions of demographic growth that would justify a lower figure which would be required to be fully evidence based and which, if demonstrated, would be fed into the GESP process. A request is made for a budget for the Policy Team to commission expert evidence to assess in light of it being contrary to officer views as reported to Strategic Planning Committee in September. The public should be engaged as part of any assessment in the normal way”.

The proposer, Councillor Ben Ingham, made the following points. That some years ago this Council, Exeter City Council, Mid Devon District Council and Teignbridge District Council commissioned a combined Housing Needs Assessment considering the projected population growth and needs. This resulted in East Devon pursuing what he considered to be an aggressive jobs led local policy. As a result, 19,000 homes were regarded as enhancing the quality of the built environment, but this was more housing than was necessary to meet local requirements and was more about shouldering Exeter’s needs rather than protecting the North West quadrant of East Devon. If EDDC failed to meet the five year target for land supply, it would become an open target for unscrupulous developers. This would be about building the wrong type of housing, for the wrong people in the wrong places. There needs to be a reduction in the annual number of houses to be built in favour of young

families and low earners in our communities. EDDC should not accept the revised Government figures and the ONS and CPRE consider that this is wrong. Sir Hugo Swire MP contacted the Housing Minister as a result of his concern. EDDC must change its policy for it to be able to develop low cost housing and help to create futures for those people represented by local councillors.

The seconder, Councillor Roger Giles, stated that it is essential to get accurate projections which are evidence based. On 20 September, the ONS produced a report which predicted slower population growth than previously predicted. The need for new houses was now over stated, and ONS projected lower figures. Locally, developers argue against building affordable homes. East Devon has the highest inward migration for the whole of Devon. Building more houses will attract more migration. EDDC's Strategic Planning policy encourages large-scale inward migration which is detrimental to the prospects of young local people who cannot get on to the property ladder. The problem is a lack of affordable homes, while too many expensive homes are being built. Cllr Giles urged the Council to resist top down figures imposed by Government in favour of meeting local housing needs.

Councillor Megan Armstrong, expressed concern about the Council's environmental policy. That action was required to reduce the carbon footprint before the tipping point on climate change was reached. A strategic assessment should be carried out on the environmental impact of development. Too many houses are being built on greenfield sites, while actions such as planting trees could counter the increasing number of new sources of fossilised fuel.

Cllr Gardner stated that EDDC are committed to building an increasing number of houses to support Exeter's infrastructure needs without any guarantees of support for East Devon's infrastructure. She also pointed out that the public are unaware of the GESP and consultation should take place.

Cllr Booth referred to the CPRE report and support of Sir Hugo Swire MP. He also stated that Devon CPRE had offered to organise a presentation of their report to this Council.

Cllr Jung referred to reports demonstrating that we are not building houses for young local families who are moving away. New houses are being purchased by people from the Home Counties whilst local people are priced out of the market. EDDC should be looking to secure the future of the next generation.

Cllr Diviani stated that EDDC has a track record of doing things well, using Cranbrook as a success. The infrastructure issues were sorted with Government before much work was done by developers. In excess of £94m was attracted. If EDDC wants to build communities rather than estates then local people need to be able to have their say. The GESP is in its early stages but we needed to see how the area covering the travel to work area for Exeter can develop. He advised putting an analysis of what was required into the hands of the Strategic Planning Committee.

Cllr Howe pointed out that it was the Government who kept revising the figures. In September, the Strategic Planning Committee rejected the GESP as unsatisfactory. In October, the Development Management Committee recommended to Strategic Planning that a lower threshold for affordable housing is discussed and considered, and that an analysis of figures is undertaken accordingly.

He suggested an amendment to the motion to the effect that it is referred to the Strategic Planning Committee, and put this as a proposal. Cllr Diviani seconded this and Cllr Skinner supported this.

The Chairman invited Cllr Ingham to give his right to reply.

Cllr Ingham made further comments about the GESP and in support of the motion.

The Chairman asked for a vote on an amendment to the motion that “this motion be referred to the Strategic Planning Committee”, proposed by Cllr Howe and seconded by Cllr Diviani.

This was carried by a show of hands and the amendment became the substantive motion.

The Chairman requested that a vote take place on the proposal that the motion be now put. The proposal was put and agreed by a show of hands.

RESOLVED:

‘that this motion is to be referred to Strategic Planning Committee for further consideration.’

The Chairman declared the meeting closed.

Attendance list

Councillors present:

Mike Allen
Megan Armstrong
Brian Bailey
Dean Barrow
Susie Bond
Matthew Booth
Colin Brown
Jenny Brown
Peter Burrows
Paul Carter
Maddy Chapman
Iain Chubb
Alan Dent
Bruce de Saram
Paul Diviani
Tim Dumper
John Dyson
Jill Elson

Mark Evans-Martin
Peter Faithfull
Cathy Gardner
Steve Gazzard
Roger Giles
Graham Godbeer
Simon Grundy
Ian Hall
Mike Howe
Stuart Hughes
John Humphreys
Ben Ingham
Geoff Jung
David Key (Vice Chairman)
Rob Longhurst
Dawn Manley
Andrew Moulding (Chairman)
Cherry Nicholas
Darryl Nicholas
John O'Leary
Helen Parr
Geoff Pook
Geoff Pratt
Val Ranger
Marianne Rixson
Philip Skinner
Pauline Stott
Brenda Taylor
Phil Twiss
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Trevor Cope
Christine Drew
David Scott

Officers:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Sue Howl, Democratic Services Manager

Councillor apologies:

David Barratt
Steve Hall
Marcus Hartnell
Douglas Hull
Jim Knight
Bill Nash
Christopher Pepper
Eleanor Rylance
Ian Thomas

Honorary Aldermen apologies:

David Atkins
Stephanie Jones
Graham Liverton
Ann Liverton
Frances Newth
Ken Potter
Tim Wood

Officer apologies:

Richard Cohen, Deputy Chief Executive

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 31 October 2018

Attendance list at end of document

The meeting started at 5.30pm and ended at 7.15pm

The Chairman led a minute's silence for our dear friend and colleague Councillor Bill Nash who sadly passed away during the last week.

***77 Public Speaking**

Cllr Kevin Blakely, Chairman of Cranbrook Town Council submitted a question with notice, regarding financial support for a Deputy Town Clerk for Cranbrook. This was to provide temporary financial support to fund the employment of a Deputy Town Clerk until there was sufficient development and consequently sufficient income from the parish precept for the Town Council to be independent and sustainable. In answer to the question, the Chairman suggested that the request to be considered again at the point of debating the 2019/20 draft budget in January/February 2019 so it could be considered alongside other competing demands and in the context of the Council needing to approve a balanced budget, rather than making a decision in isolation. Members and Cllr Blakely agreed to this suggestion.

Mr Conrad Libischer spoke on Minute 92, Axminster Relief Road. He was concerned to the issues of the Waycroft Bridge and A35 junctions at the ends of the new road, as costs indicated did not include the two junctions. The 650 houses being built at the Waycroft Bridge end would increase traffic, which at times already caused this to bottleneck. Mr Libischer claimed the A35 end was unsafe and more needed to be invested to make this a safer junction especially when turning right.

***78 Minutes**

The minutes of the Cabinet meeting held on 3 October 2018 were confirmed and signed as a true record.

***79 Declarations**

Cllr Philip Skinner, Minute 80; personal interest – Exeter Science Park Board of Directors and Chairman of Exmouth Regeneration Board

Cllr Pauline Stott, Minute 80; personal interest – Director of Water Sports Centre

Cllr Paul Diviani, Minute 92; personal interest – Chairman of Axminster Regeneration Board

Cllr Paul Diviani, Minute 80; personal interest – Member of Exmouth Regeneration Board

Cllr Ian Hall, Minute 92; personal interest – County Councillor representative for Axminster

Cllr Iain Chubb, Minute 92; personal interest – County Councillor lives in Axminster

***80 Matters of urgency**

Queen's Drive Regeneration Project

The purpose of this report was to seek approval to commence the Queen's Drive road and car park works in November 2018.

Discussions included the following:

- Had audit advice regarding the risks involved be given?
- Was there a written agreement from Grenadier before Cabinet made a decision?

- Concern that not all agreements were in place
- Verbal assurances were not enough when making major financial decisions
- There was a urgent need for a better car park and this work needed to be started soon to be ready for the busy summer season
- The Phase 1 car park was smaller than the present car park, how could this be shown as a benefit to the Town?
- How could it be demonstrated that there would be better all year round usage of the car park as well a planned revenue stream?

The Deputy Chief Executive responded by reminding Members that November 2016 report on Queen's Drive regeneration included cost scenarios and that the report included up to date independent property valuation for the site. The recent verbal assurances from Grenadier would be required to be confirmed in writing.

RESOLVED:

1. that the commencement of works to the realignment of Queen's Drive and the replacement car park to take place in November 2018; and
2. that delegated approval was given to the Deputy Chief Executive in consultation with the Leader, Portfolio Holder Finance and Chairman of Exmouth Regeneration Board to instruct the contractor to proceed with this work without further delay, be agreed.

REASON:

To ensure that work can commence on the road and car park so that;

1. Delivery commences before the winter to minimise the possibility of delay owing to bad weather;
2. create the best opportunity to complete the road and car park by spring 2019 thereby avoiding disruption to Exmouth seafront in the busy summer months;
3. cost increases due to any delay were minimised, and
4. it would not be necessary to undertake a re-procurement exercise for the contractor which could result in a further delay and cost increase.

***81 Matters referred to the Cabinet**

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

***82 Exclusion of the public**

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

***83 Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 December 2018 to 31 March 2019.

***84 Minutes of the Asset Management Forum held on 6 September 2018**

Members received the Minutes of the Asset Management Forum held on 6 September 2018.

***85 Minutes of the Housing Review Board held on 20 September 2018**

Members received the Minutes of the Housing Review Board held on 20 September 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 22 Installation of defibrillators across East Devon

that lifesaving defibrillators be installed and maintained at housing community centres across the district.

Minute 23 Housing Green Paper – a new deal for social landlords

the contents of the social housing Green Paper, and agree the Strategic Lead – Housing, Health and Environment's response on the key issues being proposed for the social housing sector, be considered.

Minute 24 Consultation on the use of receipts from Right to Buy sales

the response to the consultation on the use of Right to Buy receipts contained in appendix 1 to the report.

Minute 27 Lift replacement at Poplar Mount, Axminster

the urgent replacement of three lifts at Poplar Mount, Axminster, with delegated responsibility given to the Senior Technical Officer for Asset Management and Compliance to determine the most effective and suitable scheme for replacement.

Minute 28 Roof replacement, various sites

the request for additional funding from the HRA (£334, 492.06) for the re-roofing programme.

Minute 30 Legionella policy

the revised legionella policy

Minute 31 House of multiple occupation purchase, Exmouth

1. that this type of accommodation would be a beneficial addition to the Council's property portfolio, in doing so helping to reduce the need to source and pay for emergency accommodation within the private sector.
2. that the Housing Service ensures that adequate provision is put in place to effectively manage the house of multiple occupation and support tenants, as necessary.
3. that a budget be agreed of up to £500,000 from the Housing Revenue Account to include funding from Right to Buy receipts.

Minute 33 Draft of the Annual Report to Tenants 2017/18

1. the content of the annual report to tenants, subject to the information being graphically designed for reproduction in the December Housing Matters magazine.
2. that every district councillor receive a copy of the annual report to tenants 2017/18 in their pigeon holes.

***86 Minutes of the Exmouth Regeneration Board held on 20 September 2018**

Members received the Minutes of the Exmouth Regeneration Board held on 20 September 2018.

***87 Minutes of the STRATA Joint Scrutiny Committee held on 24 September 2018**

Members received the Minutes of the STRATA Joint Scrutiny Committee held on 24 September 2018.

***88 Minutes of the STRATA Joint Executive Committee held on 25 September 2018**

Members received the Minutes of the STRATA Joint Executive Committee held on 25 September 2018.

***89 Minutes of the Capital Strategy and Allocation Group held on 26 September 2018**

Members received the Minutes of the Capital Strategy and Allocation Group held on 26 September 2018.

***90 Minutes of the Overview Committee held on 27 September**

Members received the Minutes of the Overview Committee held on 27 September.

The Chairman of the Overview Committee thanked Tim Child, Property and Estates Manager for his thorough work into the Commercial Property Investment Framework.

***91 Minutes of the Scrutiny Committee held on 4 October 2018**

Members received the Minutes of the Scrutiny Committee held on 4 October 2018.

RESOLVED (1) that the following recommendation be agreed:

Minute 26 Review of Economy & Regeneration Services and the Growth Point Team service plans 2018/19

1. that the committee acknowledges the risk identified in the Growth Point Service Plan that housing and employment development should not be out of kilter and will be monitored closely by the Growth point Team.

RESOLVED (2) that the following recommendation be referred back to the Scrutiny Committee for further explanation:

Minute 26 Review of Economy & Regeneration Services and the Growth Point Team service plans 2018/19

2. that the Council should aim to boost resilience of the local economy and develop a self-sufficient economy as much as possible, whilst maintaining an international focus.

***92 Delivery of Axminster Relief Road**

The Service Lead, Planning Strategy and Development Management updated Members on progress with work on the delivery of the Axminster Relief Road and associated master planning of the urban extension allocated in the Local Plan. The report also considered the implications of the successful Housing Infrastructure Fund funding bid for £10 million towards the delivery of the road and options for securing the delivery of the road in full.

In response to the concerns of Mr Libischer, the Service Lead, Planning Strategy and Development Management confirmed DCC and Highways England were looking into the issues concerning Waycroft Bridge and the A35 junctions.

Discussions included the following:

- the North – South relief was a key item on infrastructure

- traffic was getting worse in the town centre due to more HGVs
- this was imperative for delivery to reduce air pollution and unlock the town centre for pedestrianisation
- turning right at the A35 junction was a precarious situation
- the 650 new homes needed jobs therefore it was important for the relief road to go ahead as well as appropriate infrastructure
- agreement that the employment element to the scheme was just as important

RESOLVED:

1. that progress that was being made towards the delivery of the Axminster Relief Road and urban extension,
2. agree in principle to borrowing the shortfall in funding for the relief road (currently estimated at £6.7 million) on the basis that this would be repaid through developer contributions,
3. that detailed arrangements with Devon County Council for EDDC to work in partnership with DCC on the future tender of a contract for the construction of the road, oversight of the construction works etc. be agreed, and
4. a detailed proposal be compiled with a programme for the borrowing and repayment of funds and presented to Members at a future meeting, be agreed.

REASON:

The recommendation was considered to be both the best and the only viable way of delivering the Axminster Relief Road, unlocking the Axminster eastern expansion site and securing the spend of the previously committed £10 million of Housing Infrastructure Funds.

93 **Transformation Strategy and Financial Plan (2019-2029)**

The Strategic Lead Finance presented the update of two key documents for approval, the Transformation Strategy and Financial Plan 2019 – 2029. Details of the documents were debated by the Budget Working Party on 17 October 2018 who agreed in principle with the proposed direction being outlined.

RECOMMENDED:

1. that the Transformation Strategy and Financial Plan (2019 -2029) be approved, and
2. £200,000 be allocated from the Transformation Fund to meet one off costs associated with the “fit for purpose” strategic theme in the Transformation Strategy.

REASON:

It was good practice in managing the finances of the Council to produce a Financial Plan looking at the future direction of the Council’s budgets. To consider the implications of spending plans and the level of resources likely to be available. It was only by looking at the Council’s budget over a longer period, that action could be taken that would influence the direction and shape of future service delivery within a balanced budget.

The Transformation Strategy identified key strategic themes that underpin the Council's transformational activity to help achieve savings/efficiencies and to help continue to protect front line services

*94 **Budget Monitoring Report for Month 6**

The report gave a summary of the Council's overall financial position for 2018/19 at the end of month six (30 September 2018).

Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level.
- The Housing Revenue Account Balance was being maintained at or above the adopted level.

RESOLVED:

that the variances identified as part of the Revenue and Capital Monitoring process up to Month 6 be acknowledged.

REASON:

The report updated Members on the overall financial position of the Authority at set periods and included recommendations where corrective action was required for the remainder of the financial year.

*95 **Viewpoint Survey 2018.**

The Portfolio Holder Corporate Services and the Strategic Lead Organisational Development and Transformation reported the findings of the Viewpoint Survey for 2018. A new media presentation was shown to highlight the key findings.

The Chairman wished to pass on his thanks to Karen Jenkins and her team for the in-house and more engaging presentation.

RESOLVED:

1. That Members welcome the findings of the survey and work with officers to ensure that these results were taken into consideration during the Service Planning process for 2019/20, and
2. that the Council's Overview Committee consider the report and its findings with a view to making further recommendations.

REASON:

That the survey findings assist in the pursuit of continuous improvement.

*96 **Monthly Performance reports – September 2018**

The report set out performance information for the 2017/18 financial year for September 2018 was supplied to allow Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were two indicators showing excellent performance:

1. Days taken to process changes to Housing Benefit claims
2. Percentage of planning appeal decisions allowed against the authority's decision to refuse

There were two performance indicators showing as concern for the month of September:

1. Days taken to process new Housing Benefit claims – the team was currently working through a transition period to Universal Credit which was impacting on performance.

2. Working days lost due to sickness absence - there had been a significant increase this year in employees who have been absent for two months or more as a result of surgery and serious health issues for 2 or months. These cases were being proactively managed through HR and referenced to Occupational Health advice to facilitate a return to work as soon as possible. The Council continued to train its managers in this difficult area and worked closely with them to facilitate return to work.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for September 2018 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 Management, Housing and Revenues and Benefits.

Attendance list

Present:

Portfolio Holders:

Ian Thomas	Leader
Phil Skinner	Deputy Leader / Economy
Dean Barrow	Finance
Iain Chubb	Transformation
Alan Dent	Corporate Services
Paul Diviani	Strategic Development
Jill Elson	Sustainable Homes and Communities
Marcus Hartnell	Deputy Portfolio Holder Environment
Tom Wright	Environment

Cabinet apologies:

Geoff Pook Asset Management

Non-Cabinet apologies:

Mark Williamson
Tim Dumper
Eileen Wragg
Simon Grundy
Matt Booth
John O'Leary
Eleanor Rylance
Brenda Taylor
Brian Bailey
Peter Burrows
Douglas Hull

Also present (for some or all of the meeting)

Councillors:

Bruce de Saram
Pauline Stott

Ian Hall
David Barratt
Mike Allen
Paul Carter
Rob Longhurst
Cathy Gardner
Roger Giles
Cherry Nicholas
Peter Faithfull
Ben Ingham
Megan Armstrong
Andrew Moulding
Graham Godbeer
Maddy Chapman
Marianne Rixson
Steve Gazzard
Geoff Jung
Mike Howe
Steve Hall

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Ed Freeman, Service Lead Planning Strategy and Development Management
Anita Williams, Principal Solicitor and Deputy Monitoring Officer
Amy Gilbert-Jeans, Acting Service Lead Housing
Alison Hayward, Senior Manager, Regeneration and Economic Development
Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 28 November 2018

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.32pm

***97 Public Speaking**

Mr Blakey, Chairman of Cranbrook Town Council requested that the Council undertake litter picking and bin emptying in the area of Cranbrook as a whole, rather than wait for the complete adoption of the roads in the area. He gave the rationale of efficiency and practicality of the Streetscene service operating in the area ahead of full adoption, as that adoption by the highways authority was inevitable. He did not feel that there was any legal impediment that would prevent the Council from undertaking this service.

In response, the Portfolio Holder for Environment informed Cabinet that he had requested a review of this with his officers to clarify costs and any liability implications that needed investigation.

***98 Minutes**

The minutes of the Cabinet meeting held on 31 October 2018 were confirmed and signed as a true record.

***99 Declarations**

Cllr Steve Gazzard, Minute 116; personal interest – as held a season ticket for the football club referred to in the report and is a Member of the ECCT.

Cllr P Skinner; Minute 116; personal interest – as held a season ticket for the football club referred to in the report.

***100 Matters of urgency**

None

***101 Matters referred to the Cabinet**

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

***102 Exclusion of the public**

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

***103 Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 January 2019 to 30 April 2019.

***104 Minutes of the Arts and Culture Forum held on 10 October 2018**

Members received the Minutes of the Arts and Culture Forum held on 10 October 2018. The minutes were commended to the Cabinet by Cllr Bruce De Saram.

RESOLVED that the minutes of the Arts and Culture Forum held on 10 October 2018 be noted.

- *105 **Minutes of the Budget Working Party held on 17 October 2018**
Members received the Minutes of the Budget Working Party held on 17 October 2018.

RESOLVED that the minutes of the Budget Working Party held on 17 October 2018 be noted.

- *106 **Minutes of the Overview Committee held on 15 November 2018**
Members received the Minutes of Overview Committee held on 15 November 2018.

RESOLVED that the following recommendation be taken into account with the related report (Minute 111):

Minute 21 Digital Strategy

That the Digital Strategy be recommended to Council for approval, for reason of continuing to improve how customers transact with the Council, whilst maintaining the availability of human interaction for vulnerable groups and other sectors of the community that require help.

- *107 **Minutes of the Housing Review Board held on 22 November 2018**
Members received the Minutes of Housing Review Board held on 22 November 2018. The Chairman of the Housing Review Board presented the recommendations and sought support for their approval.

RESOLVED (1) that the following recommendation be agreed:

Minute 41 Chairman's welcome

Pat Gore and Cat Summers be co-opted on the Housing Review Board as tenant/leaseholder representative members.

Minute 45 Revision to the tenancy agreement

1. the revised tenancy agreement, and
2. the next steps and timescales detailed in section 2 of the report,
3. that delegated authority be given to the Portfolio Holder for Sustainable Homes and Communities and the Strategic Lead Housing, Health and Environment to make minor amendments to the tenancy agreement following the consultation process.

Minute 46 Fire safety in blocks of flats (compliance with statutory regulations)

1. the progress made in relation to fire safety in blocks of flats and agree the priority of future works to address property issues related to fire,
2. that members be aware of the significant budget required to bring all blocks of flats up to a fully compliant fire safety standard.
3. the extension of the employment of the additional Programme Works Officer (Fire Safety) for a further 12 months.

Minute 47 Renewal of Advantage South West subscription

continuing to pay the annual subscription to maintain the membership to Advantage South West.

RESOLVED (2) that the following recommendation be taken into account with the related report (Minute 112):

Minute 50 Home Safeguard system upgrade

That Cabinet approve the business case for the upgrade of the Home Safeguard call handling system.

108 **Council Tax Reduction Scheme for 2019/20**

The Strategic Lead Finance presented the report which asked members to consider and approve the working age Council Tax Reduction Scheme (known as Council Tax Support) for 2019/20 which remained unchanged from 2018/19.

Comments included:

- equalities impact will increase for the scheme planned for 2020/21
- workshops would be beneficial (as had been run previously) to update Members on the benefits system and the changes in place following the introduction of Universal Credit.

RECOMMENDED:

1. The Council Tax Reduction Scheme for working age customers for 2019/20 (unchanged from 2018/19) was agreed, and
2. For Officers to start scoping and developing a 'banded discount scheme' for 2020/21 with any associated costs being met from the specific reserve set aside for this purpose.

REASON:

Each year the Council was required by law to decide whether to revise or replace its scheme. There had been no significant national benefit changes that needed to reflect in the scheme and most authorities in Devon were not proposing to change their scheme for 2019/20. However, the Council would probably need to consider changes for 2020/21. This was because the scheme was very much aligned to Housing Benefit rules and as more customers moved onto Universal Credit, the Council would need to shape the scheme differently in order to simplify the administration process. The Council would no longer be dealing with these as a combined claim.

109 **Council Tax - Long Term Empty Homes Premium**

The Strategic Lead Finance informed members that legislation had recently been passed that would allow Billing Authorities to increase the long term empty homes premium (currently an additional 50% on the full charge) for properties that were unoccupied and substantially unfurnished and have been for more than 2 years. The Government's aim was to help encourage owners to bring their properties back into use.

In response to a question, the Strategic Lead Finance confirmed that there was no additional cost in collecting the premium; and that negotiations were taking place with Devon County Council to secure more of the money collected from the premium for the District.

RECOMMENDED:

1. that from April 2019 onwards to increase the premium up to the maximum of 100% for properties that had been empty for more than 2 years,

2. from April 2020 onwards to increase this to 200% for properties that had been empty for more than 5 years, and
3. from April 2021 onwards to increase this to 300% for properties that had been empty for more than 10 years.

REASON:

Raising the premium could help to bring empty homes back into use which would benefit the local community as detailed in the report.

110 **Heart of the South West Joint Committee - Council update**

The report included the recommendation to delegate responsibility for the local authority input into the Local Industrial Strategy (LIS) to the Joint Committee and it was important that this delegation was in place across the councils by the time of the Committee's next meeting on the 25 January 2019 which, would be a key formal date in the development of the LIS.

In response to a question about the value to the authority with the budget investment made, the Chief Executive outlined to Members both the benefits to the Heart of the South West area as a whole, but particularly the Enterprise Zone more locally that was now delivering business rates income and growth to the area.

RECOMMENDED:

1. that the progress report setting out the work of the Heart of the South West (HotSW) Joint Committee since its establishment in March 2018, be noted
2. to delegate the development and endorsement of the HotSW Local Industrial Strategy (LIS) to the HotSW Joint Committee (noting that final approval of the HotSW LIS rests with the HotSW Local Enterprise Partnership (LEP) and the Government), be agreed
3. that the Budget statement for 2018/19 set out in Appendix B and that in accordance with the decisions taken at the time the Committee was established the Council would be asked to make an annual budgetary provision to meet the support costs of the Joint Committee in line with the 2018/19 contribution. Final clarification on any additional 2019/20 budget requirement would be provided following the completion of the review of the Joint Committee's role, function and management support arrangements and development of its work programme for 2019/20, be noted and
4. that the Budget and Cost-sharing Agreement set out in Appendix B to the report be agreed.

REASON:

To update the constituent authorities on the HotSW Joint Committee and the recommendation to delegate responsibility for the local authority input into the LIS to the Joint Committee.

111 **Digital Strategy**

The Portfolio Holder for Corporate Services gave a short summary of that the Digital Strategy would deliver. The Leader highlighted the key aspect of digital by design, with the technology offering opportunity to customers.

Members also welcomed the strategy reference to retaining the human contract for customers, for those who by choice or circumstance could not access the Council's services through a digital channel.

RECOMMENDED:

that the Digital Strategy be agreed and adopted.

REASON:

In the pursuit of continuous improvement.

*112 **Access to information 2017/18**

The report provided information about requests received under the Freedom of Information Act (and Environmental Information Regulations) between 1 April 2017 and 31 March 2018. The report also looked at steps taken during the last 12 months to improve the accessibility of information.

RESOLVED:

that the number and type of requests received under the Freedom of Information Act and the steps being taken to improve access to information be noted.

REASON:

To continue to improve the way requests for information were dealt with.

113 **Home Safeguard System Upgrade**

The Strategic Lead Housing, Health and Environment presented the report, which sought approval for the expenditure necessary to upgrade the Home Safeguard call handling system. The upgrade was a necessity for the continuation of the Home Safeguard Service, which in addition to the alarm for private, sheltered and corporate customers, provided the Out of Hours service for East Devon District Council & Teignbridge District Council plus lone working services for both Authorities.

The report also set out the vision for the service, with the steps that would have to be taken to allow the service to grow. Alongside upgrading the call handling system, the service would have to relocate to two locations, and the staffing levels reviewed in order to meet the telecare industry standards. The service could also expand to incorporate a responder service.

Comments included:

- Developing the telecare service was beneficial to the rural community;
- GPs demand for telecare;
- Increase in income as the service developed would recover cost of upgrade;
- Pride in service, with good quality, caring handlers;
- Demonstrated the Council's commitment to housing tenants.

The Capital Strategy and Allocation Group would look at the project at their next meeting, in balance with other capital projects.

RECOMMENDED:

that the case for the upgrade of the Home Safeguard call handling system be approved.

REASON:

To continue to provide an outstanding service and honour existing contracts. The upgrade would enable the Council to offer a digital solution with the ability to offer a wider range of telecare equipment, and to expand the service. It would also enable EDDC to

remain competitive in the current market, and contribute to the Council's income targets and Transformation Strategy.

***114 Monthly Performance reports – October 2018**

The report set out performance information for the 2017/18 financial year for October 2018 was supplied to allow Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were two indicators showing excellent performance:

1. Days taken to process changes to Housing Benefit claims
2. Percentage of planning appeal decisions allowed against the authority's decision to refuse

There were two performance indicators showing as concern for the month of October:

1. Days taken to process new Housing Benefit claims – EDDC was currently working through a transition period to Universal Credit which was impacting on performance.
2. Working days lost due to sickness absence - There had been a significant increase this year in employees who had been absent for two months or more as a result of surgery and serious health issues for 2 or months. These cases were all being proactively managed through HR and reference to Occupational Health advice to facilitate a return to work as soon as possible. EDDC continued to train its managers in this difficult area and work closely with them to facilitate return to work.

The Deputy Portfolio Holder for Environment congratulated the Countryside team for the recent Bronze award in the South West Tourism Awards. The continuing excellent performance in the recycling rate for the authority was also commended.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for October 2018 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 Management, Housing and Revenues and Benefits.

***115 Response to the Payhembury Neighbourhood Plan Submission**

To agree the response by the Council to the current Regulation 16 submission consultation for the Payhembury Neighbourhood Plan. Councillor Bruce De Saram gave this thanks to the team for producing the Plan, as did the Deputy Leader as the local Ward Member.

RESOLVED:

1. that the formal submission of the Payhembury Neighbourhood Plan be noted and the producers of the plan be congratulated on their dedicated hard work and commitment in producing the document, and
2. that the proposed representation set out at paragraph 5.2 in the report in response to the consultation be agreed.

REASON:

To ensure that the view of the District Council was recorded and informed the consideration of the Neighbourhood Plan by the independent Examiner.

116 **Warren View Sports Ground Investigation**

The report asked for consideration to an increase of £20,000 in the project budget. The site was marketed to potential tenants early in 2017, with Exeter City Community Trust (ECCT) identified as the preferred tenant, with heads of terms agreed in the summer of 2017. A key part of the offer from ECCT was the development of all-weather pitches and other facilities to maximise the use of the site, and make it economically viable.

During due diligence for the site, ECCT reviewed East Devon's existing information for the site including extensive investigations, monitoring and assessment of the material beneath the site. ECCT subsequently asked that East Devon commission further investigation and assessment of their development proposals in order to provide reassurance regarding the geotechnical and geoenvironmental risks. £40,000 was allocated in the 2018/19 budget for this work.

Comments included:

- ECCT have the expertise in applying for funding, linked with the recognised club of Exeter City;
- There was a lack of 3G pitches in that area;
- Several diverse groups would use the facilities;
- The site would remain an asset for the Council and would be overseen by the Estates Team;
- Challenge to the former tenants of the site was not accepted;
- Whilst the cost into the project may not be recovered by the Council, investment at this stage would help to deliver the grant funding necessary to deliver the site, and the social benefits were much wider for the District as a whole.

RECOMMENDED:

that a further £20,000 for geoenvironmental and geotechnical investigations at Warren View Sports Ground be agreed.

REASON:

To reassure Exeter City Community Trust regarding the risks relating to the ground so they can continue to proceed with their proposed development of the site.

Attendance list**Present:****Portfolio Holders:**

Ian Thomas	Leader
Phil Skinner	Deputy Leader / Economy
Dean Barrow	Finance
Iain Chubb	Transformation
Alan Dent	Corporate Services
Paul Diviani	Strategic Development
Jill Elson	Sustainable Homes and Communities
Marcus Hartnell	Deputy Portfolio Holder Environment
Geoff Pook	Asset Management
Tom Wright	Environment

Non-Cabinet apologies:

Mark Williamson
Ian Hall
Simon Grundy
John O'Leary
Brenda Taylor
Peter Burrows
Douglas Hull
Eileen Wragg

Also present (for some or all of the meeting)

Councillors:

Bruce de Saram
Pauline Stott
David Barratt
Paul Carter
Rob Longhurst
Megan Armstrong
Steve Gazzard
Geoff Jung
Steve Hall
Tim Dumper
Eleanor Rylance
Brian Bailey
Mike Howe
John Humphreys

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Amy Gilbert, Service Lead Housing
Debbie Meakin, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 22 November 2018

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.32pm.

***29 Public speaking**

There were no members of the public present.

***30 Minutes**

The minutes of the Scrutiny Committee held on the 4 October 2018 were confirmed and signed as a true record.

Cllr Gardner indicated by email that she wanted to ask when members would get an update for the items outstanding from minute 25 on 4 October, the Electoral Services update. The Returning Officer, Mark Williams, was present and provided an update verbally at the meeting on the recommendations requiring his input as follows;

1. That consideration be given to offering training to agents and candidates of political parties in line with Electoral Commission guidelines – training will be offered but attendance cannot be mandated, and a short document will be produced highlighting key points for candidates at the point of their confirmation of acceptance and nomination. Mark pointed out that the legal status of agents and candidates was such that candidates were responsible for actions taken by their agents.
2. That the Committee endorse the increase in staffing resource when necessary to secure the effective running of elections – this is duly noted and there are four members of staff employed presently.
3. That a documented proofing procedure for the printing of election materials is developed – this is duly noted. At present the emphasis is getting the register sorted out before 1 December, but immediately following that procedure notes will be put in place.

***31 Apologies**

The Chair announced that it was his sad duty to recognise the loss of a good friend and valued colleague in Councillor Bill Nash who is no longer with us. He invited colleagues to make comments. Councillor De Saram shared his memories of Councillor Nash. Members stood for a moment in his memory.

***32 Declarations of interest**

Councillor Roger Giles – Minute *36, Update report on Street Trading

Type of interest – Personal interest

Reason – Member of Plastic Free Ottery

Councillor Mike Howe – Minute *34, Resolution by Cabinet of 31 October to refer a recommendation back to Scrutiny Committee

Type of interest – Personal interest

Reason – Owns a local business

***33 Matters of urgency**

The Chair referred to a letter he had received in relation to St John's Court, Exmouth, the future of which had been debated at a meeting of the Scrutiny Committee in October 2016 and resulted in several recommendations. He read out the letter of 1 November, which was from the Secretary of State for Health & Social Care to Mrs Dot Taylor, confirming that the Devon Partnership NHS Trust had no plans to dispose of the site.

***34 Resolution by Cabinet of 31 October to refer a recommendation back to Scrutiny Committee for further explanation:**

On 4 October the Scrutiny Committee made a recommendation to Cabinet on 31 October relating to Minute 26 Review of Economy & Regeneration Services and the Growth Point Team service plans 2018/19, as follows;

“that the Council should aim to boost resilience of the local economy and develop a self-sufficient economy as much as possible, whilst maintaining an international focus”.

At Cabinet, clarification was sought which the Chair was unable to provide at the time and the recommendation was referred back. Following communication with Councillor Rylance who had proposed the recommendation, the intention had been to provide support for indigenous businesses in East Devon. Mark Williams clarified that Cabinet wanted to focus resources where they could have maximum impact and whilst support for boosting the local economy was understood, the introduction of an international focus created two aims which would be difficult to resource. The important element of this issue was to encourage businesses to start, stay and grow, and there should be reference to the Enterprise Zone. The Chair proposed the following recommendation back to Cabinet.

RECOMMENDED to Cabinet

“That the Council should aim to build a resilient local economy which is as self-sufficient as possible, at the same time as encouraging exports from local businesses and foreign direct investment which benefits the local economy and with particular reference to the Enterprise Zone.”

***35 Update on Enforcement issues in relation to trees**

Following the Scrutiny Committee meeting on 6th September, the Chairman formally made a request for Karen Jenkins to raise at the next Senior Management Team (SMT) meeting on 19th September, in relation to issues debated by Scrutiny members.

SMT was asked to consider the introduction of a Key Performance Indicator (KPI) relating to damage/removal of trees and initiation of legal proceedings. In response to this, the Service Lead for Planning provided a list of the tree related enforcement cases recorded on the system since the start of 2017, with a brief summary of the case and the outcome.

Mark Williams clarified that from the information it can be seen that action is taken when necessary, but also that it is not feasible to take action in a lot of cases. With KPIs it is necessary to check if they focus on the right things, and what the key issue is in relation to trees. Whether there are enough trees and whether more should be planted across the district, rather than focussing on the reactionary issues such as complaints which are being dealt with. Mark Williams confirmed that at the meeting of the Senior Management team, it had been suggested that the team which was responsible for this area of work, the Tree Team, should be invited to identify which measures might be effective in dealing with these issues. He suggested that members wait for officers to report back on measures they considered would be helpful.

Councillor Howe confirmed that the Countryside Team were engaged in a Systems Thinking Review and the Planning Team was putting a new IT system in place, so they needed time to consider options before reporting back to committee.

The Chair proposed that a performance measure in relation to trees was desirable and officers would be asked to explore this and report back to Scrutiny Committee.

RECOMMENDED to the Service Leads for Countryside & Arts, and the Planning Service

“That officers consider key issues in relation to trees across the District, particularly whether there should be more planting, with a view to proposing a new Key Performance Measure and reporting back to Committee in six months time.”

***36 Update report on Street Trading**

This report provides an update for the Scrutiny Committee on the implementation and delivery of Street Trading since changing to a Consent designation on 2 October 2017.

Comments and questions included the following;

Question relating to paragraph 3.3. Has this led to an increase in street cleansing due to litter? The response was that the Licensing team work closely with the Streetscene team, developing a strategy for all major events to coordinate activities. There is a requirement for traders to take litter away, which is checked.

Question relating to paragraph 4.3. Has anything resulted from Street Trading which has had an adverse impact on established businesses? The response was that this has not been noticed at present. The team are mindful of possible impacts and it is a policy to review applications which conflict with local businesses.

Question relating to paragraph 5.2. There are groups such as Plastic Warriors which operate in Sidmouth effectively, so how can we encourage such groups to develop across the district?

The response was that there are other groups such as in Ottery St Mary, which operate deposit schemes to deal with plastics at events like Tar Barrels. The team will seek to encourage this with all large planned events.

The Chair confirmed that the clean up after Tar Barrels was a spectacular and comprehensive success through initiatives such as the £1 deposit scheme on plastic mugs.

Question relating to situations if traders were not willing to address the issues. Steve Saunders confirmed that legislation allowed the team to create conditions on the application. This issue could be factored into license conditions and was an area of work to be developed further in 2019.

Question relating to Cranbrook. Cranbrook is designated a healthy town according to NHS regulations, so why was it allowed to have another take-away license approved? Steve Saunders confirmed that it appeared to be an emerging trend of traders from elsewhere to try to operate in Cranbrook. On this particular issue, the Town Council did not object to the street trader but a resolution was subsequently passed on whether to object or not. The licensing team are currently awaiting a view from the Town Council.

Question. Will there be a review of commercial charges for businesses in spring 2019, which would increase resources and enable greater control? Can food hygiene certificates be displayed? The response was that a report was taken to the Licensing & Enforcement Committee this week on this matter and a further report would be prepared for February identifying a fee structure for commercial premises. There are businesses reacting to changes in licence applications, and there is an option to review existing licences. This will be developed further in 2019.

Question relating to staffing in the Licensing team. Has an extra full time post been created in the team? The response is that a post was factored into the budget for 2015/16 and is now in place.

Question relating to comparative statistics. Are any statistics available to compare the situation before and after the changes to street trading? Steve Saunders confirmed that there were no comparative figures because it was a prohibited scheme prior to October 2017. Since then, they had processed 175 applications which represented between 2-3,000 individual traders.

Question relating to the impact of an increased workload due to street trading changes, on other areas of work. Steve Saunders confirmed that there had been an increased workload but the team had been able to deal with this over the year. The team have two performance indicators relating to the number of licensed premises inspections and number of taxi inspections, and since the team has been fully staffed, there have been no backlogs or missed deadlines. Proactive work has taken a back seat but all statutory work has been completed.

Question relating to other events such as the 'Gate to Plate' event in Honiton. The response was that the Licensing team are regulators and not events organisers, so ensure that all events are safely regulated.

Question relating to work between the Licensing Team and Streetscene. The response was that progress has been positive with the Events Manager recruited by Streetscene working closely with the Licensing Team's Street Trading officer. There is streamlining of the application process to be done which requires the input of Strata, but coordination is much improved since 10 months ago.

Councillor Steve Hall, Chairman of the Licensing Committee, commented that the team had been aware of the increased workload over the last year but there had been no complaints from the police or public. The regularisation of matters had put a much stricter regime in place, fees will be received and issues can be progressed on some very complicated events which take place in the district.

The Chair wanted to record the thanks of the Committee to Steve Saunders and Councillor Hall for attending, and proposed a recommendation which was agreed unanimously.

RECOMMENDED to Cabinet

"That Cabinet endorse the Street Trading Policy of using biodegradable materials wherever possible and not relying on single use plastics as indicated in their report to Scrutiny Committee (Item 10, paragraph 4.1) and support a reduction in plastic waste."

***37 Review of the Planning & Planning Policy Service Plan**

At its meeting on 5 July, Scrutiny Committee agreed to review existing service plans ahead of the formal budget setting process, and specifically to receive presentations on existing service plans at its forthcoming meetings prior to February 2019. The review continues with consideration of the current service plans for the [Planning & Planning Policy Service](#) .

The Chairman stressed that questions and comments should be about the service plan, and should not go into planning and strategic planning issues where the remit rests outside the Scrutiny Committee.

Comments and questions included the following;

Question relating to Item 9 of the Service Plan. Are there lessons to be learnt about appeals which are lost? Ed Freeman confirmed that there are always lessons to be learnt about appeals and there is a monthly report to Development Management Committee (DMC) and an Annual Report on the issue. The performance of EDDC is on a par with other Local Authorities, with approximately two thirds of appeals being dismissed and one third being upheld.

Question relating to Item 15 of the Service Plan. Where can the Brownfield Land Register be accessed? Response, on the website.

Question relating to Items on page 10 of the Service Plan – building control and high quality homes. Which of the big developers use their own building control services, and does quality suffer as a result? Ed Freeman confirmed that the Council do not have building control in every development across the District but do have a good market share. In some developments,

inspections are not as thorough or as frequent when private companies inspect, compared to when the Council do. However, all developers have to comply with legislation and standards. In the case of unhappy customers, following Grenfell, there has been a review of Building Standards and inspections, so changes to legislation are anticipated.

Question relating to Items on page 11 of the Service Plan – District Design Guide. Is there a move to ensure minimum home space standards are adopted? The response was that the Design Guide cannot deal with this issue which must be addressed through the Local Development Plan, which will be reviewed next year, and through similar documents like the Cranbrook Development Plan.

Question relating to whether the Design Guide will be completed by late 2018. The response was that the Design Guide has been delayed due to the officer resource being committed to the production of the Heritage Strategy, which has been completed on time. The Design Guide should be ready before March 2019 and ready to send out for consultation.

Question relating to flood mitigation measures. Exmouth continue to have problems including sewerage entering people's homes. With heavy rainfall and high tides, water cannot run off to the Exe and so flooding the streets, hence the reason for a Tidal Defence Scheme which will cost £13m. The system was constructed in Victorian times and cannot keep up with new developments, but 700+ houses are planned for the area. A conversation is required with South West Water (SWW) involving Planning. Ed Freeman confirmed that he would be happy to attend a meeting with SWW. He had recently attended a meeting of Lympstone's Flood Resilience Group with the Environment Agency and SWW where it was explained that there was no action they could take. SWW are required to connect developments and create the necessary infrastructure for this, but not to challenge or comment on applications, so they also end up picking up the consequences.

Question on what would be different between the existing Service Plan and the one in development for 2019/20. Ed Freeman confirmed that they will continue to deal with business as usual, but also undertake a number of policy and service improvements. This will include a Local Plan Review and progress on the Greater Exeter Strategic Plan (GESP) mid to late 2019. The Service is also hoping to encourage diversity in housing delivery. The government is encouraging more housebuilding and EDDC wants to encourage more self-build and small to medium house builders who are more likely to diversify and produce high quality properties. The District needs a mix of housing stock and additional care places, and homes for young people and older people with mobility difficulties. Alongside this will be a proactive approach to unlocking sites and bringing them forward for such developments.

The service had attempted to recruit a Development Delivery Manager unsuccessfully but are now planning to use specialist agents to do so.

In terms of service improvements, there are planned improvements to the website and increasing public access through better software, and improving the quality of plans available to view, and generally improve planning business online.

The National Planning Policy Framework has changed and the Design Guides need to catch up.

The chair asked whether there would be additional funding bids for staffing next year. Ed Freeman confirmed that there would be no new bids but with a caveat that resources were put aside for two officers to support the GESP team two years ago and since this arrangement was coming to an end, a request had been made to extend this for a further two years to complete the work of the GESP.

Questions relating to gaps in services. Ed Freeman stated that efforts to resolve access to the S106 officer and information on monies for Parish Councils would be addressed by the setting up of a public portal. The portal needs further work by Strata presently, but it is hoped that

Parish Councils will be able to log onto the portal and bring up a table which will calculate how much money is involved in their area. This will reduce the demand on the officer's time so that they can work with local councils more closely, and it is anticipated that this will be in operation next spring. The transfer of data into the new back office system that will feed information to the portal should be completed before the end of the year. In the meantime, the Section 106 officer is trying to balance her time between completing this work and engaging with the town and parish councils when she can. There are two officers currently working respectively on S106 monies and on Community Infrastructure Levy (CiL).

Question relating to the length of time to download planning documents. This is a technical issue which will depend both on EDDC systems but also the Broadband download speeds available to the user.

Question relating to S106 monies. Can it be lost if it is not used within a certain period of time? Ed Freeman confirmed that this indicated the importance of making the data as accurate as possible. Whilst timeframes vary in agreements, the risk is that money disappears if it is not used after five years, but this is dependent upon developers asking for the money back. Ed could not recall a developer doing so.

The Chair asked if Ed Freeman considered the KPIs to be appropriate for the service. Ed said that they were largely set by government and the KPIs reflect what is required, and are, therefore, appropriate.

The Chair wanted to record the thanks of the Committee to Ed Freeman and Mark Williams for attending the meeting and discussing the Service plan.

RECOMMENDED to the Service Lead for Planning

1. That the Service Plan for 2019/20 will make reference to appropriate actions in relation to trees.
2. That there will be an end date recorded for inputting data onto the system in relation to S106 monies.
3. That the Service Lead will take an action to explore the risk of losing unused S106 funds with a view to identifying blockages and speeding up the processes involved, and preventing long delays in future.

***38 Review of the [Streetscene Service Plan](#).**

Andrew Hancock introduced this item and made the following points;

- Streetscene is EDDC's largest frontline service area, accounting for over half the total general fund budget at around £9m.
- Streetscene is one of the council's services that affects every resident and visitor through the broad range of service areas it covers.
- It covers Beaches (visitor economy, seaside awards, tourist draw), Grounds Maintenance, Parks and Gardens, with 2 award winning Green Flags at Connaught and Manor. Public toilets and public realm maintenance, Engineers who look after all of the built infrastructure outside such as bridges, coastal defence schemes and flood alleviation. Street cleansing helping to maintain the outstanding environment and making the landscape an area people want to live in, visit and enjoy.
- The largest single area of spend is the Recycling & Waste contract with a net cost of £3.5mil (all figures rounded). This achieves an income of around £1.5 mil through recycling sales and credits. Green Waste is set to achieve almost £100k in income in 2019/20.
- There is a large staff base with 107 FTEs, 80 of these are frontline service operatives.

- StreetScene services underpin many of the council's aims and objectives. This is done directly by delivering, promoting and protecting the outstanding environment through keeping things clean and green, providing award winning beaches and parks; or by supporting other objectives such as outstanding communities and economies by providing opportunities for health and wellbeing activities, great beaches and public spaces that help to support the visitor economy and the ability to support corporate projects such as Queens Drive Space to make them a success.
- When the work goes well, it goes largely unnoticed, and this is the case most of the time.
- It is known that residents are largely satisfied with the services provided; the recent Viewpoint survey feedback has scores around 70% and above for the services EDDC provides. Some headlines are:
 - o 90% satisfaction with the recycling green box collection
 - o 83% satisfaction with the rubbish bin collection service, after moving to 3 weekly. This really shows the success of leading with the improved recycling service, meaning residents can cope with their rubbish being collected every 3 weeks, as so much waste is now able to be recycled.
 - o 75% satisfied with parks and gardens.
 - o 85% satisfaction with beaches.
 - o 71% think litter is not a big problem.
- Full viewpoint feedback is available on the website.

Comments and questions included the following;

Question relating to the replacement of litter bins. Bins are not in the current plan but will be in the next plan for 2019/20. E.g There will be metal bins for Barbecues and more public information signs.

Question relating to Seaside and Blue Flag awards. The response was that a Seaside award will be sought for Sidmouth and a Blue Flag award will be sought for Exmouth. The latter does not just rely on water quality, but infrastructure issues such as lifeguards being available and so the bid will be taken forward carefully.

Question relating to district-wide public toilet provision. Has consideration been given to the implications for charging for their use, given the tourist population and age profile of residents?

The response from Councillor Tom Wright was that public toilets cost a lot to maintain but there will be no changes until all relevant considerations have been taken into account. The review may take longer than April 2019 but will be included in the forthcoming service plan.

The Chair asked what will be different in the next service plan. Andrew Hancock stated that business as usual will continue despite the financial constraints. Engineering projects will continue, there will be a pro-active tree planting objective and nature corridors. The plan will formalise a schedule of tree planting in more areas. Section 3b of the current service plan refers to managing the current tree stock.

John Golding stated that it is intended to expand the green waste scheme and review the recycling facilities at Greendale so that more items can be separated, which will increase income generation. The Parks offer will also be improved and the potential to run more events. Andrew Hancock is keen to trial the use of robotic mowers.

There is also work being undertaken in relation to the Health & Safety of Streetscene staff, because the nature of activities such as litter picking and tree cutting are inherently dangerous.

Councillor Bailey asked about the possibility of producing a video on the recycling process. Andrew Hancock confirmed that there was already a video on recycling and its end products on the website, with further plans to produce clips on the Woodbury trial; how the food waste

process works and the green waste process. This will be included in the draft service plan and covered in the section on digital communications.

Question relating to keeping the public informed on a regular basis. Cllr Wright stated that recycling rates are included in reports to Cabinet every month and are published on the website. In terms of where the waste goes, it is dependent upon cost. There are about eight different locations for recycling by EDDC and SUEZ will determine the location based on ongoing commercial pressures.

Question relating to the contributions of Town or Parish Councils to grounds maintenance works, such as grass cutting and weeding. Andrew Hancock stated that any Town or Parish Council could enter a contract with EDDC to undertake additional works, but the issues in Exmouth, for example, relate to contracts which Devon County Council (DCC) had withdrawn from during the austerity measures in 2010. EDDC is unable to work on land they do not own or pick up the work previously done by DCC within its existing resources.

John Golding referred to the Nature Recovery Corridor which was about allowing things to grow back in places which have not been allowed to previously. This is a new development which will be included in the forthcoming Service Plans for the Countryside and Streetscene teams, and will be undertaken in partnership with organisations such as the Devon Wildlife Trust and developers amenable to such an approach.

Question relating to SUEZ waste trucks depositing waste on the roads as a result of speeding and keeping their doors open instead of closing them. John confirmed that this spillage had been discussed with SUEZ as an issue, and they were trying to incentivise their staff to alter their practices accordingly. Cllr Wright suggested encouraging people to make complaints and take photos when they see this happening because SUEZ take it very seriously.

Question relating to the training of HGV drivers – are provisions in place to redeem the costs of training if drivers leave their jobs? The response was that training arrangements are put in place with penalties attached if an individual leaves within a certain period of time. Cllr Wright confirmed that SUEZ employ drivers who are contracted to work for at least two years after being trained.

The Chair asked if Performance Measures were appropriate to the service. John Golding responded that the majority of measures were appropriate but could always be refined. Some were defined by legislation whilst others were enshrined in contracts. Andrew Hancock confirmed that the measures were good, but were not likely to change very much.

In terms of gaps in services, Andrew stated that there were predictable pressure points and challenges in the future.

With increasing property growth, increased visitor economy and staycations, rising expectations and a longer season length due to climate change, EDDC resources are under continuing and increasing pressure. The challenge is to maintain standards set against financial constraints. The service continuously looks at technology to help (for example an autonomous mowers trail and new sweepers) to get more for less, but it is considered that soon there will be a need to increase the staff resource. The Medium Term Financial Plan includes items for this set against property growth in key towns such as Exmouth, Axminster, Seaton and Cranbrook.

In relation to the Recycling & Waste service, the biggest single service area, collecting from over 69,000 properties and projecting to reach 70,000 properties by June 2019. This will trigger the contract tipping point, increasing the amount EDDC pay to Suez to operate the service.

EDDC are now making over 525,000 collections a month.

EDDC has a recycling rate of 57%, but reaching 60% for the last 3 months.

There is a lot of work for a very small officer team of four to keep participation high, keep pushing education to increase our recycling rate. £1.5m of income is tied to recycling performance, and a 1% increase or drop equates to roughly £20k of income.

Recycling income is extremely volatile, tied to global markets and is currently depressed and not forecast to increase next year.

In relation to recruitment, especially agency/seasonal., there is a buoyant employment market making it difficult to recruit, especially to lower paid role and seasonal vacancies. EDDC relies on agency and seasonal workers to bolster teams in the summer when visitor numbers are high. Due to 10 years of budget pressure Streetscene are very finely resourced, so that if there is long term sickness (operations or injury), as occurred this summer and then an inability to recruit agency workers to back fill, it has a direct impact on the standards of cleanliness EDDC is able to provide. This is an area which may be further impacted by Brexit, although the proportion of non-UK nationals in the workforce is low.

The Chair asked about preparations for Brexit. John Golding referred to a variety of issues which may be affected including Emergency Planning, fuel shortages, the impact on Environment Agency monies available for coastal defence work.

The Chair wished to record the thanks of the committee to Andrew Hancock, John Golding and Cllr Tom Wright for attending and discussing the future service plan.

Recommended to Cabinet

1. that this committee seeks endorsement for the new approach in developing Nature Recovery Corridors across the District.
2. that this committee seeks the continuing support of Cabinet to expanding the Green Waste Service.

***39 Quarterly monitoring of performance – 2nd quarter 2018/19 July to September 2018**

The Chair asked members for any pressing issues with this report. None were raised, so it was duly noted.

***40 Scrutiny forward plan**

The Chair raised the issue of the referral from DMC on 30 October involving SW Water, and extending an invite from the Scrutiny Committee to a representatives to attend a future meeting. This was agreed and they would be asked to attend one of the meetings in early 2019, as soon as possible.

In relation to Broadband, and given the highly critical email circulated recently about Gigaclear, it was agreed to discuss the issues earlier than in six months' time as suggested at the last meeting.

Cllr De Saram had circulated a Scrutiny Flow Chart from Devon County Council which he suggested that members read with a view to using it in the drafting of the Annual Report from the Chairman on the work of the Committee. This was agreed.

Members agreed to consider a review of how the system of S106 and CiL monies was operating.

Cllr Rixson suggested that there was a review on the health of our High streets. The Chair requested that Cllr Rixson draft a scoping paper on the issues and circulate it to members.

The Chairman closed the meeting at 8.32pm.

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

Scrutiny Members present:

Brian Bailey
Bruce De Saram
Maddy Chapman
Roger Giles
Simon Grundy
Stuart Hughes
Cherry Nicholas

Val Ranger
Marianne Rixson
Eileen Wragg

Other Members

Megan Armstrong
Susie Bond
Paul Carter
Jill Elson
Peter Faithfull
Steve Hall
Mike Howe
Tom Wright

Officers present:

Mark Williams - Chief Executive, Strategic Lead for Planning
John Golding – Strategic Lead – Health, Housing and Environment
Andrew Hancock – Service Lead - Streetscene
Ed Freeman – Service Lead - Planning Strategy and Development Management
Simon Davey – Strategic Lead - Finance
Steve Saunders – Licensing Manager
Anita Williams - Principal Solicitor & Deputy Monitoring Officer
Sue Howl - Democratic Services Manager

Apologies from Scrutiny Members:

Cathy Gardner
Graham Godbeer
Darryl Nicholas
Eleanor Rylance

Apologies from Non – Scrutiny Members:

Geoff Jung
Pauline Stott

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 15 November 2018

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.12pm.

***17 Public speaking**

There were no public speakers at the meeting.

***18 Minute confirmation**

The minutes of the Overview Committee held on the 27 September 2018, were confirmed as a true record.

***19 Declarations of interest**

No declarations were made at the meeting.

20 Transformation Strategy and Financial Plan 2019 - 2029

The Chairman welcomed the Strategic Lead Transformation and Organisational Development, the Strategic Lead Finance, and the Portfolio Holder Finance to the meeting.

The Transformation Strategy approach has been to maintain a viable workforce, moving away from traditional approaches to budget reductions, to innovation and generation of income. The refresh of the strategy introduced two changes to the strategic themes of the approach, now including **digital by design** and **fit for purpose**. Each of the seven themes were explained to the committee, with some illustrative examples.

The transformation strategy has delivered the framework for a debate on efficiency costs and increasing income, which is now embedded in the culture of officers. It was key now to continue to deliver messages to residents on how the Council is funded in this way.

The Strategic Lead – Finance highlighted from his report the following key areas:

- The current position showed a shortfall of £1,952,088 for 2020/21. This was based on a no growth budget, with no additional requests;
- Assumption that the £5 increase in council tax will remain in place for 2019/20 with an inflation increase applied for future years;
- Business rate income has been assumed under the existing scheme of 50% retention;
- New Homes Bonus (NHB) has been maintained at a level of £1.5m. The scheme is expected to continue for 2019/20, with an estimated income of £3.6m in total, with the balance being used for capital projects.

The committee were taken through the Medium Term Financial Plan in detail, and how the innovations brought through the Transformation Strategy had helped over previous years, and continued to deliver for future years, to provide additional income and savings. There was still further work to be undertaken to deliver enough to produce a balanced budget for future years.

In discussing the MTFP and the projects set out in the Transformation Strategy Monitor, the committee raised the following issues:

- Clarification on the decrease and cease of the rate support grant – Members were reminded of the three year settlement, which ends in 2019/20;

- Concern raised by Councillor Allen on the staffing levels for economic development being reduced when there was a demand to increase those skill sets to help deliver more economic development, as well as a need to increase commercial skills as the Council looks to increase income from commercial assets. The Strategic Lead Finance confirmed that the savings identified at an operational level with posts did not affect the objectives of seeking efficiencies. The agreed additional resource to help deliver economic development previously was still retained in the draft budget for 2019/20. The Strategic Lead Transformation and Organisational Development outlined the vacancy management process currently in place, and the work already underway in examining the workforce as a whole. Once the new Councils priorities were known after the May election, a report would come forward with recommendation on changes to the workforce for delivering those priorities;
- Care in monitoring the details of expenditure as well as the larger budgets – the Strategic Lead Finance assured the committee that all detail is scrutinised, and that full detail is published in the Budget Book on each service;
- Street trading licence income changes, now confirmed by the Chairman of Licensing and Enforcement Committee as back in place and looking to increase for future years, following a suspension of charges whilst a number of issues were resolved;
- The “Ocean” in response to a question was clarified as a separate company from the Council and therefore any loss would be the liability of LED;
- Spend for “fit for purpose” was an operational spend to cover redundancy costs that would bring about savings in future years;
- Important to implement the strategy to help protect front line services.

The Vice Chairman welcomed the approach of the Transformation Strategy, in looking to continue to improve efficiencies of the Council, including increasing the skills matrix of staff so that they had the flexibility to meet demands as they changed over coming years.

The Chairman thanked the Strategic Leads for their clarity on explaining the financial pressures on the authority.

RECOMMENDED to Council:

To approve the Transformation Strategy and Financial Plan 2019 – 2029 and note the Overview Committee’s specific support for the Transformation Strategy looking to protect the delivery of front line services.

RESOLVED:

To receive an update at a future meeting with an outline of plans for delivering a “fit for purpose” structure for the Council.

*** 21 Digital Strategy**

The Strategic Lead Transformation and Organisational Development presented the draft Digital Strategy for debate by the committee. Many elements set out in the Strategy were already in place or underway – the strategy sought to define a clear intention of digital by design.

Attention was drawn specifically to:

- The increasing number of transactions online and continued demand for such transactions to not only be available, but simple and straightforward to use;

- Changing the platform used to enable each customer to log into their own portal and choose to transact with the Council across a whole range of services;
- Improvements to the East Devon mobile app;
- Applying the GDS government principles to all transactions – for example delivering a service that works as effectively as applying for car road tax or passport renewal;
- Improvements to technology does not detract from the human interaction that is still required and continues to be provided across services.

During debate, the committee raised issues including:

- Concern that vulnerable, elderly and the blind or partially sighted could be disadvantaged by the increasing demand to transact online. In response, the committee were reminded that all services were acutely aware of the need to continue to serve customers in the way that suited the customer. A Member gave an example of undertaking a transaction online with the help of a customer service advisor at Exmouth Town Hall;
- Investigate the process used by East Anglia in transacting permitted development applications online;
- In response to a question, the committee were informed of the work of the web editors across the services and the use of clear guidelines to ensure uniformity of message and style. The communications team also oversee the content as a whole to ensure that the site is relevant and clear to understand;
- Most searches were undertaken by the public from a search engine such as Google rather than drilling down through the site itself.

The Vice Chairman commented that the continued improvement to online transactions empowered the public to help themselves during their busy lives. He also welcomed that the need for human interaction was still, and will continue to be, available to those who needed it.

RECOMMENDED to Cabinet:

That the Digital Strategy be recommended to Council for approval, for reason of continuing to improve how customers transact with the Council, whilst maintaining the availability of human interaction for vulnerable groups and other sectors of the community that require help.

RESOLVED

That the Overview Committee receive an update on progress of implementation at a future meeting.

***22 Viewpoint Survey**

The Portfolio Holder Corporate for Corporate Services presented the findings from the latest Viewpoint Survey. The committee watched a short video on the key messages from the findings. The Portfolio Holder felt that using more visual means of communicating key messages was much more effective, and could be shared across multiple media platforms. This method of communication could be utilised for a number of issues, including the Council Plan.

The media format provided a means of informing and educating the public in a digestible way.

Comments from the committee included:

- The video shown could be refined further to include infographics and made shorter, in order to increase the number of people who would watch it;
- The format could be applied to other areas of the council, such as promoting what services are available to local businesses to aid them. The Communications Team had already assisted with the production of a business magazine;
- Messages communicated to the public must also acknowledge that not all the Council's customers are satisfied, and what actions are being taken to try to resolve those issues;
- The format would be applied to the next Council Plan, which will be drafted after the next election in May. An example of good practice of communicating a Council Plan could be found on the website of South Norfolk Council;
- The software used to create the video is available online. A suggestion was made that such software could be utilised locally for communicating neighbourhood plan key messages.

RESOLVED

that the Overview Committee endorses the format of communicating the results of the Viewpoint Survey and asks that comments made are taken into account as the format is developed and refined.

***23 Overview Forward Plan**

The Chairman outlined forthcoming work for the committee. Requests were made to timetable in work on business development, specifically small businesses in food who want to expand, and the impact of Brexit on their ability to export.

Attendance list

Councillors Present:

Graham Godbeer (Chairman)
Ian Hall
Mark Williamson
Peter Faithfull
Mike Allen
Mark Evans Martin
Steve Hall
Rob Longhurst
Tim Dumper
Geoff Pratt

Councillors Also Present:

Dean Barrow
Alan Dent
Brian Bailey

Officers

Karen Jenkins, Strategic Lead Transformation and Organisational Development
Simon Davey, Strategic Lead Finance
Anita Williams, Principal Solicitor and Deputy Monitoring Officer
Debbie Meakin, Democratic Services Officer

Councillor Apologies:

Douglas Hull
Andrew Moulding
Jill Elson
Pauline Stott

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Exmouth Town Hall, Exmouth on 20 September 2018

Attendance list at end of document

The meeting started at 2.30pm and ended at 4.45pm.

***17 Public speaking**

There were no questions raised by members of the public

***18 Minutes**

The minutes of the Housing Review Board meeting held on 21 June 2018 were confirmed and signed as a true record. The Chairman announced that with regret tenant member Sue Saunders had resigned from the Board due to ill health. It was noted that this meant there was now another vacancy on the Board for a tenant/leaseholder representative.

***19 Declarations of Interest**

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

Peter Sullivan: Personal interest – housing tenant.

***20 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.

***21 Community Development update**

The Housing Review Board received a presentation informing them of the activities and projects that Community Development Workers had undertaken. It also promoted further work that was to be undertaken to deliver all four Council priorities. The presentation included:

- SWITCH – the youth work sessions, fun days and festivals and Easter residentials.
- Community work – supporting community groups such as The Ottery Station, Open Arms.
- Running Honiton Dragons' Den.
- Early Help involvement – supporting families identified as needing additional support under early help and safeguard criteria.
- Right Track Program.
- South West Youth Games.
- Youth tenant conference
- Littleham Hub – mapping services and using an Asset Based Community Development approach to guide our next steps in supporting the people of Littleham.
- IT support for Universal Credit.
- Sidmouth family adventure days
- Enabling community-led community development - working with strategic and community-based partners to support the health and wellbeing networks emerging in many East Devon towns, and linking them up with social prescribing initiatives.

It was noted that the events were inclusive and that no one was discriminated against. Many opportunities were for the whole community, not just housing tenants. Referrals were received from social services and the police as well as self referrals for some of the schemes. The team helped to make families 'better families'.

The Board thanked the Community Development Workers for their presentation and congratulated them on their successful work. A request was made for the presentation to be appended to the minutes of the meeting.

RESOLVED:

1. that the Housing Review Board note the work of the Community Development team,
2. that the community development presentation be appended to the minutes of the meeting.

***22 Installation of defibrillators across East Devon**

The Chairman agreed for this item to be brought forward on the agenda as tenant Mike Passant had attended the meeting to discuss the installation and use of defibrillators.

The Landlord Services Manager's report brought to the Board's attention an exciting opportunity to help prolong lives in East Devon by installing defibrillators in community centres across the district.

The report proposed 12 suitable locations across the district:

- Ratcliffe House, Palmer House, Morgan Court, Albion Court, Bidmead community centres in Exmouth
- Park Close community centre in Woodbury
- Churchill Court community centre in Lypstone
- Broadview community centre in Broadclyst
- Trumps Court and Lymebourne community centres in Sidmouth
- Millwey community centre in Axminster
- Dunning Court community centre in Honiton

The defibrillators would be placed on the outside of the buildings so that they were continuously accessible to the whole community. The cost for 12 such units would be approximately £14,000 - £16,000, and it was proposed that this would come from the Housing Revenue Account. Mobile support officers could make the necessary monthly checks of the equipment. It was pointed out that there was a need to replace the pads when units had been used.

RECOMMENDED: that Cabinet approve that lifesaving defibrillators be installed and maintained at Housing community centres across the district.

***23 Housing Green Paper – A new deal for social housing**

The Board received the Strategic Lead – Housing, Health and Environment's report which summarised the detail of the Housing Green Paper and outlined suggestions that could form the basis of EDDC's response. The Housing Green Paper had been published in mid-August as a consultation on a number of changes being considered for social housing. Consultation would run until 6 November 2018. Much of the publication focused on regulation, tenant empowerment, complaints the stigma associated with social housing, safe and decent housing and expanding the supply of social housing and supporting home ownership.

The five core themes of the Green Paper were:

- Tackling stigma and celebrating thriving communities.
- Expanding supply and supporting home ownership.
- Effective resolution of complaints.
- Empowering residents and strengthening the regulator.
- Ensuring homes are safe and decent.

Whilst it was recognised that there were some positives it was felt that the Green Paper was a missed opportunity to comprehensively address some of the big housing issues facing the country, and as such was regarded as underwhelming as a social policy document. The Strategic Lead – Housing, Health and Environment, in consultation with the Chairman of the Board and the Portfolio Holder for Sustainable Homes and Communities would produce a reasoned response to the consultation and circulate a copy of the response to members.

RECOMMENDED: that Cabinet consider the contents of the social housing Green Paper, and agree the Strategic Lead – Housing, Health and Environment’s response on the key issues being proposed for the social housing sector.

***24 Consultation on the use of receipts from Right to Buy sales**

The Strategic Lead – Housing, Health and Environment presented to the HRB a report summarising the detail of the Ministry of Housing, Communities and Local Government consultation on the use of receipts from Right to Buy sales. The report also presented the proposed response from EDDC’s Housing service, strongly advocating greater control over the use of Right to Buy receipts for local authorities. Consultation would close on 8 October 2018.

The message conveyed through the proposed response was that decisions over how Right to Buy receipts were used should be the responsibility of local housing authorities rather than central government, with decisions on spending approved through existing committee structures. Right to Buy receipts should be spent on replenishing council housing stock. The response also suggested that the level of discount available to purchasers should be determined locally to reflect the unique housing market and demands.

RECOMMENDED: that Cabinet approve the response to the consultation on the use of Right to Buy receipts contained in appendix 1 to the report.

***25 Award of the integrated asset management procurement contract**

The Board considered the report of the Property and Asset Manager, which updated members on progress made on the procurement of the Integrated Asset Management Contract, and sought agreement of the recommendations contained within the September 2018 Cabinet report. The report outlined the progress that had been made since June 2018 and sought approval to appoint a contractor to provide the services specified in the contract and procurement documentations, subject to a satisfactory outcome to the Leaseholder Consultation period (which was due to end on 24 September 2018).

Cabinet approval had already been sought to appoint Bidder A, who the Property and Asset Manager named as Ian Williams during the meeting, to deliver the new service subject to no negative and significant feedback from leaseholders. Statutory Standstill Letters (Alcatel) were issued to the unsuccessful bidders on the 6 September 2018. The standstill period was for ten days and so it was now possible to enter into contract with the preferred bidder, subject to the results of the leaseholder consultation. Once the contract was awarded a

mobilisation period for the new contractor would start.. The performance of the incumbent contractors would need to be managed during this period to ensure that tenants continued to receive a high quality service and seamless transition. It was important that tenants were involved in the exit strategy and mobilisation process and communication would be critical. It was noted that tenants would like to invite Ian Williams to the tenants' conference.

A draft contract had been available to bidders throughout the procurement and inevitably there would be a period of final drafting and both parties agreeing final terms and conditions. The next report to the Board would detail the mobilisation process that would be undertaken over the coming months in the run up to the start of the new contract. The procurement team in their current form would be disbanded and a new mobilisation team would be established with the various skills and expertise that would be required to ensure everyone was appropriately prepared and ready to enter into new contracting arrangements.

The Property and Asset Manager outlined some information about Ian Williams and encouraged members to look at their website for more information. It was noted that Ian Williams had expressed a desire to meet the Board at a future meeting as well as link with other tenant forums.

RESOLVED:

1. that the Board note the Cabinet decision for the approval of Bidder A (Ian Williams) to deliver and operate the services specified in the contract and tender documents. This would be subject to a satisfactory outcome of a statutory leaseholder consultation process.
2. that the Board note the Cabinet decision to give delegated authority to the Strategic Lead (Housing, Health and Environment) and the Strategic Lead (Legal, Licensing and Democratic Services) to negotiate and complete the contract.

***26 Revision to the tenancy agreement**

The Housing Needs and Strategy Manager advised the Board that in consultation with the Chairman the decision had been taken to remove the draft tenancy agreement from the agenda.

Officers had consulted widely on the agreement over the last six months to ensure that the new agreement complied with current legislation and EDDC's Housing Policies. However, to ensure that the new agreement was as legally "watertight" as possible, Andrew Lane, barrister at Cornerstone Chambers had been asked to review the document before submitting it to HRB for consideration.

Whilst this would add a delay to the planned timetable for the implementation of the new tenancy agreement, it was felt that it was prudent to take this extra time to ensure that the tenancy agreement was legally robust. Once advice had been received from Mr Lane officers would look to submit the final draft to the November meeting of the Housing Review Board, with a view to beginning statutory consultation with tenants on 13 December 2018.

RESOLVED: that for the reasons outlined during the meeting, consideration of the revised tenancy agreement be deferred to a future Housing Review Board meeting.

***27 Lift replacement at Poplar Mount, Axminster**

The Property and Asset Manager's report asked the Board to consider the urgent replacement of lifts to ensure tenants' homes were accessible at all times. The three current lifts at Poplar Mount, Axminster, a sheltered housing scheme, were over 50 years old. They were much smaller in size than the average lift, which was a regular complaint from tenants who lived in the three blocks of flats. The lifts were becoming increasingly difficult to keep running due to the type and age of parts and the maintenance contractors had warned that on breakdown of certain parts it would be unlikely that the appropriate replacement parts could be sourced to repair the lifts. Currently if the lifts were not available then the occupants of 6-8 flats would need to be rehoused immediately.

There were three options for the lifts outlined in the report:

1. Leave the lifts running as they were currently and wait for complete breakdown.
2. Close the lifts down now, preventing the risk of the lifts failing.
3. Replace all three lifts to fully comply with current building regulations. Replacement in the current format was not an option. The two options to replace the lifts were:
 - a) Construct new lifts within the footprint of the existing blocks. This would require re-modelling of individual flats to accommodate the new lift shafts and access to the lifts.
 - b) Construct external lift shafts at the rear of the existing block. This would impact three flats in each block.

Significant building works would be required for both options a and b, in addition to the cost of the replacement lifts. It was recommended to the Board that delegated authority be given to the Senior Technical Officer for Asset Management and Compliance to specify the most suitable option for lift replacement in accordance with an in depth feasibility study of the site, cost implications, as well as the opportunity for tenant consultation to achieve an outcome favoured by the majority of tenants.

RECOMMENDED: that Cabinet approve the urgent replacement of three lifts at Poplar Mount, Axminster, with delegated responsibility given to the Senior Technical Officer for Asset Management and Compliance to determine the most effective and suitable scheme for replacement.

***28 Roof replacement, various sites**

The Senior Technical Officer – Asset Management and Compliance' report proposed additional expenditure to complete roof replacement works to a number of Council properties, as outlined in the report. Over the past few years numerous problems had been experienced with the roofs, leading to increased expenditure in maintaining the roofs on a reactive basis. The original roof coverings had not been replaced and repairs had been carried out over a number of years with increasing regularity, so much so that it was considered that economically re-roofing was the best solution. The re-roofing work would be managed and carried out as a single project, overseen by one of the Programmed Works Officers.

RECOMMENDED: that Cabinet approve the request for additional funding from the HRA (£334, 492.06) for the re-roofing programme.

***29 Compliance monitoring**

The Board considered the report of the Property and Asset Manager which raised awareness of compliance matters that related to management of the Council's housing stock.

The Board were shown a brief video which demonstrated a recent piece of work that involved commissioning an external specialist to inspect the installation of fire doors within the Council's housing stock. The video would also be published as part of Fire Door Safety awareness week, 24 – 30 September. During the week awareness would be raised through staff training initiatives, social media platforms as well as tenant awareness such as an article in the next Housing Matters magazine.

RESOLVED: that the Housing Review Board note the progress that was being made with all aspects of health and safety compliance in relation to the management of Council housing stock.

***30 Legionella policy**

The Property and Asset Manager's report informed members of the Council's responsibilities in relation to legionella management within its housing stock.

Legionella bacteria were found naturally in water sources and could multiply in domestic water systems given the right conditions of temperature and nutrients. Inhalation or ingestion of legionella bacteria can cause a potentially fatal form of pneumonia called Legionnaires disease, as well as other less serious illnesses. As a landlord the Council had a duty of care to ensure that residents and visitors can live in their homes and use the facilities safely. This extended to ensuring that residents and visitors were safe from risks associated with legionella bacteria and other contaminants. The management of legionella came under a range of legal and guidance documents.

Legionella management was an area of compliance that the Council must ensure it was managing robustly with the support of an appropriate management policy. It was necessary to demonstrate compliance with the relevant legislation through the creation of a specific policy that sets out how it will manage and control the risks associated with legionella within the housing stock, staff offices and community buildings. The Housing Legionella Policy was presented to the Board in January 2017 and it had since been revised.

Members of the Board were asked to approve the revised policy, which would be reviewed on a three year basis or sooner if there was a change in legislation.

RECOMMENDED: that Cabinet approve the revised legionella policy.

***31 House of multiple occupation purchase, Exmouth**

The report of the Housing Enabling and Allocations Manager set out a proposal to purchase a suitable property to use as a house of multiple occupation (HMO).

The demand for using emergency accommodation such as bed & breakfast had increased significantly over the last few years as homelessness levels have risen immensely both nationally and regionally. Furthermore, the additional responsibilities placed upon local authorities through the Homelessness Reduction Act have also added greatly to the overall use of emergency accommodation. Local authorities now need to accommodate people from homeless situations for a significantly longer period than previously. These factors have dramatically raised the levels of expenditure that the Council spends on emergency accommodation. The actual cost of emergency accommodation was much higher than forecasted.

By securing a suitable property to use as an HMO it would save on B&B costs and was expected to generate savings for the Council. It also provided reliable and quickly accessible accommodation for those in greatest need without the disruption of moving

between establishments on a regular basis, as well as saving Housing Officer time in trying to attempt to find suitable bed and breakfast establishments that had vacancies and would accept that client group. It was envisaged that an HMO would be available to single individuals, and in some cases couples who were considered to be in housing need.

Tenants would be expected to abide by the terms contained within the licence agreement, which would be adapted from the existing licence that exists for the shared house in St Andrews Road, Exmouth, taking into account the change of purpose (short term emergency accommodation to meet our obligations under homelessness legislation). It was likely that some tenants would remain in the HMO for a number of months whilst others may only stay for a few days / weeks whilst being assessed by the Housing Options Team. The overarching aim was to help the licensee's to move to more permanent accommodation.

The Board agreed that this type of accommodation would be a beneficial addition to the Council's property portfolio. It would help to reduce the need for private temporary accommodation and housing those in greatest housing need. It was important that the Housing Service ensured that adequate provision was put in place to effectively manage the HMO and support licensees when necessary. If the current property being considered was no longer available, a suitable alternative property should be sought.

The Portfolio Holder for Sustainable Homes and Communities requested greater support from social services and Devon Partnership Trust (DPT). EDDC had a duty to house people, many of which had mental health issues, and Devon County Council and DPT had a duty to continue support these people.

RECOMMENDED: that Cabinet approve:

1. that this type of accommodation would be a beneficial addition to the Council's property portfolio, in doing so helping to reduce the need to source and pay for emergency accommodation within the private sector.
2. that the Housing Service ensures that adequate provision is put in place to effectively manage the house of multiple occupation and support tenants, as necessary.
3. that a budget be agreed of up to £500,000 from the Housing Revenue Account to include funding from Right to Buy receipts.

***32 Adaptations to council properties**

The Property and Asset Manager's report updated the Housing Review Board on the increasing need and demand from tenants in relation to adaptations within Council properties. It was important to deliver a consistent approach to adaptations, as set out in the revised Landlord Disabled Adaptation Policy (approved by the Board in January 2017). Application of this policy presented problems, particularly when considering adaptations to a property that was being under-occupied.

There had been a 41% increase in requests for adaptations to properties from 2016/17 to 2017/18. The requests were a combination of minor and major adaptations. The solutions were not always straight forward and in many cases officers would carry out a number of site visits with tenants/contractors to ensure there was clarity and understanding of what was trying to be achieved.

To ensure a cost effective process, adaptations were now tendered as part of larger contracts. This significantly reduced the cost of the adaptations, but also meant that in some cases tenants had to wait longer for them to take place. The contracts were

managed robustly, with regular inspections to ensure the standard of work met expectations.

The Landlord Disabled Adaptation Policy was due for review in January 2019 and HRB members would receive an updated policy for approval at that meeting. As part of consultation with tenants a satisfaction form was being created for tenants to complete once adaptations works were complete in their homes. This would provide valuable feedback.

RESOLVED: that the Housing Review Board note the progress being made in relation to ensuring the Landlord Disabled Adaptation Policy was being applied consistently and that tenants were being supported to live independently in their homes.

***33 Draft of the Annual Report to Tenants 2017/18**

The draft of the annual report to tenants for 2017/18 was presented to the Board. The draft was in word text format and would be graphically designed once the wording had been finalised. The Board felt that every District Councillor should receive a copy of the annual report.

RECOMMENDED:

1. that Cabinet approve the content of the annual report to tenants, subject to the information being graphically designed for reproduction in the December Housing Matters magazine.
2. that every district councillor receive a copy of the annual report to tenants 2017/18 in their pigeon holes.

***34 Rent payment cards**

The Landlord Services Manager's report explained to the Board the reasons why rent payment cards were issued to tenants in April 2018. In November 2017 Strata informed the Housing Service that they could no longer support the voucher book payment process. A decision was required quickly in order to achieve the statutory deadlines required as part of the year-end rental procedures. Consent was gained from the Strategic Lead, but there was not time to get a new system in place if approval was sought from the Board and consultation undertaken, as would be used the usual practice. The Landlord Services Manager apologised for not consulting with tenants or bringing the change to the Housing Review Board.

It was reported that no complaints had been received directly from tenants using the new rent payment cards. The cards were also cheaper and quicker to produce than the old rent payment books.

RESOLVED: that the Housing Review Board note the explanation given in respect to rent payment cards issued in April 2018, contained in the report.

***35 Housing Revenue Account update, to August 2018**

The Housing Accountant's report provided the Board with the current position to August 2018 and details of the year end forecast of the draft Housing Revenue Account (HRA) for 2018/19. The HRA showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a HRA had been a statutory requirement for Councils who manage and own their own stock for some time, and therefore a key document for the Board to influence.

The report also provided the position of the HRA capital programme for both affordable housing and other capital items outside of the HRA. It was noted that if Right to Buy sales declined this would have an impact on capital expenditure in future years.

RESOLVED: that the Board note the Housing Revenue Account update to August 2018 report.

***36 Void performance**

The report of the Property and Asset Manager and the Housing Needs and Strategy Manager highlighted the improvements required in relation to the speed of turning void properties around for re-occupation. This was a priority and the report identified plans for improvement.

Over recent years there had been a worsening of performance in void turnaround times, with the need to review this activity in order to consider service improvements. There was a continual rise in the number of void properties each year, as well as properties left in a poor condition. Often specialist cleaning contractors were commissioned in order to ensure properties were suitable for contractors to work in. This could result in larger scale works to bring properties up to the required standard for re-let.

The process for re-letting properties involved cross team communications. Core responsibilities for co-ordinating the void period was with the Allocations team. There was significant input from the Maintenance Surveyors who were responsible for contractor management with regards to the tailored property specification produced, as well as any issues that arose during refurbishment.

In line with compliance management there was more emphasis on works that needed to be undertaken as part of the property being re-let. For example, intrusive fire stopping works that the team had taken the opportunity to upgrade as part of any flats that became vacant. This had led to complex, intrusive works in some instances, but was an opportunity that had been taken to improve compliance across stock as part of fire safety works. Such works could lead to extended re-let times and in such cases the surveyors work closely with contractors to reduce the delays wherever possible.

The Property and Asset Manager and the Housing Needs and Strategy Manager were actively involved in overseeing the void review, recognising the need to ensure processes and procedures were working effectively.

Key performance indicators would be embedded from the start of the new integrated asset management contract in terms of void turnaround times. This would be underpinned by a Systems Thinking approach to reducing waste in the system and ensuring tenants were at the centre of the process. Tenant Inspectors would be empowered to continue their inspection visits in order to provide officers with reassurance that from a tenant's perspective the high standards tenants have come to expect were still being met.

RESOLVED: that the Housing Review Board note the plans being made to improve the current void turnaround times with a view to this leading to an improved performance in this area.

***37 Quarterly monitoring report – quarter 4**

The Board was presented with the Housing Service performance indicator report for quarter 1 2018/19, with details of selected indicators measuring performance across the Housing Service.

The Board noted that the number of people coming into EDDC offices for housing/homeless advice was over 1500. Many of these people were not polite, or even abusive to staff and the Portfolio Holder for Sustainable Homes and Communities stressed the need to do the best to support staff at all times.

RESOLVED: that the performance of the Housing Service be noted by the Board.

***38 Housing Review Board coach trip**

The Chairman advised that a tour of some of the Council's housing estates, community centres, garages and parking issues across the district would be arranged for the Housing Review Board, on 29 October 2018. Board members were asked to contact the PA to the Strategic Lead – Housing, Health and Environment if there were any particular areas they would like to visit.

***39 Dates of the forthcoming Housing Review Board meetings**

The Board noted the dates of the HRB meetings for the forthcoming civic year:
Thursday 22 November 2018 – 2:30pm, Council Chamber, Exmouth Town Hall
Thursday 24 January 2019 – 2:30pm, Council Chamber, Exmouth Town Hall
Thursday 28 March 2019 – 2:30pm, Council Chamber, Exmouth Town Hall

Attendance list

Present:

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

Co-opted tenant members:

Mike Berridge
Peter Sullivan

Co-opted independent community representatives:

Julie Bingham
Christine Drew

Officers:

Sue Bewes, Landlord Services Manager
Steve Billingsley, Programmed Works Officer
Amy Gilbert, Property and Asset Manager
Mark Gerry, Community Development Worker
John Golding, Strategic Lead - Housing, Health and Environment
Tim Laurence-Othen, Housing Projects Officer
Paul Lowe, Housing Enabling and Allocations Manager
Andrew Mitchell, Housing Needs and Strategy Manager
Denise Rendell, Housing Projects Officer
Victoria Robinson, Community Development Worker
Giles Salter, Solicitor
Alex Slattery, Senior Technical Officer – day to day repairs
Alethea Thompson, Democratic Services Officer
Rob Ward, Housing Accountant

Also present:

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities

Cllr Douglas Hull

Cllr Eileen Wragg

Mike Passant, tenant

Apologies:

Cllr John O’Leary

Cllr Helen Parr

Alek Williams, tenant

Chairman Date.....

Appendix A – Community Development update – minute 21 refers

Intro

Hallo we are Mark and Victoria, 2 of 5 members of the Community Development team which also includes Aaron Clark, Alex Gibson and Deirdre Ryan. We are also lucky enough to be joined by the Education Ranger, Penny Evans one day a week. Over nearly a decade the Community Development role has evolved from being purely youth based to encompassing the whole community and supporting a wide range of people and agencies, not just tenants.

We'd like to give you a snapshot of the work we have undertaken in the last year; there isn't time in 15 minutes to cover everything, so we have each picked the work we feel was most successful or has meant the most to us.

SWITCH

We still run 3 clubs during term times in Littleham in Exmouth, Millwey in Axminster and St Pauls in Honiton, which continue to be very successful. We have also expanded our activities so that we offer more wrap around contact – trips and activities in half term and the very popular Easter Experience where we take the young people away for 3 days and provide activities that will challenge them and take them out of their comfort zones. Activities have included SUP – stand up paddleboarding - high ropes and looking for bats in Beer Quarry caves. As well as the activities, camping can itself be a challenge for the young people when we take away wifi and hair straighteners.

Pictures of clubs, trips and Easter Experience.

Early Help involvement

Our work at the SWITCH clubs has rippled out into other areas.

Because of the links we build with young people and their families through the clubs, when problems arise they are confident enough to approach us with them. This can be anything from repairs to their houses and trouble with debt to drug problems, eviction notices and domestic abuse.

It has been recognised by the police, social services and Early Help that we see a different side to the young people and their families than more official workers do. This more candid relationship can help with getting a complete picture of the situation when support needs to be put into place.

In the Early Help forum Practitioners come together to discuss families and create an action plan for moving those families forward. This includes schools, EWO, police, nurses and community and voluntary sector. It is a safety net for those who don't meet the threshold for Social Services involvement. In recent years we have become a respected voice at these meetings.

On this slide our basic service sits within the Universal Services part of the flowchart but actually the knowledge and expertise we have elevates our role to Single agency response and even into multi agency response through TAFs – team around the family meetings for example.

By putting support in early problems can be prevented from escalating and prevent knock effects such as bills not being paid on time and houses and gardens falling into disrepair which has positive effects for the council.

Another project we are involved in is the LAG – Local Action Group – arranged by the Community Safety partnership and the anti social behaviour officer. This draws

local workers such as police, fire, councillors, schools, and various council officers together with the aim of reducing anti social behaviour and increasing equality. In these groups we can be a voice for young people, with our knowledge of how they feel and their needs, where sometimes that voice is not considered. Any actions taken, rather than being punitive, can be measured and appropriate. An example of this can be in response to graffiti by young people or when there are complaints about noise levels in parks.

Our presence on these groups, we feel is an important part of Priority One of the Council plan – encouraging communities to be outstanding through safeguarding and supporting health and wellbeing.

Flowchart of involvement with Early Help.

Outcomes plan

Right Track Programme

The Right Track programme is a development programme for tenants and young tenants to improve key life skills, employability success, confidence building and mental health mentoring (amongst many other elements). Each programme is designed around the individual's needs and preferred outcomes.

Tenants are able to self-refer or be referred by other working professionals who are supporting them. An initial consultation and visit is carried out where plans are put in place to ensure that the programme is suited to their desired outcomes and style of working. A range of topics are covered and then further plans put in place to make next steps and progress.

A tenant in Axminster was supported for 12 weeks on the programme in 2017 and is now running her own self-employed community handy lady service.

Young people have been the predominant audience over the past 12 months, supporting local colleges and school with our young tenants and their struggles in education. Some of the young people supported through the RTP are involved in SWITCH groups in Honiton and Exmouth so we are able to support our young tenants at both school and in their free time at club. The RTP has worked with 9 individuals over the past 12 months from Honiton, Exmouth and Sidmouth and all have thrived from the programme put in place for them, all different to fulfil their needs.

One of the young people had been part of a managed move and was getting continuous suspensions/exclusions prior to working with him but through the power of baking, confidence building and behavioural management, he was removed from manage move and improved significantly during the remainder of his school term.

Youth Tenant conference

Each year East Devon holds a tenant conference. When I started working for the council Community Development were bought in to keep the children of any tenants entertained while the main conference happened but we aspired for more, a conference where young tenants could have their voices heard alongside the attendees of the main event. We have been gaining opinions from young people at the Takeover Day in November each year, when groups of year 6's come into the council to learn more about the officers' roles, and in the last 3 years we have expanded this by inviting young tenants to spend a day discussing topics such as the environment and what community means to them.

This year, for the first time, the two conferences came together in the afternoon and shared their discussions on social isolation. We think it is really important for young people's voices to be heard and considered by funders and policy makers. This is part of Priorities 1 and 4 – bringing communities together to solve problems and striving to improve as a council.

South West Rotary Youth Games

For the last 4 years we have taken part in the Youth Games in its various forms. Basically it is a one day Olympic style event in which at least 20 sports take place ranging from Badminton to Triathlon and Indoor Athletics to Girls Rugby 7's or Gymnastics to Ability Sports plus a lot more. The idea being that each district puts in a team to cover as many sports as possible and that those taking part are young people who don't already regularly take part in sport but after the event can go on and join clubs and take part in a new passion. We've never had a big team but each year we have managed to do well in some events. The last two years has seen the Street sports event take place on a separate day in Mount Hawke Skate Park down in Cornwall but under the SWRYG banner. This year for the first time Netball was run as a separate event. The Main event was held in Dawlish back in July. Our girl's Rugby and the boy's hockey team did exceptionally well as did our Scooter team in Mount Hawke and the netball and High 5 netball in Paignton. As a team we came 5th overall.

Fundays and festivals

Some other work we engage in from our early days and which continues to be very popular are our Community Festivals and Fundays. We have 4 festivals – Littleham, Millwey, Honiton and Sidmouth and more recently National Playday in Seaton. All continue to grow and bring families out to enjoy themselves.

The fundays take us out to rural districts in the summer holidays to meet people who might not usually benefit from our work and provide activities for families who might not be able to access those in towns. It is wonderful to see families playing together – sometimes 3 generations, and amazing the skills people say they haven't used since they were a child.

We are supported in this by Penny, the Education ranger and the Thelma Hulbert Gallery who have access to families who wouldn't normally make it to the gallery or Seaton Wetlands for example.

Pics of families and children having fun.

Sidmouth Family Adventure Days

From our work with Early Help, supported local families and key workers in the community came the idea of Sidmouth Family Adventure Days.

We work closely with the local school liaison officer ,Tracey Tipton to offer outdoor, interaction opportunities to families to improve family dynamics, break down parent-to-child difficulties and issues, boost morale and bring all age groups together to work cohesively in a day of outdoor learning and enjoyment.

Working with toddlers through to grandparents – the adventure and survival themed days have involved woodlands, beaches, rivers and wetlands. We have up to 9 families involved in the provision and hope to see this continue to grow over the coming year with 4-5 events being held each year in holiday time.

(see images attached)

Honiton Dragons' Den –

The Dragon's Den has been going for 4 Years, growing out of a piece of work done to assess the needs of the community in Honiton – Honiton Together. Groups bid for funding to a panel of experts and a variety of community groups have been successful including a Kickboxing boxing which continues to subsidise subscriptions from tenants to encourage them to take part when finances might not otherwise allow it.

In the past year one group has evolved with funding from Dragon's Den. Open Arms East Devon is a peer support group for people with mental health problems. It is coordinated by one of our tenants Garry Wakeham, and meets twice a week at Dunning Court, in Honiton. The group encourages provides a safe place as well as organised activities to improve wellbeing and reduce isolation. Our team have supported the group from the beginning and it is now established enough for us to take a step back and just offer advice when needed. A gap was identified in mental health provision in Honiton and Open Arms has gone a long way to filling it. They have since gained funding from others sources to continue their good work and Garry was awarded 'Tenant of the year' at this year's tenant conference for his efforts with the group.

The Littleham Project

After the success of Honiton Together we have taken the model to Axminster and more recently Littleham but with the idea growing and changing each time to suit the needs of each community.

The Littleham Project is running at the moment and aims to build the skills of the community so that they can lead and shape the future of the area. Through events that are run at the community centre we hope to stimulate enthusiasm among residents for proposing and running community projects and support the creation of a robust, self-sustaining community with strong links to Town, District and County Councils and the services they offer.

Three things which have happened already are
Scoop the Poop

Dog poo is constant topic of conversation whenever we go to meetings in East Devon, and Littleham is no different! Environmental Health Officer, Kaz Arnett, delivered a school presentation alongside Eddy the Dog, giving the young people inspiration to design posters encouraging people to look after their pets and respect their local environment.

We then ran a competition for young people to design a poster which could be used around Littleham at dog fouling hotspots.

3 young people from Littleham Primary School then worked with the council's design team at Strata, where they designed new signage which has been put in place in Littleham on the Crescent and John Hudson Way. It has been found in other areas that signs designed by local children have more impact than tradition council signs so we wait to see if these will work.

Pop-Up Services –

We are inviting other agencies to come and use the space at Clayton House in order to engage the harder-to-reach members of the community. It is recognised the tenants can be reluctant to leave estates to take part in activities elsewhere which is why we run many of our events on the estates.

In June we ran a Health and Functional Fitness MOT day in association with Age UK Devon. Attendees measured their Functional Fitness with a series of exercises developed by Glasgow University and received some basic medical tests from a

community nurse. They also had the opportunity to receive advice on healthy living with representatives from LED, Age UK Devon and Drink Wise Age Well. There are plans to invite more practitioners to the community centre over the next year.

Clayton House Refurbishment –

The community is being consulted in Littleham to find out how Clayton House can best meet their needs. We have carried out a doorstep consultation, and are currently collecting responses with a Survey Monkey survey – you can see the link on the slide.:

<https://www.surveymonkey.co.uk/r/PRY87GJ>

Several areas of improvement have been identified and we will be working with Repairs to carry out the work.

Conclusion

We hope this gives you a good idea of what we have been up to and the variety of work we undertake.

We referred to how some of our work fits in with the Council's plan, for example Early Help in Priority One – Encouraging Communities to be Outstanding.

If you refer to the plan you will see that most of our work comes under this priority but helping people find work, Right Track and supporting people set up their own projects comes into Priority Two – Developing an Outstanding local economy; taking young people and families out to Seaton Wetlands and our other open spaces comes into Priority Three – Delivering and promoting our outstanding environment; our everyday work in which we talk to young people and their families face to face and through surveys we run relates to Priority Four – Continuously improving to be an outstanding council. So though it may seem that our role should be Encouraging Communities we actually fall into all the priorities.

As we said there wasn't time to cover everything - here are some of the things we didn't have time to touch on –

If you want to know more please do get in touch with us and we will be happy to talk to you about our work.

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Exmouth Town Hall, Exmouth on 22 November 2018

Attendance list at end of document

The meeting started at 2.30pm and ended at 4.45pm.

***40 Public speaking**

There were no questions raised by members of the public

***41 Chairman's welcome**

The Chairman welcomed tenant Pat Gore to the meeting. Pat had attended interviews, along with another tenant, Cat Summers, on 14 November, for the two vacant tenant/leaseholder representative posts on the Board. Subject to Board approval, both tenants would be formally co-opted by Full Council on 12 December 2018 and become members of the Housing Review Board.

RECOMMENDED: that Pat Gore and Cat Summers be co-opted on the Housing Review Board as tenant/leaseholder representative members.

***42 Minutes**

The minutes of the Housing Review Board meeting held on 20 September 2018 were confirmed and signed as a true record.

***43 Declarations of Interest**

Pat Gore: Personal interest - housing tenant.
Peter Sullivan: Personal interest – housing tenant.
Alek Williams: Personal interest – housing tenant.

***44 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.

During the meeting the following items were added to the forward plan:

- Draft housing service plan.
- Draft Housing Revenue Account budget.
- Update on the integrated asset management contract and the work taking place on mobilising the contract.
- Update on the impact of Universal Credit.

RESOLVED: that the forward plan be noted and updated.

***45 Revision to the tenancy agreement**

The Housing Project Officer's report updated members on progress made in the development of a revised tenancy agreement. The report contained the final draft of the revised tenancy agreement, along with an explanation of the changes made and sought approval of the revised tenancy agreement. With this approval, it was planned to enter a seven week statutory consultation with tenants from 12 December 2018.

The report also recommended that the Strategic Lead for Housing, Health and Environment, and the Portfolio holder be given the authority to make any minor amendments to the tenancy agreement following the statutory consultation.

In September 2017, a project group, consisting of housing service managers and officers and legal representation, with Mobile Support Officer consultation, was set up to revise the tenancy agreement to ensure that it reflected changes in policy and legislation implemented since the previous revision of the agreement in 2015. The HRB were notified of this in September 2017. Tenants were also updated on progress through the Tenant Involvement Forum and suggested amendments were received through the Tenant Readers Panel.

Running concurrently with the tenancy agreement revision, housing teams had been reviewing and updating their housing policies, making sure that the revised tenancy agreement would be consistent with them. Following the updating of policies, the project group members were given a last chance to suggest amendments to the tenancy agreement.

Following approval of the revised tenancy agreement a preliminary notice letter would be sent to all tenants, along with a document detailing the changes that had been made to the tenancy agreement. The statutory consultation would run for six weeks from 12 December 2018 until 31 January 2019.

Any further amendments arising from the consultation period would be incorporated into the tenancy agreement before the final agreement is presented to HRB on 28 March 2019 for approval. This would then go to Cabinet and Full Council for ratification. The formal Notice of Variation and tenancy agreement would then be sent to all tenants on 25 April 2019. The new tenancy agreement would then come into effect from 10 June 2019, six weeks after the Notice of Variation was issued.

During the meeting the Vice Chairman raised a number of issues queried by the Tenant Involvement Forum (TIF). The Solicitor reminded the Board that the draft tenancy agreement had been considered by a barrister, but suggested that officers go through the concerns raised by the TIF and amend the wording of the clauses where necessary.

RECOMMENDED:

1. that Cabinet approve the revised tenancy agreement, and
2. that Cabinet agree the next steps and timescales detailed in section 2 of the report,
3. that delegated authority be given to the Portfolio Holder for Sustainable Homes and Communities and the Strategic Lead Housing, Health and Environment to make minor amendments to the tenancy agreement following the consultation process.

***46 Fire safety in blocks of flats (compliance with statutory regulations)**

The Senior Technical Officer's (Asset Management and Compliance) report updated the Board on the current position in relation to fire safety in blocks of flats, and set out a proposed way forward.

The Regulatory Reform (Fire Safety) Order 2005 set out requirements in relation to general fire safety precautions that landlords must adhere to. The basis of the legislation was centred on the completion of Fire Risk Assessments (FRA). By adopting a fire risk assessment approach, there was the need to look at how to prevent fire from occurring in the first place, by removing or reducing hazards and risks (ignition sources) and then looking at the precautions to ensure that people were adequately protected, if a fire were still to occur. FRAs were updated every two years. Any urgent recommendations were

implemented urgently. Non-urgent recommendations were packaged up and tendered. FRAs were confined to communal areas and means of escape in accordance with the guidance. FRAs were in place for all of the properties that required one.

Throughout the period in which fire safety work had been carried out EDDC had established a very close working relationship with Devon and Somerset Fire and Rescue Service. They had provided an expert level of guidance and support throughout and were extremely satisfied with the manner in which EDDC had approached and were addressing fire safety, so much so that EDDC were held up as a flagship for other housing providers to aspire to.

The emphasis on fire safety had resulted in a detailed review of the fire safety policy, which was carried out in 2017. The policy:

- gives clarity in the main statutory regulations/legislation that applied and needed to be followed,
- defined the roles and responsibilities within housing, particularly in relation to upgrading/maintaining the buildings and managing the buildings.

The Strategic Lead – Housing, Health and Environment explained that there was a number of options in terms of spend, depending on the degree of urgency given to the fire safety works. The works highlighted in the report were essential and future FRAs would be done on a similar basis to that already done. The housing accountant advised that in the budget fire safety works could be prioritised over the new housing development fund, but this would mean that it was not possible to provide so many new properties. The three options for the delivery of outstanding fire safety works outlined in the report were:

1. Provide the complete budget to carry out all the work in the next financial year, approximately £3million.
2. Carry out the work over two financial years, approximately £1.5million per annum.
3. Carry out the work over three financial years, approximately £1million per annum.

It was noted that considerable resource would be required from the Property and Asset team to deliver the required work to prepare documentation to procure the work, whichever option was selected. It was therefore proposed to extend the employment of the Fixed Term Programmed Works Officer (Fire) beyond the initial twelve months.

RECOMMENDED:

1. that Cabinet note the progress made in relation to fire safety in blocks of flats and agree the priority of future works to address property issues related to fire,
2. that members be aware of the significant budget required to bring all blocks of flats up to a fully compliant fire safety standard.
3. that Cabinet approve the extension of the employment of the additional Programme Works Officer (Fire Safety) for a further 12 months.

***47 Renewal of Advantage South West subscription**

The Housing Review Board noted the report of the Senior Technical Officer (Asset Management and Compliance) which set out the benefits of membership of Advantage South West and recommended continuing membership to the organisation.

Advantage SW was a limited liability partnership owned by Live West, North Devon Homes, Ocean Housing Group and Yarlinton Housing Group. The organisation was created in 2004, and its purpose was to improve homes and lives through collaboration and innovation. The three parts to Advantage SW were:

- New build properties; Advantage SW owned the rights to a number of house type designs. In 2017-18 they finalised a new range of designs to meet the current size aspirations of its members.
- The Procurement Consortium, started in 2008 and improved value for money for its members in the products used in new build, planned and responsive maintenance. The procurement consortium had saved its members over £36m in cashable savings and RPI avoidance.
- EnergySW; the resident energy brand provided in partnership with OVO Energy that was launched in November 2015.

During 2017-18 the procurement consortium had 12 members who between them owned over 100,000 properties. Each member paid an annual subscription that was calculated dependent on its size. EDDC's subscription for 2017-18 was £13,708, excluding VAT. Since 2010 EDDC had saved £740,981 and a further £521,303 of RPI avoidance through its membership of Advantage SW.

Advantage South West had established and were delivering a programme of accredited Continuous Professional Development (CPD) sessions on topics relevant to members' staff. EDDC staff were in the process of enrolling onto various CPD courses. Membership of Advantage SW also brought benefits in terms of access to the formal network of members that provides valuable advice and guidance, as well as the specific procurement expertise that Advantage SW itself had.

The report stated that membership of Advantage SW continued to be beneficial for East Devon District Council and that membership of the group should continue for 2019/20 at a cost of approximately £15,000 excluding VAT. Through the efforts of all involved, Advantage SW delivered:

- sharing of information and good practice
- access to procurement knowledge and technology
- value for money
- good products
- an increasing range of multi-supplier frameworks
- opportunities for resident involvement
- methods to reduce fuel poverty

The Board agreed that the housing service received excellent value from the subscription to Advantage South West.

RECOMMENDED: that Cabinet approve continuing to pay the annual subscription to maintain the membership to Advantage South West.

***48 Housing Revenue Account update, to October 2018**

The Housing Accountant's report provided the Board with the current position to October 2018 and details of the year end forecast of the draft Housing Revenue Account (HRA) for 2018/19. The HRA showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a HRA business plan had been a statutory requirement for Councils who manage and own their own stock for some time, and therefore a key document for the Board to influence.

The notable items of budget variance were:

- Lower than expected employee costs as recruitment progressed.

- Increased forecasted expenditure on compliance related items such as works resulting from fire risk assessments.
- Higher than budgeted prices for the Air Source Heat Pump programme.

The report also provided the position of the HRA capital programme for both affordable housing and other capital items outside of the HRA. The business plan included a programme of expenditure to replace properties lost through Right to Buy sales and ensure that Right to Buy receipts were invested and not returned to central government. It was noted that if Right to Buy sales declined this would have an impact on capital expenditure in future years.

The housing accountant asked the Board for a steer about the length of time the money for Fire Risk Assessments and fire safety works should be spread (1 to 3 years). It was suggested that all remaining property purchases (excluding the current house of multiple occupation) be put on hold for the remainder of the year. The accountant agreed to bring budget setting scenarios back to the next Board meeting. It was also suggested that the Garage Task and Finish Forum be revisited.

RESOLVED:

1. that the Board note the Housing Revenue Account update to August 2018 report.
2. that the housing accountant present various budget setting scenarios to the next meeting of the Housing Review Board.

***49 Housing research study update: Your wellbeing your home**

The report of the Information and Analysis Officer provided the Board with an update on the first stage of a joint three year project with the University of Birmingham and LiveWest, exploring the relationship between housing and wellbeing and landlord satisfaction. The results would support service improvement.

The Chairman welcomed Laura Rychlewski, from LiveWest to the meeting. The Information and Analysis Officer presented the research findings so far, which centred around what mattered about a home, and why. It was noted that in comparison to the previous year's STAR satisfaction survey the figures had decreased slightly. The 'your wellbeing your home' research put the tenant at the heart, rather than EDDC as the landlord. The research considered:

- financial wellbeing – over 65 year olds and women and households with children were the most likely to struggle financially.
- health and wellbeing – mental health was a high concern.
- wellbeing and experience of home – there were general themes for what the role as landlord should be.
- top problems reported – those on the housing register, LiveWest tenants and EDDC tenants.
- reasons for wanting to move or stay in current home – the most important reason reported was a desire for long-term security in the home. Other important reasons given were quality of life, affordability and suitability.

The research demonstrated that respondents in social housing had better wellbeing than those on the housing register. Having a good home mattered for overall life satisfaction. It showed that social housing was not the cause of lower quality of life, but there was a need to understand the importance of the right home for the right person. The importance of emotional and physical security for a positive wellbeing that came with having a stable home was what mattered.

The Information and Analysis Officer reported that more data would come forward over the course of the three year longitudinal study. The research so far demonstrated how important the housing service was to the people of East Devon and how it should become more holistic about delivering housing services. It was important to educate all people that it was the home that mattered, not the tenure, as there was still a stigma attached to social housing.

On behalf of the Board the Chairman thanked the Information and Analysis Officer for her powerful and interesting presentation.

RESOLVED: that the Board note the first year's results of the 'your wellbeing your home' study.

***50 Home Safeguard system upgrade**

The Board considered a report that would be presented to Cabinet on 28 November seeking approval for the expenditure necessary to upgrade the Home Safeguard call handling system, as outlined in the business case attached to the report. The upgrade was a necessity for the continuation of the Home Safeguard Service, which in addition to the alarm for private, sheltered and corporate customers, provided the out of hours service for EDDC and Teignbridge District Council, plus lone working services for both authorities.

Councillor Brenda Taylor thanked Home Safeguard for the excellent service it provided.

RECOMMENDED: that Cabinet approve the business case for the upgrade of the Home Safeguard call handling system.

***51 Dates of the forthcoming Housing Review Board meetings**

The Board noted the dates of the HRB meetings for the forthcoming civic year:
Thursday 24 January 2019 – 2:30pm, Council Chamber, Exmouth Town Hall
Thursday 28 March 2019 – 2:30pm, Council Chamber, Exmouth Town Hall

Attendance list

Present:

Cllr Pauline Stott (Chairman)
Cllr Megan Armstrong
Cllr Helen Parr
Cllr Brenda Taylor

Co-opted tenant members:

Mike Berridge
Peter Sullivan
Alek Williams

Independent community representative:

Christine Drew

Officers:

Graham Baker, Senior Technical Officer, Property and Asset Management
Natalie Brown, Information and Analysis Officer
Sue Bewes, Landlord Services Manager
Michelle Davidson, Compliance Surveyor

Amy Gilbert-Jeans, Property and Asset Manager
John Golding, Strategic Lead - Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Tim Laurence-Othen, Housing Projects Officer
Andrew Mitchell, Housing Needs Manager
Giles Salter, Solicitor
Alethea Thompson, Democratic Services Officer
Rob Ward, Housing Accountant

Also present:

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities
Cllr Steve Gazzard
Pat Gore, tenant
Laura Rychlewski, LiveWest

Apologies:

Cllr John O’Leary
Mike Berridge, tenant
Julie Bingham, independent community representative
Josie Ireland, tenant
Jim Kelleher, tenant
Sylvia Martin, tenant
Pat Riley, tenant
Cat Summers, tenant

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 27 November 2018

Attendance list at end of document

The meeting started at 10am and ended at 3.16pm (the committee adjourned at 11.50 and reconvened at 1.30pm).

***22 Public speaking**

The Chairman welcomed everyone present to the meeting.

Cllr Ray Bloxham, Cranbrook Town Councillor and Devon County Councillor, outlined to the committee three areas of concern. Firstly, relating to the Cranbrook Development Plan Document process and whilst the Cranbrook DPD does not design the town centre the expansion areas of Cranbrook can offer funding opportunities for key infrastructure in and around the town centre which need to reflect the scale of the housing development. Cllr Bloxham also expressed concerns around why the Cranbrook DPD has been delayed. Secondly, since 20 March 2018 when the Strategic Planning Committee last considered the Cranbrook DPD, Cllr Bloxham raised concerns that the Town and Parish Councils involved have had no further information or engagement on the production of the Cranbrook DPD. Thirdly, Cllr Bloxham raised concerns that there has been a continued justification from planning officers for the inclusion of the Green Wedge between Cranbrook and Rockbeare in the Cranbrook DPD. He further explained that Green Wedge policies are key elements of the Local Plan and the Rockbeare Neighbourhood Plan and should not be overridden.

***23 Minutes**

The minutes of the Strategic Planning Committee meeting held on 4 September 2018 were confirmed and signed as a true record.

***24 Declarations of Interest**

Councillor Geoff Jung - minute 25 - Personal interest – Member of Campaign to Protect Rural England

Councillor Geoff Jung – minute 34 – Personal interest – Member of the Community Infrastructure Levy Members Working Party

Councillor Peter Faithfull – minute 25 - Personal interest – Member of Campaign to Protect Rural England

Councillor Susie Bond - minute 25 - Personal interest - Member of Campaign to Protect Rural England

Councillor Susie Bond – minute 34 – Personal interest – Member of the Community Infrastructure Levy Members Working Party

Councillor Mike Howe – minute 34 – Personal interest – Chairman of the Community Infrastructure Levy Members Working Party

Councillor Jill Elson – minute 34 – Personal interest – Member of the Community Infrastructure Levy Members Working Party

Councillor Geoff Pook - Personal interest - involved in the construction industry

Councillor Geoff Pook – minute 31 – Personal interest – Member of the East Devon Area of Outstanding Natural Beauty

Councillor Graham Godbeer – minute 31 – Personal interest – Member of the East Devon Area of Outstanding Natural Beauty

Councillor Paul Diviani – minute 31 – Personal interest – Chairman of the Blackdown Hills AONB

Councillor Roger Giles – minute 30 – Personal interest – Member of the Ottery St Mary Heritage Society

25 **Future Housing Needs and Requirements in East Devon**

The Service Lead – Strategic Planning and Development Management presented the report which outlines how the Government's Housing Needs Calculator has been used to produce a figure of 844 homes per year for East Devon in 2017, as well as the impacts of demographic change and how the affordability ratio is applied.

The report also highlights the changes since the report on growth principles at the September meeting and how new household projections data suggests an uplift to 953 homes per dwelling for East Devon in 2018. It is notable that within East Devon the annual housing needs from 2017 to 2018 has increased, especially when nationally it is in decline. Therefore, the Government are proposing in their consultation document that, for the short term, the household projections published in 2017 be used for housing need outputs to overcome an England wide picture of a housing needs outcome that falls below the 2017 generated level (and also below Government aspirations for 300,000 per year being built). In the longer term, they identify a need for a revision of the methodology to calculate local housing needs. This leads onto the proposed responses from this Council which will be submitted to the Government's consultation on a proposed revised approach to determining housing numbers.

Furthermore, the report also highlights the CPRE evidence and picks up the issues raised in that document and how the conversation around housing needs for all groups can be taken forward. This will be driven through the commissioning of an independent study to consider the specific housing needs of all groups within the community and how these needs make up the overall housing needs for the area. Following this a Member workshop will be set up to consider the findings of the housing needs study and overall housing need.

Discussion covered:

- Clarification was sought as to why East Devon has an increased housing need. In response, the committee were advised that it is partly a result of demographic changes, household projections and affordability ratios within the district. Furthermore, there is a current debate around the usability of the calculator, which has resulted in now using the 2017 housing needs data.
- Concerns around the dysfunctional housing market and how it restricts the development of affordable housing.
- Concerns around the lack of diverse housing developments to meet community need. In response, the committee were advised that the Oliver Letwin Review report identifies options to diversifying housing on large scale developments. It is important to understand what local people need and then to evidence that if we are to have policies in the future to diversify the housing market in East Devon.
- That inward migration is an uncontrollable unknown factor.
- The need to encourage young people to stay within the district to diversify communities.
- Clarification on when the employment monitoring report will be presented to the Strategic Planning Committee. In response, the committee were advised that the employment monitoring report will be presented in January 2019.
- Clarification on when the housing needs member workshop would be held and who would be invited. In response the committee were advised that the would

be with Members, CPRE, the National House Builders Federation and any other relevant bodies in the spring of 2019.

- That an alternation be made to the response to question one in Appendix 1 of the report. That a sentence be added at the beginning of the response to state “crude demographic trends take no account of local infrastructure, type of housing needed or sustainable communities.”

RESOLVED:

1. That the motion on future housing provision in East Devon from the Council meeting of 24 October 2018 be noted.
2. That the proposed responses to the Government consultation on a proposed revised approach to determining housing numbers contained in Appendix 1 to this report be approved, subject to a sentence to be added to the beginning of the response to Question 1 to read: ‘crude demographic trends take no account of local infrastructure, type of housing needed or sustainable communities’.

RECOMMENDED TO COUNCIL:

3. That an independent study be commissioned to consider the specific housing needs of all groups within the community and how these needs make up the overall housing need for the area.
 - a. That a budget of up to £30,000 be set aside to meet the costs of the study.
 - b. That a Member workshop be set up in the new year to consider the housing needs study and the overall housing need.

***26 Housing Monitoring Report to Year Ending 31 March 2018**

The committee considered the Service Lead – Planning Strategy and Development Management’s report outlining the latest monitoring figures on housing completions and projections and setting out the five year housing supply calculation to year end March 2018. The five-year land supply based on the 2018 figures showed that the Council could demonstrate 5.71 years supply of land for housing. However, this year’s five-year land supply figure is down from the previous year. Furthermore, although the number of homes delivered compared to last year has increased, this Council is still not achieving its average target. The projections are ambitious for the future however; some strategic sites have only recently started to deliver house building and so there is a reasonable expectation that delivery will ramp up on these sites over the coming year and increase delivery.

Discussion covered:

- Clarification was sought on the percentage of affordable housing prescribed in planning applications, as well as the percentage of affordable houses that have been delivered. In response, the committee were advised that currently this Council aims to deliver 25%-50% affordable housing and that the current delivery is at 12% - 15% based simply on the number of affordable homes as a proportion of the total number of homes delivered.
- Clarification on the Housing and Economic Land Availability Assessment (HELAA) report and how the monitoring report is based on this. In response, the Housing Monitoring is based on the methodology of the HELAA which details how availability and deliverability should be assessed but not on the outputs of the HELAA which have not been published. The HELAA methodology had previously been agreed by Strategic Planning Committee.

RESOLVED:

That the residential completion data and future projections in the District be noted.

27 Update report on progress, resource and staffing matters for the Greater Exeter Strategic Plan and also an update on the work programme for future East Devon Local Plan production

The report presented to the committee summarised the backstory to the Greater Exeter Strategic Plan (GESP) and its benefits, as well as the need to retain the two additional members of staff to provide sufficient capacity in the Planning Policy Team to continue to work on the Greater Exeter Strategic Plan. The Service Lead – Planning Strategy and Development Management also highlighted that there is a need to fund the continued preparation of the necessary evidence base for the plan over the next year. The report also provided a future timetable for the GESP; the next consultation for the GESP will be in June 2019, which will be based on draft policies and site options, with the draft plan consultation envisaged for the latter part of 2019 and the final publication of the GESP in early 2021.

Points raised during the discussion included:

- Agreement that the work being undertaken on the GESP is vital to East Devon and the need to ensure this Council funds the staff required.
- Clarification on whether minutes are available from the GESP Officers' meeting. In response, the committee were advised that the reports that come to this committee regarding GESP are produced by the Officers that attend the GESP meetings.
- Concerns around the lack of transport for young people to access higher education facilities.
- Clarification on whether the review of the Local Plan will produce a new Local Plan. In response, the committee were advised that the current Local Plan runs to 2031 and that the final published GESP will run until 2040. The Service Lead – Planning Strategy and Development Management highlighted that the timeline for adoption of a Local Plan Review is a long way off but it is important to bear in mind that the GESP will supersede large sections of the currently adopted Local Plan and so in many respects the Local Plan Review is already well underway.
- Clarification on whether the 5-year land supply for each local authority collaborated in the GESP will remain individual or become combined. In response, the committee were advised that the decision has not been made but will need to be considered by Members in due course.
- Concerns that the timetable for the revision of the local plan is indeterminate and that officers are requested to provide clarity on the review of the Local Plan timetable at the next committee. In response, the committee were advised that the gathering of evidence for the review of the Local Plan is already underway, for example Urban Capacity Assessments, however there is only so much officers can do with regard to the Local Plan due to the production of GESP. The committee were also advised that this Council has a duty to cooperate with other neighbouring authorities on the review and production of the Local Plan.
- Clarification was sought on whether the Independent Reference Forum is going to meet regarding GESP. In response, the committee were advised that the Independent Reference Forum will meet, however, there is a delay caused by the current examination of Mid Devon District Council's Local Plan.

RESOLVED:

1. That the future work programme for Greater Exeter Strategic Plan production be noted.
2. That the proposed work plan for new East Devon Local Plan production in the light of Greater Exeter Strategic Plan timetables be noted.
3. That the establishment of a joint budget for the 2019/2020 financial year of 150,000 to fund the continued preparation of the necessary evidence base for the plan on the basis of an equal split of £30,000 per district/city/county Council level authority be endorsed.
4. That the retention of the two additional members of staff to provide sufficient capacity in the Planning Policy Team to continue to work on the Greater Exeter Strategic Plan and backfilling within the planning policy team (non-GESP) to provide coverage for the seconded officer to GESP be endorsed.
5. That a detailed timetable for the review of the Local Plan be presented at the next Strategic Planning Committee;
6. That the Independent Reference Panel be engaged during the production of the Greater Exeter Strategic Plan.

RECOMMENDED TO CABINET:

To include the sum of £30,000 in the draft budget for 2019/20 as this Council's contribution to the joint budget and to include a sum of £74,800 in the draft budgets for 2019/2020 and 2020/21 each year for staffing costs. Of the total budget requested of £179,600 over the two years, £97,000 will be met from reserves leaving a net additional sum requested of £82,600 required in 2020/21.

***28 S106/Community Infrastructure Levy Developer Contributions Annual Report 2017/18**

The report presented to the committee outlined the management and allocation of resources accrued through planning obligations and is the latest in a series of annual reports on the spend of monies collected through Section 106 agreements. This latest report also advises on the monies collected from the Community Infrastructure Levy (CIL), which has been collected in the 2017/18 financial year.

Points raised during the discussion included:

- Concerns that some developer contributions have a set timeline for expenditure. In response, the committee were advised that the S.106 officer retains a list of developer contributions and their relevant timelines and is going to structure the engagement with Town and Parish Councils accordingly.
- Clarification on whether this Council receives a report from each Town and Parish Council outlining how they have spent CIL contributions. In response, this is not something that is regularly carried out, however, it is something that the S.106 monitoring officer could pursue and include in this annual report going forward.
- Clarification as to whether this Council could ask Town and Parish Councils to contribute to strategic infrastructure developments locally. In response, the committee were advised that this Council could broach a conversation with Town and Parish Councils regarding collaborative funding for key infrastructure projects.
- Clarification on CIL expenditure is designed to mitigate the impact of new development. In response, the committee were advised that if a Town or Parish Council has a neighbourhood plan they would receive 25% of CIL which is

subject to certain limitations on use. However, Section 106 monies do have restrictions on its expenditure and will be returned if it is not spent.

- Clarification was sought on the pooling restrictions of Section 106 money and its expenditure. In response, the committee were advised that Section 106 money should be spent adjacent to, or near to the development concerned and must be used to mitigate the harm caused by the development. CIL collected by this Council must be used to unlock future developments.

RESOLVED:

1. That the contents of the S106/Community Infrastructure Levy Developer Contributions Annual Report 2017/18 be noted.
2. That a report outlining Community Infrastructure Levy and Section 106 expenditure by Town and Parish Councils in East Devon be presented to the Strategic Planning Committee in due course.

***29 Government Response to Consultation on Developer Contributions**

In March 2018, alongside consultation on the draft National Planning Policy Framework, the Government also issued a consultation seeking views on a series of reforms to the system of developer contributions. Members will recall that the April 2018 meeting of this committee endorsed a response to this Government consultation. The Government has now responded to the consultation through a summary of consultation responses, and has presented their view on the way forward.

There is currently a limit on the pooling of section 106 contributions, which means that no more than five such contributions can be required for the same infrastructure project or type of infrastructure (where entered into since 6 April 2010). The Government consultation proposed to lift this restriction in certain circumstances. Given that the pooling restriction was a key to encouraging councils' to introduce CIL, the Government will put measures in place to incentivise the uptake and continued use of the Levy to collect contributions towards addressing the cumulative impact of development; although they have not said what these measures are.

Furthermore, the current requirement for preparing a charging schedule is for two rounds of consultation (on a 'preliminary draft' and a 'draft'). There was broad support for the Government proposal's to streamline this requirement. There will continue to be an obligation to consult on draft charging schedules, but the current requirement for two separate rounds of consultation will be removed.

Finally, in order to improve transparency around the system of developer contributions, the Government is taking forward proposals to require reporting of contributions from CIL and s.106 planning obligations in an "Infrastructure Funding Statement". These statements will be prepared by local authorities, and are supported for providing greater clarity and transparency.

Points raised during the discussion included:

- Clarification on whether Members' will have access to the evidence and information regarding the production of the updated charging schedule. In response, the committee were advised that the appointed consultants, Three Dragons, have been commissioned to assess the evidence and viability of developments across the district, which determines the charges geographically, that includes the differences between the coasts and inland development. This will be presented to Members early next year. There are current delays to the

production of the updated charging schedule due to uncertainty with national policy changes and issues with aligning the charging schedule with the Cranbrook Development Plan Document.

- Clarification was sought on the decision to remove Cranbrook from the CIL Charging Schedule. In response, the committee were advised that a decision has not been made regarding the removal of Cranbrook from the CIL charging schedule.
- General support for the removal of Cranbrook from the CIL Charging Schedule.
- Concern that large self-build developments do not contribute to CIL and there should be a limit to the number of these allowed in the district. In response, the committee were advised that CIL contributions are dependent on the floor space of a development and therefore the larger the developer the more CIL is paid. There are however exemptions including for self-build developments. Members were reminded that under the legislation “self-build” is not interpreted literally and so the self-commissioning of a home is sufficient to gain the exemption, however the legislation has strict rules that have to be complied with to qualify for the self-build exemption.

RESOLVED:

1. That the Government response to consultation on reforming developer contributions be noted; and
2. That the update on preparation of a revised East Devon Community Infrastructure Levy Charging Schedule be noted.

***30 Heritage Strategy**

The Service Lead – Planning Strategy and Development Management presented the report, which sought agreement for a public consultation to be undertaken on the draft Heritage Strategy in accordance with the adopted Statement of Community Involvement.

The Heritage Strategy outlines three themes:

- Theme A describes our historic environment and provides information on its designated and undesignated heritage assets and their significance.
- Theme B sets out current policies and programmes relating to development management, conservation areas and heritage assets at risk.
- Theme C looks at the value of our heritage as a part of sustainable development, and the social, economic and environmental benefits it provides for East Devon.

The report also summarises the actions required under each of these which all have their own resource implications.

Cllr Helen Parr, Lead Councillor for Building Design and Heritage, highly recommended the draft Heritage Strategy outlining the positive benefits of our historic environment, that the strategy has a strong theme of working with local interest groups and encompasses the expertise and enthusiasm of local people. Cllr Parr highlighted the exceptional work undertaken by the village of Colyton who celebrate their historic environment by producing historic banners and leaflets, as well as holding engagement days involving local schools and theatre groups.

Points raised during the discussion included:

- Concerns were raised that the conservation of local heritage could have detrimental impacts on future development and that the strategy should only

protect heritage assets where necessary. In response, the committee were advised that the strategy is about striking the right balance between the need for future development and conserving the heritage that is valued by local communities.

- Clarification was sought as to whether the Heritage Strategy is an advisory document or the introduction of new policies. The committee were advised that the strategy is a proactive document designed to guide the implementation of current policies and not the introduction of new ones.
- That the national theme on heritage is to conserve and enhance.
- Agreement that future development and innovation should not be perturbed.
- That planning officers and Members of the Development Management Committee must always make balanced decisions and that this strategy goes some way to supporting those decisions.
- Recognition that this Council has been criticised in the past for not having a robust Heritage Strategy.
- That the developments built today must be of exceptional quality and design as they will be the heritage of the future.
- Concerns from some members that the Heritage Strategy could become weakened and reiterated the importance of heritage in tourism and the economy of East Devon.

RESOLVED:

That the draft Heritage Strategy is agreed for public consultation in accordance with the adopted Statement of Community Involvement.

***31 Glover Review of Designated Landscapes - Call for Evidence Response**

The report presented to the committee advises that the Government has requested an independent review of England's National Parks and Areas of Outstanding Natural Beauty (AONB) and whether they are fit for purpose. The review began in the summer of 2018 and will run until late 2019. The review is currently requesting a call for evidence and there are currently no proposals to alter designations at this stage. The report contained the Council's proposed response to the call of evidence.

Points raised during the discussion included:

- Some members expressed the aspiration of designating the current East Devon and Blackdown Hills AONB's to National Park status. The reasons for doing so included having a greater status, comparable to other areas where it works well, increased funding and that planning would still be controlled by this Council.
- Other members held a contrary view and felt that although AONBs are much smaller they are rooted in local communities and their boards involve local people with knowledge and expertise of the area.
- It would cost £20 billion to change the designation of an AONB to a National Park with no benefit.
- Clarification was sought about whether funding for farming and agriculture will change post March 2019. In response, the committee were advised that there is uncertainty surrounding this however; there are current proposals to replace the Agricultural Bill and its funding mechanisms.
- The definition of a National Park incorporates 'open space for recreation' which is not applicable to East Devon and it would place pressure on those to provide it.

RESOLVED:

That the proposed response to the Glover Review of Designated Landscapes be endorsed.

***32 Landscape Character Assessment – Draft Report and Proposed Public Consultation**

The Service Lead – Planning Strategy and Development Management presented the report which was commissioned jointly by East Devon District Council, Devon County Council, the Blackdown Hills AONB partnership and the East Devon AONB partnership to create a better evidence base to understand the character of our landscape and the impact of development. This report will form as part of the evidence base for the review of the Local Plan. Furthermore, the proposal is to undertake a limited public consultation with target interest groups before the final publication of the document.

Points raised during the discussion included:

- Clarification was sought as to whether the Town and Parish Councils would be included in the limited consultation. In response, the committee were advised that the document would be sent to Town and Parish Councils during the consultation period.

RESOLVED:

1. That the assessment and findings in the draft Landscape Character Assessment report be endorsed; and
2. That the public consultation of this draft document to run for six weeks be agreed.

***33 Cranbrook Plan Development Plan Document**

Cllr Jeremy Wollen, Chairman of Rockbeare Parish Council, expressed concern regarding the proposed expansion of Cranbrook into neighbouring areas as set out in the Cranbrook DPD. He highlighted that the neighbouring communities were promised that the land to the south of the old A30 would not be developed and now the current Cranbrook DPD questions the integrity of the Local Plan and the Rockbeare Neighbourhood Plan. Rockbeare Parish Council and the community of Rockbeare produced a robust Neighbourhood Plan and have put their faith in planning policies to protect and retain the Green Wedge.

Cllr Mark Readman, Rockbeare Parish Councillor, again relating to the Cranbrook Development Plan Document, commented that under the Localism Act 2011, the parish council and local people came together in a neighbourhood forum to determine the designation of housing and neighbourhood shops. In 2012, Rockbeare Parish Council set out their Neighbourhood Plan and decided that they wanted to remain separate from any future development in East Devon's West End. He further commented that East Devon District Council's Local Plan includes Strategy 8, which refers to the development of Green Wedges and states that development within Green Wedges, would not be permitted if it would add to existing, sporadic or isolated development and would damage the individual identity of a settlement or could lead to settlement coalescence. Cllr Mark Readman further explained that any additional houses built in Cranbrook should be outside the designated Neighbourhood Plan

areas of Rockbeare, Broadclyst and Clyst Honiton. Finally, he emphasised the time and money spent in putting together the Rockbeare Neighbourhood Plan which contains a core proposal of Rock06 which looks to protect the Green Wedge which holds a 93% approval rating.

Cllr Ron Forrest, Rockbeare Parish Councillor, again relating to the Cranbrook Development Plan Document, highlighted the enormous programme of housing that is being developed in and around the vicinity of Cranbrook which will overwhelm the village of Rockbeare. Cllr Forrest commented that 81% of housing development is going to be located on green-field sites and will reduce the amount of productive farmland. He also commented that 93% of Rockbeare residents are against the 1550 new houses that are planned as part of the Cranbrook expansion and do not want development to encroach into Rockbeare. Finally, Cllr Forrest expressed that the Rockbeare Neighbourhood Plan should not be overridden.

Paul Smith, speaking as a member of the public, also spoke to the committee about the Cranbrook Development Plan Document. He advised that much of the land overlooking the Rockbeare Valley is unspoilt landscape and that Savills, who were commissioned by East Devon District Council, identified an adverse visibility impact of development and gave alternative options – this advice has been ignored. Mr Smith raised concerns on the loss of green land and the negative impacts on local wildlife and biodiversity.

The committee considered the Service Lead's – Planning Strategy and Development Management report which provides an update on the production of the Cranbrook Plan Development Plan Document and associated timescales, as well as outlining current planning applications and development in the town. It is stressed that this report is not the final draft of the Cranbrook Development Plan Document.

The proposed publication draft of the Cranbrook Plan will be reported to Strategic Planning Committee and Full Council for endorsement to submit to the Planning Inspectorate for examination in public; it is anticipated that the plan will be presented to Strategic Planning Committee at the meeting of 29 January 2019 and will then go to Full Council on 27 February. Following this endorsement, a consultation would take place for a period of not less than 6 weeks. Following this final period of consultation the DPD and associated documents and supporting evidence, including comments received during the consultation, will be submitted for examination. On final adoption by the Council the plan will carry its full statutory weight in decision making processes.

Points raised during the discussion included:

- The need to ensure that Members have all the facts and evidence in front of them during the committee meeting in January 2019 in order to make an informed decision.
- Concerns were raised regarding the reputation of the Council when departures are made from the Local Plan and Neighbourhood Plans.
- Concerns were raised around the Cranbrook development and that the Council is not fulfilling its promise for a balanced community.
- Recognition of the village of Rockbeare and its initial resistance to being joined up to Cranbrook.
- Concerns that the Council is encouraging Town and Parish Councils to invest time and money into producing Neighbourhood Plans for them to be overridden by the Local Plan.

- Concerns that the Council is not adhering to Strategy 8 of the Local Plan where the land between Rockbeare and Cranbrook has been designated as a Green Wedge. In response, the committee were advised that all of the evidence has been assessed with regards to the land south of the A30 and it shows that there is room for development without it leading to the coalescence of Cranbrook and Rockbeare. However, alternatives are still being assessed but there is going to have to be compromises made in the near future.
- The need to uphold the integrity of the neighbourhood planning process in East Devon.
- The need to preserve green wedges throughout East Devon to ensure outstanding communities.
- The recognition that the Planning Inspectorate examines developments on the wording of policies and not the boundaries on a map and officers have to make a judgement on whether developments cause areas to coalesce.
- Members requested that the report presented to the committee regarding the draft Cranbrook Development Plan Document must contain all of the evidence information, and alternative options so that Members can make an informed and balanced decision regarding future development.

RESOLVED:

That the Cranbrook Plan Development Plan Document report be noted.

***34 Community Infrastructure Levy Members Working Party Terms of Reference**

The Service Lead – Planning Strategy and Development Management presented the Community Infrastructure Levy Members Working Party Terms of Reference to the committee.

Members considered the Community Infrastructure Levy Members Working Party Terms of Reference.

RESOLVED:

That the Community Infrastructure Levy Members Working Party Terms of Reference be agreed.

Attendance list

Committee Members:

Councillors:

Paul Diviani - Chairman

Mike Allen – Vice Chairman

Susie Bond

Jill Elson

Left the Chamber at 2.50pm and did not vote on minutes 33 and 34

Graham Godbeer

Mike Howe

Entered the Chamber at 11am and did vote on minutes 25, 26 and 27

Geoff Jung

Rob Longhurst

Geoff Pook

Eleanor Rylance

Philip Skinner

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

Councillors:

Ian Thomas
Andrew Moulding
Roger Giles
Helen Parr
Peter Faithfull
Simon Grundy
Alan Dent

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

Mark Williams, Chief Executive
Ed Freeman, Service Lead – Planning Strategy and Development Management
Matt Dickins, Planning Policy Manager
Tim Spurway, Planning Officer
Graeme Thompson, Senior Planning Officer
Shirley Shaw, Planning Barrister
Tabitha Whitcombe, Democratic Services Officer

Apologies:

Councillors
Colin Brown
Mark Williamson
Ian Hall
Brian Bailey
Matt Booth
Stuart Hughes

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 30 October 2018

Attendance list at end of document

The meeting started at 10am and ended at 4.05pm (the committee adjourned at 12pm and reconvened at 1.30pm).

***22 Minutes**

The minutes of the Development Management Committee meeting held on 2 October 2018 were confirmed and signed as a true record.

***23 Declarations of interest**

Committee Members

Cllr Steve Gazzard; 18/1502/FUL, 18/1239/FUL and 18/2056/VAR & 18/2057/FUL; Personal interest; Exmouth Town Councillor

Cllr Bruce de Saram; 18/1502/FUL, 18/1239/FUL and 18/2056/VAR & 18/2057/FUL; Personal interest; Exmouth Town Councillor

Cllr Brian Bailey; 18/1502/FUL, 18/1239/FUL and 18/2056/VAR & 18/2057/FUL; Personal interest; Exmouth Town Councillor

Cllr Mark Williamson; 18/1502/FUL, 18/1239/FUL and 18/2056/VAR & 18/2057/FUL; Personal interest; Exmouth Town Councillor

Cllr Mike Howe; 18/1893/FUL; Personal interest; Bishops Clyst Parish Councillor

Cllr Paul Carter; 18/1476/FUL, 18/1546/FUL and 18/1559/FUL; Personal interest; Ottery St Mary Town Councillor

Cllr Paul Carter; 18/1147/FUL; Personal interest; acquaintance of the applicant

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Cllr Howe (on behalf of the Committee) advised of lobbying in respect of application 18/1502/FUL.

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

- Cllr Ben Ingham advised that he had been lobbied in respect of applications 18/1474/FUL, 18/0319/VAR & 18/0462/VAR and 18/2056/VAR & 18/2057/FUL.
- Cllr Jim Knight advised that he had been lobbied in respect of application 18/1770/MRES.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Cllr Mark Williamson withdrew from the debate and the vote with respect to application 18/1239/VAR.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Cllr Mike Howe advised that he was the Ward Member in respect of application 18/1893/FUL so the Vice Chairman chaired the item.

Non-committee Members

Cllr Andrew Moulding; 18/1702/OUT; Personal interest; Member of the Axminster Town Cricket Club

***24 Appeal statistics**

The Committee received and noted the report written by the Development Manager setting out appeals recently lodged and outlining the ten decisions notified of which - seven had been dismissed, one had been allowed and two had been withdrawn.

The Development Manager drew Members' attention to the appeal of application 17/0614/VAR. The National Planning Policy Framework (NPPF) had been updated in July 2018, which was after the appeal had been lodged. Therefore, the Planning Inspectorate had determined the application under the updated NPPF and concluded that under Paragraph 79 of the Framework, namely a change that now allows the subdivision of an existing dwelling in isolated locations, that the proposal was acceptable.

***25 Applications for Planning Permission and matters for determination**

RESOLVED:

that the applications before the Committee be determined as set out in Schedule 6 2018/2019.

Attendance list

Present:

Committee Members present for all or part of the meeting

Councillors:

Mike Howe

(Chairman)

Colin Brown (Vice-chairman)

Mike Allen

(present for applications considered in the afternoon only and apologies given for the morning session. Did not partake in the vote on application 18/1476/FUL as arrived late)

Brian Bailey

David Barratt

Susie Bond

(did not partake in the discussion or vote on applications 18/1502/FUL and 18/1474/FUL as had not attend the site visit)

Peter Burrows

(did not partake in the discussion or vote on applications 18/1502/FUL and 18/1474/FUL as had not attend the site visit)

Paul Carter

Bruce de Saram

Steve Gazzard

Ben Ingham

David Key

Jim Knight

Helen Parr

(did not partake in the discussion or vote on applications 18/1502/FUL and 18/1474/FUL as had not attend the site visit)

Mark Williamson

(did not partake in the discussion or vote on applications 18/1502/FUL and 18/1474/FUL as had not attend the site visit. Left the Chamber during consideration of application 18/1239/VAR).

Officers present for all or part of the meeting

Richard Cohen, Deputy Chief Executive
Andrew Wood, East of Exeter Projects Director
Janet Wallace, Principal Environmental Health Officer
Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Tabitha Whitcombe, Democratic Services Officer

Also present for all or part of the meeting

Councillors:

Peter Faithfull
Roger Giles
Rob Longhurst
Andrew Moulding
Eleanor Rylance
Pauline Stott

Apologies:

Committee Members

Councillors:

Geoff Jung

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Audit & Governance Committee held in the Council Chamber at Knowle, Sidmouth on 29 November 2018

Attendance list at end of document

The meeting started at 2.30pm and ended at 3.25pm.

***25 Chairman's welcome and announcement**

The Chairman welcomed everyone to the meeting. He paid tribute to Councillor Bill Nash, a member of the Audit and Governance Committee who had recently passed away. The Committee remembered with fondness how Cllr Nash would interrogate the accounts. They would miss his invaluable contribution from his vast experience, as well as missing him personally.

***26 Public Speaking**

There were no members of the public wishing to speak.

***27 Minutes**

The minutes of the Audit and Governance Committee meeting held on 27 September 2018 were confirmed and signed as a true record.

***28 Matters arising**

None

***29 Declarations of Interest**

None

***30 Internal Audit Activity- Quarter 2 2018-19**

Alastair Woodland, Assistant Director SWAP, provided the Committee with an update report on progress on the 2018/19 Internal Audit Plan as at 12 November 2018.

It was noted that overall progress was good. SWAP had been unable to provide an assurance on the business continuity and disaster recovery arrangements, as not enough adequate evidence had been received. This area carried a significant risk to the organisation and would be put into the following year's audit plan. Members expressed concern over this and the Strategic Lead – Finance explained the complexities of the officer roles involved and the ending of the Service Level Agreement with South Somerset District Council. Where the officer from SSDC looked after Business Continuity and Emergency planning, these areas were now split and assurances was given that a business continuity plan is being produced and EDDC had joined the Devon Emergency Planning Service. Details to be made available to SWAP in order for them to independently assess the adequacy of the arrangements.

One partial assurance had been identified, relating to GDPR. Only one action remained outstanding in relation to previously identified weakness around Data Protection and one further priority one recommendation was identified within the GDPR review. Remedial action had already been taken to address this issue.

The transformation strategy had received partial assurance as there was a significant budget shortfall in 2020/21. SWAP would like greater certainty in the savings in the budget.

It was noted that the office relocation project had its own risk register. One of the key risks were the ICT links between Exeter (which was where Strata ran global desktop from) and Honiton. Strata were due to be on site just before Christmas, which was within the project timeline. Ongoing conversations were taking place with Virgin Media and BT Openreach, but as they were external companies mitigations were needed.

SWAP had completed 54% of the Audit Plan for 2018/19. There had been one change made to the 2018/19 internal audit plan, which was that SWAP had been asked to confirm whether the basis for the request for additional resourcing by SUEZ was supported by adequate financial data. The time for this review had been taken from the ICT budget. It was noted that an audit was planned in quarter 4 for the management of council assets, which would focus on the process of managing assets rather than the assets themselves.

RESOLVED:

that the content of the report be noted.

***31 Annual Audit Letter – KPMG**

The Annual Audit letter from the outgoing external auditors KPMG, summarised the outcome from their audit work at East Devon District Council in relation to the 2017-18 audit year. Although it was addressed to Members it was also intended to communicate key messages to external stakeholders, including members of the public. KPMG issued an unqualified opinion of EDDC's accounts, which meant that they believed the financial statements gave a true and fair view of the financial position of the authority and of its expenditure and income for the year.

RESOLVED:

that the Annual Audit letter be noted.

***32 Grants 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. The letter was KPMG's annual report for the certification work undertaken for East Devon District Council. In 2017/18 they carried out certification work on only one claim, the Housing Benefit Subsidy claim. The certified value of the claim was £30.9 million and was certified on 2 November 2018.

It was noted that KPMG's work with EDDC coming to an end and on behalf of the Committee the Chairman thanked the External Audit Manager and all of his colleagues for the professionalism they had shown towards EDDC with external auditing and for all the work that they had done.

RESOLVED:

that the Grants certification report be noted.

***33 Partnership Register**

Partnership information for the 2017/18 financial year until March 2018 was supplied to allow the Committee to monitor the status of the Council's partnerships. This followed the year-end review of partnerships by responsible officers for 2017/18. There were 13 active partnerships, but the Greater Exeter Greater Devon partnership was now redundant and therefore inactive, with the work being led by the Greater Exeter Strategic Partnership. The remaining partnerships presented no major current budget issues, although most received some funding from EDDC. It was recommended that

the Council's involvement with each of the partnerships continued with the benefits of continued engagement, as outlined in the report.

The Chairman asked the Strategic Lead – Finance for more information on the Blackdown Hill's Area of Outstanding Natural Beauty's multiplier. The Strategic Lead – Finance agreed to find out and provide the information back to the Committee.

Members queried the capabilities of the shared ICT service with Exeter City and Teignbridge Councils (Strata) and asked for assurances that EDDC was getting good value for money. The Strategic Lead – Finance declared a personal interest as a director of Strata, and went on to explain the heavy governance of Strata. The three partnering authorities had a joint executive which was made up of the leader and chief executive from each partner. There was also a joint Strata scrutiny committee as well as a board of directors. In addition to this Strata had its own independent auditors (Devon Audit Partnership (DAP)). The DAP reports go to SWAP and it was requested that the year end DAP report was requested to be brought to the Audit and Governance Committee.

The Committee noted that it was rarely possible to provide enough IT resource as IT was heavily linked to all the Council's services, with teams constantly having to prioritise work requests. However, sharing resources in partnership allowed greater opportunity for IT services to EDDC. The Strategic Lead – Finance explained that there was a process in place for business change requests and outlined the detailed methodology and framework procedure.

RESOLVED:

that the current status of partnerships until March 2018 be noted.

***34 RIPA update**

At the meeting of 18 January 2018, Members agreed to receive an update on RIPA activity throughout the year. The RIPA Senior Responsible Officer advised that there had been no requests for RIPA authorisation since the last committee.

***35 Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2018/19.

Items to be considered at the January committee included:

- Internal Audit Activity – Quarter 3 2018/19
- Audit Committee update
- Risk Management review – half year review
- RIPA update
- Report on outcomes against the Corporate Counter Fraud and Compliance strategy

The Chairman advised that the next Committee meeting would take a slightly different format as two presentations had been arranged for the Committee. One was from Grant Thornton on local authority involvement in commercial investment and the other jointly from Devon County Council and Devon Audit Partnership on the transformation strategy. The presentations would start at 1pm, with a light lunch, with the Audit and Governance Committee meeting commencing at 2:30pm.

RESOLVED:

that the Forward Plan be noted.

Attendance list

Councillors:

Mark Williamson (Chairman)
John Dyson (Vice Chairman)
John Humphreys
Ben Ingham
Simon Grundy
Steve Hall
Steve Gazzard

Apologies:

Rob Longhurst
Cherry Nicholas
Dean Barrow (Portfolio holder – finance)

Officers present:

Simon Davey, Strategic Lead – Finance
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Alethea Thompson, Democratic Services Officer

Rob Andrews, External Audit Manager, KPMG
Georgina Teale, Senior Auditor SWAP
Alastair Woodland, Assistant Director SWAP

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Committee held at Knowle, Sidmouth on Wednesday, 21 November 2018

Attendance list at the end of the document

The meeting started at 9.30am and ended at 11.15 am

***9 Minutes**

The minutes of the meeting of the Licensing & Enforcement Committee held on 22 August 2018, were confirmed and signed as a true record.

***10 Declarations of interest**

Councillor Steve Hall

Minute *11

Disclosable Pecuniary Interest – Private Hire Licence Holder

Councillor John O’Leary

Minute *11

Disclosable Pecuniary Interest – Designated Premises Supervisor

Councillor Geoff Jung

Minute *11

Disclosable Pecuniary Interest – Designated Premises Supervisor

***11 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

Over the previous period relating to this report officers had issued 306 licenses relating to new and variations of licensed premises, personal alcohol licenses and temporary event notices (TEN’s) throughout the district.

Part of the work undertaken by the licensing team involved visiting licensed premises to ensure that licensing laws were adhered to by licence holders and their staff. For the period from May to August 2018 the team completed 39 visits to premises.

2. Gambling Act 2005

The licensing team had continued its work to ensure gaming machine permits were submitted on the occasions when licensees left and took over a premises licence.

The programme of visits to licensed premises and other premises where gaming was permitted continued and whenever a licensed premises inspection occurred the existence of gaming machines and any issues of compliance were duly considered and inspected.

3. Taxis

Although applicants could apply for hackney carriage licences throughout the year, there remained a majority of driver and vehicle licences that expired annually on 31 October. This year there were 21 hackney drivers not renewing their licences, which represented over 10% of the total number.

The licensing team had continued to carry out checks and inspections of hackney carriage vehicles whilst parked on the taxi ranks within the East Devon area ensuring that licensed vehicles complied with legislation and met the required safety standards. Licensing officers also inspect each new vehicle when submitted by applicants to be licensed as a taxi or private hire vehicle.

Officers had researched options to introduce safeguarding awareness briefings for hackney carriage and private hire drivers. Protecting and safeguarding children and vulnerable adults in society was essential and it was recognised that the taxi trade could provide vital support through their work at various hours of the day and night. Contact had been made with a number of training providers identifying varying costs to deliver sessions. These would be delivered to taxi drivers, initially on a voluntary basis.

Members noted that a development under consideration was the introduction of a National Register for licensing authorities regarding taxi revocations and refusals and that this was in the final stages of implementation by the Local government Association.

The request by sections of the taxi trade for a review of fares that could be charged was being progressed and a comparison of current fares along with a letter balloting view of licence holders had been circulated. At present this ballot was 2-1 in favour of a fare increase.

4. General Licensing

Following the introduction of a new street trading regime in October 2017 with further revisions to the policy approved by the Committee in March 2018, there had been 173 street trading consents granted. The majority since April with most being for short term events and festivals where organisers had applied using block booking arrangements.

Officers had begun a review of the street trading policy, including options to charge for commercial street traders and it was anticipated that a report would come before the Committee at its meeting on 13 February 2019.

5. Consultations and Partnership Working

Officers attend Licensees meetings within the East Devon area whenever possible as it was felt that these meetings should be supported and were a useful forum for the exchange of ideas, information and keeping up to date with issues within each area. Officers have attended licensees meetings over the previous period in Exmouth, Sidmouth and Axminster.

Members noted that licensing officers were attending meetings of the Safety Advisory Group (SAG), which had been established earlier in the year and being chaired by managers from Environmental Health. The SAG operated as a multi-agency partnership meeting to provide advice and guidance to event organisers when planning events. Meetings were now arranged quarterly and in advance for 2019 with core members from each Responsible Authority including the licensing authority.

6. Licensing Team update

Since the last meeting of the committee in August, Licensing Officer, Neil McDonald had announced his retirement at the end of the year and he had been involved in

licensing for thirteen years. Members wished to thank Neil for his service and wish him a happy retirement.

7. Training for Members

Work by the managers of Licensing and Democratic Services had commenced to identify Councillor training requirements for the Committee and a more detailed update will be provided at the next meeting on 13 February 2019. The option for arranging guest speakers from other responsible authorities was being considered and a representative from the Gambling Commission had indicated a willingness to provide training to members in the spring.

RESOLVED:

that the report be noted;

12 Adoption of Current Gambling Policy

Members discussed the report of the Licensing Manager which updated the Committee on the tri-annual review of the Council's Gambling Act 2005 Licensing Policy and the results of the consultation process and invited the Committee to recommend that the Council adopt the amended Policy as required by the Gambling Act 2005 at its next meeting on 12 December 2018.

RESOLVED

that the results of the public consultation undertaken on the Council's draft Policy relating to the Gambling Act 2005, be noted;

RECOMMENDED

that Council at its meeting on 12 December adopt for the period 31 January 2019 to 31 January 2022, the East Devon Gambling Act Licensing Policy as attached as Appendix C to the report.

13 Changes to section of the current alcohol Licensing Policy

Members received the report of the Licensing Manager which updated the Committee on the proposed revision to Section 5.5 of the current Licensing Policy.

RESOLVED: that the Committee

1. adopts the revised Licensing Policy relating to the Licensing Act 2003 regarding Section 5.5 for inclusion of Safety Advisory Group (SAG) arrangements for large scale events, and
2. to recommend to Council at its meeting on 12 December 2018 to adopt the revised Licensing Act 2003 Policy.

14 Conclusion to changes to the Taxi Policy

The report updated the Licensing & Enforcement Committee on the proposal to revise the current taxi policy in line with recent legal updates to remove the requirement for Private Hire Vehicles to work predominantly in the district where licensed and to update a website.

RESOLVED: to recommend to Council at its meeting on 12 December 2018 to adopt the Taxi Policy, following approval by the Licensing and Enforcement Committee on 22 August 2018 to revise the policy, namely:

- a) to remove the requirement for Private Hire Vehicles licensed in East Devon to operate predominantly within the District;
- b) to revise an internet website link to the Equality Act 2010;

c) to revise the access options for Wheelchair Access Vehicles (WAVs).

15 The Animal Welfare (Licensing of Activities Involving Animals (England) Regulations 2018

The report advised the Licensing & Enforcement Committee of the new regulations which applied to animal boarding premises, performing animals, pet sales and riding establishments. Also to seek adoption of the new conditions to be applied to each type of establishment and the revised enforcement strategy including delegating authority to suspend licences to the Service Lead, Environmental Health and Car Parks. Responsibility for licensing and regulating these activities lay within the Environmental Health team. It was noted that the report was in response to a number of regulations recently implemented by DEFRA.

Members discussed a number of issues arising from the report including:

- professional dog walker services were not currently legally regulated;
- support for a proposal for only 10 dogs in a group and 12 dogs per member of staff supervising; support for a proposal for only 10 dogs in a group at any Dog Day Care premises;
- Environmental Health had powers to carry out visits to animal premises;
- Need for a future report to committee asking for a review of fees for regulation of animal premises.

Janet Wallace and Alice Gill were thanked for their report, which had generated considerable interest from members and asked to make half yearly reports to future Committee meetings on Animal Licensing matters.

RESOLVED: that the new regulations be noted;

RECOMMENDED. that Council be recommended to the adopt the new standard conditions and enforcement strategy and approve delegated authority to suspend or vary licences to the Service Lead, Environmental Health and Car Parks be approved.

Attendance list

Councillors present

Steve Hall (Chairman)
John O'Leary (Vice Chairman)
Megan Armstrong
Brian Bailey
Colin Brown
Maddy Chapman
Bruce de Saram
Steve Gazzard
Geoff Jung
Jim Knight
Cherry Nicholas
Geoff Pratt
Pauline Stott

Councillor apologies:

Matt Booth
Paul Carter

Officers present

Giles Salter Solicitor

Steve Saunders, Licensing Manager

Janet Wallace, Principal Environmental Health Officer

Alice Gill, Environmental Health Officer

Chris Lane, Democratic Services Officer

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 17 October 2018

Present: Councillors:
Steve Hall (Chairman)
John O'Leary
Jim Knight

Officers: Giles Salter – Solicitor
Lesley Barber – Licensing Officer
Neil McDonald – Licensing Officer
Chris Lane – Democratic Services Officer

The meeting started at 9.30 am and ended at 10.20 am.

*29 **Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 19 September 2018, were confirmed and signed as a true record.

*30 **Declarations of interest**

Councillor John O'Leary
Minute *32.

Disclosable Pecuniary Interest – Designated Premises Supervisor.

*31 **Exempt Information**

RESOLVED

that the classification given to the documents to be submitted to the Sub-Committee be confirmed and that the report relating to exempt information be dealt with under Part B of the agenda.

*32 **Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**

The Sub Committee gave consideration to an application for a grant of a premise licence 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 application and the negotiations that had been carried out.

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

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Yarty Party, Axminster Showground, A35 Western Approach, Axminster, EX13 7RA.

Agreed position reached by the parties:

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

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

1. To reduce the hours for live music on the 19/7/19 and 20/7/19 to end at 23.00hours.
2. The license holder will comply with the Event Management Plan throughout the event as submitted to an approved by the Licensing authority and the Safety Advisory Group.
3. The Licence holder will comply with the Event Management Plan throughout the event as submitted to and approved by the Licensing Authority and the Safety Advisory Group.
4. The final draft of the Event Management plan will be submitted to the Safety Advisory Group one month prior to the event taking place.
5. The premises will adopt a challenge 25 policy. The only acceptable forms of ID will be passport, photo driving licence or Government approved PASS card.
6. SAIA door staff will be employed at the event in such numbers and times as agreed with the police prior to the event taking place.
7. Security schedules will listed in the Event Management Plan.

***33 Exclusion of the Public**

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session.

***34 Hackney Carriage Driver Suitability**

Consideration was given to whether an applicant was a fit and proper person to be re-licensed as a Hackney Carriage Driver.

Members considered the Council's policy on all issues, the overriding duty of the Sub Committee was protection of the public. The Sub Committee were pleased to hear that the applicant had passed the appropriate taxi test at the fourth time of asking and that he had taken further driving lessons to enhance the skills required to ensure that he could convey the public of East Devon.

RESOLVED that, Mr V S's Hackney Carriage Drivers application for his licence to be renewed, as, following his passing of the appropriate taxi test, he was considered to be a 'fit and proper' person.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 7 November 2018

Present: Councillors:
Steve Hall (Chairman)
Geoff Jung

Also Present: Councillor Brian Bailey

Officers: Neil McDonald – Licensing Officer
Chris Lane – Democratic Services Officer

The meeting started at 9.00 am and ended at 9.05 am.

*35 **Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 17 October 2018, were confirmed and signed as a true record.

*36 **Declarations of interest**

Councillor Geoff Jung

Minute *37

Disclosable Pecuniary Interest – Designated Premises Supervisor.

*37 **Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**

The Sub Committee gave consideration to an application for a grant of a premise licence 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 application and the negotiations that had been carried out.

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

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Unit 5, Skyways, Exeter Business Park, Exeter, EX5 2UL.

Agreed position reached by the parties:

Following mediation the applicant and Devon and Cornwall Police had agreed that they considered 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. If a delivery driver considers the recipient of the alcohol to appear to be under 25, passport photo driving licence or government Approved Pass card will be requested and must be provided evidencing the recipient to be 18 years of age before any alcohol is handed over.

Chairman Date

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 28 November 2018

Present: Councillors:
Steve Hall (Chairman)
John 'Leary

Officers: Steve Saunders – Licensing Manager
Chris Lane – Democratic Services Officer

The meeting started at 9.30 am and ended at 9.45 am.

***38 Minutes**

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 7 November 2018, were confirmed and signed as a true record.

***39 Declarations of interest**

Councillor John O'Leary
Minute *40 and *41
Disclosable Pecuniary Interest – Designated Premises Supervisor.

***40 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**

The Sub Committee gave consideration to an application for a grant of a premise licence 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 application and the negotiations that had been carried out.

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

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Donkey Sanctuary Gift Shop, Slade House Farm, Sidmouth, EX10 0NJ.

Agreed position reached by the parties:

Following mediation the applicant and Devon and Cornwall Police had agreed that they considered 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. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
 - ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
 - iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - iv. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
2. Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.
3. Training records will be retained for at least 12 months.

*41 **Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**

The Sub Committee gave consideration to an application for a grant of a premise licence 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 application and the negotiations that had been carried out.

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

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Le Bistro, Great Houndbeare Farm, Oak Road, Aylesbeare, Exeter, EX5 2DB.

Agreed position reached by the parties:

Following mediation the applicant and Devon and Cornwall Police had agreed that they considered 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:

Timings

Supply of alcohol – terminal hour amended from 08:00 to 02:30

Late Night Refreshment – terminal hour amended from 05:00 to 03:00

Hours Premises are open to the public – terminal hour amended from 06:00 to 03:00

Amended Conditions

1. The Licence will be restricted to a maximum of 50 residents and bona fide guests, except for when the marquee area it to be used the maximum will be 250 residents and bona fide guests.
2. When there is an event in the marquee area, plans of the marquee and its location within the field will be submitted at least 28 days prior to the event to EDDC Licensing and Environmental Health department and the Police.
3. All outside events will be limited to 20 events a year.
4. External CCTV will be installed operated and maintained to the satisfaction of the Licensing authority and chief Officer of Police.
5. Images will be retained for a minimum of 31 days copies of which will be supplied to the Licensing Authority or Police upon request.
6. The External CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.
7. The premises will adopt a Challenge 25 policy. The only acceptable forms of ID will be Passport Photo Driving Licence or Government Approved PASS Card.

Additional Conditions

1. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - i. The challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
 - ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the Licence.
 - iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - iv. Recognising the signs of drunkenness.
 - v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
 - vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
2. Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.
3. Training records will be retained for at least 12 months.

Chairman Date

