



**Agenda for Council
Wednesday, 24th February, 2021, 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;
01395 517541; email showl@eastdevon.gov.uk
(or group number 01395 517546)
Issued Monday, 15 February 2021

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

DX 48808 HONITON

Tel: 01404 515616

www.eastdevon.gov.uk

**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, 24th February, 2021 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".

Chief Executive

1 Public speaking

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

2 **Minutes of the previous meetings** (Pages 6 - 24)

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**

Information on [matters of urgency](#) is available online

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** (Pages 25 - 34)

9 **Revenue Estimates, Capital Programme and Council tax Resolution 2021/22** (Pages 35 - 45)

- a) To consider the report of the Council's Section 151 Officer, Strategic Lead - Finance, and the recommendations contained therein which include approval of the recommendations of the Cabinet on Wednesday 3 February 2021 relating to the Council's Revenue and Capital Estimates for 2021/22 and precept details of the parish and town councils, Devon County Council, Devon and Cornwall Police & Crime Commissioner and the Devon and Somerset Fire and Rescue Authority.
- b) To approve the calculations for setting the Council Tax in accordance with the Local Government Finance Act 1992 as amended by the Localism Act 2011. These calculations form the basis of the formal setting of the Council Tax for the District.

Note 1 A recorded vote will be taken of the vote on this item so that there is a record of how Members have voted in budget setting (legislation which came into force on 25 February 2014 - The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014).

Note 2 Section 106 of the Local Government Finance Act 1992 precludes councillors from voting on the setting of the Council's budget / council tax where there is an outstanding council tax debt of over two months. It is also a requirement, where you attend any meeting to set the budget and this

preclusion applies, that you must declare the fact you are precluded from voting. A failure to do this is a criminal offence.

10 Reports from the Cabinet and the Council's Committees and questions on those reports (Pages 46 - 48)

- a) Minutes of Cabinet held on 2 December 2020 Minute numbers 267 - 271 (Pages 49 - 52)
- b) Minutes of Cabinet held on 6 January 2021 Minute numbers 272 - 302 (Pages 53 - 66)
- c) Minutes of Cabinet held on 20 January 2021 Minute numbers 303 - 309 (Pages 67 - 72)
- d) Minutes of Cabinet held on 3 February 2021 Minute numbers 310 - 331 (Pages 73 - 84)
- e) Minutes of the Scrutiny Committee held on 10 December 2020 Minute numbers 95 - 107 (Pages 85 - 92)
- f) Minutes of the Joint Scrutiny & Overview Committees Budget meeting held on 13 January 2021 Minute numbers 108 - 114 (Pages 93 - 101)
- g) Minutes of the Joint Scrutiny & Overview Committees Budget meeting held on 14 January 2021 Minute numbers 115 - 121 (Pages 102 - 109)
- h) Minutes of the Scrutiny Committee held on 4 February 2021 Minute numbers 122 - 130 (Pages 110 - 117)
- i) Minutes of the Housing Review Board held on 21 January 2021 Minute numbers 85 - 101 (Pages 118 - 127)
- j) Minutes of the Strategic Planning Committee held on 15 December 2020 Minute numbers 89 - 102 (Pages 128 - 141)
- k) minutes of the Planning Committee held on 6 January 2021 Minute numbers 186 - 193 (Pages 142 - 147)
- l) Minutes of the Planning Committee held on 7 January 2021 Minute numbers 194 - 202 (Pages 148 - 153)
- m) Minutes of the Planning Committee held on 10 February 2021 Minute numbers 203 -121 (Pages 154 - 159)

- n) Minutes of the Audit & Governance Committee held on 26 November 2020 Minute Numbers 51 - 61 (Pages 160 - 163)
- o) Minutes of the Audit & Governance Committee held on 28 January 2021 Minute numbers 62 - 74 (Pages 164 - 168)
- p) Minutes of the Standards Committee held on 19 January 2021 Minute numbers 27 - 34 (Pages 169 - 172)

11 Changes to governance arrangements (Pages 173 - 176)

12 Motion: Future High Streets Funding

This Council resolves to write to Simon Jupp MP and the Secretary of State for Housing, Communities & Local Government Robert Jenrick to express our disappointment that Exmouth was not, as promised on December 8th 2019, given the opportunity to engage with the bidding process for the Future High Streets Fund, and asks:

- 1) Why the announcement four days before a General Election ([appendix a](#)) was not followed with any communication, a firm process and confirmation of the next steps to be announced to East Devon District Council (the responsible authority for submitting such bids)?
- 2) Why no reply was received to the letter sent by the former Leader of the Council in January 2020 ([Appendix B](#))?
- 3) If there will be future iterations of Future High Street funding, even though the previous process was described as 'once in a lifetime' and a spokeswoman from the Ministry of Housing, Communities & Local Government has stated that the rest of the funding has been transferred elsewhere? ([appendix C](#))
- 4) Was a unilateral decision taken by the Secretary of State anywhere else in the country to subvert the bidding process?

Should there be confirmation that the Future High Streets funding is to continue, the Council resolves to request a meeting with Mr Jupp to work together cross-party to prepare a bid.

Should there be confirmation of no further Future High Streets funding, that this Council agrees to take independent legal advice to establish whether there is a basis for making a complaint to the Electoral Commission about possible election fraud

Proposed by; Cllr Joe Whibley

Seconded by; Cllr Paul Millar

Supported by Cllrs; Paul Arnott, Olly Davey, Tony Woodward, Eileen Wragg.

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 at Online via the Zoom App on 9 December 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.54 pm

105 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. One member of the public had pre-registered.

Lisa Beigan introduced herself as a resident of Honiton, involved in Honiton Forward. A petition signed by 1400 local people had been presented to EDDC to request the Council undertake a Community Governance Review to rectify the situation at Honiton Town Council. She referred to the lack of transparency, flouting of principles and disregard of public views by the Town Council and to papers submitted with the petition indicating numerous complaints and disputes involving the Town Council. It was no longer considered that it had a mandate from the public and were not promoting civic pride or values, so EDDC had a duty to respond.

She stated that Honiton Forward was not a political campaign and supported the work of many local groups to make life better locally and they seek to work alongside the Town Council. They have opposed the current position of certain individuals but this was not on a party political basis. They had wanted to restore the Town Council through a proper election process and residents asked existing Town Councillors to stand down for a few months to enable this to happen and to participate in an election to facilitate a fresh start. Most had stood down, but some had not, but what was needed locally is a fresh start which was the rationale behind raising a petition.

In response, the Chair thanked Lisa for attending the meeting and confirmed that EDDC would be in contact about next steps following receipt and assessment of the petition.

106 Minutes of the previous meeting

The minutes of the two previous meetings of the Council held on 21st October and 24th November were confirmed and agreed as a true record.

107 Declarations of interest

114. Motion: Poverty Strategy and Actions.

Councillor Mike Allen, Personal, Member of Honiton Community Church and involved in the Food Bank.

114. Motion: Poverty Strategy and Actions.

Councillor Paul Hayward, Personal, On Executive Board of a community group which seeks to alleviate food poverty in Axminster.

114. Motion: Poverty Strategy and Actions.

Councillor Paul Jarvis, Personal, Works for a Charity on the High Street in Budleigh Salterton.

114. Motion: Poverty Strategy and Actions.

Councillor Paul Millar, Personal, Involved in work for the Co-op Group in Exmouth which seeks to alleviate food poverty, and volunteers for Exmouth Friends in Need which is a charity set up to relieve poverty.

114. Motion: Poverty Strategy and Actions.

Councillor Steve Gazzard, Personal, Member of Exmouth town Council.

114. Motion: Poverty Strategy and Actions.

Councillor Vicky Johns, Personal, Director of Ottery Community Volunteers and Ottery Community Larder.

108 **Matters of urgency - Infrastructure Funding Statement 2019-2020**

The Chair outlined that under the Community Infrastructure Levy (CIL) Regulations 2010, 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. She had agreed to this as an urgent item so that EDDC could submit a Statement to the Ministry of Housing, Communities & Local Government in order to meet the deadline.

As Portfolio Holder for Strategic Planning, Cllr Ledger explained that this was a new requirement on the Council to provide information about income and expenditure relating to the CIL and an infrastructure list. The report will be going to the Strategic Planning Committee to note, and to agree the delegation of responsibility for this to the Committee in future years.

Due to the fact that some Cllrs had been unable to access the background link in the report prior to the meeting, the Chair invited members to vote to proceed on this as a legal requirement and to be able to meet the deadline, but giving delegated powers to the Chief Executive to proceed. Cllr Ledger confirmed that he was happy with this approach.

RESOLVED that Council:

1. Noted the contents of the report and the requirement to provide an “Annual Infrastructure Funding Statement” by 31st December.
2. Gives delegated authority to the Chief Executive in consultation with the Group Leaders to approve the 2019/20 ‘Annual Infrastructure Funding Statement’ based on the information detailed in this report and submit this 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.

109 **Announcements from the Chair and Leader**

There were no announcements.

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

There were none.

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

Twenty one 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 questions asked and the responses is set out below.

Q 2: Cllr Millar asked if a letter could be sent to the relevant Minister in relation to legislation which would limit the maximum noise levels of fireworks, because this was still a live issue for residents.

In response the Portfolio Holder for Coast, Country & Environment, Cllr Jung confirmed that he would send a letter.

Q7: Cllr Millar asked whether he could receive an assurance that his emails and the data contained within them which may relate to residents have not been accessed by any third parties as a result of the recent password data breach.

In response, the Portfolio Holder for Corporate Services advised that a report is currently being produced on this matter and would be made available to members in due course.

Q11: Cllr Faithfull asked the Leader whether he thinks that the operation of the Member Advisory Panels (MAPs) fits in with the principles of openness and transparency.

In response, the Leader advised that this had been an issue which concerned him when he was elected and when he later became Leader, he had ensured that MAPs would from then on be clerked properly by an officer of EDDC, the minutes would be agreed by the Chair of Planning from when they would then remain on file so that if applications were received, the issues involved would be in the public domain, thus introducing transparency.

Q12: Cllr Parr queried whether the assumption by the Portfolio Holder of an anticipated revenue loss of £2.3m should be included in the Medium Term Financial Plan which runs from 2021 to 2031, and how he will manage to achieve a balanced budget in future.

In response the Portfolio Holder for Economy & Assets stated that the question posed related to a hypothesis he had put forward at a meeting of the Asset Management Forum and was impossible to answer. He had not stated that any revenue would be lost, and since cars had not yet been abolished by the Government, EDDC still owned car parks

from which they would receive income and it was a case of monitoring the situation if the Government changed its current policy.

Q13: Cllr Twiss asked a supplementary question relating to whether there were plans to house all of the street homeless across East Devon over the winter and what capital projects are underway which Next Steps funding may have assisted with.

In response the Portfolio Holder for Sustainable Homes and Communities advised that EDDC did not apply for Next Steps funding because there were not enough Street Homeless to warrant applying for it, and because the funding was for capital projects. There is work underway to house people across the district in existing accommodation, for example, in Exmouth.

Q14: Cllr Moulding asked how the Portfolio Holder could ensure that every meeting was open and transparent to those attending and that information is available to all.

In response, the Portfolio Holder for Democracy and Transparency said that if members became aware that documents were not available in future that they should contact her and she would investigate the matter.

Q15: Cllr Moulding asked a supplementary question in relation to how decisions would be made about electric charging points if it was not known what would happen in relation to a future reduction in cars.

In response, the Portfolio Holder for Climate Action said that they could not predict the future but needed to provide for facilities for residents and visitors under the prevailing conditions. The Portfolio Holder for Economy and Assets reiterated that that this was another question based merely on a hypothesis put forward at another meeting.

Q16: Cllr Moulding asked why there were no projections for a future 5 year land supply and how the Portfolio Holder would secure the 800 additional homes required for Axminster.

In response, the Portfolio Holder for Economy and Assets stated that a report would be presented to Cabinet in February 2021 which would indicate the Council's plans on this matter, but since the economic situation currently changes so frequently, it is impossible to provide much detail until the Prime Minister makes the situation clearer.

Q18: Cllr Moulding asked specifically about a timetable for the delivery of a supermarket in Cranbrook which is a fast growing town.

In response the Leader referred to the Strategic Planning Committee which would be meeting on 15th December when this issue would be discussed. There were two models for how this could be delivered and positive discussions had been held with the Ward Cllrs for Cranbrook.

Q19: Cllr Hartnell queried whether it was acceptable for EDDC to have no plan to kickstart the local economy post COVID, and to wait until February 2021 to develop one.

In response, the Portfolio Holder for Economy and Assets refuted the comment by stating that EDDC did have its priorities, a team of dedicated staff bringing forward economic projects, and grant funding. A Statement of Intent had been published ahead of a new Council Plan but external circumstances kept changing. In the context of a rapidly deteriorating economic situation, the Council is working with local businesses and

communities, a wide variety of partners and the Local Economic Partnership, but there is a crisis occurring.

Q21: Cllr Allen asked the Leader if he considered that maximum speed should be applied to support people in poverty.

In response, the Leader stated that he was disappointed by the tone of the debate at the meeting so far, when all members should be aware of efforts made to date on poverty through the Financial Hardship Fund, Community Support Hub, support to Food Banks, the Council Tax Reduction Scheme and Track and Trace Payments Scheme which had made the Council very busy over recent months. Since the level of crisis relating to COVID seems likely to continue until the spring, exacerbated by leaving Europe, there are likely to be food shortages and the Council needs to act collaboratively to tackle poverty as a matter of urgency.

112 **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) **Mnutes of Cabinet held on 28 October 2020, Minute numbers 227 - 243**
Cllr Arnott presented the minutes of the Cabinet meeting held on 28th October 2020. Following a vote by those present in favour of the recommendations contained therein these were agreed.

(b) **Minutes of Cabinet held on 25 November 2020. Minute numbers 249 - 266**
Cllr Arnott presented the minutes of the Cabinet meeting held on 25th November 2020. Following a vote by those present in favour of the recommendations contained therein these were agreed.

(c) **Minutes of Scrutiny Committee held on 5 November 2020. Minute numbers 87 - 94**
Cllr Brown presented the minutes of the Scrutiny Committee meeting held on 5th November 2020. Following a vote by those present these were agreed.

(d) **Minutes of the Strategic Planning Committee held on 20 October 2020. Minute numbers 62 - 76**
Cllr Ledger presented the minutes of the Strategic Planning Committee meeting held on 20th October 2020. Following a vote by those present in favour of the recommendation contained therein these were agreed.

(e) **Minutes of the Strategic Planning Committee held on 22 October 2020. Minute numbers 77 - 81**
Cllr Ledger presented the minutes of the Strategic Planning Committee meeting held on 22nd October 2020. Following a vote by those present these were agreed.

(f) **Minutes of the Planning Committee held on 7 October 2020. Minute numbers 153 - 164**
Cllr Wragg presented the minutes of the Planning Committee meeting held

on 7th October 2020. Following a vote by those present these were agreed.

(g) Minutes of the Planning Committee held on 4 November 2020. Minute numbers 165 - 175

Cllr Wragg presented the minutes of the Planning Committee meeting held on 4th November 2020. Following a vote by those present these were agreed.

(h) Minutes of the Audit & Governance Committee held on 26 November 2020. Minute numbers 51 - 61

Cllr Hawkins presented the minutes of the Audit & Governance Committee meeting held on 26th November 2020. Following a query in relation to the accuracy these were returned to Audit & Governance to review.

(i) Minutes of the Licensing & Enforcement Committee held on 18 November 2020. Minute numbers 51 - 59

Cllr Whibley presented the minutes of the Licensing & Enforcement Committee meeting held on 18th November 2020. Following a vote by those present in favour of the recommendations contained therein these were agreed.

(j) Minutes of the Licensing & Enforcement Sub-Committee held on 14 October 2020. Minute numbers 27 - 31

Cllr Whibley presented the minutes of the Licensing & Enforcement Sub-Committee meeting held on 14th October 2020. Following a vote by those present these were agreed.

(k) Minutes of the Standards Committee held on 13 October 2020. Minute numbers 18 - 26

Cllr Gardner presented the minutes of the Standards Committee meeting held on 13th October 2020. Following a vote by those present in favour of the recommendations contained therein these were agreed.

113 Changes to Governance arrangements

The Chair invited the Monitoring Officer to address his report about the changes to the political balance and committee allocations arising from Cllr Millar leaving the Democratic Alliance Group, and drew members' attention to the recommendations contained therein.

The Chair then invited members to vote on the recommendations. Following a vote there was a clear majority to approve the recommendations.

RESOLVED that Council agreed;

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.

114 **Motion: Poverty Strategy and Actions**

The following motion was;

Proposed by Mike Allen

Seconded by Maddy Chapman

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

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.**

The Chair invited the proposer, Cllr Allen, to speak to the motion.

Cllr Allen outlined the impact of COVID on health and the economy, and referred to studies undertaken on its effects on different sections of the community and businesses. The motion reflects the need to work together more creatively and quickly to address the issues.

Cllr Chapman seconded the motion, and expressed her concern about the plight of victims of domestic abuse at Christmas time and the new year which is usually a time when more violence and abuse takes place.

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

- This is an opportunity as a Council to show residents that it can work quickly and collaboratively
- The Poverty Working Panel (PWP) recognises the urgency of the situation for people and has a strategy and timetable for implementation for addressing the issues, which will include liaising with the Dept for Work & Pensions (DWP) and Citizens Advice Bureau.
- Urgent action was needed for when furlough ended for people.
- Poverty transcends politics and speed is important, so reports and actions should not be delayed by having to be processed by several committees. The work should be progressed through Cabinet and be part of the evolving Council Plan.

Cllr Ledger proposed an amendment to the motion but stated that he had circulated it to Cllr Allen prior to the meeting so that it did not become a political football or detract from the work of the PWP.

The following amendment to the motion was proposed by Cllr Ledger and seconded by Cllr Bailey;

"This Council endorses the work of the Poverty Working Panel in seeking to identify and address poverty within the District. We are pleased to note that the 'policy vision' is being included in the strategy, that meetings are now being held in public and past minutes and agendas are also being made public.

Whilst acknowledging the work already being carried out by the Council across numerous service areas and the work of the Poverty Working Panel, this Council is

concerned about the unprecedented challenges now being faced by many residents. In recognition of the worsening poverty crisis, Council hereby refers the motion to the first Cabinet meeting of 2021 to be held on 6th January for Cabinet to give it urgent consideration and to decide whether a further report should be prepared to identify practicable and affordable further actions with a view to:

- identifying any emergency actions for prioritisation;
- helping address gaps in the benefit system;
- applying for all available grants;
- strengthening families and communities with clear signposting;
- improving communication with towns and parishes around financial resilience;
- promoting long term economic growth potential;
- addressing issues affecting all age groups with regard to mental health and employment.
- assessing how the Poverty Strategy and action plan can be expedited by the Poverty Working Panel without compromising the evidenced based programme of work.”

Cllr Allen confirmed that he accepted the amendment as proposed by Cllr Ledger. On this basis, Cllr Ledger and Cllr Bailey agreed that they wanted the amended motion to go forward rather than be acknowledged as proposing a separate amendment to be voted on. The amended motion was to become the substantive motion and Cllrs Ledger and Bailey agreed that they should be shown as being in support of it.

The Chair invited Cllr Allen to sum up before moving to a vote on the amended motion. Cllr Allen thanked the Chair and all Cllrs who agreed with the motion and emphasised the need to take urgent action.

A vote on the amended motion was carried unanimously.

RESOLVED that;

This Council endorses the work of the Poverty Working Panel in seeking to identify and address poverty within the District. We are pleased to note that the 'policy vision' is being included in the strategy, that meetings are now being held in public and past minutes and agendas are also being made public.

Whilst acknowledging the work already being carried out by the Council across numerous service areas and the work of the Poverty Working Panel, this Council is concerned about the unprecedented challenges now being faced by many residents. In recognition of the worsening poverty crisis, Council hereby refers the motion to the first Cabinet meeting of 2021 to be held on 6th January for Cabinet to give it urgent consideration and to decide whether a further report should be prepared to identify practicable and affordable further actions with a view to:

- identifying any emergency actions for prioritisation;
- helping address gaps in the benefit system;
- applying for all available grants;
- strengthening families and communities with clear signposting;
- improving communication with towns and parishes around financial resilience;
- promoting long term economic growth potential;
- addressing issues affecting all age groups with regard to mental health and employment.
- assessing how the Poverty Strategy and action plan can be expedited by the Poverty Working Panel without compromising the evidenced based programme of work.

The Chair declared the meeting closed at 7.54pm.

Attendance List
Councillors present:

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

Officers in attendance:

Mark Williams, Chief Executive
John Golding, Strategic Lead Housing, Health and Environment
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:

I Hall

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the Extraordinary meeting of Council held at Online via the Zoom App on 13 January 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 6.22 pm

115 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. No members of the public had pre-registered.

116 Declarations of interest

117. Local Development Scheme and Statement of Community Involvement.
Councillor Eileen Wragg, Personal, Member of the Devon County Council Minerals & Waste Task Group when the Plan was adopted in 2017.

117 Local Development Scheme and Statement of Community Involvement

The Chair introduced this item by outlining that the Council is required to maintain an up to date Local Development Scheme that sets out a programme and timetable for production of future planning policy documents, and a Statement of Community Involvement that details how it will consult on the production of these documents. The report within the agenda introduces the updated version of both documents which have been considered by Strategic Planning Committee and are recommended to Council. She then invited members to note the content of the report and confirm their agreement to the recommendation contained within it so that the new Local Development Scheme and Statement of Community Involvement be adopted and take immediate effect.

Cllr Dan Ledger confirmed that this was an amalgamation of two issues, both of which had been discussed already at Strategic Planning Committee, with the main change being a timetable for the new Plan coming through. The Statement of Community Involvement was only two years old and contains a small number of changes. It was also pointed out that the proposed new Local Development Scheme and Statement of Community Involvement were presented to Cabinet on 6th January 2021 when it was also recommended to Council that the recommendation in the report, should be approved and take effect immediately following approval.

The Chair invited members to move to a vote.

Cllr Ledger proposed that the recommendation be approved.
Cllr Woodward seconded the proposal.

Cllr Hayward proposed a recorded vote, which was seconded by Cllr Millar.

Following a vote by show of hands, the proposal to hold a recorded vote was carried by a majority.

The Chair then moved to a vote on the recommendation in the report. Following a recorded vote, the recommendation was carried by a majority.

Recorded vote:

Councillors Megan Armstrong, Paul Arnott, Jess Bailey, Dean Barrow, Denise Bickley, Kevin Blakey, Kim Bloxham, Fred Caygill, Sarah Chamberlain, Maddy Chapman, Iain Chubb, Andrew Colman, Olly Davey, Bruce De Saram, Alan Dent, Peter Faithfull, Cathy Gardner, Steve Gazzard, Ian Hall, Marcus Hartnell, Sam Hawkins, Paul Hayward, Nick Hookway, Stuart Hughes, Ben Ingham, Sarah Jackson, Paul Jarvis, Luke Jeffery, Vicky Johns, Geoff Jung, David Key, Fabian King, Dan Ledger, John Loudoun, Dawn Manley, Tony McCollum, Kathy McLauchlan, Paul Millar, Andrew Moulding, Helen Parr, Geoff Pook, Geoff Pratt, Val Ranger, Marianne Rixson, Eleanor Rylance, Brenda Taylor, Ian Thomas, Phil Twiss, Joe Whibley, Tony Woodward, Eileen Wragg, - voted in favour – 51.

Councillor Mike Allen – voted against – 1.

RESOLVED;

That Council adopt the proposed new Local Development Scheme and Statement of Community Involvement, as appended to the report, and that they take immediate effect.

The Chairman declared the meeting closed at 18.22pm.

**Attendance List
Councillors present:**

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

Officers in attendance:

Mark Williams, Chief Executive
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Ed Freeman, Service Lead Planning Strategy and Development Management

Councillor apologies:

C Wright
J Rowland
C Brown

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the Extraordinary meeting of Council held at Online via the Zoom App on 9 February 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.10 pm

118 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. No members of the public had pre-registered.

119 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There is one item which officers recommend should be dealt with in this way.

120 Local Government (Access to Information) Act 1985 - Exclusion of Press and Public

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

121 Declarations of interest

122. Resolving an employment matter.

Councillor John Loudoun, Personal, Involved as a consultee member in meetings referred to in the main report.

122. Resolving an employment matter.

Councillor John Loudoun, Personal, receives a pension from a Trades Union having been employed by them.

122. Resolving an employment matter.

Councillor Ian Hall, Personal, A member of GMB trades union.

122 **Resolving an employment matter**

Members received a report from the Monitoring Officer and S151 Finance Officer detailing the position around an employment related matter with a member of staff.

After the introduction it was proposed by Cllr Hayward and seconded by Cllr Thomas that all votes taken during consideration of the item should be recorded votes.

RESOLVED:

that all votes taken during the course of the meeting under Part B should be recorded votes.

Members discussed the issue of redundancy and after debate Cllr Allen proposed and the Chair seconded the motion that the question now be put. The Chair invited those present to vote on whether the question should now be put.

Recorded vote:

Councillors Mike Allen, Megan Armstrong, Paul Arnott, Jess Bailey, Dean Barrow, Denise Bickley, Kevin Blakey, Kim Bloxham, Susie Bond, Colin Brown, Fred Caygill, Sarah Chamberlain, Maddy Chapman, Iain Chubb, Andrew Colman, Olly Davey, Bruce De Saram, Alan Dent, Peter Faithfull, Cathy Gardner, Steve Gazzard, Ian Hall, Marcus Hartnell, Sam Hawkins, Paul Hayward, Nick Hookway, Mike Howe, Stuart Hughes, Ben Ingham, Sarah Jackson, Paul Jarvis, Luke Jeffery, Vicky Johns, Geoff Jung, David Key, Fabian King, Dan Ledger, John Loudoun, Dawn Manley, Kathy McLauchlan, Andrew Moulding, Helen Parr, Geoff Pook, Geoff Pratt, Val Ranger, Marianne Rixson, Jack Rowland, Eleanor Rylance, Philip Skinner, Brenda Taylor, Ian Thomas, Phil Twiss, Joe Whibley, Tony Woodward, Eileen Wragg, Chris Wright, Tom Wright - voted in favour – 57.

Councillor Paul Millar - voted against - 1

RESOLVED that the motion that the question now be put was agreed.

Members then voted on whether to confirm the post of Strategic Lead – Organisational Development and Transformation as redundant.

Recorded vote:

Councillors Mike Allen, Megan Armstrong, Jess Bailey, Dean Barrow, Kevin Blakey, Kim Bloxham, Susie Bond, Colin Brown, Fred Caygill, Maddy Chapman, Iain Chubb, Bruce De Saram, Alan Dent, Peter Faithfull, Ian Hall, Marcus Hartnell, Mike Howe, Stuart Hughes, Ben Ingham, Paul Jarvis, David Key, Andrew Moulding, Helen Parr, Geoff Pook, Philip Skinner, Ian Thomas, Phil Twiss, Chris Wright, Tom Wright - voted in favour – 29.

Councillor Paul Arnott, Denise Bickley, Sarah Chamberlain, Andrew Colman, Olly Davey, Cathy Gardner, Steve Gazzard, Paul Hayward, Nick Hookway, Sarah Jackson, Luke Jeffery, Vicky Johns, Geoff Jung, Fabian King, Dan Ledger, John Loudoun, Dawn Manley, Kathy McLauchlan, Paul Millar, Geoff Pratt, Val Ranger, Marianne Rixson, Jack Rowland, Eleanor Rylance, Brenda Taylor, Joe Whibley, Eileen Wragg - voted against – 27

Councillors Sam Hawkins, Tony Woodward – voted to abstain - 2

RESOLVED that the Council confirms the post of Strategic Lead – Organisational Development and Transformation as redundant.

After further debate the Chair invited those present to vote on a further recommendation, to give delegated authority to the S.151 Officer in consultation with the Monitoring Officer to finalise the termination of the current post holder's employment including paying such contractual entitlements and agreeing such terms and concluding such agreements as may be considered appropriate.

Recorded vote:

Councillors Mike Allen, Megan Armstrong, Paul Arnott, Jess Bailey, Dean Barrow, Denise Bickley, Kevin Blakey, Kim Bloxham, Susie Bond, Colin Brown, Fred Caygill, Sarah Chamberlain, Maddy Chapman, Iain Chubb, Andrew Colman, Olly Davey, Bruce De Saram, Alan Dent, Peter Faithfull, Cathy Gardner, Steve Gazzard, Ian Hall, Marcus Hartnell, Sam Hawkins, Paul Hayward, Nick Hookway, Mike Howe, Stuart Hughes, Ben Ingham, Sarah Jackson, Paul Jarvis, Vicky Johns, Geoff Jung, David Key, Fabian King, Dan Ledger, John Loudoun, Dawn Manley, 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, Phil Twiss, Joe Whibley, Tony Woodward, Eileen Wragg, Chris Wright, Tom Wright - voted in favour – 57.

Councillor Andrew Colman – voted to abstain – 1.

RESOLVED that this Council gives delegated authority to the S.151 Officer in consultation with the Monitoring Officer to finalise the termination of the current post holder's employment including paying such contractual entitlements and agreeing such terms and concluding such agreements as may be considered appropriate.

The Chair invited Cllr Loudoun to propose an additional recommendation.

Cllr Loudoun proposed and Cllr Thomas seconded the following recommendation, that Council agrees that given the serious matters raised by this report, the Portfolio Holder for Council & Corporate Co-ordination should expeditiously and with the assistance of the relevant SMT officer, provide a detailed report for the Scrutiny Committee to consider all matters associated with the employment status of the Strategic Lead (Organisational Development & Transformation) as referenced in the report "*Resolving an employment matter*" considered at this meeting. The report will cover the period from at least 1 January 2020, and it will provide a full detailed account of all matters that have led to this meeting's deliberations.

After further debate the Chair invited those present to vote on the recommendation.

Recorded vote:

Councillors Paul Arnott, Jess Bailey, Denise Bickley, Susie Bond, Fred Caygill, Sarah Chamberlain, Andrew Colman, Olly Davey, Peter Faithfull, Cathy Gardner, Steve Gazzard, Sam Hawkins, Paul Hayward, Nick Hookway, Sarah Jackson, Paul Jarvis, Luke Jeffery, Vicky Johns, Geoff Jung, Fabian King, Dan Ledger, John Loudoun, Dawn Manley, Kathy McLauchlan, Geoff Pook, Geoff Pratt, Val Ranger, Marianne Rixson, Jack Rowland, Eleanor Rylance, Brenda Taylor, Ian Thomas, Joe Whibley, Tony Woodward, Eileen Wragg, Chris Wright - voted in favour – 36.

Councillors Mike Allen, Megan Armstrong, Dean Barrow, Kevin Blakey, Kim Bloxham, Colin Brown, Maddy Chapman, Bruce De Saram, Alan Dent, Ian Hall, Marcus Hartnell,

Mike Howe, Stuart Hughes, Ben Ingham, David Key, Paul Millar, Andrew Moulding, Helen Parr, Philip Skinner, Phil Twiss – voted against - 20

RESOLVED that this Council agrees that given the serious matters raised by this report, the Portfolio Holder for Council & Corporate Co-ordination should expeditiously and with the assistance of the relevant SMT officer, provide a detailed report for the Scrutiny Committee to consider all matters associated with the employment status of the Strategic Lead (Organisational Development & Transformation) as referenced in the report *“Resolving an employment matter”* considered at this meeting. The report will cover the period from at least 1 January 2020, and it will provide a full detailed account of all matters that have led to this meeting’s deliberations.

The Chair thanked all those participating and declared the meeting closed at 8.10pm.

Attendance List

Councillors present:

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

Officers in attendance:

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:

T McCollum
C Pepper

Chairman

Date:

Meeting of Council on 24th February 2021**Agenda Item No 8****Questions by Members to Full Council under Procedure rule 9.2****Question 1: Procedure Rule 9.2 to the Portfolio Holder for Homes & Sustainable Communities from Councillor Maddy Chapman**

In relation to Domestic abuse during the pandemic, we are told that across the country this has become a problem. As a council I feel we should at least have a clear idea of the depth of the problem in our area so we can respond as required. There are a number of units and helplines, police, SARCs, victim support, women's aid, broken rainbow, voice UK, Childline, victim care unit, amongst others to deal with domestic violence, so my question is can we please have a report on this, and why do we not have a safe house even if this would only be temporary, as these victims become homeless, although no fault of their own, a terrible situation to be in.

Answer:

When Women's Refuges were largely decommissioned nationally some years ago, we forged a partnership with Splitz who introduced the 'Place of Safety' model. Splitz (Devon Domestic Abuse Support Service) are the current commissioned Domestic Abuse support provider in Devon.

EDDC have a very good working relationship with Splitz, and we work in partnership to provide a Place of Safety in the East Devon area.

There needs to be a number of different options for people suffering domestic violence as one size does not fit all. Certainly, hostel type accommodation with communal living isn't ideal for those with children or additional support needs, for example.

We have a range of available immediate options open to us when dealing with approaches from victims of domestic abuse, including our Sanctuary Scheme, referral to Place of Safety, referral to Refuge, temporary accommodation, and longer term options, including assistance with the Rent Deposit Scheme into the private sector or social housing via Devon Home Choice.

At present, there is a Place of Safety in East Devon and Mid Devon, and the hope that other Local Authorities would also come on board to provide the same in their areas. There were several Housing Associations that also were interested in providing properties.

We have experienced barriers referring people to refuges when they are so far away. Many people are fleeing, but they do not wish to be moved so far away from their support network. The closest refuges to East Devon are Torquay, Plymouth, North Devon. Each case is different, the nature and severity of the abuse will determine what options may be suitable. It is invariably difficult to identify a refuge placement, however, a victim of domestic abuse can approach any Local Authority to make a homeless approach when fleeing domestic abuse, and trigger an emergency accommodation duty.

Question 2: Procedure Rule 9.2 to the Chair of the Council from Councillor Paul Millar

To ask the Chair of the Council, whether she would consider organising a training session to help Councillors understand the limitations of the use of Points of Order, in order to help ensure Members who wish to make fresh points at meetings are given a fair opportunity to speak on items.

Answer:

The Constitution, point 12.12, page 125, sets out the proper use of Points of Order as follows: *A Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chair on the matter will be final.*

The Monitoring Officer is happy to provide further help if required. Members must not try to use a Point of Order to interrupt a meeting and make fresh points. When and how Members can speak is set out in the Constitution in the Rules of Debate.

Question 3: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Councillor Paul Millar

What actions is she taking on a strategic level to reduce the number of local residents on the social housing waiting list in East Devon.

Answer:

The recently published Statement of Intent prioritises Better Homes and Communities for all. This is all about delivering on our ambition for increasing the supply of social and affordable housing, and providing housing options for people in housing need.

Furthermore, our Housing Strategy is geared around an ambition of a decent home for all. Flowing from this our Housing Service Plan, Homelessness Strategy; Housing Revenue Account Business Plan and a number of our policies, including the Devon Home Choice policy, adopt a consistent theme of ensuring our residents are suitably housed in good quality, affordable housing, suitably in size and location – linked to our Service purpose - the Right People in the Right Home.

Increasing the supply of social and affordable housing is our goal whether through housing association activity or our own programme of acquisitions. Both sources will contribute towards reducing numbers on the waiting list/housing register. Our housing enabling role is geared around supporting and facilitating social housing providers deliver affordable housing projects and this includes Community Land Trust and Rural Exception schemes.

In addition, we assist households in need access to the private rented sector where their housing need can be satisfied in this way. We can assist with rent deposits and access to benefits, where required.

I am also lobbying for ending the Right to Buy which perversely reduces the amount of social housing at a time when it is needed most.

Question 4: Procedure Rule 9.2 to the Leader of the Council from Councillor Ian Hall

Given our roles have changed and enhanced significantly since the Pandemic began, why is EDDC not looking at the issue of enhanced DBS checks for all members of this Council, since this was last considered. More and more, we are being asked to become involved in 'front line' requests, which potentially put both our constituents and Councillors at risk and we need proper checks and balances to reassure them and us.

Answer:

I have been in contact with our Monitoring Officer to discuss this and thank him for providing the factual context for this answer, the content of which I note has been provided fully on a number of occasions before.

In 2017, Cabinet received a report regarding DBS checks for district councillors written in the context of safeguarding children and vulnerable adults and specifically whether members could be said to be carrying out a regulated activity (being the threshold that permits a standard or enhanced DBS check to be obtained) in relation to them. The report concluded there was no legitimate basis for district council members to be required to be subject to a standard or enhanced checks, given that they are not carrying out a regulated activity.

While carrying out a 'basic' check remained a possibility, in that there is no criteria to satisfy before being able to do so, concerns over data protection and human rights issues, when coupled with the limited benefit of a basic check, led to the conclusion that it was not appropriate to make this mandatory. The report concluded that members could be encouraged to undertake checks on a voluntary basis and the results published on the Council's website if the member wished.

In 2017 Cabinet resolved '*that the Council does not require councillors to have a basic criminal records check for the reasons detailed in the report but encourages them to do so voluntarily in the context of safeguarding vulnerable adults and children*'. This remains the current position and some members have chosen to undertake a basic check and have it published on the Council's website.

Cllr Hall mentions that since the 2017 report was written COVID-19 has happened and considers that this raises the question as to whether this changes the position in some way. However there has been no change to the Conservative government's legal framework and the advice given by the Monitoring Officer at the beginning of the pandemic was that that there continued to be no basis for requiring checks of the members by the District Council.

This was because the Council was not directing members to give assistance – it was / is being offered by them in their ward member / personal capacities – and because the contact restrictions / social-distancing requirements meant that the threshold for a regulated activity being crossed would only likely arise where direct assistance was being given to vulnerable adults with their money / shopping. In reality the risk profile for the District Council was reduced due to the specific circumstances around COVID-19.

Having discussed this with the Monitoring Officer it is clear that there is still no legal basis to be requiring members to be subject to having standard or enhanced DBS checks as it stands. If this remains a concern for Cllr Hall I would suggest he approaches Neil Parish MP to seek assistance in a government review of current enhanced DBS policy.

Question 5: Procedure Rule 9.2 to the Portfolio Holder for Finance from Councillor Andrew Moulding

I note that 23 new bids have been accepted for the Capital Programme this year, amounting to over £1.7 million. There is nothing for Axminster. Can he tell me if any projects for Axminster were discussed at preliminary meetings over capital allocations?

Answer:

Not aware of any preliminary meetings. The Budget Setting & Capital Allocation Panel met on 1st December to consider bid proposals formulated by officers across services of the Council for possible inclusion in the 2021/22 capital programme. This time round there are no items to be considered from Axminster. The majority of the capital bids are constructed from service maintenance and replacement schedules on existing assets from a work programme based on asset condition. I note in previous years this has included assets in Axminster but it will depend when officers believe works are required to be scheduled.

Question 6: Procedure Rule 9.2 to the Chair of the Council from Councillor Mike Allen

The Health and Safety at Work act legally requires a risk analysis in every organisation such as ours. Having explored what we do, I found that we have no up-to-date stress risk analysis which is essential in the current circumstances.

Why did the Chair of Council consider this of so little importance that the motion for this Council asking for such a stress risk analysis update was deferred to April at the earliest?

Answer:

Cllr Allen was sent an explanation by email on 16th February and has been free to raise this issue with the Head of Paid Service at any time, if he deemed it an urgent legal matter.

Question 7: Procedure Rule 9.2 to the Leader of the Council from Councillor Mike Allen

Were you consulted by the Chair of this Council or discuss with her ignoring my motion on the expected impartiality of this role (as set out in the EDDC constitution), excluding it from the Full Council agenda, whilst at the same time accepting an overtly politically biased motion criticising one of our local M.P.s, the Government and others for failings of EDDC?

Answer:

The Chair consulted me, as Leader, as well as the Chair of Scrutiny and the CEO, as per the Temporary Rules of Procedure. She then made her considered decision, with reasons. All proposers were then informed of the decision to defer three of the four motions to the April meeting. I understand from the Chair that you did not respond to her email regarding the deferment of your two motions.

Question 8: Procedure Rule 9.2 to the Leader of the Council from Councillor Mike Allen

To what extent has work reorganization brought about by lean working and flexible working during autumn and winter 2020 impacted on stress reported symptoms, absences, and complaints among Council staff? What have managers done to update the stress risk analysis?

Answer:

I am advised by the CEO that EDDC's adopted work review process is systems thinking rather than lean working and this has had a minimal impact on stress related symptoms during the period in question. Similarly, flexible working has actually helped staff cope with workload issues during the latter part of last year as it has facilitated home based working.

Stress at the organisation level has not been a noticeable factor for the organisation in terms of any of the staff surveys we have carried out over the years. Where it has been stated as a reason for absence we have conducted an individual stress risk analysis with the individual concerned and addressed the issue on that basis.

Question 9: Procedure Rule 9.2 to the Leader of the Council from Councillor Phil Twiss

Despite multiple assurances from May 2020 from the Democratic Alliance this Council has yet to see anything resembling a manifesto or an updated, fully costed Council Plan flowing from that. Can we expect to see both soon?

Answer:

As confirmed when the Statement of Intent was adopted we expect to commence work on the new Council Plan in March with a series of facilitated member workshops

Question 10: Procedure Rule 9.2 to the Leader of the Council from Councillor Phil Twiss

Do you agree with The Conservative Group that the Standards regime needs strengthening to improve behaviour in Councils and all Councillors following the Committee on Standards in Public Life (COSIPL) review?

Answer:

I am pleased to hear that the Conservative Group is looking to improve member behaviour.

As Cllr Twiss is aware from his role on the Standards Committee, considerable work has been done to update the Constitution and Code of Conduct. Changes are due to be brought for implementation in May.

Question 11: Procedure Rule 9.2 to the Leader of the Council from Councillor Mike Allen

The [Management of Health & Safety at Work Regulations](#) were made to enforce the Health & Safety at Work Act 1974 and provide employers with a set of duties which help maintain a happy, healthy and safe workplace.

The duties imposed on employers include:

- The need to carry out [Risk Assessments](#) to ensure the safety of their employees or anyone else who may be affected by their work. If they employ 5 or more people, then any significant findings need to be written and recorded and mitigation measures put in place
- To always apply and adhere to the General Principles of Prevention, sometimes known as the Hierarchy of Risk Control
- to ensure that mitigation measures are understood by employees and managers

Enquiries have shown gaps in our systems relating to stress management We want to know urgently how the Council has carried out stress risk assessment for office-based employees, home based employees and those working outside and what mitigation measures are in place according to these legal regulations

Answer:

I am advised that this is a very complex area and requires a knowledge of the causes of stress reported symptoms. Equally, not all stress symptoms are reported.

Our intention is that through a proactive approach and having a 'Happy Healthy Here' workplace we mitigate the risk of unacceptable stress being a factor in our workplace culture. The proactive measures being taken to prevent stress and stress related absence are all the good practice platinum IIP practices in place such as: Mental Health First Aiders; support from HR; employee assistance programme; stress risk assessment tool; disability impact assessment tool; ongoing Happy Health Here initiatives and messages publicised in weekly Stay Connected; numerous virtual training courses held; management charter; good job design; flexible working policy; grievance policy which include informal resolution through mediation; encouraging people to use their leave entitlement; conducting staff surveys; one to one meetings; PER process etc.

Our approach to risk assessment in general is as follows:

- Workstation assessments are undertaken for all office-based staff. The onus is on the individual to complete their mandatory eLearning course and conduct a self-assessment which they then discuss with their manager.
- In May 2020 we issued "Worksmart – the new normal" which included details of our refreshed approach to DSE/workstation assessments for homeworking during the pandemic – employees have been encouraged to conduct self-assessments and provisions were later implemented to enable staff to borrow ICT and office equipment from Blackdown House and Exmouth Town Hall to support individuals in their home environment. We continue to refer more complex musculoskeletal needs to Occupational Health for an ergonomic assessment.
- Over the course of 2020 in response to government 'COVID Secure' guidance, locational and operational safe systems of working with coronavirus were introduced and implemented

- Later in the year, individual COVID risk assessments were implemented to reinforce safe systems of working at a personal level

I am advised that EDDC's approach to managing stress related absence for all employees includes:

- Where employees are absent due to stress, managers first seek to understand what is contributing to this. Knowledge of contributory factors is therefore reliant on the employee articulating this.
- Where work is identified as a contributory factor, managers and employees can conduct an individual stress risk assessment aimed at specifically identifying triggers and measures to resolve this. They may or may not use the template provided for this. What is important is to understand the contributory factors, and where these are impacted by work, identify potential solutions and agree actions to be taken. We may also seek an Occupational Health referral depending on the facts of the case.
- Where work is not a contributory factor, employees are signposted to their GP, the employee assistance programme and TalkWorks or other agencies depending on the facts of the case.
- The approach is bespoke to the individual case – there is no 'one size fits all' process

Question 12: Procedure Rule 9.2 to the Chair of the Council from Councillor Mike Allen

Can the Chair of Council please explain her thinking in considering the proposed motion on risk analysis I sent to be debated as a legal issue of urgency was less important than the motion on High Street Fund.

Answer:

Cllr Allen was sent an explanation by email on 16th February. If he judged the matter to be urgent he should have raised the topic immediately, with the Head of Paid Service, rather than wait until a motion could be debated at full Council.

Question 13: Procedure Rule 9.2 to the Portfolio Holder for Strategic Planning from Councillor Phil Skinner

Would Cllr Ledger agree with me that there is now a severe lack of affordable employment space in East Devon on our existing sites, that through our local plan and pressure from the pandemic, that both the expansion of existing businesses as well as new business is paramount and as a matter of urgency, would he consider setting up a working party to look into this issue so as we can gain an actual understanding of where we are and perhaps adjust our policies to better reflect a more flexible approach on maintaining job retention with already successful businesses that are looking to expand and also the ability to deliver new ones in East Devon.

Answer:

There is a huge amount of work going on to address the needs of our business community both within the Enterprise Zone and across the rest of the district. Within the Enterprise Zone we have seen the recent delivery of the Ada Lovelace building at the Science Park and the Amazon depot at Exeter Logistics Park with more in the pipeline. This includes the Airpark site which will be unlocked as a result of the Council's investment in the Long Lane enhancement scheme. Recent decisions at Cabinet have shown a way forward for the delivery of business spaces in Cranbrook Town Centre as well. There is also work going on to masterplan the Hayne Lane employment allocation at Honiton and to deliver employment space in Axminster and Seaton including utilising Council assets. This shows our commitment to working proactively to deliver the strategy for employment land provision in the adopted Local Plan.

Looking ahead the delivery of employment spaces is a key issue for the new Local Plan and our economic recovery from the Covid-19 pandemic. This is one of many reasons why producing a new Local Plan is so important. I am keen for these issues to be discussed by the Strategic Planning Committee as a whole rather than a working party to ensure as wider engagement as possible and an open and transparent discussion in public. A series of topic papers covering the key issues for the Local Plan will be coming to meetings of the committee over the coming year and the delivery of employment land will be a key issue for these to cover.

Question 14: Procedure Rule 9.2 to the Portfolio Holder for Strategic Planning from Councillor Phil Skinner

Having had a conversation with our planning team, it appears we have an extremely high volume of planning applications coming through the system. On trying to identify what that is, there appears to be quite a lot regarding home/office type of accommodation within residential gardens for obvious reasons.

Would the portfolio holder be prepared to look into this issue to see if there were any ways of simplifying the process both for the applicant and our planning officers in what is surely a relatively simple planning process, again through the Strategic Planning policy Committee.

Answer:

The planning team have seen unprecedented numbers of applications in the system in recent months and we are doing everything we reasonably can to ensure that the team is suitably resourced and that the staff are fully supported.

The process for handling householder applications for extensions and outbuildings was streamlined following a systems thinking review a few years ago and is as simple and efficient as it can be. We also established a dedicated householder team to fast track these applications through the system and the team was bolstered a few months ago to help to deal with the current demand levels.

The government have also introduced far reaching permitted development rights in recent years that have also meant that fewer household extensions need permission than ever before and many of those that do go through a simple prior notification process rather than a full planning application.

We will continue to seek to improve and streamline processes to ensure that we are operating as efficiently as possible but this is an operational matter and not something for Strategic Planning Committee.

Question 15: Procedure Rule 9.2 to the Leader of the Council from Councillor Helen Parr

Re minute 309 Cabinet 20 January 2021 Mental Health Challenge for Local Authorities

In his email, 19 January 2021 to all members Cllr Arnott wrote,

“Finally, for the information of members, we will be taking a late and urgent item regarding a report that was in the pipeline with recommendations about the possible appointment of a Mental Health Officer to sit alongside our Public Health Officer at Cabinet tomorrow. It is perfectly clear after Thursday that this must now be an urgent matter at Cabinet.”

Although it is unclear when he first knew of a draft report for Cabinet, we do know it was ready as a draft last autumn.

Can he please explain why it only became clear... ‘after Thursday’...that this must now be an urgent matter.

Answer:

I am delighted that since the end of last May - and in the context of the corporate and financial challenges excellently faced by our officers – this administration has managed to find time to work together with them to address the many issues of the mental health and well-being of both members and officers. There is no doubt that individuals from both groups - in the context of extraordinary demands - have been pushed to the brink.

I was extremely concerned by reports of this, and so we asked John Golding, the Strategic Lead - Housing, Health & Environment, to draw on some research already performed by members and to draft a report on Mental Health. The first draft went to SMT+ for consideration during October 2020. The PH Holder, Cllr Armstrong, Cllr Millar, who had done much research, and I were sent the draft on 28th October 2020.

During an informal meeting of officers and Cabinet in November, Cllrs Armstrong and Bailey expressed their opposition to making the suggested appointment of a Mental Health officer. I admit to having been surprised by this, but clearly the report needed further thought. Mr Golding then did some more work around the actual job description for the member of staff and the practicalities of the role proposed.

During this time I was delighted that Cllr Tony Woodward agreed to take on a new role as Member Champion for Mental Health.

I hoped that with further clarity this would win support of Cabinet, and Cllr Parr will remember that I added this to the agenda at the first available opportunity in a highly crowded programme at the second January Cabinet. It was clear to me that this required calm debate being such a sensitive subject, and although Cllrs Bailey and Armstrong were initially opposed even then (as was their right) after a well-informed discussion the idea was resolved, albeit that permission of council must be sought for funding at Cllr Bailey and Armstrong’s request for a 1-year fixed term. This was then unanimously approved by Cabinet.

For Cllr Parr's information, it was resolved:

1. that the Council adopt and sign up to the Local Authority Mental Health Challenge;

2. that the appointed Mental Health Member Champion have regard to the guidelines contained in the Local Authority Mental Health Challenge in carrying out their role;
3. that a Lead Officer is identified and additional officer capacity is approved to further support staff and facilitate positive mental health for elected members;
4. the commitment is captured in the updated Council Plan and in our Public Health Strategic Plan, and
5. that the new officer act as a liaison between the council and other authorities and outside bodies concerned with mental health, as well as the new mental health officer within EDDC housing team and the Mental Health Member Champion. This is to ensure that they have the most current and up to date advice to assist members and officers with signposting should members of the public approach them for assistance.

It was RECOMMENDED to Council:

6. To approve the Lead Officer role on the basis of a 1-year fixed term post and the necessary budget of circa £50k be taken from the £700k funding provided by Government in relation to COVID.

REASON: To take forward the Cabinet's request to further explore the Local Authority Mental Health Challenge and assess the implications of adopting the actions set out in the challenge.

In conclusion, this important matter was discussed and shaped between members and officers over several months prior to appearing on the Cabinet agenda, to ensure that we had a relevant, deliverable and considered response to concerns raised by one. It was important to ensure that we build on existing good practice within the Council, identify gaps and areas for improvement, rather than a 'knee jerk' reaction especially given the prominence of mental health issues at present both in our own lives and in the media currently.

This considered approach comes from a genuine desire to develop a sustainable plan for maintain good mental health amongst members and officers. I am very proud that this administration has made such firm strides in this desperately important matter in just a few months and I trust Cllr Parr is supportive of these initiatives.

I would like to thank John Golding, Cllr Millar and Cllr Woodward for their initiative and work in this area of key concern.

Report to: Council

Date of Meeting 24th February 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Council Tax Resolution 2021/22

Report summary

The purpose of this report is to enable the Council to calculate and set the Council Tax for 2021/22.

In agreeing to the Cabinet recommendations on the Revenue and Capital Budgets 2021/22 (Minute Number 322) on the 3rd February 2021 this gives the Council Tax requirement for this Council of £9,119,550 resulting in a Council Tax Band D amount of £151.78. This is an increase of £5 a year (3.41%), within the threshold stipulated by government before triggering a council tax referendum.

The Budget report to Cabinet on 3rd February 2021 can be found here: [agenda and draft minutes](#), this report contains links to the detailed Revenue and Capital Budget report to Cabinet on the 6th January 2021.

In accordance with Section 25 of the Local Government Act 2003 the Chief Financial Officer (Strategic Lead Finance) has reported to the authority on the robustness of the 2021/22 budgets and is satisfied with the adequacy of the proposed financial reserves. **The 2021/22 budget recommended by Cabinet is balanced with expenditure matched by available income.**

There is a legal requirement for the Council to set a budget and associated Council Tax; the process for Council Tax Billing starts the day after the Council meeting in order to meet the necessary deadlines (bill printing, dispatch and appropriate direct debit notifications etc.). The obligation to make a lawful budget each year is shared equally by each Member.

The Council Tax setting process is that all preceptors (Devon County Council, Police and Crime Commissioner for Devon and Cornwall, Devon & Somerset Fire & Rescue Authority and town and parish councils) will set their budgets and relevant council tax requirement and then this Council, as the billing authority, will formally set the Council Tax for the area to include all amounts to be collected. This report sets out the details of this Council's Council Tax requirement and the precepts for other bodies.

Recommendation:

1. To approve the formal Council Tax Resolution at Appendix A
2. Inclusion of Queens Drive Delivery Group recommendations into the 2021/22 budget; additional £73k to the Capital Budget and to allocate £19k to Queens Drive Revenue Budget (outlined in 1.3 of the report).

Reason for recommendation:

The Council as a billing authority is required to set the Council Tax for 2021/22

Officer: Simon Davey, Strategic Lead Finance (CFO/S151)

Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

This report sets the Council's Council Tax requirement for 2021/22 which is derived from its Budget Requirement as recommended by Cabinet on 3rd February 2021.

Legal implications:

There are no legal observations required

Equalities impact Low Impact

Climate change High Impact

The budget approval gives the Council the resources necessary to undertake its business which will significantly contribute to the carbon footprint of the Council. There are budgets proposed to address this issue and fund actions for 2021/22 to reduce the Council's Carbon emissions.

Risk: Low Risk

Links to background information

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. East Devon District Council's Budget 2021/22

- 1.1 In agreeing to the Cabinet recommendations on the Revenue and Capital Budgets 2021/22 (Minute Number 322) on the 3rd February 2021 this gives the Council Tax requirement for this Council of £9,119,550 resulting in a Council Tax Band D amount of £151.78. This is an increase of £5 a year (3.41%), within the threshold stipulated by government before triggering a council tax referendum.
- 1.2 The Budget report to Cabinet on 3rd February 2021 can be found here: [agenda and draft minutes](#), this report contains links to the detailed Revenue and Capital Budget report to Cabinet on the 6th January 2021.
- 1.3 **The Exmouth Queens Drive Delivery Group** met on the 25th January 2021 making recommendations to Cabinet which had 2021/22 budgetary implications and were time critical. The minutes of that meeting have not been considered by Cabinet as yet, when they are presented the following Council meeting to approve the expenditure is not until 21st April 2021. Two areas of spend proposed by the Delivery Group, if approved, require orders to be placed and works arranged shortly with the knowledge that a budget will be in place on 1st April 2021. The two areas being:

- That the temporary use on the main Queen's Drive Space for the 2021 season progress as detailed in the report [report to Delivery Group] (paragraphs 3.1-3.8) in respect of arrangements for the bar, the traders, events and replacement of the seating areas.

The specific request with financial implication was the “- Repair and / or replacement of seating area – For the Property & FM Team to manage the removal of those items requiring repair and to replace with picnic style benches made from sustainable materials and securely attached. Members have already forwarded to Officers some ideas on specifications and suppliers and these will be considered alongside discussions with StreetScene. Initial work by the Property & FM Team suggests that to remove the existing furniture and replace with sustainable timber picnic benches would cost circa £15,000, similarly if sustainable plastic. If we were also to remove the boardwalk and replace with hard surfacing then the total cost for this and the picnic benches would be circa £20,000 - £35,000 dependant on finish.

- That the former car park site be laid to grass prior to planning permission for change of use being granted. To provide a grassed surface to the temporary car park is £18,000 to £38,000 (capital costs) with additional maintenance costs of £10,000 per annum

The overall financial implications of these recommendations from the Delivery Group result in lost car park income in the order of £20k - £30k (how much of this lost income will be recovered from car park users parking in other EDDC car parks is unknown). To provide a grassed surface to the temporary car park is £18k to £38k (capital costs) with additional maintenance costs of £10k per annum. It is expected activities on the site could generate up to £6k. A budget is also being requested of £20k to £35k (capital) to replace existing seating and infrastructure on Queen's Drive Space.

It was envisaged that additional budgets would be required, subject to Council approval, and although not included currently in the draft budget for 2021/22 the possibility of costs arising were highlighted. If proposals are adopted, with car park income assumed at a 50%

loss, then an increase is requested in the capital budget of total of £73k and net revenue implications of £19k.

If Council approve, this is an addition to the 2021/22 proposed Capital Programme of £73k and £19k to be add to the Queens Drive revenue budget from the unallocated budget held in the General Fund for such items, thereby making no amendment to overall budget and council tax requirement.

- 1.4 The budget includes an **increase in prime car park charges and permits which generates £300k** in additional income for 2021/22. This is a separate item on Council's agenda to consider. Should Council not accept the increase in charges, then at this stage of setting the Council Tax the General Fund Balance will have to make good the loss of £300k, proposals would then have to come back to Council on how savings could be made to meet this not insignificant gap in the underlying budget.

2 Council Tax Resolution 2021/22

- 2.1 The precept levels of other precepting bodies are detailed below.

It should be noted the amounts below for Devon & Cornwall Police Authority, Devon County Council, Fire & Rescue Authority are provisional as they don't meet to set their budget and precept until; Police on 15th February, County on 18th February and Fire on 19th February. Should the amounts change then a revised report will be issued to Council.

- **Town & Parish Councils**

The Town & Parish Council Precepts for 2021/22 are detailed in Schedule 1 and total £4,355,483.08. The increase in the average Band D Council Tax for Town and Parish councils is 2.37% and results in an average Band D Council Tax figure of £72.49 for 2021/22.

- **Devon County Council**

Devon County Council set their precept at £90,803,747.52. This results in a Band D Council Tax of £1,511.28. This is a total increase of 4.99%; includes a charge for adult social care services representing 3% of the increase.

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

Police and Crime Commissioner for Devon and Cornwall set their precept at £14,213,471.04. This results in a Band D Council Tax of £236.56, being a 6.73% increase on the previous year.

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

Devon & Somerset Fire & Rescue Authority set their precept at £5,407,560. This results in a Band D Council Tax of £90.00, being a 1.99% increase on the previous year.

- 2.2 This Council's calculations are set out in the formal Council Tax Resolution in Appendix A. This follows Cabinet's recommendation to Council on the 2021/22 budget.
- 2.3 This recommendation is reflected in the formal Council Tax Resolution at Appendix A and the total Band D Council Tax will be as follows:

COUNCIL TAX LEVIES	2020/2021	2021/2022	Variation
	£	£	%
East Devon District Council	146.78	151.78	3.41%
Parish & Town Councils (Average)	70.81	72.49	2.37%
Sub Total	217.59	224.27	-
Devon County Council	1,439.46	1,511.28*	4.99%
Police and Crime Commissioner for Devon and Cornwall	221.64	236.56	6.73%
Devon & Somerset Fire & Rescue Authority	88.24	90.00	1.99%
TOTALS	£1,966.93	£2,062.11	4.84%

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

The Council is recommended to resolve as follows:

1. It be noted that on 6th January 2021 Cabinet (minute reference 290 refers) calculated the Council Tax Base 2021/22
 - (a) for the whole Council area as 60,084 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as detailed in Schedule 1 attached.
2. As a preliminary step, calculate that the Council Tax requirement for the Council's own purposes for 2021/22 (excluding Parish precepts) is £9,119,550.
3. That the following amounts be calculated for the year 2021/22 in accordance with Sections 30 to 36 of the Act:
 - (a) £91,145,038 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £77,670,005 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £13,475,033 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £224.27 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £4,355,483 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule 1).
 - (f) £151.78 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

- (g) The amounts stated in column 5 of the schedule 1 attached given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area specified in column 1 of Schedule 1 divided in each case by the amount at 1(a) above, calculated by the Council in accordance with Section 34(3) of the Act, as the basic amounts of its Council tax for the year for dwellings in those parts of its area set out in column 1 of Schedule 1 to which one or more special items relate.
- (h) The amounts set out in Schedule 2 attached given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
4. That it be noted that for the year 2021/22 Devon County Council, Police and Crime Commissioner for Devon and Cornwall and Devon and Somerset Fire and Rescue Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands	Precepting Authority		
	Devon County Council	Police & Crime Com for Devon & Cornwall	Devon & Somerset Fire & Rescue
A	£1,007.52	£157.71	£60.00
B	£1,175.44	£183.99	£70.00
C	£1,343.36	£210.28	£80.00
<u>D</u>	<u>£1,511.28</u>	<u>£236.56</u>	<u>£90.00</u>
E	£1,847.12	£289.13	£110.00
F	£2,182.96	£341.70	£130.00
G	£2,518.80	£394.27	£150.00
H	£3,022.56	£473.12	£180.00

5. That, having calculated the aggregate in each case of the amounts at 3 (h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of council tax for the year 2021/22 for each of the categories of dwellings shown in Schedule 3.

The Council has determined that its relevant basic amount of Council Tax for 2021/22 is **not** excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2021/22 is excessive and therefore the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

SCHEDULE 1 2021/22

Parish	Parish Precept	Tax Base	Basic Parish Tax	Basic Tax Parish + EDDC	Basic Tax + DCC + Fire Authority + Police & Crime Comm D&C
	£		£	£	£
All Saints	13,000.00	257	50.58	202.36	2,040.20
Awliscombe	4,000.00	237	16.88	168.66	2,006.50
Axminster	250,630.00	2781	90.12	241.90	2,079.74
Axmouth	12,582.00	250	50.33	202.11	2,039.95
Aylesbeare	10,258.00	265	38.71	190.49	2,028.33
Beer	24,129.00	665	36.28	188.06	2,025.90
Bishops Clyst	41,696.00	605	68.92	220.70	2,058.54
Bramford Speke	7,350.00	149	49.33	201.11	2,038.95
Branscombe	7,850.00	329	23.86	175.64	2,013.48
Broadclyst	387,240.00	2187	177.06	328.84	2,166.68
Broadhembury	8,470.89	313	27.06	178.84	2,016.68
Buckerell	3,170.00	114	27.81	179.59	2,017.43
Budleigh Salterton	158,000.00	2800	56.43	208.21	2,046.05
Chardstock	15,750.00	419	37.59	189.37	2,027.21
Clyst Honiton	18,000.00	112	160.71	312.49	2,150.33
Clyst Hydon	3,800.00	125	30.40	182.18	2,020.02
Clyst St George	9,135.00	395	23.13	174.91	2,012.75
Clyst St Lawrence	-	47	0.00	151.78	1,989.62
Colaton Raleigh	8,073.02	306	26.38	178.16	2,016.00
Colyton	60,396.00	1448	41.71	193.49	2,031.33
Combe Raleigh	2,222.00	97	22.91	174.69	2,012.53
Combpyne-Rousdon	5,400.00	191	28.27	180.05	2,017.89
Cotleigh	3,600.00	108	33.33	185.11	2,022.95
Cranbrook	505,403.22	1974	256.03	407.81	2,245.65
Dalwood	6,870.00	209	32.87	184.65	2,022.49
Dunkeswell	34,305.00	591	58.05	209.83	2,047.67
East Budleigh with Bicton	27,700.00	506	54.74	206.52	2,044.36
Exmouth	730,345.00	12783	57.13	208.91	2,046.75
Farringdon	7,260.00	154	47.14	198.92	2,036.76
Farway	3,000.00	132	22.73	174.51	2,012.35
Feniton	20,000.00	675	29.63	181.41	2,019.25
Gittisham	8,323.20	346	24.06	175.84	2,013.68
Hawkchurch	10,000.00	262	38.17	189.95	2,027.79
Honiton	296,742.00	3865	76.78	228.56	2,066.40
Huxham	-	46	0.00	151.78	1,989.62
Kilmington	21,000.00	404	51.98	203.76	2,041.60
Luppitt	12,000.00	215	55.81	207.59	2,045.43
Lympstone	47,000.00	911	51.59	203.37	2,041.21
Membury	11,070.00	275	40.25	192.03	2,029.87
Monkton	5,500.00	74	74.32	226.10	2,063.94
Musbury	8,000.00	243	32.92	184.70	2,022.54
Netherexe	-	25	0.00	151.78	1,989.62
Newton Poppleford	47,500.00	950	50.00	201.78	2,039.62
Northleigh	2,500.00	82	30.49	182.27	2,020.11
Offwell	6,208.00	189	32.85	184.63	2,022.47
Otterton	11,776.00	308	38.23	190.01	2,027.85
Ottery St Mary	156,000.00	2887	54.04	205.82	2,043.66
Payhembury	8,589.00	322	26.67	178.45	2,016.29
Plymtree	4,500.00	256	17.58	169.36	2,007.20
Poltimore	5,845.00	135	43.30	195.08	2,032.92
Rewe	9,000.00	192	46.88	198.66	2,036.50
Rockbeare	31,951.00	373	85.66	237.44	2,075.28
Seaton	356,939.00	3231	110.47	262.25	2,100.09
Sheldon	1,000.00	83	12.05	163.83	2,001.67
Shute	4,800.00	289	16.61	168.39	2,006.23
Sidmouth	619,020.00	6916	89.51	241.29	2,079.13
Southleigh	4,000.00	114	35.09	186.87	2,024.71
Stockland	11,811.00	333	35.47	187.25	2,025.09
Stoke Canon	10,000.00	235	42.55	194.33	2,032.17
Talaton	8,722.00	244	35.75	187.53	2,025.37
Uplyme	44,482.85	867	51.31	203.09	2,040.93
Upottery	13,000.00	327	39.76	191.54	2,029.38
Upton Pyne	10,282.90	221	46.53	198.31	2,036.15
West Hill	56,875.00	1156	49.20	200.98	2,038.82
Whimble	28,480.00	718	39.67	191.45	2,029.29
Widworthy	3,000.00	137	21.90	173.68	2,011.52
Woodbury	83,866.00	1409	59.52	211.30	2,049.14
Yarcombe	6,065.00	220	27.57	179.35	2,017.19

SCHEDULE 2 2021/22
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS (Town and Parish tax)

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	134.91	157.39	179.88	202.36	247.33	292.30	337.27	404.72
Awliscombe	112.44	131.18	149.92	168.66	206.14	243.62	281.10	337.32
Axminster	161.27	188.14	215.03	241.90	295.66	349.41	403.17	483.80
Axmouth	134.74	157.20	179.66	202.11	247.02	291.94	336.85	404.22
Aylesbeare	127.00	148.16	169.33	190.49	232.82	275.15	317.49	380.98
Beer	125.38	146.27	167.17	188.06	229.85	271.64	313.44	376.12
Bishops Clyst	147.14	171.65	196.18	220.70	269.75	318.79	367.84	441.40
Bramford Speke	134.08	156.42	178.77	201.11	245.80	290.49	335.19	402.22
Branscombe	117.10	136.61	156.13	175.64	214.67	253.70	292.74	351.28
Broadclyst	219.23	255.76	292.31	328.84	401.92	474.99	548.07	657.68
Broadhembury	119.23	139.10	158.97	178.84	218.58	258.33	298.07	357.68
Buckerell	119.73	139.68	159.64	179.59	219.50	259.41	299.32	359.18
Budleigh Salterton	138.81	161.94	185.08	208.21	254.48	300.75	347.02	416.42
Chardstock	126.25	147.29	168.33	189.37	231.45	273.54	315.62	378.74
Clyst Honiton	208.33	243.05	277.77	312.49	381.93	451.38	520.82	624.98
Clyst Hydon	121.46	141.69	161.94	182.18	222.67	263.15	303.64	364.36
Clyst St George	116.61	136.04	155.48	174.91	213.78	252.65	291.52	349.82
Clyst St Lawrence	101.19	118.05	134.92	151.78	185.51	219.24	252.97	303.56
Colaton Raleigh	118.78	138.57	158.37	178.16	217.75	257.34	296.94	356.32
Colyton	129.00	150.49	172.00	193.49	236.49	279.49	322.49	386.98
Combe Raleigh	116.46	135.87	155.28	174.69	213.51	252.33	291.15	349.38
Combpyne-Rousdon	120.04	140.04	160.05	180.05	220.06	260.07	300.09	360.10
Cotleigh	123.41	143.97	164.55	185.11	226.25	267.38	308.52	370.22
Cranbrook	271.88	317.18	362.50	407.81	498.44	589.06	679.69	815.62
Dalwood	123.10	143.62	164.14	184.65	225.68	266.72	307.75	369.30
Dunkeswell	139.89	163.20	186.52	209.83	256.46	303.09	349.72	419.66
East Budleigh with Bicton	137.68	160.63	183.58	206.52	252.41	298.31	344.20	413.04
Exmouth	139.28	162.48	185.70	208.91	255.34	301.76	348.19	417.82
Farringdon	132.62	154.71	176.82	198.92	243.13	287.33	331.54	397.84
Farway	116.34	135.73	155.12	174.51	213.29	252.07	290.85	349.02
Feniton	120.94	141.10	161.26	181.41	221.72	262.04	302.35	362.82
Gittisham	117.23	136.76	156.31	175.84	214.92	253.99	293.07	351.68
Hawkchurch	126.64	147.74	168.85	189.95	232.16	274.37	316.59	379.90
Honiton	152.38	177.77	203.17	228.56	279.35	330.14	380.94	457.12
Huxham	101.19	118.05	134.92	151.78	185.51	219.24	252.97	303.56
Kilmington	135.84	158.48	181.12	203.76	249.04	294.32	339.60	407.52
Luppitt	138.40	161.46	184.53	207.59	253.72	299.85	345.99	415.18
Lypstone	135.58	158.18	180.78	203.37	248.56	293.76	338.95	406.74
Membury	128.02	149.36	170.70	192.03	234.70	277.38	320.05	384.06
Monkton	150.74	175.85	200.98	226.10	276.35	326.59	376.84	452.20
Musbury	123.14	143.65	164.18	184.70	225.75	266.79	307.84	369.40
Netherexe	101.19	118.05	134.92	151.78	185.51	219.24	252.97	303.56
Newton Poppleford	134.52	156.94	179.36	201.78	246.62	291.46	336.30	403.56
Northleigh	121.52	141.76	162.02	182.27	222.78	263.28	303.79	364.54
Offwell	123.09	143.60	164.12	184.63	225.66	266.69	307.72	369.26
Ottery	126.68	147.78	168.90	190.01	232.24	274.46	316.69	380.02
Ottery St Mary	137.22	160.08	182.96	205.82	251.56	297.30	343.04	411.64
Payhembury	118.97	138.79	158.63	178.45	218.11	257.76	297.42	356.90
Plymtree	112.91	131.72	150.55	169.36	207.00	244.63	282.27	338.72
Poltimore	130.06	151.73	173.41	195.08	238.43	281.78	325.14	390.16
Rewe	132.44	154.51	176.59	198.66	242.81	286.96	331.10	397.32
Rockbeare	158.30	184.67	211.06	237.44	290.21	342.97	395.74	474.88
Seaton	174.84	203.97	233.12	262.25	320.53	378.81	437.09	524.50
Sheldon	109.22	127.42	145.63	163.83	200.24	236.65	273.05	327.66
Shute	112.26	130.97	149.68	168.39	205.81	243.23	280.65	336.78
Sidmouth	160.86	187.67	214.48	241.29	294.91	348.53	402.15	482.58
Southleigh	124.58	145.34	166.11	186.87	228.40	269.93	311.45	373.74
Stockland	124.84	145.64	166.45	187.25	228.86	270.47	312.09	374.50
Stoke Canon	129.56	151.14	172.74	194.33	237.52	280.70	323.89	388.66
Talaton	125.02	145.86	166.70	187.53	229.20	270.88	312.55	375.06
Uplyme	135.40	157.96	180.53	203.09	248.22	293.35	338.49	406.18
Upottery	127.70	148.97	170.26	191.54	234.11	276.67	319.24	383.08
Upton Pyne	132.21	154.24	176.28	198.31	242.38	286.45	330.52	396.62
West Hill	133.99	156.32	178.65	200.98	245.64	290.31	334.97	401.96
Whimble	127.64	148.90	170.18	191.45	234.00	276.54	319.09	382.90
Widworthy	115.79	135.08	154.39	173.68	212.28	250.87	289.47	347.36
Woodbury	140.87	164.34	187.83	211.30	258.26	305.21	352.17	422.60
Yarcombe	119.57	139.49	159.43	179.35	219.21	259.06	298.92	358.70

SCHEDULE 3 2021/22
EAST DEVON DISTRICT COUNCIL INCLUDING SPECIAL ITEMS, DEVON COUNTY COUNCIL, POLICE AND CRIME COMMISSIONER
FOR DEVON & CORNWALL and DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
All Saints	1,360.14	1,586.82	1,813.52	2,040.20	2,493.58	2,946.96	3,400.34	4,080.40
Awliscombe	1,337.67	1,560.61	1,783.56	2,006.50	2,452.39	2,898.28	3,344.17	4,013.00
Axminster	1,386.50	1,617.57	1,848.67	2,079.74	2,541.91	3,004.07	3,466.24	4,159.48
Axmouth	1,359.97	1,586.63	1,813.30	2,039.95	2,493.27	2,946.60	3,399.92	4,079.90
Aylesbeare	1,352.23	1,577.59	1,802.97	2,028.33	2,479.07	2,929.81	3,380.56	4,056.66
Beer	1,350.61	1,575.70	1,800.81	2,025.90	2,476.10	2,926.30	3,376.51	4,051.80
Bishops Clyst	1,372.37	1,601.08	1,829.82	2,058.54	2,516.00	2,973.45	3,430.91	4,117.08
Bramford Speke	1,359.31	1,585.85	1,812.41	2,038.95	2,492.05	2,945.15	3,398.26	4,077.90
Branscombe	1,342.33	1,566.04	1,789.77	2,013.48	2,460.92	2,908.36	3,355.81	4,026.96
Broadclyst	1,444.46	1,685.19	1,925.95	2,166.68	2,648.17	3,129.65	3,611.14	4,333.36
Broadhembury	1,344.46	1,568.53	1,792.61	2,016.68	2,464.83	2,912.99	3,361.14	4,033.36
Buckerell	1,344.96	1,569.11	1,793.28	2,017.43	2,465.75	2,914.07	3,362.39	4,034.86
Budleigh Salterton	1,364.04	1,591.37	1,818.72	2,046.05	2,500.73	2,955.41	3,410.09	4,092.10
Chardstock	1,351.48	1,576.72	1,801.97	2,027.21	2,477.70	2,928.20	3,378.69	4,054.42
Clyst Honiton	1,433.56	1,672.48	1,911.41	2,150.33	2,628.18	3,106.04	3,583.89	4,300.66
Clyst Hydon	1,346.69	1,571.12	1,795.58	2,020.02	2,468.92	2,917.81	3,366.71	4,040.04
Clyst St George	1,341.84	1,565.47	1,789.12	2,012.75	2,460.03	2,907.31	3,354.59	4,025.50
Clyst St Lawrence	1,326.42	1,547.48	1,768.56	1,989.62	2,431.76	2,873.90	3,316.04	3,979.24
Colaton Raleigh	1,344.01	1,568.00	1,792.01	2,016.00	2,464.00	2,912.00	3,360.01	4,032.00
Colyton	1,354.23	1,579.92	1,805.64	2,031.33	2,482.74	2,934.15	3,385.56	4,062.66
Combe Raleigh	1,341.69	1,565.30	1,788.92	2,012.53	2,459.76	2,906.99	3,354.22	4,025.06
Combpyne-Rousdon	1,345.27	1,569.47	1,793.69	2,017.89	2,466.31	2,914.73	3,363.16	4,035.78
Cotleigh	1,348.64	1,573.40	1,798.19	2,022.95	2,472.50	2,922.04	3,371.59	4,045.90
Cranbrook	1,497.11	1,746.61	1,996.14	2,245.65	2,744.69	3,243.72	3,742.76	4,491.30
Dalwood	1,348.33	1,573.05	1,797.78	2,022.49	2,471.93	2,921.38	3,370.82	4,044.98
Dunkeswell	1,365.12	1,592.63	1,820.16	2,047.67	2,502.71	2,957.75	3,412.79	4,095.34
East Budleigh with Bicton	1,362.91	1,590.06	1,817.22	2,044.36	2,498.66	2,952.97	3,407.27	4,088.72
Exmouth	1,364.51	1,591.91	1,819.34	2,046.75	2,501.59	2,956.42	3,411.26	4,093.50
Farringdon	1,357.85	1,584.14	1,810.46	2,036.76	2,489.38	2,941.99	3,394.61	4,073.52
Farway	1,341.57	1,565.16	1,788.76	2,012.35	2,459.54	2,906.73	3,353.92	4,024.70
Feniton	1,346.17	1,570.53	1,794.90	2,019.25	2,467.97	2,916.70	3,365.42	4,038.50
Gittisham	1,342.46	1,566.19	1,789.95	2,013.68	2,461.17	2,908.65	3,356.14	4,027.36
Hawkchurch	1,351.87	1,577.17	1,802.49	2,027.79	2,478.41	2,929.03	3,379.66	4,055.58
Honiton	1,377.61	1,607.20	1,836.81	2,066.40	2,525.60	2,984.80	3,444.01	4,132.80
Huxham	1,326.42	1,547.48	1,768.56	1,989.62	2,431.76	2,873.90	3,316.04	3,979.24
Kilminster	1,361.07	1,587.91	1,814.76	2,041.60	2,495.29	2,948.98	3,402.67	4,083.20
Luppitt	1,363.63	1,590.89	1,818.17	2,045.43	2,499.97	2,954.51	3,409.06	4,090.86
Lypstone	1,360.81	1,587.61	1,814.42	2,041.21	2,494.81	2,948.42	3,402.02	4,082.42
Membury	1,353.25	1,578.79	1,804.34	2,029.87	2,480.95	2,932.04	3,383.12	4,059.74
Monkton	1,375.97	1,605.28	1,834.62	2,063.94	2,522.60	2,981.25	3,439.91	4,127.88
Musbury	1,348.37	1,573.08	1,797.82	2,022.54	2,472.00	2,921.45	3,370.91	4,045.08
Netherexe	1,326.42	1,547.48	1,768.56	1,989.62	2,431.76	2,873.90	3,316.04	3,979.24
Newton Popleford	1,359.75	1,586.37	1,813.00	2,039.62	2,492.87	2,946.12	3,399.37	4,079.24
Northleigh	1,346.75	1,571.19	1,795.66	2,020.11	2,469.03	2,917.94	3,366.86	4,040.22
Offwell	1,348.32	1,573.03	1,797.76	2,022.47	2,471.91	2,921.35	3,370.79	4,044.94
Otterton	1,351.91	1,577.21	1,802.54	2,027.85	2,478.49	2,929.12	3,379.76	4,055.70
Ottery St Mary	1,362.45	1,589.51	1,816.60	2,043.66	2,497.81	2,951.96	3,406.11	4,087.32
Payhembury	1,344.20	1,568.22	1,792.27	2,016.29	2,464.36	2,912.42	3,360.49	4,032.58
Plymtree	1,338.14	1,561.15	1,784.19	2,007.20	2,453.25	2,899.29	3,345.34	4,014.40
Poltimore	1,355.29	1,581.16	1,807.05	2,032.92	2,484.68	2,936.44	3,388.21	4,065.84
Rewe	1,357.67	1,583.94	1,810.23	2,036.50	2,489.06	2,941.62	3,394.17	4,073.00
Rockbeare	1,383.53	1,614.10	1,844.70	2,075.28	2,536.46	2,997.63	3,458.81	4,150.56
Seaton	1,400.07	1,633.40	1,866.76	2,100.09	2,566.78	3,033.47	3,500.16	4,200.18
Sheldon	1,334.45	1,556.85	1,779.27	2,001.67	2,446.49	2,891.31	3,336.12	4,003.34
Shute	1,337.49	1,560.40	1,783.32	2,006.23	2,452.06	2,897.89	3,343.72	4,012.46
Sidmouth	1,386.09	1,617.10	1,848.12	2,079.13	2,541.16	3,003.19	3,465.22	4,158.26
Southleigh	1,349.81	1,574.77	1,799.75	2,024.71	2,474.65	2,924.59	3,374.52	4,049.42
Stockland	1,350.07	1,575.07	1,800.09	2,025.09	2,475.11	2,925.13	3,375.16	4,050.18
Stoke Canon	1,354.79	1,580.57	1,806.38	2,032.17	2,483.77	2,935.36	3,386.96	4,064.34
Talaton	1,350.25	1,575.29	1,800.34	2,025.37	2,475.45	2,925.54	3,375.62	4,050.74
Uplyme	1,360.63	1,587.39	1,814.17	2,040.93	2,494.47	2,948.01	3,401.56	4,081.86
Upottery	1,352.93	1,578.40	1,803.90	2,029.38	2,480.36	2,931.33	3,382.31	4,058.76
Upton Pyne	1,357.44	1,583.67	1,809.92	2,036.15	2,488.63	2,941.11	3,393.59	4,072.30
West Hill	1,359.22	1,585.75	1,812.29	2,038.82	2,491.89	2,944.97	3,398.04	4,077.64
Whimble	1,352.87	1,578.33	1,803.82	2,029.29	2,480.25	2,931.20	3,382.16	4,058.58
Widworthy	1,341.02	1,564.51	1,788.03	2,011.52	2,458.53	2,905.53	3,352.54	4,023.04
Woodbury	1,366.10	1,593.77	1,821.47	2,049.14	2,504.51	2,959.87	3,415.24	4,098.28
Yarcombe	1,344.80	1,568.92	1,793.07	2,017.19	2,465.46	2,913.72	3,361.99	4,034.38

Summary of recommendations being presented to Council**24 February 2021** (Minutes in full have been circulated and are available on line.)

Cabinet – 6 January 2021	
288 Minutes of Strategic Planning Committee held on 15th December 2020 Minute 100 Garden Communities and Delivery Vehicles	
RECOMMENDED	to Council; a budget of £300k over a 3 year period is established for this work to be funded through the business rate retention reserve to approved.

Cabinet – 20 January 2021	
309 Mental Health Challenge for Local Authorities	
RECOMMENDED	to Council: 6. To approve the Lead Officer role on the basis of a 1 year fixed term post and the necessary budget of circa £50k be taken from the £700k funding provided by Government in relation to COVID.

Cabinet – 3 February 2021	
321 Supporting Economic Recovery	
RECOMMENDED	to Council; that £1m from the Business Rate Pilot reserve was utilised in conjunction with monies from the Additional Restrictions Grant to support the deployment of the Fund.
322 Revenue and capital Budgets 2021/22	
RECOMMENDED	to Council; 1. To propose the Net Revenue General Fund Budget of £15.763m for 2021/22. 2. That expenditure at this stage is approved against the budget allocated of £1.316m from additional one off Government Funding (Covid-19 grant £616k and Lower Tier Service Grant £700k); a) Contingency Hardship Fund £100k b) Mental Health Officer/Resources £50k

	<p>With other allocations against this budget to be made with Council approval.</p> <ol style="list-style-type: none"> 3. A Council Tax increase is approved of £5 a year giving a Band D council tax of £151.78 a year for 2021/22. 4. That the surplus identified on the Council Tax Collection Fund of £366,940 is allocated as outlined in 3.3 of the report; <ol style="list-style-type: none"> a) £189,189 is set aside in a reserve to meet the known collection fund deficit in future years, b) £177,751 is used to increase the General Fund Balance, bringing it more comfortably within the adopted range. 5. That the Housing Revenue Account Estimates with a net surplus of £0.985m is approved. 6. That the Net Capital Budget totalling £7.965m for 2021/22 is approved.
323 Capital Strategy 2021/22 – 2024/25	
RECOMMENDED	to Council: the adoption of the Capital Strategy 2021/22 – 2024/25.
324 Treasury Management, including the Minimum Revenue Provision Policy Statement and Annual Investment Strategy for 2021/22	
RECOMMENDED	that Council approve and adopt: The Treasury Management Strategy 2021/22 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy, including; <ol style="list-style-type: none"> a. the Prudential Indicators for 2021/22, b. the Minimum Revenue Provision Policy Statement, and c. the creditworthiness criteria and updated list of counterparties.
331 COVID – 19 Suez Claim	
RECOMMENDED	to Council: <ol style="list-style-type: none"> 1. To approve the over budget claim of £184,592.02 for the reasons set out in the report subject to the Strategic Lead – Governance and Licensing obtaining legal advice to confirm the assessment of the contractual position. 2. To provide a contingency budget of £139,376 which represents 10% of the monthly contractual base payment in relation to potential future budget claims by Suez in the 2020/21 financial year. The actual payment is more likely to be less dependent on lockdown duration.

Scrutiny Committee – [10 December 2020](#)

106 Car Parking Tariff Review

RECOMMENDED

to Council;

1. That TAFF Members propose the introduction of a new tariff of £1.20 per hour in East Devon District Council's category 1 (prime location) car parks effective from 1 April 2021
2. That TAFF Members also propose the introduction of a revised pricing structure for car parking permits with a £120 per annum for a single town (and an additional £24 per each town added) up to a maximum annual permit charge of £240 to cover all towns. To provide a 'pay monthly' scheme for all regular customers starting with a single town permit for just £10 per month.

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

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Online via the Zoom app. on 2 December 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 6.34 pm

267 Public speaking

There were no members of the public registered to speak.

268 Declarations of interest

None

269 Matters of urgency

None

270 Confidential/exempt item(s)

None

271 Statement of Intent

The Leader of the Council Cllr Paul Arnott made the following statement:

‘This administration has now been in office for six of the most turbulent months in the history of local government. Our officers have risen to the occasion splendidly and may yet have to do so for some time to come. I would like to thank both them and members of all allegiances who have gone above and beyond this year.

Despite this challenge, the administration has already executed significant moves both to build on its legacy and to re-direct the approach of the council. In order to take back control of our planning processes, we have withdrawn from the GESP and replaced that with a full engagement with other district and county partners in a non-statutory joint infrastructure plan.

In Exmouth, where the history of the seafront development has been troubled, we are encouraging a more public, participatory approach to the extraordinary natural resource of the town’s coast. We are also determined to help the people and members from Cranbrook to get their community moving forward to completion, and together with Exmouth and drafting the new Local Plan this will be a central plank of our work.

Throughout these and other priorities we will seek to improve our environmental standards and the transparency of democratic involvement as core priorities.

Economic regeneration to a green and local agenda will be critical with widespread unemployment on the horizon, and towns such as Axminster will also become the focus of efforts to build growth fit for the 2020s. As we move out of this first extraordinary six months, we will be able to work more closely with members outside of our partnership group and all ideas will be heard. I am especially interested in how we might boost our

tourism offer and economy here in the Jurassic Coast hinterland, and how we roll out truly attainable homes, both drawing down on resources from the government's promised green growth funds.

All this said, it is important to remember just how much of the council's work for the people of East Devon ticks over via the daily hard graft of its employees. Above all we wish the council to be a good-humoured and empathetic environment for both the staff and elected members, all of whom give so much of their lives to the common good.

As we bridge between the past and the future, we are now issuing this interim Statement of Intent, which will inform the next six months of developing a full Council Plan 2021-23, and we look forward to many discussions in the coming months.

One bit of housekeeping; with the next phase of COVID-19 restrictions now upon us, it is important to ensure that EDDC continues to provide the very best services to its residents and that our staff are protected and supported. We also need to ensure that members of this Council are able to offer assurances of future support and an economic recovery response as well as deliver the ambitions in the Statement of Intent and then the next Council Plan. It is therefore our intention to undertake a management review, and I am asking the Chief Executive to bring a report to the 6th January Cabinet meeting with a view to this being carried out and giving more detail on timings, the scope of the review and potential budget requirements to do so. This will help ensure that the Council enters 2021 in the best shape to meet the challenges ahead, reflecting the ambitions of the Council as laid out in this Statement of Intent and onwards.'

The Chief Executive highlighted the report's timetable emphasizing that January/February were naturally extremely busy months due to the production of service plans and the 2021/22 draft budget. Additionally there could be implications around Brexit depending on whether there was a deal or no deal. It was important to consider the setting up of member workshops and public engagement particularly, he suggested an extensive period of workshops with all members and a degree of public engagement would be important for the Council Plan. This would then go through the usual committees' structure for final approval with the hope that the plan would be ready to be published by July 2021.

During discussions the issue of poverty within the district was highlighted with many members suggesting this deserved to be the number one priority within the Council Plan, alongside and just as important as climate change issues. Fuel poverty and the use of food banks were on the rise with poverty issues taking up a lot of the work across the council.

It was agreed that an extra statement be added to the Statement of Intent under 'Vision' (page 2):

(2) Better Homes and Communities for all with a priority on the importance of good quality, affordable housing suitable in size and location. *Poverty caused by the loss of employment, illness or disability is an increasing issue and will be a high priority for EDDC to tackle through all means available to us.*

The Portfolio Holder Corporate Services and Covid-19 Response and Recovery thanked officers for contributing to the start of these discussions. She stated the new Council Plan would be a refresh and a shift in emphasis and was an exciting project. She stated there would be workshops next year in order to engage members.

RESOLVED:

that the amended Statement of Intent and the timetable of a Council Plan for the period Summer 2021 to Spring 2023 be approved.

REASON:

To progress the development of the Council Plan.

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
S Jackson	Portfolio Holder Democracy and Transparency

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 Kevin Blakey
Councillor Colin Brown
Councillor Olly Davey
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Nick Hookway
Councillor Paul Jarvis
Councillor Vicky Johns
Councillor Paul Millar
Councillor Helen Parr
Councillor Eleanor Rylance
Councillor Brenda Taylor
Councillor Eileen Wragg

Also present:

Officers:

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
Debbie Meakin, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Online via the Zoom app. on 6 January 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 9.04 pm

272 Public speaking

There was one member of the public wishing to speak; this is recorded in minutes 294 and 295.

273 Minutes of the previous meetings held on 25 November and 2 December 2020

The minutes of Cabinet held on 25 November 2020 and 2 December 2020 were confirmed as a true record.

274 Declarations of interest

Min 263. Minutes of Exmouth Queen's Drive Delivery Group held on 17 November 2020. Councillor Paul Arnott, Personal, Chair of Exmouth Queen's Drive Delivery Group.

Min 290. Council Tax Base 2021/2022.

Councillor Paul Hayward, Personal, Council Tax precepts effect 3 parish councils who he works for.

Min 292. Poverty - our response to the crisis.

Councillor Paul Hayward, Personal, Executive Committee Member of Nourish, Axminster; a community food organisation providing meals.

24. Cranbrook Town Centre.

Councillor Dan Ledger, Personal, Member of the Cranbrook Delivery Board.

Min 294. Cranbrook Town Centre.

Councillor Kevin Blakey, Personal, Member of Cranbrook Strategic Delivery Board and Cranbrook Town Council.

Min 294. Cranbrook Town Centre.

Councillor Kim Bloxham, Personal, Member of Cranbrook Strategic Delivery Board and Cranbrook Town Council and attended meetings with consortium of developers.

Min 294. Cranbrook Town Centre.

Councillor Megan Armstrong, Personal, Has family members living in Cranbrook.

Min 294. Cranbrook Town Centre.

Councillor Paul Hayward, Personal, Has family members living in Cranbrook.

Min 295. Cranbrook Sport Pavilion Delivery.

Councillor Dan Ledger, Personal, Member of the Cranbrook Delivery Board.

Min 295. Cranbrook Sport Pavilion Delivery.

Councillor Megan Armstrong, Personal, Has family members living in Cranbrook.

Min 295. Cranbrook Sport Pavilion Delivery.
Councillor Paul Hayward, Personal, Has family members living in Cranbrook.

Min 297. Exeter and East Devon Enterprise Zone - amendment to funding agreement for the Ada Lovelace Building, Exeter Science Park.
Councillor Dan Ledger, Personal, Chair of Enterprise Zone Board.

Min 297. Exeter and East Devon Enterprise Zone - amendment to funding agreement for the Ada Lovelace Building, Exeter Science Park.
Councillor Jack Rowland, Personal, Council appointed Shareholder representative of Exeter Science Park Ltd.

Min 297. Exeter and East Devon Enterprise Zone - amendment to funding agreement for the Ada Lovelace Building, Exeter Science Park.
Councillor Paul Hayward, Personal, Council appointed Director of Exeter Science Park Ltd.

Min 298. S106 and CIL Internal Audit Report.
Councillor Paul Hayward, Personal, CIL and S106 effects his 3 parish council employers - All Saints, Chardstock and Newton Poppleford & Harpford.

Min 301. Proposed Deed of Variation to Lease of Units 3 & 4 Salterton Road, Industrial Estate, Exmouth.
Councillor Paul Hayward, Personal, Been in correspondence with the lessee.

275 **Matters of urgency**

There were three late items dealt with in this way recorded in minutes 289, 294 and 297.

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

None

277 **Forward Plan**

Members agreed the contents of the Forward Plan for key decisions for the period 1 January to 30 April 2021.

278 **Minutes of Exmouth Queen's Drive Delivery Group held on 17 November 2020**

Members received and noted the Minutes of Exmouth Queen's Drive Delivery Group held on 17 November 2020.

RESOLVED that the following recommendation be agreed:

Minute 11 Review of Terms of Reference

That Cabinet agrees to include the development and management of the Ocean building in the Terms of Reference for the Exmouth Queen's Drive Delivery Group.

Minute 14 Report outlining considerations for temporary uses for 2021

1. Not to proceed with the temporary car park and to provide clearer signage to other car parks on Exmouth seafront
2. To instruct Tim Child to research and report back on alternative options for use of the temporary car park land, in consultation with Cllr Chris Wright and Cllr Nick Hookway

279 **Minutes of South and East Devon Habitats Regulations Executive Committee held on 18 November 2020**

Members received and noted the Minutes of South and East Devon Habitats Regulations Executive Committee held on 18 November 2020.

280 **Minutes of Car Parking Task and Finish Forum held on 19 November and 26 November 2020**

Members received and noted the Minutes of Car Parking Task and Finish Forum held on 19 November and 26 November 2020.

281 **Minutes of Asset Management Forum held on 1 December 2020**

Members received and noted the Minutes of Asset Management Forum held on 1 December 2020.

282 **Minutes of Budget Setting and Capital Allocations Panel held on 1 December 2020**

Members received and noted the Minutes of Budget Setting and Capital Allocations Panel held on 1 December 2020.

RESOLVED that the following recommendations be agreed:

Minute 9 Capital Programme Financing and New Bids 2021/22

1. That the following items be added to the Capital Programme for 2020/21;
 - a) Bridge repair works across East Devon £65,000;
 - b) Budleigh Greenway Bridge repaint £66,000
 - c) Honiton Willow Walk Bridge refurbishment £20,000
 - d) Beer Cliff Top Car Park access road improvements £95,000
 - e) Budleigh Lime Kilm Car Park total resurfacing £175,000
 - f) Honiton Lace Walk Car Park partial resurfacing £20,000
 - g) Sidmouth Mill Street Car Park resurfacing and relining £25,000
 - h) Seaton Wetlands Car Park enhancements £25,000
 - i) Jacob's Ladder, Sidmouth Void plus seawall £175,000
 - j) Sidmouth Capping Wall £45,000
 - k) Sidmouth East Beach access steps £27,000
 - l) Exmouth Groyne concrete repair £85,000
 - m) Seaton Hole revetment repairs £100,000
 - n) Brixington Open Space enhancement £150,000 (less £23,000 s106 funding if granted)
 - o) Cliff works (Beer, Seaton and Sidmouth) £25,000
 - p) Footpath resurfacing of public open spaces (Phear Park, Gunfield Gardens, Madeira Walk and The Plantation) £50,000
 - q) Budleigh Lime Kiln Play Area £80,000

- r) Exmouth Liverton Copse Play Area £80,000
- s) Honiton Jerrard Close Play Area £60,000
- t) Honiton Pale Gate Play Area £80,000
- u) Exmouth Phear Park Skatepark £240,000
- v) Sidmouth Baker Close Play Area £60,000

2. That, in consultation with the Portfolio Holder, evidence is sought on level of use of Greenway Lane Footbridge, and an alternative solution to the existing bridge be researched;

3. That the Brixington Open Space Enhancement amends the location of outdoor gym equipment to a cluster arrangement;

4. That the Exmouth Phear Park shelter bid of £25,000 be rejected; and instruct officers to explore the use of anti-graffiti paint on the current structure.

283 Minutes of Arts and Culture Forum held on 3 December 2020

Members received and noted the Minutes of Arts and Culture Forum held on 3 December 2020.

284 Minutes of Poverty Working Panel held on 11 November and 7 December 2020

Members received and noted the Minutes of Poverty Working Panel held on 11 November and 7 December 2020.

285 Minutes of Council held on 9 December 2020

Members received and noted the Minutes of Council held on 9 December 2020.

RESOLVED that the following Motion be agreed:

Minute 114: Poverty Strategy and Actions

Council referred the motion to the first Cabinet meeting of 2021 for Cabinet to give it urgent consideration and to decide whether a further report should be prepared to identify practicable and affordable further actions.

286 Minutes of Scrutiny Committee held on 10 December 2020

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

RESOLVED that the following recommendation be agreed:

Minute 103 Sustainable Homes and Communities Portfolio Holder report

That all councillors should receive training on how to ask constructive questions to address the matter in hand so the meeting can move on at a constructive and timely manner.

287 Minutes of Housing Company Task and Finish Forum held on 14

December 2020

Members received and noted the Minutes of Housing Company Task and Finish Forum held on 14 December 2020.

RESOLVED that the following revised recommendations be agreed:

Minute 14 Options and lines of enquiry to deliver more affordable/social housing

1. that the Housing Company TaFF be renamed to the Housing TaFF to fulfil the vision of moving the TaFF forward, to focus on social housing need, delivery mechanisms and financing mechanisms,
2. that a working party of members be established to work with officers, approaching and learning from other authorities who have grown their Housing Revenue Account stock in recent years, before reporting back to the Housing Company TaFF. This would then inform the TAFF as to recommended resources, focussing on relevant mechanisms and finance required to proceed,
3. that the Housing Company be closed down.

288 **Minutes of Strategic Planning Committee held on 15 December 2020**

Members received and noted the Minutes of Strategic Planning Committee held on 15 December 2020.

RESOLVED that the following be noted and deferred for discussion later on in the agenda.

Minute 94 Cranbrook Town Centre

Members delegate to the Portfolio Holder for Strategic Planning, the Leader and Deputy Leader and the Strategic Lead for Planning to negotiate further with the Consortium regarding the Memorandum of Understanding. The result to come to either Cabinet on 6 January 2020 or a Cabinet held within 14 days of that date and also that the Supplementary Planning Document is noted and kept in reserve pending the result of the Memorandum of Understanding negotiations.

Minute 95 Local Development Scheme

approve the proposed new Local Development Scheme.

Minute 97 Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement

approve the proposed new Statement of Community Involvement.

RECOMMENDED to Council:

Minute 100 Garden Communities and Delivery Vehicles

a budget of £300k over a 3 year period is established for this work to be funded through the business rate retention reserve to approved.

289 **Minutes of LED Monitoring Forum held on 16 December 2020**

Members received and noted the Minutes of LED Monitoring Forum held on 16 December 2020.

RESOLVED that the following recommendation be agreed:

Minute 8 External advice - EDDC Leisure Strategy and auditing of LED monthly claims

That Members pursue a new Leisure Strategy.

290 **Council Tax Base 2021/2022**

The Strategic Lead Finance presented the report which set out the tax base for 2021/2022 and included the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax will be based. This was an important component in the Council's budget setting process for 2021/2022.

RESOLVED:

1. To confirm the tax base for 2021/2022 at 60,084 Band D equivalent properties.
2. To confirm the amount for each parish as detailed under section 3 of this report.

REASON:

The calculation of the tax base was prescribed in regulations and was a legal requirement. The council tax base was defined as the number of Band D equivalent properties in a local authority's area. The tax base was necessary to calculate council tax for a given area.

291 **Draft Revenue and Capital Budgets 2021/22**

The Strategic Lead Finance presented the draft revenue and capital budgets for 2021/22 for adoption by the Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board. Recommendations from these meetings would be presented back to the Cabinet on 3 February 2021 when members finalise budget proposals to be recommended to Council.

The Portfolio Holder Finance congratulated and thanked Simon Davey and his team for producing a balanced budget in what was the most challenging of times. In response to Council Tax charges being increased, he stated there was no other alternative if services were to be continued to be provided for residents of East Devon.

RESOLVED:

that the draft revenue and capital estimates be agreed and forwarded for consideration to a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board.

REASON:

There was a requirement to set balanced budgets and to levy a Council Tax for 2021/22.

292 **Poverty - our response to the crisis**

The Strategic Lead Housing, Health & Environment explained the report had been prepared in response to the Council motion considered on 9 December 2020. The report provided an update on the work being undertaken through the Poverty Working Panel and addressed the specific points contained in the motion.

Council endorsed the work of the Poverty Working Panel in seeking to identify and address poverty within the District. Members were pleased to note that the 'policy vision'

was being included in the strategy, that meetings were now being held in public and past minutes and agendas are also being made public.

Council was concerned about the unprecedented challenges now being faced by many residents. In recognition of the worsening poverty crisis, Council referred the motion to Cabinet for Cabinet to give it urgent consideration and to decide whether a further report should be prepared to identify practicable and affordable further actions with a view to:

- identifying any emergency actions for prioritisation;
- helping address gaps in the benefit system;
- applying for all available grants;
- strengthening families and communities with clear signposting;
- improving communication with towns and parishes around financial resilience;
- promoting long term economic growth potential;
- addressing issues affecting all age groups with regard to mental health and employment;
- assessing how the Poverty Strategy and action plan can be expedited by the Poverty Working Panel without compromising the evidenced based programme of work.

In response to a question concerning people fleeing from domestic abuse the Strategic Lead Housing, Health & Environment assured the member that systems were in place to support people in this situation and that the council had helped a number of families who had found themselves in these circumstances.

RESOLVED:

1. that Cabinet supports the work of the Poverty Working Panel and encourages them to come forward with a draft Poverty Strategy at the earliest opportunity,
2. That the Poverty Working Panel completes its thematic sessions and incorporates the learning into an action plan for inclusion in the Poverty Strategy, and
3. That the Poverty Strategy includes the five objectives set out in this report and the original Council motion that - 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.

REASON:

To meet the requirements of the Council motion and report on the progress being achieved by the Poverty Working Panel.

293 **Local Development Scheme and Statement of Community Involvement**

The Service Lead Planning Strategy and Development Management presented the report stating that the Council was required to maintain both an up to date Local Development Scheme (LDS) that set out a programme and timetable for production of future planning policy documents and a Statement of Community Involvement (SCI) that details how the consultation on the production of these documents would be undertaken. The report sought to introduce the updated version of both documents which had been considered by Strategic Planning Committee and were recommended to Council following consultation with Cabinet.

RECOMMENDED to Council that:

the proposed new Local Development Scheme and Statement of Community Involvement; as appended to the report, should be approved and take effect immediately following approval.

REASON:

To ensure the Council had an up to date Local Development Scheme and Statement of Community Involvement.

294 **Cranbrook Town Centre**

Councillor Matt Osborn from Cranbrook Town Council (CTC) stated the town council had undertaken a large amount of community involvement for CTC for the delivery of the town centre, with a large response of the adult population in favour of the delivery proposal put forward. CTC were unanimous in their support for this proposal as residents of Cranbrook themselves had accepted the changes put forward by officers and the planning committee. He stated that Cranbrook would pay the price if the start of the delivery of this project for the community was delayed even further.

The Service Lead Planning Strategy and Development Management provided an update on progress with negotiations with the East Devon New Community partners over the delivery of Cranbrook Town Centre. Following discussions at Strategic Planning Committee and further discussions with the developers there remained two options for Members to consider. The first was the developers offer to deliver a commercially led town centre focused around a Morrison's supermarket and bringing forward the delivery of a number of community facilities that were required to be delivered later in the build out of the town under the Section 106 agreement. However due to claimed viability issues this option led to an overall shortfall in infrastructure and affordable housing when considered against policy requirements. This option would however lead to the delivery of at least part of the town centre over the next few years and a clear path for the delivery of a fit for purpose town centre in the future through council investment.

The alternative option was to progress a supplementary planning document for the town centre to try and encourage development and proactively develop the town centre as a Council with the likely need to use compulsory purchase powers and an even greater council investment to deliver the town centre. This option was likely to lead to a significant delay of any delivery in the town centre beyond the basic Section 106 requirements and the loss of the proposed Morrison's supermarket investment.

During discussions it was stated that this was the time to make a positive decision and accept the proposal and get the project underway. The signing of the Memorandum of Understanding would be significant for EDDC and Cranbrook Town Council and its residents. There was now a broad agreement to the proposals and this was good for the residents of Cranbrook. Members were proud to have provided homes that allowed young people to get on the property ladder, with the newly built Primary School soon filling up with children shortly after its completion.

Cabinet wished to thank officers, the three ward members, the town council and the Cranbrook Strategic Delivery Board who had fought tirelessly for the town and their community to get to the position they were now through considerable negotiations. Thanks was also given to the Portfolio Holder Strategic Planning and officers for their contribution in getting a better offer on the table.

RESOLVED that Cabinet agree the following revised recommendations:

1. Agree the updated offer from the East Devon New Community Partners (EDNCp) and note progress on the proposed Cranbrook Town Centre Supplementary Planning Document and funding options for its delivery.
2. Agree the bullet pointed principles highlighted in the conclusion to the report and agree in principle to the Memorandum of Understanding now proposed by the EDNCp and delegate authority to the Chief Executive and Portfolio Holder Strategic Planning to sign the final MOU on behalf of the Council.
3. To put on hold the Supplementary Planning Document for the Town Centre to guide development in the town centre until the signing of the final MOU has been undertaken.

REASON:

To provide clarity to the EDNCp over the acceptability of their proposals and direct a clear route to the delivery of a town centre at Cranbrook.

295 **Cranbrook Sport Pavilion Delivery**

Councillor Matt Osborn from Cranbrook Town Council (CTC) spoke about the Ingrams facility/project – the sports hub at Cranbrook. He wished for members to consider a third option originally proposed by CTC, that was the facility supported 220 children of varying age groups a week and the most used facility in the town for young people. The facility had no medical room, toilets or hot water. The CTC wished to take on this project with the budget available to which through negotiations a fund had now been agreed. CTC had a strong track record of successful negotiations and had the resource, experience and capability to oversee this project by working to a budget. They wished to be allowed to complete this project once planning consent had been granted; hopefully before the start of the next football season.

The report provided members with an update to the Cabinet report that was considered on the 27 November 2019 where it was resolved that:

1. East Devon District Council take the transfer of a plot of serviced land at the Ingram's sports hub in Cranbrook and procure and project manage the delivery of a sports pavilion at the sports hub (to a design to be agreed with Cranbrook Town Council) using identified Section 106 monies and external funding, and
2. Delegated authority be given to the Deputy Chief Executive, in consultation with the Strategic Leads for Governance and Licensing and Finance, to carry out appropriate due diligence, agree satisfactory heads of terms with relevant parties, secure external funding and thereafter to progress the transfer of the land, delivery of the project and transfer of the completed sports pavilion to Cranbrook Town Council, upon practical completion of the building.

Over the past 12 months East Devon District Council had undertaken the due diligence promised within the 2019 report and identified two funding challenges. Firstly that the monies that were proposed by the developer consortium in lieu of their onsite obligations were lower than could be expected and that the costs of delivering the 6-changing room pavilion building that was aspired to, had increased. This left a gap in funding.

As explored in more detail within the report two options resulted;

1. that which leaves the responsibility for delivering the basic changing room building with the developer consortium (and for either the Town Council or this Council to then try to rework and extend that building with the remaining monies)
2. or for this Council or the town council to deliver a building which is of an appropriate size and specification to meet the requirements of the various sports

governing bodies (whilst still maintaining the provision of a function room) but recognising that the final building may be smaller than that which was originally hoped for to meet budgetary constraints.

RESOLVED that Cabinet:

1. On the basis of the views expressed by Cranbrook Town Council and their willingness to take responsibility for working with the NCP to deliver the enhanced requirements, Cabinet resolves that Option 1 represents the right approach to deliver the best changing room pavilion facilities for the residents of Cranbrook. Cabinet therefore give delegated authority to the Chief Executive, in consultation with the PH for Economy & Assets and PH for Strategic Development, to agree appropriate arrangements to ensure the transfer of land and / or the facility to Cranbrook Town Council together with the identified S106 funding that is available to be put towards delivering the enhanced facility. In the absence of being able to secure the necessary arrangements a report shall be brought back to Cabinet for a further decision.

REASON:

It has been accepted that Cranbrook Town Council are best placed to deliver the project and that they have appropriate resources to enable them to do so.

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

The Service Lead Growth, Development & Prosperity provided an update on progress towards the delivery of zero carbon development carbon development in the West End of the District. This follows the submission of a funding bid to the Government's Heat Network Investment Programme. Subject to the outcome of this bid, the report outlines the next steps that will be required including in terms of framing the role for the Council and the associated decision making.

RESOLVED that Cabinet:

1. notes the bid that had been made to the Heat Network Investment Programme, and
2. receives a further report when the outcome of the bid was known, further technical work had been completed and a detailed investment proposal had been developed.

REASON:

To ensure that there was a clear pathway for achieving large scale zero carbon development in the West End of the District.

297 **Exeter and East Devon Enterprise Zone - amendment to funding agreement for the Ada Lovelace Building, Exeter Science Park**

The Enterprise Zone Programme Manager presented the report that sought approval to vary the existing funding agreement for the Ada Lovelace Building on Exeter Science Park. This was originally considered by Cabinet at the January 2019 meeting and cost savings had been made through the construction process. The funding for the project was a grant, borrowed against future ring fenced business rate income.

The Vice-chair thanked Naomi Harnett, all the people at the Enterprise Zone and the Board of the Science Park Ltd particularly Dr Sally Basker Chief Executive of Exeter Science Park Ltd, for their tenacity in obtaining these massive savings.

RESOLVED that Cabinet:

1. reduces the grant funding to be invested in the Ada Lovelace Building from £1,110,000 to £660,000, and
2. delegates authority to the Chief Executive to make payments in respect of the project, subject to the completion of appropriate legal documentation in consultation with the Strategic Lead Governance & Licencing.

REASON:

Cabinet last received a paper on this project in January 2019, which sought funding for £1.11m of investment to support the delivery of a 20,000sq ft. building on Exeter Science Park. The Enterprise Zone investment was to support the site infrastructure required to unlock development and to fit out the internal space to Category A open plan standard. Substantial savings had been made through the construction process and approval was sought to vary the funding agreement to reflect these changes.

298 **S106 and CIL Internal Audit Report**

The Service Lead Planning Strategy and Development Management informed members that South West Audit Partnership had undertaken an audit of the S106 and CIL system. The purpose of the audit was to ensure that appropriate arrangements were in place to manage the receipt and expenditure of S106 and CIL contributions. The audit was brought forward at the request of the Leader having originally been planned for quarter 4.

The report gave “limited assurance” noting that the S106 spend and collection work is not up to date due to the substantial work that has been involved in populating the Exacom system and the redeployment of officers into the community hub to help to support the community through the Covid-19 pandemic. The report noted that no monies have been lost or returned to developers as a result of this lack of resource but there are a significant number of outstanding actions required on the system.

There were two priority two recommendations relating to appointing additional temporary staff resource to help get the system up to date and the updating of guidance on the participatory budgeting process. A further two priority three recommendations were made in relation to the introduction of the public facing Exacom module and the use of Exacom for recovering outstanding payments. Officers acknowledge the findings of the audit and were committed to addressing the identified issues as a priority.

RESOLVED:

1. That Members note the attached internal audit report and that it would be reported to Audit and Governance Committee at their meeting on the 28 January 2021 and then to Strategic Planning Committee for them to consider.
2. That temporary staff resource be employed at the earliest opportunity.

REASON:

To make Members aware of the findings of the S106 and CIL Audit and the actions that were being taken to consider and respond to the findings.

299 **Financial Monitoring Report 2020/21 - Month 8 November 2020**

The Finance Manager gave a summary of the Council’s overall financial position for 2020/21 at the end of month eight (30 November 2020).

Current monitoring indicated that:

1. The General Fund Balance was being maintained at or above the adopted level.

A significant overspend against budget was predicted from a combination of additional expenditure and reduced income as result of Covid-19. This overspend was being mitigated through additional Government Funding, including the recently announced income guarantee scheme, the healthy financial position of the General Fund Balance as a result of 2019/20 Outturn position and steps taken by services. The shortfall would be covered by use of the General Fund Balance as previously agreed which left the balance within the adopted range.

2. The Housing Revenue Account Balance was being maintained at or above the adopted level.

RESOLVED:

The variances identified as part of the Revenue and Capital Monitoring process up to Month 8 be acknowledged.

REASON:

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

300 **Annual Treasury Management Review 2019/20 - 1 April 2019 to 31 March 2020**

The Finance Manager detailed the overall position and performance of the Council's Treasury Management Strategy during 2019/20.

RESOLVED:

Cabinet was requested to review and note the investment values and performance for the year to 31 March 2020.

REASON:

The Council was required by regulations issued under the Local Government Act 2003 and the Code of Practice on Treasury Management in Public Services published by the Chartered Institute of Public Finance & Accounting (CIPFA) to produce an annual review of its treasury management activities and performance.

301 **Proposed Deed of Variation to Lease of Units 3 & 4 Salterton Road, Industrial Estate, Exmouth**

The Service Lead Place, Assets & Commercialisation requested consideration to an application for a Deed of Variation to a long ground lease of Units 3 & 4 Salterton Road Industrial Estate, Exmouth and approve terms and conditions provisionally agreed with the lessee on behalf of the Council in respect of this matter.

RESOLVED that Cabinet:

enter into a Deed of Variation on the provisionally agreed terms and conditions set out in the body of the report with delegated authority being granted to Service Lead Place, Asset and Commercialisation in consultation with the Portfolio Holder, Economy and Assets to agree the specific terms.

REASON:

The completion of a Deed of Variation on the terms and conditions set out in the report would assist the Council in obtaining a more favourable rent increase at the remaining review dates and provide greater certainty in the recovery of contributions towards the maintenance of the estate service road.

302 **Resource and Waste Management Strategy for Devon and Torbay**

The report from the Recycling & Waste Contracts Manager outlined the new draft Resource and Waste Management Strategy for Devon and Torbay. It described how the Devon local authorities and Torbay would manage Local Authority Collected Waste (household waste, litter, fly-tipped, street sweepings and some trade) from 2020-2030. The delivery of this Strategy would be overseen by the Devon Authorities Strategic Waste Committee (DASWC). Torbay were party to the Strategy but as a Unitary Authority, also had their own.

Following its approval at the DASWC meeting on 15 October 2020, the draft Strategy required the approval of the individual local authorities for proceeding to public consultation. After the public consultation and further scrutiny by the DASWC, the final Strategy would be brought back for endorsement by the relevant individual authorities. It would then be presented to Devon County Council for final adoption.

RESOLVED:

that the draft Resource and Waste Management Strategy for Devon and Torbay for public consultation be approved.

REASON:

Approval would allow a full public consultation to take place.

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
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

Cabinet apologies:

J Bailey	Portfolio Holder Corporate Services and COVID-19 Response and Recovery
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Also present (for some or all the meeting)

Councillor Denise Bickley

Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Susie Bond
Councillor Sarah Chamberlain
Councillor Maddy Chapman
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Sam Hawkins
Councillor Nick Hookway
Councillor Fabian King
Councillor Tony McCollum
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pook
Councillor Eleanor Rylance
Councillor Brenda Taylor

Also present:

Officers:

John Symes, Finance Manager
Tim Child, Service Lead - Place, Assets & Commercialisation
Naomi Harnett, Principal Projects Manager East Of Exeter
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
Debbie Meakin, Democratic Services Officer
Charles Plowden, Service Lead Countryside and Leisure
Shirley Shaw, Planning Barrister
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held on 20 January 2021****Attendance list at end of document**

The meeting started at 6.02 pm and ended at 8.16 pm

303 Public speaking

Jill Anderson spoke at minute 308, Business Support Grant measures.

304 Minutes of the previous meeting

The minutes of Cabinet held on 6 January 2021 were confirmed as a true record with one amendment to the **REASON** in minute 295. This now reads;

‘It has been accepted that Cranbrook Town Council are best placed to deliver the project and that they have appropriate resources to enable them to do so.’

305 Declarations of interest

Min 308. Business Support Grant measures.

Councillor Ian Hall, Personal, Chair of Cloakham Lawn Sports Club.

Min 308. Business Support Grant measures.

Councillor Paul Arnott, Personal, Had a B&B that had been in receipt of a previous grant.

Min 308. Business Support Grant measures.

Councillor Paul Hayward, Personal, Represents a charity that has claimed twice for funding and has been approached by businesses regarding ARG and LRSG applications.

Min 309. Mental Health Challenge for local authorities.

Councillor Ian Hall, Personal, Mental Health Champion for DCC and Vice-Chair for ARC a mental health charity in Axminster.

306 Matters of urgency

There were two late items dealt with under minutes 308 and 309.

307 Councillor password data breach

The Monitoring Officer presented the report that updated members and the public following the discovery and subsequent reporting of Councillor passwords being visible in November 2020. There was immediate action taken by Strata to correct the breach as well as reporting the breach to the ICO; who had recently closed the case. He stated that due to its sensitivity and technical matters that could not be discussed in public, all members had had the opportunity to attend an officer briefing earlier in the day to discuss this in more detail where lots of information had been covered. He told members that shortly after the briefing he had received confirmation that updates to the software would allow members to reset their own passwords in Issue Manager.

Discussions included the following:

- The report concentrated on fixing the breach and making good procedures

- Strata provided an excellent service
- This was a wakeup, call for more regular reviews of security procedures
- To have occasional independent audits
- Recommend multiple factor authentication

Through the Chair Cabinet wished to thank Cllr Paul Millar for bringing this crucial matter to the attention of the council.

RESOLVED that Cabinet;

note the content of the report and invite Strata to approach Devon Audit Partnership to maintain a regular review of internal data processes, and that EDDC approaches SWAP for a similar assessment.

REASON:

It was considered that the Strata Investigation Report and commentary in the report should reassure members around the concerns that had been raised.

308 **Business Support Grant measures**

Jill Anderson spoke as Chairman of Cranford Sports and Fitness Club, Exmouth. She stated the club had made an application under the ARG scheme for a grant under the special cases section back in December, just after the second lockdown and asked for consideration to be given to this application. She was acutely aware of the impact that the pandemic and resulting lockdowns had had on the physical, mental and emotional wellbeing of individuals and communities. The Club contributed an important and cost-effective role in supporting the local communities, the NHS and many other local organisations and individuals to recover from this immensely challenging pandemic.

Cranford Sports and Fitness Club was a true independent community amateur sports and fitness club that provided extensive support and facilities to worthwhile community groups and activities such as Help for Heroes, Parkinson's support groups and disabled sport to name but a few. They provided jobs in the local community having 16 employees and 20 fitness instructors. They use all local companies for all its maintenance and business support and had over 1200 members (pre pandemic) ranging in age from 6 months to nearly 90 years of age. Governance and leadership were provided by an expert volunteer pro bono Board of Directors.

Cranford Sports and Fitness Club had exhausted the support available so far. They were asking for help us to survive this period through to completion of the vaccination programme.

The Service Lead for Revenues, Benefits, Customer Services and the Service Lead for Growth, Development and Prosperity presented the report which sought approval to launch further grant schemes as well as to make changes to the existing Additional Restrictions Grant policy. These were needed as a result of further period of national and local restrictions from 2 December 2020. There was an update on the various schemes the council had been running since going into national restrictions from 5 November 2020 including the grant schemes available whilst in Tier 2 and Tier 3.

Discussions included the following:

- The need for clarity on the role of the Councillor Panel in relation to the ARG scheme, for example to determine special case applications

- Local businesses cannot prosper until the whole supply chain is up and running
- Leisure facilities need to be given due weight in consideration to these grants
- Acknowledgment to how tough things were for businesses at the moment therefore it was urgent to move ahead with the East Devon Leisure Strategy
- Armed Forces personnel need the support offered by the Cranford Sports Club as well as young people with mental health issues

The Chair and Vice-Chair wished to thank Libby Jarrett, Andy Wood and their teams for dealing with and understanding all the government guidance with its complexities, and doing this additional work over the last year on behalf of the council which was very much appreciated.

RESOLVED:

1. To approve the LRS (Closed) Addendum & the CBLP Scheme policies.
2. To delegate authority to the Service Lead for Revenues, Benefits, Customer Services & Corporate Fraud & Compliance to make any technical changes to the LRS (C) Addendum and the CBLP policies.
3. To approve changes to the operation of the Additional Restrictions Grant (ARG) scheme as outlined in the report.
4. To delegate authority to the Service Lead for Growth, Development & Prosperity in consultation with the Leader, Deputy Leader, Portfolio Holder for Finance and the S151 officer to make consequential changes to the ARG discretionary policy, in order to keep the scheme aligned with subsequent changes in government restrictions.
5. To allocate a further £925,680 under the ARG scheme to provide support to businesses impacted by local and national restrictions.
6. To delegate authority to Service Lead for Revenues, Benefits, Customer Services and Corporate Fraud & Compliance in consultation with Leader, Deputy Leader, Portfolio Holder for Finance and the S151 Officer to approve subsequent grant policies should we move back into local restrictions.
7. To encourage the constituency MPs to strenuously and vigorously lobby the Chancellor of the Exchequer to provide meaningful and urgent support for those in the “excluded” group who are unable to make applications under our current grant policies; due to Central Government constraints.

REASON:

To ensure that a quick response to a continuously changing landscape and the government funded grant schemes were deployed in a timely manner.

309 **Mental Health Challenge for local authorities**

The Strategic Lead Housing, Health & Environment presented the report that explored the Local Authority Mental Health Challenge and considered the implications of signing up to the commitments as a way of promoting mental health awareness and maintaining good mental health for elected members, staff and communities.

The Council already had a number of programmes designed to maintain good mental health and the challenge builds on existing commitments in our Public Health Strategic Plan and our Happy, Healthy, Here programme.

Cllr Steve Gazzard wished to thank John Golding and Cllr Paul Millar for their valuable input into the report. He reminded members that as councillors they were all responsible

for the health and well-being of staff as without them the council could not function. He stated that larger workloads were also putting pressure on councillors themselves.

Cllr Tony Woodward as Member Champion for Mental Health thanked John Golding and supported the recommendations in the report.

Further discussions included the following:

- Councillors must be supportive of staff who were continuing to deliver council services, from the CEO to frontline staff
- From councillors to staff everyone was having to deal with working as well as their own personal issues brought about through the pandemic making life very difficult for many at the present time
- The issue of mental health needed to be embraced across all parties to make the best of the new officer post, Member Champion and other initiatives available
- Welfare of officers should be on the forefront of everyone's mind. Hope this initiative would help towards a mutual understanding between officers and members
- Huge stress from increased workloads and especially remote working. Recommendations need thorough risk analysis
- Councillors need to consider their wording in group emails to each other so as not to come across as insulting

RESOLVED:

1. that the Council adopt and sign up to the Local Authority Mental Health Challenge;
2. that the appointed Mental Health Member Champion have regard to the guidelines contained in the Local Authority Mental Health Challenge in carrying out their role;
3. a Lead Officer is identified and additional officer capacity is approved to further support staff and facilitate positive mental health for elected members;
4. the commitment is captured in the updated Council Plan and in our Public Health Strategic Plan, and
5. that the new officer act as a liaison between the council and other authorities and outside bodies concerned with mental health, as well as the new mental health officer within EDDC housing team and the Mental Health Member Champion. This is to ensure that they have the most current and up to date advice to assist members and officers with signposting should members of the public approach them for assistance.

RECOMMENDED to Council:

6. To approve the Lead Officer role on the basis of a 1 year fixed term post and the necessary budget of circa £50k be taken from the £700k funding provided by Government in relation to COVID.

REASON:

To take forward the Cabinet's request to further explore the Local Authority Mental Health Challenge and assess the implications of adopting the actions set out in the challenge.

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

Cabinet apologies:

Also present (for some or all the meeting)

Councillor Mike Allen
Councillor Denise Bickley
Councillor Kevin Blakey
Councillor Susie Bond
Councillor Colin Brown
Councillor Fred Caygill
Councillor Sarah Chamberlain
Councillor Maddy Chapman
Councillor Bruce De Saram
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Nick Hookway
Councillor Ben Ingham
Councillor Vicky Johns
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Val Ranger
Councillor Eleanor Rylance
Councillor Philip Skinner
Councillor Brenda Taylor
Councillor Joe Whibley
Councillor Tony Woodward
Councillor Eileen Wragg
Councillor Tom Wright
Councillor Fabian King

Also present:

Officers:

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
Libby Jarrett, Service Lead Revenues and Benefits
Debbie Meakin, Democratic Services Officer

Robert Murray, Economic Development Manager
Laurence Whitlock, Strata IT Director
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity
Robin Barlow, Compliance and Security Manager - Strata

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Online via the Zoom app. on 3 February 2021****Attendance list at end of document**

The meeting started at 6.15 pm and ended at 8.16 pm

310 Public speaking

There were no members of the public wishing to speak.

311 Minutes of the previous meeting

The minutes of Cabinet held on 20 January 2021 were confirmed as a true record.

312 Declarations of interest

Min 328. Hayne Lane Site, Honiton.

Councillor Paul Hayward, Personal, A family member works at Combe Garden Centre.

313 Matters of urgency

None

314 Confidential/exempt item(s)

There was one confidential item which was recorded at minute 331 Covid-19 Suez claim.

315 Forward Plan

Members agreed the contents of the Forward Plan for key decisions for the period 1 February to 31 May 2021.

316 Minutes of Strata Joint Scrutiny Committee held on 11 January 2021

Members received and noted the Minutes of Strata Joint Scrutiny Committee held on 11 January 2021.

317 Minutes of Joint Overview and Scrutiny committee held on 13 & 14 January 2021

Members received and noted the Minutes of Joint Overview and Scrutiny committee held on 13 & 14 January 2021.

RESOLVED (1) that the recommendations at Minutes 114a - d and 120a - f, and 121 be taken into account with the related report (Minute 322 Revenue and Capital Budget 2021/22):

Minutes 114a – d and 120a - f Key Service Plan Objectives

The Service Plan 2021/22 for the following Services be adopted;

- Countryside and Leisure Service

- Environmental Health and Car Parks Service
- Housing Service
- Streetscene Service
- Finance Service
- Governance and Licensing Service
- Place, Assets and Commercialisation Service
- Organisational Development Service
- Growth, Development and Prosperity Service

that the Service Plan 2021/22 for the Planning Service be adopted, subject to;

- a) Reference to both social and affordable housing;
- b) Inclusion of the recommendations from the audit on CIL and section 106.

Minute 121 Draft Revenue and Capital Budget 2021/22

that the Draft Revenue Budget 2021/22 be adopted.

318 Minutes of Poverty Working Panel held on 18 January 2021

Members received and noted the Minutes of Poverty Working Panel held on 18 January 2021.

RESOLVED (1) that the recommendation at Minute 28 be taken into account with the related report (Minute 322 Revenue and Capital Budget 2021/22):

Minute 28 Update on support measures

That a contingency of £100,000.00 be allocated to the Council's Hardship Fund after April 2021 to be reduced by any additional funding coming forward from Devon County Council in the same timeframe.

319 Minutes of the Recycling and Waste Partnership Board held on 20 January 2021

Members received and noted the Minutes of the Recycling and Waste Partnership Board held on 20 January 2021.

RESOLVED (1) that the following recommendation be agreed:

Minute 56 Developer charges

for the reasons set out in the report Cabinet approve the developer container charging scheme is no longer pursued, with no further budget projections being made.

320 Minutes of Housing Revenue Board held on 21 January 2021

Members received and noted the Minutes of Housing Revenue Board held on 21 January 2021.

RESOLVED (1) that the recommendations at Minutes 91 and 92 be taken into account with the related report (Minute 322 Revenue and Capital Budget 2021/22):

Minute 91 Housing Service Plan 2021/22

that Cabinet approve the Housing Service Plan for 2021/22.

Minute 92 Housing Revenue Account budget

that Cabinet recommend the draft revenue capital estimates in the draft Housing Revenue Account to Council.

RESOLVED (2) that the recommendations be agreed:

Minute 96 Social Housing White Paper

that Cabinet approve:

1. the Housing Service start to make preparations for the forthcoming legislation and ensure that its policies and procedures were up to date in respect of tenant safety and tenant involvement,
2. the Housing Service improve its complaints handling processes to improve tenant satisfaction,
3. the Housing Service revisit its systems thinking purposes to ensure it focuses on what matters to tenants and reduce failure demand, and
4. the Housing Service work with tenant representatives to embrace the sentiments and contents of the White Paper.

Minute 97 Your Home Your Wellbeing research report

that Cabinet approve:

1. Where appropriate evidence is used from the research to support housing's decision making and service planning.
2. All teams within housing have access to the advice and expertise of the mental health specialist for supporting East Devon tenants.
3. There is better understanding of the housing needs of those on the Devon Home Choice register and they are supported on their housing journey.
4. The Council continues to invest in our homes and neighbourhoods and ensure repairs and the programme works done to our properties are of a high standard.
5. The Housing Service supports universal credit claimants by helping them to maintain their tenancies and offer budgetary and financial advice where necessary.
6. The Council continue to work with others to provide more housing opportunities and choices for people living in East Devon.
7. The study be used on a wider scale to promote the research with the Council's partners nationally to promote the value of social housing.

Minute 101 Purchase of 51 St Andrews Road, Exmouth

that Cabinet note that pursuant to the delegated authority approved by the Board, Cabinet and Council in January/February 2020 as set out in the body of the report to purchase properties from Right to Buy receipts, the Strategic Lead has approved the purchase of the freehold interest of 51 St Andrews Road (subject to certificate of lawfulness) in conjunction with the Portfolio Holder and the HRB Chair.

321 **Supporting Economic Recovery**

The Service Lead Growth, Development & Prosperity reminded members that Cabinet had received a series of reports to date on the response to the Covid-19 pandemic. This report considered how the Council could transition from tactical response to supporting and sustaining long term recovery. The overall objective was to support the development of a more resilient, sustainable and inclusive economy.

The report set out proposals to launch a Fund aimed at supporting businesses and other organisations to adapt to the post pandemic landscape and associated changes in operating conditions. As well as utilising £1m of Additional Restriction Grant monies, it put forward a recommendation to allocate £1m from the Business Rate Pilot reserve to bolster the amount of funding available and ensure that support can be provided beyond March 2022. The report also highlighted the importance of developing a credible pipeline of projects so as to be able to successfully access external funding streams including the Shared Prosperity Fund.

RESOLVED that Cabinet;

- Consider the proposed Adaptation, Innovation and Resilience Fund and publish the draft prospectus for consultation for a 4 week period
- Give delegated authority to the Service Lead (Growth, Development and Prosperity) in consultation with the Leader, Deputy Leader and Portfolio Holder for Finance to such changes to the prospectus that may be required and to launch an initial call for applications
- Agrees that prior to the Service Lead (Growth, Development and Prosperity) taking a decision under the scheme that there is 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
- Notes the importance of having a credible pipeline of projects in order to successfully access forthcoming external funding streams

There was a discussion concerning high growth and innovative businesses such as in the scientific, technological, IT and creative media sectors and the need for grant support funding in order for them to thrive. It was pointed out that these types of industries had access to other forms of support and the sectors listed in the report were considered to be the most impacted by the pandemic. There was going to be a period of consultation prior to finalising the prospectus which would help to refine the proposed criteria. This would then inform decision making in relation to the fund in conjunction with the panel of councillors. Particular acknowledgment was already given to the need to support the 16-24 and over 50 age groups.

RECOMMENDED to Council;

that £1m from the Business Rate Pilot reserve was utilised in conjunction with monies from the Additional Restrictions Grant to support the deployment of the Fund.

REASON:

To ensure that the Council can play a leading role in supporting economic recovery and the development of a more resilient, sustainable and inclusive economy.

322 **Revenue and Capital Budgets 2021/22**

The Strategic Lead Finance reminded members that Cabinet adopted draft Revenue and Capital Budgets for 2021/22 at its meeting on 6 January 2021. A joint meeting of the Overview and Scrutiny Committees reviewed those budgets on 14 January 2021 and the Housing Review Board considered the Housing Revenue Account budgets on 21 January 2021. Cabinet was to consider the comments and recommendations and make their recommendations to Council.

Cabinet agreed the recommendations from the Joint Overview and Scrutiny in Minutes 114a – d and 120a – f and 121 from the meetings on 13 and 14 January 2021.

Cabinet agreed a further recommendation by the Overview Committee and the Scrutiny Committee that the Service Plan 2021/22 for the Planning Service be adopted, subject to:

- a) Reference to both social and affordable housing;
- b) Inclusion of the recommendations from the audit on CIL and section 106.

Cabinet agreed the recommendation in Minute 28 of the Poverty Working Panel from the meeting of the 18 January 2021.

Cabinet agreed the recommendations in Minutes 91 and 92 of the Housing Review Board from the meeting of the 21 January 2021.

In answer to a question concerning the core principals of the budget being based on the outdated Council Plan, the Strategic Lead Finance highlighted the key objectives from present administration's Statement of Intent had been included when preparing the budget.

The Portfolio Holder Finance thanked Simon Davey and his team for their ability to produce a balanced budget in what had been a most difficult year. The Chair wished to thank the Chairs and members of the joint Overview and Scrutiny committees commenting he was grateful for their consideration.

As part of the Prudential Code for Capital Finance in Local Authorities the Council was required to set prudential indicators as part of its budget setting process, these indicators were detailed in the Treasury Management Strategy 2021/22 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy contained in the report for members' consideration. Alongside the Treasury Management Strategy sits the Capital Strategy which was also contained in the agenda for adoption.

RECOMMENDED to Council;

1. To propose the Net Revenue General Fund Budget of £15.763m for 2021/22.
2. That expenditure at this stage is approved against the budget allocated of £1.316m from additional one off Government Funding (Covid-19 grant £616k and Lower Tier Service Grant £700k);
 - a) Contingency Hardship Fund £100k
 - b) Mental Health Officer/Resources £50k

With other allocations against this budget to be made with Council approval.

3. A Council Tax increase is approved of £5 a year giving a Band D council tax of £151.78 a year for 2021/22.
4. That the surplus identified on the Council Tax Collection Fund of £366,940 is allocated as outlined in 3.3 of the report;
 - a) £189,189 is set aside in a reserve to meet the known collection fund deficit in future years,
 - b) £177,751 is used to increase the General Fund Balance, bringing it more comfortably within the adopted range.
5. That the Housing Revenue Account Estimates with a net surplus of £0.985m is approved.
6. That the Net Capital Budget totalling £7.965m for 2021/22 is approved.

REASON:

There was a requirement for the Council to set a balanced budget for both the General Fund and Housing Revenue Account and to levy a Council Tax for 2021/22.

323 **Capital Strategy 2021/22 - 2024/25**

The Finance Manager presented the draft Capital Strategy for consideration and recommended to Council for adoption, this formed part of the annual budget setting approval process. The document drew together various adopted strategies and agreed process of the Council that govern how the Council manages capital expenditure and investment decisions. The Capital Strategy brought these areas together in one overarching document containing a high level summary.

The Capital Strategy was a key document, it provided a high level overview of how capital expenditure, capital financing and treasury management activity contributed to the delivery of desired outcomes. It also provided an overview of how associated risk was managed and the implications for future financial sustainability. It included an overview of the governance processes for approval and monitoring of capital expenditure.

The Portfolio Holder Finance applauded and thanked John Symes and his team for their efforts in creating the strategy.

RECOMMENDED to Council;

the adoption of the Capital Strategy 2021/22 – 2024/25.

REASON:

In order to comply with good practice there was a requirement for the Council to have in place an adopted Capital Strategy.

324 **Treasury Management, including the Minimum Revenue Provision Policy Statement and Annual Investment Strategy for 2021/22**

The Finance Manager presented the Treasury Management Mid-Year Review 2020/21 - 1 April 2020 to 30 September 2020 detailed the overall position and performance of the Council's investment portfolio for the first six months of 2020/21.

The Treasury Management Strategy 2021/22 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy. The Chartered Institute of Public Finance and Accountancy (CIPFA) produced a Code of Practice for treasury management for Public Services. One of the main recommendations of this code was the requirement for an annual Treasury Management Strategy to be formally adopted by the Council. There was also a requirement to set prudential indicators relating to all treasury activities that the authority would undertake in the forthcoming financial year.

RESOLVED:

That the Treasury Management Mid-Year Review 2020/21 – 1 April 2020 to 30 September 2020 - the investment values and performance for the period to 30 September 2020 be noted.

RECOMMENDED that Council approve and adopt:

The Treasury Management Strategy 2021/22 – Minimum Revenue Provision Policy Statement and Annual Investment Strategy, including;

a. the Prudential Indicators for 2021/22,

- b. the Minimum Revenue Provision Policy Statement, and
- c. the creditworthiness criteria and updated list of counterparties.

REASON:

The Council was required to produce a half-yearly review of its treasury management activities and performance and to formally adopt a Treasury Management Strategy and set prudential indicators before the beginning of the new financial year.

325 **Programme of Meetings 2021-2022**

The Cabinet considered the proposed timetable of meetings for the next Council year.

RECOMMENDED:

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

RESOLVED:

that the 2021 Annual Council meeting be held on Wednesday 12 May.

326 **Interim Devon Carbon Plan**

The Strategic Lead Housing, Health & Environment presented his report outlining that Devon County Council have been leading work on the production of a Carbon Plan for the county. This work had been developed with a range of partners and was part of the commitment in the Climate Change Emergency Declaration. The interim Plan was out for consultation and would be finalised following a virtual Citizens Assembly process, incorporating comments from consultees.

The Plan set out a roadmap for becoming net-zero carbon by 2050 at the latest, with an interim target for a 50% reduction by 2030, below 2010 levels. The Plan emphasised this was intended for everyone in Devon to play a part and make a contribution. The Plan picked up on the build back better theme and the governments recently published ten point plan for a green industrial revolution. Eight high level objectives had been proposed:

1. Fossil fuels phased out as an energy source
2. Minimise energy consumption
3. Engaged communities acting for resilience and a net-zero carbon Devon
4. Carbon captured and stored from the burning of fuels
5. Minimise fugitive greenhouse gas emissions
6. Resilient local economies with access to green finance
7. A circular use of resources
8. Maximise carbon storage in marine and terrestrial environments

The Plan was supported by a wide range of partners and was underpinned with expertise, good data, enthusiasm and commitment.

Discussions included the following:

- Now that EDDC had brought forward its date to be net-zero carbon neutral to 2040 hopefully DCC would follow suit and match this date
- EDDC were making a positive start by putting in charging points for electric cars and appointing a Climate Change Officer
- A huge amount of funding would have to come from central government, businesses and other sources for funding mechanisms to be developed over time

- This needed to be a joint effort by everyone and this required fundamental behaviour changes from the public in order to be behind us
- For Devon to reduce its carbon footprint required lobbying local MPs for tangible changes to happen

RESOLVED:

that EDDC gave feedback on its comments on the Interim Devon Carbon Plan as part of the consultation process, and invite a further report on the updated Plan.

REASON:

To enable the Council as a partner organisation to comment and influence the development of the Carbon Plan for Devon that aspired to a net-zero position by 2050 at the latest.

327 **Proposed Independent Review of Council Management Structure**

The Portfolio Holder Council and Corporate Co-ordination made the following statement.

‘As the new Portfolio Holder within who’s area of responsibility the conduct of a management Review would fall, I have this afternoon had my first opportunity to discuss with the Chief Executive some aspects of his report and recommendations. In light of this I wish to further consider what we discussed and to allow this to happen I am recommending to the Leader that the Chief Executive’s report be withdrawn from tonight’s Cabinet agenda.

I recognise that this decision may prolong concerns that there may be amongst managers and staff about what any Review might mean for them. I do fully appreciate that a Review might make some staff feel uncomfortable and concerned. But I want to send as clear a message as possible to all managers and all staff at every level and section in this Council. Any Review would not be driven by a need or intention to save money, it would not be about making changes for change sake, it would be about ensuring that the Council’s management structures and roles are the best ones to take this Council positively forward and it would not be about delivering any predetermined outcomes.

Any Review would look at what the Council’s future management structure ought to be as we look to leave this pandemic behind us, to allow us to build on the positives that this Council has delivered for residents and businesses, and to benefit from changes in ways of working that recent years, and in particular the past year, have brought about.

I am accordingly asking for this matter to be deferred.’

The Chair agreed for this item to be deferred.

328 **Hayne Lane Site, Honiton**

The Project Manager Place, Assets & Commercialisation stated the purpose of the report was to seek approval for the use of the Business Rate Pilot Reserve Fund as the council’s contribution towards the costs of undertaking a masterplan exercise for a site in Honiton. The site concerned was identified in the Local Plan under Strategy 23, as employment land. It offered an economic development opportunity and the council was proposing to commission a masterplan jointly with the neighbouring landowner. The costs of the masterplan would be met equally by the landowners.

The council owned the site to the west of Hayne Lane, Gittisham, close to the Heathpark Industrial Estate. Adjoining the site was land owned by Combe Estates. The 2 sites were allocated in the existing Local Plan for employment use and were considered suitable for B1, B2 and B8 uses.

RESOLVED:

1. that the Business Rates Pool Reserve Fund was utilised to provide 50% of the funding for a sum of up to £20,000, for the commissioning of a masterplan study for the Hayne Lane site in Honiton be approved,
2. that delegated authority be granted 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 agree to additional funding towards the cost of the masterplan, if required, so that the total contribution would be up to £40,000.
3. That a representative from each of Gittisham Parish Council, Honiton Town Council and the Combe Estate be invited to project meetings.

REASON:

To enable the council to explore the development opportunities for this Local Plan employment site in Honiton which could deliver economic growth for the town.

329 **Farringdon Neighbourhood Plan Examiner's Report**

The purpose of the report was to provide feedback and set out proposed changes following the examination of the Farringdon Neighbourhood Plan. The independent examination of the Plan had now concluded and the final Examiner's report received. In accordance with the relevant legislation, the council must now consider its response to the Examiner's recommendations and also satisfy itself that the Plan meets the necessary 'basic conditions'. If the recommendation to accept the Examiner's recommendations in full was accepted, a decision notice will be published accordingly.

The decision notice would confirm that the Plan could go forward for public vote in a local referendum as the penultimate stage in the plan-making process. Due to the Covid-19 pandemic, the referendum would be delayed until at least 6 May 2021. However, the publishing of the decision notice itself will give the Plan 'significant weight' in the determination of planning applications in the Farringdon parish area.

RESOLVED:

1. that the Examiner's recommendations on the Farringdon Neighbourhood Plan (the Plan) be endorsed,
2. that a 'referendum version' of the Plan (incorporating the Examiner's modifications) should proceed to referendum and a decision notice to this effect be published be agreed,
3. that all involved, particularly the Neighbourhood Plan Steering Group, be congratulated on their hard work in developing this Neighbourhood Plan.

REASON:

The legislation required a decision notice to be produced at this stage in the process. The Plan is the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications which were accepted by the Parish Council.

330 **Exclusion of Press and Public**

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

331 **COVID-19 Suez claim**

The Service Lead StreetScene informed members of the claim for over contract additional costs incurred during the Covid-19 pandemic by SUEZ through kerbside recycling & waste collection services.

The Chair asked that Cabinet's formal thanks to the officers and staff of Suez and EDDC for their outstanding work at this exceptionally difficult time, be recorded.

RECOMMENDED to Council;

1. To approve the over budget claim of £184,592.02 for the reasons set out in the report subject to the Strategic Lead – Governance and Licensing obtaining legal advice to confirm the assessment of the contractual position.
2. To provide a contingency budget of £139,376 which represents 10% of the monthly contractual base payment in relation to potential future budget claims by Suez in the 2020/21 financial year. The actual payment is more likely to be less dependent on lockdown duration.

RESOLVED:

3. that delegated authority be granted to the Strategic Lead Housing, Health & Environment/Service Lead StreetScene, to approve future monthly Covid-19 cost claims from Suez and other recycling & waste contract cost variations up to a limit of 10% over the contractual base payment amount, in consultation with the Strategic Lead Finance and Portfolio Holder Coast, Country and Environment for the reasons set out in section 5 of this report. Additional costs would be reviewed following the same due diligence as has been carried out for the claims in recommendation 1.

REASON:

To ensure the continued effective delivery of a good kerbside recycling and waste collection to residents throughout the Covid-19 response and into the future and support the over contract costs incurred by Suez in doing so.

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
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning

M Rixson	Portfolio Holder Climate Action and Emergencies
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
S Jackson	Portfolio Holder Democracy and Transparency
N Hookway	Portfolio Holder Leisure. Sport and Tourism

Also present (for some or all the meeting)

Councillor Jess Bailey
Councillor Denise Bickley
Councillor Kevin Blakey
Councillor Susie Bond
Councillor Sarah Chamberlain
Councillor Maddy Chapman
Councillor Alan Dent
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Marcus Hartnell
Councillor Ben Ingham
Councillor Paul Jarvis
Councillor Vicky Johns
Councillor Fabian King
Councillor Kathy McLauchlan
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pook
Councillor Geoff Pratt
Councillor Eleanor Rylance
Councillor Philip Skinner
Councillor Brenda Taylor
Councillor Joe Whibley
Councillor Eileen Wragg
Councillor Tom Wright

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
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
Andrew Hancock, Service Lead StreetScene
Alison Hayward, Project Manager Place, Assets & Commercialisation
Libby Jarrett, Service Lead Revenues and Benefits
Debbie Meakin, Democratic Services Officer
John Symes, Finance Manager
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held on 10 December 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 9.15 pm

95 Public speaking

There were no members of the public wishing to speak.

96 Minutes of the previous meeting

The minutes of the meeting held on 5 November 2020 were agreed as a true record.

97 Apologies**98 Declarations of interest**

Minute 106. Car parking tariff review.

Councillor Andrew Colman, Personal, Exmouth Town Councillor.

Minute 106. Car parking tariff review.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and a resident of Broadclyst which has a car park and a member of the Car Park Task and Finish Forum.

Minute 106. Car parking tariff review.

Councillor Iain Chubb, Personal, Devon County Councillor.

Minute 106. Car parking tariff review.

Councillor Maddy Chapman, Personal, Exmouth Town Councillor and a resident of Exmouth.

Minute 106. Car parking tariff review.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 106. Car parking tariff review.

Councillor Tony McCollum, Personal, Employed by Honiton Town Council which has car parks managed by EDDC and President of Honiton Chamber of Commerce.

Minute 106. Car parking tariff review.

Councillor Vicky Johns, Personal, Ottery St Mary Town Councillor and Ottery St Mary has two EDDC car parks.

99 Matters of urgency

There were no matters of urgency.

100 Confidential/exempt item(s)

There were no confidential/exempt items.

101 **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.

102 **Draft Financial Strategy 2021-2031**

Simon Davey, Strategic Lead Finance, presented the draft Financial Strategy 2021 – 2031. The purpose was to provide background information and set the scene in advance of the Overview Committee considering the more detailed budget for the next financial year at its meeting in January.

The Draft Strategy outlined how the Council would structure and manage its finances over the next ten years to deliver services in accordance with the objectives set out in the Council Plan. The Strategy, which was updated annually, covered the general fund (all services except housing which had its own financial plan) and capital.

The Medium Term Financial Plan (MTFP) was explained, and the following points were highlighted:

- Reduction in funding from central Government had severely impacted on all local authorities
- Renegotiation of the refuse and recycling contract for 2022/23 would require significant capital investment
- The ongoing commitment of £323k per annum for the carbon reduction programme would need external funding if the Council was to meet its objectives in full
- The Covid-19 pandemic has had a significant impact on income generation in the current financial year. Despite Government funding to reimburse the loss of various income streams, the Council would need to find £1.2 - £1.3million of its own funds to make up the deficit
- Timing of the Government's proposed re-basing of business rates was uncertain which made financial planning difficult. The likely loss of business rate income as a result of re-basing had been taken into account in future years
- Income from the New Homes Bonus scheme had been reducing year on year and would disappear completely from 2023/24. As yet there were no details from Government as to a replacement for the New Homes Bonus

The MTFP showed a projected deficit for 2021/22 of £0.694m, which increased annually, reaching £5.653m in 2030/31 as a cumulative deficit. In order to mitigate the uncertainty surrounding the timing of the loss of the New Homes Bonus and the reduction in business rates income, the Council had set aside £2 million into a MTFP risk reserve which would enable the Council to support service delivery and then react when there was greater clarity and certainty.

The MTFP also showed the projected capital expenditure and funding position. Capital expenditure was considered on a scheme by scheme basis and, through a rigorous assessment process, was balanced against the funding available.

During discussions the following points were noted:

- Concern that the increase in car park charges would take away money for the community.

- Clarification sought about whether an analysis had been done on the savings. In response Simon Davey confirmed that an analysis had been done on Homesafeguard which showed there was a demand for additional services that people want and are prepared to pay for. He also referred to item 12. He felt confident, subject to Members approval, that the savings that could be made and were achievable and that the demand was there to generate the level of income.
- It was noted the positive lift in Business Rates was as a result in the efforts of Libby Jarrett and her team.
- Concern raised about the loss of business rates in towns with shops closing down. In response Simon Davey confirmed the loss had been taken into account and although still important it was not significant as there had been high rateable value increases with the likes of the Enterprise Zone and large supermarkets.
- Concern raised about the rise in car park charges if businesses were struggling and a suggestion was made to defer the increase for a year. In response to the suggestion to defer the increase in car park charges for a year he urged Members to consider the loss of £300,000 which would need replacing.

RESOLVED:

That the contents of the report be noted.

103 **Sustainable Homes and Communities Portfolio Holder report**

Before starting her report Councillor Megan Armstrong, the Homes and Communities Portfolio Holder provided a response to a question raised by Councillor Twiss at the Poverty Working Panel meeting. In response to his question about whether the council had applied for government funding towards homeless projects she advised the council did have several capital projects and had purchased the Sailors Rest and a HMO in Exmouth and had ongoing plans for further purchases using our own funds. The Council has received government funding for revenue support as previously reported.

The Portfolio Holder outlined her responsibilities and Members acknowledged the role of the Homes and Communities Portfolio Holder was a strategic role to look at shaping policies and strategies. Members were reassured that the stock condition survey which was overdue would start in the New Year to look at and assess all the councils housing stock to find out what needs to be done to maintain fit for purpose homes for tenants which would also include a climate change action plan.

A lengthy questions and answers session followed which was first opened to non-committee members and included:

- Councillor Millar sought clarification on the meaning of systems thinking and an explanation about what had changed from the former portfolio holder. In response it was advised systems thinking meant an effective and efficient way of working. In terms of her role as portfolio holder was looking at all the different departments and getting to know the staff and said she did not want to compare herself to the previous portfolio holder.
- In response to a question about the portfolio holder's involvement with the review of the Housing Company she advised she sat on the TaFF and was working through what direction the Housing Company should take and how the council would best deliver on its affordable housing ambitions.

- Councillor Skinner understood how hard the portfolio holder role was and emphasised the importance to understand that different people need different housing. He emphasised the need to develop schemes for the right people to live in and how communities and families need to stay together to look after each other and suggested that she worked with the Chair of the Strategic Planning Committee to understand what each community needs.

Questions from Councillors de Saram, Moulding, Allen and Key could not be answered at the meeting and would be provided at a later date.

The Leader of the Council applauded Councillor Armstrong for enduring the questions and addressed the issue of the endless supplementary questions that demanded factual information that Members could have asked Officer in advance of the meeting. He advised that Scrutiny was not meant to trip up portfolio holders and ask members to show more respect.

The following questions and comments were raised by committee members:

- The portfolio holders report was welcomed and was excellent.
- The welcome reference to solar panels and a £450,000 secured grant. Would like to see more grants like this.
- Clarification sought on what she thought were the main issues and challenges with the housing in East Devon. It was advised the lack of social housing was a concern and that she did not agree with the right to buy scheme which takes away social housing from people who cannot afford to live anywhere else.
- Concerns raised about the lack of accommodation available for victims of domestic abuse which had seen an increase this year. In response John Golding, the Strategic Lead for Housing, Health and Environment advised the council had arrangements with other authorities to get victims of domestic abuse to a place of safety and if required out the area. There was also a sanctuary scheme that provided additional security to tenants' homes where domestic violence had occurred or feared.
- Clarification sought on what was being done to help vulnerable tenants who struggled with technology and how were they being reached. In response John Golding, the Strategic Lead for Housing, Health and Environment advised the council had provided digital awareness classes for sheltered housing tenants and Mobile Support Officers with the help of Home Safeguard and other teams had contacted every tenant in East Devon and offered support and signposted to community and voluntary groups if assistance was required.
- Disappointed that councillors from the previous administration did not know why they had set up the Housing Company.
- In terms of domestic abuse a suggestion was made to explore empty homes or second homes.
- The need to scrutinise councillors in meetings to gain a positive outcome.
- There are no council houses in Cranbrook. In response Cllr Armstrong agreed there was a clear need for social housing in Cranbrook and whilst housing associations had significant stock in Cranbrook she would look into this in the New Year with Councillor Ledger, Chair of Strategic Planning Committee.

The following motion was proposed by Councillor Ranger and seconded by Cllr Johns.

All councillor should receive training on how to ask constructive questions to address the matter in hand so the meeting can move on at a constructive and timely manner.

The Chairman requested that a vote take place on the motion. The motion was put to committee and with 11 votes in favour and no abstentions. The motion was carried.

RECOMMENDATION to Cabinet:

That all councillors should receive training on how to ask constructive questions to address the matter in hand so the meeting can move on at a constructive and timely manner.

104 **Quarterly performance report**

Members received the report of Joanne Avery, Management Information Officer which provided performance information and progress against our performance indicators from across the council services

This information would provide a clear view of progress against what we said we would deliver in our Council Plan and Service Plans and deal with performance issues arising.

RESOLVED:

That the performance against delivery of our key performance indicators for the 2nd quarter of 2020/22 so that issues can be addressed in a timely way be accepted.

105 **Expenditure on consultants and agency staff 2019/20**

Members considered the report of Melissa Muir, Assistant Accountant which provided details of capital and revenue spend on consultants and specialist advice and agency staff for 2019/20. It was noted Audit and Governance Committee had received previous reports.

This information would provide the expenditure on consultants and agency staff in the delivery of council services.

The following points were discussed:

- Clarification sought on potential savings for the council by not employing outside agency staff but by bringing functions in-house. It was advised agency staff were used in Streetscene during peak times for grounds maintenance and cleansing which was more efficient.

RESOLVED:

The details of expenditure on consultants and agency staff in 2019/20 be noted.

106 **Car parking tariff review**

Members received a report from Andrew Ennis, the Service Lead Environmental Health and Car Parks which set out proposals to engage with the public on proposals to introduce changes to car parking tariffs in some of our car parks. Members noted the report followed consideration of some of the issues raised by Members of the Car Parks Task and Finish Forum.

Members were asked to consider recommendations for the better management of some of our car parking assets and in turn to recommend that the Council should now authorise Officers to carry out the required statutory advertisements and consultation of these proposals.

During discussions the following points were noted:

- Concern about raising car parking charges just after Covid-19. In some areas driving is the only option. It is a bad idea to put charges up in April.
- Prefer to look at category 2 car parks rather than increase costs.
- Need to consider inappropriate parking in towns.
- Need to encourage local shopping.
- If car parking charges increase this will encourage vehicles parking in side roads.
- Suggest to postpone for a year.
- Town centres are struggling.
- Campervan charges in other areas are higher than East Devon.
- Need a shoppers' car park without residents parking.
- Bad timing – need to put off until next year.

RESOLVED:

1. To request Officers to prepare a revised policy for campervans and motorhomes for further consideration by the TAFF.
2. To repurpose the Car Parks' Task and Finish Forum to report back to Scrutiny Committee in the Spring of 2021:
 - a) To consider in more detail the options for supporting the Council's Climate Emergency Action Plan,
 - b) To develop a range of options for the future management of the Council's category 2 car parks,
 - c) To consider any other measures including the possibility of introducing evening charges in certain car parks.

RECOMMENDATION to Council

1. That TAFF Members propose the introduction of a new tariff of £1.20 per hour in East Devon District Council's category 1 (prime location) car parks effective from 1 April 2021
2. That TAFF Members also propose the introduction of a revised pricing structure for car parking permits with a £120 per annum for a single town (and an additional £24 per each town added) up to a maximum annual permit charge of £240 to cover all towns. To provide a 'pay monthly' scheme for all regular customers starting with a single town permit for just £10 per month.

107 **Forward plan**

3 Scrutiny Forward Plan proposals forms were received.

Members considered a proposal form received from Councillor David Key on the ban on Chinese lanterns and loud fireworks.

During discussions the following points were noted:

- Officer comments advised this matter was passed to the Overview Committee.

RESOLVED:

That the proposal on the ban on Chinese lanterns and loud fireworks should not be scoped.

Members considered a proposal form received from Councillor Bruce de Saram on ensuring that our green spaces were safe, welcoming and well managed and to protect our biodiversity

During discussions the following points were noted:

- Should we wait to see what Streetscene have to say as clearly it is an error. It is clearly a mistake at operational level. It is not a pattern of mistakes.
- Comes down to selection of staff and staff training.

RESOLVED:

That the proposal to ensure that our green spaces were safe and welcoming and well managed and to protect our biodiversity should not be scoped.

Members considered a proposal form received from Councillor Vicky Johns to consider S106s due to the lengthy time it takes to get these done. Councillor Johns praised the S106 Officers for doing a fantastic job but said East Devon was a large area with only two S106 Officers.

During discussions the following points were noted:

- Officer comments noted there was a SWAP audit in progress to review S106/CIL and suggested the Committee await the outcome of the SWAP audit before progressing this matter.

RESOLVED:

That the proposal be put on the forward plan and scoped in February 2021.

Attendance List

Councillors present:

C Brown (Chair)

V Ranger (Vice-Chairman)

E Rylance

M Chapman

I Chubb

A Colman

V Johns

O Davey

S Hawkins

F King

T McCollum

H Parr

B Taylor

Councillors also present (for some or all the meeting)

M Allen

M Armstrong
P Arnott
J Bailey
S Chamberlain
B De Saram
P Faithfull
M Howe
D Key
D Ledger
K McLauchlan
P Millar
A Moulding
M Rixson
P Skinner
J Whibley
E Wragg

Officers in attendance:

Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Wendy Harris, Democratic Services Officer
Amanda Coombes, Democratic Services Officer
Andrew Ennis, Service Lead Environmental Health and Car Parks
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

C Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of the Joint Overview and Scrutiny Committees held on 13 January 2021****Attendance list at end of document**

The meeting started at 10.00 am and ended at 2.11 pm

108 Public speaking

There were no members of the public registered to speak.

109 Minutes of the previous meeting

The notes of the previous joint committees were noted.

110 Declarations of interest

Cllr B De Saram; Minutes 113 and 114; Personal Interest: Exmouth Town Councillor
Cllr N Hookway; Minute 113 and 114; Personal Interest: Queens Drive Delivery Group Member

Cllr V Johns: Minute 113 and 114; Personal Interest: Ottery St Mary Town Councillor

Cllr M Chapman: Minute 113 and 114; Personal Interest: Exmouth Town Councillor

Cllr O Davey: Minute 113 and 114; Personal Interest: Exmouth Town Councillor

Cllr Tony McCullom: Minute 114b and 114c: Personal Interest: Works for Honiton Town Council. Where he is employed to run car parks, and Chair of Housing Review Board

Cllr E Rylance: Minute 113 and 114: Personal Interest: Broadclyst Parish Councillor

Cllr A Colman: Minute 113 and 114; Personal Interest: Exmouth Town Councillor

Cllr S Gazzard; Minute 114c; Personal Interest: Tenant of the Council; Minute 113 and 114; Personal Interest: Exmouth Town Councillor

Cllr A Moulding; Minute 114a; Personal Interest: President of Cloakham Lawns Association

Cllr I Hall; Minute 114a; Personal Interest: Chairman of Cloakham Lawns Association and Devon County Councillor

111 Matters of urgency

There were no matters of urgency.

112 Confidential/exempt item(s)

There were no confidential items.

113 Draft Revenue and Capital Budgets 2021-22

The Chairman welcomed the Strategic Lead Finance to present an overview of the budget position and the basis for the Draft Revenue and Capital Budgets.

In presenting the budgets, the Strategic Lead Finance highlighted to the committees:

- Changes to the local government funding formula and the business rate retention scheme are now assumed to take place in 2022/23 due to the pandemic, but this has not yet been confirmed;

- Preparatory work in developing savings and additional income to bridge the projected deficit of £0.7m (from external factors of pay award, effect of inflation, and additional cost pressures due predominantly to homelessness, recycling and refuse staff costs, decrease in recyclable income, local plan costs) has been considered and agreed by the Budget Setting and Capital Allocations Panel, endorsed by Cabinet. The updated proposals, assuming agreement, would then provide a balanced budget without the need to reduce the level of service provided by the Council;
- The draft budget includes key areas from the Council's new Statement of Intent: Carbon reduction measures; addressing poverty; additional social housing;
- It also accommodates additional resources to address specific staffing requirements, with external funding being sought where possible;
- The draft budget assumes an increase in Council Tax by £5 a year;
- The budget balance is maintained, but with the balance at the bottom of the adopted range for the General Fund Balance.

The risks for the year ahead, which may require funding and so would fall to the General Fund Balance included:

- Implications of Covid-19 – expected loss of income or costs associated with the impact of the pandemic are considered at this stage to be mitigated with the funding provided by Government;
- Car Park Income – the budget assumes an additional income of £300k from car park revenue through the increase in parking charges. If Council decides to delay that increase, then that shortfall could be met from Balances or alternative funding for part of or up to a year; if the decision is not to increase charges at all, the risk is a considerable impact on further budget setting and more difficult than the position outlined in the Medium Term Financial Plan (MTFP);
- LED – The agreed subsidy of up to £1.3m is hoped will be partially met by Government funding, as is the case with in-house leisure services. The newly formed LED Monitoring Forum have considered initial indications from LED of their required increase in the Service Level payment, in order to maintain existing services going forward, but the rising cost is something that the Council cannot afford. Further work by the Forum, along with appointment of independent expert advice, will provide recommended outcomes back to Cabinet and Council;
- New proposals for the Queens Drive Open Space to be concluded and costed;
- Actions from the Poverty Panel;
- Management Review;
- Brexit – effect on the Council's main contractors.

The settlement from Government includes a new grant – Lower Tier Service Grant Allocation (LTSG). This is a one-off grant to help with services impacted, with the Council's allocation as £700k. This sum is proposed to mitigate the risk of costs arising as set out above, and other currently unknown pressures during 2021/22.

The Housing Revenue Account would be debated for recommendation by the Housing Review Board.

The Capital Programme has been considered by the Budget Setting and Capital Allocation Panel (BSCAP), including the approval by Cabinet of capital projects put forward for 2021/22 that have met the set criteria and matched in priority against the funding available.

Recommendations would go forward to Cabinet before referral to Council to agree the final budget.

The joint Committees were being asked to:

- Recommend the Draft Revenue Budget 2021/22 for adoption;
- Recommend the Draft Capital Budget 2021/22 for adoption;
- Recommend the Key Service Plan objectives 2021/22 for adoption.

The Portfolio Holder Finance commented on the magnificent achievement of the Strategic Lead Finance and his team in the prudent actions taken to bring forward a balanced budget without reducing service level, in an unprecedented time.

Questions, comments and clarification included:

- Member comment on delaying the car park fee rise in order to assist the economy, impacted by the pandemic; reference was made to the Car Parking Task and Finish Forum, in that some Members felt there was additional work to be completed by that Forum and therefore no recommendation which included an increase in parking charges should go forward. Other Members supported the increase, as they felt it was modest and made a considerable impact on the balanced budget;
- Successful bid for section 106 funding for a capital project meant that money returned to the Capital Fund and therefore could other projects now receive funding? In response, Members were reminded of the set criteria and prioritisation process that the BSCAP worked through; projects could be considered throughout the year, but through this formal process;
- Could the LTSG be used to assist ailing private leisure clubs, if it could be used to support LED? In response, Members had to decide how best to use that grant against the risk costs for the Council as presented; it was more appropriate to private clubs to apply for concessionary grants from Government;
- Confirmation that the Homelessness Strategy is included in the draft budget, and that the data analyst post detailed in the report was an in-house resource to work on the mentioned "Poverty dashboard";
- Additional post need for the Recycling and Waste Team was explained in detail to the Committees;
- Savings identified in the budget relating to toilets predominantly covered the Business Rate Relief, which was announced in 2020. Cabinet would receive future reports on the toilet review, and Members were reminded of the enhanced cleaning schedule now in place for those public toilets that remained open.

A provisional recommendation to Cabinet by the Overview and Scrutiny Committees was made at this point to:

- Recommend the Draft Revenue Budget 2021/22 for adoption;
- Recommend the Draft Capital Budget 2021/22 for adoption.

The Chair advised that this would be revisited after the two committees had reviewed the Service Plans in both this meeting and the following session on 14 January 2021.

114 **Key Service Plan Objectives 2021 - 22**

The joint committees considered individual key service plan objectives as set out in these minutes for the following services: Countryside and Leisure; Environmental Health and Car Parks; Housing; and Streetscene.

(a) Countryside & Leisure

The Service Lead for Countryside and Leisure provided clarification and responded to questions from Councillors in relation to the service plan for the service for 2021/22. He highlighted the increase in value of the nature reserves of the Council as a wellbeing resource for the public; and the commitment to moving the educational element of the service online. Events had been re-imagined to meet social distancing requirements and had proved popular.

The service were also preparing for the implications of the new Environment Act and the new duties that would come with it; although existing work by the team was already in line with the Act requirements.

The Portfolio Holder for Coast, Country and Environment praised the fantastic work of the Countryside team, who had re-invented so many elements of the service as a result of the pandemic. He felt that future “Stay-cations” would bring added pressure to the service and therefore welcomed the inclusion of an ecologist post to the Council.

Clarification and responses included:

- Assurance that changes to the Seaton Wetlands, including car park surfacing, pay points and refreshment facilities, would help deliver a better facility to meet the demand by users of the wetlands, but delivered with care to minimise any impact on the natural environment of the wetlands. The improvements would not only enhance the site, but would help bring in revenue; donations had decreased dramatically. Work will continue with ward members as changes are implemented. The Portfolio Holder Finance, who had overseen the debate on the capital project bid for wetlands enhancements, also sought to reassure that the set criteria had been met;
- Villages in Action committed to continue and will report outcomes of progress to next Arts and Culture Forum on how it can continue to operate within the social distancing rules;
- The LED Monitoring Forum had oversight of the development of a new Leisure Strategy.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Countryside and Leisure Service be adopted.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Countryside and Leisure Service be adopted.

(b) Environmental Health and Car Parks

The Service Lead for Environmental Health and Car Parks provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22. In presenting the service plan, he highlighted:

- Continued volume of work of the service;
- New work as a direct consequence of the pandemic, such as the wellbeing of the clinically extremely vulnerable in the District, the Council’s own staff wellbeing, and working with the NHS and Devon County Council on testing options and the vaccination programme;
- Fewer routine hygiene inspections, but a shift to assisting businesses to change their offer – for example, switching to a takeaway service in a safe and secure manner;

- 50% rise in neighbour complaints;
- Preparatory work on the climate emergency action plan;
- Poverty panel continued;
- The Car Park Task and Finish Forum would continue in forthcoming weeks, including consideration of a revised local parking permit for residents, and reviewing revenue from campervans.

The Portfolio Holder for Coast, Countryside and Environment gave his thanks to the team for their efforts during a difficult year, and was considering how their approach to dealing with the increase of anti-social behaviour could be reviewed to help the team cope.

Clarification and responses included:

- In working towards reducing the carbon footprint of the Council, virtual council meetings should continue;
- Additional staff resource had been put back into the Environmental Health team, within the existing budget, for the nuisance complaint workload;
- In response to a query on Council staff mental health, Members were informed of the safeguards in place, including frequent contact between managers and staff, and counselling availability;
- In response to concern about safety near electric fleet vehicles, Members were informed that the current electric vehicles in the fleet had a workaround for producing a noise to alert pedestrians; and that future leased vehicles would include an in-built tone for this purpose;
- In response to a query about the Maer Car Park, it was not envisaged as coming forward as a vaccination site, but may come online as an additional testing site. If that happens, there will be a lost revenue claim for compensation to the NHS, but it is likely that only part of the area will be used and therefore the impact on revenue may not be severe;
- There was no entitlement of the Council to receive car registration information from the DVLA to pass onto the police in respect of suspected visitors breaching the current lockdown rules;
- Local Action Groups continued to provide valuable work were possible, but due to the pandemic their momentum has lessened;
- Member appreciation of all the volunteer groups at the current time;
- Paying for car parking was changing, in that the paying by phone provider was now operational across the region, and the additional fee for using that service has been removed. The Car Parking TaFF would review the rates across the car parks in the District.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Environmental Health and Car Parks Service be adopted.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Environmental Health and Car Parks Service be adopted.

(c) Housing

The Acting Service Lead for Housing provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22. Highlights from the service plan included:

- Increase in homelessness, including an increase in families becoming homeless;
- Building confidence in tenants that the safety measures were in place for contractors to enter the property for necessary maintenance;
- How to increase housing stock;
- Strategic approach to retaining Right to Buy receipts;
- Green home grant success;
- Work of mobile support officers in helping tenants learn how to manage their income;
- Housing Safety Act implications;
- Full stock condition survey;
- Building resilience into the Homesafeguard Service.

The Portfolio Holder for Homes and Communities gave sincere thanks to the Acting Service Lead, the Strategic Lead for Housing, Health and Environment, and the Housing team, for their agility in adapting to new ways of working as well as dealing with the increase in workload.

Clarification and responses included:

- The work of mobile support officers in assisting tenants to learn how to manage their finances was intended to be for the Council's tenants only, as funded by the Housing Revenue Account (HRA); not for private sector tenants; if it proved successful, the service could be reviewed to expand to the private sector if funding was available;
- Homelessness costs were taken from the General Fund; some of the additional grant funding was likely to go towards the increase in cost in this sector;
- Clarification on the role of rough sleeper navigators as a form of outreach worker role. The work had been both pivotal and successful;
- Member thanks for the hard work undertaken by the Housing team.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Housing Service be adopted.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Housing Service be adopted.

(d) Streetscene

The Service Lead for Streetscene provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22. Highlights from the service plan included:

- Acknowledgement of the increased value to the public of the public realm, parks and gardens and open spaces;
- Increase in budget for recycling and waste, due to the reduced value of recycled items and a driver pay rate increase;
- Implications of the new Environment Act;
- Review of deposit return scheme;
- Early negotiation of uplift in Recycling and Waste contract due to the predicted increase in properties to collect from exceeding 72k by September 2022;
- Team adaption to continued working on front line within social distancing guidelines.

The Portfolio Holder for Coast, Countryside and Environment gave sincere thanks to the Service Lead and the Streetscene team, including the Suez team, for continuing to deliver a fantastic service in the most trying of circumstances. He warned Members that the new Environment Act would bring considerable change, in terms of impact on kerbside collections, changes to fleet vehicles, and adapting flood alleviation schemes.

Clarification and responses included:

- Measures in place to help mitigate against infection included, including crew bubbles, PPE and distancing. In response to a question, some staff absence had occurred, but plans were in place to mitigate impact where possible;
- Seasonal cleansing staff will be employed again in preparation for the expected summer demand. If exceptional demand occurs again, the staffing level will be reviewed. The impact on staff morale was acknowledged;
- There was a trial in place to review the contamination issues associated with on street recycling;
- A drafted events strategy has been prepared for consideration by Cabinet, but has been delayed due to the latest lockdown. However planning and marketing of events can still take place for when restrictions lift, and demand remains for event space; currently work is targeted towards the Queens Drive offer and reviewing concessions for fitness events on the Council's beaches;
- Detail on the public toilet review will come forward to Cabinet in due course;
- Cllr Bond gave her thanks to the Engineering Projects Manager for his work in relation to flood alleviation at Feniton, describing his "tenacity as legendary";
- Request for signage on where to place recycling material to be updated at the Council's beaches;
- Confirmation that trialling electrical vehicles would also look at the savings for maintenance as well as carbon savings to give a true comparison.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Streetscene Service be adopted.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Streetscene Service be adopted.

Attendance List

Councillors present:

N Hookway (Chair)
M Allen
K Blakey
S Bond
B De Saram
S Gazzard
I Hall
M Hartnell
V Johns
F King
V Ranger
T Woodward
M Chapman
A Colman
O Davey
S Hawkins
T McCollum
H Parr
E Rylance
B Taylor

Councillors also present (for some or all the meeting)

D Bickley
A Dent
B Ingham
M Rixson
I Thomas
M Armstrong
P Arnott
P Faithfull
J Bailey
P Hayward
S Jackson
G Jung
D Ledger
K McLauchlan
P Twiss
P Millar
A Moulding
J Rowland
E Wragg
T Wright
J Loudoun

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
Andrew Hancock, Service Lead StreetScene
Andrew Ennis, Service Lead Environmental Health and Car Parks

Ed Freeman, Service Lead Planning Strategy and Development Management
Jo Garfoot, Acting Housing Service Lead
Charles Plowden, Service Lead Countryside and Leisure
John Symes, Finance Manager
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Debbie Meakin, Democratic Services Officer

Councillor apologies:

C Wright

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of the Joint Scrutiny & Overview Committees Budget meeting held at Online via the Zoom App on 14 January 2021****Attendance list at end of document**

The meeting started at 10.03 am and ended at 1.11 pm

115 Public speaking

There were no members of the public registered to speak.

116 Minutes of the previous meeting

The minutes of the previous meeting were noted at the previous session on 13 January 2021.

117 Declarations of interest

Cllr A Colman; Minute 120 and 121; Personal Interest: Exmouth Town Councillor
 Cllr O Davey; Minute 120 and 121; Personal Interest: Exmouth Town Councillor
 Cllr V Johns; Minute 120 and 121; Personal Interest: Ottery St Mary Town Councillor
 Cllr E Rylance; Minute 120 and 121; Personal Interest: Broadclyst Parish Councillor; in receipt of business support grant
 Cllr K Blakey; Minute 120 and 121; Personal Interest: Cranbrook Town Councillor
 Cllr B De Saram; Minute 120 and 121; Personal Interest: Exmouth Town Councillor
 Cllr I Hall; Minute 120 and 121; Personal Interest: Devon County Councillor
 Cllr N Hookway; Minute 120 and 121; Personal Interest: Queens Drive Delivery Group member
 Cllr T Woodward; Minute 120 and 121; Personal Interest: Exmouth Town Councillor

118 Matters of urgency

There were no matters of urgency.

119 Confidential/exempt item(s)

There were no confidential items.

120 Key Service Plan Objectives 2021- 22

The joint committees considered individual key service plan objectives as set out in these minutes for the following services:

- Finance
- Governance and Licensing
- Place, Assets and Commercialisation
- Organisational Development
- Growth, Development and Prosperity
- Planning

(a) Finance

The Strategic Lead for Finance, and the Service Lead Revenue and Benefits, provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22.

For the Finance team, work for the coming year would include:

- Continued monitoring updates to Cabinet;
- Working with services on ensuring financial procedures were in place for the significant level of homeworking, with work already undertaken on additional controls and processes for items such as invoices;
- Support to services on dealing with business rate processes;
- Improvements to procurement guidance
- 2022/23 MTFP considerations;
- Accessible financial monitoring reports, such as dashboards.

In specific reference to Revenues and Benefits, work in the past few months included:

- Multiple schemes to administer to support business, work which was expected to be ongoing for some time;
- Deploying 100% rate relief for the hospitality and leisure industry in the area;
- Operating the test and trace payment scheme, including the development of the discretionary element of the scheme. The Council had been the lead in developing policy for the Devon area;
- Covid Council Tax Hardship scheme delivery;
- Increased demand for Council Tax Reduction Scheme;
- Handling applications for the Covid Hardship Scheme;
- The Community Hub being staffed by the existing Customer Services Team.

The element of the service plan for Revenue and Benefits included:

- Covid measures, including the review of schemes;
- Rebuilding collection levels;
- Poverty agenda, including the Poverty Dashboard development;
- Business rating database development;
- Continuing to refine the online service to increase efficiency;
- Income maximisation (fraud and compliance).

Clarification and responses included:

- Commendation of the hard work and dedication of the team to react to the changing offer of multiple support schemes provided by the Government for both individuals and businesses, including the rapid reform of how applications can be made to reduce the burden for the applicant and make such funding more accessible;
- Whilst there continued to be development in online transactions to help efficiency, the service recognised the importance of lines of communication with people less able to access services online, and kept measures in place for telephone and (where possible) face to face contact;
- The Revenue and Benefits team had operated for some time as an agile team to adapt to meet demand where pinch points occurred in the work; the team were monitored closely by manager to help maintain their wellbeing;

- The financial resilience post was funded by Devon County Council; third party organisations (such as charities) support discussion would be part of the remit of the Poverty Panel in the coming months.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Finance Service be adopted.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Finance Service be adopted.

(b) Governance & Licensing

The Strategic Lead for Governance and Licensing provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22. He outlined his pride in his team in the significant achievements delivered in the past few months, including:

- Reactional elements by the Legal and Licensing teams;
- Delivery of virtual meetings, as recently reported to Cabinet with the request for additional staff resource;
- Support on taxi licensing with an emergency licensing policy.

The service plan for the coming year included:

- Revising the Cemetery Regulations;
- Review of Taxi Policy;
- Review of approach to Council meetings;
- Implementation of any decision by Council following the outcomes of the Governance Review Working Party.

The Portfolio Holder for Corporate Services and COVID-19 Response and Recovery gave thanks to the Strategic Lead for his work over the past few months, describing his fantastic contribution across a number of services. She also commended his work and that of his team in enabling the Council to continue its work by facilitating virtual meetings.

Clarification and responses included:

- Current legislation still required Council meetings to be held in person once the temporary rules expired in May. A watching brief was being kept on Teignbridge District Council's implementation of hybrid meetings, that was still in the early stages of delivery. The LGA were lobbying Government for the legislative issue to be resolved, in order to permit the ability to deliver meetings online in the future. Many members commented that they would prefer to have the option of physical, hybrid or full virtual meetings in the future, to give more choice for attendance and reduce travel.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Governance and Licensing Service be adopted.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Governance and Licensing Service be adopted.

(c) Place, Assets and Commercialisation

The Service Lead for Place, Assets and Commercialisation provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22. He outlined his pride in the newly formed team, who had risen to the challenges brought in recent months. Recent work had included:

- Support to tenants, such as rent deferrals and general advice on grants and similar;
- Covid secure measures at Blackdown House, Exmouth Town Hall and other buildings for the safety of staff;
- Honiton swimming pool refurbishment planning;
- Stock condition survey continued from the previous year, now concluded;
- Reopening High Street Safely Fund;
- Progress on Queens Drive through the Delivery Group.

For the coming year, the service plan had a focus on:

- Team Devon economy recovery work, including funding opportunities;
- Using asset base to drive economic growth;
- Continued work on carbon reduction;
- Supporting the HRA and Housing TaFF in regard to the growth of housing stock;
- New asset management plan;
- Access to asset data for councillors to help inform decision making.

Clarification and responses included:

- Work was underway through the Asset Management Forum on the asset transfer policy, in that consultation with Town and Parish Councils on the procedure for transfer was due to start shortly. Work on assessment of the assets would give a clear indication of what assets could be available for transfer and would help give a clear priority list, and resources would be considered against that – clearly there was not sufficient resource to handle requests from all towns and parishes at one time;
- The importance of small business units, as many Members felt there would be an increased demand for them as the workforce changes in the aftermath of the pandemic.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Place, Assets and Commercialisation Service be adopted.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Place, Assets and Commercialisation Service be adopted.

(d) Organisational Development, Transformation and Equalities

The Chief Executive provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22.

Achievements of the service highlighted included:

- Staff welfare measures, including calls to vulnerable and shielding staff;
- IIP Platinum level award;
- Introduction of mental health first aiders for both Council staff and Strata staff.

Objectives in the coming year included:

- Focus on engagement with the public;
- Revisiting participating budgeting
- Website development
- Providing regular advice to managers and others

Clarification and responses included:

- Discussion on measures for supporting staff can be raised and scoped with the Scrutiny committee if required;
- A watching brief is kept on unitary progress at Somerset, but it was not felt appropriate to put in preparatory work in the current service plan as the prospect of development of unitary status was unlikely in the current year;
- The Transformation fund would be utilised for the work on developing the new Council plan, following the adoption of the Statement of Intent.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Organisational Development Service be adopted.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Organisational Development Service be adopted.

(e) Growth, Development and Prosperity

The Service Lead for Growth, Development and Prosperity provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22. The service team had been formed a year ago, and the elements that the service covered were explained to the Committees.

Achievements during the past year included:

- Adapting to new ways of delivery during lockdown, and working across teams to include assistance on items such as business grants and redundancy recovery;
- Increased pressure on use of green space assets.

The service plan before the Committees included:

- Moving from responsive to proactive economic recovery, and helping to realise a more resilient economic recovery overall;
- Projects to deliver large scale carbon savings;
- Adapting to post Brexit, such as changes to funding streams.

Clarification and responses included:

- Welcomed reference to skills, as many residents would be facing the need to re-skill to open up employment opportunities;
- Adapting delivery to meet the evidence of impact on groups; evidence suggested a disproportionate impact on specific sectors of business, age groups and geographical areas, that needs to be taken into account; hence the additional staff set out in the draft budget to develop the approach to tackling those areas;
- There is an existing adapt and thrive support program; as well as a number of resources available to business both at County level and nationally;

- Awareness of increased impact on rural communities, because of the disadvantages of less travel links and some areas of poor broadband, as well as changes to farming subsidies. Reference to rural communities in the service plan was welcomed;

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Growth, Development and Prosperity Service be adopted.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Growth, Development and Prosperity Service be adopted.

(f) Planning

The Service Lead for Planning provided clarification and response to questions from Councillors in relation to the service plan for the service for 2021/22. He highlighted significant changes in working methods undertaken this year in order for the service to continue to function during lockdown, including the change from a paper heavy process to paperless overnight. Despite the pandemic, planning application numbers had increased, and there was a significant increase for the Land Charges team following the changes to stamp duty.

The Portfolio Holder for Strategic Planning gave this thanks to the Service Lead and his team for their work in difficult circumstances. He felt that the service plan presented to the Committees struck the right balance for the year ahead. He also thanked Councillor Susie Bond for her briefing to him when he took on the role of Portfolio Holder.

Looking forward to the service plan for the coming year, key areas of work included:

- the new Local Plan, with the start of the consultation process beginning the following week;
- Addressing climate change;
- Coastal erosion and flooding;
- Implications of new Environment Act;
- Diversity of types of housing;
- Supporting economic recovery;
- Audit recommendations on CIL and section 106.

Clarification and responses included:

- Preparatory work underway for the new Environmental Act, but the detail still unknown; the Ecologist post would cut across several services, including Planning;
- Acknowledgement of the risk to the local plan when planning legislation changes but there was no response to the White Paper as yet; therefore it was deemed more of a risk to delay the local plan to wait for those changes. Strategic Planning Committee would monitor any updates on the proposed changes to the legislation
- Issues and Options consultation and the call for sites were undertaken simultaneously for efficiency;

- Amend the service plan to make a clear distinction between the delivery of affordable housing, and social housing, particularly due to the Council's appetite to prioritise on social housing delivery;
- Review on the urban extension for Axminster had been delayed and it was hoped this would come before the Strategic Planning Committee in the spring.
- Landscaping conditions could only be imposed by the Council up to five years; Tree preservation orders and conservation areas gave longer protection, but legislation limits what the Council can take action on in relation to landscaping areas in developments.

Recommended to Cabinet by the Scrutiny Committee that the Service Plan 2021/22 for the Planning Service be adopted, subject to:

- a) Reference to both social and affordable housing;
- b) Inclusion of the recommendations from the audit on CIL and section 106.

Recommended to Cabinet by the Overview Committee that the Service Plan 2021/22 for the Planning Service be adopted, subject to:

- a) Reference to both social and affordable housing;
- b) Inclusion of the recommendations from the audit on CIL and section 106

121 **Draft Revenue and Capital Budgets 2021-22**

The committees had agreed a provisional recommendation to Cabinet, subject to discussion on the service plans taking place.

At the conclusion of the debate of the service plans, as no substantive changes had been recommended that required an amendment to the draft Revenue or Capital budget presented, the committees recommended as follows:

Recommended to Cabinet by the Overview Committee that the Draft Revenue Budget 2021/22 be adopted;

Recommended to Cabinet by the Scrutiny Committee that the Draft Capital Budget 2021/22 be adopted.

Attendance List

Councillors present:

C Brown (Chair)
N Hookway (Vice-Chair)
M Chapman
A Colman
O Davey
S Hawkins
V Johns
F King

T McCollum
H Parr
V Ranger (Vice-Chairman)
E Rylance
B Taylor
M Allen
K Blakey
S Bond
B De Saram
I Hall
M Hartnell
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
D Ledger
P Hayward
S Jackson
G Jung
A Dent
P Faithfull
M Rixson
A Moulding
S Chamberlain
E Wragg

Officers in attendance:

Mark Williams, Chief Executive
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Tim Child, Service Lead - Place, Assets & Commercialisation
Ed Freeman, Service Lead Planning Strategy and Development Management
Andrew Wood, Service Lead - Growth Development and Prosperity
Libby Jarrett, Service Lead Revenues and Benefits
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Debbie Meakin, Democratic Services Officer

Councillor apologies:

C Wright
S Gazzard

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Online via the zoom app on 4 February 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.25 pm

122 Public speaking

There were no members of the public wishing to speak.

123 Minutes of the previous meeting

The minutes of Scrutiny Committee held on 10 December 2020 were confirmed as a true record.

124 Declarations of interest

Minute 129. Scoping of Section 106/CIL Issues.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 129. Scoping of Section 106/CIL Issues.
Councillor Iain Chubb, Personal, Devon County Councillor.

Minute 129. Scoping of Section 106/CIL Issues.
Councillor Olly Davey, Personal, Exmouth Town Councillor.

125 Matters of urgency

There were no matters of urgency.

126 Confidential/exempt item(s)

There were no confidential/exempt items.

127 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.

128 Verbal update by Councillor Jung on role of the Coast, Countryside and Environment Portfolio Holder

Councillor Geoff Jung, Portfolio Holder for Coast, Countryside and Environment gave a short introduction that outlined his key responsibilities within his Portfolio that included beach management schemes, recycling and waste, nature reserves and environmental health issues. Members' attention was drawn to the Sport, Leisure and Tourism within his Portfolio and were advised that this was no longer within his Portfolio and that a new Portfolio Holder for Culture, Tourism, Leisure and Sport had been created.

He referred to pandemic advising that it had affected every role within the Council and thanked all the Officers and subcontractors for keeping everything running and applauded the Countryside Team with the award winning Seaton Wetlands and the Waste and Recycling Team which had one of the best recycling rates in the country with over 60% now being recycled.

Councillor Jung said that part of his role was to look at how to adapt the coast to climate change and how to adapt the countryside to more people wanting to live and to visit. These areas included:

- Clyst Valley Regional Park.
- Seaton Wetlands.
- Lower Otter Restoration Project
- Exe Estuary and the Pebblebed Heaths
- Wild East Devon Project

The Chair invited Members to ask questions that had been submitted before the meeting. Fourteen questions had been received and are set out below, including responses to the supplementary questions which Councillors submitting questions were entitled to do.

Question 1 – In response to a question about consultation and financial support received from Crown Estates for the Sidmouth East Beach, Councillor Jung advised that up to 12 miles belonged to the Crown that the Council would need to obtain a maritime licence for to carry out any works below the high watermark. Funding for coastal protection would come from DEFRA.

Question 2 – In response to a question about when the Sidmouth Beach Management Plan work commence, Councillor Jung advised the start date was not far away and details of meetings would be provided on the website.

In response to a supplementary question about what counter measures were being taken on erosion, Andrew Hancock, Service Lead - Streetscene addressed the Plymouth Study and advised it was a planning tool to help drive future planning policy about how to help communities adapt in worst case scenarios. He advised the erosion rate in the Sidmouth Beach Management figures was not a worst case scenario.

Question 3 – In response to a question about what benefits had East Devon seen from the contributions to the South East Devon Habitat Regulations? Councillor Jung first outlined the remit of the South East Devon Habitat Regulations and advised that funding had been provided the Pebblebed Heaths and the Nature Reserves along the Exe Estuary including Lypstone.

Question 4 – In response to a question about what lessons had been learnt from last year regarding litter on the beach and the lack of sufficient bins at Orcombe Point and to confirm that this summer following the end of the current lockdown that the Service Plan will be adjusted to ensure that this type of demand is catered for financially in the budget assuming we have a similar summer. In response Councillor Jung confirmed lessons had been learnt and that Streetscene were ready with the possibility of another busy summer and that temporary staff would be employed to cope with demand. It was noted the waste tonnage collected last year by Streetscene, district wide, and was 786 tons compared to 692 tons the previous year which was a 7% increase.

Question 5 – In response to a question about how many electric charging points had been installed in East Devon and by whom, it was advised a figure of 168 units was

taken from the internet of commercial premises and offices in East Devon which included 16 charging point in the Streetscene Depots and 4 points at Blackdown House. Councillor Jung was pleased to announce that there would be a further 8 electric points installed in our car parks very shortly which would be discussed at the next Car Park Task and Finish Forum.

In response to a supplementary question about whether there was enough electric points for visitors and residents in East Devon, Councillor Jung believed there would be enough and advised when the time was right petrol stations would start to close and open up fast charging stations.

Question 6 – In response to a question about whether East Devon District Council had a full complement of Environmental Health Officers, it was advised there were current vacancies for an Environmental Officer and Environmental Manager post and recruitment was in progress for three further Officers, funded by Central Government that included an Covid-19 Compliance Officer.

In response to a supplementary question about whether Environmental Health was able to give sufficient advice to food premises in these difficult times, the Strategic Lead – Housing, Health and Environment advised there was a sophisticated risk assessment process that underpinned a lot of the work which worked very closely with the Food Standards Agency to ensure targets were reached.

Question 7 – In response to a question asking for elaboration on the support for turning a car park area adjacent to the new watersports centre in Exmouth into an area of open space for a perceived low rental income. Councillor Jung advised the temporary car park was designated amenity use and the Queen's Drive Committee agreed that the area should be grassed.

Question 8 – In response to a question about the reason why Maer Road Car Park was perceived empty when Maer Road, Maer Lane and Foxholes Hill are strewn with cars parked on double yellow lines as DCC Highways allow on-street parking during certain months. Councillor Jung advised he would this follow up with Devon County Council Highways.

Question 9 – In response to a question about the number of times when EDDC had prosecuted a developer for not complying with a construction environmental management plan, Councillor Jung advised although it was not within his Portfolio he had sought advice from the Planning Development Manager who advised there had been no prosecutions as the National Planning Policy Framework promoted negotiation before enforcement.

In response to a supplementary question seeking evidence to confirm that actions had been achieved from the Exmouth Beach Management Plan which was delivered in 2015 and cost the public approximately £250,000 and do you accept the plans to rewrite the East Devon Local Plan 2013 – 2031 adopted in 2016 which would be another considerable cost to the public.

The Service Lead - Streetscene advised that it was not a statutory requirement to have a beach management plan, but that it was good practice to have a plan and keep it up to date to assess the causes of erosion and the measures that need to be taken. The Exmouth Beach Management Plan had an actions section, of which many of the smaller actions had been undertaken, including trial pits along the sea wall to assess the integrity of the toe.

Members' noted that the largest outstanding action of the plan was that it was anticipated that the sediment beach level drop on the main beach would start to cause an issue in the 2020's. The Service Lead for Streetscene confirmed this was evidently now the case and highlighted that funding from DEFRA was predicated around primarily protecting residential property and that there was no residential properties at risk along the main beach, and as such grant funding was unlikely. He outlined that a scoping study is planned through the Streetscene Service Plan, and that this would be undertaken this year to look at future amenity beach replenishment and what those costs would be.

The Service Lead - Streetscene also advised about an Innovation Study Funding Submission with Devon County Council for coastal protection measures to trial in Exmouth that could accrete (hold) sand along some sections of the beach.

Question 10 – Concerns were raised that there were a number of areas that have houses built with wildlife areas which were under site management for five years only, after five years the land was then considered 'no man's land'. In response to a question about trees being at risk of being cut down in Exmouth which were not covered by a Tree Preservation Order (TPO), Councillor Jung confirmed that trees without a TPO or outside a conservation area on private land would be at risk and highlighted a bigger issue that if trees were on land without a landowner there would be no-one to issue the Tree Preservation Order to help protect the trees.

Councillor Jung advised that EDDC were looking at planting a lot more trees and said he would like to see a one stop shop to provide information on planting and cutting trees

Question 11 – In response to a question about how the charging of refuse bins collections to town/parish councils is determined as Cranbrook is charged £520/bin/year which is significantly higher than other town/parish councils, Councillor Jung said he understood the concerns raised but as the highways in Cranbrook had not yet been adopted by DCC Highways, they were currently owned by the Consortium.

Question 12 – In response to a question about the management of SANGS and whether Cranbrook Town Council could manage their own SANGS, Councillor Jung advised that Council policy on delivery on the expansion of the town is detailed in Policy CB15 of the Cranbrook Plan which states it is for the developers to accompany their applications for a management strategy to detail how the SANGS are to be managed.

Question 13 – In response to a question about the increase in fly tipping in the last year and how many people have been prosecuted, Councillor Jung advised last year there had been 497 reported cases of fly tipping compared to 558 this year. He confirmed there had been a total of 17 fixed penalty notices served, resulting in 10 notices being paid in full and 7 unpaid notices due to insufficient evidence during investigation.

In response to a supplementary question about working with Devon County Council to provide security cameras outside recycling centres to deter fly tipping when the centres are closed, The Service Lead - Streetscene advised he would follow this up with Devon County Council's Waste Manager. He advised DCC do investigate cases of fly tipping outside the gates of their HWRCs, but at Sutton Barton was not aware of cameras.

Members' were made aware of a possibility of using safety cameras on the Suez fleet to catch people who litter and fly tip when they are out and about which would greater increase the chances of catching some of these people.

Question 14 – In response to a question raised about the aims and vision for Wild East Devon, Councillor Jung advised for East Devon to be a leading organisation in the delivery of species recovery, health and well-being improvements, outdoor learning and nature connectedness, this has to be achieved with a focus on habitat and access management along with innovative public engagement programmes which is an initiative driven by Councillor Marianne Rixson.

In response to a supplementary question to seek clarification on the delivery a new visitor infrastructure to Seaton Wetlands on page 3, item 8 of the Service Plan, Councillor Jung advised that it was considering visitor/information centre and a café similar to what the National Trust provides in their areas.

The Chair invited one further question as follows:

In response to a question about the use of double bins by some households and what was being done to promote recycling, The Service Lead - Streetscene advised when these cases are reported there was often a legitimate reason for the use of more than one bin. He identified the need for public participation and to make recycling as easy as possible providing leaflets and information and engagement to residents. Members' were made aware of a request for an additional staff member to help tackle unauthorised capacity.

129 **Scoping of Section 106/CIL Issues**

The Service Lead – Planning Strategy and Development Manager updated Members on the findings of the SWAP audit on the current spend to help Members understand the appropriate arrangements that were in place to manage receipt and expenditure of Section 106 and CIL contributions.

The following keys issues were highlighted with actions agreed:

- Over 1,200 actions were outstanding on the current database system.
In response the Service Lead – Planning Strategy and Development Manager advised the action agreed through audit was to advertise for six month temporary post to get the system up-to-date. Members' noted that in terms of outstanding action most were various administrative tasks and only 7% related to payments needing to be invoiced or chased. No monies had been lost as a result of delays of those actions.
- Not all demand notices had been raised in a timely manner and concerns were raised about the recovery process.
In response the Service Lead – Planning Strategy and Development Manager advised that this was the result of a resourcing issue and when the resource was in place this would be prioritised.
- Out of date Participatory Budgeting Guide.
In response the Service Lead – Planning Strategy and Development Manager confirmed this had been completed and was published on the website.
- Town and Parish Councils not being advised on how much S106 monies had been collected.
In response the Service Lead – Planning Strategy and Development Manager updated Members about a public facing module via the Exacom System that would provide free access to information which would be available on the website by the end of March 2021.

The Chair invited comments from Non-Committee Members.

The Leader showed his appreciation for the SWAP report and said it was reassuring moving forward but raised concerns about why the under resourcing issue had not been identified in the management structure for so long.

The following comments were raised by Committee Members:

- It was highlighted that approximately 2 years ago concerns had been raised in a Scrutiny Committee about the welfare of the Officer in question working alone in an office for 18 months inputting data. In response the Service Lead – Planning Strategy and Development Manager advised there had been 2 additional Officers in post to assist the S106 Officer but unfortunately they did not see the project through to completion. Through discussion with the S106 Officer it was felt that she could complete the project alongside her other work. Experience over time had demonstrated that this was not the case with the combination of being pulled to help with the Community Hub during the first Covid lockdown.
- Concerns raised about the participatory budgeting process being resource intensive and whether it was fit for purpose. In response the Service Lead - Planning Strategy and Development Manager confirmed it was resource intensive but highlighted major benefits in engagement with the public in terms of design of the play area and sports and open space resulting in the delivery of successful spaces valued by communities.
- Concerns raised about the S106 Officer always being taken off the job if something else needs doing.
- The two temporary Support Officers did not have the expertise to do the job.
- Concern was raised that as an important role within the Council it should not be 100% dependent on one Officer. What happens if that Officer is off sick or on holiday or they are seconded?
- Welcomed the SWAP report for a clearer process for town and parish councils to follow.
- It was noted that an important word was missing from bullet point 3 and words were repeated in bullet point 5.

RESOLVED:

1. That the findings of the SWAP audit into Section 106/CIL and the recommendations made in the audit report be noted.
2. That a review of the S106 spend and participatory spend process forms part of the draft Service Plan for Organisational Development be noted.
3. That the review of the S106 spend process go to Overview Committee for consideration be agreed.

130 **Forward Plan**

2 Scrutiny Forward Plan proposal forms were received.

Members considered a proposal form received from Councillor Helen Parr on staff morale, mental health and wellbeing in view of the Covid pandemic and other pressures on Officers.

During discussions the following points were noted:

- The Leader advised that as there was a staff survey currently in progress it should be a matter for Overview to consider.

- The Chair suggested that the Chief Executive could attend a future Scrutiny Committee to update Members on the results of the staff survey
- Members debated whether it should be Scrutiny Committee or Overview Committee that should consider the proposal. In response the Chief Executive advised that he would bring a report to Cabinet in due course and would discuss the matter with the relevant Portfolio Holder. He clarified that the role of the Scrutiny Committee was to look at morale and other issues that may impact on performance and the role of the Overview Committee was to look at policy development.
- The Chief Executive advised he was happy to bring a report to the Scrutiny Committee.
- This is a serious matter and should be examining many angles.
- Clarification sought on why some Members did not want the Scrutiny Committee to consider the proposal. In response the Chair confirmed he would like Scrutiny to consider the proposal.
- Clarification sought from Legal about whether it should be considered by Scrutiny or Overview. In response Anita Williams advised it could be considered by either Committee and suggested that because there was an issue with time and a duplication of resources it could be considered at a joint Overview and Scrutiny Committee.
- The need to look at provision for staff that are dealing with stress or other issues resulting from the pandemic;

RESOLVED:

1. That the proposal be put on the Scrutiny forward plan and scoped.
2. That Members invite the Chief Executive to come to a meeting as soon as possible to give his views on the situation to explain what he thinks needs doing and what he thinks can help.

Members considered a proposal form received from Councillor Val Ranger on the role of Planning Enforcement to consider scrutinising the performance of the council in relation to this area to ensure it is sufficiently resourced.

Members concurred their support.

During discussions the following points were noted:

- There was a need to look at the proposal and try and get as many different people to ask questions and as many people to answer those questions, particularly those involved in enforcement.
- The Chair of Planning Committee confirmed there were issues with planning enforcement and suggested the need to look at additional resources.
- The need for a better understanding of regimes and policies centred on Planning and the need to understand the way Central Government manages and inhibits district councils.

RESOLVED

1. That a report on the planning enforcement process should come to Scrutiny Committee so that Members can ask questions and fully understand the forces at play be agreed.
2. That Scrutiny Members consider whether the Planning Enforcement Team are fully resourced be agreed.

Attendance List

Councillors present:

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

Councillors also present (for some or all the meeting)

M Armstrong
P Arnott
J Bailey
K Blakey
F Caygill
B De Saram
A Dent
P Faithfull
P Hayward
N Hookway
B Ingham
S Jackson
G Jung
D Ledger
K McLauchlan
M Rixson

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
John Golding, Strategic Lead Housing, Health and Environment
Andrew Hancock, Service Lead StreetScene
Wendy Harris, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Rebecca Heal, Solicitor

Councillor apologies:

V Johns
T McCollum

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Housing Review Board held at online via the Zoom app. on 21 January 2021****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 5.00 pm

85 Public speaking

There were no matters raised by the public.

The Chair advised the Board that it was proposed that the start time of the HRB meetings would change to 10am from the start of the new civic year.

The Housing Solutions Manager informed the Board that one of the tenants many would have known, Marcus Masterson, had sadly passed away recently. Marcus had been a key member of the Homelessness Strategy Review group over the last few years, passing on his views and opinions in respect of plans for tackling homelessness. His contributions, from a former service user perspective, had been greatly appreciated and helped to shape the strategy. Along with Cllr Megan Armstrong, who had known Marcus for several years, officers wished for their appreciation of the contribution that Marcus had made to the service over the years to be acknowledged.

86 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 17 September 2020 were confirmed as a true record.

87 Declarations of interest

Cat Summers, Personal, housing tenant.

Cindy Collier, Personal, housing tenant.

Councillor Ian Hall, Personal, mother is a tenant and a Homesafeguard customer and he is a Devon County Councillor.

Councillor Steve Gazzard, Personal, housing tenant.

Peter Sullivan, Personal, housing tenant and vice chair trustees of Sidmouth Consolidated Charities.

88 Matters of urgency

There were no matters of urgency.

89 Confidential/exempt item(s)

There was one confidential/exempt item.

90 Housing Review Board forward plan

The Acting Housing Service Lead presented the forward plan and advised members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either herself or the Democratic Services Officer. During the meeting the following items were added to the forward plan:

- Green Homes Grant update
- Housing strategy
- Stock condition survey
- Compliance

RESOLVED: that the forward plan be noted and updated.

91 **Housing Service Plan 2021/22**

The Strategic Lead – Housing, Health and Environment presented the draft Service Plan for the Housing Service covering the period 2021-2022, for consideration by the Board.

The Service Plan was a working document produced annually by all EDDC services and set out the key achievements over the past year and the forthcoming issues to be faced by the service. It linked closely with the Council Plan and the aim of the process was to produce a work plan for the coming year with a realistic view of the challenges and risks ahead. Producing a Service Plan presented a good opportunity to look back and reflect and also the ability to forward plan. Performance should be monitored constantly against the 'live' document. The Service Plan was coordinated annually with budget planning.

This year the plan reflected some of the service interruptions due to the pandemic and the move of the Private Sector Housing team to the Environmental Health and Car Parks Service. The plan also considered service challenges and pressures over the next three years, including climate change implications, tenant safety measures, the implications of the Social Housing White Paper, and the ambitions to increase the supply of social housing.

A range of service improvements were identified through a number of SMART objectives (specific, measurable, achievable, relevant, time bound). The plan linked closely with the Housing Strategy and was designed to complement a number of other housing plans and policies as part of how the Council managed its own housing stock, managed homelessness, and the services it delivered. There was also a strong link with the Council's Public Health Strategic Plan to ensure more people were helped to be and stay healthy, ensure self-care and community resilience and integrate and improve support for people in their own homes.

Headlines from the Housing Service Plan were:

- A focus on delivering our housing purpose(s).
- A commitment to tackle homelessness.
- Recognition of poverty as a significant factor in people's lives.
- Revision of the HRA Business plan with updated stock condition data.
- A focus on new development opportunities with the need to review the current acquisition programme.
- Emphasis on the importance of compliance and keeping tenants safe in their homes.
- A focus on mental health and how we are addressing the challenges this is presenting us as a landlord.

- Embedding the Integrated Asset Management Contract.
- Mapping the future of Home Safeguard with a realistic view of risks ahead including digital switchover, refresh of the marketing strategy, relocating the service, review of the staffing rota.
- An emphasis on evidencing value for money with the need to scrutinise some areas to satisfy ourselves that we are achieving what matters most to the customer, in line with our systems thinking purpose.
- Acting on the climate change agenda and building towards a carbon neutral council.

The service planning day was a virtual event and involved input from senior managers, the Portfolio Holder and Chair of the Board, on the day to day challenges of the job, ideas for service improvement, and the needs of the customers. The Strategic Lead – Housing, Health and Environment acknowledged that ordinarily there would be greater tenant involvement in the service planning process, but due to service pressures and focussing on the pandemic the process had been curtailed. The Service Plan would be presented to the tenant groups over the next few months and cascade to housing staff through team meetings and service briefings. The Board's input into the Service Plan was welcomed and gave tenants an additional opportunity to comment, before it was finalised and reported to Cabinet.

The Strategic Lead – Housing, Health and Environment commented that despite the pressures over the previous year the housing teams and contractors had responded incredibly well and were doing a fantastic job.

RECOMMENDED: that Cabinet approve the Housing Service Plan for 2021/22.

92 **Housing Revenue Account budget**

Consideration was given to the Housing Accountant's report which presented the draft Housing Revenue Account (HRA) revenue and capital budgets for 2021/22. At the same time as preparing the draft budget, draft Service Plans had been prepared and aligned, and linked back to the Council Plan.

Recommendations from the Board would be presented to Cabinet on 3 February 2021, when members would finalise budget proposals to be recommended to Council.

The Housing Revenue Account (HRA) was underpinned and influenced by the business plan. The Strategic Lead – Finance explained that this plan needed to be refreshed, but this had been delayed by other work commitments. The updated plan needed to:

- Undertake a full conditions survey to inform future programme costs.
- Consider the implication of the new maintenance contract.
- Reflect additional work on asset management planning and compliance requirements.
- Consider the end of rent reductions.
- Consider the implication of Universal Credit.
- Reconsider the debt level and use of Right to Buy Receipts linked to future development ambitions, and
- Consider the implications of the climate change action plan.

This work was progressing for inclusion in the 2022/23 budget. The draft 2021/22 budget continued to invest in and maintain existing properties at a similar level. It also

provided an acceptable surplus which would need to be prioritised between competing demands:

- the purchase programme to counteract the impact of continuing Right to Buy (RTB) sales and the development ambitions to significantly add to the Council's stock/social housing. This was a key priority in the statement of intent.
- to ensure new compliance requirements were met.
- to implement the carbon reduction actions.

The Strategic Lead – Finance explained that the budget assumed a rental income of £17.8 million. The budget had been prepared to maintain council homes to a high standard with a comprehensive planned programme of expenditure, adaptations and routine repairs and an overview of expenditure items was contained in the report. The draft HRA budget currently showed a surplus of £0.985 million. It was proposed that this be held for the purpose of additional housing and climate change measures. Reports on priority and proposed actions to be considered would be reported to the HRB through 2021/22.

The HRA balance was maintained within the adopted range of £2.1m and £3.1m, being projected to be retained £3.1m level at the end of 2021/22. There was an additional £1.6m being held in the HRA debt volatility fund which remained unchanged.

RECOMMENDED: that Cabinet recommend the draft revenue capital estimates in the draft Housing Revenue Account to Council.

93 **Right to Buy spending 20/21**

The Acting Housing Service Lead's report provided the Housing Review Board with an update on right to buy spending for 2020/21 and raised awareness of the challenges faced due to Covid-19. The report contained information on the amount of receipts spent or committed to spend in the financial year and the amount that could be returned to Government. In response to concerns raised by local authorities on spend and the impact of Covid-19 on the housing and building market the Ministry of Housing, Communities and Local Government granted a temporary relaxation on the deadlines for spending right to buy receipts, however it would not be long enough for all the receipts to be spent. Officers would continue to look for suitable properties to buy on the open market, but given resourcing issues and the demands put on the housing market industry with the stamp duty holiday ending, it was unlikely that the end of March deadline would be met. This would be the first time the Council would have to pay back any receipts since entering into the agreement with the Secretary of State in 2012.

During 2020/21 19 properties would be purchased at a spend of around £3.06m. This however resulted in a shortfall of spending and EDDC would be required to pay back approximately £844,000 in receipts and £121,000 in interest on the returned amount.

The Board acknowledged that whilst it was disappointing that receipts would have to be returned, the year's spend requirements was always going to be a challenge and that was before Covid-19. Investment in staffing and a different strategy for spending receipts was needed to ensure the Council was best placed to spend the receipts and provide the much needed replacement affordable housing for its stock.

This would also ensure that EDDC was getting the right type of properties that would meet its climate change agenda.

Members expressed concern at Government policy which allowed tenants greater discounts when purchasing Council properties, whilst imposing constraints on local

authorities around spending the Right to Buy receipts. The Portfolio Holder for Sustainable Homes and Communities reassured the Board that she would continue lobbying the Government about the Right to Buy scheme and had requested a meeting with the MPs.

RESOLVED: that the Housing Review Board note the contents of the report and the spend information.

94 **Review of the furniture project**

The Housing Solutions Manager's report summarised progress made to date on the review of the furniture and household item recycling service known as the 'furniture project' or the 'magic garages'. The report gave a brief history of the inception of the service and highlighted that it was currently unsustainable to continue delivering the service in its current format. Four options for the service had been developed and these were presented in the report and outlined in the meeting:

1. Keep the service in-house, funded through HRA budgets.
2. End the service and utilise existing alternatives.
3. End the service and replace it with a voucher scheme.
4. Limit the service to furniture/items acquired through void clearance of Council stock.

The report also highlighted the benefits of the current service in relation to the Council's broader strategic aims. The importance of PAT testing for electrical goods and ensuring current furniture fire regulations were being met was raised during discussion.

RESOLVED:

1. that option one, to keep the service in-house, funded through HRA budgets should be further evaluated.
2. that a further report on option one be brought back to the Board to review progress in six months time.

95 **Integrated Asset Management Contract update and analysis of housing complaints**

The Housing Review Board considered a detailed report of the Property and Asset Manager which updated members on progress made over the last year, during the Covid-19 pandemic, and gave an annual review of the Council's partnership with Ian Williams Ltd.

The contract with Ian Williams commenced in July 2019 and there had been many challenges along the way. Consultants Echlon had recently carried out the first detailed review of the contract and their report was currently being reviewed in detail. Generally the review looked at how the contract was progressing, areas that needed attention and areas that were working well. Officers were currently reviewing the recommendations in the report and working with Ian Williams to agree and implement the recommended changes and improvements. Overall the contract was going well.

The Covid-19 pandemic had impacted the contract, with co-location of staff being put on hold, whilst staff worked from home. Ian Williams were fully staffed at management level but the operative's numbers fluctuated. The recruitment of multi-skilled operatives in East Devon had proved difficult, which had impacted on their ability to complete a range

of jobs on one visit. There were a number of vacancies in the Property and Asset team and recruitment was underway to fill the roles and address the understaffing issue.

Following challenges incurred due to Covid-19, the contract had now returned to a relative state of normality, with compliance across all areas. The Property & Asset Manager answered details questions in relation to compliance and it was suggested that compliance be added to the forward plan with future compliance reports being brought to the Board.

It was noted that void costs could vary significantly from month to month depending on the condition of the properties returned.

The report explained in detail complaints and how these were being reviewed and addressed. A complaint management programme had been developed. All complaints were actively monitored and to date all had been remedied at or before stage one of the Council's complaint process.

Customer satisfaction surveys had fallen off the radar during Covid-19, but efforts were now re-focused on gathering information in this area, with the questionnaire being revised. The Property and Asset Manager outlined the steps being taken to improve on gaining customer satisfaction.

RESOLVED: that the Housing Review Board note the update report on the integrated asset management contract.

96 **Social Housing White Paper**

The Strategic Lead – Housing, Health and Environment's report summarised the recently published White Paper on Social Housing. The contents of the White Paper were likely to be translated into legislation and would signal a significant change in the governance of social housing. The proposals recognised the importance of social housing and the need to prioritise tenant safety, involvement, satisfaction, complaint handling and good housing management. Much of the detail contained in the White Paper was centred on customer regulation, in effect a social housing charter, and would recreate a stronger regulatory regime providing the Regulator of Social Housing with more powers.

There were seven chapters in the White Paper:

1. Addressed the catalyst behind the need for change – the Grenfell Tower fire.
2. To know how your landlord is performing.
3. To have complaints dealt with promptly.
4. To be treated with respect backed by a strong regulator.
5. To have your voice heard by your landlord.
6. To have a good quality home and neighbourhood to live in.
7. To be supported to take your first step to ownership.

The Housing Service Lead explained the White Paper to the Board in greater detail and advised that the Board would continue to receive reports on progress.

RECOMMENDED: that Cabinet approve:

1. that the Housing Service start to make preparations for the forthcoming legislation and ensure that its policies and procedures were up to date in respect of tenant safety and tenant involvement.

2. that the Housing Service improve its complaints handling processes to improve tenant satisfaction.
3. that the Housing Service revisit its systems thinking purposes to ensure it focuses on what matters to tenants and reduce failure demand.
4. that the Housing Service work with tenant representatives to embrace the sentiments and contents of the White Paper.

97 **Your Home Your Wellbeing research report**

The Information and Analysis Officer's report presented the results and conclusions of a three year research partnership between East Devon District Council's (EDDC) housing department, the University of Birmingham's Research Centre on Household Assets and Saving Management (CHASM), and LiveWest.

The objective of the partnership was to build a richer understanding of people's experience of their home and the relationship between their home, landlord and wellbeing. Over 3,500 social tenants, private renters (those on the Devon Home Choice housing register) and those in shared ownership responded to the survey. 58 respondents were also interviewed, some of whom were contacted over all three years of the study.

The key findings were that:

- Having a good home mattered to overall life satisfaction and happiness.
- Social housing had a positive impact on all aspects of wellbeing. It helped to reduce levels of anxiety, particularly for those facing mental health challenges.
- Respondents who did not feel safe or who felt they had no control in their home were more likely to report lower levels of life-satisfaction and were more likely to be anxious. Respondents who felt that they had privacy and control in their homes were more likely to report being happy.
- Satisfaction with the local area in which a home was situated was associated with higher levels of happiness and life satisfaction, and with lower levels of anxiety.
- Half of all of those who were surveyed reported that they are struggling to make ends meet. Those struggling to make ends meet were more likely to be anxious and less likely to be happy or satisfied with their life.
- Respondents were likely to report that they experienced poor mental health if they were less than 65 years old, living alone, living with non-dependent children or felt like their home affected their wellbeing in a negative way.
- Universal Credit was not working well for everyone and, in particular, it had a negative impact on the wellbeing of claimants with mental health challenges.

The report emphasised that what the Council did as a social landlord really made a difference to the lives of its tenants from ensuring stock was maintained to a high level, to the additional support services provided to tenants as a social landlord.

The report also supported the growing national consensus that something needed to be 'done' about housing for many people living in East Devon. It was well documented that there was not just a shortage of housing across all tenures but for many people they were living in unsuitable and unaffordable homes and with few options for how to improve their housing situation. The result for many people was housing insecurity and financial struggle, with resultant negative impacts on wellbeing.

The Information and Analysis Officer was thanked for her involvement in the fantastic piece of work. She advised the Board that she could provide members with ward level information if the requested it.

RECOMMENDED: that Cabinet approve that:

1. Where appropriate evidence is used from the research to support housing's decision making and service planning.
2. All teams within housing have access to the advice and expertise of the mental health specialist for supporting East Devon tenants.
3. There is better understanding of the housing needs of those on the Devon Home Choice register and they are supported on their housing journey.
4. The Council continues to invest in our homes and neighbourhoods and ensure repairs and the programme works done to our properties are of a high standard.
5. The Housing Service supports universal credit claimants by helping them to maintain their tenancies and offer budgetary and financial advice where necessary.
6. The Council continue to work with others to provide more housing opportunities and choices for people living in East Devon.
7. The study be used on a wider scale to promote the research with the Council's partners nationally to promote the value of social housing.

98 **Covid-19 performance monitoring report**

The Housing Review Board was presented with the December week 2 Covid-19 report, which had been monitoring different areas of the service since March 2020, and had been included for the Board's information. The Acting Housing Service Lead explained that this information was used weekly by the housing management team to monitor performance.

RESOLVED: that the Housing Review Board note the performance of the Housing Service.

99 **Quarter 2 Housing performance indicator report**

The Housing Review Board was presented with the Housing Service performance indicator report for quarter 2 2020/21, with details of selected indicators measuring performance across the Housing Service.

RESOLVED: that the Housing Review Board note the performance of the Housing Service.

100 **Exclusion of press and public**

RESOLVED: that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B).

101 **Purchase of 51 St Andrews Road, Exmouth**

The Acting Housing Service Lead's report sought authority to proceed with the purchase of 51 St Andrews Road, Exmouth subject to approval of the Certificate of Lawfulness, using Right to Buy receipts. The report recommended that the purchase of the seven units of accommodation would be a beneficial addition to the current Council property portfolio and that flexibility should be exercised with rent level to help with affordability for tenants if required.

RECOMMENDED: that Cabinet note that pursuant to the delegated authority approved by the Board, Cabinet and Council in January/February 2020 as set out in the body of the report to purchase properties from Right to Buy receipts, the Strategic Lead has approved the purchase of the freehold interest of 51 St Andrews Road (subject to certificate of lawfulness) in conjunction with the Portfolio Holder and the HRB Chair.

Attendance List

Board members present:

Councillor Tony McCollum (Chair)
Peter Sullivan, Tenant (Vice-Chair)
Cat Summers, Tenant
Councillor Ian Hall
Councillor Helen Parr
Cindy Collier, Tenant
Councillor Brenda Taylor
Councillor Sarah Chamberlain

Councillors also present (for some or all the meeting)

M Armstrong
P Faithfull
S Gazzard
G Jung
D Ledger
P Millar

Officers in attendance:

Debbie Meakin, Democratic Services Officer
Alethea Thompson, Democratic Services Officer
Jo Garfoot, Acting Housing Service Lead
John Golding, Strategic Lead Housing, Health and Environment
Graham Baker, Senior Technical Officer Asset Management
Sue Bewes, Housing Services Manager
Natalie Brown, Information and Analysis Officer (Housing)
Simon Davey, Strategic Lead Finance
Amy Gilbert-Jeans, Service Lead Housing
Rebecca Heal, Solicitor
Andi Loosemoore, Rental Manager
Giles Salter, Solicitor

Councillor apologies:

Christine Drew, Independent Community Representative
Christine Morrison, Tenant

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Online via the zoom app on 15 December 2020****Attendance list at end of document**

The meeting started at 2.00 pm and ended at 6.10 pm

89 Public speaking

Councillor Matt Osborn representing Cranbrook Town Council and the residents of Cranbrook spoke about the continued delays and loss of faith of a promised town centre. He advised the committee that residents want the delivery of a town centre now and thanked the Planning Officers, Ward Members and Committee Members for their hard work in the negotiations that had gone into producing the current proposal which delivers what Cranbrook needs. He urged Committee Members to listen to the people of Cranbrook and look at how to start to deliver for Cranbrook.

Lythan Nevard, Minister for Cranbrook welcomed the changes that had been made since the last Strategic Planning Committee. She welcomed the provision of apartments on top of retail units in the town centre and saw this as a means of providing smaller and more affordable housing in the town. She also welcomed the additional space for community facilities which was so desperately needs. She stressed there was so much potential for Cranbrook but this was held back because of the lack of space for people to meet and urged members to consider the extra space in the town centre which the town needs. She stated this may not be the dream of what a town centre might look like but would rather have a living breathing town centre that worked for a community rather than something that was award winning.

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

I commend the extensive work undertaken by council officers in preparation of the New Local Plan preparation advisory report and draught 'Issues & Options Consultation document – Jan 2021, prepared against a backdrop of changing Government Housing policy, and the introduction of Environmental and Agricultural Legislation which will have far reaching implications for the use of agricultural land, and permitted levels of air and noise pollution.

However I have concerns with regard to 'information' included in both report and Consultation documents.

Report para 7.8 suggests that at the present trajectory of house building within EDDC there will be a shortfall of 6415 dwellings by 2031. The existing Local Plan indicates an objectively assessed housing need figure of 17100 during the lifetime of the Plan. A review of the latest House Monitoring report, March 2020 indicates that between 2013-2020 houses in excess of 6000+ were built, and between 2020 -2031 houses totalling 18415 are projected to be built. This does not include an increasing number of windfall sites coming forward. A 5 year land supply was confirmed throughout the period. I question a shortfall?

Report Para 7.8 also refers to proposals initially set out in the Government white paper, 'Planning for the Future' which translates to a new requirement for annual house building

of 1614 homes per annum, also detailed within **Chapter 5 of the Consultative document- Housing Needs**. This information is factually incorrect, as it is clear that the Housing Minister under pressure from Conservative MP's has acknowledge that the algorithm used in these calculations is unfit for purpose, and an alternative substitution will be considered.

I would contend that this incorrect information should not be included in the consultative document.

The Chapters 4 & 8 Consultative document appears to give very limited acknowledgement to the two major pieces of legislation passing through parliament ie, the Environment and Agricultural Acts both of which will have enormous implications for the use of agricultural land and protection of environment and habitat. The requirement to devote an increased 4% of such land to afforestation involving the annual planting of 30th hectares of land will impact upon availability for house building purpose, and again raises the important issue of protection of greenfield sites, including EDDC 'green wedges'. I hope that Councillors will make time to revisit the importance of 'Green Wedge land' within future policy. I note that 90% of house builds during 2019/20 were on Greenfield sites!

Whilst acknowledging that the creation of a new Local Plan will involve an inordinate amount of work and commitment by both Council officers and Councillors alike, the headers and tone of **Report Para 9.1- 6** raise concerns that the Consultative process will not be as transparent and accessible to either Councillors or Communities as it should be. My concerns, and that of other Cranbrook residents whose homes overlook the Parsons Lane Green Wedge are reinforced through bitter experience resultant from a failure of transparency/disclosure by senior council officers, during the Cranbrook Plan Consultation process.

'Cutting out Tasks to make Plan production quicker: Non production of draught Plan for consultation: Less debate on site allocations.'

Recommendations:

I would commend Councillors to consider support for progression as set out within **Para 10 of the Report**.

- 1) I would have reservations as to the extent of authorisation granted 'to make any minor changes to finalise the consultation document and facilitate the requirements of consultation software'.

East Devon New Community Partners

Nick Freer spoke on behalf of the East Devon New Community Partners and introduced a 3 minute video that Members watched that outlined a 3D image of the proposed town centre.

He updated Members on what could be delivered that included:

- The option to accommodate a leisure centre at the rear of parcel TC2;
- A double sided retail frontage along the length of Till House Road which would be the heart of the town centre with food stalls, retail units, town council offices, health and wellbeing centre, smaller scale offices and workshops and nursery;

Members were urged to accept the agreement of the MOU to enable the delivery of the first stage of the town centre which could be in place in little over 18 months. Mr Freer highlighted to Members that the MOU also included the amendment that would allow the

council to purchase three additional parcels of land in the town centre at market housing value.

Finally, Mr Freer expressed the Consortiums concerns about the Supplementary Planning Document and said it should not replace the MOU process. He urged Members to accept the amended proposals highlighting the risk of losing the momentum built up in the last year.

90 **Minutes of the previous meetings held on 20 October and 22 October 2020**

The minutes of the Strategic Planning Committee meeting held on 20 October and 22 October 2020 were confirmed as a true record.

91 **Declarations of interest**

Minute 94. Councillors Allen, Arnott, Blakey, Chamberlain, Dave, Hayward, Hookway, Howe, Ledger, McLauchland, Moulding, Rylance, Skinner and Thomas advised they had been lobbied in respect of this item.

Minute 94. Cranbrook Town Centre.
Councillor Dan Ledger, Personal, Member of the Cranbrook Strategic Delivery Board.

Minute 94. Cranbrook Town Centre.
Councillor Kevin Blakey, Personal, Cranbrook Town Councillor and Members of the Cranbrook Strategic Delivery Board.

Minute 94. Cranbrook Town Centre.
Councillor Paul Hayward, Personal, Family member lives in Cranbrook

Minute 94. Cranbrook Town Centre.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor and a resident of Broadclyst Station.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Paul Hayward, Personal, Employee of All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor and resident of Broadclyst Station.

Minute 97. Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

Minute 97. Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 97. Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 97. Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement.
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 97. Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement.
Councillor Paul Hayward, Personal, Employee of All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils.

Minute 97. Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor and resident of Broadclyst Station.

Minute 98. Local Plan Site Identification Process and HELAA.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

Minute 98. Local Plan Site Identification Process and HELAA.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

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Minute 98. Local Plan Site Identification Process and HELAA.
Councillor Paul Hayward, Personal, Employee of All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils.

Minute 98. Local Plan Site Identification Process and HELAA.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor and resident of Broadclyst Station.

Minute 99. East Devon Local Plan - Sustainability Appraisal Scoping Report.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

Minute 99. East Devon Local Plan - Sustainability Appraisal Scoping Report.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 99. East Devon Local Plan - Sustainability Appraisal Scoping Report.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 99. East Devon Local Plan - Sustainability Appraisal Scoping Report.
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 99. East Devon Local Plan - Sustainability Appraisal Scoping Report.
Councillor Paul Hayward, Personal, Employee of All Saints, Chardstock and Newton
Popleford and Harpford Parish Councils.

Minute 99. East Devon Local Plan - Sustainability Appraisal Scoping Report.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

Minute 102. Infrastructure Funding Statement 2019/20.
Councillor Paul Hayward, Personal, Employee of All Saints, Chardstock and Newton
Popleford and Harpford Parish Councils.

92 **Matters of urgency**

There were no matters of urgency.

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

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

94 **Cranbrook Town Centre**

The Committee considered and discussed the report presented by the Service Lead – Planning Strategy and Development Management that updated Members on the progress with negotiations with the developers on the alternative proposals for a Supplementary Planning Document that detailed the council’s vision of the town centre.

The following key amendments detailed below would provide sufficient land and flexibility to deliver a town centre for Cranbrook that would be fit for purpose for now and in the future:

- The availability of parcel TC1 within the north west corner of the town centre to accommodate the extra care facility in lieu of parcel TC4C resulting in an additional 0.64 hectares of land coming to the council;
- The option to purchase parcels TC3, TC4D, TC4E at market residential land values. The Service Lead – Planning Strategy and Development Management advised the Consortium would want the values for this land agreed before the signing of the MOU;

The Service Lead – Planning Strategy and Development Management asked Members to be cautious of the amendments in the MOU and advised that the amendments would rely on a proactive delivery in some form of the town centre and the need to purchase land at a substantially higher value than it would be worth for the intended community, leisure and business used. He also made Members aware that the Consortium had not delivered an all-weather pitch or the required sports pitch land that had been required in the original S106 agreement. The Consortium had advised that this was because it had been already provided an all weather pitch at the education campus and that the Consortium had overlaid the cricket square on the football pitches to save land.

Members noted the cost of delivering an all-weather pitch would cost in the region of £900,000 according to Sport England.

It was highlighted to Members that the S106 infrastructure contributions stated in the report did not reflect the increased offer made by the consortium towards the town council facility, however there remained a significant shortfall in infrastructure funding as part of the MOU and while this could be addressed by reprioritising funding from the expansion areas this would not cover some lower priority infrastructure.

Members noted concerns had been raised by Morrisons Supermarket about other food retailers and that the Consortium were seeking to restrict food retail sales on EDDC controlled land through the MOU to premises with a gross internal floor area of less than 1,000 sq. ft. This would be for a time limit of 10 years from the date the land is transferred to Morrisons and 5 years from when the supermarket opens and would not include restaurants, cafes, coffee shops, bakeries etc. It was noted there were only 3 units at Younghayes Place opposite St Martin's School under 1,000 sq. ft.

The Service Lead – Planning Strategy and Development Management referred to the Supplementary Planning Document that Members had agreed previously and advised significant progress had been made in producing a draft document that represents the best alternative way of progressing the town centre. Members noted that the document could be ready for consultation in February 2021.

The Service Lead – Planning Strategy and Development Management advised if Members were minded to accept the Consortium's offer there would be merit to conclude the work on the Supplementary Planning Document as a guide to town centre developments that can inform future decision making on planning applications and to engage with the community.

Finally the Service Lead – Planning Strategy and Development Management updated Members on further comments received from the Cranbrook Strategic Delivery Board offering their support for the revised offer from the Consortium and read out a verbatim statement from officers at Devon County Council that was made without prejudice and obviously subject to political agreement.

'Unfortunately we have not had the opportunity to discuss the revised offer with East Devon New Community Partners and there remain some issues to be bottomed out in terms of financial contributions and triggers. However, we welcome the revised offer, in particular, the early provision of the land and financial contributions towards the construction of a county council facilities building and relocation of the extra care housing. In the event that your Strategic Planning Committee agrees in principle of the revised MOU the county council will work pragmatically with all parties to ensure a satisfactory outcome.'

The Chair welcomed comments from non-committee members which included comments from the Ward Members:

- Cranbrook ward member Councillor Kim Bloxham urged Members to accept the Consortium's proposal to allow the town centre to progress without further delay as this is what the community wants and needs;
- Cranbrook ward member Councillor Sam Hawkins welcomed the negotiations to develop the town centre and urged Members to accept the offer that was realistic and deliverable.

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

- Much improved MOU;
- Concerns raised about Morrisons demanding no competition and limiting retail floorspace to 1,000 sq.ft. It was advised the restriction was gross floor area aimed at direct food sales rather than cafes, restaurants and takeaways. Members noted that Morrisons would not negotiate on this.
- Noted support from the majority of residents, town Council, district ward members and ward members on Devon County Council.

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

- Reference was made to the second bullet point of the council's obligations on page 30 of the agenda and clarification was sought on why should the council have to pay in excess of the land value for the sites. In response Mr Nick Duckworth advised when the land had been acquired approximately 5 years ago it was on the basis that we would have a greater scale of retail uses and associated values. The burden of the value that applied to it at that time still sits on the land and it is anticipated that there would be residential development in the town centre. Mr Duckworth stressed the Consortium was keen to move forward to deliver retail at the heart of the town and said we have worked very hard in the last 3 months to work towards a vision for the town centre but that it can only be done in a commercial manner and urged Members to accept.
- Clarification sought on the provision of an all-weather pitch. In response Mr Duckworth said it hurt to hear that they had not delivered what was expected and made reference to the education campus that had been delivered early. He advised he could not see why an all-weather pitch could not be delivered in the expansion areas in due course.
- Question raised about whether the restraint in trade clause is legally enforceable. It was advised it was enforceable and although the MOU was not a contract documents flowing from it could bind and restrain certain types of use of the land.
- The vast majority of residents want to see delivery sooner rather than later
- Comment made why the Consortium cannot give the council the land on an open book basis at its value when they have already made savings of £1.5m.
- Matters of detail still need to be sorted out including the restraint over the additional retail units and food use.
- Concerns raised about continuing the SPD in parallel with the MOU as it did not show commitment and a suggestion was made to park the SPD and to use the planning resources the planning department currently have on other things.
- Reference was made to the 10 emails received from residents in favour of proceeding with the developers offer;
- Welcome the revised town centre proposal and welcome the extra care provision;
- The objective is to deliver a town centre that the residents of Cranbrook want that is supported by representatives of the town council and county council
- Clarification sought on the difference between the commercial value of the sector of land and its value for residential use. It was advised residential value could be in the region of three to four times higher than commercial value.
- Clarification sought on the viability assessment. In response Mr Duckworth confirmed a viability sketch had been submitted and advised as the site has been developed we have been measuring the profits and losses against the cost plan across the whole of the Cranbrook development.

- Concerns raised about the proposal to put a cricket square in the middle of a football pitch. You cannot play cricket in the middle of a football pitch. It was clarified that this had been agreed some time ago.
- Reference was made to the infrastructure table on page 30 and how much the council was losing in terms of infrastructure.
- Concerns raised about the size of the town centre. In response the Service Lead advised there was potential expansion across the road and into the set back for the town council offices but stressed the MOU did not fix the size of the square and that this was a matter for further pre-application discussions and a subsequent application.
- Would like to see bigger outdoor meeting spaces. The market square is not usable.

It was proposed by Councillor Thomas, seconded by Councillor Moulding (and subsequently by Councillor Skinner when Councillor Moulding left the meeting) that Members:

1. Support the updated offer from the East Devon New Community Partners.
2. Agree in principle to the Memorandum of Understanding as proposed by the East Devon New Community Partners and delegate authority to the Chief Executive, Leader and Portfolio Holder for Strategic Planning to sign the final MOU on behalf of the Council.
3. The propose Supplementary Planning Document is indefinitely paused but the work already carried out is used as a guide to development in the Town Centre.

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 Ingham	For
Councillor Ledger	Abstain
Councillor McLauchlan	Against
Councillor Moulding	Had left the meeting
Councillor Rylance	Against
Councillor Skinner	For
Councillor Thomas	For

The following motion was proposed by Councillor Arnott and seconded by Councillor Hayward.

RESOLVED:

That Members delegate to the Portfolio Holder for Strategic Planning, the Leader and Deputy Leader and the Strategic Lead for Planning to negotiate further with the Consortium regarding the Memorandum of Understanding. The result to come to either Cabinet on 6 January 2021 or a Cabinet held within 14 days of that date and also that the Supplementary Planning Document is noted and kept in reserve pending the result of the Memorandum of Understanding negotiations.

95 **Local Development Scheme**

The Committee considered the Local Development Scheme report presented by the Service Lead – Planning Strategy and Development Management noting that the previous Local Development Scheme dates from 2018.

The Service Lead – Planning Strategy and Development Management advised the report sets out a programme and timetable for the production of future planning policy documents and referred to key content that provided detail on plan production.

RESOLVED:

That Strategic Planning Committee recommend to Full Council that following consultation with Cabinet, approve the proposed new Local Development Scheme, as appended to this report and that it takes effect immediately following approval.

RECOMMENDATION to Cabinet

That Members approve the proposed new Local Development Scheme.

RECOMMENDATION to Council

That Members approve the proposed new Local Development Scheme following consultation with Cabinet and that it takes effect immediately following approval.

96 **Proposed consultation on a Local Plan Issues and Options Report**

The Committee considered and discussed the report that sought approval to commence an 8 week consultation to start on 18 January 2021 and conclude at midday on 15 March 2021 on a new local plan issues and options report. The report provided Members with detail on the proposed work streams for the next 2 years with some background materials and considerations to ensure on-line questions were suited to software requirements.

Members noted that the feedback received from the consultation would be used to structure and form the new local plan which would be submitted for examination in early spring 2023.

The Service Lead - Planning Strategy and Development Management updated Members on the numbers of comments received from a Cranbrook resident including questioning the shortfall in housing numbers and advised taking into account the new plan period which extended beyond the current plan of 2031 the housing numbers would be extended to approximately 2040 which would lead to an increase. He advised he was mindful to note the White Paper in the document as the figures may change in the future.

In the absence of Councillor Allen who left the meeting the Chair read out an email from him sent prior to the meeting that read:

'I am writing to you direct because I would recommend a pause to think about how we are going to do the local plan review. We can take the LGA guidance and review the local plan without take the LGA guidance and review the local plan without undertaking 3 or 4 years of costs and running the risk of 2 or 3 years with no updated plan which developers will undoubtedly exploit. The LGA is being very clear on what is needed for review as opposed to a wholesale new plan. The Service Lead's belt and braces approach reflects not necessarily the legal requirement. As far as I can see we can

conduct the view via the issues and options process but then focus on what needs to be changed by the end of 2021. We need to be very careful of our 5 year land supply issues but avoid our wholesale land grab by developers.'

In response the Service Lead – Planning Strategy and Development Management raised concerns that Councillor Allen may be referring to the review process and the Planning Advisory Service Framework that was discussed at the last meeting which had already been done

- Concerns raised about losing the councils 5 year land supply;
- Need to include something about villages. In response it was suggested to broaden out this section in terms of town centres to encompass vibrant villages;
- Clarification sought on heritage assets. In response it was advised the question related to how important heritage assets was to people in terms of conserving and enhancing;
- The need to include our communities, parish and town councils and partners to get this right. This is the perfect vehicle.
- Weight should be given to walking and cycling and not assume car ownership as a basis of living;
- Need to install home charging wires in new builds;
- Need to aim for passive house standards;
- The council has a legal duty to preserve and enhance heritage assets;
- Need to consider uPVC like for like sash windows on listed buildings to make them energy efficient;
- The need to facilitate cycle links and paths in small communities as well as large communities. Town centres also need to accommodate cycles in a safe and secure way to encourage families to cycle into town.

RESOLVED:

1. That consultation on the draft local plan issues and options report, as appended to this paper, starts in January 2021 and runs for an eight week period be approved;
2. That delegated authority be granted to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning, to make any minor changes to finalise the consultation document and facilitate the requirements of consultation software as well as to make any changes agreed at committee be approved.

97 **Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement**

The Committee considered the report presented by the Service Lead – Planning Strategy and Development Management advising Members about the consultation strategy for the first stage of the forthcoming issues and options report. He updated Members on the revised Statement of Community Involvement which set out the overall engagement framework for planning matters to meet the Council's legal obligations to ensure that it remains appropriate in light of the restrictions imposed by Covid-19.

Discussion covered:

- The need to engage with the public to help understand how the public want to be engaged. How can the council reach the people who do not usually respond so that their views can help make decision? The need to consider the modern way of working and a suggestion was made to work with Strata on the East Devon App. In response the

Service Lead – Planning Strategy and Development Management advised he was working with Strata on the consultation software which should be in place by mid January 2021.

RESOLVED:

1. That the consultation strategy for the forthcoming issues and option report as detailed in his report be considered and approved;
2. That the Statement of Community Involvement should be updated but that the amendments are minor and do not require public consultation be approved;

RECOMMENDATION to Cabinet

That Members approve the proposed new Statement of Community Involvement.

RECOMMEND to Council:

That following consultation with Cabinet, approval of the proposed new Statement of Community Involvement, as appended to this report, and that it takes effect immediately following approval be agreed.

98 Local Plan Site Identification Process and HELAA

The report before Members summarised the legislative requirement about how the work had been done in the past and how it was intended to carry out the work now. Members noted the Sidford employment site was used as an example to illustrate how that process had worked in the past and how such sites like this would come through the HELAA process alongside the housing sites in the future.

Comments and discussions from committee members covered:

- Clarification sought about how to make sustainability work better for most of our countryside small villages. The need to consider small scale growth to allow families to stay close to each other. The Service Lead Planning Strategy and Development Management agreed it was a big issue for the local plan in terms of how the council supports rural communities and in the past had left communities to pursue growth through their neighbourhood plan.
- Reference was made to a village in East Devon that was told it was unsustainable even though it had a shop, a school, a train line and a main road running through it;
- Need to be mindful a village is not just a collection of houses, it is a community;
- A rethink is needed on our Villages Policy. If a village wants to develop it should be allowed to develop;
- Chair welcomed the Service Lead – Planning Strategy Development Management comments about the draft Service Plan and the implementation of community led development into the Service Plan next year. In response he advised it was going to be a challenge through the local plan to get the balance between enabling communities to bring forward development without imposing on those who do not want it.

RESOLVED:

1. That the summary of the approach to site identification, consideration and allocation, undertaken on the adopted Local Plan be noted and the approach outlined in the report for undertaking this work in production of the new Local Plan be endorsed;
2. That work be undertaken to assess the smaller sites submitted into the Greater Exeter Strategic Plan call for sites in 2017 be approved;
3. The timetable and process for future work on the Housing and Employment Land Availability Assessment be approved.

99 East Devon Local Plan - Sustainability Appraisal Scoping Report

Members considered the report that updated Members on the legal requirement for the Local Plan which was to be supported by a Sustainability Appraisal to seek and assess the

environmental, social and economic impacts that could arise in doing this work. Members noted that appended to the report was a draft scoping report that sought support for a six week consultation starting in January 2021.

RESOLVED:

That Strategic Planning Committee approve the Sustainability Appraisal scoping report for consultation to run for six weeks starting in January 2021.

100 Garden Communities and Delivery Vehicles

The Service Lead – Growth, Development and Prosperity presented an updated report that had previously come before Members in October 2019 on the importance of having a delivery vehicle that site alongside the Local Plan Review. He outlined the key objectives of an oversight authority to ensure the legacy and stewardship arrangements and to ensure the Council had a high quality development.

Members noted the requirement for a £300k budget over a 3 year period to develop a business case work and that the council had not yet received the outcome of the MHCLG Development Corporation competition which if successful would overtake the need for the Council to fund the work.

RESOLVED:

1. The importance of having effective delivery vehicles/mechanisms in place at the earliest stage possible in order to support the development of high quality placed be acknowledged;
2. The findings of the Local Partnerships study and accompanying future routemap be agreed;
3. The Expression of Interest that has been submitted to the MHCLG New Development Corporation Competition be noted;
4. Progressing key technical work, including the development of a business case, necessary to support the establishment of a locally led development corporation alongside the development of the new Local Plan be endorsed;
5. Further reports to Strategic Planning Committee at key stages as the work progresses be received.

RECOMMENDED to Cabinet

That a budget of £300k over a 3 year period is established for this work to be funded through the business rate retention reserve to approved.

101 Approval of Modification to Area of Special Control of Advertisements

The Service Lead, Planning Strategy and Development Management updated Members on the approval by the Secretary of State on the amendments to the areas covered by the Area of Special Control of Advertisements and noted the modifications had been agreed by the Secretary of State and advertised in the London Gazette.

RESOLVED:

That modifications to the Area of Special Control of Advertisements that came into effect on 30 November 2020 be noted.

102 Infrastructure Funding Statement 2019/20

The Infrastructure Funding Statement 2019/20 report presented by the Service Lead – Planning Strategy and Development Management summarised the contents of the East Devon District Infrastructure Funding Statement (IFS) and highlighted to Members some of the key elements of the Final IFS.

RESOLVED:

1. The contents of this report and the requirement to provide an 'Annual Infrastructure Funding Statement' by 31 December be noted;
2. That Council approval had been sought for the publication and submission to the Ministry of Housing Communities and Local Government by the 31 December 2020 of the 2019/20 'Annual Infrastructure Funding Statement' based on the information detailed in this report be noted;
3. That Council had been asked to delegate to the Strategic Planning Committee the power to consider and approve for publication and submission future 'Annual Infrastructure Funding Statements' on behalf of the council and that the committee's Terms of Reference within the Constitution be updated to reflect the delegated be noted.

Attendance List

Councillors present:

P Arnott
M Allen
K Blakey
S Chamberlain
O Davey (Vice-Chair)
P Hayward
N Hookway
M Howe
B Ingham
D Ledger (Chair)
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
B De Saram
A Dent
P Faithfull
S Hawkins
G Jung
H Parr
M Rixson
E Wragg

Officers in attendance:

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

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Planning Committee held at Online via the Zoom App on 6 January 2021****Attendance list at end of document**

The meeting started at 10.00 am and ended at 4.10 pm. The meeting was adjourned at 12.20 pm and reconvened at 1.05 pm.

186 Minutes of the previous meeting

The minutes of the meeting held on 2 December 2020 were agreed as a true record.

187 Declarations of interest

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.

Councillors Bruce De Saram, Eileen Wragg, Geoff Pook, Geoff Pratt, Joe Whibley, Kathy McLauchlan, Kim Bloxham, Mike Howe, Olly Davey, Philip Skinner, Sarah Chamberlain, Steve Gazzard, Tony Woodward, Bruce de Saram, Personal, Had been lobbied in respect of this planning application.

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.

Councillor Olly Davey, Personal, Member of the Devon Wildlife Trust and RSPB.

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.

Councillor Philip Skinner, Personal, Father was a former tenant of a farm owned by Devon Clinton Estates.

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.

Councillor Tom Wright, Personal, Former member of Budleigh Salterton Cricket Club and a former Chair of the Stakeholders Group that had consulted on the project.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillors Bruce de Saram David Key, Eileen Wragg, Geoff Pook, Geoff Pratt, Joe Whibley, Kathy McLauchlan, Kim Bloxham, Mike Howe, Olly Davey, Philip Skinner, Sarah Chamberlain, Steve Gazzard, Tony Woodward, Personal, Had been lobbied in respect of this application.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillor Eileen Wragg, Personal, Former member of the Flood Risk and Coastal Committee.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillor Geoff Pratt, Personal, Had attended quite some time ago a meeting with Planning Officers and Devon County Council Officers.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillor Mike Howe, Personal, Had chaired and participated in various advisory panels over many years on this planning application and one son attends The Kings School in Ottery St Mary.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillor Olly Davey, Personal, Former teacher at Tipton St John Primary School and The Kings School at Ottery St Mary when employed for the Devon Music Service.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillor Tony Woodward, Personal, Member of the Humanists UK which has a campaign agenda for the reform of the relationship between faith and schools.

Minute 193. 20/0995/VAR (Minor) BUDLEIGH AND RALEIGH.

Councillor Philip Skinner, Personal, Known to applicant.

Minute 194. 20/0996/VAR (Minor) BUDLEIGH AND RALEIGH.

Councillor Philip Skinner, Personal, Known to applicant.

188 **Planning appeal statistics**

The Committee noted the Development Manager's report setting out 2 appeal decisions. The first appeal on planning application 20/0595/FUL for a telecommunications mast at Mount Pleasant, Exeter Road, Alyesbeare had been withdrawn by the appellant. The second appeal on planning application 18/2173/VAR for a biodigester at Enfield Farm, Oil Mill Lane, Clyst St Mary, the Development Manager was pleased to report the Inspector had dismissed the appeal on amenity and pollution grounds.

189 **20/2089/MFUL (Major) BUDLEIGH AND RALEIGH**

Applicant:

Megan Rimmer (Environment Agency)

Location:

151 Hectares of land within the parishes of East Budleigh, Budleigh Salterton and Otterton from Lime Kiln Car Park (SY072819) to South of Frogmore House (SY074850) (The Lower Otter Valley).

Proposal:

Proposed breach of the River Otter embankment, Little Bank and Big Bank to restore the historic floodplain creating an intertidal saltmarsh, mudflats and freshwater habitat at Big Marsh and a new freshwater habitat at Little Marsh. Associated works including development of a new footbridge, realignment of South Farm Road and creation of a new car park. (The Lower Otter Restoration Project). Accompanied by an Environmental Statement.

RESOLVED:

Approved as per Officer recommendation but with the following additional conditions:

1. Prior to the commencement of development, and following consultation with the affected residents of Frogmore Road as identified by the Local Planning Authority, details of any additional mitigation works and future monitoring to protect residents of Frogmore Road from flooding as a result of the proposal hereby approved shall have been submitted to the Local Planning Authority for approval. Thereafter the development shall be carried out in full accordance with the approved details.
Reason: In order to protect the amenity of residents from flood risk in accordance with Policies D1 (Design and Local Distinctiveness) and EN21 (River and Coastal Flooding) of the East Devon Local Plan 2013-2031.

2. Prior to commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to the local planning authority for its approval. This shall establish site objectives and management prescriptions to deliver mitigation and enhancement measures and include provision for:
 - a) Mitigation and management of retained habitats during the pre-construction, construction and post construction phases of the development.
 - b) Creation and management of new habitats during the construction and post construction phases of the development.
 - c) Mitigation for legally protected and notable species during the pre-construction, construction and post construction phases of the development.

Once approved the pre-construction, construction and operation of the development shall proceed in accordance with the approved details of the LEMP, unless otherwise approved in writing by the local planning authority and retained thereafter in accordance with the approved details

Reason: In order to protect and enhance habitat in accordance with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031.

3. A comprehensive habitat monitoring plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. It shall show the following measures to be agreed:

The methodology and monitoring of new inter-tidal areas for establishment of saltmarsh and mudflat habitat.

The monitoring of impacts on the Otter Estuary SSSI and predicted changes to the MCZ as a result of natural erosion processes in the existing estuary and mouth.

Reason: In order to conserve the biodiversity and geodiversity of these protected habitats and landscapes in accordance with Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan 2013-2031.
4. Prior to commencement of development, further details showing how footpaths will be screened from the proposed habitat areas shall be submitted to and agreed in writing by the local planning authority. The screening shall be in place prior to operation of the development.

Reason: In order to protect habitat from the impact of visitors in accordance with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031.

190 **20/1504/MOUT (Major) OTTERY ST MARY**

Applicant:

Mr David Black.

Location:

Land opposite Barrack Farm, Exeter Road, Ottery St Mary.

Proposal:

Outline planning application with all matters reserved except access for up to 150 new dwellings, a 210 space primary school, construction of a new roundabout on Exeter Road, a new junction onto Cadhay Lane and associated infrastructure.

The following motion was carried on a recorded vote as follows:

Councillor Kim Bloxham	For
Councillor Sarah Chamberlain	For
Councillor Andrew Colman	For
Councillor Olly Davey	For
Councillor Bruce de Saram	For
Councillor Steve Gazzard	Against
Councillor Mike Howe	Abstain
Councillor David Key	Against
Councillor Kathy McLauchlan	For
Councillor Geoff Pook	For
Councillor Geoff Pratt	For
Councillor Philip Skinner	For
Councillor Joe Whibley	For
Councillor Tony Woodward	For
Councillor Eileen Wragg	Abstain

RESOLVED:

Refused contrary to officer recommendation for the following reason:

The proposed development is located in the countryside outside of any Built-Up Area Boundary with no planning policy support for residential development in this location. The resulting harm from the development to the visual amenity of the wider area at both close and distinct views, including the visual impact from the proposed new roundabout onto Exeter Road, and the lack of provision of 50% affordable housing outweigh the benefits from the proposal. As such, the proposal is contrary to Strategies 7 (Development in the Countryside), Strategy 24 (Development at Ottery St Mary), Strategy 34 (District Wide Affordable Housing Provision), Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031 and Policies NP1 (Development in the Countryside) and NP25 (Land Identified for Education uses in Ottery St Mary) of the Made Ottery St Mary and West Hill Neighbourhood Plan.

191 **20/0995/VAR (Minor) BUDLEIGH AND RALEIGH**

Applicant:

Mrs Frances Carter.

Location:

Pooh Cottage Holiday Site, Bear Lane, Budleigh Salterton.

Proposal:

Variation of Condition 2 of planning application 19/1202/VAR to allow the occupation of 14 caravans the whole year round.

RESOLVED:

Approved as per officer recommendation but subject to a change to Condition 3 to limit the number of consecutive days that the accommodation can be occupied to prevent permanent occupation.

Revised wording to be agreed in consultation with the Ward Members, Chair and Vice-Chair of the Planning Committee.

192 **20/0996/VAR (Minor) BUDLEIGH AND RALEIGH**

Applicant:

Mrs Frances Carter.

Location:

Pooh Cottage Holiday Site, Bear Lane, Budleigh Salterton.

Proposal:

Variation of Condition 2 of planning application 10/2407/FUL to allow the occupation of 47 caravans the whole year round.

RESOLVED:

Approved as per officer recommendation but subject to a change to Condition 3 to limit the number of consecutive days that the accommodation can be occupied to prevent permanent occupation.

Revised wording to be agreed in consultation with the Ward Members, Chair and Vice-Chair of the Planning Committee.

193 **20/0918/FUL (Minor) BUDLEIGH AND RALEIGH**

Applicant:

Mr H Headon.

Location:

2 The Cedars, Exmouth Road, Colaton Raleigh, Sidmouth, EX10 0LB.

Proposal:

Proposed conversion of the roof space of a residential property to a 2 bedroom flat.

RESOLVED:

Approved as per Officer recommendation.

Attendance List

Councillors present:

E Wragg (Chair)

S Chamberlain (Vice-Chair)

K Bloxham

A Colman

O Davey

B De Saram

S Gazzard
M Howe
D Key
K McLauchlan
G Pook
G Pratt
P Skinner
J Whibley
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
D Bickley
S Bond
A Dent
P Faithfull
P Hayward
V Johns
D Ledger
V Ranger
T Wright

Officers in attendance:

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

Councillor apologies:

C Brown

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Planning Committee held online via the Zoom app on 7 January 2021****Attendance list at end of document**

The meeting started at 10.00 am and ended at 1.35 pm. The Committee adjourned at 12.20 pm and reconvened at 1.05 pm.

Due to work commitments Councillor Chamberlain advised she was not able to act as Vice Chair for the meeting. The Committee agreed to Councillor McLauchlan being Vice Chair.

194 Declarations of interest

Minute 197. 19/2145/MFUL (Major) WOODBURY AND LYMPSTONE.
Councillor Eileen Wragg, Personal, Trustee of Stallcombe House Residential Home that adjoins the property of this planning application.

Minute 197. 19/2145/MFUL (Major) WOODBURY AND LYMPSTONE.
Councillor Geoff Pook, Personal, Trustee of Stallcombe House Residential Home that adjoins the property of this planning application.

Minute 197. 19/2145/MFUL (Major) WOODBURY AND LYMPSTONE.
Councillor Joe Whibley, Personal, Former employee at Stallcombe House Residential Home that adjoins the property of this planning application. Partner is a current employee of Stallcombe House and also a former Trustee.

Minute 198. 20/0728/FUL & 20/0729/LBC (Minor) OTTERY ST MARY.
Councillor Philip Skinner, Personal, Known to the applicant.

Minute 201. 20/1166/FUL (Minor) EXMOUTH BRIXINGTON.
Councillors Andrew Colman, Bruce De Saram, Steve Gazzard, Joe Whibley, Olly Davey, Tony Woodward, Personal, Exmouth Town Councillor

Minute 201. 20/1166/FUL (Minor) EXMOUTH BRIXINGTON.
Councillors Andrew Colman, Joe Whibley, Personal, Member of Exmouth Town Council's Planning Committee.

Minute 201. 20/1166/FUL (Minor) EXMOUTH BRIXINGTON.
Councillor Eileen Wragg, Personal, Visited Bystock Court by invitation in January 2020.

Minute 201. 20/1166/FUL (Minor) EXMOUTH BRIXINGTON.
Councillor Philip Skinner, Personal, In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Councillor Skinner advised as the applicant was known to him and was removed to the virtual lobby while this application was being discussed and did not take part in the debate or vote.

Minute 201. 20/1166/FUL (Minor) EXMOUTH BRIXINGTON.
Councillor Steve Gazzard, Personal, Known to the applicant and applicant's partner who is a colleague at EDDC.

Minute 203. 20/2293/FUL (Other) DUNKESWELL AND OTTERHEAD.

Councillor Philip Skinner, Personal, Known to the applicant.

Minute 204. 20/2310/FUL (Other) TRINITY.

Councillor Geoff Pook, Personal, Known to the applicant as a Member of the same political group.

Minute 204. 20/2310/FUL (Other) TRINITY.

Councillor Philip Skinner, Personal, Known to applicant.

Minute 204. 20/2310/FUL (Other) TRINITY.

Councillor Tony Woodward, Personal, Known to applicant.

Non Committee Members

Minute 197. 19/2145/MFUL (Major) WOODBURY AND LYMPSTONE.

Councillor Geoff Jung, Personal, Board Member of the Pebblebed Heath NNR, Member of Woodbury and Woodbury Salterton Residents Association and Woodbury Parish Councillor.

Minute 202. 20/1633/FUL (Minor) AXMINSTER.

Councillor Sarah Jackson, Personal, Received correspondence on this planning matter from several members of the public.

195 **19/2145/MFUL (Major) WOODBURY AND LYMPSTONE**

Applicant:

The Club Company Ltd.

Location:

Woodbury Park Hotel and Golf Club, Woodbury Castle, Woodbury, EX5 1JJ.

Proposal:

Change of use of land for the siting of 14 holiday lodge caravans and associated access and development.

RESOLVED:

Approved as per Officer recommendation but with a change to Condition 14 to read as follows and subject to the following additional condition:

Condition 14:

The development hereby permitted shall only be occupied for holiday purposes under the supervision and management of the owners or occupiers of the Woodbury Park Hotel and Country Club and shall not be occupied as a person's sole or main place of residence. Occupation of caravans must not exceed 60 consecutive days. A register (including names and main home addresses) of all occupiers of the holiday unit shall be collated and maintained by the owners or occupiers of Woodbury Park Hotel and Country Club, and this information shall be available at all reasonable times on request by the Local Planning Authority.

(Reason - To ensure that the accommodation hereby permitted may not be used as a separate dwelling in this open countryside location where new development is restricted in accordance with Policy E19 (Holiday Accommodation Parks) and Strategy 7 - Development in the Countryside of the Adopted East Devon Local Plan 2013-2031.)

Additional condition:

Prior to commencement of development, details of the timing and provision of on-site renewable energy to serve the units hereby approved, and provision of electric car charging points to the main car park for visitor, shall have been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the agreed details and retained in perpetuity.

(Reason: In order to provide sustainable construction and renewable energy production in accordance with the provisions of, and Policy E19 (Holiday Accommodation Parks) of, the East Devon Local Plan 2013-2031.)

196 **20/0728/FUL & 20/0729/LBC (Minor) OTTERY ST MARY**

Applicant:

Mr and Mrs Graham Hudson.

Location:

Kings Arms Hotel, gold Street, Ottery St Mary, EX11 1DG.

Proposal:

Conversion of hotel accommodation to 5 flats, retaining existing bar, lounge and skittle alley, fenestration changes and provision of bin storage and bicycle parking.

RESOLVED:

20/0728/FUL – Approved as per Officer recommendations

20/0729/LBC – Approved as per Officer recommendations.

197 **20/1746/FUL (Other) SIDMOUTH SIDFORD**

Applicant:

Mr Mark Laurenti.

Location:

Woolbrook Reservoir, Balfours, Sidmouth, EX10 9EF.

Proposal:

Excavation of an earth bank to facilitate enlargement of the existing parking area to form 3 additional parking spaces and construction of a retaining wall.

RESOLVED:

Approved as per Officer recommendation.

198 **20/1726/FUL (Minor) FENITON**

Applicant:

Mr Shane Francis

Location:

1 Hamlet Cottages, Weston, Honiton, EX14 3PB.

Proposal:

Change of use of an existing workshop (use Class B1(c)) to a residential dwelling (use class C3) with minor alterations.

RESOLVED:

Approved as per Officer recommendation.

199 **20/1166/FUL (Minor) EXMOUTH BRIXINGTON**

Applicant:

Miss J Rhodes

Location:

Bystock Court, Old Bystock Drive, Exmouth, EX8 5EQ.

Proposal:

Construction of a new daycare centre.

RESOLVED:

Approved as per Officer recommendation.

200 **20/1633/FUL (Minor) AXMINSTER**

Applicant:

Mr and Mrs K Bostock.

Location:

Rose Farm, Wyke, Axminster, EX13 8TN.

Proposal:

Erection of agricultural barn.

RESOLVED:

Refused as per Officer recommendation.

201 **20/2293/FUL (Other) DUNKESWELL AND OTTERHEAD**

Applicant:

Mr and Mrs Martyn Summers

Location:

Kains Park Farm, Awliscombe, Honiton, EX14 3NN.

Proposal:

Proposed extension and conversion of existing outbuilding to form studio/games room.

RESOLVED:

Approved as per Officer recommendation.

202 **20/2310/FUL (Other) TRINITY**

Applicant:

Ian and Sue Thomas

Location:

Ware Barn, Ware, Lyme Regis, DT7 3RH.

Proposal:

Construction of proposed greenhouse.

RESOLVED:

Approved as per Officer recommendation.

Attendance List

Councillors present:

E Wragg (Chair)
S Chamberlain
K Bloxham
A Colman
O Davey
B De Saram
S Gazzard
M Howe
D Key
K McLauchlan (Vice-Chair)
G Pook
P Skinner
J Whibley
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
D Bickley
P Faithfull
I Hall
P Hayward
B Ingham
V Johns
G Jung
M Rixson
A Moulding

Officers in attendance:

Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer

Councillor apologies:

C Brown
G Pratt

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Planning Committee held at online via the zoom app on 10 February 2021****Attendance list at end of document**

The meeting started at 10.03 am and ended at 3.00 pm. (The Committee adjourned at 11.52am and reconvened at 12.10pm and adjourned again at 1.38pm and reconvened at 2.09pm)

203 Minutes of the previous meeting

The minutes of the meetings held on 6 January and 7 January 2021 were agreed as true records.

204 Declarations of interest

Minute 208. 20/0993/MRES (Major) – WOODBURY & LYMPSTONE.
Councillors Bruce De Saram, Olly Davey, Steve Gazzard, Tony Woodward, Personal, Exmouth Town Councillor.

Minute 208. 20/0993/MRES (Major) - WOODBURY & LYMPSTONE.
Councillor Eileen Wragg, Personal, Several months ago had met with a resident in Marley Road with two members of Exmouth Town Council and District Council, Councillor Davey and Councillor Whibley to discuss the access route to Goodmores Farm. The planning application itself was not discussed.

Minute 208. 20/0993/MRES (Major) - WOODBURY & LYMPSTONE.
Councillor Olly Davey, Personal, Known to the two public speakers speaking on the application and had a short conversation on the telephone with one of the public speakers.

Minute 208. 20/0993/MRES (Major) - WOODBURY & LYMPSTONE.
Councillor Tony Woodward, Personal, Known to three of the Directors of Goodmores Farm for over 30 years.

Minute 209. 19/2829/MFUL & 19/2830/LBC - (Major) EXMOUTH TOWN.
Councillors Bruce De Saram, Olly Davey, Steve Gazzard, Tony Woodward, Personal, Exmouth Town Councillor.

Minute 209. 19/2829/MFUL & 19/2830/LBC - (Major) EXMOUTH TOWN.
Councillor Olly Davey, Personal, Attended an exhibition at the church to view the early designs of the redevelopment.

Minute 209. 19/2829/MFUL & 19/2830/LBC - (Major) EXMOUTH TOWN.
Councillor Eileen Wragg, Personal, Was a member of Tower Street Methodist Church and was married there 28 years ago.

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution, Councillor Wragg advised that she was the Ward Member in respect of this application so the Vice Chair chaired the item.

Minute 210. 18/1653/MOUT (Major) - BROADCLYST.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

Minute 211. 20/2585/FUL (Minor) - EXMOUTH HALSDON.
Councillors Bruce De Saram, Olly Davey, Steve Gazzard, Tony Woodward, Personal, Exmouth Town Councillor.

Minute 211. 20/2585/FUL (Minor) - EXMOUTH HALSDON.
Councillor Eileen Wragg, Personal, Went to see the applicant at the request of a Ward Member and suggested to the applicant that he discuss the application with the Development Manager.

Minute 211. 20/2585/FUL (Minor) - EXMOUTH HALSDON.
Councillor Olly Davey, Personal, Known to the applicant as a pupil at Exeter Road Primary School while employed as a teacher at the school.

205 **Planning appeal statistics**

The Committee received and noted the Development Manager's report setting out three appeal decisions notified, of which two had been dismissed.

The Development Manager drew Members' attention to the two appeal decisions dismissed. The first appeal for planning application 20/0946/FUL had been dismissed because the Inspector had agreed with Members' concerns about the visual impact and amenity concerns. The second appeal for planning application 20/0643/FUL for the construction of a detached dwelling and associated driveway was also dismissed because the Inspector considered it was in an unsustainable location.

The Development Manager also drew Members' attention to the appeal decision allowed for planning application 19/0078/FUL for demolition of former cottage and construction of a new dwelling advising that the Inspector had considered that the visual impact was acceptable.

206 **20/0993/MRES (Major) - WOODBURY & LYMPSTONE**

Applicant:

Joanna Fowler (Eagle Investments Ltd.)

Location:

Goodmores Farm, Hulham Road, Exmouth, EX8 5BA.

Proposal:

Reserved matters application (layout, scale, appearance and landscaping) pursuant to outline planning permission 14/0330/MOUT for 303 residential units including 16 affordable units, associated roads, open space (formal and informal) and an attenuation basin. The provision of serviced land for mixed-use employment/commercial users and land for the provision of a primary school.

RESOLVED:

Approved as per officer recommendation but with following additional and amended conditions:

Additional conditions 7 and 8:

With the exception of works to form the creation of the accesses into the site, no site works shall commence until an ecological impact and mitigation assessment (EIA) has been submitted and approved in writing by the Local Planning Authority. The assessment shall include measures for safeguarding wildlife during construction in accordance with the EIA and the monitoring and reporting arrangements for this. Thereafter the development shall be carried out in accordance with the approved details.

(Reason: In the interests of the protection of wildlife on the site in accordance with Policy EN5 – Wildlife Habitats and Features of the adopted East Devon Local Plan.)

With the exception of works to form the creation of the accesses into the site, and notwithstanding the submitted landscaping details hereby approved, no site works shall commence until the following have been submitted and approved in writing by the Local Planning Authority:

- i) detailed hard landscape proposals have been submitted and approved to include details of individual plot boundaries, pavings, surfacings and edgings, walls, retaining structures and site furniture.
- ii) detailed levels plans and minimum of 2 sections provided (existing and proposed) to include details of embankments and any retaining structures and means of enclosure to the SUDs features.
- iii) landscape strategy and design code
- iv) detailed planting plans

(Reason: In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 4 (Balanced Communities), Strategy 5 (Environment), Strategy 43 (Open Space Standards), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan.)

Amended conditions 3 and 6 to read:

3. Prior to the football pitch being brought into use details including design, sections, earthworks, height, materials and a maintenance schedule for ball stop fencing around the football pitch, together with any lighting design shall be submitted to and approved in writing by the Local Planning Authority.

(Reason: To ensure the fencing is suitable given the proximity to highways and third party properties in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)

6. Prior to occupation of the first dwelling on site a detailed Landscape and Ecology Management Plan (LEMP) for a minimum period of 25 years shall be submitted and should include the following details:

- Aims and objectives of the management plan;
- Extent, ownership and responsibilities for management and maintenance;
- Details of how the management and maintenance of open space will be funded for the life of the development;
- Details of bat and bird boxes to the dwelling;
- Inspection and reporting arrangements for existing and proposed trees and hedgerows and monitoring of bio-diversity net-gain;
- Management and maintenance of trees and hedgerow;
- Management and maintenance of shrub, herbaceous and grass areas.
- Management of ecological habitat, maintenance of any ecological mitigation measures and further measures for enhancement of biodiversity value;

- Management and maintenance of any boundary structures, drainage swales and other infrastructure/ facilities within public areas.

Maintenance shall be carried out in accordance with the approved plan.

(Reason - In the interests of the protection of wildlife on the site and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 4 (Balanced Communities), Strategy 5 (Environment), Strategy 43 (Open Space Standards), Policy EN5 (Wildlife Habitats and Features), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan.)

207 **19/2829/MFUL & 19/2830/LBC - (Major) EXMOUTH TOWN**

Applicant:

Mr B Male (Hansard Ltd.)

Location:

Tower Street Methodist Church, Tower Street, Exmouth, EX8 1NT.

Proposal:

Part demolition and redevelopment and part conversion of vacant buildings to create 19 residential units plus development to provide two retail units.

RESOLVED:

19/2829/MFUL – Approved as per officer recommendation.

19/2830/LBC – Approved as per officer recommendation.

208 **18/1653/MOUT (Major) - BROADCLYST**

Applicant:

Johnstone Land (South West) Ltd.

Location:

Land North Of Moonhill Copse, West Clyst, Exeter.

Proposal:

Outline planning application (appearance, landscaping, layout and scale reserved) for up to 71 dwellings, together with access and associated infrastructure, landscaping and drainage.

RESOLVED:

Deferred until the meeting of the 15 February 2021.

(Reason – Lack of highway information and impacts on planning obligations is central to consideration of this item that we defer for consideration of all issues.)

209 **20/2585/FUL (Minor) - EXMOUTH HALSDON**

Applicant:

Mr Mark Philp.

Location:

59 Mount Pleasant Avenue, Exmouth, EX8 4QR.

Proposal:

Front and rear hip to gable extension with side dormer to form new first floor living space and associated works.

RESOLVED:

Refused as per officer recommendation.

210 **20/1807/VAR (Minor) - FENITON**

Applicant:

Mr and Mrs Goodall.

Location:

Treaslake Farm, Buckerell, Honiton, EX14 3EP.

Proposal:

Variation of condition 3 of planning permission 99/P0774 (Adapt one holiday let into two lets, convert garage to office and new garage/store and holiday let) to allow Owl Cottage to be used as an unrestricted residential dwelling and to amend the holiday restriction on Squirrel Cottage and Mallard Cottage.

RESOLVED:

Approved as per officer recommendation.

211 **20/0652/FUL (Minor) - SIDMOUTH TOWN**

Applicant:

Lily and Violeta Lunan.

Location:

6 Willoughby House, Peak Hill Road, Sidmouth, EX10 0NW.

Proposal:

Proposed terrace, access bridge and balustrade. Alteration and new door and new rooflights to north elevation.

RESOLVED;

Approved as per officer recommendation.

212 **20/2171/FUL (Minor) - AXMINSTER**

Applicant:

Mr Allen.

Location:

Bonnars Causeway, Axminster, EX13 5EN.

Proposal:

Formation of bin store.

RESOLVED:

Approved as per officer recommendation.

Attendance List

Councillors present:

E Wragg (Chair)
S Chamberlain (Vice-Chair)
K Bloxham
C Brown
O Davey
B De Saram
S Gazzard
M Howe
D Key
G Pook
G Pratt
P Skinner
T Woodward

Councillors also present (for some or all the meeting)

F Caygill
M Chapman
B Ingham
G Jung
P Millar
A Moulding

Officers in attendance:

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

Councillor apologies:

A Colman

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 Audit and Governance Committee held at Online via the Zoom app. on 28 January 2021****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 4.42 pm

62 Public speaking

There were no members of the public registered to speak.

63 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 26 November 2020 were confirmed as a true record with an amendment to minute 61 Audit and Governance Forward Plan. An additional item for a SWAP review of EDDC fleet management was included.

64 Apologies**65 Declarations on interest**

Min 68. S106 and CIL Internal Audit Report.

Councillor Paul Hayward, Personal, Clerk to 3 parish councils who had been recipients of CIL funding.

Min 68. S106 and CIL Internal Audit Report.

Councillor Steve Gazzard, Personal, Member of Exmouth Town Council S106 & CIL Working Party.

Min 70. Strata Annual Internal Audit report.

Councillor Fabian King, Personal, Representative of EDDC on the Strata Joint Scrutiny Committee.

Min 70. Strata Annual Internal Audit report.

Councillor Nick Hookway, Personal, Representative of EDDC on the Strata Joint Scrutiny Committee.

Min 70. Strata Annual Internal Audit report.

Councillor Phil Twiss, Personal, Representative of EDDC on the Strata Joint Scrutiny Committee.

66 Matters of urgency

None

67 Confidential/exempt item(s)

None

68 S106 and CIL Internal Audit Report

Alastair Woodland, Assistant Director SWAP and the Service Lead Planning Strategy and Development Management informed the committee that South West Audit Partnership had undertaken an audit of the S106 and CIL system and gave an update to the actions taken from their recommendations. The purpose of the audit was to ensure that appropriate arrangements are in place to manage the receipt and expenditure of S106 and CIL contributions.

The report gave “limited assurance” noting that the S106 spend and collection work was not up to date due to the substantial work that had been involved in populating the Exacom system, with the redeployment of officers into the community hub to help to support the community through the Covid-19 pandemic. The report noted that no monies had been lost or returned to developers as a result of the lack of resource but there were a significant number of outstanding actions required on the system.

The report was reported to Cabinet at their meeting of the 6 January 2021 with Members noting the findings of the audit and the need to appoint additional staff resource as a priority. The Service Lead Planning Strategy and Development Management informed the committee that the position’s job description had been agreed and was about to be advertised externally for recruitment.

Discussion included the following:

- not to make town and parish councils wait before they are able to spend this money
- make the rules and conditions for S106 and CIL funding much clearer for the public and local councils. Their titles were complicated to what they stand for
- the monies collected were indexed linked
- the need to monitor the progress of the system at each Audit and Governance Committee meeting and ensure procedures were in place for the collection of these receipts.

RESOLVED:

1. That Members note the findings and recommendations of the internal audit report on the management of the receipt and expenditure of S106 and CIL contributions.
2. To monitor the progress of the management of receipts and expenditure of S106 and CIL contributions in future Audit and Governance Committees
3. To ensure that procedures were in place for the collection of debt.

REASON:

To make Members aware of the findings of the S106 and CIL Audit and the actions that were being taken to consider and respond to the findings.

69

Internal Audit Activity - Quarter 3 2020/21 - SWAP

Alastair Woodland Assistant Director SWAP provided an update on the 2020/21 Internal Audit Plan as at January 2021.

Internal Audit provided an independent and objective opinion on the Authority’s control environment by evaluating its effectiveness. Primarily the work included:

- Operational Audit Reviews
- Cross Cutting Governance Audits
- Annual Review of Key Financial System Controls
- Grants

- Other Special or Unplanned Review

Audit assignments were undertaken in accordance with the Plan to assess current levels of governance, control and risk.

RESOLVED:

that the progress made in delivery of the 2020/21 internal audit plan and its significant findings be noted.

70 **Strata Annual Internal Audit report**

Craig Moodie, Senior Auditor for IT representing Devon Audit Partnership (DAP) presented the report which give the statement of assurance provided by the Head of Audit Partnership, the provider of Internal Audit Services to Strata Service Solutions for audits in relation to the 2019-20 internal audit plan. The provision of ICT services was the responsibility of Strata Services Solutions under the arrangements specified within the original Partnership Agreement between Exeter City Council, East Devon District Council and Teignbridge District Council.

Strata's new Business Plan had all but formally adopted by the Partners and this provided excellent and measurable detail as to how it would continually improve the services it offered the Partners and act as an effective enabler for transformational change. DAP consider the Business Plan to be of a high standard and this, along with the high standard operational reporting and metrics, provided the measures from which continual service improvement can be delivered.

RESOLVED:

that the report be noted.

71 **Audit Progress report - Grant Thornton**

The report provided the Committee with a report on progress in delivering the responsibilities as external auditors. This included a summary of emerging national issues and developments that may be relevant to EDDC as a local authority.

RESOLVED:

that the progress report be noted.

72 **Risk Management review - half year review**

The report presented Risk information for the 2020/21 financial year to allow the Committee to monitor the risk status of Strategic and Operational Risks. This follows the full review of risks by responsible officers during November / December 2020.

RESOLVED:

That the current status of risks following the full risk review undertaken in November/ December 2020 be noted.

73 **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. The Deputy Monitoring officer informed members that an explanatory report and updated policy would be brought to the next meeting in March.

74 **Audit and Governance Forward Plan**

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

Items to be considered at the March committee included:

- Statement of Accounts 2019/20 including Annual Governance Statement
- Letter of representation
- Annual Audit Plan 2021/22 and Review of Internal Audit Charter
- Internal Audit Plan Progress to include EDDC's Fleet Management review
- External Audit Plan
- Audit Committee update
- Annual audit letter
- S106 and CIL update
- Accounting Policies Approval
- DBS Checks for Councillors - update from LGA
- Review of the Anti-Fraud Theft and Corruption Policy
- Review of the Anti-Bribery Policy
- Review of the Whistleblowing Policy
- Review of the Local Code of Corporate Governance
- RIPA update and policy review

Attendance List

Councillors present:

S Hawkins (Chair)
F King (Vice-Chair)
J Bailey
F Caygill
S Gazzard
P Hayward
N Hookway
P Twiss

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull
M Hartnell
A Moulding
M Rixson

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Ed Freeman, Service Lead Planning Strategy and Development Management
Steve Johnson, Grant Thornton
Debbie Meakin, Democratic Services Officer
Jackson Murray, Grant Thornton
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Mark Williams, Chief Executive
Alastair Woodland, SWAP
Craig Moodie, Senior IT Auditor DAP

Councillor apologies:

D Barrow
G Pook

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Standards Committee held Online via the Zoom app on 19 January 2021****Attendance list at end of document**

The meeting started at 10.00 am and ended at 12.37 pm

27 Public speaking

There were no members of the public registered to speak.

28 Minutes of the previous meeting

The Monitoring Officer advised that the Chair was present at the last meeting but not recorded as being so at the time. It was noted that Mr Martin Goscomb, Cllr Bob Nelson and Cllr Pauline Stott had also been present, but had not been recorded.

Subject to the above corrections to the attendance list, the minutes of the meeting held on 13 October 2020 were agreed as a correct record.

29 Declarations of interest

Minute 32. East Devon Standards Regime.
Councillor Paul Millar, Personal, Councillor was the subject member of a Sub-Committee hearing.

30 Matters of urgency

There were no matters of urgency.

31 Confidential/exempt item(s)

There were no confidential / exempt items.

32 East Devon Standards Regime

Members considered the report of the Monitoring Officer regarding the approach which members would like to adopt in relation to East Devon's Code of Conduct in light of the recent LGA Model Code of Conduct. The report also addressed what members should be including on their register of interests, declarations at meetings and the practicalities around the potential introduction of a Standards Assessment Sub Committee, including possible stakeholder engagement on any proposed changes. The report also considered the voting rights of co-opted members following a question from one of the Town / Parish Council representatives.

Discussion included the following points:

- That decisions made at the last meeting should stand and the agreed changes to the Register of Interest forms to distinguish member interests from relevant person interests should proceed

- Regarding acceptance of gifts and hospitality, the LGA Model Code was weaker than the current EDDC Code of Conduct as there was the potential for multiple donations from a single donor which were each under the limit, but which cumulatively could amount to a gift or hospitality far exceeding the limit above which they must be declared
- Consideration as to whether all gifts and hospitality should be declined, although it was recognised that there could be occasions when it would be appropriate for members to accept
- Guidance on the Code could include organisations, the membership of which could potentially result in a conflict of interest for councillors. Membership of those organisations could be included on Register of Interest forms
- Consideration of whether a working group or sub-committee would be the best method of reviewing the EDDC Code of Conduct or whether to request the Portfolio Holder for Democracy & Transparency to convene her portfolio team
- A review of the Code of Conduct could include stakeholders, specifically town and parish councils as many adopt all or parts of the EDDC Code
- The Monitoring Officer advised that recommendations would need to be agreed at the April meeting of the Standards Committee in order to meet the deadline of the Annual Council meeting in May 2021
- Consideration of the practicalities and various approaches taken by other councils with regard to a Standards Assessment Sub-Committee, examples discussed included arrangements at East Riding of Yorkshire and Wiltshire Councils
- It was noted that the introduction of a Standards Assessment Sub-Committee could protect the Monitoring Officer from partiality when deciding which complaints should be progressed
- It was also noted that the introduction of a Standards Assessment Sub-Committee would require additional staffing resource if members approve a revised complaints process
- A Standards Assessment Sub-Committee could be difficult to administer as the membership of the Council changed over time whereas the current Monitoring Officer was a legally trained paid professional. Other authorities in the South West relied on the post of Monitoring Officer to undertake this work, rather than on members
- The Monitoring Officer advised that the critical question to consider in any of the approaches taken was at what point the decision is made as to whether a breach of the Code of Conduct has occurred
- There was discussion on the use of training as a sanction when a breach of the Code had been determined and whether training should be viewed as punitive or as an opportunity to increase a member's effectiveness, or both. It was noted that the different views taken had implications as to who should meet the cost of the training
- It was noted that training as a sanction may not result in the desired outcome and further noted that training for members following the May 2019 election had not been well attended
- Where training was imposed as a sanction, the training need should be clearly identified and completion of training should be reported back to the Committee
- Regarding co-opted members of the Committee, it was agreed that their contribution was much valued and that a minor adjustment to procedures could allow for an informal vote to obtain their views before any formal decision was taken by voting members

RESOLVED:

1. That the Committee noted the content of the Monitoring Officer's report in relation to the LGA's Model Code of Conduct and East Devon's Members' Code of Conduct and agreed that there should be a further review of the content of the Members' Code of Conduct with a view to possible adoption of a new or revised Code at the Annual Council Meeting in May 2021.
2. That a working group be established comprising ten members, politically balanced, and that delegated authority be given to the Monitoring Officer in consultation with Group Leaders to agree the membership, for the purpose of progressing a further review of the Members' Code of Conduct and that stakeholder engagement should be included both during the review and as part of the final review of any proposals.
3. That the Monitoring Officer would bring a report to the next Committee meeting detailing possible arrangements for the introduction of a Standards Assessment Sub-Committee to carry out an initial decision of complaints that should progress to investigation and decision by the Monitoring Officer in accordance with the existing procedure.
4. That the Committee noted that introducing a different system could result in an increased workload with implications for extra staff resources and that this would be addressed in the Monitoring Officer's report.
5. That where a training requirement is imposed as a sanction that the training requirement is to be specified and that the Committee will monitor compliance with sanctions through the complaint updates presented to the Committee.
6. That consideration of who should pay the cost of any training imposed by way of sanction be deferred to the next Committee meeting in April.
7. That, as co-opted members of the Standards Committee are precluded from voting on the committee or any sub-committee, an informal vote be introduced to obtain their views prior to the formal decision being taken.

33 **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 1st January 2020 to 31st December 2020.

It was noted that complaint C21 had been closed with a finding of no breach since the report was published.

The Monitoring Officer advised that the reporting of complaints does not distinguish whether the complainant is a Councillor or an Officer. Complainants could also be members of the public.

It was agreed that future reports could include the number of complaints by category of complainant whether District Council Member / Officer; Parish Council Member / Officer; member of the public.

RESOLVED that the report be noted.

34 **Forward Plan**

Members did not have any items to add to the Forward Plan.

Attendance List

Councillors present:

C Gardner (Chair)
D Barrow
E Rylance
S Bond

Co-opted members present:

M Goscomb
Cllr B Nelson
Cllr P Stott
A Willan

Councillors also present (for some or all the meeting)

A Moulding
P Arnott
D Bickley
P Faithfull
P Hayward
D Ledger
T McCollum
K McLauchlan
P Millar

Officers in attendance:

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:

P Twiss

Chair

Date:

Report to: Council

Date of Meeting 24th February 2021

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 Hookway leaving the Independent Progressive Group and joining the Democratic Alliance Group and Cllr McLauchlan resigning as a councillor. In addition it corrects a couple of inconsistencies following the Council's agreement to the makeup of the Panels, Forums and Joint and Outside Bodies and the subsequent appointments to them.

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 3;
2. The change in committee seats reflecting that the Independent Progressive lose seats on the Audit & Governance, Overview and Licensing & Enforcement Committees. The seats on the Audit & Governance and Licensing & Enforcement go to the Democratic Alliance Group while the Overview Committee seat goes to the Conservative Group;
3. The revisions to the Committee appointments and the appointment of the Chair and Vice Chair of Overview Committee be as detailed in paragraph 6;
4. The revisions to the makeup / appointments to the Panels, Forums and Joint Bodies as detailed in paragraph 7;
5. Note that Cllr Joe Whibley will continue as this Council's representative on the Devon Rail Forum (formerly the Devon and Exeter Rail Working Party);

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
- Council and Corporate Co-ordination
- Democracy and Transparency
- Economy and Assets
- Finance
- Leisure, Sport and Tourism

- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no direct financial implications from the recommendations of this report.

Legal implications:

The legal position is as detailed in the report.

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. Under Section 15 of the Local Government and Housing Act 1989 it is necessary for the Council to review the political balance and committee allocations if there is a change in the political composition of the Council. Cllr Hookway has joined the Democratic Alliance Group and Cllr McLauchlan has resigned as a councillor. In the absence of being able to hold a by-election to replace Cllr McLauchlan until May it is necessary to review the political balance and committee allocations on the basis that there is vacancy and therefore only 59 councillors.
2. This report also seeks to address a couple of inconsistencies arising following the Council's agreement to the makeup of the Panels, Forums and Joint and Outside Bodies and the subsequent appointments to them.

Political balance

3. As a consequence of Cllr Hookway joining the Democratic Alliance Group from the Independent Progressive Group and Cllr McLauchlan resigning there is a change to the political balance. The revised balance and committee seat numbers is detailed in the table below and it is the view of the Monitoring Officer that this meets the requirements as far as reasonably practicable;

Democratic Alliance group	24 members	41%	47 seats
Conservative group	20 members	34%	39 seats
Independent Progressive Group	5 members	9% (rounded up)	11 seats
The Independents	5 members	8% (rounded down)	10 seats
Cranbrook Voice	3 members	5%	6 seats
Independent	2 members	3%	0 seats
Totals	59	100	113
Vacancies	1		

4. In essence the Independent Progressive Group lose three seats and the Democratic Alliance Group gain two seats and Conservative Group gain one seat. The Democratic Alliance Group seats are on the Audit & Governance and Licensing and Enforcement Committee, while the Conservative Group seat is on the Overview Committee.

Committee appointments

5. Cllr Hookway has replaced Cllr Bailey on Cabinet (with some revisions to portfolio responsibilities). Aside from the change to the committee numbers as a consequence of the change in political balance, as Cllr Hookway has left the Independent Progressive Group, those seats need to be reallocated to members within that Group. Necessarily Cllr Hookway can no longer Chair the Overview Committee. The intention is for Cllr Johns to replace Cllr Hookway as Chair but that then necessitates a new Vice Chair appointment.
6. Having discussed with the relevant Group Leaders as appropriate, the following is proposed;
- a. Cllr Johns to be appointed as the Chair of the Overview Committee.
 - b. Cllr King to be appointed as the Vice Chair of the Overview Committee.
 - c. Cllr Hookway to be appointed by the Democratic Alliance Group to the Audit & Governance Committee and Cllr Manley to be appointed to Licensing and Enforcement.
 - d. Cllr Key to be appointed by the Conservatives to the Overview Committee.
 - e. Cllr Bailey to be appointed as the Independent Progressive Group member on Strategic Planning Committee and Interviewing Chief Officers Committee to replace Cllr Hookway on those committees.
 - f. Cllrs Pratt and Bailey to be appointed to the Strategic Planning Committee and Planning Committee respectively to replace Cllr McLauchlan who was on these committees.

Panels, Forums, Joint Bodies

7. Following Council agreeing the makeup of the Panels, Forums, Joint Bodies and making appointments to them and the Outside Bodies there are some changes required to pick inconsistencies and necessary corrections. The required changes are detailed in the table below;

Body	Change	Reason
Member Development Working Party	Member Champion for Mental Health to be added.	To replace deletion of one of the portfolio positions and to involve the Member Champion in Member Development work
Exmouth Queens Drive Delivery Group	Deputy Leader is removed as a member. Portfolio Holder for Leisure, Tourism and Sport added and shall Chair the group. Cllr De Saram to replace Cllr Hookway as one of the Exmouth Littleham representatives.	Deputy Leader is already a member by virtue of being the Portfolio Holder for Economy & Assets. Cllr De Saram is the only Exmouth Littleham representative not on the group.
Local Joint Panel	Cllr Loudoun to be replaced with Cllr Hayward.	Portfolio Holder for Council and Corporate Co-Ordination is on the Panel but Cllr Loudoun appointed.
STRATA Joint Scrutiny Committee	Cllr Hookway replaced with Cllr Jeffery	Cllr Hookway cannot sit on the Strata Joint Scrutiny Committee.

Designated Person	Cllr Hall to be replaced with Cllr De Saram.	Cllr Hall is conflicted due to being on Housing Review Board.
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Outside bodies

- Following Council agreeing the appointments to the Outside Bodies there is one change to reflect a change in circumstances. The Devon and Exeter Rail Working Party has changed its name to the Devon Rail Forum and reduced East Devon's representation from two seats to one. The current appointees are Cllr Joe Whibley and Cllr Bruce De Saram. Cllr Bruce De Saram has agreed to step down from this position leaving Cllr Joe Whibley to be continue as the sole representative.