



Agenda for an Extraordinary meeting of Council

Tuesday, 24th November, 2020, 6.00 pm

To: All elected Members of the Council; Honorary Aldermen

Venue: Online via the Zoom App

Contact: Susan Howl, Democratic Services Manager;

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(or group number 01395 517546)

Issued Friday, 13 November 2020

East Devon District Council
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Important - this meeting will be conducted online and recorded by Zoom only.

Please do not attend Blackdown House.

Members are asked to follow the [Protocol for Remote Meetings](#)

This meeting is being recorded by EDDC for subsequent publication on the Council's website and will be streamed live to the Council's Youtube Channel at

<https://www.youtube.com/channel/UCmNHQruge3LVI4hcgRnbwBw>

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

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on
Tuesday, 24th November, 2020 at 6.00 pm**

You are called upon to attend the above meeting to be held online. It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers expedient.

Yours faithfully

A handwritten signature in black ink, appearing to be "M. Howl".

Chief Executive

1 **Public speaking**

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

2 **Apologies**

3 **Declarations of interest**

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

4 **To consider the recommendations to Council from Cabinet at the meeting on 11 November in relation to the report 'Additional LED financial support as a result of the COVID-19 pandemic and proposals for a new LED Monitoring Committee arrangement'** (Pages 3 - 8)

Minutes of the Cabinet meeting of 11 November 2020 are attached for members to consider the recommendations contained therein, at minute 248.

[Decision making and equalities](#)

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

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Online via the Zoom app. on 11 November 2020****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.12 pm

244 Public speaking

Mr Ed Kos spoke at the meeting after sending in a question concerning the council's climate emergency plan. He thanked everyone for what they had been doing towards this plan in what was a difficult year with the crisis that Covid-19 had brought. He did ask for reassurance however that actions were still ongoing towards the implementation of the plan due to the ongoing nature of the climate crisis. He was concerned that the current status of the plan was not available to the public with no plans to engage the public at present. He asked that council explain on public record why the status of the climate emergency plan was not available and commit to prioritising a detailed update by a specific date, with revised timeliness for action, clear roles and responsibilities with accountability for further delays, and a clear roadmap to engage the public such as by taking forward the comprehensive Citizens Assembly proposal from Exeter University, originally due for implementation in July this year.

The Portfolio Holder Climate Change responded to Mr Kos stating his question may be confusing the district council and the county council's work on climate change. She confirmed that addressing climate change was a priority for both councils. The district council's climate change strategy and action plan went through the council's democratic processes earlier this year, and had been openly published on EDDC's website. This was a statement of intention and the council recognised the need for regular reviews and updates.

She said the council was also committed to delivering the Devon Climate Change Emergency Declaration and was working with the county council contributing towards the emerging Devon Carbon Plan. The council's plans would be reviewed as the Devon Carbon Plan was developed and as we learn from current projects and move closer towards significant carbon reductions as an organisation. She reported that the Carbon Plan consultation would take place between December this year and February 2021. Social media and webinars were already being planned. She suggested that the council's plans were publicly available and have roles and responsibilities, timelines, and accountability embedded.

Whilst it was fair to say that the council's response to the pandemic has taken priority it had still progressed with a number of commitments and built in some green recovery ideas to our thinking, including reduced commuting, green travel, and community resilience. A number of projects from the action plan had progressed over the last six months including, but not limited to:

- Appointments of a Portfolio Holder Climate Action as well as an Assistant Portfolio Holder on the Cabinet
- Electrification of the white vehicle fleet in StreetScene and Environmental Health
- Installation of air source heat pumps in council homes securing £500k government grant
- Roll out of Re-wilding and nature recovery areas
- Increased tree planting and creation and improvement of wildlife habitats
- Increased recycling rates beyond 60% of household waste (one of the best in the country) and introduced a green waste scheme

- Working with Exeter Airport to decarbonise air travel
- Developing concepts for district heating in the growth point area
- Scoping a review of procurement activities and decarbonising supply chains
- We have experimented with using the Doughnut Economic model to assist decision making that prioritises climate change

Mr Craig Bernhardt spoke on Minute 248 Additional funding to LED due to the Covid-19 pandemic. He stated he completely supported funding assistance to leisure facilities that support the health and well-being of residents and so reduced the burden on the NHS. LED provided central communities services through its outreach work which must continue. However over the last decade there had been a huge increase in fitness/gym/leisure facilities with this competition putting pressures on finances on all in the industry. Mr Bernhardt believed leisure centres had been struggling for a long time now and asked if the current business model was therefore sustainable. He suggested that it be prudent to add to the proposals to have leaders from local, private and public sector facilities to collaborate and work together. In addition to the ramifications of Covid-19 this would be to consider objectives to minimise duplication and maximise efficiency of delivery of activities; to ensure longevity and support for these facilities.

245 **Declarations of interest**

Minute 248 Additional LED financial support as a result of the Covid-19 pandemic and proposals for a new LED Monitoring Committee arrangement.
Councillor Andrew Moulding, Personal, President of Cloakham Lawns Sport Centre in discussions with LED re provision in Axminster.

Minute 248 Additional LED financial support as a result of the Covid-19 pandemic and proposals for a new LED Monitoring Committee arrangement.
Councillor Ian Hall, Personal, Chairman of Cloakham Lawns Sport Centre in discussions with LED re provision in Axminster.

246 **Matters of urgency**

Minute 248 Additional LED financial support as a result of the Covid-19 pandemic.

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

None

248 **Additional LED financial support as a result of the Covid-19 pandemic and proposals for a new LED Monitoring Committee arrangement**

The Service Lead Countryside & Leisure welcomed Peter Gilpin, CEO LED Leisure and Bridgette Jones, Head of Finance and Support Services LED Leisure. He explained that LED had been severely impacted by the Covid-19 pandemic with interruptions to business and as a consequence a significant fall in income. The leisure industry had suffered due to enforced closure of premises under government restrictions and the complexities of reintroducing Covid19 secure facilities and activities.

Discussions included the following:

- Why was the subsidy so high and would the operator's model be fit for purpose after 31 March 2021 for sustainable long-term growth?
- That the new forum had independent strategic advice appropriate for this level of business partnership
- Was it appropriate to cover all the financial loss due to the pandemic when other business were not in this position to receive such support?
- If LED were not reimbursed they may have to consider not trading
- LED needed to be kept in business for the health and well-being of the council's residents
- Not to underestimate the value for money LED had for people of the district especially the use of swimming pools for all age groups
- LED was fundamentally important for the outreach programmes it offered
- The need for EDDC and LED to make profits from a sustainable partnership for both parties to benefit
- The council was to make a bid to Government to reclaim such financial support
- All members needed to lobby MPs as to date there had been no response from Government on the matter leaving finances for councils and leisure facilities in a critical position

The Chair stated LED was not at fault and this situation was totally due to the Covid-19 pandemic. LED had a social purpose with referrals from GPs and other public health benefits and was not in position to compete with high-end private gyms/facilities. Other local authorities who operated their leisure provision in-house were able to access government funding to cover any losses, unfortunately this did not apply to charitable trusts. LED had immense overheads just through running its swimming pools.

Peter Gilpin, CEO LED Leisure explained LED was a community benefit society and registered charity so could not be compared to other private leisure providers. As a charitable trust revenues go back into the business to provide further facilities and equipment. There were 9 sites in East Devon with approximately 12000 members most of which were for swimming membership. There had been no revenue for 3 months of this year, April to June, to which financial reserves were used heavily to cover these losses. He reiterated how LED was vital to the health and well-being of the wider community.

RECOMMENDED that Cabinet recommend to Council;

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

3. That the Council and LED make a bid to Government for funding announced of £100m to support leisure centres to offset the sum being requested of the Council from LED. If the bid proves not to cover the full costs then the Council with LED continues to lobby government for financial assistance to support our leisure provider to maintain essential health & wellbeing activities to assist them through the loss of income caused by an enforced lockdown for public health reasons.
4. That local district MPs as a matter of urgency, are all asked whether they are willing to lobby Ministers to ensure that Leisure Trusts, such as LED, receive Covid related support funding in an equitable way to non-Trust leisure providers to ensure a level financial playing field across the leisure sector. Cabinet will also ask all the district's MPs to use their influence, as members of the governing party, to set up an urgent meeting with the relevant Minister or preferably Secretary of State, where they, alongside representatives of this Council and representatives of this Council's leisure provider LED, can explain the difficulties facing both organisations of government's failure to provide LED and other Leisure Trusts with Covid related support funding and to demand that such funding is immediately forthcoming.
5. Cabinet agrees that subject to the Council obtaining agreement from LED to the proposals, including EDDC ceasing to have any representatives on the LED Board, that the LED Monitoring Forum be established for the purposes set out in the report and the on basis of the membership detailed in paragraph 3.6, with the Portfolio Holder for Sustainable Homes and Communities replaced with the Portfolio Holder for Corporate Services and COVID 19 Response and Recovery, and that delegated authority be given to the Monitoring Officer to agree the 4 non-administration members with relevant Group Leaders.

REASON:

To ensure that LED remain a viable leisure provider and were able to manage the financial impacts of the pandemic, continuing to provide leisure activities and contributing towards the health & wellbeing ambitions of the Council.

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 Denise Bickley
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Colin Brown
Councillor Sarah Chamberlain
Councillor Olly Davey
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Peter Faithfull
Councillor Cathy Gardner
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Sam Hawkins
Councillor Nick Hookway
Councillor Vicky Johns
Councillor Dawn Manley
Councillor Kathy McLauchlan
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Christopher Pepper
Councillor Val Ranger
Councillor Eleanor Rylance
Councillor Philip Skinner
Councillor Brenda Taylor
Councillor Joe Whibley
Councillor Eileen Wragg
Councillor Tom Wright
Councillor Fabian King
Councillor Maddy Chapman

Also present:

Officers:

Charles Plowden, Service Lead Countryside and Leisure
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Peter Gilpin, CEO LED Leisure
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Bridgette Jones, LED Leisure
Debbie Meakin, Democratic Services Officer

Chairman

Date:

