



**Agenda for Council
Wednesday, 9th December, 2020, 6.00 pm**

To: All elected Members of the Council; Honorary Aldermen

Venue: Online via the Zoom App. All Councillors and registered speakers will have been sent an appointment with the meeting link.

Contact: Susan Howl, Democratic Services Manager;
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(or group number 01395 517546)
Issued Monday, 30 November 2020

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**Important - this meeting will be conducted online and recorded by Zoom only.
Please do not attend Blackdown House.
Members are asked to follow the [Protocol for Remote Meetings](#)**

This meeting is being recorded by EDDC for subsequent publication on the Council's website and will be streamed live to the Council's Youtube Channel at <https://www.youtube.com/channel/UCmNHQruge3LVI4hcgRnbwBw>

Public speakers are now required to register to speak – for more information please use the following link: <https://eastdevon.gov.uk/council-and-democracy/have-your-say-at-meetings/all-other-virtual-public-meetings/#article-content>

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on
Wednesday, 9th December, 2020 at 6.00 pm**

You are called upon to attend the above meeting to be held online. 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 be "M. Howl", written in a cursive style.

Chief Executive

1 Public speaking

Information on [public speaking](#) is available online

2 **Minutes of the previous meeting** (Pages 8 - 22)

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** (Pages 23 - 28)

Information on [matters of urgency](#) is available online. There is one matter of urgency to be considered.

Infrastructure Funding Statement 2019/20

Under the Community Infrastructure Levy (CIL) Regulations 2010, as amended there is a legal requirement for East Devon District Council (EDDC) as a planning authority to prepare an Annual Infrastructure Funding Statement which must be published and submitted to the Government by 31 December 2020.

The Chair has agreed to include this as an urgent item so that EDDC can submit an Annual Infrastructure Funding Statement to the Ministry of Housing, Communities & Local Government by 31 December 2020.

6 **Announcements from the Chair and Leader**

7 **Confidential/exempt item(s)**

To agree any items to be dealt with after the public (including the Press) have been excluded. 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** (Pages 29 - 32)

- a) Mnutes of Cabinet held on 28 October 2020, Minute numbers 227 - 243
(Pages 33 - 41)
- b) Minutes of Cabinet held on 25 November 2020. Minute numbers 249 - 266
(Pages 42 - 50)
- c) Minutes of Scrutiny Committee held on 5 November 2020. Minute numbers 87 - 94 (Pages 51 - 53)

- d) Minutes of the Strategic Planning Committee held on 20 October 2020. Minute numbers 62 - 76 (Pages 54 - 66)
- e) Minutes of the Strategic Planning Committee held on 22 October 2020. Minute numbers 77 - 81 (Pages 67 - 74)
- f) Minutes of the Planning Committee held on 7 October 2020. Minute numbers 153 - 164 (Pages 75 - 79)
- g) Minutes of the Planning Committee held on 4 November 2020. Minute numbers 165 - 175 (Pages 80 - 84)
- h) Minutes of the Audit & Governance Committee held on 26 November 2020. Minute numbers 51 - 61 (Pages 85 - 88)
- i) Minutes of the Licensing & Enforcement Committee held on 18 November 2020. Minute numbers 51 - 59 (Pages 89 - 92)
- j) Minutes of the Licensing & Enforcement Sub-Committee held on 14 October 2020. Minute numbers 27 - 31 (Pages 93 - 94)
- k) Minutes of the Standards Committee held on 13 October 2020. Minute numbers 18 - 26 (Pages 95 - 98)

10 **Changes to Governance arrangements** (Pages 99 - 101)

This report from the Monitoring Officer addresses changes to the political balance and committee allocations arising from Cllr Millar leaving the Democratic Alliance Group.

11 **Motion: Poverty Strategy and Actions**

The second wave of the Covid-19 epidemic is creating even worse economic damage to East Devon which requires short-term actions as well as strategic initiatives to be put in place immediately. There is concern about the process of holding Poverty Working Panel meetings in private when it should be transparent as well as the slow pace of results when the Council has already decided a '**policy vision**' 12 months ago, namely:

- **No one in East Devon is to be destitute without immediate help, and**
- **Nobody should be in involuntary poverty for more than two years duration.**

There are '**key issues**' which still need addressing urgently such as;

- Work with partners to address gaps in our benefit system and recommend solutions
- Use all available Government grants and policies to sustain incomes and reduce housing costs.
- Strengthen families and communities with clear signposting to help for

those at risk of poverty including use of the Community Hub and EDDC Website to maximise help for those in economic problems

- Set up town-by-town briefing sessions in January on ways to access current support and develop financial resilience. Involve local town and Parish Councillors
- Promote help to sectors with long-term economic growth potential to reduce dependency on agriculture, tourism and catering industries

Poverty is a cross cutting issue, with several Council Services involved in our interventions and many partners to coordinate with. Other Councils are proceeding rapidly to develop '**emergency actions**' which we should also consider and be reported to Overview Committee without delay.

It is vital that young people have access to East Devon local opportunities in the simplest way. With technology becoming more and more integrated into our daily lives. We recognise that Team Devon has proposed measures to help younger workers. It is considered that in East Devon this should also include those over 50 and we should seek in all age groups to address stress and depression issues. EDDC should seek to improve work placements and work trials for all ages of those seeking work. This should be a '**significant priority**'.

The Poverty Working Panel has identified the following five '**strategic objectives**' to be included within the emerging Poverty Strategy which Council endorses:

- 1 Help people on low incomes to maximise their household income and minimise their costs, building financial resilience and reducing indebtedness. Lead Service – Finance.
- 2 Strengthen families and communities, including supporting groups of people that are more likely to experience poverty. Work up approaches with community and voluntary groups working to combat poverty. Lead Service – Housing.
- 3 Promote an inclusive economy, using career counselling, raising skills and improving access to a range of higher-paying employment opportunities for people on low incomes. Lead Service – Growth, Development & Prosperity.
- 4 Address the high cost of housing, improving housing conditions, creating affordable warmth and reducing homelessness. Lead Service – Housing.
- 5 Improving health outcomes for people on low incomes, including access to good diet, health care and ill health prevention. Lead Service – Environmental Health.

In the current circumstances, urgent action is required to deliver these strategic objectives to enable those in need to be helped as soon as possible.

This approach reflects evidence on the nature of poverty in East Devon and responds to changes in the current situation. Poverty is a cross cutting theme with a number of Council Services involved in our interventions and we look for good SMT coordination.

These strategies also build on the learning from the Council's existing approach to supporting individuals and communities. This learning includes:

1. The importance of balancing efforts to address the immediate effects of poverty, with preventative work to address the root causes of poverty.
2. Being clear on which issues can be addressed by direct delivery by Council services, which issues can be achieved through partnership working (where more can be achieved through collaboration), and which issues require influencing and lobbying activity (where powers lie with Government or other agencies).
3. It confirms a need to build the capacity and resilience of residents and communities which is why the Forum should be open to the public.

This Council therefore agrees that;

- (1) The 'policy vision' is incorporated immediately in the Poverty Strategy to help deliver the best response for our residents across East Devon;**
- (2) Future meetings of the Panel should be in public and past meeting agendas and minutes made available;**
- (3) To achieve faster actions the 'key issues' should immediately be addressed.**
- (4) The Poverty Working Panel should immediately review 'emergency actions' by other Councils and provide a report to Overview Committee including comment on the budgets available across local Partnerships;**
- (5) East Devon's tactical response should include the 'significant priority' mentioned above.**
- (6) It endorses the 'strategic objectives' in the emerging Poverty Strategy and asks for action proposals to address them to be presented to Cabinet within 2 months.**

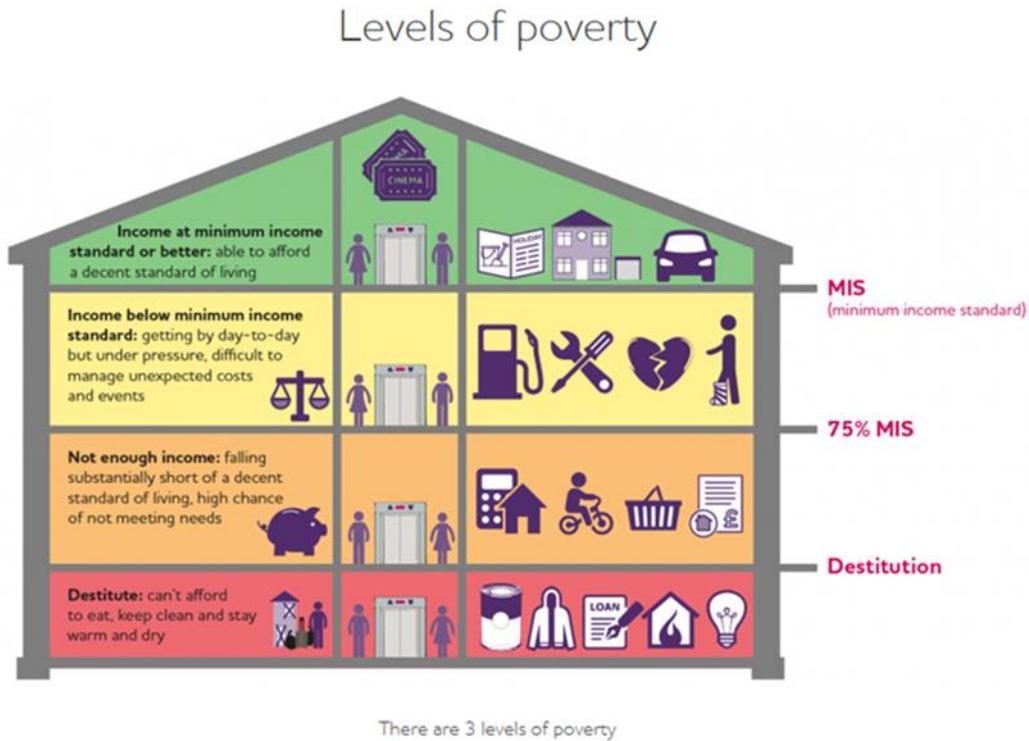
Proposed by Mike Allen

Seconded by Maddy Chapman

Supported by Helen Parr, Bruce de Saram, Stuart Hughes, Ben Ingham, Philip Skinner and Andrew Moulding

Motion: Poverty Strategy and actions - Appendix 1

Poverty is defined in different ways including not having enough possessions or income for a person's needs; the condition of being extremely poor; a person or community that lacks the financial resources and essentials for a minimum standard of living; household income below 60% of the average. Six types of poverty have been recognised – situational; generational; absolute; relative; urban; and rural.



The causes and effects of poverty identified by the Joseph Rowntree Foundation, local stakeholders and consultees are summarised in the diagram below.

Causes

- Low-paid, insecure jobs
- Low skills or education
- Ineffective benefits system
- High cost of housing, goods and services
- Financial literacy
- Discrimination
- Weak family relationships
- Childhood poverty
- Chaotic lives
- Abuse or trauma

Poverty

Effects

- Difficulty meeting basic costs
- Housing problems
- Homelessness
- Becoming a victim or perpetrator of crime
- Health problems
- Drug or alcohol problems
- Teenage parenthood
- Relationship and family problems
- Lower educational achievement
- Digital exclusion
- Fuel poverty

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Council held Online via the Zoom App. on 21 October 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.45 pm

93 Public speaking

The Chair welcomed members of the public and Councillors to the meeting and explained that all participants were taking part remotely and the meeting was also being viewed online and recorded.

The Chair then started the meeting by doing a roll call of those present, and confirmed that the meeting was quorate.

During the meeting the public would be able to participate if they had pre-registered to speak. Three members of the public had pre-registered.

Anne Bentham spoke about Exeter Airport and the proposed package of support to be offered to offset the impact of the COVID 19 pandemic on its operation. She expressed her view that the future plans were not at all clear and left many questions to be answered.

Mary Culhane had requested that a statement be read out on her behalf as she would be unable to attend the meeting. She also referred to Exeter Airport. She understood that EDDC had pledged to put the climate at the heart of any decisions it made but with the proposed subsidy of the airport and Long Lane project this did not seem to be the case, when money would be put towards a fossil-fuel polluting industry which would go against the pledge. She asked for support to sustainable industries and re-training rather than propping up an industry in decline. She expressed her view that it would need brave decisions to be made to follow through on EDDC's pledge, putting the climate first and thinking of the future for today's children.

Peter Scott also spoke on issues relating to the Airport. He expressed concern and a lack of confidence in the Council's proposed actions. He stated that referring to sustainable aviation was an attempt to make a difficult situation acceptable and urged that the measures proposed were rejected.

94 Minutes of the previous meeting

The minutes of the previous meeting of the Council held on 20 August 2020 were confirmed and agreed as a true record.

95 Declarations of interest

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

Councillor Mike Allen, Personal, Supports a Food Bank at the church in Honiton..

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

Councillor Olly Davey, Personal, Exmouth Town Councillor.

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

Councillor Paul Hayward, Personal, Involved in a Community Group in Axminster.

96 **Matters of urgency**

There were no matters of urgency.

97 **Announcements from the Chairman and Leader**

There were no announcements from the Chair or Leader.

98 **Confidential/exempt item(s)**

There were no confidential/exempt items.

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

Twenty questions had been submitted in accordance with Procedure Rule 9.2. The questions and answers had been circulated with the agenda and published on the website. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). A summary of the supplementary question asked and the response is set out below.

Q 2: Cllr Ingham asked a supplementary question regarding the support being made available for the over 50's.

In response, the Portfolio Holder for Economy & Assets advised that the written response was very clear and the Council was taking action to help all age groups.

Q 3: Cllr De Saram asked a supplementary question in relation to whether the Council would consider a roll out of the 'Eat out to help out' initiative along the lines of the Gate to Plate event in Honiton, across the district.

In response, the Portfolio Holder for Economy & Assets advised that the Council would consider what it could do in the light of the evolving COVID situation before committing itself to local events.

Q 4: Cllr Moulding asked a supplementary question in relation to the most vulnerable communities in East Devon, specifically Exmouth and Axminster, and how the Council was intending to improve the outcomes in those towns.

In response, the Portfolio Holder for Economy & Assets stated that the Council worked with all towns across the district but that Axminster had had a Regeneration Board for several years which had never met, so he suggested that Axminster ward councillors work with other EDDC councillors and local agencies to achieve the outcomes needed in the town.

Q 5: Cllr Moulding asked a supplementary question in relation to the construction sector, and how the Council would work with local builders and developers to assist their post COVID recovery.

In response, the Portfolio Holder for Economy & Assets stated that clarity was required from national government about how to plan for the future rather than the District Council trying to take local action on its own.

Q 6: Cllr Moulding asked a supplementary question in relation to fraud checks and whether the Portfolio Holder agreed that fraud was a blight on society, and an issue which councillors should receive training on.

In response, the Portfolio Holder for Economy & Assets said that he would look into this further and provide a written response after the meeting since he was on leave and could not provide detail for the meeting.

Q 8: Cllr Ingham asked a supplementary question in relation to how EDDC could take the lead and provide support to businesses operating within the green growth agenda.

In response, the Portfolio Holder for Finance stated that the Council was engaged in a number of initiatives as outlined in the written response provided. It had also committed to putting considerable funds into the whole climate change agenda, which would see benefits for businesses.

Q 10: Cllr Skinner about the personal approach taken by the Portfolio Holder in getting out to meet people and engage with businesses, and how many he had contacted to establish the current situation.

In response, the Portfolio Holder for Economy & Assets stated that he was in full time employment as well as being a councillor, and considered that he engaged with businesses on a daily basis. He did not however, consider himself to be in a competition between politicians or keep a daily tally of his contacts, nor did he intend to impose himself on businesses for political purposes while they were working to maintain their business.

Q 11: Cllr Skinner asked a supplementary question in relation to a possible re-structure of the Council and a move to a committee structure and whether this would be re-visited in future.

The Leader gave a lengthy reply indicating that the written response to the original question had been clear, and that whilst the current situation with the COVID pandemic had delayed aspects of work to be conducted by the Governance Working Group, such as visits to other Councils, this would be picked up again as soon as it was feasible to do so.

Q 12: Cllr Skinner asked a supplementary question in relation to how the Portfolio Holder was supporting infrastructure initiatives such as Connecting Devon and Somerset, to assist local employment.

In response, the Portfolio Holder for Economy & Assets requested clarification on the question and would provide a further written response after the meeting once he had received it.

Q 13: Cllr Allen asked a supplementary question about whether COVID had had a disproportionate impact on East Devon.

In response, the Leader stated that the Council could not wait for government to take action in support of East Devon and the lack of clarity to date had created confusion. However, there was a huge amount of activity going on in the west end of the district and the Council would be working with the Local Economic Partnership (LEP) and national government to do what it could to support economic recovery. He referred to examples, such as the work being undertaken in Cranbrook and discussed at the Strategic Planning Committee on 21st October. The Council would be kick starting the work needed in Axminster and good progress was being made in Exmouth. In terms of Organisational Development, Cllr Jess Bailey, Portfolio Holder for Corporate Services and COVID-19 Response & Recovery, would be introducing a refreshed Council Plan over the next few weeks.

Q 14: Cllr Allen asked a supplementary question in relation to the steps being taken to help young people develop new careers and people over 50 to review their careers, given that there was a difference between the needs of younger and older people.

In response, the Portfolio Holder for Economy & Assets reiterated that the Council is doing the best it can but the Chancellor and central government is not helping as much as it could. Businesses are trying against overwhelming odds to keep going and EDDC is doing its best to support all residents.

Q 15: Cllr Allen asked a supplementary question regarding the dedicated resource referred to which will provide financial counselling and how they would be trained.

In response, the Portfolio Holder for Finance outlined that the Council would be keeping back £2m from business rates by way of reserving money in anticipation of the growing future deficit. Training would be considered following liaison with the Department for Work & Pensions (DWP) to identify what skills are required.

Q 17: Cllr Allen asked a supplementary question regarding what actions the Council would be taking to equip its employees working from home to develop resilience and deal with mental health problems over the winter.

In response, the Portfolio Holder for Corporate Services and COVID-19 Response & Recovery, stated that over recent years there had been a more flexible approach to work, which had resulted in the Working from Home and Happy, Healthy Here policies, which had developed further as a result of the COVID pandemic. There were also trained mental health first aiders across the council to assist workers at home and a 24/7 self-referral Counselling Helpline available for all staff. In terms of equipment or support, staff could undertake an assessment and talk to their managers if they needed anything.

Q 18: Cllr Allen asked a supplementary question regarding the fact that disability data was not captured within the current statistics relating to employment status.

In response, the Portfolio Holder for Finance agreed that this was a good point which he would take up with officers after the meeting.

Q 19: Cllr Allen asked a supplementary question relating to how EDDC could justify spending significant sums on decarbonising its own housing stock in the face of other priorities.

The Portfolio Holder for Coast Country and Environment pointed out that the question should have been directed to the Portfolio Holder for Climate Change, but responded by advising that there would be a massive problem in future in terms of affording the costs related to making changes to its housing stock in order to bring into line with climate change requirements. It was a good time to bid for funding via government programmes available.

Q 20: Cllr Allen asked a supplementary question in relation to the Standards Hearing Sub-Committee.

In response, the Vice Chair, Cllr Ranger, asked Cllr Allen to put his question in writing to the Chair, Cllr Gardner so that she could provide an answer after the meeting.

100 **Reports from the Cabinet and the Council's Committees and questions on those reports**

The Chair requested that the minutes of the following committees be received and any recommendations to Council be approved.

(a) Minutes of Cabinet held on 30 September 2020. Minute numbers 196 - 212

Cllr Arnott presented the minutes of the Cabinet meeting held on 30 September 2020.

Arising from consideration of the minutes:-

➤ **Cabinet of 30 September, minute number 211 – Exeter Airport**

Cllr Helen Parr wanted to reflect levels of concern held by members of the public in relation to the sustainability of the Airport and the proposed package of support to it to help counteract the impact of the lockdown and pandemic generally. She also expressed concern about why the Cabinet agreed to a loan in the form of a Parent Company Guarantee rather than a charge on the land.

The Leader responded at length, to address comments from the public speakers, to refer to the Long Lane project, and also the deferral of Business Rates. He stated that apart from the circumstance of it being located adjacent to the airport, the Long Lane project was a standalone project in its own right which was not widely understood. In terms of borrowing against future business rates, the loan of £3.7m is money which will come back to the Council in time and is, therefore, not a risk to the Council.

Following a vote by those present in favour of the recommendations contained therein, the minutes were agreed.

(b) Minutes of Cabinet held on 8 October 2020. Minute numbers 213 - 226

Cllr Arnott presented the minutes of the Cabinet meeting held on 8 October 2020. Following a vote by those present in favour of the recommendation contained therein these were agreed.

- (c) **Minutes of Scrutiny Committee held on 10 September 2020. Minute numbers 78 - 86**
Cllr Brown presented the minutes of the Scrutiny Committee meeting held on 10 September 2020. These were agreed.
- (d) **Minutes of Overview Committee held on 24 September 2020. Minute numbers 59 - 65**
Cllr Hookway presented the minutes of the Overview Committee held on 24 September 2020. These were agreed.
- (e) **Minutes of Housing Review Board held on 17 September 2020. Minute numbers 63 - 84**
Cllr McCollum presented the minutes of the Housing Review Board held on 17 September 2020. These were agreed.
- (f) **Minutes of Strategic Planning Committee held on 16 September 2020. Minute numbers 54 - 61**
Cllr Ledger presented the minutes of the Strategic Planning Committee held on 16 September.
Following a vote by those present in favour of the recommendation contained therein, these were agreed.
- (g) **Minutes of Planning Committee held on 9 September 2020. Minute numbers 145 - 152**
Cllr Wragg presented the minutes of the Planning Committee held virtually on 9 September 2020. These were agreed.
- (h) **Minutes of Audit & Governance Committee held on 24 September 2020. Minute numbers 33 - 50**
Cllr Hawkins presented the minutes of the Audit & Governance Committee held on 24 September 2020. These were agreed.
- (i) **Minutes of Licensing & Enforcement Committee held on 3 September 2020. Minute numbers 41 - 50**
Cllr Whibley presented the minutes of the Licensing & Enforcement Committee meeting held on 3 September 2020. These were agreed.

101 **Motion: Towards Gender Equality at East Devon District Council**

The following motion was,

Proposed by: Councillor Kathy McLauchlan

Seconded by: Councillor Paul Millar

Supported by Councillors: Sarah Jackson, John Loudoun, Eleanor Rylance, Sam Hawkins, Olly Davey Paul Arnott and Joe Whibley.

That Council;

- 1) Notes the gendered language within the 1972 Local Government Act and that the Council's Constitution follows the language of this legislation.
- 2) Further notes with concern new data from the Fawcett Society following the 2019 local government elections that found that women made up just 35% of councillors in England.
- 3) Acknowledges with disappointment that women make up just 30% of councillors on East Devon District Council which is below the national average.

- 4) Believes that the membership should address the Chairs of any committees, panels, forums or groups as the 'Chair' rather than Chairman
- 5) Resolves that the Constitution be appropriately revised to accommodate the title of 'Chair' rather than 'Chairman' with delegated authority given to the Monitoring Officer to make the necessary amendments.
- 6) Commits to ensuring gender neutral language is used across the Council in our internal and external communications considering it a small but necessary step to encourage more women to stand to represent East Devon.
- 7) Agrees with the Fawcett Society's call for Councils to change their maternity policies for Councillors on Special Responsibility Allowances and notes with concern that only 8% of Councils have maternity policies for senior Cabinet-level councillors and 7% for councillors who receive only the Basic Allowance.
- 8) Acknowledges that, although we have a policy for maternity pay for councillors without extended roles, our current Allowances Scheme does not extend maternity pay for councillors on a Special Responsibility Allowance with current East Devon District Council policy stating that such allowances 'cease to be paid if a councillor is unable to continue with those duties'.
- 9) Asks the Monitoring Officer / Strategic Lead for HR to write a report to the Cabinet on how we may seek to adopt the Fawcett Society's recommendation of having maternity pay for Councillors with extended roles.
- 10) Notes that Fawcett Society research has found that a third of female councillors have experienced sexist comments from their colleagues.
- 11) Refer to the Standards Committee the Fawcett Society's recommendation that new clauses in the Code of Conduct against sexism be introduced.

The proposer of the motion, Cllr McLauchlan, highlighted the situation in the 1970's when there was no requirement for gender neutral language which had resulted in a male dominated bias in many areas. Fifty years on there were still many Local Authorities which were still falling behind the general effort to change this bias. EDDC had been successful in attracting a greater percentage of female councillors to its ranks at the last elections in May 2019. She referred to the Local Government Association (LGA) toolkit which highlighted that having more women councillors resulted in more equitable policies, but sexism was still rife in local government. On International Women's Day 2019, a toolkit had been prepared for local authorities to encourage women to become councillors and engage in major policy making.

The seconder of the motion, Cllr Millar, said that he was disappointed to see that many councillors had left the meeting before this motion had been debated. He went on to list the women councillors at EDDC who had started to make it more progressive. He stated that EDDC could be one of the first twenty councils in the country to adopt a positive stance on issues such as maternity policies for women councillors and using gender neutral language. The motion seeks to empower women, particularly young women and encourage them to become involved in democracy.

During a debate on the motion, comments included the following;

- That there is equality through the use of language, and that if people were to look at a Council and never see or hear anyone like them, they would be put off applying to become involved or elected
- A Council needs to reflect and represent people locally
- Why refer to a Chairman when a woman occupies this role
- The 2019 elections brought in a new, young, diverse set of councillors who want to introduce change

- Adopting the motion demonstrates a forward thinking Council in action. The details are not insignificant or small to many people
- Councillors were reminded of another recent motion about the WASPI issue when local MPs were written to request they lobby government to support women over 50 who affected by pension changes. The MPs had subsequently indicated that there was nothing they could do
- Councillors confirmed that they were proud to be part of the new administration with such a motion being put forward, and others were shocked that the issue had to be brought to Council as a motion at all.
- Some councillors confirmed that it would be difficult to change the habits long established, such as referring to the role of chairman on the basis that it referred to a role where the chair of a meeting 'manned' the chair, and where the male bias in titles took precedence e.g Ombudsman, craftsman and similar.
- Other councillors recalled hearing such gender biased comment forty years ago and it was time to move away from such patronisation with all of its social implications.
- Councillors commented that they were pleased with the nature of motions presented to Council recently and that if it agreed the motion it would be starting to turn the tide of change towards recognising the position of many diverse sections of the community.
- It was important to strive for equality for women, to recognise the barriers standing in the way and deal with them before the next elections.
- If it was the experience of many women councillors that they had encountered sexist comments it would be helpful to know what actions had been put in place to deal with the issues.
- It was intimidating to join the Council as a young woman, and important to make it a positive environment for anyone who wants to become a councillor.

Cllr Arnott requested a recorded vote take place on the motion, which was seconded by Cllr Rowland.

A vote on whether to hold a recorded vote on the motion was supported by a majority of those present so the Chair invited councillors to vote in favour of the motion, against or abstain.

Recorded vote:

Councillors Megan Armstrong, Paul Arnott, Jess Bailey, Denise Bickley, Kevin Blakey, Colin Brown, Sarah Chamberlain, Maddy Chapman, Andrew Colman, Olly Davey, Bruce De Saram, Steve Gazzard, Ian Hall, Marcus Hartnell, Sam Hawkins, Paul Hayward, Nick Hookway, Stuart Hughes, Sarah Jackson, Luke Jeffery, Vicky Johns, Geoff Jung, Fabian King, John Loudoun, Dawn Manley, Tony McCollum, Kathy McLauchlan, Paul Millar, Andrew Moulding, Helen Parr, Geoff Pook, Geoff Pratt, Val Ranger, Marianne Rixson, Jack Rowland, Eleanor Rylance, Philip Skinner, Brenda Taylor, Ian Thomas, Joe Whibley, Tony Woodward, Eileen Wragg, Tom Wright - voted in favour – 43.

Councillors Fred Caygill and Peter Faithfull voted to abstain – 2.

RESOLVED that:

This Council;

- 1) Notes the gendered language within the 1972 Local Government Act and that the Council's Constitution follows the language of this legislation.

- 2) Further notes with concern new data from the Fawcett Society following the 2019 local government elections that found that women made up just 35% of councillors in England.
- 3) Acknowledges with disappointment that women make up just 30% of councillors on East Devon District Council which is below the national average.
- 4) Believes that the membership should address the Chairs of any committees, panels, forums or groups as the 'Chair' rather than Chairman
- 5) Resolves that the Constitution be appropriately revised to accommodate the title of 'Chair' rather than 'Chairman' with delegated authority given to the Monitoring Officer to make the necessary amendments.
- 6) Commits to ensuring gender neutral language is used across the Council in our internal and external communications considering it a small but necessary step to encourage more women to stand to represent East Devon.
- 7) Agrees with the Fawcett Society's call for Councils to change their maternity policies for Councillors on Special Responsibility Allowances and notes with concern that only 8% of Councils have maternity policies for senior Cabinet-level councillors and 7% for councillors who receive only the Basic Allowance.
- 8) Acknowledges that, although we have a policy for maternity pay for councillors without extended roles, our current Allowances Scheme does not extend maternity pay for councillors on a Special Responsibility Allowance with current East Devon District Council policy stating that such allowances 'cease to be paid if a councillor is unable to continue with those duties'.
- 9) Asks the Monitoring Officer / Strategic Lead for HR to write a report to the Cabinet on how we may seek to adopt the Fawcett Society's recommendation of having maternity pay for Councillors with extended roles.
- 10) Notes that Fawcett Society research has found that a third of female councillors have experienced sexist comments from their colleagues.
- 11) Refer to the Standards Committee the Fawcett Society's recommendation that new clauses in the Code of Conduct against sexism be introduced.

The Chair declared the meeting closed at 8.45pm.

Attendance List

Councillors present:

V Ranger (Vice-Chairman)	V Johns	I Hall
M Armstrong	D Ledger	M Hartnell
P Jarvis	J Rowland	B Ingham
S Jackson	J Loudoun	G Jung
S Chamberlain	D Bickley	H Parr
P Arnott	J Bailey	G Pook
K Blakey	K McLauchlan	G Pratt
F King	P Hayward	M Rixson
F Caygill	S Hawkins	E Rylance
A Colman	A Moulding	B De Saram
P Millar	M Allen	P Skinner
T Woodward	D Manley	B Taylor

N Hookway
O Davey
J Whibley
L Jeffery
T McCollum

C Brown
M Chapman
I Chubb
P Faithfull
S Gazzard

I Thomas
P Twiss
E Wragg
T Wright
S Hughes

Officers in attendance:

Mark Williams, Chief Executive
John Golding, Strategic Lead Housing, Health and Environment
Simon Davey, Strategic Lead Finance
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

K Bloxham
C Wright
D Key
C Gardner
S Bond
A Dent
D Barrow
M Howe

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the Extraordinary meeting of Council held Online via the Zoom App on 24 November 2020

Attendance list at end of document

The meeting started at 6.00 pm and ended at 6.40 pm

102 Public speaking

The Chair welcomed members of the public and Councillors to the meeting and explained that all participants were taking part remotely and the meeting was also being viewed online and recorded.

The Chair then started the meeting by doing a roll call of those present, and confirmed that the meeting was quorate.

During the meeting the public would be able to participate if they had pre-registered to speak. Two members of the public had pre-registered.

Jill Anderson introduced herself as Chair of the Cranford Sports and Fitness Club. She commented on the positive impact of sport to the physical and mental health of communities. She explained that the Cranford complemented LED and were not a rival to it, but had exhausted financial support available so far, and wanted to apply for EDDC discretionary funds to assist them. She listed a number of groups who benefited from the work of the club, as well as pointing out that it employed 36 people and was governed by a voluntary Board of Directors, who were involved in collaborative work with LED. The Chair responded by saying that the Discretionary Fund was a topic to be discussed at a Cabinet meeting on 25th November.

Paul Spearing wanted to speak as a private individual but that he also served on the local Parish Council. He referred to problems in facing the Climate emergency and that his local Council had committed to planting 100 new trees each year for the next ten years. However, he wanted to stress the need to protect existing trees and the understorey beneath them when so many were pulled down across the district to assist agriculture. He stated that Tree Preservation Orders (TPOs) were needed to preserve trees in the context of the natural balance of local wildlife and the environment, ecosystems and biodiversity, since all trees were vital in promoting life on earth. He wanted to ask what more the Council were going to do to conserve existing trees on agricultural, public or privately owned land.

The Chair responded by saying that this was a topic close to the heart of many people at the Council and so she was sure that councillors would take this into consideration on a local basis.

103 Declarations of interest

104. To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'. Councillor Alan Dent, Personal, Fully paid up member of LED.

104. To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'. Councillor Andrew Moulding, Personal, President of Cloakham Lawn Sports Centre which had been negotiating with LED on delivery of sport in Axminster.

104. To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'. Councillor Dean Barrow, Personal, Fully paid up member of LED.

104. To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'. Councillor Denise Bickley, Personal, Son is a fully paid up member of LED.

104. To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'. Councillor Paul Arnott, Personal, Fully paid up member of LED.

104. To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'. Councillor Paul Millar, Personal, Fully paid up member of LED.

104. To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'. Councillor Tony Woodward, Personal, Fully paid up member of LED.

104 **To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'**

The Chair introduced this item. She stated that on 11 November an urgent meeting of Cabinet was held to discuss various options to ensure that LED remained a viable leisure provider and were able to manage the financial impacts of the pandemic and continue to provide leisure activities which would serve local communities.

This Extraordinary meeting of Council had been convened for Members to consider the recommendations from Cabinet and which are attached to the agenda.

The Leader, Cllr Arnott, presented the Cabinet recommendations to Council.

The Chair then opened the meeting up for discussion and comment before moving to a vote.

Comments made during the debate included the following;

- It was clear that LED needed financial support and that EDDC should consider using the Discretionary Fund for other independent leisure and sports facilities across the district.

- Cabinet would be considering the arrangements related to use of the Discretionary Fund at its meeting on 25th November.
- There should be a level playing field for all leisure and sports facilities across the district in terms of access to funding, and that if EDDC supports LED it should also support other facilities or lobby MPs to do so via central government.
- This meeting is concerned specifically with supporting LED so the recommendations should be supported.
- LED had been unable to access discretionary funds from Government, whereas other independent facilities had been able to, demonstrating that a level playing field does not currently exist, and this should be brought to the attention of MPs. LED needs support and has had none from Government while others have, so the recommendations from Cabinet should be supported.
- LED is a specific case in not being able to access funds. It is hoped that financial assistance will be given on a one-off basis so that it can start to be fully operational again and its future performance monitored.

Cllr Arnott wanted to point out that this was part of a good news story. Leisure Centres would be re-opening again after lockdown in early December; a vaccine to prevent COVID is on the way; EDDC have thoroughly interrogated the finances of LED and has exercised extreme caution in how it moves forward and what monitoring needs to be put in place. He went on to say that Government has distinguished between different leisure and sports providers and facilities, and that he had huge sympathy for those who are currently excluded from receiving any government funding.

The Chair then moved the meeting to a vote on the recommendations as written in the Cabinet minutes on page 5 of the Council agenda.

The vote was carried by a majority of those present.

RESOLVED;

1. That the Council pays an additional subsidy to LED of £732,275 to reimburse their actual net losses incurred to September 2020 resulting from Covid-19 and that from October 2020 a monthly review and payment is then made until 31 March 2021 to cover further net losses incurred. Cumulatively the total of any additional subsidy payment in the current financial year shall not exceed £1,339,000. This approach follows LGA guidance. Additional subsidy was being paid to ensure the continued operation of LED enabling the continuation of Leisure facilities in the District. Details of individual site/facility costs to be considered by the LED Monitoring Forum to determine if changes to service provision should be introduced to reduce this sum with recommendations back to Cabinet and Council.
2. That the arrangements for the provision of revenue support funding was as detailed in paragraph 2.14 and that delegated authority was given to the Strategic Lead (Housing, Health and Environment) in consultation with the Portfolio Holder – Coast, Country & Environment and Strategic Lead (Governance and Licensing) to ensure appropriate documentation was put in place to formalise arrangements as detailed in paragraph 2.15.
3. That the Council and LED make a bid to Government for funding announced of £100m to support leisure centres to offset the sum being requested of the Council

from LED. If the bid proves not to cover the full costs then the Council with LED continues to lobby government for financial assistance to support our leisure provider to maintain essential health & wellbeing activities to assist them through the loss of income caused by an enforced lockdown for public health reasons.

4. That local district MPs as a matter of urgency, are all asked whether they are willing to lobby Ministers to ensure that Leisure Trusts, such as LED, receive COVID related support funding in an equitable way to non-Trust leisure providers to ensure a level financial playing field across the leisure sector.
Cabinet will also ask all the district's MPs to use their influence, as members of the governing party, to set up an urgent meeting with the relevant Minister or preferably Secretary of State, where they, alongside representatives of this Council and representatives of this Council's leisure provider LED, can explain the difficulties facing both organisations of government's failure to provide LED and other Leisure Trusts with COVID related support funding and to demand that such funding is immediately forthcoming.
5. Cabinet agrees that subject to the Council obtaining agreement from LED to the proposals, including EDDC ceasing to have any representatives on the LED Board, that the LED Monitoring Forum be established for the purposes set out in the report and the on basis of the membership detailed in paragraph 3.6, with the Portfolio Holder for Sustainable Homes and Communities replaced with the Portfolio Holder for Corporate Services and COVID 19 Response and Recovery, and that delegated authority be given to the Monitoring Officer to agree the 4 non-administration members with relevant Group Leaders.

The Chair thanked all those who attended or watched online and declared the meeting closed at 6.40pm.

Attendance List

Councillors present:

M Armstrong	J Whibley	D Barrow
P Jarvis	L Jeffery	P Faithfull
S Jackson	V Johns	S Gazzard
S Chamberlain	D Ledger	G Jung
P Arnott	J Rowland	H Parr
K Blakey	J Loudoun	G Pratt
K Bloxham	D Bickley	M Rixson
F King	J Bailey	E Rylance
F Caygill	K McLauchlan	B De Saram
A Colman	P Hayward	B Taylor
P Millar	S Hawkins	I Thomas
T Woodward	A Moulding	P Twiss
N Hookway	C Gardner (Chair)	E Wragg
C Wright	M Chapman	
O Davey	A Dent	

Officers in attendance:

Mark Williams, Chief Executive
John Golding, Strategic Lead Housing, Health and Environment
Charles Plowden, Service Lead Countryside and Leisure
Simon Davey, Strategic Lead Finance
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer

Councillor apologies:

V Ranger
S Bond
M Howe
T Wright
S Hughes

Chairman

Date:

Report to: **Council**



Date of Meeting 9th December 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Infrastructure Funding Statement 2019/20

Report summary:

The Community Infrastructure Levy (CIL) Regulations 2010 were amended in 2019 and included a requirement for all planning obligation collecting authorities to prepare an 'Annual Infrastructure Funding Statement (IFS) each year to report planning obligation and Community Infrastructure Levy (CIL) income and expenditure from the previous financial year. This is the first year in which the new regulations apply and all collecting authorities must publish their IFS no later than 31 December. This report summarises the contents of the East Devon District IFS and also highlights some of the key elements of the final IFS.

Recommendation:

That Council:

1. Note the contents of this report and the requirement to provide an "Annual Infrastructure Funding Statement" by 31st December.
2. Approve the 2019/20 'Annual Infrastructure Funding Statement' based on the information detailed in this report for publication and submission to the Ministry of Housing Communities and Local Government by the 31st December 2020.
3. That the future consideration and approval for publication and submission of the "Annual Infrastructure Funding Statement" be delegated the Strategic Planning Committee and the committee's Terms of Reference within the Constitution be updated to reflect the delegation.

Reason for recommendation:

It is a legal requirement, under the CIL Regulations 2010 (as amended) to prepare the IFS before 31 December 2020.

Officer: Ed Freeman – Service Lead Planning Strategy and Development Management

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency

- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

The IFS will create an awareness of funds held and spent by the Council and may attract further scrutiny from developers, other stakeholders and members of the public.

Legal implications:

With the amendments to the Community Infrastructure Regulations this is a new legal requirement placed upon the Council. There are no other legal implications other than as set out in the report.

Equalities impact Low Impact

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

Climate change Low Impact

Risk: Medium Risk; The risk associated with not meeting the statutory duty to publish the Infrastructure Funding Statement on the EDDC website by 31 December 2020.

Links to background information [Council Report April 2016 – Introduction of CIL S106/Community Infrastructure Levy Developer Contributions Annual Report 2016/17](#)
[S106/Community Infrastructure Levy Developer Contributions Annual Report 2018/19](#)
[South and East Devon Habitat Regulations Executive Committee 16 July 2019](#)
[S106/Community Infrastructure Levy Developer Contributions Annual Report 2019/20](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

1 Background

1.1 The Community Infrastructure Levy (CIL) Regulations 2010 were amended in 2019 and included a number of important changes, including the requirement for those local authorities that collect planning obligations (‘Section 106, Section 278 and the Community Infrastructure Levy), to prepare and publish an annual Infrastructure Funding Statement.

1.2 Regulation 121A states that “no later than 31st December in each calendar year a contribution receiving authority must publish a document which comprises the following:

- A statement of the infrastructure projects or types of infrastructure which the charging authority will be or may be or partly funded by CIL;

- A report about CIL in relation to the previous financial year;
- A report about planning obligations in relation to the reported year.
- The first annual infrastructure funding statement must be published by 31 December 2020 and it must be published annually on the contribution receiving authority's website.

- 1.3 The main aim of this change to the CIL Regulations is to provide a way to make developer contributions fully transparent in a way which allows anyone to see how much an individual development site has contributed to infrastructure provision.
- 1.4 The Community Infrastructure Levy (CIL) is one of the primary mechanisms for collecting financial contributions from new developments. The Council started charging CIL from 1st September 2016. The extent of applicable charges by use and geography is set out within the Council's adopted Charging Schedule (note that a new Charging Schedule has recently been approved, and the new charges begin on 1 February 2021).
- 1.5 In addition to CIL, the Council continues to secure affordable housing, site specific infrastructure items undertakings which are not financial in nature (for example restrictions on use or management plans) through the use of legal agreements under Section 106 (S106) of the Town and Country Planning Act 1990 (as amended).
- 1.6 The CIL Guidance requires that IFS data is prepared in a specific digital format (using CSV files), so that it can be submitted to a 'digital hub' and centrally reproduced on a standardised IFS template. However, due to the Covid-19 pandemic, the process for reproducing a standardised template has not yet been finalised by the Ministry of Housing Communities and Local Government (MHCLG). Nevertheless, this work is progressing quickly, with government guidance currently being produced.
- 1.7 Recent software updates will enable the council's S.106 and CIL data to be produced in the correct file format very shortly. Therefore, although this IFS is accompanied by pdf spreadsheets which support the S.106 totals reported, the publication of the IFS will be followed by 3 CSV files, which will also be published on the council's website by 31 December 2020, and submitted to the digital hub, once processes have been established. Extracts of the data are included in Appendix 1 to this report so that Members can see the nature of the data to be submitted.

2 The Infrastructure Funding Statement

- 2.1 As mentioned above, the IFS must report on the Council's infrastructure list (discussed further below) and a report on CIL and S.106 income and expenditure.
- 2.2 It should be noted that the IFS is based on the previous financial year (2019/20).
- 2.3 A further point to note is that East Devon District Council has responsibility for receiving and spending S.106 obligations on matters such as affordable housing, play space, leisure facilities, public open space, public art, sports pitches etc. However, Devon County Council (DCC) is also a contribution receiving authority and collects S.106 for infrastructure such as education and highways. It is also required to prepare an annual IFS. Therefore, it is important to note that when reviewing the East Devon IFS, that it should be read together with the DCC IFS to get a complete picture of infrastructure delivery in the district. At the time of preparing this report, DCC's preparation of its IFS is ongoing and unavailable at the time of writing (it will be published by 31 December 2020 at the latest).

3 Infrastructure list

- 3.1 Members may be aware of the previous requirement for a 'regulation 123' list setting out how we may want to spend our CIL receipts. 'Regulation 123' lists have now been abolished, and replaced by an 'Infrastructure list' – such lists must be included in the infrastructure funding statement. The Infrastructure list is defined as “the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL”.¹ This list will not dictate how funds must be spent, but will set out the local authority's intentions.
- 3.2 Officers originally drafted a list that mostly comprised types of infrastructure, similar to the previous 'regulation 123' list. Devon County Council (DCC) were consulted on this first draft, and responded by saying they preferred a more targeted approach that identified specific transport and education infrastructure projects on the list, rather than general types (i.e. identify projects rather than just stating “transport, education”). DCC felt this would provide greater clarity when thinking about how to spend CIL; is clearer as to whether CIL or s106 contributions should be requested in delivering transport and education projects; and is clearer to developers on how infrastructure may be funded. In response to the last two points, it should be noted that CIL and s106 can be used to fund the same project.
- 3.3 We have sought to address DCCs comments by giving specific examples of infrastructure projects within the categories relating to education and transport. The projects in the list are those suggested by DCC that are also top priority in the Infrastructure Delivery Plan. The proposed final Infrastructure list is set out below:
- Education, including 420 place primary school at land north of Black Horse/Redhayes (Tithebarn Green/Mosshayne); additional secondary capacity serving the West End; and additional primary capacity serving Axminster (specifically at Axminster Community Primary School and St Mary's, Axminster)
 - Exe Estuary habitat mitigation
 - Pebblebed Heaths habitat mitigation
 - Clyst Valley Regional Park
 - Health care facilities
 - Emergency service facilities
 - Library facilities
 - Community and Youth facilities
 - Sports and leisure provision
 - Open space/recreation provision
 - Transport, including Clyst Valley Way; Cranbrook cycle link; Cranbrook to Exeter city centre bus priority; Axminster relief road; and Dinan Way extension, Exmouth
- 3.4 The inclusion of a project or type of infrastructure in this list does not signify a commitment from the district council to fund it from CIL receipts; and the order of the list does not imply any order of preference for funding.

4 S.106 Income/Expenditure

- 4.1 Overall in the reported year, East Devon District Council received £853,916 from all planning obligations (signed during and prior to 2019/20). The Council also entered into planning obligations which will provide £368,948.79 in the future, if development triggers are reached.

¹ CIL Regulation 121A(1).

- 4.2 Together the council now holds a total of £5.729M was held in the s106 account in S.106 money, to be spent on specifically defined projects (note that a proportion of this is based upon invoices raised and outstanding at year end).
- 4.3 Some S.106 income is not spent due to the fact that it is held by the council for long term maintenance on public open space.
- 4.4 Some developer contributions are non-monetary, such as the obligation to provide affordable housing units and public open space on-site. In the reported year, the Council secured a total of 55 affordable housing units.
- 4.5 The IFS also provides details regarding how S.106 was spent last financial year. In total £553,469 was spent including on numerous Habitat Mitigation projects and 8 community infrastructure projects across the district.

5 CIL Income/Expenditure

- 5.1 The headline totals in regard to CIL held by the Council are: -

Total CIL held as at the end of the reporting period of 31 March 2020	£4,251,229.63 (less spent amount and amount paid over to PC)
Total CIL within reporting period	£3,249,069.08 (collected)
The total value of demand notices issued in the reported period	£2,514,335.05

- 5.2 The Council has spent £147,152.43 directly on the provision of Habitat Mitigation infrastructure. It has allocated 8.6% of all collected receipts to Habitat Mitigation, the Exmouth Community College expansion has been awarded £1.5M and the Dinan Way Extension has been awarded £400,000 subject to a successful match funding bid. The Neighbourhood Proportion allocations are treated as separate to EDDC held monies and are distributed directly to the parish councils bi-annually.

Appendix 1: Extracts of the data sets to be submitted with the Infrastructure Funding Statement

developer-agreement	organisation	entry-date	start-date	end-date	planning-application	document-url	developer-agreement-type
10/0641/MOUT-da	local-authority-eng:EDE	2020-11-09	2019-04-23		10/0641/MOUT		S106
18/0089/FUL-da	local-authority-eng:EDE	2020-11-09	2019-05-24		18/0089/FUL		S106
18/2272/MFUL-da	local-authority-eng:EDE	2020-11-09	2019-06-14		18/2272/MFUL		S106
10/0816/MOUT-da	local-authority-eng:EDE	2020-11-09	2019-06-24		10/0816/MOUT		S106
18/2558/OUT-da	local-authority-eng:EDE	2020-11-09	2019-06-26		18/2558/FUL		S106
18/1094/MOUT-da	local-authority-eng:EDE	2020-11-09	2019-07-11		18/1094/MOUT		S106
19/0784/FUL-da	local-authority-eng:EDE	2020-11-09	2019-07-22		19/0784/FUL		S106
14/0330/MOUT-da	local-authority-eng:EDE	2020-11-09	2019-08-21		14/0330/MOUT		S106
19/0412/FUL-da	local-authority-eng:EDE	2020-11-09	2019-09-09		19/0412/FUL		S106
18/2021/VAR-da	local-authority-eng:EDE	2020-11-09	2019-09-11		18/2021/VAR		S106
16/0218/OUT-da	local-authority-eng:EDE	2020-11-09	2019-10-03		16/0218/OUT		S106
19/2088/FUL-da	local-authority-eng:EDE	2020-11-09	2019-11-06		19/2088/FUL		S106
19/2694/FUL-da	local-authority-eng:EDE	2020-11-09	2019-12-23		19/2694/FUL		S106
18/2376/MFUL-da	local-authority-eng:EDE	2020-11-09	2020-01-14		18/2376/MFUL		S106
18/0524/MFUL-da	local-authority-eng:EDE	2020-11-09	2020-01-22		18/0524/MFUL		S106
18/1064/FUL-da	local-authority-eng:EDE	2020-11-09	2020-02-04		18/1064/FUL		S106
18/1681/MOUT-da	local-authority-eng:EDE	2020-11-09	2020-02-05		18/1681/MOUT		S106
17/2904/OUT-da	local-authority-eng:EDE	2020-11-09	2020-02-06		17/2904/OUT		S106
18/2589/MFUL-da	local-authority-eng:EDE	2020-11-09	2020-02-14		18/2589/MFUL		S106
19/1320/FUL-da	local-authority-eng:EDE	2020-11-09	2020-02-25		19/1320/FUL		S106

developer-agreement-contribution	developer-agreement	contribution-purpose	amount	units	entry-date	start-date	end-date
10/0641/MOUT-da-con1	10/0641/MOUT-da	green-infrastructure	25000			2019-04-23	
18/0089/FUL-da-con1	18/0089/FUL-da	affordable-housing		6		2019-05-24	
18/2272/MFUL-da-con1	18/2272/MFUL-da	affordable-housing		30		2019-06-14	
18/2272/MFUL-da-con2	18/2272/MFUL-da	monitoring-fees	6358.5			2019-06-14	
18/2272/MFUL-da-con3	18/2272/MFUL-da	green-infrastructure	24193.2			2019-06-14	
18/2272/MFUL-da-con4	18/2272/MFUL-da	open-space-and-leisure				2019-06-14	

Summary of recommendations being presented to Council**9 December 2020** (Minutes in full have been circulated and are available on line.)

Cabinet – 28 October 2020	
239 Homelessness Strategy update	
RECOMMENDED	to Council; 3. to agree the requested amendments to the current staffing arrangements; comprising an upgrade of a part time post to a full time post and to convert a fixed term post to a permanent post as detailed in the report.
242 Honiton Swimming Pool - options for the refurbishment and internal alterations	
RECOMMENDED	to Council: 3. to include the sum of £380,000 in the capital programme towards delivering Option 2 refurbishment and internal alterations of the reception, changing and other associated areas at Honiton Swimming Pool.

Cabinet – 25 November 2020	
258 Recommendations from the minutes of Strategic Planning Committee held on 20 October 2020 Minute 69: Proposed approach to planning the production of a new Local Plan	
RECOMMENDED	to Council: To approve the budget to fund the two additional Planning Officers in the Planning Policy Team.
262 Council Tax Reduction Scheme 2021/22	
RECOMMENDED	to Council: to approve the Council Tax Reduction Scheme for working age residents for 2021/22 (unchanged from 2020/21).
264 Covid-19 Economic Response and Recovery - Resources	
RECOMMENDED	to Council: to fund the two Senior Economic Development Officer roles for a two year fixed term through the business rate retention pilot reserve.

266 Resourcing in Democratic Services Team	
RECOMMENDED	to Council; to approve the budget to fund the additional Grade 6 post within Democratic Services.

Strategic Planning Committee – 20 October 2020	
74 Affordable Housing Supplementary Planning Document and Mortgagee Exemption Clauses	
RECOMMENDED	to Council; 3. that the constitution be amended to add ‘Deeds of variation to amend mortgagee exemption clauses in line with the securitisation working group template clause’ to the list of other planning delegations to the Service Lead (Planning Strategy and Development Management) in consultation with the Chair of Planning Committee be approved.

Audit & Governance Committee – 26 November 2020	
59 Redmond Review of Local Authority Financial Reporting and Audit	
RECOMMENDED	to Council; 1. to note the findings and recommendations of the Redmond Review, the implementation of some of these recommendations would require changes to primary legislation and revised Accounting Codes of Practice, and 2. the appointment of a suitably qualified, independent member the Audit and Governance Committee to support elected representatives in scrutinising local authority finances

Licensing & Enforcement Committee – 18 November 2020	
57 Taxi Policy - Statutory Standards Policy	
RECOMMENDED	to Council; that a phased approach be considered for revising the Council’s Taxi and Private Hire policy in consideration of the new statutory standards: 1. to adopt key changes necessary under the new statutory standards by revising the current policy in the first phase by recommending to Council to adopt the revised Taxi and Private Hire Policy with amendments shown at Appendix C,

	<ol style="list-style-type: none"> 2. that a detailed review be conducted by officers for further policy changes under a second phase with regard to matters of vehicle emissions, CCTV in vehicles, national refusals register, fees, and safeguarding training, 3. that a review of staff training would be necessary to undertake the new and additional workload, 4. that a full consultation be undertaken before adopting the changes by 31 March 2022.
59 Licensing Policy Report	
RECOMMENDED	<p>To Council:</p> <ol style="list-style-type: none"> 1. that the results of the public consultation undertaken on the Council's proposed Licensing Policy relating to the Licensing Act 2003 be noted. 2. that the East Devon Licensing Act 2003 Policy as attached to the report at appendix B, be adopted by the Council for the period 7 January 2021 to 6 January 2026.

Standards Committee – 13 October 2020	
23 East Devon's Standards Regime	
RECOMMENDED	<p>to Council:</p> <ol style="list-style-type: none"> 6. that the Member's Code of Conduct be revised to include harassment (with a definition) and that the wording in relation to bullying be revised to include wording from the LGA draft model code of conduct ensuring that the wording relating to coercion is retained with the Monitoring Officer to provide the revised wording to Council for approval; 7. that two Independent Persons be recruited to be appointed at Annual Council in May 2021; 8. that the Standards Complaints Procedure be revised so that decision notices where a breach is found by the Monitoring Officer are published on the website. <p>The Monitoring Officer has provided the following wording to replace paragraph 5(c) of the Code of Conduct which Council is requested to agree in accordance with the recommendation;</p> <p>5. You <u>must not</u> –</p> <p>(c) <i>bully or harass any person;</i></p> <p><i>Bullying may be characterised as;</i></p> <ol style="list-style-type: none"> (i) <i>offensive, intimidating, malicious or insulting behaviour,</i> (ii) <i>an abuse or misuse of power or authority, or</i> (iii) <i>other actions,</i>

which undermine or coerce or have the effect of undermining or coercing by gradually eroding confidence or ability or which otherwise humiliate, denigrate or injure the recipient. The bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and not always be obvious or noticed by others. It can relate to an individual or group of individuals.

The Equality Act 2010 defines harassment as ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual’.

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Online via the Zoom app. on 28 October 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.16 pm

227 Public speaking

Gill Adamson spoke on Minute 239 - Homelessness Strategy. She was concerned for the welfare of a particular homeless man in Exmouth. He was a vulnerable man with mental health issues being made worse due to the fact he was homeless. She asked what help the Housing department was doing for him.

In responses to the question the Housing Manager confirmed he was aware of the case and that the Housing department were dealing with the man individually however he could not comment any further due to confidential nature of the case. The Chair thanked Gill Adamson for highlighting this situation.

Jeremy Woodward had questions concerning transparency and democracy at the council. He said it was very useful to be able to refer to the council's own press releases over the years but this had its limitations, with the news archive only provided items from this year, half from 2019 and then stops at 2018. Providing access to archives did not take up much space on the web server. This was fundamentally about transparency and if there was limited access to information, especially official information, then the democratic process was compromised.

He asked how remote meetings by Zoom were working – whether they were enabling greater participation for both the public and members in meetings and whether the hybrid meeting approach was being looked into; where there would be a choice to physically attend meetings or appear via video link.

He concluded by asking what kind of measures were the new administration looking to introduce to bring about greater transparency and democracy at the council.

In response to Mr Woodward the Portfolio Holder Democracy and Transparency confirmed virtual Zoom meetings were working well especially as the public could watch live online as well as participate in the meetings through public speaking. He wished to thank the Democratic Services team for their hard efforts in successfully facilitating these meetings. He said that hybrid meetings needed to be scoped for their effectiveness before any decision would be made to whether the council would go along with this type of meeting.

Sarah Butcher asked that her statement be read out on her behalf.

Having seen the recent publicity about the Government's white paper she wanted to highlight the plight of wildlife in East Devon before the council considered any new planning reforms. She was chair of Devon Bat Group, a volunteer with Devon Wildlife Trust and had qualifications in Biological Recording. She felt really strongly about how rapidly wildlife was already disappearing and how little was being done about it; the relaxation of the existing planning regulations can only make things worse.

As everyone knows we were in the midst of a climate emergency, with wildlife under more threat now than it had ever been. There seemed however to be a missing link in people's understanding about where nature was, thinking it starts elsewhere and not at our own doorstep and back gardens and was our shared responsibility. All too often wildlife was being pushed into increasingly small spaces, not just with the expansion of local housing but also with the drive for low-maintenance tidy gardens, hedges kept neat and tidy and grass in public areas kept short. A habitat could only support a finite number of creatures before food resources ran out, yet still we put our need for housing first and force them into ever smaller areas and possibly sub-optimal habitat.

We were blessed in Devon to have so much wonderful green space, gorgeous hills, fantastic pasture and beautiful woodland. Many of us had moved here because of this, while much of the economy depended on people wanting to visit. Without a local council ecologist in East Devon we were already at a huge disadvantage. She knew East Devon already had a plan for its Nature Recovery Networks that shows great potential but we need to be able to put these into practice and look after what we had left while still having something to protect. Looking after green public spaces was great but if we had less control over new developments, we had an even more massive mountain to climb.

228 **Minutes of the previous meeting**

The minutes of Cabinet held on 8 October 2020 were confirmed as a true record.

229 **Declarations of interest**

Minute 239. Homelessness Strategy update.

Councillor Eileen Wragg, Personal, Has a relative who is accommodated through EDDC properties.

Minute 240. Seaton Jurassic Phase 2 and Seaton Wetlands Link Project.

Councillor Dan Ledger, Personal, Ward Member for Seaton.

Minute 240. Seaton Jurassic Phase 2 and Seaton Wetlands Link Project.

Councillor Paul Arnott, Personal, Ward Member for Coly Valley which covers part Seaton Wetlands.

Minute 241. Sideshore, Exmouth - Community Interest Company.

Councillor Paul Millar, Personal, is a Council appointed Director of CIC.

230 **Confidential/exempt item(s)**

None.

231 **Forward Plan**

Members agreed the contents of the Forward Plan for key decisions for the period 1 November 2020 to 28 February 2021.

232 **Minutes of the Housing Company Task and Finish Forum held on 8 October 2020**

Members received and noted the Minutes of the Housing Company Task and Finish Forum held on 8 October 2020.

233 **Minutes of Scrutiny Committee held on 10 September 2020**

Members received and noted the Minutes of Scrutiny Committee held on 10 September 2020.

234 **Minutes of STRATA Joint Executive Committee held on 22 September 2020**

Members received and noted the Minutes of STRATA Joint Executive Committee held on 22 September 2020.

235 **Covid-19 Economic Response and Recovery**

The report by the Service Leads for Revenue and Benefits and Growth, Development & Prosperity provided an overview of the impact of the Covid-19 pandemic on the economy of the District, the initiatives that had been undertaken to mitigate this and those that were planned to support to recovery.

During discussions it was agreed all members supported these measures which went beyond politics; it was about people. Libby Jarrett and Andy Wood were congratulated for the excellent report.

RESOLVED that Cabinet;

1. note the work that had been undertaken to manage the immediate impact of the pandemic,
2. support co-ordinating economic recovery activity through the Team Devon approach,
3. approve the proposed Local Restrictions Support grant policy and for delegated authority to be granted to the Council's S151 Officer in consultation with the Leader, Deputy Leader and Portfolio Holder for Finance to make such amendments as might be required in order to take account of changes in government guidance, and
4. receive a further report;
 - at the November Cabinet meeting setting out the resource requirements associated with supporting economic recovery, and then
 - in 6 months detailing the progress made with supporting economic recovery in the District.

REASON:

To ensure that a programme of measures and initiatives is in place to aid economic recovery from the impact of the Covid-19 pandemic in the District.

Officers:

236 **Exmouth Tidal Defence Scheme Flood Gate Operations**

The report superseded item 4.3 of Cabinet report of 9 November 2016 that permitted East Devon District Council to operate the highways flood gate and sign up to a 3-party agreement to allow community volunteers to close non highways flood gates.

RESOLVED that Cabinet;

1. agree to permit East Devon District Council to be the primary responder to operating the highway flood gates in Exmouth, and
2. agree for East Devon District Council to sign up to the 3-party Memorandum of Understanding between East Devon District Council, the Environment Agency and Exmouth Town Council to allow community volunteers to be the primary responder for operating non-highway flood gates, with delegated authority granted to the Strategic Lead Housing, Health and Environment to complete the agreement in consultation with the Strategic Lead Governance and Licensing.

REASON:

1. East Devon District Council was geographically well placed to respond quickly to both closing and opening of gates, minimising inconvenience for Exmouth.
2. Having the community close non-highway gates would give a sense of community ownership, build community spirit and reduce inconvenience to Exmouth, as well as limiting operating cost increases.

237 **Complaints to the Ombudsman during 2019/20**

The report from the Monitoring Officer provided information on complaints referred to and decided by the Local Government and Housing Ombudsman during 2019/20.

The Portfolio Holder Democracy and Transparency thanked Henry Gordon Lennox for the report.

RESOLVED that Cabinet;

note the report and learning points arising from complaints decided during the year.

REASON:

To continue to improve the way the council handle, and learn from, complaints.

238 **Response to the Farringdon Neighbourhood Plan Submission**

The purpose of the report was to formally agree the response by EDDC to the submission consultation for the Farringdon Neighbourhood Plan. Farringdon Parish Council had formally submitted their Neighbourhood Plan to the District Council. The Neighbourhood Planning (General) Regulations 2012 (Regulation 16) require the District Council to formally consult on the Plan for a minimum of 6 weeks. The comments of EDDC and all other comments received during the consultation would be submitted to an independent Examiner for inspection of the Plan against a series of conditions, which must be met in order for it to proceed to a referendum.

The Portfolio Holder Finance congratulated the Farringdon Neighbourhood Planning team for producing their Plan and wanted to reassure them that it would be considered alongside policies set out in the Local Plan.

RESOLVED that Cabinet;

1. note the formal submission of the Farringdon Neighbourhood Plan and congratulate the producers of the plan on their dedicated hard work and commitment in producing the document, and

2. make the proposed representation set out at paragraph 1.19 in the report in response to the consultation.

REASON:

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

239 **Homelessness Strategy update**

The Housing Manager updated members on the Council's Homelessness Strategy and a review of levels of homelessness in the district was provided. The Covid-19 pandemic had hugely impacted the need for temporary accommodation and therefore increased expenditure in this area. The staffing requirements within the Housing Options team were addressed.

Discussions included the following;

- It was quite clear extra staff were required
- The council to write to the 3 local MPs and the Housing Minister to put a block on evictions by private landlords
- Nothing could be worse than losing your home
- Many homeless people suffer from mental health problems

RESOLVED that Cabinet;

1. note the updates provided in relation to the Council's Homelessness Strategy and the current levels of homelessness in the district.
2. write to the 3 local MPs and Housing Minister for restrictions on evictions to be in place for the foreseeable future.

RECOMMENDED to Council;

3. to agree the requested amendments to the current staffing arrangements; comprising an upgrade of a part time post to a full time post and to convert a fixed term post to a permanent post as detailed in the report.

REASON:

To ensure the Housing Options team were better equipped to tackle the level of pressure on the homelessness service.

240 **Seaton Jurassic Phase 2 and Seaton Wetlands Link Project**

The Project Manager Place, Assets & Commercialisation presented the report which set out proposals for a new landscaping and interpretation project focussing on the themes of wildlife, nature and climate change that will form a second phase to Seaton Jurassic. The project was one of the project interventions identified in the Seaton Wetlands Link Project that was reported to Cabinet in January this year. The project was being led by Devon Wildlife Trust, tenant and operator of Seaton Jurassic.

The report also provided an update on the other intervention projects for the Seaton Wetlands Link Project and sought authority to enter into negotiations to acquire 2 small parcels of land to facilitate the circular walk that would lead up to the Wetlands from Seaton Jurassic and the Underfleet car park.

RESOLVED that Cabinet approves;

1. Delegated authority be given to the Service Lead for Place Assets & Commercialisation in consultation with the Portfolio Holder for Economy and Assets and the Strategic Lead for Finance to:
 - a) enter into Heads of Terms in substantially the same, or a similar form of those shown at appendix 6, with Devon Wildlife Trust for the lease of Area A on the plan attached at appendix 1,
 - b) enter into a Management Agreement with DWT for the shared management and maintenance of Area B on the plan attached at appendix 1,
 - c) enter into an Agreement for Lease (and associated Lease) with DWT for Area A on the attached plan,
 - d) enter into any other relevant documentation that arises as a consequence of varying the existing legal documentation with DWT for Seaton Jurassic.
2. To remove that part of the council's existing car park shown cross hatched red on the plan attached at appendix 1, from its Parking Places Order, in order to facilitate the grant of the agreement referred to in 1c above.
3. Delegated authority be given to the Service Lead for Place, Assets & Commercialisation to enter into negotiations and to acquire land to provide access into and out of the Sheep's Marsh site in Seaton, in consultation with the Portfolio Holder for Economy and Assets and the Strategic Lead for Finance.
4. The council provides a letter of support to accompany DWT's funding application to the RDPE for this project.
5. The overflow carpark in the Underfleet to be open all year round on the same opening and closing times as the main Underfleet carpark. The income for both carparks to be monitored over the period post loss of the 18 carpark spaces and to report back on the actual income received, to evaluate whether additional carpark spaces need to be provided to replace the lost spaces.

REASON:

To facilitate the delivery of one of the Seaton Wetlands Link projects/interventions that was identified within an earlier Cabinet report in January 2020 and enable DWT to apply for external funding to support delivery of this project. To facilitate delivery of a second of the project interventions that would enable access in and out of Sheep's Marsh.

241 **Sideshore, Exmouth - Community Interest Company**

The Project Manager Place, Assets & Commercialisation explained the purpose of this report was to secure approval for signing legal and financial documents in the capacity as a Member (shareholder) of the Community Interest Company (CIC).

Sideshore was the new Watersports centre in Exmouth that was being developed by Grenadier Estates who leased the site from the council. Once the new building was complete, the lease between the council and Grenadier Estates would fall away and the CIC would become the direct tenant of the council. The CIC would run the centre and have sub leases with the individual operating businesses within the development. The council was a member (shareholder) of the CIC and had appointed 2 Directors to the CIC Board. The other 3 Directors were Board members of Grenadier Estates.

The Portfolio Holder Democracy and Transparency in his role as a Director of CIC wished to give enormous thanks Alison Hayward who has led on the project throughout and done a terrific job through all the internal and external negotiations a project like this brought.

RESOLVED that Cabinet;

1. agree to the signing of Members Agreement on behalf of the Council as shareholder of the Community Interest Company (CIC), and
2. grant delegated authority to the Portfolio Holder for Economy and Assets to authorise entering into legal, finance or any other documentation on behalf of the Council as shareholder of the CIC.

REASON:

This will enable the Sideshore CIC to adopt the Companies Act audit exemption based on a parent company guarantee from Oxygen House Group Limited (the CIC's ultimate parent company). It will also allow the council to enter into other documentation and take other actions that require the authority of the Members (shareholders) of the CIC.

242 **Honiton Swimming Pool - options for the refurbishment and internal alterations**

The Interim Principal Surveyor advised Cabinet of the identified options in respect of the Refurbishment and Internal Alterations to the reception, changing rooms and other associated areas at Honiton Swimming Pool.

RESOLVED that Cabinet;

1. considered the Options for the refurbishment and internal alterations of the reception, changing and other associated areas at Honiton Swimming Pool and agreed that Option 2 should be progressed; and
2. assess the potential for solar panels and/or air source heat pumps to be installed to provide energy efficient heating of the Honiton swimming pool, taking advantage of government backed schemes where possible, with the aim of greatly reducing the carbon footprint and saving money in the long term. This should be seen as a trial before roll out to all LED pools and sports centres wherever viable.

RECOMMENDED to Council;

3. to include the sum of £380,000 in the capital programme towards delivering Option 2 refurbishment and internal alterations of the reception, changing and other associated areas at Honiton Swimming Pool.

REASON:

The condition on the reception area, changing rooms and associated other rooms, excluding the pool hall, at Honiton Swimming Pool had continued to deteriorate since a former bid was approved in 2016. Further, following a recent survey, it had been established that there was water ingress both internally from the showers / changing rooms and externally through the walls. This had caused additional issues associated with rising damp and efflorescence, which in turn had resulted in a further deleterious effect on the finishes and fittings. There were also issues with the existing M&E installation with a lack of mechanical ventilation and local heating.

Remedial works needed to be undertaken to correct the water ingress that would require all the screed in the areas to be removed including the associated floor, part of the wall tiling, all associated fixtures and fittings and subsequently replaced after treatment. In the circumstances, it was considered that the opportunity should be taken to both refurbish the affected areas and replace the defective elements of the M&E installation. This refurbishment work would enable Honiton Swimming Pool to be a more a pleasing, pleasant, hygienic venue to visit, and as result would be more attractive to the public.

243 **Poverty Working Panel**

The Portfolio Holder Sustainable Homes and Communities gave a verbal update to the newly formed Poverty Working Panel. The first meeting was intended to explore issues and set the context and Terms of Reference.

As the Chair she was really pleased that this cross-party group contributed positively, with plenty of suggestions as to what should be included in the Poverty Strategy. Members expressed their commitment to ensuring that as a council everything in its power would be done to relieve poverty, in whatever form that takes, throughout the District.

Covid-19 had inevitably contributed to a worsening of issues related to poverty, including budgeting and high levels of indebtedness, higher levels of unemployment and increasing job losses when the Government's furlough scheme ended.

Poverty, and the reasons for it, was a massive subject and was far-reaching and cross-cutting into other areas of the council. However, any actions undertaken by the council needed to be both evidence based and wherever possible address the root causes of poverty. The Panel was keen to move things forward as swiftly as possible, especially in the current Covid-19 climate, and to focus on the development of the Poverty Strategy, its implementation and subsequent monitoring.

Future possibilities could include briefings to the Panel and possibly to all council members, from such organisations as the Department for Work and Pensions and Citizens Advice, thereby promoting partnership working which would ultimately benefit all those residents who needed help and support.

RESOLVED:

That the update be noted.

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
J Bailey	Portfolio Holder Corporate Services and COVID-19 Response and Recovery
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
P Millar	Portfolio Holder Democracy and Transparency
M Rixson	Portfolio Holder Climate Action
J Rowland	Portfolio Holder Finance

Cabinet apologies:

J Loudoun	Portfolio Holder Policy Co-ordination and Regional Engagement
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Also present (for some or all the meeting)

Councillor Denise Bickley
Councillor Mike Allen
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Susie Bond
Councillor Colin Brown
Councillor Fred Caygill
Councillor Iain Chubb
Councillor Olly Davey
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Nick Hookway
Councillor Sarah Jackson
Councillor Vicky Johns
Councillor Fabian King
Councillor Dawn Manley
Councillor Kathy McLauchlan
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pratt
Councillor Philip Skinner
Councillor Brenda Taylor
Councillor Eileen Wragg
Councillor Tom Wright

Also present:

Officers:

Alison Hayward, Project Manager Place, Assets & Commercialisation
Andrew Wood, Service Lead - Growth Development and Prosperity
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Libby Jarrett, Service Lead Revenues and Benefits
Andrew Mitchell, Housing Solutions Manager
Charles Plowden, Service Lead Countryside and Leisure
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Steve Pratten, Interim Principal Surveyor

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Online via the Zoom app. on 25 November 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.54 pm

249 Public speaking

There were no members of the public registered to speak.

250 Minutes of the previous meetings held on 28 October and 11 November 2020

The minutes of Cabinet held on 28 October 2020 and 11 November 2020 were confirmed as a true record.

251 Declarations of interest

Min 263 Seaton Tram Halt access boardwalk and footbridges.
Councillor Jack Rowland, Personal, Ward Member for Seaton.

Min 263 Seaton Tram Halt access boardwalk and footbridges.
Councillor Paul Arnott, Personal, Ward Member for Coly Valley which covers part of the land in question.

Min 263 Seaton Tram Halt access boardwalk and footbridges.
Councillor Paul Hayward, Personal, Life-long member of Seaton tramway.

252 Matters of urgency

None

253 Confidential/exempt item(s)

None

254 Forward Plan

Members agreed the contents of the Forward Plan for key decisions for the period 1 December 2020 to 31 March 2021.

255 Minutes of the Poverty Working Panel held on 12 October 2020

Members received and noted the Minutes of the Poverty Working Panel held on 12 October 2020.

256 Minutes of the Exmouth Queen's Drive Delivery Group held on 15 October 2020

Members received and noted the Minutes of the Exmouth Queen's Drive Delivery Group held on 15 October 2020.

RESOLVED that the following recommendations be agreed:

Minute 6 Way forward

Cabinet be requested to include the development of the Ocean building within the remit of the Exmouth Queen's Drive Delivery Group and that the Terms of Reference be amended accordingly.

257 **Minutes of the Recycling and Waste Partnership Board held on 21 October 2020**

Members received and noted the Minutes of the Recycling and Waste Partnership Board held on 21 October 2020.

RESOLVED that the following recommendations be agreed:

Members received and noted the Minutes of the Recycling and Waste Partnership Board held on 21 October 2020.

RESOLVED that;

- (1) the following recommendation be noted and a further report be brought to Cabinet identifying the full costs:

Minute 39 SUEZ Covid-19 costs

the extraordinary additional cost claim submitted by SUEZ for costs incurred in responding to the coronavirus pandemic conditions are met by EDDC.

- (2) Should additional costs be identified, Cabinet agrees to ask local MPs to lobby government on this Council's behalf to meet some, or preferably all, additional Covid-19 related costs associated with the Recycling and Waste contract.
- (3) Cabinet led by the Portfolio Holder Coast, Country and Environment wished to thank Suez for the wonderful support, dedication and fantastic service they had provided throughout this emergency.

RESOLVED that the following recommendations be agreed:

Minute 40 Green waste – quarterly accounts update

1. no deposit charge be made for the green waste bins, and
2. the annual subscription charge for the green waste service during 2021/22 remain at £48.

Minute 42 Tipping point 2 negotiation

the tipping point negotiations begin now with SUEZ regarding collection tonnages to establish what are and aren't Covid-19 costs and that a report be brought back to the next Board meeting.

258 **Recommendations from the minutes of Strategic Planning Committee held on 20 October 2020**

Members received and noted the Minutes of Strategic Planning Committee held on 20 October 2020

RESOLVED that the following recommendations be agreed:

Minute 69: Proposed approach to planning the production of a new Local Plan

1. the staffing budget for the Planning Policy Team be increased to enable the recruitment of two additional Planning Officers be approved, and
2. support in-principle the production of a joint non-statutory plan to include a joint strategy and infrastructure plan for the Greater Exeter area in partnership with Exeter, Mid Devon, Teignbridge and Devon County Councils be approved subject to agreement of details of the scope of the plan, a timetable for its production, the resources required and government arrangements etc.

RECOMMENDED to Council;

To approve the budget to fund the two additional Planning Officers in the Planning Policy Team.

RESOLVED that the following recommendation be taken into account when considering the Affordable Housing Supplementary Planning Document item (Minute 261 refers):

Minute 74: Affordable Housing Supplementary Planning Document and Mortgagee Exemption Clauses

the Affordable Housing Supplementary Planning Document attached at Appendix A be considered and adopted.

259 **Recommendations from the minutes of Strategic Planning Committee held on 22 October 2020**

Members received and noted the Minutes of Strategic Planning Committee held on 22 October 2020.

RESOLVED that the following amended recommendation be agreed:

Minute 81: Cranbrook Town Centre

That in-principle funding be made available to support the pro-active delivery of the town centre, based on the draft SPD Masterplan.

260 **Minutes of Scrutiny Committee held on 5 November 2020**

Members received and noted the Minutes of Scrutiny Committee held on 5 November 2020.

261 **Affordable Housing Supplementary Planning Document**

The Service Lead Planning Strategy and Development Management outlined the responses received during the second round of public consultation on the Draft

Affordable Housing Supplementary Planning Document (SPD) (January to February 2020) and showed how these comments had been taken into account in revising the SPD. The proposed final version of the Affordable Housing SPD had been considered at Strategic Planning Committee who recommended its adoption at Cabinet.

RESOLVED that Cabinet:

adopted the Affordable Housing Supplementary Planning Document attached at Appendix A.

REASON:

To ensure the council follows proper legal processes in adopting the Affordable Housing SPD. The intention of the SPD is to give greater clarity to developers and communities about our expectations for affordable housing delivery, assisting councillors and officers when considering affordable housing issues for new development.

262 **Council Tax Reduction Scheme 2021/22**

The Service Lead Revenues, Benefits and Customer Services presented the report which asked members to consider and approve the Council Tax Reduction (CTR) Scheme for 2021/22 which was proposing to remain unchanged from the current scheme. The report also provides some background data on how Covid-19 has changed the scheme caseload profile.

During discussions members expressed concern over the rise in caseloads for CTR as well as homelessness and economic hardship. East Devon had particularly suffered due to its unique affiliation and reliance on the tourist/hospitality industry. It was pointed out that getting credit became more difficult when individual's finances had decreased. It was suggested the data collected be shared with the Poverty Working Panel.

Cabinet thanked Libby Jarrett for this important work and for showing the economic impact of the Covid-19 pandemic had had on its residents.

RESOLVED that Cabinet:

noted the changes to the caseload profile due to the impact of Covid19 (see appendix 1)

RECOMMENDED to Council:

to approve the Council Tax Reduction Scheme for working age residents for 2021/22 (unchanged from 2020/21)

REASON:

Each year the Council was required by law to decide whether to revise or replace its scheme. As there had been a significant number of changes to the scheme for 2020/21 it was too early to be able to assess whether there was a need to make any subsequent changes to the scheme. The impact of COVID-19 had meant that there was now a much higher number of working age households so making comparisons between the existing scheme and current scheme would be difficult to assess. However, as maximum support was increased from 80% to 85% then this has meant that those households on the lowest incomes would have benefitted.

263 **Seaton Tram Halt access boardwalk and footbridges**

The Service Lead Countryside and Leisure explained that Seaton Tram Company was successful in applying for a Heritage Lottery Fund bid to develop the heritage and

educational features of their tourist attraction, which included funds to cover the costs of a tram halt and associated wooden boardwalk. The project was part of the planned programme of visitor infrastructure improvements known as the Seaton Wetlands link projects which had been presented to both Scrutiny and Cabinet Committees in 2020.

The project would help provide an important physical link between the two attractions and so help further develop Seaton's visitor economy. It was intended that the structure to be erected by the Tramway on not just their land, but also the Council's land and land owned by the Burgesses of Colyford would be (save for the part erected on their land) transferred to the Council.

The Portfolio Holder Coast, Country and Environment wished to thank the Countryside team for their great work and to continue doing a splendid job.

RESOLVED that Cabinet:

1. Approve entering into any necessary agreements with Seaton Tramway (Enterprises) Ltd and the Burgesses of Colyford to enable the construction, retention and use of a boardwalk across Colyford Common,
2. upon completion, for the Council to take responsibility for the boardwalk on both the Council's land and on the land owned by the Burgesses of Colyford that is managed by EDDC Countryside as an infrastructure asset of the Colyford Common Local Nature Reserve for a period into perpetuity,
3. if needed, to enter into a 5-year management agreement with the Tramway for EDDC Countryside to recover the agreed annual fee for a five year period only, and
4. delegates authority to the Service Lead – Place, Assets & Commercialisation to agree the detailed terms of agreements for 1 & 3 above in consultation with Service Lead - Countryside & Leisure in consultation with the Portfolio Holder for Coast, Country and Environment.

REASON:

To enable the Council to enter into the required legal agreements to facilitate the construction of the boardwalk and footbridge across Colyford Common which was managed by the Countryside Team under a management agreement with the Burgesses of Colyford as part of the Seaton Wetlands, so linking with the proposed tram halt construction.

264 **Covid-19 Economic Response and Recovery - Resources**

The Service Lead Growth, Development and Prosperity presented this follow-up report regarding the economic impact of the Covid-19 pandemic and how best to support recovery. The report sought to take stock of the current situation and put forward recommendations regarding deploying the funds being made available through the Additional Restrictions Grant as well as the recruitment of additional economic development capacity. It was also recommended that Cabinet receive a further report setting out an assessment of the programme level resources that could be made marshalled to support economic recovery. He updated members saying the date the scheme would go live was now 9 December 2020.

During discussions concern was raised for taxi drivers and the impact the pandemic had had on their business due to considerably reduced trade. The Service Lead Growth, Development and Prosperity stated that the policy was aimed at businesses who could show a significant impact on their turnover during the period of the national restrictions.

Taxi drivers were potentially eligible and the policy could be updated to make this more explicit. It was requested that this information on funding support be made available to taxi drivers.

Cabinet endorsed the letter that the Licensing & Enforcement Committee had agreed to send to Government in relation to the taxi trade.

The Vice-chair thanked officers for getting the scheme together. He emphasised the need to nurture innovation and supported utilising some of the funding to support business adaptation and new business opportunities that could benefit the economy and reduce unemployment.

RESOLVED that Cabinet:

1. endorsed the proposed spend framework for the deployment of monies that have been made available under the Additional Restrictions Grant (ARG)
2. approved the proposed discretionary grants policy to deploy £1m of these funds including the eligibility criteria, local priorities and grant payment levels as set out at Appendix A,
3. grant delegated authority to the Service Lead Growth, Development and Prosperity in consultation with the Leader, Deputy Leader, Portfolio Holder for Finance and Chief Finance Officer to agree such further changes to this policy as may be required,
4. grant delegated authority to the Chief Finance Officer to make any required technical changes to the Scheme,
5. agreed that prior to the Service Lead Growth, Development and Prosperity taking a decision under the scheme that there was consultation with a group of members comprising the Leader, Deputy Leader and Portfolio Holders for Finance and Corporate Services & Covid-19 Response and Recovery and two Conservative members, one of the Independent members and one Cranbrook Voice member to be nominated by the respective Groups,
6. endorsed the proposal to recruit two additional Senior Economic Development Officer posts for a fixed term of two years,
7. receives a further report on the programme level resources needed to support and sustain economic recovery including the balance of the ARG funds, and
8. grant delegated authority to the Service Lead Revenues, Benefits and Customer Services in consultation with the Leader, Deputy Leader, Portfolio Holder for Finance and Chief Finance Officer to approve the scheme policy for the Local Restrictions Support Grant (Open) Scheme.

RECOMMENDED to Council:

to fund the two Senior Economic Development Officer roles for a two year fixed term through the business rate retention pilot reserve.

REASON:

To help to mitigate the impact of the second national lockdown on businesses in the District and ensure that sufficient capacity was in place to deliver a programme of measures and initiatives to support economic recovery from the impact of the Covid-19 pandemic.

265 **Towards Zero Carbon Development in the West End**

The Service Lead Growth, Development & Prosperity's report was to seek authority for the use of an Exemption from Contract Standing Orders to enable the appointment of

consultants WSP to support the development of a bid to the Government's Heat Network Investment Programme (HNIP). This followed the completion of the initial feasibility study in relation to supporting the delivery of low carbon development in the West End of the District that was reported to Cabinet in September 2020.

RESOLVED that Cabinet:

approved the Exemption from Contract Standing Orders to enable the appointment of WSP to undertake further technical work in support of an application to the Heat Networks Investment Programme.

REASON:

Having undertaken the initial feasibility study, WSP were considered to be uniquely placed to support the development of a bid to the HNIP programme. This would be of a substantial scale; seeking in excess of £5m, and it was vital, in order to maximise the chances of success, that it was supported by a robust evidence base. The exemption would also enable demanding timescales and deadlines to be met.

266 **Resourcing in Democratic Services Team**

The Strategic Lead Governance and Licensing explained the work pressures within Democratic Services requested additional resource in the form of one Grade 6 post.

Cabinet recognised the additional workload for Democratic Services as a result of the pandemic as well as members adding to this with further panels, working groups and TaFFs.

Councillor Steve Gazzard wished to personally acknowledge the team stating they were fantastic servants to the council and exceeded in every request that was asked of them. He claimed he could not do his job without the help and support of Democratic Services.

Councillor Dan Ledger stated that without Democratic Services council functions would not be performed, the team were the reason the council could fulfil its business over this testing period.

Through the Chair, Cabinet wished to thank Democratic Services for their outstanding work since March with the smooth running of virtual meetings which would have been unthinkable at the beginning of the year. The Chair gave his deep personal thanks to Democratic Services for the way they had adapted to this new way of working with all the multiple complexities that came with it; they had made an incredible difficult job achievable.

The Vice-chair wished to give additional thanks on behalf of all Town and Parish Councils in East Devon for the support the team provided to them. He stated that since the pandemic every meeting notice held by town and parish councils had to be posted on to this council's website creating additional work for the team.

RESOLVED that Cabinet:

to agree to an additional Grade 6 post (one FTE) within Democratic Services

RECOMMENDED to Council:

to approve the budget to fund the additional Grade 6 post within Democratic Services

REASON:

To ensure that Democratic Services are able to fulfil their function in relation to the Council's governance arrangements.

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
J Bailey	Portfolio Holder Corporate Services and COVID-19 Response and Recovery
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Policy Co-ordination and Regional Engagement
S Jackson	Portfolio Holder Democracy and Transparency

Also present (for some or all the meeting)

Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Bruce De Saram
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Paul Jarvis
Councillor Vicky Johns
Councillor Fabian King
Councillor Kathy McLauchlan
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pratt
Councillor Eleanor Rylance
Councillor Philip Skinner
Councillor Brenda Taylor
Councillor Joe Whibley
Councillor Eileen Wragg

Also present:

Officers:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Ed Freeman, Service Lead Planning Strategy and Development Management
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Libby Jarrett, Service Lead Revenues and Benefits

Debbie Meakin, Democratic Services Officer
Charles Plowden, Service Lead Countryside and Leisure
Andrew Wood, Service Lead - Growth Development and Prosperity
Mark Williams, Chief Executive

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Scrutiny Committee held at Online via the Zoom App. on 5 November 2020. All Councillors and registered speakers will have been sent an appointment with the meeting link.

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.20 pm

87 Public speaking

There were no members of the public wishing to speak.

88 Minutes of the previous meeting

The minutes of the meeting held on 10 September 2020 were agreed as a true record.

89 Declarations of interest

Minute 94 Forward Plan.

Councillor Iain Chubb, Personal, Member of Devon County Council.

Minute 94 Forward Plan.

Councillor Olly Davey, Personal, Member of Exmouth Town Council.

Minute 94 Forward Plan.

Councillor Tony McCollum, Personal, Matters connected with the Member were currently being considered under the standards process.

90 Matters of urgency

There were no matters of urgency.

91 Confidential/exempt item(s)

There were no confidential/exempt items.

92 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules

There were no items called-in.

93 Requesting Portfolio Holder reports

Members discussed which Portfolio Holders to invite to report to the Committee and felt that as Cllr Megan Armstrong, Portfolio Holder – Sustainable Homes & Community and Cllr Geoff Jung, Portfolio Holder – Coast, Country & Environment had been in post the longest they should be the first to be asked to report to the Committee. After discussion it was agreed that Cllr Megan Armstrong be asked to attend the next meeting of the Committee to give a report.

RESOLVED that Cllr Megan Armstrong be requested to attend the next meeting of the Committee and provide a report on the activities of her Portfolio.

94 **Forward Plan**

Proposal Forms received

Standards Committee and Sub Committee issues referred from Chairman of Audit and Governance and Portfolio Holder for Governance and Transparency following October 2020 Council

Members received the proposal form on Standards Committee and Standards Sub Committee issues submitted by Cllr Colin Brown.

It was noted that the Standards Committee had started to review the standards process.

During discussions the following points were noted:

- It could assist the Standards Committee with its review to have an objective report from the Scrutiny Committee
- It was the role of the Scrutiny Committee to objectively assess the effectiveness of the standards process, with particular reference to conflicts of interest or political motives during the handling of complaints
- There needed to be a good reason to review the standards process through the Scrutiny Committee, rather than through the Standards Committee itself
- The Monitoring Officer advised that work would be duplicated should the Scrutiny Committee agree to proceed with its own review of the standards process, although it was within the Committee's remit to do so. All Members could attend and speak at meetings of the Standards Committee in order to contribute to the transparency of the review process
- Cllr Allen suggested terms of reference for a wide ranging review of the standards process
- The Monitoring Officer requested that the Scrutiny Committee consider more detailed scoping of its requirements should it decide to continue with its own review as duplication of work could result in a delay for both Committees
- In response to a Member's question, the Monitoring Officer outlined the current process and the role of the independent person when complaints are received. Complaints were only brought to the Standards Sub Committee if no resolution could be reached earlier in the process

RESOLVED that the Committee would wait for the response from the Standards Committee as to its review of the standards process before further consideration of this issue.

Five Year Land Supply

Members received the proposal form on the Five Year Land Supply submitted by Cllr Colin Brown.

During discussions the following points were noted:

- The Strategic Planning Committee had considered this matter very recently and it was not clear what the Scrutiny Committee would add to this process

- A meeting would be held with the other members of the Greater Exeter Strategic Plan to discuss the way forward following EDDC's withdrawal from GESP

RESOLVED that no further action be taken on this proposal.

Scoping reports

No scoping reports had been received as yet.

Attendance List

Councillors present:

C Brown (Chair)
V Ranger (Vice-Chair)
E Rylance
M Chapman
I Chubb
A Colman
O Davey
S Hawkins
F King
T McCollum
H Parr
B Taylor

Councillors also present (for some or all the meeting)

P Arnott
S Chamberlain
B De Saram
P Faithfull
P Hayward
M Allen
D Ledger
A Moulding

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing
Sarah Jenkins, Democratic Services Officer
Christopher Lane, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Online via the zoom app on 20 October 2020****Attendance list at end of document**

The meeting started at 2.01 pm and ended at 5.32 pm. The meeting was adjourned at 4.07 pm and reconvened at 4.14 pm.

62 Public speaking

The Chairman welcomed everyone present to the meeting. There were three members of the public present who wished to address the Committee when the relevant item was considered (Minute 67 – Coastal Change Management Areas).

Members agreed to bring this item forward in the agenda.

63 Minutes of the previous meeting

The minutes of the Strategic Planning Committee meeting held on 16 September 2020 were confirmed as a true record.

64 Declarations of interest

Minute 67. Coastal Change Management Areas.
Councillor Dan Ledger, Personal, Ward Member for Seaton.

Minute 67. Coastal Change Management Areas.
Councillor Ian Thomas, Pecuniary, Owns a property that featured on the map. Was placed in the virtual waiting room while the item was being discussed and did not take part in the debate or the vote.

Minute 68. Review of the East Devon Local Plan 2013 - 2031.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for Broadclyst.

Minute 68. Review of the East Devon Local Plan 2013 - 2031.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 68. Review of the East Devon Local Plan 2013 - 2031.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton Popleford and Harpford Parish Councils.

Minute 69. Proposed approach to planning the production of a new Local Plan.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for Broadclyst.

Minute 69. Proposed approach to planning the production of a new Local Plan.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 69. Proposed approach to planning the production of a new Local Plan.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton
Popleford and Harpford Parish Councils.

Minute 70. Future housing needs in East Devon.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for
Broadclyst.

Minute 70. Future housing needs in East Devon.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 70. Future housing needs in East Devon.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton
Popleford and Harpford Parish Councils.

Minute 71. Housing Monitoring Update to year ending 31 March 2020.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for
Broadclyst.

Minute 71. Housing Monitoring Update to year ending 31 March 2020.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 71. Housing Monitoring Update to year ending 31 March 2020.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton
Popleford and Harpford Parish Councils.

Minute 72. Employment Land Review to year ending 31 March 2020.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for
Broadclyst.

Minute 72. Employment Land Review to year ending 31 March 2020.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 72. Employment Land Review to year ending 31 March 2020.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton
Popleford and Harpford Parish Councils.

Minute 72. Employment Land Review to year ending 31 March 2020.
Councillor Philip Skinner, Personal, Close friends with the owners of Greendale Business
Park and did not take part in the debate or vote.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Dan Ledger, Personal, Ward Member for Seaton and a Seaton Town
Councillor.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for
Broadclyst.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Mike Howe, Personal, Member of the Community Infrastructure Levy Working
Party.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Nick Hookway, Personal, Ward Member for Exmouth Littleham.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Oly Davey, Personal, Exmouth Town Councillor.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton Popleford and Harpford Parish Councils.

Minute 73. Section 106/Community Infrastructure Levy Developer Contributions.
Councillor Sarah Chamberlain, Personal, Resident of Broadclyst Station, near Cranbrook and a Broadclyst Parish Councillor.

Minute 74. Affordable Housing Supplementary Planning Document and Mortgagee Exemption Clauses.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for Broadclyst.

Minute 74. Affordable Housing Supplementary Planning Document and Mortgagee Exemption Clauses.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 74. Affordable Housing Supplementary Planning Document and Mortgagee Exemption Clauses.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton Popleford and Harpford Parish Councils.

Minute 75. Heritage Strategy Monitoring Report and East Budleigh Conservation Area Review.
Councillor Eleanor Rylance, Personal, Broadclyst Town Councillor and Ward Member for Broadclyst.

Minute 75. Heritage Strategy Monitoring Report and East Budleigh Conservation Area Review.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 75. Heritage Strategy Monitoring Report and East Budleigh Conservation Area Review.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton Popleford and Harpford Parish Councils.

65 **Matters of urgency**

There were no matters of urgency discussed.

66 **Confidential/exempt item(s)**

There were no items that officers recommended should be dealt with requiring exclusion of the public or press.

67 **Coastal Change Management Areas**

The Chairman invited the three public speakers to speak.

Richard Eley, addressed the Committee, who was registered to speak on behalf of Sidmouth Chamber of Commerce. He advised that they supported the four recommendations and agreed Cabinet should urgently consider the matter. He asked for an immediate suspension of the Sidmouth Beach Management Plan to enable it to be reviewed with a new evidence base, clear thinking and an open minded approach.

He raised concerns about the questionable projections within the report advising the methodology was experimental and algorithmic and that Plymouth University had used untried and experimental mathematical technique and should be treated with caution.

Martin Shaw, raised concerns on behalf of the residents of West Seaton. He advised they generally welcomed the new study but questioned the previous lines drawn by the Shoreline Management Plan as the lines did not correspond with the pattern of erosion in recent times.

He suggested exploring whether the study that indicated the assumption of the Shoreline Management Plan that the western side of Seaton should be a management realignment zone and whether it was sustainable because the study had suggested more serious damage to properties and roads between Seaton and Beer which would have serious implications for residents.

There was concerns about the assumptions of the Shoreline Management Plan and concerns that the Beach Management Plan was operating on a too limited framework and on the assumption on erosion from below. Mr Shaw drew Members attention to the rainfall erosion in 2012 resulting in a landslip in Old Beer Road and said this was likely to be a problem again.

Karen Boyes, a resident of Seaton Hole, asked Members to consider the provision of the South West coastal path and raised concerns that the path between Seaton and Beer was disappearing. She also asked Members to consider the incorporation of a disability friendly beach access at Seaton Hole into future plans.

The Service Lead – Strategic Planning and Development Management presented the report setting out a methodology for defining areas that may be affected by physical change to the coast over the next 100 years. The report showed a pilot study area was used from the coastline of Sidmouth to the edge of Lyme Regis to look at coast erosion and likely impacts from factors such as increase in the rate of sea levels due to climate change.

Members noted the report reflected a precautionary approach and was a worst case scenario, a method endorsed by the Environment Agency and did not take account of the coastal protection measures being planned.

The Service Lead – Planning Strategy and Development Management advised the work was for planning purposes and the study was proposed to be used in the production of the new Local Plan to help identify coastal change management areas where policies may be needed to affect what is acceptable in planning terms.

Members also noted that a press release had been issued in advance of the meeting to highlight the difference between previous studies and acknowledged that the work would be of concern to residents in those areas.

The Chairman welcomed comments from non-committee members.

Councillor Jung, Portfolio Holder for Coast, Countryside and Environment advised as a Local Planning Authority there was a need to demonstrate that management plans had been considered when proposing an area for coastal management. He advised work was being done on the beach management plans for Sidmouth and Seaton Hole. He acknowledged the report highlighted severe coastal change predictions and said work was being done with partners to help coastal communities to protect natural habitat and suggested an alternative proposal.

The Chairman welcomed comments from Committee Members.

Comments made during discussion included:

- Concerns raised about using an untested and incomplete paper for planning purposes;
- If this report is a worst case scenario we should avoid building in places that may, in time, should the worst happen be underwater;
- Clarification was sought whether there would be inland flood maps that reflected this reality; The Service Lead – Strategic Planning and Development Management advised the Environment Agency inland flood maps echo the precautionary approach which they endorse and is reinforced by government guidance;
- A question was raised whether planning policies would reflect what is currently happening to the climate;
- A question was raised whether the Environment Agency would produce reliable information on surface water flooding which is connected with coastal erosion;
- Guidance was sought from the Service Lead – Strategic Planning and Development Management on the proposed amendment to the recommendations. In response the Service Lead – Strategic Planning and Development Management advised the recommendations allowed planning to be separate from the design of coastal defences. The study identified areas in the future Local Plan where certain forms of development might not be appropriate or vulnerable to change. He advised it was an appropriate approach to take as a local planning authority
- Predictions are frequently inaccurate;
- The report has been useful in highlighting some of the shortcomings of the current Shoreline Management Plan particularly the variations in the rates of erosion along the cliffs;
- The report should not be ignored for planning changes and we should apply the same precautionary principles as Plymouth University;
- Alternative proposals were discussed and dismissed.

The following amendments to the recommendation was proposed by Councillor Mike Howe and seconded by Councillor Paul Arnott.

4. Members recommend that further specialist combined work is carried out combining the planning requirements and engineering hold the line solution to provide a more fully informed paper to Cabinet;

5. To thank the University for providing the results on the pilot scheme and to discuss with them how this work can be amalgamated with the recent and planned engineering, flood and coastal scheme to provide a best case scenario for Cabinet to work through.

The Chairman requested that a vote take place on the motion. The motion was put to committee and with an overall majority the motion was carried with no abstentions.

RESOLVED:

1. That the erosion lines for the Sidmouth to Lyme Regis coast be noted for planning purposes;
2. That the proposed methodology for any further work on the remainder of the East Devon coast and for any designation of Coastal Change Management Areas through the local plan process be noted;
3. That the proposed next steps be considered and an approach to communicating the issues heightened in this report to affected residents and businesses be agreed;
4. That further specialist combined work to carry out combining the planning requirements and engineering “hold the line solution” to provide a more fully informed paper to Cabinet be agreed;
5. To thank the University for providing the result on the pilot scheme and to discuss with them how this work can be amalgamated with the recent and planned engineering, flood and coastal scheme to provide a best case scenario for Cabinet to work through be agreed.

68 **Review of the East Devon Local Plan 2013 - 2031**

The Committee considered and discussed the report presented by the Service Lead – Planning Strategy and Development Management advising Members that the review of the East Devon Local Plan 2013 to 2031 must be completed by 28 January 2021.

The toolkit provided by the Planning Advisory Service highlighted some key issues including significant changes in economic conditions, stalling of key infrastructure projects and not all policies being achievable. All of which leads to a wider review of the Local Plan.

Members were asked to be mindful as decision makers that the weight that can be attributed to policies that are not in complete alignment with the NPPF has to be considered and the work done in the toolkit would help Members understand.

Discussion covered:

- A comment was made about A9 – surface flood water. We are experiencing increasing surface water flooding. The Environment Agency need to revise their maps as they are not up to the job anymore;
- Clarification was sought about the delivery of infrastructure. How can we consider building 7,900 houses in 10 years without knowing how we need to deliver the infrastructure for them;
- Concerns raised that the configuration of business premises was not known. Covid-19 has altered the landscape of whether people work at home or not;
- Concerns raised how to figure out what the trends were in economic premises;

RESOLVED:

1. **The findings of the Toolkit Part 1 – East Devon Local Plan 2013 to 2031 review assessment, which concluded that a full policies update to the Local Plan is required be agreed.**
2. **That Officers will discuss the findings of the Local Plan review assessment with the prescribed duty to co-operate bodies, and then make any consequential amendments before finalising the review (any significant comments could potentially change the conclusion of the review will be brought back to Strategic Planning Committee) be agreed.**
3. **The next steps detailed in the report and the consequences of the Local Plan turning five years old be noted.**

69 **Proposed approach to planning the production of a new Local Plan**

The Committee considered the Service Lead – Planning Strategy and Development Management’s report outlining a summary proposal for a new local plan for East Devon setting out two options for possible timetables.

Members noted the difference between the two options were the resources available and the level of engagement. Option 1 had the fastest timeline with time constraints for consultation and engagement with members through meetings and would also require two additional staff members to help with the workload. Option 2 would add approximately one year to that timescale as it would utilise only existing resources and workshop sessions with Members, Town and Parish Councils are included.

Members noted that at the present time and at least in the short term of engagement sessions would be constrained by Covid-19. Members also noted that the preparation of the last Local Plan was led by a Member Panel enabling greater member involvement albeit this raised concerns about probity and was time consuming.

The Chairman welcomed comments from non-committee members:

- The Committee was urged to get on with the process and to choose the speedier option;
- Clarification was sought on the HELAA process and the need to go out to consultation again on work already done. The Service Lead – Planning Strategy and Development Management advised the intention was not to get rid of the previous HELAA but to be mindful that there is a need to make sure the assessments as part of that examination were up-to-date. It was also advised the GESP was focused on large strategic sites and to be mindful of small sites that may not have been put forward previously.

Committee Members discussions covered:

- A hybrid option should be considered because we should not proceed without community engagement;
- Suggestion was made to combine elements from Option 2 into Option 1;
- Clarification was sought on why Option 2 timeline had a 4 months fallow period from January 22 to April 22. The Service Lead – Planning Strategy and Planning Development advised they were not fallow months, it would be used for gathering evidence and preparation of reports;
- This is set up to look identical to GESP which it should not and must not;
- Numerous concerns were raised throughout the document;

- Neighbourhood Plans need to be upheld and supported;
- We need a review of the existing Local Plan not a new Local Plan;
- Concerns raised about the need for 3 months for community engagement. Effective online engagement should be considered;
- The new Local Plan should include more green infrastructure to assist the move to sustainable communities;
- An alternative proposal for a hybrid option was discussed that Members were supportive of;
- Support was expressed for the recruitment of two additional Planning Officers. Discussions included recruiting as a matter of urgency.

The following amendment to the recommendation was proposed by Councillor Ben Ingham and seconded by Councillor Phil Skinner.

Members to consider a review of a hybrid option between Option 1 and Option 2.

The further amendment to the recommendation was proposed by Councillor Arnott.

1. To recommend to Cabinet that the staff budget for the Planning Policy Team be increased to enable the recruitment of two additional Planning Officers.
4. That a further report on timescales be brought back to the December Strategic Planning Committee.

The proposer of the motion, Councillor Ben Ingham and the seconder, Councillor Phil Skinner confirmed they were in agreement.

The motion was put to Committee and was carried with no abstentions.

RESOLVED:

- 1. Recommend to Cabinet that the staffing budget for the Planning Policy Team be increased be approved to enable the recruitment of two additional Planning Officers.**
- 2. The production of a local plan issues and options report to come back to Committee in December 2020 with a view to consultation in January 2021 be endorsed.**
- 3. Recommend to Cabinet to support in-principle the production of a joint non-statutory plan to include a joint strategy and infrastructure plan for the Greater Exeter area in partnership with Exeter, Mid Devon, Teignbridge and Devon County Councils be approved subject to agreement of details of the scope of the plan, a timetable for its production, the resources required, government arrangements etc.**
- 4. A further report on timescale be brought back to December Strategic Planning Committee be agreed.**

70 **Future housing needs in East Devon**

The Committee considered the report by the consultants ORS into future housing needs in East Devon to form part of the evidence base for the production of the new Local Plan highlighting a number of key needs. Members noted the recent publication of the final report detailing a few amendments.

Non-Committee Members comments included:

- Clarification was sought on paragraph 2.2 (d) on whether the consultation broke down the different types of affordable housing. In response the Service Lead – Planning Strategy and Development Management confirmed that a full breakdown is included in the ORS report;
- Clarification was sought on paragraph 2.2 (h) on why satisfaction levels were lower in Cranbook. It was advised no further detail was available.
- Clarification was sought on paragraph 2.2 (i) on building homes in East Devon for people moving from elsewhere. The Service Lead – Planning Strategy and Development Management advised under government guidance the council required to meet the need.

Committee Members discussions covered:

- The report does not meet the objective of building and designing homes for people at all stages of life;
- Clarification was sought on paragraph 2.2 (d) affordable homes and (f) sheltered and extra car homes. Only 119 homes to be built for residents and others who do not fall into those two categories. The Service Lead – Planning Strategy and Development Management advised it was a fundamental problem that affordable housing needs outstrips what the Council can deliver which we need to address in the preparation of the Local Plan.

RESOLVED:

That the contents of the report be noted and forms part of the evidence base for the production of the new Local Plan be agreed.

71

Housing Monitoring Update to year ending 31 March 2020

The Service Lead –Planning Strategy and Development Management presented the report setting out the latest monitoring figures on housing completions and projection and the Five Year Land Supply calculation to year ending 31 March 2020. Members noted that 1065 homes were built in the district over the last year; a marked increase over the 929 of the previous year. The Service Lead – Planning Strategy and Development was pleased to report it was the highest number delivered in a single year in East Devon.

He was also pleased to report there was still a five year housing supply but drew Members attention that it was a declining position, delivery was also slowing down on a number of sites since March due to Covid-19 leading to implications summarised on page 62 paragraph 6.1.

RESOLVED:

That the residential dwellings completion data and future projections for the district be noted.

That the confirmation of a Five Year Land Supply but also the Five Year Land Supply figure has dropped since the last report be noted.

72

Employment Land Review to year ending 31 March 2020

The Service Lead – Planning Strategy and Development Management presented a report summarising the employment land review undertaken for 2019-20.

Members noted the Council had granted consent for 5.56 hectares of additional employment land this year totalling 42.86 hectares of consented employment land. The attached appendix to the report detailed individual sites.

RESOLVED:

That the report be acknowledged.

73

Section 106/Community Infrastructure Levy Developer Contributions

The report presented to the Committee outlined the financial contributions paid to the Council through S106 agreements and Community Infrastructure Levy (CIL).

The Service Lead – Planning Strategy and Development Management advised Members that a total of £860,000 had been collected through S106 agreements. £550,000 being spent on habitat mitigation and sports and play projects and £3.2m had been collected from the Community Infrastructure Levy (CIL) with a further £22,000 due to be paid and over £2m in potential receipts for granted consent on development.

Members noted that time consuming work was being undertaken to transfer data onto the system to enable the information to be viewed online via a public interface module on the council's website. Members also noted that the government now required an infrastructure funding statement to be published which the council would publish by the end of the year.

Non-Committee Members points raised included:

- Question raised about how much monies was due but had not been paid and what action was the Council taking to pursue that money. The Service Lead – Planning Strategy and Development Management advised he did not have that information to hand as it was not part of the monitoring report.

Committee Members discussions covered:

- Clarification sought on when the report commissioned by the South West Audit Partnership would be brought to Strategic Planning Committee. The Service Lead – Planning Strategy and Development Management advised it was currently being drafted and would be considered at Audit and Governance Committee. Concerns were raised that Members were asked to note a report when the South West Audit Partnership report was not ready. In response the Chief Executive advised it was normal process for Audit and Governance to consider the report first but would expect it to come to this committee when issued and a report prepared.

RESOLVED:

- 1. The contents of the report be noted.**
- 2. The requirement to provide an 'Annual Infrastructure Funding Statement' be noted.**
- 3. A meeting of the CIL Members Working Party to consider options for the spend of CIL receipts and form recommendation for future consideration by Strategic Planning Committee be convened.**

74

Affordable Housing Supplementary Planning Document and Mortgage Exemption Clauses

The report presented to the Committee outlined the responses received during the second round of public consultation on the draft Affordable Housing Supplementary Planning Document (SPD) (January to February 2020). The Service Lead – Planning Strategy and Development Management was pleased to advise following consultation and minor amendments the SPD document was ready to be adopted as appended to this report.

The Service Lead – Planning Strategy and Development Management advised Members that amendments to the process of the mortgage exemption clauses were required. He advised that the current process involves a report being prepared by officers which would be sent to the Board Members for their agreement before being signed off by the Development Manager or in consultation with the Chairman of the Planning Committee. As it was a lengthy process it was recommended that the powers to make these changes be entirely delegated to officers and if Members were in agreement recommend to Council to enable the necessary changes to the Constitution and adoption of the SPD as a recommendation to Cabinet.

The following amendment to the recommendation was proposed by Councillor Mike Howe and seconded by Councillor Allen.

To recommend to Council that the constitution be amended to add 'Deeds of variation to amend mortgagee exemption clauses in line with the securitisation working group template clause' to the list of other planning delegations to the Service Lead (Planning Strategy and Development Management) in consultation with the Chair of Planning Committee.

RESOLVED:

- 1. The comments received during the second round of public consultation on the Draft Affordable Housing Supplementary Planning Document and be noted and the council responses endorsed.**
- 2. Recommend to Cabinet that the Affordable Housing Supplementary Planning Document attached at Appendix A be considered and adopted.**
- 3. Recommend to Council that the constitution be amended to add 'Deeds of variation to amend mortgagee exemption clauses in line with the securitisation working group template clause' to the list of other planning delegations to the Service Lead (Planning Strategy and Development Management) in consultation with the Chair of Planning Committee be approved.**

75

Heritage Strategy Monitoring Report and East Budleigh Conservation Area Review

The report presented to the Committee summarised the historic environment of the district, its significance and its benefits. The report also identified the heritage issues in East Devon and outlined objectives for the future. The Service Lead – Planning Strategy and Management Development was pleased to report that 17 out of the 18 short term actions for 2019/20 had been achieved including the provision of a guide to the listing of local heritage assets.

During discussion on the detail of the report it was brought to the Committee's attention that as there was no change to the boundary of the Conservation Area there was no duty to consult with property owners and where properties were added to the Local List those property owners were consulted.

RESOLVED:

- 1. That the Heritage Strategy Monitoring Report be noted.**
- 2. That the East Budleigh Conservation Area Appraisal Review and Management Plan 2020 be approved for adoption.**

76

Clyst Valley Regional Park Masterplan

The Service Lead – Planning Strategy and Development Management presented the report which sought Members agreement for the draft Clyst Valley Regional Park Masterplan for public consultation.

Members noted the Local Plan had envisaged forming the Clyst Valley Regional Park as a multifunctional regional park providing natural space and access for cycleways and was previously considered by this Committee in February 2018 establishing a Task and Finish Group supported by three levels of Local Government within the area as well as Environment Agency, Natural England and others to support the development of the masterplan.

The Portfolio Holder for Coast, Country and Environment encouraged Members to support the consultation and said it was a green policy to be proud of and an existing delivery of green initiatives.

Committee Members comments included:

- Reference was made to page 33 figure 26 and clarification was sought on the habitat corridors not covered by the area projects.
- Clarification was sought on how to guarantee that no further development would take place in those areas of the Masterplan. It was advised there were policies within the Local Plan that would not allow development that would restrict the delivery of the Regional Park.

The following amendment to the recommendation was proposed by Councillor Mike Howe and seconded by Councillor Paul Arnott.

That Members agree the draft Clyst Valley Regional Park Masterplan for public consultation but delegate to the Service Lead – Planning Strategy and Development Management and Chair of Strategic Planning Committee amendments prior to issue for consultation.

The vote took place and the motion was carried.

RESOLVED:

That the draft Clyst Valley Regional Park Masterplan be agreed for public consultation but delegate to the Service Lead – Planning Strategy and Development Management and Chair of Strategic Planning Committee amendments prior to issue for consultation.

Attendance List

Councillors present:

P Arnott

M Allen
K Blakey
S Chamberlain
O Davey (Vice-Chairman)
P Hayward
N Hookway
M Howe
B Ingham
D Ledger (Chairman)
K McLauchlan
A Moulding
E Rylance
P Skinner
I Thomas

Councillors also present (for some or all the meeting)

M Armstrong
D Bickley
S Bond
P Faithfull
M Hartnell
S Jackson
V Johns
G Jung
P Millar
H Parr
G Pook
V Ranger
M Rixson
J Rowland
E Wragg

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Shirley Shaw, Planning Barrister
Mark Williams, Chief Executive
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Online via the zoom app on 22 October 2020****Attendance list at end of document**

The meeting started at 2.00 pm and ended at 5.03 pm

77 Public speaking

Councillor Barry Rogers of Cranbrook Town Council spoke about weighing up the two propositions; delivery now with a known end delivery date, or the alternative that had no clear timescale. He advised the committee that the local residents wanted delivery now, which would allow residents to have facilities close enough to walk to, embracing the ethos of active lives in the town. He stated that there was no appetite for a hotel, and business units were available at the nearby Skypark, therefore not required in the town. He felt that leisure centres were unviable. He was not confident that the District Council could deliver and urged the committee to support the proposal from the East Devon New Community Partners (EDNCp).

Councillor Ray Bloxham, Devon County Councillor and Member of Cranbrook Strategic Delivery Board spoke about recent positive discussion between the County Council and the EDNCp that delivered additional funding to the design work; and how not moving forward now jeopardised local projects to deliver youth services. He reminded the committee of how the fabric of high streets had changed dramatically in recent years, and they had to be mindful of the local economy and the close proximity by train to Exeter's offer. He made reference to a county report comparing the two options and asked that, to move forward, the proposals of the EDNCp would boost the town. Not accepting the proposals would be detrimental to the morale of the residents.

Mr Peter Healey, a resident of Cranbrook, had submitted a statement read out on his behalf by the Democratic Services Officer, which stated:

"I strongly urge councillors and planners to take the longer-term view when deciding between the two options for the development of Cranbrook Town Centre.

To my mind, the polls undertaken by Cranbrook Town Council (CTC) and the East Devon New Community Partners (EDNCp) are invalid, because...

1. The polls were taken before people have had a chance to see any details of the proposed Cranbrook Town Centre master plan SPD, and before the EDNCp plan was finalised. Indeed, the Cranbrook Town Centre report has only just been made publicly available.
2. The wording of the CTC poll was heavily biased towards supporting the short-term EDNCp view. It was suggested that the alternative might be no town centre, or supermarket, for many years.
3. We were led to believe that Morrison's would pull out if the EDNCp proposal was not accepted, whereas it now appears that it is the EDNCp who would cause this to happen (see sections 13.2 and 15.2 of the Cranbrook Town Centre report).
4. The polls were on-line and therefore open to abuse.

There appears to be an unhealthy rush, by some, to get the EDNCp proposal accepted before it can be properly scrutinised and before the alternative proposals by EDDC are heard. The outcome of the Cranbrook DPD examination process could also have important bearing (see section 8.4).

The EDNCp proposal is short-term, profit driven, and significantly reduces the options for future development of the town. The EDNCp's track record shows that they cannot be trusted to deliver on their obligations (see sections 5 and 6), so why trust them now?

I find the following quote from section 13.2 incredible! – alluding to coercion...

“They would like the Council to sign a Memorandum of Understanding (MOU) to agree in principle to their proposals. Without the MOU in place they assert that they will not conclude the negotiated sale with HDD (to deliver a supermarket, high street retail and nursery) and will not complete sufficient dwellings in the wider town development to trigger the need for some of the S106 obligations for the town centre.”

Lythan Nevard, Cranbrook resident and Minister for Cranbrook spoke about the strong sense of community that town had. She referenced this decision as a tipping point, outlining the needs of the area including community space to cater to the growing community. She felt that the social infrastructure could not currently keep pace with the growing community, including practical issues such as storage space for community groups. The message of the town centre “coming soon” had been in place for seven years, and as a result the residents had become disillusioned, and some would be likely to leave the town as a result. She stressed that the community needed delivery soon to become a town, not a housing estate.

Andy Richardson, a resident of Cranbrook, had submitted a statement read out on his behalf by the Democratic Services Officer, which stated:

“I have lived in Cranbrook since 2015, one of the things that drew us here to live was the idea of a new town and a new start. Since I have lived here, I have seen many changes to the landscape and what goes on. One thing I was told when buying my house, was about how the town centre was going to be built and offer us shopping, eating etc. We are now in 2020 and in the middle of a pandemic! Still no town centre is evident. As a resident of Cranbrook it is not great to know that promises are not being delivered. I'm in favour of something being done now, not on the never never. Is it wrong to actually want what has been promised by various committees and panels of so called experts. We desperately need facilities in this town, or we are in danger of becoming a suburb of Exeter and nothing more than a big housing estate! It's time for EDDC and the consortium to deliver on facilities for us. For too long this has dragged on, and I doubt a trade town centre would work. Though it seems to us as residents that nobody cares about what's going on. High council tax rates, extras put onto what we pay for, and still nothing from the consortium or EDDC. You need to deliver our facilities, facilities that have been promised. At present nobody has any faith in any of the decision makers. In fact many people think those in command are trying to get out of what they have promised to do, and see Cranbrook solely as a money making exercise for the developers. This attitude that seems to persist in delivering the facilities on a "not now, when we decide to do it" has to stop. We the residents of Cranbrook want our town centre and facilities. You need to sit down and work out how to deliver on the promises made, and stop shying away from what needs to be done. If this path carried on Cranbrook will be just a concrete jungle with little going for it! And whose hare-brained idea is it for a hotel? We got nothing to offer a hotel company, we still don't have a supermarket for crying out loud. Some of us think the consortium and developers are only interested in profits and not the people.”

East Devon New Community Partners presentation

East Devon New Community Partners – represented by Nick Duckworth, Scott Davidson and Nick Freer – gave a presentation to the committee outlining their proposals. This covered an update since the publication of the agenda, including:

- Amended composite layout for the Town Centre;
- examples of elevational treatments to give a distinctive aesthetic to the town;
- amend the Memorandum of Understanding (MoU) to ensure that heating will not be delivered in the town centre by mains gas sources, but look for a viable district heating solution;
- Diverting s106 contributions from the Bowling Green Allotments and Formal Play to the Town Council building;
- Reminder of the results of the consultation undertaken by EDNCp.

The EDNCp representatives also outlined their proposals to the committee, and presented slides showing the site layout around the food store, a visual impression of what the street view would look like.

The representatives were keen to stress that the alternative approach by means of a Masterplan Supplementary Planning Document (SPD) will lead to delay of delivery and will not lead to partnership. They did not consider the SPD route as meeting the community vision for the town centre, and was unnecessary, as the land made available through the proposed MoU (with the inclusion of additional 0.4 hectares of land on TC4d) was capable of delivering:

- Extra care, Health and Wellbeing Centre, Town Hall and other office or residential uses on TC2;
- All Devon County Council requirements on TC4b; and
- Any remaining section 106 uses on TC4c

The explained the considerable difference a delivery of a food store would make to local residents, providing them means of a full weekly shop. The food store would also serve as a catalyst to a sustainable town centre. The outline of product range was explained, along with the scale of job creation of approximately 60 FTE at the food store. Concern was voiced that the operator would go elsewhere if it could not be demonstrated that the food store could be delivered. The EDNCp were ready to submit a planning application in the New Year, looking to delivery by the summer of 2022 to local residents.

The representatives of the EDNCp reiterated the support of the County Council, Cranbrook Town Council, and local residents in their proposals. The stated that their proposals were not supported out of frustration, but because they delivered what the Town required.

78 **Declarations of interest**

Councillor Kevin Blakey – personal interest – Member of Cranbrook Town Council; Chairman of the Cranbrook Strategic Delivery Board; and has attended multiple meetings with developers and others since 2015.

Councillor Sarah Chamberlain – personal interest – owns a smallholding at Broadclyst Station on the edge of Cranbrook.

Councillor Paul Hayward – personal interest – daughter resides in Cranbrook.

Councillor Mike Howe – personal interest – owner of retail village store in Clyst St Mary and previous director of a retail outlet.

Councillor Dan Ledger – personal interest – Member of Cranbrook Strategic Delivery Board.

Councillor Eleanor Rylance – personal interest – representing parish of Broadclyst and former Ward Member for Cranbrook.

Councillor Kay Bloxham – personal interest - Member of Cranbrook Town Council; Member of the Cranbrook Strategic Delivery Board; and has attended multiple meetings with developers and others.

Councillor Sam Hawkins - personal interest - Member of Cranbrook Town Council; Member of the Cranbrook Strategic Delivery Board; and has attended multiple meetings with developers and others.

79 **Matters of urgency**

There were no matters of urgency.

80 **Confidential/exempt item(s)**

There were no items under this designation.

81 **Cranbrook Town Centre**

The committee had before them a report outlining the background to Cranbrook Town Centre, and two options for its delivery:

- A commercially led approach, presented by the East Devon New Community Partners (EDNCp);
- A Cranbrook Town Centre Masterplan SPD that seeks to reflect the original vision for the town centre.

The Service Lead for Planning Strategy and Development Management outlined some key elements of his extensive report, and asked the committee to consider the following questions in their consideration of the offer from the EDNCp:

- Does it deliver a town centre to the requirements that have been agreed by the Council?
- If not, are there sufficient grounds to depart from policy?
- What if any harm would arise from the EDNCp offer?
- Are the Supplementary Planning Document proposals significantly better and are they achievable?

He outlined the recommendations in the report, which permitted a twin track approach of both starting to develop an SPD whilst being open to continued negotiations with the EDNCp.

Questions and comments by members outside of the committee

Cranbrook ward member Councillor Kim Bloxham strongly expressed the need of the residents, made clear through consultation, to deliver the facilities long awaited. She reminded the committee of the protracted negotiations over several years, still with no resolution to a positive way forward and the delivery of a town centre and its facilities. She stressed that local residents were totally disillusioned with the approach of the District Council and felt that they were not part of East Devon. She accepted that the

EDNCp proposals were not perfect, but she supported local residents in wanting their option to be agreed, and urged the committee to reject the SPD proposal.

Cranbrook ward member Councillor Sam Hawkins challenged the statement in the report that the Council has the ability to invest in the delivery of Cranbrook. He felt that there had been no willingness to invest, with one example being the country park being funded by the local community. He too referenced the local opinion being that Cranbrook did not feel that it was part of East Devon only the cash cow of the district. Exeter have nearly completed a new leisure centre accessible by residents by train in 9 minutes, so one is not needed in the centre of town; the SANGS requirements for the district has been covered by Cranbrook's s106 provision. He felt that the timescale of the SPD was unrealistic, based on previous experience. There was little commercial benefit for any retailers to come to Cranbrook when so much is available at Exeter. Any delay in delivering a town centre now only wastes the benefit of the Enterprise Zone designation and the retention of business rates possible until 2022. He likened the issue to the West Lothian question.

Other key points made by members outside of the committee included:

- Improving building standards;
- Care with gaining assurances relating to the District heat network;
- Leisure facilities key for the town's youthful community.

The Chairman then heard extensive debate from the Committee Members, including Cranbrook Ward Member Councillor Kevin Blakey, with highlights detailed below.

For and against the EDNCp proposals

- Provided a swifter solution to the needs of the town;
- Residents clearly in desperate need of a solution now;
- Devon County Council in support – to clarify, the Service Lead for Planning Strategy and Development Management outlined that any Devon County Council agreement still needed to be ratified by their Cabinet;
- Apology to the people of Cranbrook that this had not been delivered to date, but the proposal contained too many houses, and diverting money to put towards the town council building and design meant still equated to the money having to be found for those needs to still be funded;
- Viability not proved with the proposals, and there is still a need for a hotel and employment space;
- Not enough in terms of outside space and facilities contained in the proposals
- The proposed town council building was to be a functional commercial building that could raise income from hire fees;
- Several shops were included in the design, and other shops could be located elsewhere in the town;
- Experience of MoU elsewhere was expressed, as the document was not binding, and prone to frequent renegotiation;
- Design elements shown were not attractive enough, and should be a flagship for the town with creative and inspiring design.

For and against the Cranbrook Town Centre Masterplan SPD proposal

- Committing to an SPD was no guarantee of delivery;

- Since the original vision for the town, circumstances had drastically changed and the mix of retail, social and other facilities in this vision needed to be amended to reflect current times and pressures;
- Preferred route to deliver the needs of the town in the long term, particularly to serve the town at the size it will reach;
- Many examples elsewhere in the country where the town centre development had been incorrect and not fit for purpose – learn from those and invest the time and effort to deliver a centre that was what the residents deserved;
- Challenging evidence that a leisure centre is required in the town centre, particularly reflected in evidence in other towns, where leisure centres were located on the outskirts, providing parking. In response, the Service Lead explained that taking the EDNCp proposal left few options to accommodate leisure elsewhere in the town; and that accommodating such facilities centrally allowed those to link with other central services and be within easy walking distance for its customers;
- Where would any public toilets be located, as there was no major central building to locate them to – were the Council prepared to build and maintain them.

It was proposed by Councillor Blakey, seconded by Councillor Moulding (and subsequently by Councillor Allen when Councillor Moulding left the meeting) that:

- a) All three tiers of local government and ward members work proactively with the Consortium's proposal to refine the offer;
- b) That all parties work together to finalise a Memorandum of Understanding which provides clarity on delivery and related timescales for the Consortium's offer and provides a basis for the town centre in Cranbrook to be delivered as soon as possible for the benefit of the community.

The above motion failed on a recorded vote as follows:

Councillor Allen	For
Councillor Arnott	Against
Councillor Blakey	For
Councillor Chamberlain	Against
Councillor Davey	Against
Councillor Hayward	Against
Councillor Hookway	Against
Councillor Howe	For
Councillor Ledger	Abstain
Councillor McLauchlan	Against
Councillor Rylance	Against
Councillor Thomas	For

The recommendations set out in the report were proposed by Councillor Davey, seconded by Councillor Chamberlain.

RESOLVED

1. That the background to Cranbrook Town Centre, the planning obligation requirements on the developers, and the current planning policy position have been considered;
2. That the proposals made by the East Devon New Communities Partners and the officer's concept for a proposed Town Centre Masterplan have been considered;

3. Advise the East Devon New Communities Partners that the Council is not minded to enter into the proposed Memorandum of Understanding based on the proposed heads of terms at the present time, but is open to further negotiation;
4. That work continues on the draft SPD Masterplan. In the event that sufficient funding commitments are made, a draft SPD and delivery plan be presented to the Strategic Planning Committee in December 2020. In the event that sufficient funding cannot be identified, a further report be brought to the Strategic Planning Committee in December 2020 to update Members and give consideration to the East Devon New Communities Partners proposals as they stand at that time;
5. That a further report be brought to the Strategic Planning Committee to consider alternative development delivery vehicles.

RECOMMENDATION to Cabinet

That funding be made available to support the pro-active delivery of the town centre, based on the draft SPD Masterplan.

The above resolutions and recommendation were carried on a recorded vote as follows:

Councillor Allen	Abstain
Councillor Arnott	For
Councillor Blakey	Against
Councillor Chamberlain	For
Councillor Davey	For
Councillor Hayward	For
Councillor Hookway	For
Councillor Howe	Against
Councillor Ledger	Abstain
Councillor McLauchlan	For
Councillor Rylance	For
Councillor Thomas	Against

(Committee members Councillors Moulding and Skinner left the meeting before voting took place, having given notice to the Chair at the start of the meeting of their need to leave at 4.00pm)

Attendance List

Councillors present:

P Arnott
M Allen
K Blakey
S Chamberlain
O Davey (Vice-Chairman)
P Hayward
N Hookway
M Howe
D Ledger (Chairman)
K McLauchlan
A Moulding
E Rylance
P Skinner
I Thomas

Councillors also present (for some or all the meeting)

M Armstrong
D Bickley
K Bloxham
B De Saram
P Faithfull
S Hawkins
S Jackson
J Loudoun
M Rixson
J Rowland
E Wragg

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Shirley Shaw, Planning Barrister
Mark Williams, Chief Executive
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer
Thea Billeter, Cranbrook New Community Manager

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Planning Committee held at Online via the Zoom App on 7 October 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 3.15 pm. (The Committee adjourned at 12.15pm and reconvened at 12.20pm followed by a further adjournment at 2.15pm and reconvened at 2.30pm)

153 Minutes of the previous meeting

The minutes of the Planning Committee held on 9 September 2020 were confirmed as a true record.

154 Declarations of interest

Minute 156. 19/2197/MRES (Major) – TRINITY

In accordance with the code of conduct for Councillors and Officers dealing with the planning matters as set out in the Constitution it was advised all Committee Members had been lobbied in respect of this planning application.

Minute 158. 20/1185/FUL (Minor) – TALE VALE

In accordance with the code of conduct for Councillors and Officers dealing with the planning matters as set out in the Constitution it was advised all Committee Members had been lobbied in respect of this planning application.

Minute 159. 20/0753/FUL (Minor) - AXMINSTER.

Councillor Geoff Pratt, Personal, Had attended meetings with Developers and Officers to discuss the Websters Site.

Minute 161. 20/1516/VAR (Major) - SIDMOUTH SIDFORD.

Councillor Colin Brown, Pecuniary, In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Councillor Brown advised he was predetermined and was removed to the virtual lobby while this application was being discussed and did not participate in the debate or vote..

Minute 162. 20/1722/FUL (Minor) - EXMOUTH HALSDON.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 162. 20/1722/FUL (Minor) - EXMOUTH HALSDON.

Councillor Tony Woodward, Personal, Exmouth Town Councillor.

155 Planning appeals statistics

The Committee noted the Development Manager's report setting out 4 decisions notified and reported that 3 appeals had been dismissed and 1 allowed.

Members' attention was drawn to the appeal allowed for planning application 19/1787/CPE – Site of Spillers Cottage, Shute. The Development Manager referred to the Inspectorates decision to allow the appeal to grant consent of a Lawful Development Certificate determining the appellant had proven beyond reasonable doubt that the works had been commenced in the 1990's.

156 **19/2197/MRES (Major) - TRINITY**

Applicant:

Bestic Ethelston School Foundation.

Location:

Land Adjacent To Lyme Road (Adjoining Uplyme Village Hall), Uplyme.

Proposal:

Construction of two storey school building; improvements to an existing access off Lyme Road, car parking, all weather pay and sports area, grassed playing field and associated infrastructure (Reserved Matters application seeking approval of access, appearance, landscaping, layout and scale).

RESOLVED:

Approved as per Officer recommendation.

157 **20/0607/FUL (Minor) - BUDLEIGH AND RALEIGH**

Applicant:

CL Chambers (Budleigh Salterton)

Location:

Council Chambers, Station Road, Budleigh Salterton, EX9 6RL.

Proposal:

Provision of altered/additional car parking facilities.

RESOLVED:

Approved as per Officer recommendation.

158 **20/1185/FUL (Minor) - TALE VALE**

Applicant:

T & MJ Scarrott

Location:

Tale End, Payhembury, Honiton, EX14 3HL.

Proposal:

General purpose agricultural storage building.

RESOLVED:

Approved as per Officer recommendation.

159 **20/0753/FUL (Minor) - AXMINSTER**

Applicant:

Mr Hamid Hall

Location:

Former Natwest Bank, Victoria Place, Axminster, EX13 5AB.

Proposal:

Demolition of existing single storey rear extension and construction of terrace of 3 dwellinghouses.

RESOLVED:

Approved contrary to Officer recommendation.

Members determined that the public benefits from the proposal in terms of the improve appearance of the site/area, additional housing, sustainable nature of the development allowing the retention of the commercial use and enlivening of the area outweighed the less than substantial harm to the identified heritage assets. Conditions delegated to the Head of Planning in consultation with the Planning Committee Chairman and Ward Members.

160 **20/1395/FUL (Minor) - SIDMOUTH TOWN**

Applicant:

Mr Tim Drake.

Location:

Flat 1, Fernbrook, Convent Road, Sidmouth, EX10 8RB.

Proposal:

Alteration to front conservatory extension including increase in height (retrospective application).

RESOLVED:

Deferred for Officers to seek photographs from inside the flat at first floor to enable Members to fully consider the impact upon the occupiers of that dwelling.

161 **20/1516/VAR (Major) - SIDMOUTH SIDFORD**

Applicant:

Churchill Retirement Living.

Location:

Green Close, Drakes Avenue, Sidford, EX10 9JU.

Proposal:

Variation of Condition 1 (plans condition) and Condition 8 (tree protection) of planning consent 19/0996/VAR to include additional plan which proposes the felling of a horse chestnut tree and replacement with American Sweetgum (liquidamber) tree.

RESOLVED:

Approved as per Officer recommendation but subject to the following additional condition and the Council's Tree Officers being asked to consider the imposition of a Tree Preservation Order on the approved replacement tree:

'The replacement tree hereby shall be planted during the first available planting season and thereafter maintained for a period of 5 years. Should the tree die during this period it shall be replaced during the next planting season with a specimen of the same size and species.

(Reason: In the interests of the visual appearance and amenity of the area in accordance with Policies D1 (Design and Local Distinctiveness), D2 (Landscape Requirements), and D3 (Trees and Development Sites) of the adopted East Devon Local Plan.)

162 **20/1722/FUL (Minor) - EXMOUTH HALSDON**

Applicant:

Mr Richard Bartlett.

Location:

7 Belle Vue Road, Exmouth, EX8 3DR.

Proposal:

Construction of front porch.

RESOLVED:

Approved as per Officer recommendation.

163 **20/1683/FUL (Minor) - FENITON**

Applicant:

Mrs Jo Lock.

Location:

6 Feniton Gardens, Feniton, Honiton, EX14 3DG.

Proposal:

Construction of single storey rear extension.

RESOLVED:

Approved as per Officer recommendation.

164 **20/1529/FUL (Minor) - WOODBURY AND LYMPSTONE**

Applicant:

Mr B & Mrs S Ingham & Lenygon

Location:

Runaway, Courtlands Lane, Exmouth, EX8 5AB.

Proposal:

Construction of detached garage incorporating hall, wet room and first floor ancillary accommodation.

RESOLVED:

Approved as per Officer recommendation.

Attendance List

Councillors present:

E Wragg (Chairman)

S Chamberlain (Vice-Chairman)

K Bloxham
C Brown
O Davey
B De Saram
M Howe
D Key
K McLauchlan
G Pook
G Pratt
P Skinner
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
S Bond
A Dent
P Hayward
S Jackson
V Johns
G Jung
D Ledger
A Moulding
M Rixson
I Thomas

Officers in attendance:

Chris Rose, Development Manager
Jeremy Ebdon, Principal Planning Officer (East)
Shirley Shaw, Planning Barrister
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Wendy Harris, Democratic Services Officer
Amanda Coombes, Democratic Services Officer

Councillor apologies:

S Gazzard
J Whibley

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Planning Committee held at Online via the Zoom App on 4 November 2020****Attendance list at end of document**

The meeting started at 10.05 am and ended at 2.05 pm. The meeting was adjourned at 12.27 pm and reconvened at 12.45 pm.

165 Speakers' list and revised running order for the applications

The Chair advised Committee Members and members of the public watching online via the livestream that planning application 20/0297/FUL – Ladram Bay Holiday Park, Ladram Bay, Otterton had been withdrawn from the agenda and would not be considered.

166 Minutes of the previous meeting

The minutes of the Planning Committee held on 7 October 2020 were confirmed as a true record.

167 Declarations of interest

Minute 170. 20/1246/VAR (Minor) OTTERY ST MARY.
Councillor Kathy McLauchlan, Personal, Had met with the residents of the Long Range Caravan Park some time ago.

Minute 172. 20/1617/FUL (Minor) BROADCLYST.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

Minute 174. 20/0375/FUL (Minor) - YARTY.
Councillor Geoff Pratt, Personal, East Devon AONB Partnership Member.

Minute 174. 20/0375/FUL (Minor) - YARTY.
Councillor Paul Hayward, Personal, Clerk to Chardstock Parish Council. Declared he had attended the meeting to give his own submission as Ward Member for Yarty.

Minute 175. 19/2283/COU (Minor) YARTY.
Councillor Geoff Pratt, Personal, East Devon AONB Partnership Member.

Minute 175. 19/2283/COU (Minor) YARTY.
Councillor Philip Skinner, Personal, Member of the same political group as the applicant.

168 Planning appeal statistics

The Committee noted the Development Manager's report setting out 7 decisions notified and reported that 5 appeals had been dismissed and 2 allowed.

Members' attention was drawn to the 2 appeals allowed. Planning application 20/0471/FUL – Holmleigh, Back Lane, Newton Poppleford was allowed. The Inspector determined the visual impact of the increase in height of the proposal would not harm the character and appearance of the existing dwelling, the street scene or the surrounding

area. The second appeal allowed for planning application 19/F0171 – Land Opposite Woodbury Business Park, Woodbury. The Inspector determined the change of use to a car parking area would not harm the visual impact to the countryside.

Members was pleased to note the Inspector had upheld the decision to refuse planning application 19/2348/FUL – 13 – 15 High Street, Honiton for the erection of 2 dwellings in a rear garden within a conservation area.

Members also noted for information planning application 18/2339/MOUT – Hill Pond Caravan Park, Clyst St Mary, EX5 1DP. The Development Manager advised the Inspectors decision to allow the appeal had been challenged by the Council and was quashed by order of the High Court. As a result the appeal had been brought back to the Inspector for determination and was dismissed.

169 **20/1395/FUL (Minor) SIDMOUTH TOWN**

Applicant:

Mr Tim Drake.

Location:

Flat 1 Fernbrook, Convent Road, Sidmouth, EX10 8RB.

Proposal:

Alterations to front conservatory extension including increase in height (retrospective application).

RESOLVED:

Approved as per Officer recommendation but subject to the following additional condition:

- In order to protect the amenity of residents, within 3 months of the date of this decision, details of the fitting of an obscure film (or similar method of obscuration) to the glazed roof of the conservatory hereby approved shall have been submitted to and agreed in writing by the Local Planning Authority. Within one month of the written agreement of the details by the Local Planning Authority, the agreed fittings shall be provided and thereafter retained in perpetuity.
(Reason: In order to protect the amenity of the occupiers of the conservatory and adjoining upper floor flat in accordance with Policy D1 - Design and Local Distinctiveness of East Devon Local Plan 2013-2031 and the National Planning Policy Framework.)

170 **20/1246/VAR (Minor) OTTERY ST MARY**

Applicant:

Mr Darren Squires.

Location:

Land East Of The Long Range Hotel, Whimble, EX5 2QT.

Proposal:

Variation of condition 2 of planning permission 12/2444/VAR to remove holiday occupancy restriction and allow permanent residential use, restricting occupation to persons over the age of 50.

RESOLVED:

Refused as per Officer recommendation, but with an additional recommendation to officers that the Chair and Vice-Chair of the Planning Committee, plus the Ward Members, be consulted on any subsequent enforcement action to be taken to ensure that residents are given sufficient time to comply with the requirements of such action.

171 **20/1559/OUT (Minor) AXMINSTER**

Applicant:

Mrs Sandra Gigg.

Location:

Garages, Coombe Lane, Axminster.

Proposal:

Creation of 2 dwellings (outline consent sought with all matters reserved).

RESOLVED:

Approved as per Officer recommendation.

172 **20/1617/FUL (Minor) BROADCLYST**

Applicant:

Mr Gary Moore

Location:

Clytside, Blackhorse Lane, Blackhorse, Exeter, EX5 2AR.

Proposal:

Construction of bungalow, including detached garage and new vehicular entrance.

RESOLVED:

Approved as per Officer recommendation.

173 **20/1442/FUL (Minor) COLY VALLEY**

Applicant:

L Taylor.

Location:

Land At Colyford Common, Colyford Road, Seaton.

Proposal:

Construction of new tramway halt, pedestrian access bridge, ramp, timber walkways and associated works to provide pedestrian link to Seaton Wetlands.

RESOLVED:

Approved as per Officer recommendation.

174 **20/0375/FUL (Minor) - YARTY**

Applicant:

Mrs Gill Keam.

Location:

Fordings, Chardstock, Axminster, EX13 7BW.

Proposal:

Construction of pitch roof and dormer window to existing garage for the conversion and provision of ancillary living accommodation.

RESOLVED:

Approved as per Officer recommendation.

175 **19/2283/COU (Minor) YARTY**

Applicant:

Mr I Chubb

Location:

The Big Office, Chubbs Yard, Chardstock, Axminster, EX13 7BT.

Proposal:

Change of use from office to dwelling (retrospective).

RESOLVED:

Refused contrary to Officer recommendation for the following reasons:

1. The proposed development would result in the loss of employment land in a location where there little employment land provision and as such the loss will undermine business and employment opportunities in the area. In addition, the applications has not been accompanied by sufficient information to demonstrate that the premises have been marketed for at least 12 months and fails to adequately demonstrate a surplus of supply of employment provision in the locality. The proposed development therefore represents an unjustified and unacceptable loss of employment land contrary to the requirements of Strategy 32 - Resisting Loss of Employment, Retail and Community Sites and Buildings of the adopted East Devon Local Plan 2013 - 2031.
2. The application site is not located close to a range of services or facilities to meet every day needs of its occupiers and as a result the proposed residential use will substantively add to the need to travel by car. As such, the proposal is located in an unsustainable location contrary to Strategy 7 – Development in the Countryside and Policy D8 – Re-use of Rural Buildings Outside of Settlements of the East Devon Local Plan 2013-2031.)

Attendance List

Councillors present for some or of the meeting:

E Wragg (Chair)

S Chamberlain (Vice-Chair)

K Bloxham
C Brown
A Colman
O Davey
B De Saram
D Key
K McLauchlan
G Pook
G Pratt
P Skinner
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull
P Hayward
S Jackson
G Jung
A Moulding

Officers in attendance:

Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Wendy Harris, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer

Councillor apologies:

S Gazzard
M Howe
J Whibley

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Audit and Governance Committee held at Online via the Zoom app. on 26 November 2020****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 3.20 pm

51 Public speaking

There were no members of the public registered to speak.

52 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 24 September 2020 were confirmed as a true record.

53 Declarations on interest

None

54 Matters of urgency

None

55 Confidential/exempt item(s)

None

56 Statement of Accounts 2019/20 including Annual Governance Statement

The Strategic Lead Finance advised the committee that the council was likely to be required to restate some of the statements in the draft accounts before members could finally approve them. This related to a technical capital accounting issue in the method that the Major Repair Expenditure was written out of Housing Asset Values. The proposed treatment by the Auditors differed to current practice although this would have no implication on the asset values on the Balance Sheet, or the bottom line Income and Expenditure in terms of the General Fund Balance or the Housing Revenue Account or any usable reserves. He recommended the item be deferred until the audit was finalised as well as that of the letter of representation being signed off at the same time.

RESOLVED:

that the adoption of the 2019/20 Statement of Accounts be deferred until the next Audit and Governance Committee meeting.

57 Letter of representation

The Strategic Lead Finance; as stated in the previous minute, suggested this item be deferred to the next committee meeting.

RESOLVED:

That the signing off of the letter of representation be deferred until the next Audit and Governance Committee meeting.

58 **Audit finding report - Grant Thornton**

Jackson Murray from Grant Thornton summarised the key findings and other matters arising from the statutory audit and the preparation of the Council's financial statements for the year ended 31 March 2020. The audit work was completed remotely during July to November 2020 and he thanked Simon Davey and his team for embracing being electronically audited.

The anticipated audit report opinion would be unqualified but with an Emphasis of Matter paragraph in relation to material uncertainties with regards to the valuation of land and buildings and investment properties, this was a national issue related to the Covid-19 pandemic and the Council followed national guidance from RICS in its valuations.

The Value for Money conclusion had been completed; the risk based review of the Council's value for money arrangements. Grant Thornton concluded that East Devon District Council had proper arrangements to secure economy, efficiency and effectiveness in its use of resources. They therefore anticipated issuing an unqualified value for money conclusion.

RESOLVED:

That the report be received and noted.

59 **Redmond Review of Local Authority Financial Reporting and Audit**

The Strategic Lead Finance informed members that on 8 September 2020 the Government published the results of an independent review, led by Sir Tony Redmond, into the effectiveness of local authority financial reporting and audit. Local authority accounts were complex and the review highlights a number of potential weaknesses with the current local audit framework and makes recommendations to address these. They was a discussion concerning the introduction of an independent member to the committee.

RECOMMENDED to recommend to Council:

1. to note the findings and recommendations of the Redmond Review, the implementation of some of these recommendations would require changes to primary legislation and revised Accounting Codes of Practice, and
2. the appointment of a suitably qualified, independent member the Audit and Governance Committee to support elected representatives in scrutinising local authority finances.

60 **RIPA update**

At the meeting of 18 January 2018, Members agreed to receive an update on RIPA activity throughout the year (Regulation of Investigatory Powers Act). The RIPA Senior Responsible Officer advised that there had been no requests for RIPA authorisation since the last committee. Members asked for a simple written explanation of RIPA to be provided to the Committee at its next meeting this could then be used on the Council's

website to inform the public of the powers available and any recent use made of them; this being in line with some other authorities practice.

61 **Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2020/21.

Items to be considered at the January committee included:

- Statement of Accounts 2019/20 including Annual Governance Statement
- Letter of representation
- Internal Audit Activity – Quarter 3 2020/21
- External Audit Progress report
- External Annual audit letter
- Risk Management review – half year review
- Review of the Anti-Fraud Theft and Corruption Policy, Anti-Bribery Policy and Whistleblowing Policy
- Review of the Local Code of Corporate Governance
- Strata Annual Internal Audit report
- RIPA update and policy review

Attendance List

Councillors present:

S Hawkins (Chair)
D Barrow (Acting Vice-Chair)
J Bailey
F Caygill
S Gazzard
P Hayward
F King
P Twiss

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull
A Moulding

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Steve Johnson, Grant Thornton
Debbie Meakin, Democratic Services Officer
Jackson Murray, Grant Thornton
John Symes, Finance Manager

Councillor apologies:

G Pook

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Committee held at Online via the Zoom App on 18 November 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.00 am

51 Public Speaking

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

52 Minutes of the previous meeting

The minutes of the meeting held on 3 September 2020 were agreed as a true record.

53 Declarations of interest

There were no declarations of interest.

54 Matters of urgency

There were no matters of urgency.

55 Confidential/exempt item(s)

There were no confidential/exempt items.

56 Quarterly Update

The Licensing Manager presented his report to the committee. It provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, taxi, and general licensing and the new Business and Planning Act.

The Licensing Manager highlighted the licensing team's work covered many things across East Devon. This included:

- Applications received, licences issued and notices given under the Licensing Act 2003.
- Applications received, licences issued and notices given under the Gambling Act 2005.
- Taxis:
 - Applications received and licenses issued.
 - The impact of coronavirus on the taxi and private hire trade.
 - Enforcement.
 - Hearings.
 - Taxi ranks.
- Street trading consents – applications received and consents issued.
- Pavement licences.
- Consultation and partnership working – Safety Advisory Group meetings.
- Member training.

Since the last Licensing and Enforcement Committee meeting the Government had twice introduced further emergency legislation due to the coronavirus pandemic. The impact of coronavirus also continued to challenge the taxi and private hire trade, with fewer passengers using taxis late evenings or travelling to airports.

In response to a question regarding the number of disabled vehicles currently licensed, the Licensing Manager advised that he would report this figure back and that information was available on the Council's website.

The Committee agreed to write to ministers to lobby for a specific package of help for taxi and private hire drivers. Drivers at the moment did not currently appear to fit into any of the categories for government aid.

RESOLVED:

1. that the update report be noted.
2. that the Chairman and Licensing Manager write to the local MPs and Secretary of State requesting that government support be provided to taxi and private hire drivers who have been adversely affected by the coronavirus pandemic.

57 **Taxi Policy - Statutory Standards Policy**

The Licensing Manager's report informed the Licensing and Enforcement Committee of the recently published 'Statutory Taxi and Private Hire Vehicle Standards' issued by the Department for Transport and invited the committee to consider recommendations to meet the requirements in conjunction with the Council's policy. The Licensing Manager recommended that progress to adopt the statutory standards be considered in two phases; the first being changes to be adopted into the taxi policy by the end of the year, and the second being a full review along with consulting on further changes. The areas that required further consultation by the Council were detailed in the report. It was noted that there would be financial as well as resourcing implications and staffing arrangements would need to be reviewed.

Members discussed the cost of CCTV for taxi drivers. The CCTV would need to be audio and visual and EDDC would need to be data controller of the data, with significant costs involved. Discussion also took place on DBS checks, with the frequency changing from once every three years to six monthly. The committee felt that a review should be undertaken on an increase in staffing due to the additional work load put on the licensing team.

RECOMMENDED: that a phased approach be considered for revising the Council's Taxi and Private Hire policy in consideration of the new statutory standards:

1. to adopt key changes necessary under the new statutory standards by revising the current policy in the first phase by recommending to Council to adopt the revised Taxi and Private Hire Policy with amendments shown at Appendix C,
2. that a detailed review be conducted by officers for further policy changes under a second phase with regard to matters of vehicle emissions, CCTV in vehicles, national refusals register, fees, and safeguarding training,
3. that a review of staff training would be necessary to undertake the new and additional workload,
4. that a full consultation be undertaken before adopting the changes by 31 March 2022.

58 **Seaton Taxi Rank**

The Licensing and Enforcement Committee was asked to note the adoption and removal of the taxi ranks in Seaton following the necessary consultation with the public and relevant authorities. The Seaton seafront regeneration scheme would commence in early 2021 and as a result the existing taxi rank in Seahill would no longer be available by being designed out. The siting of the new rank to Castle Hill, in close proximity would maintain the rank numbers and give licensed taxis an alternative location to trade upon completion of the regeneration. There had been no representations of objection to the public notice phase.

RESOLVED: that the Licensing and Enforcement Committee in exercise of its powers under section 63 of the Local Government (Miscellaneous Provisions) Act 1976:

1. Notes that appointment of a taxi rank in Castle Hill, Seaton: North side from a point 20 metres west of its junction with Seahill for a distance of 10 metres in a westerly direction, to create 2 spaces at anytime 7 days a week; and
2. Revokes the taxi rank in Marine Place, Seaton: North side from a point 3 metres east of its junction with Seahill for a distance of 15 metres in an easterly direction.

59 **Licensing Policy Report**

The Licensing Manager's report updated the committee on the results of the public consultation to the proposed new Licensing Policy. It was a legal requirement of the Licensing Act 2003 for the Council to determine a Licensing Policy to provide a framework for all licence applications regarding the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment. The policy was last reviewed in 2015 and must be reviewed at least every five years, therefore a policy must be adopted by 7 January 2021. The main changes to the policy were outlined in the Licensing Manager's report.

On behalf of the committee the Chair thanked the Licensing Manager and his team for all their hard work and it was commented that the lack of specific responses to the proposed policy indicated how good it was and demonstrated general acceptance of it by businesses, bodies and public alike.

RECOMMENDED:

1. that the results of the public consultation undertaken on the Council's proposed Licensing Policy relating to the Licensing Act 2003 be noted.
2. that the East Devon Licensing Act 2003 Policy as attached to the report at appendix B, be adopted by the Council for the period 7 January 2021 to 6 January 2026.

Attendance List

Councillors present:

J Whibley (Chair)
K Bloxham (Vice-Chair)
M Chapman
A Dent
S Gazzard
N Hookway
P Jarvis
B Taylor

T Wright
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull

Officers in attendance:

Lesley Barber, Licensing Officer
Amanda Coombes, Democratic Services Officer
Rebecca Heal, Solicitor
Lucy Maxwell, Licensing Officer
Giles Salter, Solicitor
Stephen Saunders, Licensing Manager
Alethea Thompson, Democratic Services Officer

Councillor apologies:

G Pratt

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Sub Committee held at
On line via the Zoom app. on 14 October 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 10.45 am

27 Minutes of the previous meeting

The minutes of the meeting held on 29 July 2020, were agreed as a true record.

28 Declarations of interest

There were no declarations on interest.

29 Matters of urgency

There were no matters of urgency.

30 Confidential/exempt items

There were no confidential/exempt items.

**31 Determination of an application to licence a hackney carriage
vehicle which has been classed as a Category S write-off.**

It was the district council's policy that that a vehicle which had been categorised as a category C or D write off by a relevant insurance company, under the Code of Practice for the Disposal of Motor Salvage, maybe considered by licensing by a Licensing & Enforcement Sub Committee subject to higher levels of examination and vehicle reports. Where examinations provided any cause for the safety of the public such applications maybe refused. Please note that in October 2017, The Association of British Insurance (ABI) changed the write-off categories but this was not yet reflected in the licensing policy for Hackney Carriages, Private Hire Vehicles, Drivers, Drivers and Private Hire Operators. Category S was now the equivalent to a former Category C vehicle write-off.

The Sub Committee thanked the applicant for making all the documentary evidence clear and available which in turn he acknowledged Lucy Maxwell, Licensing Officer had been a tremendous support in this matter. The Chairman congratulated Lucy for her comprehensive and thorough report.

RESOLVED:

that the application to licence a silver Peugeot Horizon MPV vehicle registration number SF66 FKP as a wheelchair accessible hackney carriage vehicle be granted. The Committee agreed that the professional works carried out to the vehicle were satisfactory to allow it to be licensed.

Attendance List**Councillors present:**

K Bloxham
J Whibley
T Wright

Councillors also present (for some or all the meeting)

P Arnott
M Chapman

.....
A Dent
B Taylor

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Giles Salter, Solicitor
Rebecca Heal, Solicitor
Sarah Jenkins, Democratic Services Officer
Lucy Maxwell, Licensing Officer
Stephen Saunders, Licensing Manager

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Standards Committee held on line via the Zoom App. on 13 October 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 1.10 pm

18 Public speaking

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

19 Minutes of the previous meeting

The minutes of the meeting held on 21 January 2020 were agreed as a true record.

20 Declarations of interest

Cllr Phil Twiss, Personal, - Minute 23 – Member of Devon County Council Standards Committee & Governor at the RD&E NHS Hospitals Trust.

Cllr Bob Nelson, Personal – Minute 23 – Chairman of Broadhembury Parish Council and Deputy Chairman of Blackdown Hills AONB Partnership

21 Matters of urgency

There were no matters of urgency.

22 Confidential/exempt item(s)

There were no confidential/exempt items.

23 East Devon's Standards Regime

Members considered the report of the Monitoring Officer which provided a review of the current standards regime in East Devon and considered it in the context of possible forthcoming changes and recommended best practice following the Committee for Standards in Public Life report of January 2019. It was noted that the Chairman of the Committee had requested an update on whether local authorities were adopting the best practice recommendations. It also explained the complaints process and invited the Committee to consider whether it wanted to review the complaints process as well as the nature of interests that were required to be declared and the level of information disclosed on a member's register of interest form. The report considered 15 points of best practice put forward by the Committee for Standards in Public Life which the Committee went through individually.

During the lengthy discussions the following points were noted:

- The definition of bullying in the Code of Conduct should be revised to make it clearer and to include some of the wording from the LGA draft model code which was currently being consulted on.

- Code of Conduct should also include harassment along with a definition of what harassment was.
- There seemed little point in including wording in the Code of Conduct requiring Members to comply with a standards investigation and prohibiting trivial or malicious complaints.
- There should be stakeholder engagement on the appropriateness of the Code of Conduct and that this could be carried out roughly every three years.
- The Code of Conduct was readily accessible but use of the East Devon App could be investigated.
- Public interest tests were in the Council's complaint procedures.
- Appointing a second Independent Person was desirable.
- That there was a balance to strike on publishing decision notices which seemed best struck in publishing breach decisions only.
- That it would not be right to require complaints by Clerks to be made by the Chair or members of a town or parish council.
- Conflicts of interest were capable of being managed.
- Importance of the introduction of a Standards Assessment Sub Committee to improve public confidence in the system
- Concern over the budget implications the proposed additional member of staff referenced in the report could have.
- Consideration be given to establishing a Working Party to discuss the proposed changes contained in the report.
- Benchmarking with other Council's was not considered appropriate in this case.
- Add more mediation into the Standards regime process.
- That it is important to distinguish member interests from the interests of a relevant person but in addition as much information as possible be added to the Councillors Register of Interest form and the form be made easier to add this information.
- It was noted that there had been additional advice from the LGA on the Standards regime.

RESOLVED:

1. that the Monitoring Officer write a letter, to be agreed with the Chair of the Standards Committee, in reply to the Chairman of the Standards in Public Life correspondence asking about the Council's implementation of their best practice recommendations;
2. that further investigation be undertaken into the practicalities of setting up a Standards Assessment Sub Committee;
3. that a revision be made to the Register of Interest forms to distinguish member interests from relevant person interests and that there be a further report on whether other changes could be made to enable more information to be given;
4. that a review be undertaken on the nature of interests that are currently required to be declared in the Code of Conduct, with a further report to be made to the Committee on implementing a possible additional 'personal and prejudicial' interest;
5. That consideration of whether to revise the standards process, the size of the Standards Committee and possible extra resourcing be deferred until a future meeting to be considered in relation to the report on a Standards Assessment Sub Committee;

RECOMMENDED to Council

6. that the Member's Code of Conduct be revised to include harassment (with a definition) and that the wording in relation to bullying be revised to include wording

from the LGA draft model code of conduct ensuring that the wording relating to coercion is retained with the Monitoring Officer to provide the revised wording to Council for approval;

7. that two Independent Persons be recruited to be appointed at Annual Council in May 2021;
8. that the Standards Complaints Procedure be revised so that decision notices where a breach is found by the Monitoring Officer are published on the website.

24 **Dispensation request by Cllr Paul Hayward**

Members noted that Cllr Paul Hayward had requested a dispensation to permit him to participate in and vote on matters in which he has a pecuniary interest, namely the Clerk for three parish councils within the administrative area of East Devon and the employment in the NHS of a relevant person. It was for the Committee to decide whether to grant Cllr Hayward a dispensation.

Members considered Cllr Hayward's request for a dispensation and some concern was expressed over the future precedent this may set. There was also discussion over how dispensations operated within the legal framework. The committee considered that there were two dispensations in effect, one for Cllr Hayward's role as a clerk and one for the employment of his wife, who is a relevant person. The Committee did not agree to a dispensation in relation to the employment of Cllr Hayward's wife, following which Cllr Hayward withdrew his request in relation to his own role.

RESOLVED not to agree to grant Cllr Paul Hayward's dispensation request under s33 of the Localism Act 2011.

25 **Code of Conduct complaint update**

The Committee considered and noted the report of the Monitoring Officer, which provided an update for the Committee on Code related cases received from 1 January 2019 – 3 & 1st January 2020 to date. There was a brief discussion on disclosable pecuniary interests and the circumstances when they might be referred to the Police. The Monitoring Officer noted that it could be both a criminal matter and also a civil matter (as a breach of the Code of Conduct). Members noted that allegations involving breach of DPI rules, if considered to be made out, could be referred to the police for action.

RESOLVED that the report be noted.

26 **Forward Plan**

The Committee agreed there were no additional items to add to the Forward Plan.

Attendance List

Councillors present:

D Barrow
P Twiss
E Rylance
S Bond

Councillors also present (for some or all the meeting)

A Moulding

P Arnott

P Millar

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing

Sarah Jenkins, Democratic Services Officer

Christopher Lane, Democratic Services Officer

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

Chair

Date:

Report to: Council

Date of Meeting 9th December 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Changes to governance arrangements

Report summary:

This report is necessary to address changes to the political balance and committee allocations arising from Cllr Millar leaving the Democratic Alliance Group.

Recommendation:

That Council agrees;

1. The revised political balance and number of seats for the political groups as set out in the table at paragraph 2;
2. The change in committee seats so that the Democratic Alliance Group lose and the Independent Progressive Group gain a seat on the Audit & Governance Committee;
3. The revisions to the Committee appointments and the appointment of the Vice Chair of Audit & Governance as detailed in paragraph 5;
4. To amend the Constitution to give delegated authority to the Monitoring Officer to revise the makeup of the Panels, Forums and Joint Bodies when there are changes to the Portfolios or Assistant Portfolio positions in year.

Reason for recommendation:

To ensure that the Council's governance arrangements are up to date and appropriate.

Officer: Henry Gordon Lennox, Monitoring Officer

Portfolio(s) (check which apply):

- Climate Action
- Coast, Country and Environment
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Finance
- Policy Co-ordination and Regional Engagement
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no financial implications arising.

Legal implications:

It is a legal requirement to address any changes to the political balance / committee allocations as soon as reasonably practicable.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information: None

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

1. This report seeks to address the need to address changes to the political balance and committee allocations arising from Cllr Millar leaving the Democratic Alliance Group.

Political balance

2. As a consequence of Cllr Millar leaving the Democratic Alliance Group and becoming Independent (non-affiliated) there is a change to the political balance. The revised balance and seat numbers is detailed in the table below;

Democratic Alliance group	23 members	38.34%	45 seats
Conservative group	20 members	33.33 %	38 seats
Independent Progressive Group	7 members	11.67%	14 seats
The Independents	5 members	8.33%	10 seats
Cranbrook Voice	3 members	5%	6 seats
Independent (non-affiliated)	2 members	3.33%	0 seats
Total seats	60	100	113

3. In essence the Democratic Alliance Group lose one seat and the Independent Progressive Group gain one seat, this seat being on the Audit & Governance Committee.

Committee appointments

4. Councillor Millar has resigned from the Audit & Governance committee, leaving the Vice Chair position vacant. In leaving Cabinet, and with Councillor Jackson being appointed as the new Portfolio Holder for Democracy & Transparency, there are some further changes required. Cllr Jackson can no longer serve on the Licensing & Enforcement or Overview Committees and so replacement appointees for the Democratic Alliance Group are required.
5. Having discussed with the relevant Group Leaders, the following is proposed;

- a. Cllr King be appointed as the Vice Chair of the Audit & Governance Committee.

- b. Cllr Hookway be appointed by the Independent Progressive Group to Audit & Governance to replace Councillor Millar.
- c. Cllrs Manley and Wragg from the Democratic Alliance Group be appointed to Overview and Licensing & Enforcement Committees respectively to replace Cllr Jackson.

Amendment to the Monitoring Officer's delegated authority

- 6. In light of the possibility of changes to Portfolio Holders and / or Assistant Portfolio Holders in year and to avoid reports having to come back to Council for such changes, it is recommended that the Constitution be amended to give delegated authority to the Monitoring Officer to revise the makeup of Panels, Forums and Joint Bodies when there are changes to the portfolios or Assistant Portfolio Holders in year.