

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of the consultative meeting of Cabinet held at Online via the Zoom app. on 8 June 2022**

### **Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.44 pm

### **1 Public speaking**

Councillor Roger Giles said it was an honour to have been made an Honorary Alderman by the council in 2019 which he felt fondness and pride. He said that John Humphreys was also made an Honorary Alderman at the same time and after this arrest, he felt this tarnished the recognition of the award to former councillors although this status was infinitely less than the consequences left on the victims of John Humphreys' crimes. He asked what the council were doing about this and when would there be a report from the Chief Executive from the outcome of the independent inquiry that had already been agreed to.

Mark Hawkins said there needed to be full transparency in the John Humphreys investigation for the benefit of the victims and stated he was aware of the investigation in 2017. He said he could not believe that within an organisation no one was aware of these legal troubles. He was concerned the council's investigation was being scoped to limit its usefulness and said that some of these investigations should have involved the police.

Councillor Jess Bailey said how disappointed she was with how long it was taking to progress the commissioning of the independent report into the John Humphreys issue, she felt the longer the delay the more the council would be open to question. She said there were concerns about any delay and scope of the review and asked that it be brought forward in order for the scope and work to be undertaken to be started.

In response the Chief Executive stated that at last month's Annual Council the procedure he was following to commission the report was outlined. He said a report had already been to the Scrutiny Committee in response to questions they had asked, with the minutes from this going on to Full Council. Full Council were not happy with the recommendations from the Scrutiny Committee and asked for a further report. The Chief Executive had written to the group leaders to ask what they viewed as the scope of the report. On receiving these views he had commissioned independent legal advice. A legal opinion was now awaited before commencing the report which would be on the July Cabinet agenda. He cautioned that the report needed to be measured within the legal powers and constraints applied to the council.

The Portfolio Holder Council and Corporate Co-ordination stated that although this was an unpleasant matter to have to deal with he wished to reassure the public that it would be done in a judicious way. He stated that an inquiry had the ability to go far and wide to what the council could seek to do and beyond the remit it could have, therefore taking legal advice was right and proper.

The Conservative group leader stated they would give their full support and help in this matter.

### **2 Minutes of the previous meeting**

The minutes of the consultative meeting of Cabinet held on 4 May 2022 were agreed.

Councillor Fred Caygill referred to Minute 227 Car Park Issues, stating that there was an established Campervan and Motorhome TaFF and asked why this forum was not being used for the council's similar issue for discussion and clarity of any specific issues rather than car parks as a whole.

### 3 **Declarations of interest**

Min 12. Commissioning of landscape assessment work to inform site choices for new town development - Exemption to Contract standing orders.

Councillor Dan Ledger, Affects Non-registerable Interest, Member of Strategic Planning Committee and member of the workshops.

Min 13. Project Groups for Axminster and Seaton - DCC Urban Renewal Project.  
Councillor Dan Ledger, Affects Non-registerable Interest, Is a Ward member, Seaton Town Councillor and lives in Seaton.

Min 13. Project Groups for Axminster and Seaton - DCC Urban Renewal Project.  
Councillor Jack Rowland, Affects Non-registerable Interest, Resident and Ward member of Seaton.

Min 13. Project Groups for Axminster and Seaton - DCC Urban Renewal Project.  
Councillor Marcus Hartnell, Affects Non-registerable Interest, Seaton Town Councillor, Devon County Councillor and business owner in Seaton.

Min13. Project Groups for Axminster and Seaton - DCC Urban Renewal Project.  
Councillor Paul Hayward, Affects Non-registerable Interest, Works for Axminster Town Council.

Min 14. Re-use of Brixington capital fund for Axminster Skatepark leading to Play Strategy.

Councillor Andrew Moulding, Other Registerable Interest, Trustee of the Axminster skatepark and president of Cloakham Lawns Sport Centre.

Min 14. Re-use of Brixington capital fund for Axminster Skatepark leading to Play Strategy.

Councillor Paul Hayward, Affects Non-registerable Interest, Works for Axminster Town Council.

Min 14. Re-use of Brixington capital fund for Axminster Skatepark leading to Play Strategy.

Councillor Sarah Jackson, Affects Non-registerable Interest, Is a Ward Member for Axminster.

Min 15. Colyton Leisure Centre - Proposals to restructure operating arrangements with school.

Councillor Paul Arnott, Directly relates Non-registerable Interest, Is a Ward Member for Coly Valley and his wife is a member of LED.

### 4 **Matters of urgency**

There was one late report recorded at Minute 15.

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

There was one late and confidential report recorded at Minute 15.

6 **Forward Plan**

Members agreed to recommend the contents of the Forward Plan for key decision for the period 1 July 2022 to 31 October 2022 for approval.

7 **Minutes of Recycling and Waste Partnership Board held on 27 April 2022**

Members agreed to note and recommend the minutes and recommendations of the Recycling and Waste Partnership Board held on 27 April 2022.

**Minute 41 Cartons trial**

that Cabinet recommend that the Recycling and Waste Service continue to collect cartons from the kerbside as part of the recycling collections, as detailed in option 4 of the report, with the following additional actions:

1. A clear and honest communications message be provided to residents explaining the difficulties of recycling tetra pak cartons.
2. SUEZ investigate how other contracts handled their tetra pak materials and whether there was any financial advantage in removing cartons from mixed plastics recycling.
3. Officers work with Devon County Council waste team to find out what other local authorities did with their tetra pak materials and to put pressure on the industry to use alternative methods of packaging.

8 **Minutes of Exmouth Queen's Drive Delivery Group held on 3 May 2022**

Members agreed to note and recommend the minutes and recommendations of the Exmouth Queen's Drive Delivery Group held on 3 May 2022.

**33 Report of the workshop held on 6 April 2022**

- To endorse the themes and characteristics supported by the Delivery Group.
- To proceed to consult publicly in the manner set out in this report (para 1.6-1.9) to seek views on the identified themes and characteristics to help form a terms of reference for placemaking in Exmouth.

**34 Exmouth Queen's Drive Delivery Group Terms of Reference amendments**

That the amended Terms of Reference (Final Revised Terms of Reference) be adopted.

9 **BUA - Honiton @50**

The Chief Executive explained that the Council had received a proposal from the British Ugandan Asians Association to participate in the 50th Anniversary Celebrations of their arrival from Uganda to the former Heathfield Resettlement Centre in Honiton.

Margaret Lewis curator Allhallows Museum, Honiton said the museum kept and was still collecting information on British Ugandan Asians Association as an archive and that it

wished to celebrate this anniversary. She remembered Ugandan Asians arriving in the town in 1972 with many people offering their support of help.

Mahendra Dabhi stated he was 16 years old when he and his family arrived in Honiton in 1972. The 50<sup>th</sup> Anniversary was an opportunity to thank the people of Honiton and collect the archives from families from the resettlement camps where over 2000 people passed through. He wished to hand any further archives collected to Margaret at the museum. The museum was one of the few that had any archives on the Ugandan Asians arrival to the UK. He said that it was appropriate to come back to Honiton to celebrate this anniversary with music, food and entertainment. He looked forward to receiving the council's support and hoped it would join them in October for the celebrations.

The Chair and members thanked Mahendra and Margaret for bringing this anniversary and important information on the history of the town, to the attention of the council.

**RECOMMENDED that:**

Senior Officers approve

1. That the CEO in consultation with the Portfolio Holder for Democracy, Transparency and Communications, together with relevant ward members take forward the proposal received from the British Ugandan Asians Association and ensure EDDC's full participation in the proposed celebrations.

**RECOMMENDED to Council that:**

2. A budget of £5,000 for the proposed celebrations.

**REASON:**

To celebrate an important milestone in the districts local history and to recognise the Council's commitment to refugees.

10 **Homes for Ukraine scheme**

The Strategic Lead Housing, Health & Environment presented his report which concerned the provision and mobilisation of a support service for Ukrainian refugees and host/sponsor households. This was a key part of the government's Homes For Ukraine Scheme. Local Authorities had been asked to make provision for a welcome and support service alongside property inspections, Disclosure and Barring Service safeguarding checks and administering payments to refugees and host households.

The Portfolio Holder Finance thanked John Golding and his team for their hard work in getting this support up and running. During discussion it was suggested that the provision of a Council for Voluntary Service (CVS) be brought back into the council, the Chief Executive suggested that it be put onto the Forward Plan.

Having received the report members reviewed and noted the following recommendations.

1. Cabinet note that officer delegated authority has been / will be relied upon to:
  - o Commission the East Devon Citizens Advice to provide wraparound support for a 6 month period – Total commitment for service: £32,000 initially
  - o Provide the Ukraine café in Exeter with a grant to support their work – Total commitment for service: £5,000
  - o Commission Devon Communities Together to provide further wraparound support to compliment the work they currently do – Total commitment: £5,600
2. Cabinet note the use of an exemption to Contract Standing Orders to appoint Citizens Advice Bureau to provide wraparound support and agree to an exemption to Contract

Standing Orders to enable commissioning of Devon Communities Together to provide further wraparound support.

11 **Commissioning of work for wildlife site impact assessment and mitigation - Exemption to Contract standing orders**

For Cabinet to note that two Exemptions to Contract Standing Orders had been granted in respect of two separate studies:

1. A local plan Habitat Regulation Assessment.
2. A mitigation strategy to address adverse impacts that would otherwise arise.

Having received the report members noted the Exemptions to Contract Standing Orders.

12 **Commissioning of landscape assessment work to inform site choices for new town development - Exemption to Contract standing orders**

For Cabinet to note that an Exemptions to Contract Standing Orders had been granted in respect of commissioning landscape assessment work.

Having received the report members noted the Exemptions to Contract Standing Orders.

13 **Project Groups for Axminster and Seaton - DCC Urban Renewal Project**

The Project Manager Place, Assets & Commercialisation updated Members that Devon County Council's Team Devon Recovery Group (Devon Place Board) had commenced work on a Coastal and Market towns project. The work was aimed at tackling the long-term and immediate decline in some of Devon's underperforming towns. It identified 8 towns that would form part of a pilot project for future investment and both Axminster and Seaton were included within these.

During discussions it was agreed that under the responsibilities of the Portfolio Holder Economy that it would be appropriate for him to Chair the Project Group, with the membership being allowed to widen as and when needed to aid delivery.

**RECOMMENDED that:**

Senior Officers approve

1. the Axminster Project Group and Seaton Project Group (or such other name as either group chooses to reflect local level aspirations) be established as Cabinet appointed forums on the basis of the Terms of Reference at Appendix 2 in the report, and
2. to give delegated authority to the Service Lead Place, Assets & Commercialisation to finalise the membership of the two Project Groups to include the Portfolio Holder Tourism, Sport, Leisure and Culture and their Terms of Reference in accordance with the approach identified in the report.

**REASON:**

To enable Project Groups to be established and the Coastal and Market towns project to move forward at the local level in a timely manner and to ensure that the opportunity to deliver some quick win projects could take place over the summer/autumn 2022.

14 **Re-use of Brixington capital fund for Axminster Skatepark leading**

## **to Play Strategy**

The Engineering Projects Manager's report suggested that Axminster skatepark, phase 2 be funded through the re-allocation of the capital funding assigned to Brixington park improvement scheme. Brixington would not lose out as the scheme was double funded, having secured s106 funding through the Exmouth Sports Vote.

The delivery of the scheme at Axminster was to be used as a pathfinder project to set out criteria for funding community play schemes which had 75% funding; from s106 or the community and required further funding to allow them to progress. Suggested criteria for EDDC providing such funding are set out in 3.2 of the report. It was recommended that these be included in the forthcoming Play Strategy and termed 'fairer play'.

Councillor Andrew Moulding read a statement from Councillor Ian Hall, which as Chair of Axminster Community Skatepark wanted to thank everyone who had helped get them this far. The Skatepark would continue to work with Axminster Town council to deliver the equipment in conjunction with the completion of the Skatepark. Councillor Hall wished to also thank District Officers Dave Cook, Dave Whelan and Sulina Tallack, Axminster TC and Clerk, Councillors Jackson, Hayward, Arnott, the Trustees of both CLSC and ASP and the Local Police Team, which had been an excellent example of 'Partnership Working' for their Communities.

Members from across parties wished to thank in particular Councillor Sarah Jackson who had created this innovated collaboration which had been instrumental in the concept to deliver this outstanding facility. It was agreed it was a great blueprint for future projects across the district. Councillor Jackson said she was please it had all worked and that it was important for Phase 2 to be delivered.

### **RECOMMENDED to Council that:**

1. that Axminster Skatepark was an example of fairer play provision for community groups, and approves the reallocation of £100k as partnership funding for a pathfinder example of this strategy as set out in 2.7 of the report. Utilising capital funding assigned to Brixington, as the Brixington scheme was now alternatively funded with S106 monies.

### **RECOMMENDED that;**

Senior Officers

2. agree to the principles of fairer play funding for Town and Parish Councils, and requests that the Play Strategy was finalised and reported to a future Cabinet meeting. This would include a section which proposed that community groups could bid into the Council's capital budget for up to 25% of a project total, if the budget was available and the stated criteria were met.

### **REASON:**

Allowed for funding of Axminster Skatepark, enabling to make a cut off deadline for completion. Proposed a future mechanism for Town and Parish councils to bid for additional funding towards projects in their community.

15

## **Colyton Leisure Centre - Proposals to restructure operating arrangements with school**

The Service Lead Place, Assets & Commercialisation provided an update of the discussion held at the LED Monitoring Forum on 7 June 2022 on the proposals. He said the Forum supported the recommendation in the report.

There was the opportunity to support the school towards the cost of resurfacing the all-weather pitch and providing new improved floodlighting. In exchange for this, the all-weather pitch would be secured for community use for generations to come.

Due to a declaration of interest the Chair left the meeting for this item.

**RECOMMENDED to Council:**

1. to provide a capital budget of up to £140,000 to contribute to the School's capital investment works to the all-weather pitch and by doing so securing improved future community use.

**RECOMMENDED that:**

Senior Officers approve

2. to give delegated authority to the Service Lead Place, Assets & Commercialisation in consultation with the Strategic Lead Finance and the Portfolio Holder for Economy & Assets, to agree heads of terms for a new lease and management agreement to achieve the outcomes within this report and to enter into new agreements with Colyton Grammar School.

**REASON:**

To secure improved future community use of the all-weather pitch and netball courts and reduce the Council's / LED's share of property and running costs of the leisure centre.

**Attendance List**

**Present:**

**Portfolio Holders**

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 Sustainable Homes and Communities
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 Jess Bailey  
Councillor Colin Brown  
Councillor Fred Caygill  
Councillor Maddy Chapman  
Councillor Peter Faithfull  
Councillor Marcus Hartnell  
Councillor Ben Ingham  
Councillor Jamie Kemp  
Councillor Dawn Manley  
Councillor Andrew Moulding  
Councillor Helen Parr

Councillor Philip Skinner  
Councillor Joe Whibley  
Councillor Eileen Wragg  
Councillor Brenda Taylor

**Also present:**

**Officers:**

Tom Buxton-Smith, Engineering Projects Manager  
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  
Alison Hayward, Project Manager Place & Prosperity  
Rebecca Heal, Solicitor  
Andrew Hopkins, Communications Consultant  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)  
Mark Williams, Chief Executive

Chair .....

Date: .....