

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Cabinet held at Online via the Zoom app. on 1 December 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.33 pm

114 Minutes of the previous meeting

The minutes of the consultative meeting of Cabinet held on 3 November 2021 were agreed.

115 Declarations of interest

Min 117. Honiton Community Governance Review Petition.
Councillor Jake Bonetta, Personal, Member of Honiton Town Council involved in discussion in this matter.

Min 122. Public Toilets Review - Consultation results and Categorisation proposal.
Councillor Jake Bonetta, Personal, Member of Honiton Town Council.

Min 122. Public Toilets Review - Consultation results and Categorisation proposal.
Councillor Paul Hayward, Personal, Employee of Axminster Town Council which had public toilets in the town.

116 Public speaking

Councillor Carol Hall, Chair of Gittisham Parish Council (GPC) stated that the Parish Council was opposed to the current proposed boundary review and ask that it was withdrawn immediately. She said the issue was not in the best interests of Gittisham Parish residents or GPC and suggested it actively worked against them. Current boundary and warding arrangements had worked well historically and continued to do so. The reason for boundary review was unclear. There had been no opportunity for consultation within the parish. A review had never been requested or suggested by GP residents. It was never mentioned by Honiton Town Council or EDDC until end of October this year. She said that if a boundary review was to be undertaken this must be done with full consultation with all parties involved and a clear and true reason given for the need.

Councillor Hall stated financial concerns in terms of the precept had been raised by GP Councillors which could affect the viability of Gittisham as a parish. She said the sense of belonging to a parish must not be understated or its importance underestimated. Residents of Hayne Farm definitely consider themselves to be part of Gittisham and the recent pandemic support groups and village hall events were evidence of this.

Councillor Peter Orchard from Gittisham Parish Council wished to make clear any misconceptions that had been previously reported. A reference to GPC informally approaching EDDC officers in raising the issue of the appropriate boundary between the two bodies was not the case. GPC did discuss at its parish meeting whether the balance of councillors across their community still represented the parish properly and had asked EDDC how; if decided it needed adjusting, should they go about that.

Councillor Orchard claimed a statement from EDDC that 'various areas would be viewed as Honiton' was something that the residents of the parish would strongly disagree with. He disagreed that there would be no financial cost involved as there were the ongoing costs of administrating the rates changes for properties, changing boundaries on all records and informing outside agencies from Ordnance Survey onwards. He said a boundary move would not change the overall Precept income of either council. Gittisham had a very low precept charge per property costing around £25. However Honiton Town council was around £76, more than 3 times as much. In the Gittisham parish there could be a 70% reduction of property numbers. There would be the same statutory bills but with only a third of the present number of properties, down from about 900 to 300 in the parish. He asked to leave the District boundary where it was or if this could not happen move the District boundary but with no permanent triple rates increase for all the present residents of this historic parish.

117 **Honiton Community Governance Review Petition**

The Chief Executive updated Members on the Honiton Community Governance Review Petition. The recommendation was to progress a review having first obtained and considered the views of both Honiton Town Council and Gittisham Parish Council. The report provided an update to further consider the matter in light of correspondence received. He stated the need for clarity for the review as it was essential that the community wished for this to happen.

Discussions included the following;

- The lack of evidence that this had been called for from the residents of Gittisham
- If this was not the right time for the review then it was fair to at least to go through the consultation process
- The new Local Plan was being conducted so this was too early to consider a boundary review. Wait for the adoption of the Local Plan
- The need to get a comprehensive view from residents at a future date

RECOMMENDED:

That the review is deferred until such time as the new Local Plan is adopted.

REASON:

In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews. It is for Members to determine the appropriate approach in relation to a Honiton Community Governance Review.

118 **Matters of urgency**

There were two items dealt with in this way, these are recorded at minutes 117 and 121.

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

None

120 **Forward Plan**

Members agreed to recommend the contents of the Forward Plan for key decision for the period 1 January 2022 to 30 April 2022 for approval.

DECISION:

The recommendation(s) was/were approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

121 **Minutes of Overview Committee held on 25 November 2021**

Members agreed to note the Minutes of Overview Committee held on 25 November 2021. The Leader confirmed that the recommendations would be considered as part of the discussion of Minute 122.

122 **Public Toilets Review - Consultation results and Categorisation proposal**

The Service Lead StreetScene gave a presentation that set out some of the headlines of the results from the recent Public Toilet consultation, issues raised and considerations to address some of the concerns expressed. He explained the difficulty of needing to invest in public toilet buildings but not being able to afford to do this across all 27 sites.

Discussions included the following;

- It was regrettable to have to close any toilets. Colyton needed its toilet to support local businesses as well as younger and older residents
- Consideration to paid access to all public toilets in order to continue with present provision
- The toilets at the Green in Budleigh Salterton were essential not just for the town but visitors alike as this area was used for public functions
- There was a public expectation for the provision of toilets therefore keep them all open buying charging for usage
- Could there be an extra year's grace for Honiton TC to keep their toilets open
- It was important that no members of the public were disadvantaged because of needing to use the toilet
- The district needed to be looked at as a whole, the budget had to be managed it was not affordable to have all the toilets open
- SW Water profit from water supply and sewerage charges, they should be making concessions to district councils for the running of public toilets
- Get businesses to take on category B & C toilet provision with firm agreements in place that this was adhered to
- Town and Parish councils could take on the running of their toilets
- This was not an easy subject. The finance situation was very serious and unsustainable. Predicted shortfalls were still expected even with any new measures taken up
- The need to provide prepaid access cards
- Work with Town and Parish councils to keep the toilets open, selective charging was the way forward

The Portfolio Holder Coast, Country and Environment and members from across political parties wished to thank Andrew Hancock and officers for the enormous work they had put in to get to this stage of the review. They thanked the 1300 respondents to the consultation for their valuable feedback as well the Overview Committee for their in-depth thinking on this matter.

Having received the report and noted the contents, members;

RECOMMENDED that;

Senior Officers approve

1. the proposals and the categorisation of the public toilet stock outlined in section 4 together with the specific mitigations (in section 4.6) to protect access.
2. For the 8 sites to be confirmed as Cat B & C (section 4.10) and the 6 sites where further discussions are required to confirm categorisation (section 4.12), delegate authority to the Portfolio Holder for Coast, County & Environment in consultation with the Portfolio Holders for Economy & Asset Management and Leisure, Sport & Tourism and the Strategic Leads for Finance and Housing, Health & Environment to complete negotiations with interested parties (including the Towns and Parishes) and to complete the related documentation to affect transfers (including the mitigations set out in section 4.6). Where leases with community partner organisations cannot be struck within 12 months continue to negotiate with all Town/Parish Councils to seek to retain Category B and C toilets through Parish and Town Precepts for another 12 weeks. Honiton King's Street to be kept open until April 2023 to afford Honiton Town Council further time.
3. Implementation of paid access at Category "A" toilets sites following refurbishment. Payment to be by Contactless payments at 40p with cards being made available for people without card or mobile phone.
4. That in the future more reliable data for toilets EDDC own, should be provided so that the usage of toilets can be assessed to show how popular toilets are at certain points of the day / year.
5. That the Council write to all relevant local businesses and make a powerful case for them to offer the use of their toilets to non-paying customers who may have disabilities and illnesses that aren't always visible, given the findings of the local consultation which shows the high extent of local need.
6. That the Council writes to the Secretary of State for Housing, Communities & Local Government and our 3 MPs to request that he lobbies the Treasury for a fund to be created to help Councils further invest in public toilet provision and to make toilets a mandatory rather than discretionary service given their positive role in ensuring people with health issues can live their lives to their full potential.

Cabinet recommends to Council;

7. that the Transformation Reserve be used to fund the Cat B & C sites where an alternative use is proposed, allowing them to remain open until these transfers are complete (for up to a year as set out in 5.10 and until April 2023 for King's Street, Honiton) to minimise the impact of closed public toilet sites on those with protected characteristics.
8. That the Transformation Reserve be used to assist with legal and transfer fees for town or parish councils taking on the running of any B & C sites through this review.

REASON:

A review of public toilet stock and investment in its buildings was overdue and now necessary due to the budget deficit and proposed medium term financial plan's saving against the provision of the public toilet service.

DECISION:

The recommendation(s) was/were approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

123 **Council Tax Reduction Scheme 2022/23**

The Service Lead Revenues, Benefits, Customer Services, Corporate Fraud & Compliance asked Members to consider and approve the Council Tax Reduction (CTR) scheme for 2022/23 which was recommending to remain unchanged from the current scheme.

The Portfolio Holder Finance thanked Libby for her report.

RECOMMENDED to Council;

that the Council Tax Reduction Scheme for working age residents be approved for 2022/23.

REASON:

The Council was required by law to decide whether to revise or replace its CTR scheme each year. As there had been a significant number of changes to the scheme for 2020/21 there had not been any changes to the scheme for 2021/22. It was not possible to be able to fully assess what further changes may be required to the scheme due to the on-going effects of the Covid-19 pandemic. There were still a higher number of working age households in receipt of CTR than would have been prior to the pandemic, therefore being unable to complete a detailed comparison analysis of the current scheme against the previous scheme. The maximum support from 80% to 85% would still be benefiting those on the lowest income.

124 **Treasury Management Mid-Year Review 2021/22**

The report detailed the overall position and performance of the Council's Investment Portfolio for the first six months of 2021/22.

Having received the report members acknowledged the investment values and performance for the period to 30 September 2021.

125 **Dalwood Neighbourhood Plan Examiner's Report**

The report provided feedback and set out proposed changes following the examination of the Dalwood Neighbourhood Plan. The independent examination of the Plan had now concluded and the final Examiner's report received.

Having received the report and noted the contents, members;

RECOMMENDED that;

Senior Officers approve

1. the Examiner's recommendations on the Dalwood Neighbourhood Plan (the Plan),
2. a 'referendum version' of the Plan (incorporating the Examiner's modifications) to proceed to referendum and that a decision notice to this effect be published,
3. the Neighbourhood Plan Steering Group be congratulated on their hard work.

REASON:

The legislation requires a decision notice to be produced at this stage in the process. The Plan is the product of significant local consultation and has been recommended to proceed to referendum by the Examiner subject to modifications which are accepted by the Parish 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
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action and Emergency Response
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
S Jackson	Portfolio Holder Democracy, Transparency and Communications
N Hookway	Portfolio Holder Tourism, Sport, Leisure and Culture

Also present (for some or all the meeting)

Councillor Denise Bickley
Councillor Jake Bonetta
Councillor Colin Brown
Councillor Alasdair Bruce
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Olly Davey
Councillor Peter Faithfull
Councillor Cathy Gardner
Councillor Steve Gazzard
Councillor Ben Ingham
Councillor Vicky Johns
Councillor Dawn Manley
Councillor Tony McCollum
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pook
Councillor Geoff Pratt
Councillor Eleanor Rylance
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 (and Monitoring Officer)
Andrew Hancock, Service Lead StreetScene
Andrew Hopkins, Communications Consultant
Libby Jarrett, Service Lead Revenues and Benefits
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive

Chair

Date: