



Agenda for the consultative meeting of the Council
Wednesday, 20th July, 2022, 6.00 pm

To: All elected Members of the Council; Honorary Aldermen

Venue: Online via the Zoom App

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Issued Monday, 11 July 2022

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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/UCmNHQruge3LVl4hcgRnbwBw>

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-public-meetings/#article-content>

Until 31st October 2022, the Council has delegated much of the decision making to officers. Any officer decisions arising from recommendations from this consultative meeting will be published on the webpage for this meeting in due course. All meetings held can be found via the [Browse Meetings](#) webpage.

Dear Sir/Madam

Meeting of the Council of the District of East Devon on
Wednesday, 20th July, 2022 at 6.00 pm

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'M. Howl', written in a cursive style.

Chief Executive

1 **Public speaking**

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

2 **Minutes of the previous meeting** (Pages 8 - 38)

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 Chairman 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 39 - 41)

9 **Reports from the Cabinet and the Council's Committees and questions on those reports** (Pages 42 - 43)

- a) Minutes of Cabinet held on 4 May 2022. Minute numbers 211 - 227
(Pages 44 - 55)
- b) Minutes of Cabinet held on 8 June 2022. Minute numbers 1 - 15 (Pages 56 - 63)
- c) Minutes of the Extraordinary Cabinet meeting held on 29 June 2022. Minute numbers 16 - 21 (Pages 64 - 67)
- d) Minutes of the Scrutiny Committee meeting held on 7 April 2022. Minute numbers 58 - 64 (Pages 68 - 71)
- e) Minutes of the Scrutiny Committee meeting held on 9 June 2022. Minute numbers 1 - 9 (Pages 72 - 76)

- f) Minutes of the Housing Review Board meeting held on 16 June 2022. Minute numbers 1 - 17 (Pages 77 - 84)
- g) Minutes of the Strategic Planning Committee meeting held on 3 May 2022. Minute numbers 106 - 112 (Pages 85 - 89)
- h) Minutes of the Strategic Planning Committee meeting held on 7 June 2022. Minute numbers 1 - 8 (Pages 90 - 95)
- i) Minutes of the Planning Committee meeting held on 13 April 2022. Minute numbers 131 - 142 (Pages 96 - 101)
- j) Minutes of the Planning Committee meeting held on 27 April 2022. Minute numbers 143 - 144 (Pages 102 - 103)
- k) Minutes of the Planning Committee meeting held on 14 June 2022. Minute numbers 1 - 16 (Pages 104 - 110)
- l) Minutes of the Licensing & Enforcement Sub-Committee meeting held on 27 April 2022. Minute numbers 31 - 35 (Pages 111 - 113)
- m) Minutes of the Licensing & Enforcement Sub-Committee meeting held on 8 June 2022. Minute numbers 1 - 6 (Pages 114 - 115)
- n) Minutes of the Licensing & Enforcement Sub-Committee meeting held on 15 June 2022. Minute numbers 7 - 10 (Pages 116 - 120)
- o) Minutes of the Personnel Committee meeting held on 19 May 2022. Minute numbers 39 - 47 (Pages 121 - 123)

10 **Motion: Exmouth Town Hall**

EDDC Councillors on Exmouth Town Council are extremely disappointed and frustrated that Exmouth Town Hall essentially remains closed to the public with its wooden front doors firmly closed. Whilst we completely understand that there are plans to install an intercom system on the side door in the carpark to facilitate public access, this is proposed on an appointment only basis. It is hardly a warm and friendly welcome to be shuffled in via the staff entrance in the carpark.

We have been told that the appointment only service operating at Blackdown House is adequate for District Council clients. However, Blackdown House does not serve a dual purpose as the Town Hall for Honiton.

Prior to Covid, the Town Council used to receive a steady flow of visitors to its offices on the first floor of the Town Hall. This was for casual advice and signposting services as well as access to specific Town Council services. It was never on an appointment only basis.

This building belongs to the people of Exmouth and our job, at the District and Town Council, is to serve the needs and wishes of the people of Exmouth. To do

that well, we need to be present, visible and accessible to them.

It is so important that residents can have that contact where appropriate and we should be able to welcome them inside again as we did pre-Covid-19 without the need to make an appointment.

Most Town Halls if not the majority across the country have now fully opened their doors to the public following the lifting of Covid-19 legal restrictions and we do not understand why Exmouth Town Hall front doors remain closed to casual visitors. We believe that the public of Exmouth deserve a better service and hope that you are willing to work with us as your Tenants to make this possible for the mutual benefit of both EDDC and the Exmouth residents.

Proposed by Cllr Steve Gazzard

Seconded by Cllr Bruce de Saram

Supported by Cllrs Tony Woodward, Olly Davey, Maddy Chapman, Joe Whibley

11 **Motion: Review of Travel Expenses**

My reason for bringing this subject up is that, while working with volunteers supporting our Ukrainian guests, it was pointed out to me that the allowance we could offer our volunteers barely covers the cost of the fuel, let alone the general running costs of the vehicle. The figures set out by HMRC have remained unchanged since at least 2012. With the very large increase in fuel in recent months, the allowance by central government does not reflect the true cost of travel.

This Council will contact our Members of Parliament to request that recognised travel expenses for tax purposes be brought up to date to reflect the true running costs of road vehicles.

Proposed by Cllr Peter Faithfull

Seconded by Cllr Tony McCollum

Supported by Cllrs Paul Jarvis, Alasdair Bruce, Steve Gazzard, Megan Armstrong

12 **Motion: John Humphreys**

This Council wishes to express its deep disappointment that John Humphreys was permitted by the Conservative party to hold prominent roles as a local Conservative politician for more than four years following his arrest for serious sexual offences against two boys in May 2016. Humphreys was subsequently convicted and imprisoned for 21 years in August 2021.

Despite being under criminal investigation from May 2016, John Humphreys subsequently:

- (A) stood as a Conservative candidate for election (Exmouth Town Council May 2019) and thereafter remained an Exmouth Town Councillor representing the Conservative Party until August 2020
- (B) continued being a Conservative District Councillor until May 2019
- (C) campaigned in the town, district and parliamentary elections for the Conservative Party (May and December 2019)

(D) was nominated by the Conservative Party for the award of Alderman which he received from Eddc in December 2019.

In the eleven months since John Humphreys conviction, the Conservative Party locally and nationally, has refused to explain why it allowed John Humphreys to continue in these positions of prominence and even nominated him as an alderman despite being under criminal investigation.

In the interests of the safety and wellbeing of children in the district, this Council calls on Simon Jupp MP to provide an explanation as to what went wrong with the Conservative Party's vetting and safeguarding processes in East Devon and provide reassurance that these issues have now been addressed and resolved.

Proposed by Cllr Jess Bailey

Seconded by Cllr Jake Bonetta

Supported by Cllrs Vicky Johns, Paul Arnott, Paul Millar, Jamie Kemp, Denise Bickley, Joe Whibley, Geoff Pratt, Val Ranger, Megan Armstrong

13 **Motion: Uniform public litter bin collection pricing**

This Council resolves to apply a uniform price of £5.00 + VAT per bin per visit for the emptying of publicly located litter and dog waste bins owned by parish and town councils throughout East Devon.

The reasons for proposing this motion are threefold:

1. The service, operated by EDDC Streetscene, is losing money due mainly to historical under-pricing of the service, requiring additional financial support from EDDC Council Tax Payers.
2. The charges levied by Streetscene vary from under £1.80 up to £5.00 per bin per visit for essentially the same service, therefore those Town/parish councils paying the £5.00 rate are being charged more than 2.7 times those paying the lower rates, a situation that is self-evidently unfair, unreasonable and unsustainable.
3. The current pricing effectively means that some town and/or parish councils, those paying the least, are being subsidised by EDDC while those paying the highest fees are making a net contribution to EDDC at the expense of their Town/parish Council Tax precept payers, while those same tax payers contribute to the cost of supporting the loss-making Streetscene service, so pay twice. This is clearly inequitable.

A single uniform charge will address the lack of fairness and create a simple and transparent pricing structure for all Town and Parish councils. It is proposed to introduce this for the 2023/24 financial year.

Proposed by Cllr Kevin Blakey

Seconded by Cllr Kim Bloxham

Supported by Cllrs Sam Hawkins, Paul Millar, Paul Jarvis

14 **Motion: Equalities Policy**

This council notes:

That the EDDC Cabinet agreed a new Equalities Policy on 9th June 2021. This is a key Corporate objective and the policy sets out how the Council will meet its critical legal duties under the Equalities Act 2010. This new policy is a framework to improve and maintain standards and to ensure accountability to residents. The policy covers the nine protected characteristics comprising: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

That the rights of these groups are important to EDDC and this is reflected in the detailed policy link [Equality Policy and Objectives 2021-2025 - What are the equality duties? - East Devon](#)

That since June 2021 no annual cabinet reviews of the Policy have been completed. Since June 2020 only two detailed equalities assessments have been included in resolutions reviewed and passed. No equalities report, for instance, was included in the review of car park charges or the new cultural strategy. Since June 2021 no evidence was provided to Council or in Cabinet reports to justify the rating given to equality impact.

That the Council do not appear to be following their own policy, may not comply with the law and are not safeguarding those residents that the policy was designed to safeguard.

This council resolves to:

Always follow the Equalities Act of 2010 and protect those people that come under the nine characteristics.

With immediate effect, include a detailed report to accompany all decisions to be approved by the Executive that confirms all impact assessments on equalities at each report to Council or Cabinet

Ensure all officers have the right training to complete the equalities assessment

Ask the LGA to carry out an Equality peer challenge to ensure the Council are complying with the Equalities Act and are properly considering the nine groups listed in the Act.

Proposed by Cllr Philip Skinner

Seconded by Cllr Ben Ingham

Supported by Cllrs Richard Lawrence, Bruce de Saram, Mike Allen, Helen Parr, Andrew Moulding, Marcus Hartnell

15 **Motion: Proportional Representation**

First Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men. Until 1929 only men and women with a set amount of assets could vote- everyone else was excluded from the democratic process.

First past the post, whilst regularly touted as producing more stable governments, also enables outright governance by minority governments, effectively giving carte blanche to a party to do what it likes on our behalf with the safe knowledge that nothing can stop them.

Our most recent Conservative government was elected with an 80 seat majority on only 29.34% of the available votes, including the abstentions that are fostered

by the “safe seat” scenario. In this council’s view, there should be no safe seats, and MPs should be accountable at the ballot box both for what they get right and what they get wrong.

In Europe, only the UK and authoritarian Belarus still use single-round FPTP for general elections. Meanwhile, internationally, Proportional Representation (PR) is used to elect parliaments in more than 80 countries.

PR ensures all votes count, have equal value, and those seats won match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and protected characteristics of local communities and the nation.

Electing MPs who are more representative of their communities leads to improved decision-making, wider participation and increased involvement in the decisions taken.

PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. PR also prevents ‘wrong winner’ elections such as occurred in 1951 and February 1974.

PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. So why not Westminster?

Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral laws to enable Proportional Representation to be used for general elections.

This council resolves to write to H.M. Government to call for radical and progressive change to our outdated electoral laws to enable Proportional Representation to be used for general elections.

Proposed by Cllr Eleanor Rylance

Seconded by Cllr Tony Woodward

Supported by Cllrs Paul Millar, Olly Davey, Jamie Kemp, Jake Bonetta, Paul Hayward, Paul Arnott, Joe Whibley

[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 Annual Council held at The Ocean Suite, Ocean, Queens Drive, Exmouth EX8 2AY on 19 May 2022****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 6.48 pm

1 Election of Chair of the Council for the ensuing year

The Chair, Cllr Ian Thomas, welcomed those present to East Devon District Council's Annual Council meeting on 19th May 2022. In the absence of the Vice Chair, Cllr Val Ranger, he invited Cllr Sam Hawkins to act in this role.

Before commencing the meeting he reminded those present that the Council was holding the meeting at the Ocean Suite in Exmouth in keeping with the current legal position for Local Authority meetings, which required it to meet physically to hold the Annual Council meeting to appoint the Chair and Vice Chair, the Leader and determine the Governance arrangements and appointments for the coming Civic Year. It was also meeting at this venue in order to continue to meet safely and with due regard to those who have ongoing concerns about their health or that of their colleagues.

He then invited nominations for the office of Chair of the Council for the ensuing year. Councillor Chris Wright proposed and Councillor Jess Bailey seconded Councillor Ian Thomas being elected Chair of the Council for the coming civic year. In proposing, Councillor Wright spoke of Councillor Thomas's integrity and fair approach across the political divide. He acted professionally and ensured business was done in person or via Zoom and was an active face to residents and organisations across the District.

In seconding, Councillor Bailey said that Cllr Thomas had been an excellent Chair over the past year and always struck the right balance between being firm and fair.

Cllr Thomas asked for other nominations.

There were no other nominations so Cllr Thomas invited members to confirm the re-appointment of himself, Cllr Thomas as the Chair of Council.

Following a vote by show of hands, Cllr Thomas was duly elected by a majority of those present.

RESOLVED

that Councillor Ian Thomas be elected Chair of the Council for the ensuing year.

Following the election, Councillor Thomas read, and signed the Declaration of Acceptance of Office.

He then thanked his proposer and seconder and other Members for their endorsement, and for attending the meeting at Ocean.

2 **Appointment of Vice Chair of the Council for the ensuing year**

The Chair invited nominations for the appointment of Vice-Chair of the Council for the ensuing year.

Councillor Eleanor Rylance proposed and Councillor Olly Davey seconded Councillor Val Ranger being appointed to continue as Vice-Chair of the Council for the coming civic year.

In proposing, Councillor Rylance stated that Cllr Ranger chaired fairly and had been an excellent support to Cllr Thomas as Chair over the last year. She said she was the embodiment of the Nolan principles, and would have been present at the meeting if the date had not had to be changed.

In seconding, Councillor Davey stated that Councillor Ranger was always well prepared for meetings, that she had an incisive mind and a keen eye for detail. She would be an excellent Vice Chair.

The Chair invited further nominations.

There were no other nominations.

Following a vote by show of hands, Councillor Ranger was duly elected by a majority of those present.

RESOLVED

that Councillor Val Ranger be appointed Vice-Chair of the Council for the ensuing year.

3 **Public Speaking**

The Chair welcomed members of the public and invited questions or comments.

There were no members of the public wishing to speak.

4 **Minutes of the previous Council meeting**

Following a vote of those present, the minutes of the meeting of the Full Council held on 20th April 2022, and the Extraordinary meeting of Council on 3rd May 2022 were agreed as a true record.

5 **Declarations of interest**

No declarations were announced.

6 **Matters of urgency**

There were no urgent items.

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

There were none.

8 **Announcements from the Chair**

The Chair made three brief announcements.

Firstly he thanked all Members who had installed Jubilee Oak Plaques as a gift from EDDC to local Towns and Parishes, and stated that all remaining plaques were available for collection from The Ocean Suite at this Annual Council Meeting. He reiterated that it would be good to ensure that all plaques were installed either before or during the Platinum Jubilee Weekend, as part of a well-received initiative across East Devon.

Secondly, he gave a brief update on the Ukrainian Refugee situation. EDDC were continuing to work collaboratively with DCC and other Devon districts to deliver the role that the Government had prescribed for local authorities in the effort to provide safe refuge for people fleeing the invasion of Ukraine.

As part of the Government's Homes for Ukraine Scheme, the Council was continuing to carry out accommodation checks on the suitability of properties across the District, with 56 inspections completed and a further 29 visits booked. To date it was aware of approximately 95 arrangements in East Devon with sponsor or Host families, which would translate into about 300 Ukrainian guests.

The Revenue and Benefits team were continuing to administer subsistence payments to refugees and sponsor households, and payments had been made to 67 individuals and 28 households. 22 Host families have applied for the monthly support payments.

Within the coming few days EDDC would be finalising its offer of welcome support and ongoing support for Ukrainians and sponsor families, having been working with the East Devon branch of CAB on this and would be commissioning them to provide the support required. Cabinet have been consulted on the details of this arrangement and how it is intended to be managed.

EDDC would also be providing support to the newly established 'Devon for Ukraine' Charity, which would be provided in a few ways as the Charity was already assisting people from East Devon and EDDC is keen to ensure they were able to continue to do so. The Charity have established a pop up 'Conversation Café' in Exeter and members of the existing Ukrainian community were pro-actively supporting and running this. This was creating a useful 'hub' where support services could also base themselves in order to provide support on a wider scale to those that need it.

EDDC visited the Conversation Café this week and took the opportunity to thank the charity for the outstanding work they were undertaking to help sponsors and Ukrainians who were in East Devon.

There is continuing concern about the breakdown of sponsorship arrangements and the housing team were working closely with the County and others to establish a process for re-matching Ukrainians with alternative hosts, recognising the need to do everything we could to prevent homelessness approaches although inevitability this was predicted over the coming weeks/months.

Finally, in relation to former Cllr John Humphreys. The Chair said that nobody would forget the shock of hearing that former East Devon District Councillor, John Humphries had been convicted and sentenced to 21 years in prison, for sexual offences against two young boys between 20 and 30 years earlier. Enduring thoughts remain for the victims and how a large part of their lives had been dominated by the unimaginable, despicable actions of Mr Humphreys.

On 18th December 2019, Council had bestowed the honour of Honorary Alderman on John Humphreys. His conviction in August 2021 demonstrated this to be a fundamental, dreadful mistake. On 7th September 2021, the Chair convened an Extraordinary General Meeting of Council, which moved unanimously to correct that error, by rescinding the award with immediate effect.

On 20th April 2022, Full Council resolved that the Chief Executive provide a report to Cabinet which would consider commissioning an independent investigation, or enquiry by an appropriate independent body. The Chair confirmed that work on this report was in progress.

The CEO has written to all Group Leaders, seeking their views on the proposed terms and scope of an independent investigation or inquiry. Replies had been received. The CEO was now preparing Instructions to Counsel, seeking legal advice on how action on the resolution of Council might progress. The Chair expected his report to be presented to Cabinet on 13th July 2022.

9 **Election of leader of the Council for the ensuing year**

The Chair invited nominations for the role of Leader of the Council.

Councillor Dan Ledger proposed Councillor Paul Arnott as Leader of the Council for the ensuing year. This proposal was seconded by Councillor Brenda Taylor.

In proposing, Councillor Ledger spoke about how Cllr Arnott had introduced greater transparency, facilitated joint working, such as required by the joint infrastructure plan, and had been at the forefront of Council change. He had focussed on all areas across the district, including Cranbrook.

In seconding, Councillor Taylor said that Cllr Arnott would continue to provide good leadership over the ensuing year.

The Chair asked if there were other nominations for the role of Leader.

There were no other nominations.

Following a vote by show of hands, Councillor Arnott was duly elected by a majority of those present.

RESOLVED

that Councillor Paul Arnott be elected as Leader of the Council for the ensuing year 2022-23.

In response to his election, Councillor Arnott thanked his proposer and seconder, and all those supporting his nomination.

10 **Leader's appointment of the Deputy Leader of the Council**

The Leader confirmed his appointment of Councillor Paul Hayward as Deputy Leader of the Council going forward.

In response to his appointment Councillor Hayward said that he was delighted to accept the role for another year.

11 **Leader's appointment to Cabinet**

The Leader thanked the Chair and Vice Chair for the measured approach that they had adopted in their roles over the past year, dealing with some of the worst challenges facing Local Government.

He went on to advise the Members of Cabinet, namely;

Councillor Paul Hayward to be the Economy & Assets Portfolio Holder, and Councillor Geoff Pratt to be Assistant Portfolio Holder.

Councillor Marianne Rixson to be the Climate Action & Emergency Portfolio Holder, and Councillor Denise Bickley to be Assistant Portfolio Holder.

Councillor Geoff Jung to be the Coast, Country & Environment Portfolio Holder, and Councillor Eleanor Rylance to be Assistant Portfolio Holder.

Councillor John Loudoun to be the Council & Corporate Coordination Portfolio Holder, and Councillor Eileen Wragg to be Assistant Portfolio Holder.

Councillor Nick Hookway to be the Tourism, Sport, Leisure & Culture Portfolio Holder

Councillor Sarah Jackson to be the Democracy, Transparency & Communications Portfolio Holder.

Councillor Jack Rowland to be the Finance Portfolio Holder.

Councillor Paul Arnott to be the Strategic Planning Portfolio Holder

Councillor Dan Ledger to be the Sustainable Homes and Communities Portfolio Holder, and Councillor Sarah Chamberlain to be Assistant Portfolio Holder.

The Leader thanked Councillor Megan Armstrong for all of her hard work in establishing and developing the work of the Poverty Working Panel.

He then thanked Officers who had set up the Annual Council meeting in 2022 and for their support throughout the past year.

He then outlined his priorities for the coming civic year, in keeping with the three Council Plan priorities to develop and maintain a strong economic infrastructure, address the shortage of supply of homes and join up the policies and actions around climate change.

12 **Governance arrangements and appointments for the Civic Year (2022/23)**

The Chair invited Members to consider a report by the Chief Executive and Monitoring Officer to enable the Council to formalise its governance arrangements for the remainder of the civic year (2022/23).

The report recommended changes to the Constitution, sought confirmation of the Committees and their size and terms of reference and agreement to the scheme of delegations. There is a specific requirement to agree the composition of the Standards Committee and Housing Review Board. Committee.

It dealt with the allocation of seats on overview, regulatory and other committees to different political groups of seats in accordance with the political balance of the Council. It also sought to agree the makeup of the advisory panels and forums and joint bodies.

It also covered the councillor appointments to committees, panels, forums, joint bodies and outside bodies together with the appointment of the Chairs and Vice-Chairs of committees.

The Monitoring Officer outlined a number of changes to membership of the Panels, Forums and Joint Bodies largely as a result of changes within Cabinet. Specifically that Cllr Arnott will be taking on the Strategic Planning portfolio and becoming Chair of Strategic Planning Committee, and Cllr Ledger will be taking on the Sustainable Homes & Communities portfolio. If approved, Cllr Allen will become Chair of Scrutiny Committee and Cllr Whibley will be replaced on the Poverty Working Panel by Cllr Armstrong to ensure it is cross-party.

There were eleven recommendations contained within the report and the Chair stated that he would move the recommendations one by one from the Chair, inviting comments and agreement.

The Chair moved to **PART A Recommendation 1**, and invited comments.

There were no comments and following a vote, the recommendation was carried by the majority of those present.

RESOLVED;

That Council approved the amended Constitution to determine the committee structure, their size and terms of reference and the scheme of delegations.

The Chair then moved to **PART A Recommendation 2**, and invited comments.

There were no comments and following a vote, the recommendation was carried by the majority of those present.

RESOLVED;

That Council agreed to the convening of the Independent Remuneration Panel to review the Members Allowance Scheme and delegated authority to the Strategic Lead Governance & Licensing to progress arrangements including recruitment of panel members as necessary.

The Chair then moved to **PART B RECOMMENDATION 3**.

There were no comments and following a vote, the recommendation was carried by the majority of those present.

RESOLVED;

That Council confirmed the Conservative Group as the formal opposition.

The Chair now moved to **PART C RECOMMENDATION 4**,

Following a vote, the recommendation was carried by the majority of those present.

RESOLVED;

That Council approved the allocation to different political groups of seats on the overview, regulatory and other committees as follows;

| | | | |
|-------------------------------|------------|------|-----------|
| Democratic Alliance Group | 23 members | 39% | 44 Seats |
| Conservative Group | 22 members | 37% | 42 Seats |
| The Independents | 5 members | 8% | 9 Seats |
| Independent Progressive Group | 3 members | 5% | 6 Seats |
| Cranbrook Voice | 3 members | 5% | 6 Seats |
| Labour Group | 2 members | 3% | 4 Seats |
| Independent (Independent) | 2 members | 3% | 0 Seats |
| TOTALS | 60 members | 100% | 111 Seats |

The Chair moved to **PART C RECOMMENDATION 5,**

Following a vote, the recommendation was carried by the majority of those present.

RESOLVED;

That Council approved the allocation of seats on individual overview, scrutiny, regulatory and other committees as set out in *Appendix 1*.

The Chair moved to **PART D RECOMMENDATION 6.**

Following a vote the recommendations were carried by a majority of those present.

RESOLVED;

That Council, agreed the makeup of the advisory Panels, Forums and Joint Bodies as set out in *Appendix 2* with the amendments identified by the Monitoring Officer and with delegated authority given to the Monitoring Officer to make any consequential changes arising from the additional Assistant Sustainable Homes & Communities Portfolio Holder Post.

The Chair moved to **PART E RECOMMENDATION 7.**

Following a vote the recommendation was carried by a majority of those present. It was noted that one of the Independent Community Representatives' names had been misspelt and it should be Rob Robinson.

RESOLVED;

That Council, agreed the Membership of the Standards Committee and Housing Review Board (as detailed in Part E of the report).

The Chair moved to **PART F RECOMMENDATION 8.**

The Monitoring Officer advised of one vacancy on the Planning Committee that members needed to vote on. Following a vote between Cllr Bruce and Cllr Rylance, it was confirmed that Cllr Rylance would take the seat.

Members were asked to approve the appointments of Councillors to committees as set out in the table in *Appendix 3* with Cllr Rylance added to the Planning Committee.

Following a vote, the recommendation was carried by a majority of those present.

RESOLVED;

That Council approved the appointments of Councillors to committees as set out in the table in *Appendix 3*, following the addition of Cllr Rylance being made to membership of the Planning Committee, as stated above.

The Chair moved to **PART G RECOMMENDATION 9**

Members were asked to approve the appointments of the Chairs and Vice-Chairs of the committees as set out in *Appendix 4* with Cllr Arnott replacing Cllr Ledger as the Chair of Strategic Planning Committee.

Following a vote, the recommendation was carried by a majority of those present.

RESOLVED;

That Council approved the appointments of the Chairs and Vice-Chairs of the committees as set out in *Appendix 4*.

The Chair moved to **PART H RECOMMENDATION 10**

The Monitoring Officer advised of one vacancy on the Recycling and Waste Partnership Board that members needed to vote on. Following a vote between Cllr Bonetta and Cllr Kemp, it was confirmed that Cllr Kemp would take the seat.

Members were asked to approve the appointments for the various positions on the Panels, Forums and Joint Bodies as detailed in the document at *Appendix 5* with the additional change identified by the Monitoring Officer and Cllr Kemp added to the Recycling and Waste Partnership Board.

Following a vote, the recommendation was carried by a majority of those present.

RESOLVED;

That Council agreed on the appointments for the various positions on the panels, forums and joint bodies as detailed in the document at *Appendix 5*, following the addition of Cllr Kemp being made to membership of the Recycling and Waste Partnership Board and Cllr Armstrong replacing Cllr Whibley on the Poverty Working Panel.

The Chair moved to **PART I RECOMMENDATION 11**

Following a vote, the recommendation was carried by a majority of those present.

RESOLVED;

That Council agreed on the appointments for the various positions on the outside bodies as detailed in the document at *Appendix 6*.

13 **Member Champion Reports 2021/22**

The Chair invited members to consider the Annual reports of the four Member Champions and comment accordingly.

In the absence of comments he moved that the reports were duly received and noted.

Following a vote the reports were duly received and noted.

RESOLVED;

That Council received and noted the Annual Reports of the Member Champions.

14 **Programme of ordinary meetings of the Council, Cabinet and Committees for 2022/23**

The Chair moved the recommendation and asked Councillors to agree the programme of meetings for the civic year.

Following a vote, the recommendation was carried by a majority of those present.

RESOLVED

that the programme of ordinary meetings of the Council, Cabinet and Committee meetings for 2022/23 be approved as set out on pages 64-65 of the agenda.

The Chair then declared the meeting closed and thanked everyone for their attendance.

The meeting ended at 6.48pm.

Attendance List
Councillors present:
S Jackson
P Arnott

K Blakey
F Caygill
A Colman
T Woodward
N Hookway
C Wright
O Davey
J Whibley
V Johns
D Ledger
J Rowland
J Loudoun
D Bickley
J Bailey
P Hayward
K Bloxham
S Hawkins
E Wragg
G Jung
C Brown
M Chapman
I Chubb
A Dent
P Faithfull
C Gardner (Chair)
S Gazzard
M Hartnell
B Ingham
D Manley
A Moulding
H Parr
G Pratt
M Rixson
E Rylance
P Skinner
B Taylor
I Thomas
D Barrow
T Wright
S Hughes
R Lawrence

Councillors also present (for some or all the meeting)

Officers in attendance:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Andrew Hopkins, Communications Consultant
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

- M Armstrong
- P Jarvis
- S Chamberlain
- P Millar
- M Allen
- I Hall
- D Key
- G Pook
- V Ranger
- B De Saram
- P Twiss

Chairman

Date:

APPENDIX 1 MEMBERSHIP OF COMMITTEES – SEATS AND PROPORTIONAL BALANCE 2022/23

| Number in Group % of Council membership | Scrutiny (15 seats) | Overview (13seats) | Housing Review Board (5 seats) | Strategic Planning (15 seats) | Planning Committee (16 seats) | Audit and Governance (10 seats) | Standards Committee (*7 seats) | Personnel Committee (*15 seats) | Licensing & Enforcement (15 seats) | 111 total seats |
|--|------------------------|-----------------------|--------------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|--------------------------------------|---------------------------------------|--|--------------------|
| 23 Democratic Alliance Group (39%) | 6 | 5 | 2 | 6 | 6 | 4 | 3 | 6 | 6 | 44 |
| 22 Conservative Group (37%) | 5 | 5 | 2 | 6 | 6 | 4 | 2 | 6 | 6 | 42 |
| 5 The Independents (8%) | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 |
| 3 Independent Progressive Group (5%) | 1 | 1 | 0 | 1 | 1 | 0 | 1 | 1 | 0 | 6 |
| 3 Cranbrook Voice (5%) | 1 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 1 | 6 |
| 2 Labour Group (3%) | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 4 |
| 2 Independent (3%) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

NOTE:

1. The **Cabinet** is not shown on the above table as it is not a legal requirement for the political balance rules to apply.

* These committees have a substitute member for each political group allocated a seat or seats

Appendix 2

Makeup of Panels, Forum and Joint Bodies 2022/23

| Panels and Forums | Composition 2022/23 | Appointments to be made at Council meeting |
|---|--|--|
| <p>1. Asset Management Forum</p> <p>(Three Cabinet Members, two Assistant Portfolio Holders and one ex officio Councillor)</p> | <p>Portfolio Holders: Economy & Assets (Chair) Finance Strategic Planning</p> <p>Assistant Portfolio Holders: Coast, Country & Environment Economy & Assets</p> <p>ex officio: Leader</p> | None |
| <p>2. Community Grant Panel</p> <p>(One Cabinet Member and six Councillors)</p> | <p>Portfolio Holder: Finance (Chair)</p> <p>Cllrs: Six</p> | Six Councillors |
| <p>3. Community Infrastructure Levy (CiL) Working Group</p> <p>(Three Cabinet Members, Vice Chair of Strategic Planning Committee, Chair & Vice Chair of Planning Committee and four Councillors)</p> | <p>Portfolio Holders: Strategic Planning Economy & Assets Sustainable Homes & Communities</p> <p>Strategic Planning Committee: Vice Chair (Chair)</p> <p>Planning Committee: Chair Vice Chair</p> <p>Cllrs: Four</p> | Four Councillors |
| <p>4. Budget Setting and Capital Allocations Panel</p> <p>(The Cabinet, Assistant Portfolio Holders plus five Councillors)</p> | <p>Leader</p> <p>Portfolio Holders: Climate Action & Emergency Response Coast, Country & Environment Council & Corporate Coordination Democracy, Transparency & Communications Economy & Assets Finance (Chair) Strategic Planning Sustainable Homes & Communities Tourism, Sport, Leisure & Culture</p> | Five Councillors |

Appendix 2

Makeup of Panels, Forum and Joint Bodies 2022/23

| | | | |
|---------------------|---|--|---|
| | | Assistant Portfolio Holders: Climate Action & Emergency Coast, County & Environment Council & Corporate Co- ordination Economy & Assets | |
| | | Cllrs: Five | |
| 5. | LED Monitoring Forum (Six Cabinet Members, Member Champion for Sports and Leisure, four councillors) | Leader Portfolio Holders: Finance Coast, Country & Environment Council & Corporate Co- ordination Economy & Assets Tourism Sport, Leisure & Culture | Five Councillors |
| | | Cllrs: Five | |
| 6. | Member Development Working Party (Three Cabinet Members, and five Councillors) | Leader Portfolio Holder: Democracy, Transparency & Communication (Chair) Council & Corporate Co- ordination Member Champion: Mental Health | Five Councillors |
| | | Cllrs: Five | |
| 7. | Poverty Working Panel (One Cabinet Member and nine Councillors) | Portfolio Holders: Sustainable Homes and Communities (Chair) Cllrs: Nine | Nine Councillors |
| Joint Bodies | | EDDC Appointees | Appointments to be made at the Council meeting |
| 8. | Arts & Culture East Devon (ACED) Network | Portfolio Holder: Tourism, Sport, Leisure & Culture | Four Councillors |

Appendix 2

Makeup of Panels, Forum and Joint Bodies 2022/23

| | | | |
|-----|--|---|---|
| | (One Cabinet Member, One Assistant Portfolio Holders and four Councillors) | Assistant Portfolio Holders: Coast, Country & Environment Cllrs: Four (Chair) (plus 2 Community & 7 town representatives) | |
| 9. | County Committees including: East Devon Highways and Traffic Orders Committee (Three Councillors) | Cllrs: Three | Three Councillors |
| 10. | Cranbrook Strategic Delivery Board (One Cabinet Member and three Ward Member) | Portfolio Holder: Strategic Planning Ward Member: Cranbrook x 3 | Ward Member: Cranbrook x 3 |
| 11. | East Devon Gypsy & Traveller Forum (One Cabinet Member, One Ward Member and one Councillor) | Portfolio Holder: Sustainable Homes & Communities (Chair) Ward Member: Cranbrook x 1 Cllr: One | Ward Member: Cranbrook x 1 One Councillor |
| 12. | East and Mid Devon Community Safety Partnership (One Councillor) | Cllrs: One | One Councillor |
| 13. | Exeter and East Devon Enterprise Zone Board (One Cabinet Member) | Leader | None |
| 14. | Exmouth Beach Management Plan Steering Group (Three Cabinet Members, two Assistant Portfolio | Portfolio Holders: Coast, County & Environment Climate Action & Emergency Response Tourism, Sport, Leisure & Culture Assistant Portfolio Holders: | Seven Exmouth Ward Councillors comprising: Exmouth Brixington x1 Exmouth Halsdon x 1 Exmouth Littleham x 2 Exmouth Town x 2 Exmouth Withycombe Raleigh x |

Appendix 2

Makeup of Panels, Forum and Joint Bodies 2022/23

| | | | |
|-----|---|--|--|
| | Holders, and seven Exmouth Ward Members) | Coast, Country & Environment Climate Action & Emergency Response | 1 |
| | | Ward Members: Exmouth Brixington x1 Exmouth Halsdon x 1 Exmouth Littleham x 2 Exmouth Town x 2 Exmouth Withycombe Raleigh x 1 | |
| 15. | Exmouth Queens Drive Delivery Group (Five Cabinet Members and seven Ward Members) | Leader (Vice Chair) Portfolio Holders: Economy & Assets Finance Strategic Planning Tourism, Sports, Leisure and Culture (Chair) | Seven Exmouth Ward Councillors comprising; Brixington Ward x1 Halsdon Ward x 1 Littleham Ward x 2 Town Ward x 2 Withycombe Raleigh Ward x 1 |
| | | Ward Members: Exmouth Brixington x1 Exmouth Halsdon x 1 Exmouth Littleham x 2 Exmouth Town x 2 Exmouth Withycombe Raleigh x 1 | |
| 16. | Heart of the South - West Joint Committee (Two Cabinet Members) | Leader Deputy Leader | None |
| 17. | Lower Exe Mooring Authority Management Committee (Two Councillors) | Cllrs: Two (plus substitute) | Two Councillors Sub: One Councillor |
| 18. | Recycling and Waste Partnership Board (Two Cabinet Members, two Assistant Portfolio Holders and two Councillors) | Portfolio Holder: Coast, Country & Environment (Chair) Climate Action & Emergency Response Assistant Portfolio Holders: Coast, Country & Environment Climate Action & Emergency Response Cllrs: Two | Two Councillors |

Appendix 2

Makeup of Panels, Forum and Joint Bodies 2022/23

| | | | |
|-----|--|---|---|
| 19. | Sidmouth Beach Management Plan Steering Group (Two Cabinet Members, two Assistant Portfolio Holders and four Sidmouth Ward Members) | Portfolio Holder: Coast, Country & Environment (Chair) Climate Action & Emergency Response Assistant Portfolio Holder: Coast, Country & Environment Climate Action & Emergency Response Ward Members: Sidmouth Town Ward Members Sidmouth Rural Sidmouth Sidford x 1 | Ward Councillor: Sidmouth Sidford x 1 |
| 20. | Sidmouth Port Royal Project Reference Group (Two Councillors representing the Sidmouth Wards) | Cllrs: Two (representing Sidmouth Wards) | Ward Councillors: Sidmouth Wards x 2 |
| 21. | South East Devon Habitat Regulations Executive Committee (One Cabinet Member) | Portfolio Holder: Coast, Country & Environment (substitute – Vice Chair of Strategic Planning Committee) | None |
| 22. | STRATA Joint Executive Committee (EDDC, Exeter City and Teignbridge authorities) (One Cabinet Member and CEO) | Leader Chief Executive (substitute: Portfolio Holder: Council & Corporate Co-ordination) | None |
| 23. | STRATA Joint Scrutiny Committee (EDDC, Exeter City and Teignbridge authorities) (Three Councillors) | Cllrs: Three (substitutes: three Councillors) | Three Councillors (Sub: Three Councillors) |
| 24. | Woodbury, Exmouth & Budleigh (WEB) Community Health and Wellbeing Board | Portfolio Holder: Sustainable Homes & Communities | Substitute: Ward Member from Budleigh & Raleigh, Exmouth or Woodbury |

Appendix 2

Makeup of Panels, Forum and Joint Bodies 2022/23

(One Cabinet Member) (substitute: Ward Member from Budleigh & Raleigh, Exmouth or Woodbury & Lympstone) & Lympstone)

NOTES:

1. The Council is required to appoint 'designated persons' to comply with the arrangements (introduced in 2014) for dealing with complaints by tenants – the designated persons to work alongside the Tenant Complaint Panel.

2022/23 'designated persons' are Cllrs [*Three Councillors to be appointed*].

Appendix 3

Membership of Committees 2022/23

| Members of Cabinet and Committees 2022/23 | Cabinet 10 | Scrutiny 15 | Overview 13 | Housing Review Board 5 | Strategic Planning 15 | Planning 16 | Standards 7 | Audit & Governance 10 | Licensing & Enforcement 15 | Personnel 15 |
|---|---------------|----------------|----------------|------------------------------|--------------------------|----------------|----------------|-----------------------------|----------------------------------|-----------------|
| Johns Vicky | | | Chair | | | | | | | |
| Jung Geoff | | | | | | | | | | Sub |
| Kemp Jamie | | | | | | | | | | |
| Key David | | | | | | | | | | |
| Lawrence Richard | | | | | | | | | | |
| Ledger Dan | | | | | | | | | | |
| Loudoun John | | | | | | | | | | |
| Manley Dawn | | | | | | | | | | |
| McCollum Tony | | | | | | | | | | |
| Millar Paul | | | | | | | | | | |
| Moulding Andrew | | | | | | | | | | |
| Page Helen | | | | | | | | | | Sub |
| Pepper Christopher | | | | | | | | | | |
| Pock Geoff | | | | | | | | | | |
| Pratt Geoff | | | | | | | | | | |
| Ranger Val | | | | | | | | | | |
| Rixson Marianne | | | | | | | | | | |
| Rowland Jack | | | | | | | | | | |
| Rylance Eleanor | | | | | | | | | | |
| Skinner Philip | | | | | | | | | | |
| Taylor Brenda | | | | | | | | | | |
| Thomas Ian | | | | | | | | | | |
| Twiss Phil | | | | | | | | | | |
| Whibley Joe | | | | | | | | | | |
| Woodward Tony | | | | | | | | | | |
| Wragg Eileen | | | | | | | | | | |
| Wright Chris | | | | | | | | | | |
| Wright Tom | | | | | | | | | | |

Portfolio Holders: Climate Action & Emergency, Coast Country & Environment, Council & Corporate Co-ordination, Democracy Transparency & Communications, Economy & Assets, Finance, Strategic Planning, Sustainable Homes & Communities and Tourism Sports Leisure & Culture

Appendix 4

Chairs and Vice-Chairs 2022/2023

| Committees | Chairman | Vice-Chairman |
|------------------------------|-------------------|---|
| Overview Committee | Vicky Johns | Jake Bonetta |
| Scrutiny Committee | Mike Allen | Val Ranger |
| Housing Review Board | Sarah Chamberlain | To be appointed by Housing Review Board |
| Strategic Planning Committee | Paul Arnott | Olly Davey |
| Planning | Eileen Wragg | Sarah Chamberlain |
| Audit & Governance | Sam Hawkins | Nick Hookway |
| Standards | Chair of Council | No appointment required |
| Personnel Committee | Chair of Council | Val Ranger |
| Licensing and Enforcement | Joe Whibley | Kim Bloxham |

Appendix 5

Panels, Forum and Joint Bodies 2022/23

| Panels and Forums | Composition 2022/23 | Appointments |
|---|---|---|
| <p>1. Asset Management Forum</p> <p>(Three Cabinet Members, two Assistant Portfolio Holders)</p> | <p>Portfolio Holders: Economy & Assets (Chair) Finance Strategic Planning</p> <p>Assistant Portfolio Holders: Coast, Country & Environment Economy & Assets</p> | <p>Portfolio Holders: Economy & Assets (Chair) Finance Strategic Planning</p> <p>Assistant Portfolio Holders: Coast, Country & Environment Economy & Assets</p> |
| <p>2. Community Grant Panel</p> <p>(One Cabinet Member and six Councillors)</p> | <p>Portfolio Holder: Finance (Chair)</p> <p>Cllrs: Six</p> | <p>Portfolio Holder: Finance (Chair)</p> <p>Jess Bailey David Key John Loudoun Helen Parr Geoff Pook Val Ranger</p> |
| <p>3. Community Infrastructure Levy (CiL) Working Group</p> <p>(Three Cabinet Members, Vice Chair of Strategic Planning Committee, Chair & Vice Chair of Planning Committee and four Councillors)</p> | <p>Portfolio Holders: Strategic Planning Economy & Assets Sustainable Homes & Communities</p> <p>Strategic Planning Committee: Vice Chair (Chair)</p> <p>Planning Committee: Chair Vice Chair</p> <p>Cllrs: Four</p> | <p>Portfolio Holders: Strategic Planning Economy & Assets Sustainable Homes & Communities</p> <p>Strategic Planning Committee: Vice Chair (Chair)</p> <p>Planning Committee: Chair Vice Chair</p> <p>Mike Howe Geoff Pook Nick Hookway Phil Skinner</p> |
| <p>4. Budget Setting and Capital Allocations Panel</p> <p>(The Cabinet, Assistant Portfolio Holders plus five Councillors)</p> | <p>Portfolio Holders: Climate Action & Emergency Response Coast, Country & Environment Council & Corporate Co-ordination Democracy, Transparency & Communications Economy & Assets Finance (Chair) Strategic Planning Sustainable Homes &</p> | <p>Portfolio Holders: Climate Action & Emergency Response Coast, Country & Environment Council & Corporate Co-ordination Democracy, Transparency & Communications Economy & Assets Finance (Chair) Strategic Planning Sustainable Homes &</p> |

Appendix 5

Panels, Forum and Joint Bodies 2022/23

| | | | |
|----|--|---|--|
| | Communities Tourism, Sport, Leisure & Culture | Communities Tourism, Sport, Leisure & Culture | |
| | Assistant Portfolio Holders: Climate Action & Emergency Coast, County & Environment Council & Corporate Co- ordination Economy and Assets Sustainable Homes & Communities | Assistant Portfolio Holders: Climate Action & Emergency Coast, County & Environment Council & Corporate Co- ordination Economy and Assets Sustainable Homes & Communities | |
| | Cllrs: Five | Dean Barrow Kevin Blakey Vicky Johns Andrew Moulding Geoff Pook | |
| 5. | LED Monitoring Forum (Six Cabinet Members, and five councillors) | Leader Portfolio Holders: Finance Coast, Country & Environment Council & Corporate Co- ordination Economy and Assets Tourism, Sport, Leisure & Culture Cllrs: Five | Leader Portfolio Holders: Finance Coast, Country & Environment Council & Corporate Co- ordination Economy and Assets Tourism Sport, Leisure & Culture Denise Bickley Alan Dent Bruce De Saram Paul Millar Sam Hawkins |
| 6. | Member Development Working Party (Three Cabinet Members, Member Champion for Mental Health and five Councillors) | Leader Portfolio Holder: Democracy, Transparency & Communication (Chair) Council & Corporate Co- ordination Member Champion: Mental Health Cllrs: Five | Leader Portfolio Holder: Democracy, Transparency & Communication (Chair) Council & Corporate Co- ordination Member Champion: Mental Health Maddy Chapman Olly Davey Alan Dent Sam Hawkins |

Appendix 5

Panels, Forum and Joint Bodies 2022/23

| | | | |
|-----|--|---|---|
| | | | Dan Ledger |
| 7. | Poverty Working Panel (One Cabinet Member and nine Councillors) | Portfolio Holders: Sustainable Homes and Communities (Chair) Cllrs: Nine | Portfolio Holder: Sustainable Homes and Communities Mike Allen Megan Armstrong Jake Bonetta Maddie Chapman Bruce De Saram Sam Hawkins Paul Jarvis Marianne Rixson Tony Woodward |
| | Joint Bodies | EDDC Appointees | Appointments to be made at the Council meeting |
| 8. | Arts & Culture East Devon (ACED) Network (One Cabinet Member, One Assistant Portfolio Holders and Four Councillors) | Portfolio Holder: Tourism, Sport, Leisure & Culture Assistant Portfolio Holders: Coast, Country & Environment Cllrs: Four (Chair) (plus 2 Community & 7 town representatives) | Portfolio Holder: Tourism, Sport, Leisure & Culture Assistant Portfolio Holders: Coast, Country & Environment Olly Davey Bruce De Saram Andrew Moulding Joe Whibley (Chair) |
| 9. | County Committees including: East Devon Highways and Traffic Orders Committee (Three Councillors) | Cllrs: Three | Paul Hayward Mike Howe Val Ranger |
| 10. | Cranbrook Strategic Delivery Board (One Cabinet Member and three Ward Members) | Portfolio Holder: Strategic Planning Ward Member: Cranbrook x 3 | Portfolio Holder: Strategic Planning Kevin Blakey Kim Bloxham Sam Hawkins |
| 11. | East Devon Gypsy & Traveller Forum (One Cabinet Member, One Ward Member and one Councillor) | Portfolio Holder: Sustainable Homes and Communities (Chair) Ward Member: Cranbrook x 1 | Portfolio Holder: Sustainable Homes and Communities (Chair) Kim Bloxham |

Appendix 5

Panels, Forum and Joint Bodies 2022/23

| | | | |
|-----|---|--|--|
| | | Cllr: One | Eleanor Rylance |
| 12. | East and Mid Devon Community Safety Partnership | Cllrs: One | Jack Rowland |
| | (One Councillor) | | |
| 13. | Exeter and East Devon Enterprise Zone Board | Leader | Leader |
| | (One Cabinet Member) | | |
| 14. | Exmouth Beach Management Plan Steering Group | Portfolio Holders: Coast, Country & Environment Climate Action & Emergency Response Tourism, Sport, Leisure & Culture | Portfolio Holders: Coast, Country & Environment Climate Action & Emergency Response Tourism, Sport, Leisure & Culture |
| | (Three Cabinet Members, two Assistant Portfolio Holders, and seven Exmouth Ward Members) | Assistant Portfolio Holder: Coast, Country & Environment Climate Action & Emergency Response | Assistant Portfolio Holder: Coast, Country & Environment Climate Action & Emergency Response |
| | | Ward Members: Exmouth Brixington x1 Exmouth Halsdon x 1 Exmouth Littleham x 2 Exmouth Town x 2 Exmouth Withycombe Raleigh x 1 | Fred Caygill (Brixington) Olly Davey (Town) Bruce De Saram (Littleham) Brenda Taylor (Withycombe) Tony Woodward (Halsden) Eileen Wragg (Town) Chris Wright (Littleham) |
| 15. | Exmouth Queens Drive Delivery Group | Portfolio Holders: Economy & Assets Finance | Leader (Vice Chair) |
| | (Five Cabinet Members and seven Ward Members) | Strategic Planning (Vice Chair) Sustainable Homes & Communities Tourism, Sport, Leisure & Culture (Chair) | Portfolio Holders: Economy & Assets Finance Strategic Planning Tourism, Sport, Leisure & Culture (Chair) |
| | | Ward Members: Exmouth Brixington x1 Exmouth Halsdon x 1 Exmouth Littleham x 2 Exmouth Town x 2 Exmouth Withycombe Raleigh x 1 | Megan Armstrong (Halsden) Andrew Colman (Brixington) Olly Davey (Town) Bruce De Saram (Littleham) Brenda Taylor (Withycombe) Joe Whibley (Town) Chris Wright (Littleham) |

Appendix 5

Panels, Forum and Joint Bodies 2022/23

| | | | |
|-----|--|--|---|
| 16. | Heart of the South - West Joint Committee (Two Cabinet Members) | Leader Deputy Leader | Leader Deputy Leader |
| 17. | Lower Exe Mooring Authority Management Committee (Two Councillors) | Cllrs: Two (plus substitute) | Fred Caygill Brenda Taylor Sub: Bruce De Saram |
| 18. | Recycling and Waste Partnership Board (Two Cabinet Members, two Assistant Portfolio Holders and two Councillors) | Portfolio Holder: Coast, Country & Environment (Chair) Climate Action & Emergency Response Assistant Portfolio Holders: Coast, Country & Environment Climate Action & Emergency Response Cllrs: Two | Portfolio Holder: Coast, Country & Environment (Chair) Climate Action & Emergency Response Assistant Portfolio Holders: Coast, Country & Environment Climate Action & Emergency Response Jamie Kemp Tom Wright |
| 19. | Sidmouth Beach Management Plan Steering Group (Two Cabinet Members, two Assistant Portfolio Holders and four Sidmouth Ward Members) | Portfolio Holder: Coast, Country & Environment (Chair) Climate Action & Emergency Response Assistant Portfolio Holder: Coast, Country & Environment Climate Action & Emergency Response Ward Members: Sidmouth Town Ward Members Sidmouth Rural Sidmouth Sidford x 1 | Portfolio Holder: Coast, Country & Environment (Chair) Climate Action & Emergency Response Assistant Portfolio Holder: Coast, Country & Environment Climate Action & Emergency Response Denise Bickley (Town) Cathy Gardner (Town) John Loudoun (Rural) Stuart Hughes (Sidford) |
| 20. | Sidmouth Port Royal Project Reference Group (Two Councillors representing the Sidmouth Wards) | Cllrs: Two (representing Sidmouth Wards) | Cathy Gardner Stuart Hughes |

Appendix 5

Panels, Forum and Joint Bodies 2022/23

| | | | |
|-----|---|--|--|
| 21. | South East Devon Habitat Regulations Executive Committee (One Cabinet Member) | Portfolio Holder: Coast, Country & Environment (substitute – Vice Chair of Strategic Planning Committee) | Portfolio Holder: Coast, Country & Environment (substitute – Vice Chair of Strategic Planning Committee) |
| 22. | STRATA Joint Executive Committee (EDDC, Exeter City and Teignbridge authorities) (One Cabinet Member and CEO) | Leader Chief Executive (substitute: Portfolio Holder: Council and Corporate Co-ordination) | Leader Chief Executive (substitute: Portfolio Holder: Council and Corporate Co-ordination) |
| 23. | STRATA Joint Scrutiny Committee (EDDC, Exeter City and Teignbridge authorities) (Three Councillors) | Cllrs: Three (substitutes: three Councillors) | Nick Hookway Paul Millar Phil Twiss (Subs: Eleanor Rylance, Denise Bickley & Chris Pepper) |
| 24. | Woodbury, Exmouth & Budleigh (WEB) Community Health and Wellbeing Board (One Cabinet Member) | Portfolio Holder: Sustainable Homes & Communities (substitute: Ward Member from Budleigh & Raleigh, Exmouth or Woodbury & Lympstone) | Portfolio Holder: Sustainable Homes & Communities Substitute: Tom Wright |

NOTES:

1. The Council is required to appoint 'designated persons' to comply with the arrangements (introduced in 2014) for dealing with complaints by tenants – the designated persons to work alongside the Tenant Complaint Panel.

2022/23 'designated persons' are Cllrs Bruce De Saram, Paul Millar and Eileen Wragg.

Appendix 6

APPOINTMENTS ON OUTSIDE BODIES 2022/23

| | Name of Outside Body | Appointments 2022/23 | Portfolio Holders/ Lead – reporting link |
|-----|--|---|--|
| (a) | APPOINTMENTS: GENERAL | | |
| 1 | Blackdown Hills (AONB) Partnership Management Group | Paul Hayward | Coast, Country & Environment |
| 2 | Devon Rail Forum | Joe Whibley | Economy & Assets |
| 3 | Devon Authorities Strategic Waste Committee | Portfolio Holder: Coast, Country & Environment Substitute: Assistant Portfolio Holder Climate Action & Emergency Response | Coast, Country & Environment |
| 4 | SPACE (formerly Devon Youth Service) | Vicky Johns | Sustainable Homes & Communities |
| 5 | East Devon AONB Partnership | Geoff Pratt Marianne Rixson | Coast, Country & Environment |
| 6 | East Devon Citizens' Advice Bureau | Maddy Chapman Tony Woodward | Sustainable Homes & Communities |
| 7 | East Devon Transport, Research and Information Project (TRIP) Working Party/Management Group | Tony McCollum | Sustainable Homes & Communities |
| 8 | Action East Devon (formerly East Devon Volunteer Support Agency) | Megan Armstrong Tony McCollum | Sustainable Homes & Communities |
| 9 | Exe Estuary Management Group | Nick Hookway Substitute: Geoff Jung | Coast, Country & Environment |
| 10 | Exeter International Airport Consultative Group | Portfolio Holder: Economy & Assets | Economy & Assets / Coast, Country & Environment |
| 11 | Exeter Science Park Board of Directors: Exeter Science Park – Shareholder | Portfolio Holder: Economy & Assets (Director) Portfolio Holder: | Finance / Economy & Assets / Strategic Planning |

| | Name of Outside Body | Appointments 2022/23 | Portfolio Holders/ Lead – reporting link |
|----|---|---|--|
| | representative | Finance (Shareholder rep) | |
| 12 | Queens Drive Exmouth Community Interest Company | Maddy Chapman Paul Millar | Finance / Economy & Assets / Strategic Planning |
| 13 | Local Government Association General Assembly | Leader* (substitute: Deputy Leader) <i>*Leader is SW representative on district councillor network executive</i> | Council |
| 14 | Local Government Association Annual Rural Assembly | Leader (with vote) Deputy Leader (who can vote in the absence of Leader) | Council |
| 15 | Police and Crime Panel – Devon and Cornwall | John Loudoun Substitute: Ian Hall | Council |
| 16 | SWAP (South West Audit Partnership Ltd) | Chairman: Audit & Governance (Shareholder) Section 151 Officer (Director) | Finance |
| 17 | South West Councils - including Employers' Panel | Leader Deputy: Portfolio Holder – Council and Corporate Co- ordination | Council |
| 18 | SPARSE – Rural Special Interest Group | Leader Substitute: Portfolio Holder - Economy & Assets | Council |
| 19 | Sport England Local Delivery Plan Partnership Oversight Group | Portfolio Holder: Economy & Assets | Economy & Assets / Tourism, Sports, Leisure & Culture |

OUTSIDE BODIES - NOTE:

Further to the 2012 review undertaken initially by the Corporate Business Portfolio Holder's Think Tank and recommendations of the Overview and Scrutiny Committee which were supported by Cabinet at its meeting on 4 April 2012, formal appointment of councillor representatives to outside bodies will only now be made where the outside body meets one or more of the following criteria:

- a) The Council makes a financial contribution to the outside body;

- b) There is a clear need for the business of the outside body to be reported back to Council;
- c) The Council has a partnership relationship with the outside body

Council representatives formally appointed to outside bodies will engage with the relevant Portfolio Holder to ensure information is both fed back, and fed into, each outside body, panel and forum that meets the criteria for formal appointment.

In the case of outside bodies falling outside the criteria (including those listed below), the Democratic Services team will provide the contact details of the ward member(s)/member champion so that arrangements can be made direct;

- Active Honiton
- Budleigh Salterton Traffic Group
- Campaign to Protect Rural England (Devon Branch)
- Devon Conservation Group
- Devon County Agricultural Association's Council
- Devon Historic Buildings Trust
- East Devon Local Children's Trust
- Exmouth Local Nature Reserve Management Committee
- Honiton Community & Arts Centre Project Working Group
- Honiton Development Trust
- Norman Lockyer Observatory Management Committee
- Salisbury – Exeter Line side Consortium of Authorities
- Sidmouth Traffic Management Plan
- World Heritage Site Management Plan Steering Group

PATROLAJC – Parking and Traffic Regulations Outside London Adjudication Joint Committee (re Traffic Management Act 2004). No member appointment but the Council will continue to subscribe to this quasi-judicial body which appoints adjudicators to hear formal appeals against parking tickets in all councils (including EDDC) that use civil parking enforcement process.

List of meetings 2022-2023

Unless otherwise indicated meetings will normally be held online via the Zoom App. Meetings in orange are not open to the public and the public can be asked to leave other meetings on specified grounds.

| Meeting | 2022 | | | | | | | | | | 2023 | | | | |
|--|-------|---------|-----|-----------|------|-----|------------|------------|---------|-----|-----------|-----|-----------|------------|-----|
| | Day | Time | May | June | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May |
| Annual Council | Wed | 6.00pm | 19 | | | | | | | | | | | | 10 |
| Council | Wed | 6.00pm | | | 20 | | | 19 | | 7 | | 22 | | 19 | |
| Cabinet | Wed | 6.00pm | 4 | 8 | 13 | | 7 | 5 | 2 30 | | 4 | 1 | 1 29 | | 3 |
| Scrutiny Committee | Thu | 6.00pm | | 9 | 7 | | 8 | 6 | 3 | 1 | | 2 | 2 | 6 | |
| Overview & Scrutiny Committees joint budget meeting | Wed | 9.00am | | | | | | | | | 11 | | | | |
| Overview Committee | Thu | 6.00pm | | | 21 | | 15 | 13 | 10 | | 19 | | 23 | | |
| Strategic Planning Committee | Tue | 10.00am | | 7 | 12 | 9 | 6 | 4 | 1 | 6 | 10 | 7 | 7 | 4 | 2 |
| Planning Committee | Tue | 10.00am | | 14 28 | 26 | 30 | 27 | 25 | 29 | 20 | 31 | 28 | 28 | 25 | |
| Audit & Governance Committee | Thu | 2.30pm | | | 28 | | 22 | | 24 | | 19 | | 23 | | |
| Housing Review Board | Thu | 10.00am | | 16 | | | 15 | | 17 | | 12 | | 16 | | |
| Licensing & Enforcement Committee | Wed | 10.00am | | | 20 | | | | 16 | | | 8 | | 5 | |
| Standards Committee | Thu | 10.00am | | 23 | | | | 13 | | | 19 | | | 13 | |
| Personnel Committee | Tue | 10.00am | | | 5 | | | 11 | | | 17 | | | 11 | |
| Asset Management Forum | Tue | 9.30am | | 21 | | | 6 | | | 6 | | | 7 | | |
| Budget Setting and Capital Allocations Panel | Thurs | 9.30am | | 9 | | | 8 | | | 1 | | | 9 | | |
| South East Devon Habitat Regulations Executive Committee | Thu | 2.00pm | | | 28 | | | 27 | | | 26 | | | 27 | |
| Exmouth Queens Drive Delivery Group | Tues | 10.00am | 3 | | 19 | | 13 | | 1 | 13 | 24 | | 14 | | |
| Poverty Working Panel | Mon | 10.00am | | | 18 | | 19 | | 21 | | 30 | | 20 | | 22 |
| LED Monitoring Forum | Tue | various | | 28 6pm | | | 20 10am | | | | 17 6pm | | | 11 10am | |
| Recycling & Waste Partnership Board | Wed | 10.00am | | | 13 | | | 19 | | | 25 | | | 19 | |
| Arts & Culture Forum | Wed | various | | 15 2pm | | | | 12 10am | | | | | 1 10am | | |
| STRATA Joint Executive Committee | | 4.00pm | | | | | | | | | | | | | |
| STRATA Joint Scrutiny Committee | | 4.00pm | | | | | | | | | | | | | |

Council Meeting on 20th July 2022

Agenda Item No 8

Questions by Members to Full Council under Procedure rule 9.2

Question 1: Procedure Rule 9.2 to the Chair of Council from Councillor Peter Faithfull

- a. How much notice was given of the list of awards of the position of Alderman prior to the meeting at which the awards were given?
- b. Did any councillor of any party or group make any attempt to intervene or question the giving of the award of Alderman to John Humphreys.

Answer:

- a. An email was sent on 12 November 2019, as part of the original consultation with Group Leaders and for their consideration after a number of discussions had already been taking place on the matter since July, in readiness for an extraordinary meeting of Council which would have normally taken place in July. It was then put off until October, only to be deferred again to December due to the calling of the General Election. The process had been followed, just later than usual. The agenda for the Extraordinary meeting of Council on 18th December 2019 was issued on 9th December, and was well within the usual statutory deadlines.
- b. No. As you can see, there was plenty of time for comments or responses before the scheduled Extraordinary Council meeting, but there were none.

Question 2: Procedure Rule 9.2 to the Portfolio Holder for Economy and Assets from Councillor Marcus Hartnell

A request has been made to allow a school contract bus operator to use the EDDC owned site on Colyford Rd (next to the football club) for daytime parking during term time. Once actioned this will allow more space for visiting tourist coaches at the Underfleet Coach Park in the Town Centre. Can you advise me when the agreement will be available for the school bus operator to sign?

Answer:

At the request of Members, Officers had looked at possible EDDC sites to relocate the school buses. Our employment land at Colyford Road could perhaps be used short term, but might require a temporary planning consent, and Officers would be concerned at risk of public perception when we then end that agreement to do something different on the land. This site is in our levelling up bid and if that fails, by end of this calendar year we'd be looking at other opportunities to bring this site forward for redevelopment utilising the high level design and viability work in place now. It is understood that a permanent solution is required and this site is most likely not that. The Car Parks Manager is to investigate occupancy levels by school buses but also demand for spaces by tour buses to determine whether the Colyford Road site should be explored further.

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

To ask the Portfolio Holder for Sustainable Homes & Communities, how many Council houses in Exmouth currently lay empty?

Answer:

There are currently 45 voids in Exmouth as of the 14th July.

As Cllr Millar may know, the number of voids fluctuates daily with vacated properties coming into the system and newly refurbished properties being allocated to our residents. There have been a number of issues with voids throughout COVID-19 and especially in the last 12 months with the number of empty properties across our housing stock steadily increasing month on month. Some of these issues include shortages of labour and resource and some challenges around clearing debts on void meters, following our previous arrangement with British Gas coming to an end. We have reported this area of concern in detail to the last two meetings of the Housing Review Board and have included reference to our specific Action Plan that does detail specific work that is underway to review our void performance.

The Council has recently appointed a new contract manager for the integrated asset management contract and one of their main roles will be to focus on getting the number of voids across our stock down. I can confidently say that these issues are being addressed and I will go on record to say that we will have 50 more families in Council accommodation in the next 3 months than we do today with further improvements coming in the new year.

Question 4: Procedure Rule 9.2 to the Leader of the Council from Councillor Paul Millar

To ask the To ask the Leader of the Council, can he share on the public record the specific written instructions were given to the QC regarding the independent inquiry into the John Humphreys affair on behalf of the Council?

Answer:

I will ask the Chief Executive to review this request.

Question 5: Procedure Rule 9.2 to the Portfolio Holder for Democracy & Transparency from Councillor Paul Millar

To ask the Portfolio Holder for Democracy & Transparency, what was the total cost for the QC's advice to Council regarding the independent inquiry into the John Humphreys affair, and which budget did this come out of?

Answer:

Counsel's fee note is outstanding until members have had chance to consider the advice provided as there may be further work required if clarification is required. The relevant budget is the legal services budget.

Question 6: Procedure Rule 9.2 to the Portfolio Holder for Finance from Councillor Paul Millar

To ask the Portfolio Holder for Finance, regardless of whether Cabinet or Council 'owns' it, is the current administration still committed to making a Car Parking Strategy?

Answer:

Yes, the intention is to bring forward a Car Parking Strategy. We have recruited to the position of Parking Services Manager who will join us at the end of the month, and that individual will be involved in the preparation of the Strategy which we aim to bring to members for consideration by the end November 2022.

Question 7: Procedure Rule 9.2 to the Leader of the Council, Portfolio Holder for Finance, Portfolio Holder for Democracy & Transparency and Chair of Overview Committee from Councillor Paul Millar

To ask the Leader of the Council, Portfolio Holder for Finance, Democracy & Transparency and Chair of Overview, with reference to Overview Committee's recommendation seven months ago on 17th January, that "a working draft of the Car Parking Strategy be presented to the next Overview Committee to set timescales for a speedy adoption", why has a report not been forthcoming to provide the wider membership with the opportunity to contribute further ideas to a working draft prior to Cabinet debate and adoption, and do they agree that regardless of whether Cabinet or all sixty Members 'owns' the strategy, that the idea of the local authority having an overarching strategy on all aspects of parking policy - as Exeter does - is a sound one not least to minimise the potential for further sharp rises as caused by the 11 year period of fixed tariffs in the future and the issue becoming a cheap party political football as exploited by East Devon Conservatives representative Mike Goodman?

Answer:

Please refer to Answer 6 above.

Summary of recommendations being presented to Council that will resolve in an action being taken:

20 July 2022 (Minutes in full have been circulated and are available on line.)

| | |
|---|--|
| Cabinet – 4 May 2022 | |
| 224 Seaton Moridunum site | |
| RECOMMENDED | to Council; 4. That a budget of £15,000 be made available to provide additional technical resources to the Place, Assets & Commercialisation Service to ensure the ability to engage on technical matters regarding the work being undertaken at Fosseway Court. |

| | |
|--|--|
| Cabinet – 8 June 2022 | |
| 9 BUA - Honiton @50 | |
| RECOMMENDED | to Council; 2. A budget of £5,000 for the proposed celebrations. |
| 14 Re-use of Brixington capital fund for Axminster Skatepark leading to Play Strategy | |
| RECOMMENDED | to Council; 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. |
| 15 Colyton Leisure Centre - Proposals to restructure operating arrangements with school | |
| 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. |

Cabinet – [29 June 2022](#)

20 Axe Valley Project and Levelling Up Fund Round 2

RECOMMENDED

to Council;

7. To approve the £4m commitment of funding from the Council should the bid be successful.

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Cabinet held at Online via the Zoom app. on 4 May 2022****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 9.46 pm

211 Public speaking

Liz McLean spoke on minute 227 Car Park Issues. She said she and her husband owned a pet shop in Temple Street which was one of the main roads in Sidmouth. Along with other small businesses their customers used the limited free car parking spaces in Temple Street. She wanted to stress the impact of taking away such parking spaces on businesses that don't benefit being in the centre of the town. She asked whether feedback on previous free charging car parks that were now charging would be provided, to see if there had been any impact to local businesses.

Mike Goodman spoke on minute 226 UK Shared Prosperity Fund Prospectus. He stated that the Government had allocated £2.6bn to the Shared Prosperity Fund and that East Devon would receive £1.796m, this was a good opportunity to secure substantial funding over the next three years. He suggested that this would help businesses particularly retail, with improving skills, climate change and poverty a few areas identified for possible funding. He said the local partnership group was important and asked if Cabinet would consider adding South West Enterprise Partnership, Devon Wildlife Trust and the Chamber of Commerce to this list. He thought all three met the criteria and would add value to the group. He asked if tasks groups be considered to discuss specific local initiatives to collect feedback from across EDDC to what matters to them.

Mike Goodman also spoke on minute 227 Car Park Issues. He asked whether this was an opportunity to have a task and finish group to look at the wider future strategy of car parks. He said it was disappointing that EDDC would not allow the views of residents to be heard and a new strategy review would allow for this.

He challenged the lack of any documentation on equalities. He stated that EDDC's equalities policy plan said that Equality Impact Assessment form for key services and policy changes should be completed. Car parking was a key change and the well-being of residents was identified as a concern.

Robert Kathro spoke on minute 227 Car Park Issues. He acknowledged car parks was a complex issue and his specific concern was for motorhomes and overnight camping in Exmouth. He stated the policy and enforcement needed revision and review.

212 Minutes of the previous meeting

The minutes of the consultative meeting of Cabinet held on 30 March 2022 were agreed.

213 Declarations of interest

Min 223. Cranbrook Local Infrastructure Fund.
Councillor Paul Hayward, Personal, Has family members living in Cranbrook.

Min 224. Seaton Moridunum site.
Councillor Dan Ledger, Personal, Resident of Seaton and Seaton Town Councillor.

Min 224. Seaton Moridunum site.
Councillor Jack Rowland, Personal, Lobbied on Seaton issue and Ward Member.

Min 224. Seaton Moridunum site.
Councillor Marcus Hartnell, Personal, Seaton Town Councillor.

Min 224. Seaton Moridunum site.
Councillor Paul Hayward, Personal, Lobbied on Seaton issue and clerk to All Saints Parish Council, Chardstock Parish Council and Axminster Town Council.

Min 225. Axe Valley Project and Levelling Up Fund Round 2.
Councillor Dan Ledger, Personal, Resident of Seaton and Seaton Town Councillor.

Min 225. Axe Valley Project and Levelling Up Fund Round 2.
Councillor Jack Rowland, Personal, Ward Member.

Min 225. Axe Valley Project and Levelling Up Fund Round 2.
Councillor Paul Arnott, Personal, Lives in the Axe Valley and Coly Valley Ward Member.

214 **Matters of urgency**

The Chair made the following statement:

'Members and the public will be aware of the formal resignation today of the MP for much of the East Devon district, Mr Neil Parish. This was an unhappy matter and I will not add to the reams of commentary. For historical purposes I recommend Martyn Oates full interview with Mr Parish transmitted on BBC Politics South West last Sunday, still available on iPlayer. Long after all the tractor jokes have gone this will remain as the tragic record of a broken man. It is not possible to condone what he did in the chamber of the House of Commons but in his overnight decision to resign by Saturday morning and the astonishingly frank interview he gave, Mr Parish leaves a long political career having abided by the codes regarding resignation, so blithely ignored by his superiors in the Conservative Party.

However, my purpose in raising this tonight is that this of course has immediate side effects on the work of this district council. Some months ago, a meeting was fixed for last Friday morning from 10am-11am between me, as Leader at EDDC and Mark as our CEO, Neil Parish MP, and Simon Jupp MP. A first-rate agenda on matters of concern for the people of East Devon had been produced from the council end, and all was set fair. There was a poor start when Simon Jupp gave a late apology and didn't show up. Neil Parish, however, was there on Zoom and we had a good hour with a set of identified outcomes. This is what he agreed he would help us with:

- Mr Parish was to endorse our bid to government under the Levelling Up fund for major works on Seaton seafront, industrial units in Seaton, and regeneration projects in Axminster.
- He said he would personally fight on for the missing £1.6 million his and Mr Jupp's government promised they would help the council with two years ago if we kept LED running through the pandemic.
- He was going to work with us on the phosphate pollution into the River Axe which has led Natural England to say no more homes in Axminster can be built until that is mitigated. As a farmer, with all the problems of leaking slurry lagoons and fertiliser run offs from fields, he would have been a considerable figure in all this.

- We appealed to him to have a word with government about the huge strain put on a district council when it is suddenly asked to distribute energy rebate payments via the means of the council tax system.
- We asked, yet again, to help with a change to housing policy, especially what happens if we graft to create new social housing only for it to be privately purchased within a few years.

Mr Parish pledged to help us with all the above and I was grateful to him for the meeting, which was professional and civil. I have no doubt that he had no idea what was to befall him just a few hours later.

Thereafter as you may imagine I had an extremely busy weekend receiving calls from all and sundry. In particular, and although I have not the slightest interest in Twitter, I was advised by a number of sources that the Conservatives in this area had delated content on their twitter feeds, about which I could not care less.

However, one correspondent sent me an extraordinary photograph which had somehow survived this cull. It was from October or November 2019 and it was the selection meeting for the Conservative candidate for the December 2019 election published on the East Devon Conservatives own website.

This meeting was held at a school; Exmouth Community College. It was moderated by the Devon and Cornwall Police and Crime Commissioner, Alison Hernandez. Prominent in the photo was herself, the newly decided candidate Simon Jupp and, amongst many others on this council John Humphreys as one of the main placard holders. Surely a condition of his bail was that he must not be allowed to enter a school premises, amongst other restrictions regarding access to places connected with young people.

You will remember the awful account read by Councillor Eileen Wragg on behalf of one his victims. It is nearly ten months since Humphreys' conviction and five months since the statement was read.

I have two questions in the light of this that I would like to clarify from the Chair of the East Devon Conservative Party, Cllr Bruce De Saram.

Bruce, is it true that this selection meeting took place at Exeter Community College, and if so how was that allowed?

And is it the case as has also been reported to me yet again this weekend that Simon Jupp MP was staying with Humphreys before and during the election and that his East Devon address was Humphreys' address?'

In response Councillor Bruce De Saram read a statement on behalf of Councillor Colin Brown, Conservative Group Leader EDDC:

'Neil Parish became MP for Tiverton and Honiton in 2010 with a majority of 9000. In the following 12 years as our MP he increased that to over 24000 proving what a good Constituency MP he was, working tirelessly for the people in Tiverton and Honiton. We support Neil's decision to apologise in the circumstances and resign as the Member of Parliament.'

Councillor Maddy Chapman wished to clarify some of the Chair's comments. She stated that Simon Jupp MP did not stay with John Humphreys, he stayed in a flat that was let out by John Humphreys as it was empty at the time for 2 - 3 weeks while waiting for

completion of his house. She stated that during the time she worked with John Humphreys she was not aware of the crimes he had committed nor that he had been under police caution or charged and put on bail. She confirmed that she and her colleagues were unaware of his crimes and that in her previous role of Mayor of Exmouth had she known, she would have spoken out about it. She said she wanted no aspersions to fall on Simon Jupp and that he was a very good MP and worked well for East Devon and supported local residents.

Councillor Eileen Wragg said she found the denials extraordinary as she had certainly known John Humphreys was under investigation at least four years ago and was surprised that opposition councillors were stating that they had no knowledge of this at the time. She believed that there may be evidence in the future coming forward which would prove what she was saying was correct. Councillor Chapman asked why if the opposition had known was she and her colleagues not told. Councillor Wragg responded by saying that she had had no evidence of these crimes so did not say anything to anyone about it.

Councillor Jess Bailey said that a formal response about John Humphreys had never come forward from the Conservative Party and that in the same way as the council was undertaking an independent investigation, why had the Conservative Party not produced a report on what had happened. She said that they must have practices and procedures around candidates when they come forward for elections to make declarations, so were these declarations not made or made but not true.

Cllr Arnott confirmed that he had posed such questions to the Conservative party in a letter copied to numerous people but had not received a proper response.

Councillor Chapman stated that Humphreys said he was standing down for personal reasons and asked why if the opposition had known was she and her colleagues not told. Councillor Chapman said she could not find anyone in the party who knew and Humphreys' partner was not aware and was devastated.

Councillor Wragg responded by saying that she had understood that you needed to be able to evidence what you say. She confirmed she had no evidence but had heard through word of mouth. She confirmed she did not say anything to anyone about it.

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

None

216 **Forward Plan**

Members agreed to recommend the contents of the Forward Plan for key decision for the period 1 June 2022 to 30 September 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.

217 **Minutes of Scrutiny Committee held on 17 March and 7 April 2022**

Members agreed to note the minutes and recommendations of Scrutiny Committee held 17 March and 7 April 2022.

Recommendation from 7 April 2022;

Minute 64 Forward Plan

That, at the earliest opportunity, Cabinet sets up a high level meeting with all relevant organisations and agencies, to discuss serious concerns relating to pollution and the lack of enforcement capability.

The Committee agreed that future meetings with South West Water should proceed as set out in the Forward Plan.

218 **Minutes of Poverty Working Panel held on 21 March 2022**

Members agreed to note and recommend the minutes and recommendations of the Poverty Working Panel held on 21 March 2022.

Minute 31 Energy Briefing Update

- To lobby government for more support with energy costs including for a price cap on heating oil and LPG so that they are provided the same level of protections that consumers have with electricity and gas.
- To lobby government on further emergency funding to continue to help people to eat, now that the Housing Support Fund is finishing.
- To lobby government to impose a 300% council tax charge for second home owners.
- To lobby government for a register of private sector landlords.

DECISION:

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

219 **Minutes of Housing Review Board held on 24 March and 7 April 2022**

Members agreed to note and recommend the minutes and recommendations of Housing Review Board held on 24 March and 7 April 2022.

Recommendations from 7 April 2022;

Minute 54 Housing Revenue Account and Housing Capital finance report

that Cabinet recommend the Housing Revenue Account and Housing Capital Finance report for approval.

Minute 55 HouseMark membership renewal

that Cabinet recommend that membership to HouseMark be renewed at this year's annual cost of £7,830 + VAT.

Minute 58 Electrical safety policy

that the Housing Review Board recommends that Cabinet recommends to Council that the electrical safety policy for housing is adopted.

DECISION:

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

220 **Minutes of LED Monitoring Forum held on 12 April 2022**

Members agreed to note and recommend the minutes and recommendations of LED Monitoring Forum held on 12 April 2022.

Minute 124 Colyton Leisure Centre and All Weather Pitch

RECOMMENDED TO Cabinet and Council:

1. To wait for the Leisure Strategy before the proposals for Colyton Leisure Centre and All Weather Pitch are considered again at LED Monitoring Forum.
2. To ask Colyton Grammar School whether, during the break time, pupils could be using more appropriate footwear for the All Weather Pitch, to help prolong its life.

DECISION:

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

221 **Council Tax (Energy) Rebate - Discretionary Fund**

The Service Lead Revenues, Benefits and Corporate Customer Services informed members that as part of the government's package of support to help households with rising energy bills, the Council Tax Rebate scheme also included discretionary funding to support households who are in need but not eligible under the terms of the main scheme. Discretionary funding could also provide carefully targeted 'top-up payments to the most vulnerable households.

The Portfolio Holder Finance led Members' thanks and congratulations to Libby and her team for their diligence and hard work in getting these funds paid to eligible households as quickly as possible.

RECOMMENDED that;

Senior Officers

1. Approve the Council Tax Rebate Discretionary Fund scheme as set under section 2.3 of the report and the associated policy is approved.
2. Give delegated authority to the Service Lead for Revenues, Benefits, Customer Services, Corporate Fraud & Compliance in consultation with the Portfolio Holder for Finance and S151 Officer, to make consequential changes to the policy to ensure that government funding is fully directed to support vulnerable households.

REASON:

To ensure that Members were fully supportive of the proposed policy being recommended which aimed to target support to those most in need.

DECISION:

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

222 **Response to the Luppitt Neighbourhood Plan Submission**

The purpose of the report was to formally agree the response by the Council to the submission consultation for the Luppitt Neighbourhood Plan. Luppitt Parish Council had formally submitted their Neighbourhood Plan to the District Council. The Neighbourhood Planning (General) Regulations 2012 (Regulation 16) require the District Council to formally consult on the Plan for a minimum of 6 weeks. Cabinet noted the formal submission of the Luppitt Neighbourhood Plan.

RECOMMENDED that;

Senior Officers

1. Congratulate the producers of the plan on their dedicated hard work and commitment in producing the document; and
2. Submit the proposed representations set out at paragraph 1.20 in the report in response to the Submission consultation.

REASON:

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

DECISION:

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

223 **Cranbrook Local Infrastructure Fund**

The Service Lead Growth, Development & Prosperity presented the report which followed on from one on the same subject that was considered by Cabinet in July 2021. It put forward proposals for how the Cranbrook Local Infrastructure Fund could be constituted and operationalised including associated decision making. Endorsement was sought for an eight stage process in this respect. The Fund would benefit residents and help to address ongoing viability challenges in relation to the expansion areas for Cranbrook.

The Chair said he had asked StreetScene to undertake a review of bin charging and collection methods across the district.

RECOMMENDED that;

Senior officers

endorse the eight stage process for operationalising the Cranbrook Local Infrastructure Fund as set out in paragraph 2.5 of the report.

REASON:

To enable the Cranbrook Local Infrastructure Fund to be established and for individual investments to come forward.

DECISION:

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

224 **Seaton Moridunum site**

The Project Manager Place, Assets & Commercialisation provided information on the vacant Moridunum site on Seaton seafront. She explained that the key decision was whether to continue with Fosseway Transition Ltd for them to acquire the Moridunum site, or whether the site should be marketed. FTL were able to deliver their own Fosseway Court development without the council's land. The council was keen to support delivery of their scheme. FTL were not precluded from bidding in the future. Marketing the site allowed the council to better influence the redevelopment and public realm outcomes.

Discussions included the following:

- Need to move forward as not progressing and need to speed this up
- Encourage Fosseyway Transition to put in a bid as well as encourage bids from others, in order to present fresh ideas to improve its aesthetics as well as the economy and Seaton seafront
- The possibility of a joint venture for the selected developer with EDDC
- Seaton seafront has glorious vistas but this site is an eyesore
- Redevelopment was an integral part to improving the seafront for residents and visitors, this had been going on too long
- The need for a timetable to when we get decision for when EDDC would be in a position on this redevelopment
- How can assurance be given that any new development was delivered in a timely manner

RECOMMENDED that;

Senior officers

1. Agree undertaking a marketing exercise of the Moridunum site for disposal, where the redevelopment of the site will include the re-provision of public realm over the top of the site and to include a ransom strip or similar to ensure the council's long term ransom interest is protected.

2. Agree that the council should work collaboratively and cooperatively with FTL in order to facilitate the delivery of the Fosseyway Court residential development including necessary legal agreements and financial transactions.

3. Agree that delegated authority is given to the Service Lead for Place, Assets & Commercialisation, in consultation with the Portfolio Holder for Economy and Assets to review how the redevelopment of the Moridunum site could be expeditiously progressed, including the potential for the council to pursue a joint venture.

RECOMMENDED to Council;

4. That a budget of £15,000 be made available to provide additional technical resources to the Place, Assets & Commercialisation Service to ensure the ability to engage on technical matters regarding the work being undertaken at Fosseyway Court.

REASON:

To enable to decide how best to deliver the redevelopment of the Moridunum site bearing in mind the importance of the site for Seaton and in order to satisfy its obligations to achieve best consideration in accordance with the Local Government Act 1972.

To enable the council to work collaboratively with the developers of Fosseyway Court in order to support the delivery of Fosseyway Court ensuring that all appropriate and authorised use of council land was managed effectively, safely and in a timely manner.

To ensure that the council could engage on technical matters affecting council land in relation to the redevelopment of Fosseyway Court.

DECISION:

The recommendation(s) was/were approved by a Senior Officer. The Senior Officer Decision Notice is listed below.

225 **Axe Valley Project and Levelling Up Fund Round 2**

The Project Manager Place, Assets & Commercialisation provided information on the outcome of the Axe Valley Regeneration Project – Stage 1, now completed by the

council's consultants, Avison Young. She set out details of potential projects that could be considered as a package of projects for funding bids including the Levelling Up Fund.

Cabinet noted the Axe Valley Study and its findings and opportunity to be presented to the Council in respect of the Levelling Up Fund Round 2 in relation to the Axe Valley Project.

Discussion included the following:

- Frustration with issues in the report as not strong enough to support a bid, there was lack of in-depth detail from the consultants (officers clarified that more detail would be added in this next stage in preparing for a bid as outlined in the Avison Young report).
- This provides opportunities for Axminster with development of small business units at Cloakham Lawns
- The report guides officers, the public and members to what they want to see achieved in the Axe Valley
- Make sure funding is used effectively to the benefit of residents
- How much money was being spent on the bids?
- Concern of the lack of a local MP
- The need for the ownership of any land in question as a main criteria
- East Devon had now moved up to Level 2 so increases any chances of a successful bid
- The need to at least try for funding through a bid

RECOMMENDED that;

Senior officers

1. Confirm that Option 2 of the Funding Package options as set out in paragraph 3.7 for a Round 2 Levelling Up Bid should be pursued.
2. Approve the inclusion of the Moridunum site within the Option 2 of the Funding Package for the Axe Valley Project (including seafront regeneration) and instruct our retained consultant to draw up plans for a redevelopment of the Moridunum site, including public realm improvements, and to undertake, as a matter of urgency, a topographical survey of the site to determine what can realistically and aesthetically be delivered on that site.
3. Approve a contribution of up to a minimum 10% match funding via use of the PWLB will be offered within the LUF Funding Bid which would be recovered through future investment income from the employment sites package.
4. Agree to accept a further report with a final recommendation on the proposals to be included in any bid for LUF.

REASON:

To enable the Project Team to prepare a Levelling Up Round 2 funding bid in order to meet the funding application deadline of 6 July 2022.

DECISION:

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

226 **UK Shared Prosperity Fund Prospectus**

The Service Lead Growth, Development and Prosperity updated members on the prospectus for the UK Shared Prosperity Fund which was published on the 13 April 2022. This would provide an important source of funding over the next three year period. He provided an overview of the main provisions of the prospectus as they apply to the Council. Three particular aspects were highlighted; the need to work in partnership to develop and submit an Investment Plan by the 1 August, the relationship with the County Deal process and the importance of robust programme management.

Cabinet noted the publication of the prospectus for the UK Shared Prosperity Fund and its associated provisions. During discussions it was stated for the need to have an elected Exmouth member on any panel and the need for a broad and balanced group of stakeholders. The Portfolio Holder Finance agreed to give up his seat on the Programme Management Panel to the Portfolio Holder Tourism, Leisure, Sport and Culture who is an Exmouth member.

RECOMMENDED that;

Senior officers

- Agree the establishment of a local partnership group with external partners to guide the development of the Investment Plan for the District and advises on the proposed membership of this group.
- Approve use of the initial £20k administration payment to secure resource to help formulate the Investment Plan submission.
- Agree to establish a Programme Management Panel reporting to Cabinet to have oversight of the deployment of the Fund. The panel to be comprised of a cross-party group of members, comprising the Leader, Deputy Leader and Portfolio Holder Tourism, Leisure, Sport and Culture and Portfolio Holder Climate Action & Emergency Response, two Conservative members, one of the Independent members and one Cranbrook Voice member, to be nominated by the respective Groups.
- Receive a further report on the Investment Plan prior to it being submitted to government.

REASON:

To ensure that the Council was properly prepared for the introduction of the UK Shared Prosperity Fund and was able to access the associated funds.

DECISION:

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

227 **Car Park Issues**

The report purpose was to consider new arrangements for collection of cash from pay and display car parks and to consider recommendations from the East Devon Car Parks' TAFF in respect of a policy for campervans and motorhomes. It sought to approve the recruitment of two additional Officers to deliver the new in-house cash collection service and to provide effective management and enforcement of the rules and restrictions around campervans and motorhomes.

RECOMMENDED that;

Senior officers approve

- The proposed arrangements for cash collection and an exemption to contract standing orders to enable Teignbridge District Council to provide the service and delegate authority to the Strategic Lead Finance to finalise the terms and enter into an appropriate agreement.
- The recruitment of an additional officer within the car parks team to enable in-house cash collection.

Cabinet agreed that the remainder of the issues (the policy for use of EDDC pay and display car parks by campervans and motorhomes, recruitment of an additional officer (with budget request of £30k) to enable effective management and enforcement of the campervans and motorhomes policy and future use of Exmouth Lorry Park) be brought back to a future meeting of Cabinet.

REASON:

To approve an exemption to standing orders in respect of tendering a contract for cash collection services on the basis that our customers were now moving towards card and mobile-phone payment options. A policy to set out our rules for overnight parking of campervans and motorhomes in public car parks would enable officers to properly manage and enforce inconsiderate and inappropriate behaviour that impacts on the environment and on neighbours. An in house staffing solution to delivering both of these would give flexibility and offers value for money.

DECISION:

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

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 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 |
| N Hookway | Portfolio Holder Tourism, Sport, Leisure and Culture |

Cabinet apologies:

| | |
|-------------|---|
| M Armstrong | Portfolio Holder Sustainable Homes and Communities |
| S Jackson | Portfolio Holder Democracy, Transparency and Communications |

Also present (for some or all the meeting)

Councillor Jess Bailey
Councillor Kevin Blakey
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Marcus Hartnell
Councillor Sam Hawkins
Councillor Vicky Johns
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Geoff Pratt
Councillor Val Ranger
Councillor Philip Skinner
Councillor Joe Whibley
Councillor Eileen Wragg

Also present:

Officers:

Thea Billeter, Cranbrook New Community Manager
Tim Child, Service Lead - Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
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 (and Monitoring Officer)
Alison Hayward, Project Manager Place & Prosperity
Andrew Hopkins, Communications Consultant
Libby Jarrett, Service Lead Revenues and Benefits
John Symes, Finance Manager
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity

Chair

Date:

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 50th 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:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Cabinet held at Online via the Zoom app. on 29 June 2022****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 6.52 pm

16 Public speaking

Cllr Jess Bailey wished to report the response she had received from Cllr Andrew Leadbetter from Devon County Council, in relation to John Humphreys.

'I can confirm that the Local Authority Designated Officer (LADO) received a referral via the NSPCC in 2014. As part of the LADO process, our officers discussed the case with the police. The police were already aware of the individual and allegations that had been made, and advised us that there was not enough evidence to investigate further, and it was agreed that no further action would be taken. We have evaluated the response that was made in 2014 and concluded that we should have held a multiagency meeting to share information and consider what if any next steps could be taken. In the light of this, we have agreed to undertake a review of this decision making and process within the LADO service, and will be implementing the recommendations that arise from this.'

The Chair thanked Cllr Bailey for raising this issue through her role as a County Councillor and bringing it to light.

17 Declarations of interest

Min 20. Axe Valley Project and Levelling Up Fund Round 2.

Councillor Dan Ledger, Affects Non-registerable Interest, Seaton Town Councillor and attended workshops.

Min 20. Axe Valley Project and Levelling Up Fund Round 2.

Councillor Jack Rowland, Affects Non-registerable Interest, Seaton Ward Member and attended workshops.

Min 20. Axe Valley Project and Levelling Up Fund Round 2.

Councillor Marcus Hartnell, Affects Non-registerable Interest, Seaton Town and Devon County Councillor and has a business in Seaton.

Min 20. Axe Valley Project and Levelling Up Fund Round 2.

Councillor Paul Hayward, Affects Non-registerable Interest, Employee of Axminster Town Council.

Min 20. Axe Valley Project and Levelling Up Fund Round 2.

Councillor Sarah Jackson, Affects Non-registerable Interest, Sensitive interest.

Min 21. Levelling Up Fund Bid - Destination Exmouth (Dinan Way Extension and Exmouth Gateway).

Councillor Dan Ledger, Affects Non-registerable Interest, Attended workshops.

Min 21. Levelling Up Fund Bid - Destination Exmouth (Dinan Way Extension and Exmouth Gateway).

Councillor Nick Hookway, Affects Non-registerable Interest, Attended workshops.

Min 21. Levelling Up Fund Bid - Destination Exmouth (Dinan Way Extension and Exmouth Gateway).
Councillor Steve Gazzard, Affects Non-registerable Interest, Exmouth Town Councillor.

18 **Matters of urgency**

There are two late items that the Chair agreed to be included.
LCC Live in Devon briefing report and Minute 21 Levelling Up Fund Bid – Destination Exmouth (Dinan Way Extension and Exmouth Gateway).

The Portfolio Holder Tourism, Leisure, Sport and Culture wished to thank everyone involved in getting the band McFly to perform a concert on Saturday 3 September 2022 on the Imperial Recreation Ground, Exmouth.

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

None

20 **Axe Valley Project and Levelling Up Fund Round 2**

The Project Manager Place, Assets & Commercialisation provided information on bid preparation for the Axe Valley bid for Levelling Up Fund Round 2. The total cost was estimated at £15.58m. A cash contribution of £4m was being requested from the council which was greater than the minimum 10% contribution required by the LUF. This would sit alongside an in-kind contribution of £403,000 relating to land value. This resulted in a total ask of £11.18m from the Levelling up Fund.

The funding application deadline was 6 July 2022. East Devon District Council was now within the priority 2 category (up from 3 previously).

RECOMMENDED that

Senior Officers

1. Approve the inclusion of the Axe Valley projects within the Axe Valley Levelling Up Funding bid as set out at paragraph 2.1 of the report.
2. Note the removal of the Axminster Public Realm project from the bid.
3. Note the total estimated cost of the Levelling Up programme at £15.58m
4. Approve the use of Council land to enable project delivery which following valuation results in an in-kind contribution of £403,000.
5. Agrees with the cash contribution of £4m from the council subject to approval by Full Council noting that should such approval not be given, the bid submission will be withdrawn.
6. Grant delegated authority to the Service Lead for Place, Assets & Commercialisation in consultation with the Strategic Lead for Finance and the Portfolio Holder for Economy and Assets to submit the final bid documents and complete any related documentation if the bid was successful.

RECOMMENDED to Council

7. To approve the £4m commitment of funding from the Council should the bid be successful.

REASON:

To enable the Project Team to submit a Levelling Up Round 2 funding bid for Axe Valley in order to meet the funding application deadline of 6 July 2022.

21 **Levelling Up Fund Bid - Destination Exmouth (Dinan Way Extension and Exmouth Gateway)**

The Project Manager Place and Prosperity (Exmouth) informed members that a second Round of Levelling up funding was announced in late March of 2022 with a closing date for submissions by the 6 July 2022. Exmouth was moved from Category 3 status (lowest priority) in the first round to category 2 (middle priority) in the current round.

EDDC had assisted in a resubmission of a bid for Exmouth (Destination Exmouth) led by Devon County Council with the emphasis on the Dinan Way highway scheme but including an exciting 'Gateway' element, aligned more closely with Dinan Way but also evidencing a real improvement in place making / linkages to the natural environment / sustainable transport for the town centre itself.

The MP Simon Jupp had publicly supported the bid. Destination Exmouth was a package bid which included the Dinan Way extension and Exmouth Gateway improvements.

RECOMMENDED that

Senior Officers provide a formal letter of support for the Round 2 Levelling Up bid in Exmouth.

REASON:

The letter of support was needed to assist in the submission of the levelling up bid.

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 |
| S Jackson | Portfolio Holder Democracy, Transparency and Communications; |
| N Hookway | Portfolio Holder Tourism, Sport, Leisure and Culture |

Cabinet apologies:

| | |
|-----------|--|
| J Loudoun | Portfolio Holder Council and Corporate Co-ordination |
|-----------|--|

Also present (for some or all the meeting)

Councillor Jess Bailey
 Councillor Fred Caygill
 Councillor Maddy Chapman
 Councillor Peter Faithfull
 Councillor Steve Gazzard
 Councillor Marcus Hartnell
 Councillor Ben Ingham
 Councillor Vicky Johns

- Councillor Jamie Kemp
- Councillor Richard Lawrence
- Councillor Dawn Manley
- Councillor Andrew Moulding
- Councillor Eleanor Rylance
- Councillor Philip Skinner
- Councillor Joe Whibley
- Councillor Eileen Wragg

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)
- Alison Hayward, Project Manager Place & Prosperity
- Andrew Hopkins, Communications Consultant
- Gerry Mills, Project Manager Place & Prosperity (Exmouth)
- Mark Williams, Chief Executive

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held Online via the Zoom app on 7 April 2022****Attendance list at end of document**

The meeting started at 6.04 pm and ended at 7.28 pm

58 Public speaking

The Chair welcomed Cllr Joe Whibley and Cllr Tony Woodward as new members of the Committee.

There were no members of the public registered to speak.

59 Minutes of the previous meeting held on 3 March 2022 and the Extraordinary meeting held on 17 March 2022

The minutes of the meeting held on 3 March 2022 and the minutes of the Extraordinary meeting held on 17 March 2022 were received and accepted.

60 Declarations of interest

There were no declarations of interest.

61 Matters of urgency

There were no matters of urgency.

62 Confidential/exempt item(s)

There were no confidential / exempt items.

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

There were no decisions made by Cabinet called in by Members for scrutiny.

64 Forward Plan

The Chair noted that at the Extraordinary meeting held on 17 March 2022, the Committee had decided that it would like to invite South West Water (SWW) back for a series of meetings, with each meeting to have a particular topic, initially identified as planning, beach water and river water.

The purpose of this item on the Forward Plan was to continue the discussion started at the Extraordinary meeting on how best to progress future meetings with SWW. The Chair acknowledged that some Members were disappointed that their questions had not been covered during the meeting but noted that the meeting had been to address the specific issue of sewage entering rivers and water courses. Concerns regarding SWW were wider than that and the Forward Plan could set out a timetable to deal with those

wider issues. The Forward Plan published with the agenda papers suggested one way to proceed.

Discussion on this Forward Plan item included the following points:

- Sewage discharge and agricultural run-off is an East Devon wide issue and a working group could be set up to co-ordinate a complete response. A working group could include knowledgeable local residents, and, although EDDC is not the lead body on pollution, the Council could act as facilitator towards finding solutions.
- The Exe Estuary is a protected area and there was concern whether sewage discharge is illegal, and if not illegal, whether there are any actions the Council can take.
- Serious concerns had been raised at the Strategic Planning Committee regarding the River Axe catchment following the report from Natural England and the requirement for mitigation to offset pollution from both agriculture and development, which could have a potentially serious impact on the grant of planning permissions. The question of future grey water discharge in the Axe Valley should be put to SWW.
- The purpose of the discussion was to consider a way forward for meetings with SWW which could include monthly meetings on consecutive months with questions for SWW being submitted by Members two weeks in advance of meetings. Rather than include a presentation, the meeting should be used to provide answers. The SWW Group Chief Executive Officer, Susan Davey, should be specifically invited to attend one of the meetings.
- Members were reminded of the Clean Sweep Programme from 1992, which started in Exmouth in 1997 and, despite significant investment, had not delivered a system fit for purpose due largely to continuing development in Exmouth.
- It was important for on-going dialogue with SWW to be conducted in a respectful manner. Members were made aware that issues, including those with anaerobic digesters, were being considered at a high level through Team Devon and that other bodies such as the Environment Agency (EA) were also involved.
- There was a need to separate out issues such as 'policing', which is the responsibility of the EA, from other inter-connected responsibilities.
- Issues such as SWW not being a statutory consultee and concerns regarding the lack of beach water testing during the winter should also be addressed and other agencies such as DEFRA may need to be involved as well as local MPs.
- The EA and DEFRA should be invited to a future meeting.
- The suggested Forward Plan included EDDC officers attending meetings to inform Members on the interaction and connected responsibilities of EDDC with other bodies.
- The complexity of the issues involved meant that solutions would take time.
- Cabinet should call a high level meeting at the earliest opportunity and include all relevant organisations such as SWW, EA, DEFRA, farming representatives and local MPs to discuss concerns and ascertain what actions SWW will take.
- As sewage is being transported to Exmouth, the Forward Plan could include transport as a separate topic.
- Confirmation was awaited of the implementation of year round testing of bathing water.
- The main priority for East Devon residents is that of SWW sewage discharge into waterways. A high level meeting with Cabinet should not preclude the Scrutiny Committee from scrutinising SWW and this work should continue in parallel and independently.

RECOMMENDATION TO CABINET

That, at the earliest opportunity, Cabinet sets up a high level meeting with all relevant organisations and agencies, to discuss serious concerns relating to pollution and the lack of enforcement capability.

The Committee agreed that future meetings with South West Water should proceed as set out in the Forward Plan.

It was noted that Cllr Ranger had submitted a proposal form regarding a database of assets owned by the Council. The Deputy Monitoring Officer advised that an asset register exists but not currently in a form easily accessible by Members. The Service Lead for Place, Assets and Commercialisation and the Portfolio Holder for Economy and Assets could be invited to attend a future meeting to consider how best to make the information available more widely.

Members also requested that they be kept informed of staff leavers and joiners, an organisation chart showing key contacts and the size of each team and job vacancies. The Communications Consultant would facilitate the circulation of the information and welcomed suggestions for any additional items from Members they would like included in a monthly newsletter.

With the inclusion of the above the Forward Plan was agreed.

Attendance List

Councillors present:

T Wright (Chair)
V Ranger (Vice-Chair)
J Bonetta
C Gardner
S Hawkins
J Kemp
T McCollum
H Parr
E Rylance
J Whibley
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
F Caygill
S Chamberlain
B De Saram
I Hall
N Hookway
V Johns
G Jung
D Manley
A Moulding
M Rixson

Officers in attendance:

Wendy Harris, Democratic Services Officer
Andrew Hopkins, Communications Consultant
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

M Allen

A Bruce
M Chapman
O Davey

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Online via the Zoom app on 9 June 2022****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.48 pm

1 Public speaking

There was one member of the public registered to speak.

Mr Mike Goodman spoke concerning car parking petitions (item 7 refers). As part of his statement, Mr Goodman called into question the grounds on which some signatories had been excluded from the petition. He also thanked the Monitoring Officer for his work in trying to resolve the matter but understood that senior unnamed Cabinet members had decided that the petition would not be heard at Cabinet, on the grounds that a decision had already been taken. He argued that this was undemocratic and unconstitutional.

The Monitoring Officer responded that with the car parking strategy having reverted to Cabinet, the car parking petition was a matter for Cabinet to deal with. Senior members had felt it was not an appropriate time for the petition to be considered by Cabinet given that the budget had already been set, and there was in any case a commitment to review the matter later in the year. This decision did not constitute a breach of the rules.

The Chair thanked Mr Goodman for his contribution to the meeting.

2 Minutes of the previous meeting

Minutes of the previous meeting held on 7 April 2022 were received and noted as a true and accurate record.

3 Declarations of interest

There were no declarations of interest.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There was one item to be considered in private session (minute 9 refers).

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

There were no decisions made by Cabinet called in by Members for scrutiny.

7 Car parking petitions

The Monitoring Officer introduced his report detailing a petition submitted in relation to car parking charges in Sidmouth and the Council's formal response. One of the organisers of the petition had requested a review of the way it had been handled in accordance with the Council's petition scheme rules, and the Committee was asked to determine whether there were any recommendations that it wished to make in relation to the specific petition or the Council's petition scheme or handling of petitions generally.

Discussion of the report included the following points:

- Some members expressed a view that the petition submitted in relation to car parking charges ought to have been accepted for Council debate, on the basis that:
 - at 1469, the number of valid signatories was only just shy of the threshold of 1500;
 - there had been a lot of noise around the issue of car parking charges and it was important to demonstrate that the voices of local people were being listened to;
 - it was possible that some of the signatories that had been discounted on the grounds that a postcode was missing or incomplete might nevertheless work or study in the district and therefore been eligible to sign the petition;
 - given that visitors to Sidmouth were affected by car parking charges, it was argued that they should legitimately be able to sign the petition and not be discounted.
- Other members expressed support for the position taken by the Monitoring Officer in response to the petition, given that:
 - The Monitoring Officer had taken a pragmatic view and erred on the side of generosity in considering the petition; he had done his due diligence in accordance with the rules in place at the time the petition was submitted;
 - It was important that the threshold of 1500 was adhered to because to let some petitions through and not others could leave the Monitoring Officer open to allegations of bias. Parliament also have clear thresholds concerning petitions and the Council should follow the example. If Members want to move the threshold for Council debate, then this should be done by changing the policy.
 - The Council is answerable to its tax payers including those who have businesses in East Devon, which is why only people who live, work or study in East Devon are able to contribute to East Devon petitions. To extend petitions beyond the boundaries of the district would dilute democracy for the people of East Devon.
 - The onus is on the organiser of the petition to ensure that signatories live, work or study in East Devon, and that they supply their full postcode for the purposes of verification; the petition concerning car parking had contained some signatories with only partial postcode, and some signatories that had been discounted were from elsewhere in the country, and overseas.
- Some members indicated that the Council should have its own platform for electronic petitions, with a field directing signatories to input their postcode. It was suggested that the data could be cross-referenced against the electoral roll, for the purposes of verification; a counterview was offered that this would not be appropriate since not everyone eligible to sign a petition would be on the electoral register.
- Other members suggested it was important the Council accepts paper petitions, in the interests of equal opportunities and ensuring the system was accessible to all.
- It was important to promote awareness among the people of East Devon of the ways that they can make their voices heard including by means of petition or public speaking at meetings.

In a vote of Committee members, the following recommendations were made.

RECOMMENDED to Cabinet

- To consider a petition platform within the Council's website.
- To publicise the council's petition scheme via the Council's weekly press release.

The following statement had been submitted in advance of the meeting by a member of the public, Mr Richard Eley, by email to Scrutiny Committee members; the Chair asked that the statement be set out in full in the meeting minutes. It was highlighted that the statement has not been seen by the Monitoring Officer, nor discussed by the Committee, and may contain claims that are incorrect.

Sidmouth Chamber of Commerce is referenced in tomorrow's agenda with regard to car parks and our petition on that subject. We don't have anyone available to appear at the zoom meeting.

However, we would like to comment briefly as follows:

We are described as 'accepting' the ruling that the petition was rejected, but in fact this is not the case. On the contrary we were disappointed and perplexed by the decision, and said so very clearly.

The petition was submitted to three senior Cabinet members and they apparently decided that it would not be allowed to go forward.

We were perturbed by the explanation for disqualifying the petition. The reason given was that the petition sought to change a decision that had already been taken. This seems odd, and we doubt this is acceptable under the current rules.

The decision to double car park charges in most seaside car parks was a big departure from normal practice: no consultation was undertaken, no benchmarking or comparisons were provided, and no schedule of the proposed charges was presented to Full Council. A lot of misinformation emanated from the District Council.

As we have said in the past: bad procedure leads to bad policy. As we all know, regardless of whether it turns out to be a good decision or not, it was handled and presented very badly.

We note that no recent petition has made it through the byzantine and obstructive system that currently operates at EDDC. This is perhaps indicative of something more serious which we would urge the Scrutiny to consider: why does our District Council often seem hostile to the people it represents - the residents of East Devon?

We would respectfully encourage a more conciliatory, kinder, outward-facing approach, and we think there would be big benefits in efficiency, performance and general wellbeing at EDDC if this was introduced.

The decision, to disqualify the petition because a council decision had been already taken, is invalid and should be corrected and withdrawn. But this will achieve little, unless it is accompanied by a sea change in the wider way in which EDDC interfaces with East Devon residents.

We are well aware that our petition was unlikely to change minds at senior level within the Council, but we did think it was important that the overwhelming public opposition to the car park price hike should be made clear to members. We have probably achieved this, regardless of the shabby treatment that the petition received.

8 **Forward Plan**

The Committee considered a proposal form received from Cllr Mike Allen concerning economic development and employment quality in rural and coastal areas. In

discussion, it was clarified that the proposal comprised two issues; the first being a strategic review of policy formulation and the second being a procedural matter about how people can put alternative strategic policies forward. These would be added to the Forward Plan as two separate items for scoping.

Discussion of the Forward Plan included the following:

- Members felt that it was not appropriate for meetings of the Scrutiny Committee to be cancelled or postponed.
- The Committee expected to meet with Portfolio Holders as a critical friend and to hold them to account.
- Some Members expressed disappointment that a further meeting with South West Water (SWW) would not take place until 8th September, given that sewage discharges are a live issue, and asked that the Committee seeks to bring the meetings forward. Others indicated that it was more important that the Committee is fully informed and that there is time for SWW to prepare good quality reports. The Chair clarified that the Committee should expect to meet with SWW on or before 8th September.
- Some Members were concerned that the use of scoping forms together with the wait for an officer report and subsequent debate is a convoluted process and not an effective way of getting important items onto the Committee's agenda quickly enough. One Member felt it was inappropriate for individual Members to specify on the form what the outcome should be. The Chair expressed it was important to have crisp objectives to ensure good use of officer time, and indicated that he would undertake to look into the process and suggest improvements.

9 **Update on outcomes of EELGA Learning Review**

The Monitoring Officer introduced a report which provided an update on actions arising from Personnel Committee's consideration of the East of England Learning Review.

Members discussed the report at length, and wanted the minutes to reflect the Committee's views that the leaking of the Part B report was abhorrent. Members noted the progress being made on the recommendations from the Personnel Committee but felt that no further recommendations were required.

Attendance List

Councillors present:

M Allen (Chair)

V Ranger (Vice-Chair)

J Bailey

J Bonetta

A Bruce

M Chapman

C Gardner

S Hawkins

J Kemp

D Key

H Parr

E Rylance

J Whibley

T Woodward

Councillors also present (for some or all the meeting)

M Armstrong
P Arnott
F Caygill
P Faithfull
M Hartnell
B Ingham
G Jung
R Lawrence
D Ledger
J Loudoun
P Millar
A Moulding
M Rixson
J Rowland
P Skinner
I Thomas
T Wright

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)

Rebecca Heal, Solicitor

Andrew Hopkins, Communications Consultant

Susan Howl, Democratic Services Manager

Sarah James, Democratic Services Officer

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

O Davey

Chair:

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Housing Review Board held at online via Zoom on 16 June 2022****Attendance list at end of document**

The meeting started at 10.00 am and ended at 12.30 pm

1 Appointment of Chair for the meeting

In the absence of the Chair, Councillor Sarah Chamberlain, the Board were asked to appoint a Chair for the meeting. With agreement of the Board, tenant representative Sue Saunders was appointed Chair for the meeting.

2 Public speaking

Co-opted tenant member of the Board, Steve Beer expressed his shock and sadness on the recent passing of Peter Sullivan and requested that a letter of condolence and appreciation of Peter's work be sent to his wife. Sue Saunders updated the Board that Peter's wife had requested that two rose trees be planted outside their home in his memory. An article would be included in the next Housing Matters magazine recognising Peter's work. The Housing Service Lead informed that Board that she had spoken to Mrs Sullivan and put some wording forward on behalf of the Council and would be attending Peter's funeral on 24 June, along with other EDDC representatives.

Co-opted tenant member Steve Beer also requested that expressing declarations of interest be made easier for tenants. In response to this he was advised that the Council had recently adopted a new code of conduct which all members of the HRB were bound by. Mr Beer was reassured that Legal and Democratic Services were available to provide guidance.

Councillor Dan Ledger, Portfolio Holder for Sustainable Homes and Communities gave his thanks to Councillor Megan Armstrong for the fantastic work she had done over the years whilst she was in the role as Portfolio Holder. It was suggested that an article be included in Housing Matters.

3 Appointment of Vice Chair

In the absence of the Chair the Board agreed to appoint a Vice Chair for the current meeting only. It was agreed that Councillor Brenda Taylor be appointed Vice Chair for the meeting.

4 Minutes of the previous meeting

The minutes of the previous meeting held on 7 April 2022 were received and accepted.

5 Declarations of interest

No interests were declared.

6 Matters of urgency

There were no matters of urgency.

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

There were no confidential/exempt items.

8 **Welcome to 3 new Housing Review Board members**

The Chair introduced and welcomed three newly co-opted members to the Housing Review Board; independent community representatives Sara Clarke and Rob Robinson, and tenant/leaseholder representative Sue Dawson (who had given her apologies for the meeting).

She also gave the Board the sad news that Peter Sullivan passed away on 27 May. Peter had made an outstanding contribution to the housing service. In terms of the Housing Review Board, Peter was elected on to the district council in May 2011 and served on the Board from 2011-14. Following this Peter was co-opted onto the Housing Review Board as a tenant representative in 2017 and was vice chair of the Board from 2018, until he stood down in January of this year due to ill health. The Board agreed that Peter would be sadly missed.

9 **Housing Review Board forward plan**

The 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 it was noted that the following items were intended to be brought to the September Board meeting:

- Garage sites suitable for development.
- Review of Resident Involvement Strategy
- Review of downsizing.

It was also noted that in preparing for the Social Housing White Paper the service was undertaking an intensive self-assessment exercise.

A request was made to add the stock condition survey to the forward plan and this was endorsed by the Board.

10 **Integrated Asset Management Contract**

The Housing Service Lead updated the Board on the delivery of the Integrated Asset Management contract, as part of a regular update to the Board as well as a direct response to ongoing concerns raised regarding the delivery of some key functions of the contract. She reported the drive and focus had been on specific areas of concern. As a result the action plan had been revised and was included with the agenda papers for the Board's information. The tenant repairs review group would monitor the action plan going forward. A focus session had been held in which members of the HRB had been invited to for a face to face meeting. Representatives from Ian Williams had also attended the meeting of the Housing Review Board.

The Housing Service Lead drew the Board's attention to the key performance indicators (KPIs) included in the report and the fluctuations. In terms of responsive repairs, since January, six of the nine KPIs were moving in a better direction. The complaint KPIs had improved slightly. An area of concern was reactive repairs - overdue jobs. This was a key area that was driving dissatisfaction with the service.

Voids were another main area to focus on. The void fluctuations showed a worsening performance and work was focussing on this area. The situation with Ian Williams was mainly due to labour shortages which had contributed towards a backlog of work. The voids were also larger and typically requiring more work than originally anticipated in the contract, and a realistic price review was needed, as well as a review of void standards. The void costs were driven by the type of properties and the condition they were returned in. There had also been problems clearing previous debt left on meters which had caused a delay, but officers were in discussions with a third party provider (TSM) debt clearing service to resolve this. The intention was to start a trial of this service from 1 July 2022. It was noted that pre-void inspections were useful in identifying issues that might impact on void times. The Housing Service Lead reported that this was something that had always been done, but the Covid-19 pandemic had prevented this and she was absolutely committed to reviewing the process to ensure that it was put back in place.

The customer satisfaction KPIs were good and also provided helpful feedback data. Officers continued to drive forward the importance of the need for contractors to leave paper surveys in tenants' homes. The areas for improvement were all captured in an updated action plan that accompanied the report.

Overall the Housing Service Lead reported that there were encouraging signs that recent focus and interventions were paying off, but there was still a lot of work to be done to continue to drive improved performance. It was noted that the Housing Service's own staffing issues remained of concern. In light of this the Portfolio Holder – Sustainable Homes and Communities requested that the Property and Asset Manager not report at the next meeting of the Housing Review Board to allow him and his team to focus on delivering the day to day work of the service. This work would be kept under review by the Housing Service Lead, the Strategic Lead – Housing, Health and Environment and the Portfolio Holder – Sustainable Homes and Communities.

RECOMMENDED: that the Housing Review Board:

1. notes the update on the delivery of the Integrated Asset Management Contract; and
2. recommends to Cabinet that the updated action plan is adopted, as set out in the report, to address ongoing performance concerns that relate to the Integrated Asset Management Contract.

11 **Climate change update**

The HRB considered the report of the Senior Technical Officer (Asset Management and Climate Change) which provided information on retro-fit renewable measures and delivery to date, approach and current programmes, successful funding applications and continued delivery and bid planning for the future.

In 2020 EDDC was successful in bidding on a grant funding initiative for the installation of air source heat pump heating systems to 100 properties (this was delivered to 140 properties). The programme was further enhanced with other improvements, listed in the report. The enhanced element of the project was self-funded by EDDC.

In February 2022 EDDC was again successful in being awarded around £600,000 in funding through the Government's Social Housing Decarbonisation Fund, which was part of a £1.5m commitment for delivery of a retrofit programme for 2022/23. A fabric first approach would be taken to delivery, focussing on external component upgrades and improved insulation measures to 50 properties having the worst energy performance rating.

EDDC were looking at other funding mechanisms and a collaborative approach to securing grant funds. Officers were carefully tracking all opportunities that existed for climate change and tenant home improvement opportunities. The Council's ambition was to be net zero by 2040 and it was recognised that the housing stock was a huge contributor to the carbon footprint. The housing service had excellent links to EDDC's Climate Change Officer and were working really positively with the team. Climate change and carbon reduction improvements would also be delivered through the planned works delivered by Ian Williams.

In response to a question about window replacements it was reported that a programme of works was being compiled and rolled out for window replacements and that the stock condition survey would better inform future programmes on a whole range of improvements/replacements and help with funding bids. The Council was committed to investing in and upgrading all of its stock.

The Housing Review Board endorsed the progress being made by the housing service to deliver on climate change objectives as set out in the EDDC Climate Change Action Plan and the Housing Service Plan 2022-2023.

12 **Finance report**

The accountant's report provided the Housing Review Board with current draft financial outturn figures for the housing revenue account and housing capital program for the 2021/22 financial year. The report also considered the implications of any forthcoming regulatory changes.

Producing a Housing Revenue Account had been a statutory requirement for Councils who managed and owned their housing stock for some time, and therefore a key document for the Board to influence.

It was noted that the Housing Revenue Account (HRA) was in a healthy position. The 2021/22 outturn surplus was £2.192m (£1.226m above final budget). The proposal for the allocation of this outturn surplus was:

- An increase of £1m in the planned maintenance/stock condition survey reserve (increasing it to £4.375m) taken from:
 - The £0.794m underspend within major repairs.
 - The £0.205m underspend in required revenue contribution to capital.
- The residual £1.191m to be placed into the capital development fund for future acquisition/development and climate change aspirations.
- There would be no change to the HRA balance, keeping it at the £3.1m adopted level.

In terms of capital expenditure and associated funding the housing accountant summarised that:

- A total of 11 acquisitions were completed within the year. There had been 12 right to buy sales, reducing the stock level by one property over the year.
- The £1.623m remainder of the additional borrowing taken out in March 2020 had been utilised in part funding the 2021/22 capital expenditure.

- The FRA capital works continued in 2021/22 and were solely funded by the associated earmarked reserve.

The Board noted the year end reserve levels which were contained in the report.

During Board discussion the following points were raised:

- There was an additional £1m in the planned maintenance reserve for the stock condition survey and catch up costs. There was also the option of borrowing for capital works that came out of this.
- £3.6m had been set aside for climate change acquisitions and it was also possible to borrow for this capital development.
- The Housing Task Force were looking at a huge variety of sites, both HRA owned and on the private market, to meet demand and the high priority ambition of the Council to increase its levels of housing stock. The Housing Task Force would be reporting progress to a future meeting of the HRB.

RECOMMENDED: that the Housing Review Board note the Housing Revenue Account and Housing Capital Finance 2021/22 year end outturn report is noted, and the recommend that the reserve recommendations are approved by Cabinet.

13 **Tenant satisfaction survey**

The Information and Analysis Officer's report explained that having information on tenant satisfaction was crucial to how the housing service was planned and monitored. Having accurate and up to date information on what tenants thought about the service enabled it to see how it was performing, and more importantly to ensure that informed decisions were made about how the service was shaped and planned for the future.

The last tenant satisfaction survey was carried out in 2020 and it was felt that it was timely to carry out another one. It was hoped to collect satisfaction data for all areas of the housing service and officers would also like to ask some additional questions around the cost of living as it was important to think and plan proactively on how best to support tenants who were affected by the current cost of living crisis. The Information and Analysis Officer also committed to ensuring that tenants have input in the creation of the survey in order to assist in what questions we asked and how they were asked. This will also be valuable in order to help us try and achieve good levels of engagement.

In response to a question about why tenants were leaving properties, the Information and Analysis Officer agreed to pass this information on. It was noted that information was also available on the number of voids in the quarterly housing performance indicator report.

The Board endorsed the housing service carrying out a housing satisfaction survey, within the existing budget of £5,000.

14 **Community Development: Food support**

The Board received and noted an update on the vital work being done by the Community Development team to address food poverty across the district.

Before the Covid-19 pandemic the Community Development team had been working with FareShare Southwest to set up a local food hub to support existing food providers and fill gaps. During the pandemic the team mapped what was already in the district and identified gaps and overlaps, before starting something new. The report outlined all the

work undertaken and support provided from June 2020 until August 2021 when EastDevon Food Partnership deliveries finally started. The report gave some case studies and also explained how this food support fitted in with the EDDC Poverty Reduction Strategy, which included:

- Maximising incomes.
- Strengthening families and communities.
- Promoting an inclusive economy.
- Improving health.

The Strategic Lead – Housing, Health and Environment stated that the Community Development team were the unsung heroes in housing. The food support initiative had helped so many people during a really difficult time. Having robust processes to support food poverty in place was great going forward during the cost of living crisis. It was noted that supermarket food donations were becoming harder to source and that the systems were working differently. However due to the links the Community Development team had created meant that the local hubs were doing ok and excess food was still being shared. It was also highlighted that the Community Development team were linking in closely with other areas of housing to ensure a one team approach was delivered. The Housing Service Lead pointed out the two case studies in the report that indicated the additional help that was being accessed by people coming forward for help with food.

15 **Additional post - Data Officer (Property and Asset)**

The Property and Asset Manager's report asked the Board to note the request for an additional post of Housing Data Analyst to provide accurate validated data in relation to the variety of work undertaken by the Property and Asset team to ensure the housing stock remained safe, compliant and that tenants could also feel safe in their homes. Accurate validated data was an important tool in the delivery of property and asset/asset management and would also assist in achieving value for money from contracts. It was noted that at present there was insufficient capacity within the Property and Asset team to take on this role.

RECOMMENDED: that the Housing Review Board:

1. recommends to Cabinet the creation of the additional post of Housing Data Analyst to provide accurate validated data in relation to a variety of work undertaken by the Property and Asset team;
2. recommends to Cabinet to recommend to Council the additional budget of £40,000 to provide the post of Housing Data Analyst for the Property and Asset team.

16 **Use of external consultants**

The Property and Asset Manager's report requested that the HRB accept the recommendation to engage specialist/external consultants to support the delivery of key services/projects. The housing Property and Asset team was currently under resourced. The engagement of a specialist would assist in the delivery of key projects and essential services to ensure that the housing stock remained safe, compliant and that the tenants could feel safe in their homes.

The Property and Asset team was currently very short staffed, with 14 vacancies, many of which were technical/surveyor posts. Recruitment remained a real challenge and at

this point the recruitment journey was unknown. Although the preference was to self-deliver the housing services' own projects, this was not possible due to the lack of resource in the team. In light of the ongoing recruitment issues where was a need to explore other options in order to deliver the asset management service. At present there was very little other option than to use external consultants in the delivery of the service.

In order to maintain service and deliver on targets it was proposed to use specialist external consultancy support. It was also likely that external consultant support would be required to delivery programmes of work arising from the stock condition survey. The Housing Service Lead reported that the procurement frameworks already set up were excellent, the turn-around in terms of being able to get on with jobs was very quick, and she had great confidence in these groups. There was a lot of due diligence in relation to the procurement groups and the pricing and awards methods were entirely transparent and widely used by neighbouring authorities.

RECOMMENDED: that the Housing Review Board recommends to Cabinet the use of existing budget to employ external consultants to support the Property and Asset Team to deliver planned works as required to ensure our housing stock remains safe, compliant and that our tenants can feel safe in their homes.

17 **Q4 2021-22 Housing performance indicator report**

The Board noted the housing performance indicator report for quarter 4 2021/22 which detailed selected indicators measuring performance across the housing service. It was noted that this included figures for the number of evictions and void properties.

Attendance List

Board members present:

Sara Clarke, Independent Community Representative
Rob Robinson, Independent Community Representative
Stephen Beer, Tenant
Sue Saunders, Tenant (Chair for the meeting)
Councillor Brenda Taylor (Vice Chair for the meeting)

Councillors also present (for some or all the meeting)

M Armstrong
P Arnott
P Faithfull
M Howe
D Ledger
M Rixson
E Wragg

Officers in attendance:

Sophie Davies, Housing Business and Customer Improvement Manager
Graham Baker, Property and Asset Manager
Natalie Brown, Information and Analysis Officer (Housing)
Amy Gilbert-Jeans, Service Lead Housing
John Golding, Strategic Lead Housing, Health and Environment
Rebecca Heal, Solicitor
Paul Lees, Senior Technical Officer (Asset Management & Climate Change)

Debbie Meakin, Democratic Services Officer
Andrew Mitchell, Housing Solutions Manager
Victoria Robinson, Community Development Officer
Alethea Thompson, Democratic Services Officer
Rob Ward, Accountant
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Darren Hicks, Housing Allocations Manager
Yusef Masih, Interim Housing Services Manager
Michelle Williams, Housing Service PA
Kate Green – Ian Williams Ltd
Arron Kelly – Ian Williams Ltd

Councillor apologies:

Sue Dawson, Tenant
Cat Summers, Tenant
Councillor Ian Hall
Councillor Helen Parr
Cindy Collier, Tenant
Councillor Geoff Pook
Councillor Sarah Chamberlain

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Strategic Planning Committee held online via zoom on 3 May 2022****Attendance list at end of document**

The meeting started at 2.00pm and ended at 3.13pm

106 Public speaking

There were no members of the public present at the meeting.

107 Minutes of the previous meeting

Members were happy to accept the minutes of the consultative Strategic Planning Committee on 5 April 2022.

108 Declarations of interest

Minute 111. Housing Need and Site Assessment Update.
Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 111. Housing Need and Site Assessment Update.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 111. Housing Need and Site Assessment Update.
Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and Axminster Town Council.

Minute 111. Housing Need and Site Assessment Update.
Councillor Philip Skinner, Personal, Known to FWS Carter & Sons and Stuart family and owns a piece of land that is in the HELAA process.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.
Councillors Dan Ledger and Paul Hayward, Personal, Member of the HELAA Panel.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.
Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.

Councillor Paul Arnott, Personal, Colyton Parish Councillor.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and Deputy Clerk to Axminster Town Council.

Minute 112. 2022 East Devon Housing and Economic Land Availability Assessment - Interim results.

Councillor Philip Skinner, Personal, Known to FWS Carter & Sons and Stuart family and owns a piece of land that is in the HELAA process.

109 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential/exempt items.

111 **Housing Need and Site Assessment Update**

The report presented to Members provided an update on changes to the local housing need figure for East Devon. The increased figure of 946 homes per year took into account the affordability ratio which had risen to 10.88 in 2021 compared to 10.08 in 2020 illustrating that housing prices had increased more than earnings making housing in the district less affordable. The Service Lead – Planning Strategy and Development Management reminded Members that Council had raised these concerns in February and had resolved to write to the Rt. Hon Michael Gove MP to highlight these concerns. The letter and response from the Minister of State for Housing were appended to the report.

The Service Lead – Planning Strategy and Development Management advised that the detailed assessments were continuing on each of the sites put forward through the call for sites and the HELAA panel. He sought Members guidance on how to move this forward and whether Officers should focus their attention on potential site allocations in and around the main towns which would help meet the Councils Spatial Strategy and Members aspirations.

Members were reminded of the resolution at the Strategic Planning Committee meeting held on 28 February 2022 to set aside more time for presentations from developers and site owners. Members' views were sought on how to accommodate these presentations as detailed in paragraphs 3.4 and 3.5 in the report. It was suggested that the two day presentations to hear from remaining parties to present their sites should be allocated shorter time slots if the developers/landowners were presenting smaller sites.

Points raised during discussion included:

- The affordability ratio does not work. Building more houses does not reduce the house prices. The Chair agreed and advised that the Government would need to change the standard methodology for it to make a difference;

- The response from the Minister of State for Housing on Members concerns about the standard method for calculating housing need is disingenuous as it implies it is in the Council's control which it is not.
- As detailed in the response by the Minister of State for Housing support was shown for the paragraph as follows: 'The NPPF says local authorities should give substantial weight to the value of using suitable brownfield land within settlement homes. They should support housing development on under-utilised land by, for instance, converting space above shops and building on or above service yards, car parks, lock-ups and railway infrastructure'. This response suggests there is too much burden on our villages as well as our greenfield sites when we should be looking at our towns;
- Reference was made to Exeter City Council's urban capacity study and the need to commission the same work to help understand how much vacant land there is in East Devon as well as land owned by East Devon District Council instead of focusing on Greenfield sites. In response the Chair confirmed that work was currently being done district wide to bring forward potential sites owned by the Council. It was highlighted that as Exeter had more industrial heritage there was more potential to develop on brownfield sites which East Devon did not have;
- Suggestion was made to look at car parks and council owned assets in town centres; In response the Service Lead – Planning Strategy and Development Management advised that all potential sites must come forward through the call for sites phase to enable Members to consider them through the Local Plan process and hoped he would see a number of council owned sites come forward through the process;
- Concerns raised that the provision of additional housing would put a strain on primary and secondary schools and health facilities;
- There is a need to secure a higher proportion of affordable housing;
- There is a need for a balance between employment land and housing land. Employment land within towns is key to ensure towns are sustainable.
- Concerns raised about development on Green Wedges. The Service Lead – Planning Strategy and Development Management advised that further work was being done which would be brought to a future meeting;
- The Service Lead – Planning Strategy and Development Management acknowledged Members concerns about the need to consider brownfield sites before greenfield sites and reminded Members about windfall sites and said a large number of these do come forward each year which are often on brownfield sites and although the number was difficult to predict they would come forward at a reasonable rate and would be factored into the housing numbers;
- Concerns raised about sewage and the need for sewage infrastructure to be in place first before any development. It was suggested that South West Water needs to be involved in the site assessment work and for a map to be produced that highlights which sites connects to which sewage works. It was advised that an independent water cycle study was being commissioned to provide advice about planned water infrastructure and phasing to enable growth.

RECOMMENDATION:

1. That the update to the local housing need figure and its implications as detailed in the report be considered;
2. That detailed site assessment work for sites being promoted for allocation in and around the main towns be brought to the Committee for consideration in the early summer be recommended;
3. That arrangements be made for two further day long virtual sessions for presentations from site promoters and developers of sites in and around the main

towns, to be held before Members formally to consider the site assessment work, which would include shorter presentations for the smaller areas and slightly longer presentations for the larger areas be recommended.

112 **2022 East Devon Housing and Economic Land Availability
Assessment - Interim results**

The Chair addressed the Committee and apologised for the lateness of the appendices and highlighted the information in the report was merely to note.

The Service Lead – Planning Strategy and Development Management presented the report that detailed the interim results of the draft 2022 East Devon Housing and Economic Land Availability Assessment (HELAA) Part 1. It was confirmed that through the HELAA assessment 339 sites that were available and suitable had been identified so far. This included the sites submitted in the 2021 call for sites and the 2017 call for sites with a potential capacity of around 31,000 homes across the district.

Strategic Planning Committee Members noted the contents of the report and also noted Part 2 would be brought to Committee late summer/early autumn.

Attendance List

Councillors present (for some or all the meeting)

D Ledger (Chair)
O Davey (Vice-Chair)
P Arnott
J Bailey
K Blakey
P Hayward
M Howe
A Moulding
G Pratt
E Rylance
P Skinner

Councillors also present (for some or all the meeting)

M Chapman
B De Saram
P Faithfull
G Jung
M Rixson
H Parr

Officers in attendance (for some of all the meeting)

Ed Freeman, Service Lead Planning Strategy and Development Management
Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer
Nicola Cooper, Solicitor
Mark Williams, Chief Executive

Councillor apologies:

S Chamberlain
B Ingham
R Lawrence

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Online via the zoom app on 7 June 2022****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.45 am

1 Public speaking

Before the start of the meeting the Chair thanked the former Chair, Councillor Dan Ledger, on behalf of the Committee for doing a fantastic job for the past two years leading the Council through the difficult early stages of the new Local Plan.

There were no members of the public present at the meeting.

2 Minutes of the previous meeting

Members accepted the minutes of the consultative Strategic Planning Committee on 3 May 2022.

3 Declarations of interest

7. Community Infrastructure Levy Allocation for Dinan Way Extension, Exmouth. Councillor Olly Davey, Affects Non-registerable Interest, Exmouth Town Councillor, Exmouth Town Council is implicated in funding for the Dinan Way Extension and a resident of Exmouth.

8. Levelling Up and Regeneration Bill - Planning Implications. Councillor Dan Ledger, Affects Non-registerable Interest, Seaton Town Councillor, Seaton and Axe Valley are being put forward for a Levelling Up Bid.

9. Employment Land Review to year ending 31 March 2021. Councillor Dan Ledger, Affects Non-registerable Interest, A unit owned by his family is listed in the report.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential/exempt items.

6 Community Infrastructure Levy Allocation for Dinan Way Extension, Exmouth

The Committee was asked to consider a request that the Community Infrastructure Levy allocation of £400k that had previously been withdrawn from the Dinan Way Extension project in Exmouth be reinstated. This was brought about by the Government's announcement of the new Levelling Up Fund 2 and Devon County Council's decision to pursue a revised bid for the extension.

Discussion covered:

- Clarification was sought whether the developers for Goodmores Farm had contributed funding to Devon County Council for the school and the Dinan Way Extension. The Service Lead – Planning Strategy and Development Management advised he would provide a written response;
- Reassurance was sought that if the bid was unsuccessful the £400k would be returned to the pot. It was confirmed that in that eventuality the intention in the recommendation, if Members agreed, would be deallocate the money and return it to the main Community Infrastructure Levy Pot;
- It was questioned whether the match funding of £400k would be an adequate amount to successfully build the extension taking into account the increase in inflation. The Service Lead – Planning Strategy and Development Management confirmed the cost of the project had indeed increased and had been contacted by Devon County Council after the report was published to consider an opportunity to increase the funding which was open to the suggestion if Members agreed;
- Not in favour of increasing the amount of funding as money needs to be spent all over the district;
- There is a need to cross reference with the Devon Climate Emergency Strategy. Is it essential as it will move traffic congestion from Exmouth to Clyst St Mary and Junction 30 of the M5?
- Clarification was sought about whether Exmouth Town Council would still contribute as previously agreed. The Service Lead – Planning Strategy and Development Management could not give a definitive answer but confirmed Exmouth Town Council would be contributing. During the meeting the Service Lead – Planning Strategy and Development Management received an email from the Exmouth Town Council Clerk who clarified their original contribution was £158k but that their members would be discussing whether to increase this amount at their Full Council meeting next week;
- Would enable shorter journeys for the residents of Brixington with a suggestion that Stagecoach could also deliver a service along the route;
- It would enable redevelopment of the gateway to the town including the railway station;
- Improvements to some cycle routes;
- Not clear in the report about why there is a need for a new road especially as the council's ambition is to be a green council. In response the Committee were reminded that the current Local Plan adopted the Dinan Way Extension as an infrastructure project for Exmouth and was also on the Infrastructure Delivery Plan as a priority one project but could be reviewed through the new Local Plan to take into account the council's climate change emergency if Members wished;

RECOMMENDATION:

1. Confirmation that £400k of Community Infrastructure Levy money be made available as match funding to support a Levelling Up Fund 2 bid being made by Devon County Council for the Dinan Way Extension in Exmouth; and
2. In the event that Devon County Council's Levelling Up Fund 2 bid for the Dinan Way Extension in Exmouth is unsuccessful the £400k to be deallocated for this purpose and returned to the main Community Infrastructure Levy pot.

7 **Levelling Up and Regeneration Bill - Planning Implications**

The report presented to Committee summarised the key planning reforms in the new Levelling Up and Regeneration Bill that could potentially impact on EDDC and changes to the production of the new Local Plan and timetables if major changes were proposed.

These included:

- The potential risks to the planning system that could impact on the local plan production, including a plan led system and the importance of having an up-to-date Local Plan;
- The removal of the proposals for a zoning system and 'in-principle' consent for sites allocated for growth;
- Funding and delivery of infrastructure which would replace the Community Infrastructure Levy and the need for negotiation. Although this was welcomed it was difficult to understand how this would work;
- Creating beautiful places and improving environmental outcomes;
- Digital transformation and better use of digital technology to increase engagement in the planning system.

The Service Lead – Planning Strategy and Development Management reassured Members of the need to move ahead with the new Local Plan as these changes would not be as significant as previously presented in the Planning White Paper.

Members' comments included:

- Clarification sought on the outcome of the Environmental Outcome Reports. The Service Lead – Planning Strategy and Development Management advised it was unclear what extent this would differ from the Environmental Impact Assessment and Strategic Environmental Assessments already carried out or whether it was just a rebranding exercise;
- Support was expressed for the report;
- Support to give more weight to neighbourhood plans;
- Clarification sought on the outcome to remove the requirement of a five year land supply upon the adoption of the Local Plan. The Service Lead – Planning Strategy and Development Management advised that in his opinion this change was not that significant as the requirement was only to be removed for the first 5 years following adoption of a Local Plan. He advised that in order to be found sound a Local Plan would need to demonstrate that it delivered a 5 year land supply at least that period of time anyway.
- Reference was made to the delivery of high quality design and beautiful places and the need to make sure the correct design standards were in place in the Local Plan to build accessible homes suitable for the right stage of life and disability level. In response Members were advised that the Bill required a District Design Guide to be produced that would be revisited and produced taking into account good design and engagement through community consultation. The accessibility issues and adaptability issues have been addressed through the new Local Plan and will be further considered through evidence from the Local Needs Assessment. Members were reminded that they had all been invited to attend a workshop on Friday morning to update Members on the Local Housing Needs Assessment;
- Reference was made to 'enhance local democracy and engagement' and how this would work in terms of how the public would understand the rules on planning;
- Clarification sought about the pilot community land auction. The Service Lead – Planning Strategy and Development Management advised there would be some requirement but was unclear what this would be until he had sight of the regulations;

- Clarification sought on the land value tax and the suggestion that payment would be made at the end of the build out. What mechanism would be put in place to ensure completion is reached. What action could be taken? The Service Lead – Planning Strategy and Development Management acknowledged the concerns raised and emphasised that this issue was why CIL was originally introduced to ensure payment was made in the early stages of development to ensure money was available to deliver infrastructure in good time however this had not worked in the long term due to the lack of match funding. He stressed this issue could be made worse if developers were required to pay at the end;
- Clarification sought on who would bear the cost on enforcement action for planning applications. The Service Lead – Planning Strategy advised that his personal preference was to impose spot fines that would be equivalent to the cost of the planning application, however this was not part of the bill and so the cost would remain with the local authority;
- It was questioned whether there would be further consultation with Local Authorities as the Bill goes through Parliament.
- It was questioned whether the Government would look at improving energy efficiency on existing housing stock and whether there would be increased grants to accommodate this. It was advised Government was taking this forward through the Building Regulations to improve insulation levels and renewable energies in new builds and was happening through the Future Homes Standard through a phased approach.

Strategic Planning Committee Members noted the contents of the report.

8 **Employment Land Review to year ending 31 March 2021**

The Service Lead – Planning Strategy and Development Management presented a report that summarised the employment land review undertaken for 2020-21. The Council was required to undertake this monitoring exercise for the production of the new Local Plan and to ensure there was sufficient land availability in the district to support growth.

Members' attention was drawn to appendix 2 of the appended report that summarised the overview of employment land for that period which included:

- 3 ha of employment sites granted;
- 1.3 ha of permissions under construction;
- 1.91 ha of completions;

Also included were:

- 38 ha with extant planning permission;
- 63 ha allocated in the Local Plan but not being taken forward

The Service Lead – Planning Strategy and Development Management advised there was a need to understand the reasoning behind this and suggested this could be because of the cost of building the employment spaces and the income from selling or letting. This meant that in some areas employment spaces were barely worth what they cost to build. Members also noted there was also a need to allocated employment land as part of housing sites to subsidise the delivery of the employment sites.

Comments included:

- It was questioned what the impact on employment sites would be given the demand to work from home. In response it was advised the Economic

Development Needs Assessment report detailing guidance and evidence would be provided to Members in the next couple of months

- There was a need to take into consideration the B8 (storage and distribution) category as a lot of minor country roads are not suitable for HGVs. There is a need to monitor where these planning applications are being made and refuse them if the road is inadequate. In response the Service Lead – Planning Strategy and Development Management advised the council was bound to the Highway Authority's advice but they would usually advise us to restrict HGV movements to sites where the road network is unsuitable for such vehicles;
- There was a clear need to look at mixed use development sites to link employment and housing together.

Strategic Planning Committee Members acknowledged the report.

Attendance List

Councillors present:

P Arnott (Chair)

O Davey (Vice-Chair)

M Allen

J Bailey

K Blakey

P Hayward

M Howe

B Ingham

R Lawrence

D Ledger

A Moulding

G Pratt

E Rylance

Councillors also present (for some or all the meeting)

M Chapman

P Faithfull

J Kemp

D Manley

M Rixson

J Rowland

E Wragg

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management

Shirley Shaw, Planning Barrister

Wendy Harris, Democratic Services Officer

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Debbie Meakin, Democratic Services Officer

Councillor apologies:

S Chamberlain

P Skinner

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative Planning Committee meeting held oOnline via zoom on 13 April 2022****Attendance list at end of document**

The meeting started at 10.00 am and ended at 1.25 pm. The meeting was adjourned at 12.40pm and reconvened at 1.05pm.

131 Minutes of the previous meeting

Members were happy to accept the minutes of the consultative Planning Committee held on 16 March 2022.

132 Declarations of interest

Minute 134. Local Development Order.

Councillor Sarah Chamberlain, Personal, Ward Member for Broadclyst.

Minute 135. 22/0067/FUL (Minor) EXMOUTH LITTLEHAM.

Councillor Bruce De Saram, Personal, Ward Member; Land is owned by East Devon District Council and an Exmouth Town Councillor.

Minute 135. 22/0067/FUL (Minor) EXMOUTH LITTLEHAM.

Councillor Eileen Wragg, Personal, Attended some of the Queens Drive Delivery Group meetings and known to the public speaker speaking in support of the application.

Minute 135. 22/0067/FUL (Minor) EXMOUTH LITTLEHAM.

Councillor Olly Davey, Personal, Exmouth Town Councillor; Ward Member and Member of the Queens Drive Delivery Group.

Minute 135. 22/0067/FUL (Minor) EXMOUTH LITTLEHAM.

Councillor Philip Skinner, Personal, Land is owned by East Devon District Council.

Minute 136. 21/2830/FUL (Minor) WOODBURY & LYMPSTONE.

Councillors Bruce De Saram, Olly Davey, Philip Skinner, Richard Lawrence, Personal, Received lobbying email in respect of this application.

Minute 136. 21/2830/FUL (Minor) WOODBURY & LYMPSTONE.

Councillor Eileen Wragg, Personal, Invited to attend a site visit by email but had declined.

Minute 137. 21/1546/FUL (Minor) EXMOUTH LITTLEHAM.

Councillor Bruce De Saram, Personal, Met as Ward Member with the applicant approx 1 - 2 years ago.

Minute 137. 21/1546/FUL (Minor) EXMOUTH LITTLEHAM.

Councillor Eileen Wragg, Olly Davey, Richard Lawrence, Sarah Chamberlain, Personal, Received lobbying email in respect of this application.

Minute 137. 21/1546/FUL (Minor) EXMOUTH LITTLEHAM.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 138. 21/1860/FUL (Minor) OTTERY ST MARY.
Councillor Bruce De Saram, Colin Brown, Eileen Wragg, Philip Skinner, Richard Lawrence, Sarah Chamberlain, Personal, Received lobbying email in respect of this application.

Minute 140. 22/0013/FUL (Minor) BROADCLYST.
Councillor Sarah Chamberlain, Personal, Ward Member.

Non-Committee Members

Minute 136. 21/2830/FUL (Minor) WOODBURY & LYMPSTONE.
Councillor Geoff Jung, Personal, Ward Member and Cabinet Member with the responsibility for Coast, Countryside & Environment; Member of the Joint Committee of the Habitat Mitigation for the Exe Estuary and the Pebblebed Heaths; Board Member for the Pebblebed Heaths National Nature Reserve and Member of the CPRE.

Minute 138. 21/1860/FUL (Minor) OTTERY ST MARY.
Councillor Peter Faithfull, Personal, Known to the applicant and had conversations about the application.

133 **Planning appeal statistics**

The Committee noted the planning statistics report setting out seven appeal decisions, of which five had been dismissed and two allowed.

The Development Manager drew Members' attention to the two appeals allowed. The first related to planning application 20/0933/OUT – Land South of Underhill Close, Lympstone. The Inspector determined that the proposal would not harm the Green Wedge in relation to its character and appearance or encroachment towards Exmouth and was of suitable appearance in a sustainable location. The second related to planning application 20/2710/FUL – 2 Brooklyn, Stowford, Sidmouth. The Inspector determined that the proposal was in a sustainable location and that in the absence of harm to the character and appearance of the area and the AONB the appeal was allowed.

Finally, Members' noted that although an Enforcement Notice issued to Thorn Park Family Golf Centre, Salcombe Regis, had been quashed due to it being incorrectly served, it would be correctly served to the appellant again.

134 **Local Development Order**

The Committee considered the report that sought Members approval for the formal public consultation process for the Local Development Order (LDO) on Land off Long Lane. The Development Manager advised it was one of four sites to form the East Devon Enterprise Zone and would facilitate a maximum of 26,000 sq.m. for new commercial and employment development. He briefly outlined the purpose of the LDO which, if approved, allowed development work to be completed without the need for full planning permission therefore acting as a tool to speed up the planning process. Members noted that following consultation a final version of the LDO would be brought back to Committee for Members to consider.

The Committee were supportive of the detailed report and comments included:

- Clarification sought on whether other LDOs had been approved in the district. The Development Manager confirmed there was no other LDOs relating to a particular site but that there was one other LDO in place to carry out infrastructure works to district heating.
- Support was shown that the LDO would be a step forward to allow commercial businesses to grow to create much needed jobs in the area.
- Reassured that sustainability was detailed as a key aspect of the development

RECOMMENDATION:

Of approval that the formal public consultation process for the LDO on Land off Long Lane, with delegated authority to be given to the Development Manager to finalise and to agree the consultation draft of the LDO.

135 **22/0067/FUL (Minor) EXMOUTH LITTLEHAM**

Applicant:

Mr Tim Child.

Location:

Land at Queen's Drive, Exmouth.

Proposal:

Permanent use of land, buildings and structures for the purposes of entertainment, recreation and leisure.

RECOMMENDATION:

Of approval as per officer recommendation.

136 **21/2830/FUL (Minor) WOODBURY & LYMPSTONE**

Applicant:

Mr & Mrs Stott.

Location:

Pine Hollow, Hulham Road, Exmouth, EX8 5DX.

Proposal:

Change of use to a glamping site comprising two glamping pods, a refurbished stable for facilities and toilet building, with associated access and parking (retrospective) (resubmission of planning reference 21/0856/FUL).

RECOMMENDATION:

Of adoption of the Appropriate Assessment and refusal as per officer recommendation.

137 **21/1546/FUL (Minor) EXMOUTH LITTLEHAM**

Applicant:

Mr Loveridge

Location:

British Red Cross Society, South Street, Exmouth, EX8 2SA.

Proposal:

Erection of a three storey building to include four two bed flats, office suite and two front dormers with associated parking and amenity space including demolition of existing hall.

RECOMMENDATION:

Of deferral for further negotiation by officers to seek changes to reduce the bulk of the building and to amend its design and position to address the concerns raised regarding the impact upon neighbour amenity and the size of the parking spaces.

138 **21/1860/FUL (Minor) OTTERY ST MARY**

Applicant:

Mr Martin Nancekivell.

Location:

Barrack Farm, Exeter Road, Ottery St Mary, EX11 1LE.

Proposal:

Two storey, four bed, detached, principle farm house with associated parking and amenity space.

RECOMMENDATION:

Of adoption of the Appropriate Assessment and deferral for further negotiation by officers to reduce the size of the dwelling.

139 **21/1618/FUL (Minor) HONITON ST MICHAELS**

Applicant:

Mr Ayhan Adsoy.

Location:

19 New Street, Honiton, EX14 1HA.

Proposal:

Change of use of ground floor from a mixed use comprising retail (Class A1) and hot food takeaway (Class A5) to use as a hot food takeaway (Class A5) and installation of external extraction flue (revised proposal to 20/1959/FUL).

RECOMMENDATION:

Of approval as per officer recommendation.

140 **22/0013/FUL (Minor) BROADCLYST**

Applicant:

Mr James Leisk.

Location:

72 Park Lane, Exeter, EX4 9HP.

Proposal:

Erection of a detached dwelling.

RECOMMENDATION:

Of approval as per officer recommendation but with a change to Condition 6 to reflect the submission of plans detailing proposed levels prior to Committee.

141 **21/3077/FUL (Minor) WOODBURY & LYMPSTONE**

Applicant:

Ashley & Lisa Taylor.

Location:

Higher Stables, Meeting Lane, Lympstone, Exmouth, EX8 5JJ.

Proposal:

Demolition of three stable buildings and construction of new dwelling.

RECOMMENDATION:

Of approval as per officer recommendation.

142 **21/3060/FUL (Minor) SIDMOUTH TOWN**

Applicant:

Mr Martin Millmow.

Location:

Cambridge Cottage, Salcombe Road, Sidmouth, EX10 8PR.

Proposal:

Construction of single storey side extension.

RECOMMENDATION:

Of approval as per officer recommendation.

Attendance List

Councillors present (for some or all the meeting)

E Wragg (Chair)

S Chamberlain (Vice-Chair)

C Brown

O Davey

B De Saram

D Key

R Lawrence

G Pratt

P Skinner

T Woodward

Councillors also present (for some or all the meeting)

P Arnott

P Faithfull

N Hookway

B Ingham

G Jung

Officers in attendance (for some or all the meeting)

Chris Rose, Development Manager

Shirley Shaw, Planning Barrister

Wendy Harris, Democratic Services Officer

Amanda Coombes, Democratic Services Officer

Gerry Mills, Project Manager Place & Prosperity (Exmouth)

Frances Wadsley, Project Manager, Planning, Growth, Development & Prosperity

Councillor apologies:

J Bonetta

K Bloxham

A Colman

S Gazzard

M Howe

G Pook

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of the Planning Committee held online via zoom on 27 April 2022****Attendance list at end of document**

The meeting started at 12.00pm and ended at 1.10pm

During the absence of Vice Chair, Councillor Sarah Chamberlain, the Committee agreed to Councillor Tony Woodward being Vice Chair.

143 Declarations of interest

Minute 144. 21/3255/FUL (Minor) TRINITY.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution the Chair (on behalf of the Committee) advised of receipt of lobbying emails in respect of this application.

Minute 144. 21/3255/FUL (Minor) TRINITY.

Councillor Geoff Pratt, Personal, Member of the East Devon Area of Outstanding Natural Beauty Partnership.

144 21/3255/FUL (Minor) TRINITY**Applicant:**

Mr Mark Perry.

Location:

Building North of Harbour Close, Combyne, EX13 8SX.

Proposal:

Change of use of part of building to B2 use and retention of single storey side extension.

RECOMMENDATION:

Of Approval as per Officer recommendation.

Attendance List**Councillors present:**

E Wragg (Chair)

C Brown

B De Saram

S Gazzard

R Lawrence

G Pook

G Pratt

P Skinner

T Woodward

Councillors also present (for some or all the meeting)

I Thomas

Officers in attendance (for some or all the meeting)

Chris Rose, Development Manager

Shirley Shaw, Planning Barrister

Wendy Harris, Democratic Services Officer

Ian Winter, Environmental Health Officer

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Amanda Coombes, Democratic Services Officer

Councillor apologies:

S Chamberlain

J Bonetta

K Bloxham

A Colman

O Davey

M Howe

D Key

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the consultative meeting of Planning Committee held Online via zoom on 14 June 2022****Attendance list at end of document**

The meeting started at 9.30 am and ended at 4.00 pm. The meeting was adjourned at 1.20 pm and reconvened at 1.50 pm

1 Minutes of the previous meetings

Members accepted the minutes of the consultative Planning Committee on 13 April and 27 April 2022.

2 Declarations of interest

8. 21/2235/MRES (Major) CLYST VALLEY.

Councillor Mike Howe, Affects Non-registerable Interest, Bishops Clyst Parish Councillor.

8. 21/2235/MRES (Major) CLYST VALLEY.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Councillor Mike Howe advised lobbying in respect of this application.

9. 22/0249/MRES (Major) SIDMOUTH RURAL.

Councillor Geoff Pratt, Affects Non-registerable Interest, Member of the East Devon AONB Partnership.

11. 21/3201/FUL (Minor) DUNKESWELL & OTTERHEAD.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Councillors Bruce De Saram, Mike Howe, Eileen Wragg and David Key advised lobbying in respect of this application.

11. 21/3201/FUL (Minor) DUNKESWELL & OTTERHEAD.

Councillor Colin Brown, Affects Non-registerable Interest, Dunkeswell & Otterhead Ward Member.

11. 21/3201/FUL (Minor) DUNKESWELL & OTTERHEAD.

Councillor David Key, Affects Non-registerable Interest, Dunkeswell & Otterhead Ward Member.

14. 21/2835/FUL (Minor) WEST HILL & AYLESBEARE.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Councillor Mike Howe advised lobbying in respect of this application.

15. 22/0549/FUL (Minor) BROADCLYST.

Councillor Eleanor Rylance, Affects Non-registerable Interest, Broadclyst Parish Councillor.

19. 22/0216/COU (Minor) EXMOUTH TOWN.

Councillor Bruce De Saram, Affects Non-registerable Interest, Adjoining Ward Member.

19. 22/0216/COU (Minor) EXMOUTH TOWN.
Councillor Eileen Wragg, Affects Non-registerable Interest, Exmouth Town Ward Member.

19. 22/0216/COU (Minor) EXMOUTH TOWN.
Councillor Olly Davey, Affects Non-registerable Interest, Exmouth Town Ward Member and Exmouth Town Councillor.

19. 22/0216/COU (Minor) EXMOUTH TOWN.
Councillor Steve Gazzard, Affects Non-registerable Interest, Exmouth Town Councillor.

19. 22/0216/COU (Minor) EXMOUTH TOWN.
Councillor Tony Woodward, Affects Non-registerable Interest, Exmouth Town Councillor.

20. 22/0601/FUL (Minor) DUNKESWELL & OTTERHEAD.
Councillor Colin Brown, Affects Non-registerable Interest, Dunkeswell & Otterhead Ward Member.

20. 22/0601/FUL (Minor) DUNKESWELL & OTTERHEAD.
Councillor David Key, Affects Non-registerable Interest, Dunkeswell & Otterhead Ward Member.

Non Committee Member

9. 22/0249/MRES (Major) SIDMOUTH RURAL.
Councillor John Loudoun, Affects Non-registerable Interest, Sidmouth Rural Ward Member and a Member of the Sid Vale Association.

3 **Planning appeal statistics**

The Committee noted the planning statistics report setting out five appeal decisions, five had been dismissed and one allowed.

The Development Manager updated Members on the appeal allowed which related to application 20/1799/FUL – 105 Victoria Road, Exmouth, advising that the Inspector determined that the proposed development would not be out of character with its surroundings and would not affect neighbouring properties.

Members' attention was drawn to application 21/0811/FUL – Land and buildings opposite Hembury Close, Broadhembury, where the applicant appealed delegated refusal. The Development Manager clarified that the Inspector's decision to uphold the appeal indicated a slight shift in the Inspectorates decisions giving more weight to the impact of design on an AONB.

4 **21/2235/MRES (Major) CLYST VALLEY**

Applicant:
Mr Steve Billings.

Location:
Winslade Park, Clyst St Mary.

Proposal:

Reserved matters application pursuant to outline application 20/1001/MOUT seeking details of layout, appearance, scale and landscaping for a residential development of 38 dwellings (Zone A).

RECOMMENDATION:

Of approval as per officer recommendation but subject to an additional condition as follow:

Prior to any development above damp proof course of any dwelling hereby approved and following the completion of the SAP assessments for each dwelling, details of the position and design of solar panels to the roofs of dwellings shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the solar panels shall be provided in accordance with the approved details.

(Reason: to ensure a sustainable design and construction of the dwellings in accordance with Strategy 38 of the adopted East Devon Local Plan).

5 **22/0249/MRES (Major) SIDMOUTH RURAL**

Applicant:

OG Holdings Retirement Benefit Scheme.

Location:

Land East of Two Bridges, Two Bridges Road, Sidford.

Proposal:

Reserved matters application seeking approval of appearance (pursuant to outline permission 18/1094/MOUT – outline application accompanied by an Environmental Statement (with scale and appearance reserved) for the change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure).

RECOMMENDATION:

Of approval as per officer recommendation.

6 **21/2875/VAR (Minor) SIDMOUTH TOWN**

Applicant:

Mr Spencer Brinton (East Devon Estates Ltd.).

Location:

55 Peaslands Road, Sidmouth, EX10 9BE.

Proposal:

Variation of Condition 2 (approved plan) and Condition 4 (landscaping) of planning application 21/1148/FUL (construction of a two storey dwelling).

RECOMMENDATION:

Of approval as per officer recommendation.

7 **21/3201/FUL (Minor) DUNKESWELL & OTTERHEAD**

Applicant:

Mr & Mrs Steve & Clare Harvey

Location:

Bennettshayes Farm, Awliscombe, Honiton, EX14 3PY

Proposal:

Erection of agricultural workers dwelling and associated works.

RECOMMENDATION:

Of deferral for a site inspection and to assess the impact from the proposal on the AONB and to seek further information from the applicant regarding why this, rather than any other site adjacent to the farm, has been selected and considered to have the least impact on the AONB.

8 **21/2523/FUL (Minor) TALE VALE**

Applicant:

Mr W Light.

Location:

Courtlands (Edenvale Turf) Dulford, Cullompton, EX15 2EQ.

Proposal:

Construction of dwelling in place of conversion of existing agricultural building to form one of dwellings (Unit B) subject of prior approval reference 19/0967/PFQ)

RECOMMENDATION:

Of refusal as per officer recommendation.

9 **22/0302/FUL (Minor) TALE VALE**

Applicant:

Mr & Mrs Hutchings

Location:

Larkbeare Grange, Talaton, EX5 2RY.

Proposal:

Two detached buildings for use as holiday accommodation.

RECOMMENDATION:

Of refusal as per officer recommendation.

10 **21/2835/FUL (Minor) WEST HILL & AYLESBEARE**

Applicant:

Mr Greg Vooght.

Location:

Halfway Inn, Aylesbeare, Exeter, EX5 2JP.

Proposal:

New equestrian shop within existing building with alteration to fenestration. New storage building, parking, landscaping and external works. Use of ancillary building as a dog grooming business.

RECOMMENDATION:

Of approval as per officer recommendation subject to the rewording of Conditions 3, 4 and 5 to reflect retrospective permission being granted.

11 **22/0549/FUL (Minor) BROADCLYST**

Applicant:

Mr Gary Moore.

Location:

The Gardens, Blackhorse, Exeter, EX5 2FT.

Proposal:

Construction of three bungalows with associated access, parking and landscaping.

RECOMMENDATION:

Of approval as per officer recommendation.

12 **22/0269/FUL (Minor) HONITON ST MICHAELS**

Applicant:

Ms & Messrs C, G & J Beament.

Location:

Land adjacent Crosslyn, Exeter Road, Honiton, EX14 1AU.

Proposal:

Erection of a detached dwelling.

RECOMMENDATION:

Of approval as per officer recommendation.

13 **21/2747/FUL & 21/2748/FUL (Minor) YARTY**

Applicant:

Ellis.

Location:

Alston Farm, Alston, Axminster, EX13 7LG.

Proposal:

21/2747/FUL – Detailed application for the erection of a livestock building.

21/2748/FUL – Detailed application for the erection of a livestock building and installation of four rainwater harvesting tanks.

RECOMMENDATION:

Of approval as per officer recommendations (21/2747/FUL & 21/2748/FUL)

14 **22/0344/FUL (Minor) NEWTON POPPLEFORD & HARPFORD**

Applicant:

Mr & Mrs Kevin & Marianne Howe.

Location:

Little Holme, Back Lane, Newton Poppleford, EX10 0EY.

Proposal:

Single storey side extension with alteration to fenestration and installation of terrace to front.

RECOMMENDATION:

Of approval as per officer recommendation.

15 **22/0216/COU (Minor) EXMOUTH TOWN**

Applicant:

Miss Caitlin Davey.

Location:

Beach Gardens, Exmouth.

Proposal:

Temporary change of use of land for siting of 28m observation wheel for three years.

RECOMMENDATION:

Of approval as per officer recommendation.

16 **22/0601/FUL (Minor) DUNKESWELL & OTTERHEAD**

Applicant:

Mr & Mrs N Chapman.

Location:

Higher Northcott Farm, Blackborough, Cullompton, EX15 2JF.

Proposal:

General purpose lean-to extension.

RECOMMENDATION:

Of approval as per officer recommendation.

Attendance List

Councillors present:

E Wragg (Chair)

C Brown

O Davey

B De Saram

S Gazzard

M Howe

D Key

R Lawrence
G Pratt
E Rylance
P Skinner
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
J Bonetta
P Hayward
J Loudoun
V Ranger
M Rixson

Officers in attendance:

Wendy Harris, Democratic Services Officer
Amanda Coombes, Democratic Services Officer
Nicola Cooper, Solicitor
Chris Rose, Development Manager
Shirley Shaw, Planning Barrister

Councillor apologies:

S Chamberlain
K Bloxham
A Colman
G Pook

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Sub Committee held Online via the Zoom app on 27 April 2022

Attendance list at end of document

The meeting started at 9.30 am and ended at 10.02 am

31 Minutes of the previous meeting held on 9 February 2022

The minutes of the previous meeting held on 9 February 2022 were agreed as a correct record.

32 Declarations of interest

There were no declarations of interest.

33 Matters of urgency

There were no matters of urgency.

34 Confidential/exempt items

There were no confidential / exempt items.

35 Determination of an application for the grant of a premises licence to allow the sale of alcohol for consumption ON and OFF the premises at The Salt Cellars (formerly Greenway Lane Post Office & Stores), 30 Greenway Lane, Budleigh Salterton EX9 6SG

The Sub Committee considered the application for the grant of a new premises licence to allow the sale of alcohol for consumption ON and OFF the premises at The Salt Cellars (formerly Greenway Lane Post Office & Stores), 30 Greenway Lane, Budleigh Salterton EX9 6SG.

The meeting was a hearing under the Licensing Act 2003.

The Chair introduced the members of the Sub Committee.

The applicant, present and entitled to make representations was Mr Richard Charlton.

The interested party, present and entitled to make representations was Mr Nick Johnson.

The Licensing Authority had not received representations from any responsible authorities.

The Sub Committee's legal advisor, Giles Salter, outlined the procedure for the meeting.

The Licensing Officer, Lesley Barber, highlighted that the application seeks to license the sale of alcohol within the premises only, for consumption on and off the premises. She added that the sub-committee might wish to consider the applicant's comments in his

response to the Notice of Hearing, set out in Appendix E of the report, detailing amendments that he might be willing to make to the application.

No updates or amendments had been made since the publication of the report.

The applicant made his case for the application and highlighted the following points:

- A full written statement responding to the concerns raised had been provided in advance of the meeting.
- The intention is to provide alcohol with a focus on quality rather than quantity.
- The premises is a deli and café; alcohol is an extension of the offering, introducing people to a range of new and local products that they will not find elsewhere in the town.
- The applicant has applied for hours which he believes will not cause late disturbance or nuisance, taking account of the setting.
- The premises is a small venue, intended to be an asset for the local community.
- Local residents are welcome to speak directly with the applicant at any time and he will actively try to accommodate any concerns, and adapt if possible.

In response to questions from Members, the applicant made the following points:

- There is no intention to open on Sundays; however, the application seeks to license the sale and consumption of alcohol on Sundays to give flexibility for one-off events without the need to apply for temporary event notices.
- By way of compromise, the applicant is willing to amend the application to allow consumption of alcohol outside until 8.00pm, after which time customers will be asked to move inside.
- The outside area is small, seating approximately six people.
- It is not intended to stop people from smoking or vaping outside, but there is no designated area for these activities. The premises was formerly a shop and there were no restrictions at that time.
- The interior of the deli will comprise 5 tables, displays of stock and produce, and a counter. The alcohol will be within an open display near the counter; this will not be set out as a bar.
- Drinks will be sourced locally from within Devon, Cornwall and Somerset.

In response to a question from the legal advisor, the applicant stated that initially, drinks will be sold in a sealed container for people to buy to take away or open and consume on site. There might be some drinks served on draft in the future, but it is not intended at any point to have a full optic display of alcoholic drinks.

In response to questions from the objector, the legal advisor, stated that it is appropriate for the applicant to apply for everything they might need to give them the capacity to use the business as they so choose, without having to subsequently apply for an extension of the licence, or use temporary event notices, at additional cost, for single events. Should concerns arise with how the premises are developed, there is the potential for responsible authorities and interested parties to seek a review of the licence and how it is being operated.

The interested party objecting to the application made the following points:

- There are concerns that the establishment needs to be based on an appropriate business model for the community area in which it is located.
- As well as the representations received, other people were voicing concerns locally.
- Examples were given of similar establishments which had more considerate closing times for their local residents.
- When the premises was operating as a shop, the closing times were early evening.
- Amending the licence hours between Monday and Thursday (as set out at point 4.3 of the report) would go some way to alleviating residents' concerns but the closing time of

10.00pm on Fridays and Saturdays was a significant concern, in the middle of a built up residential area. There was also concern that Sunday is not included in point 4.3.

- Decision makers were asked to consider making a site visit before taking their formal decision.
- The applicant was asked to consider very carefully the effect of his licensed premises on the local residents.

In response to the interested party's points, one member commented that he knows Greenway Lane and visited the area yesterday for a specific look. He recognised there are a number of houses nearby and he sees the café/deli as an asset for that community; a space for people to interact, which will be good for mental health.

In response to the interested party's points, the applicant commented that whilst he is the owner of a brewery, the café/deli is separate from that and will sell the brewery product only as part of the full range.

The Chair thanked all participants for attending the meeting and advised that the decision of the Sub Committee would be notified to all parties in writing within five working days.

Attendance List

Councillors present:

B Taylor
J Whibley (Chair)
T Woodward

Councillors also present (for some or all the meeting)

M Chapman

Officers in attendance:

Rebecca Heal, Solicitor
Susan Howl, Democratic Services Manager
Sarah James, Democratic Services Officer
Giles Salter, Solicitor
Lesley Barber, Licensing Officer
Phillippa Norsworthy, Licensing Officer

Chair:

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Sub Committee held at Council Chamber, Blackdown House, Honiton on 8 June 2022****Attendance list at end of document**

The meeting started at 9.30 am and ended at 9.34 am

1 Public speaking

No members of the public had registered to speak.

2 Minutes of the previous meeting held on 27 April 2022

The minutes of the previous meeting held on 27 April 2022 were agreed as a true record.

3 Declarations of interest

There were no declarations of interest.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt items

There were no confidential / exempt items.

6 Determination of an application for the grant of a Temporary Street Trading Consent under schedule 4 of the provisions of the Local Government (Miscellaneous Provisions) Act 1982

The Chair advised that the meeting was a hearing to determine an application for a temporary street trading consent under schedule 4 of the provisions of the Local Government (Miscellaneous Provisions) Act 1982. The application sought a time limited temporary street trading consent on behalf of Exmouth Pride for 19 trading stalls that will be attending a one day event in Manor Gardens, Exmouth on 18th June 2022.

It was noted that no statutory body had made representations in relation to the application and no objections had been received.

The applicant did not attend the meeting.

The Sub Committee considered the application and it was noted that this event had been held over a number of recent years and that no issues had arisen.

RESOLVED

That the application be granted.

Attendance List

Councillors present:

K Bloxham (Chair)

A Dent

T Woodward

Councillors also present (for some or all the meeting)

None

Officers in attendance:

Rebecca Heal, Solicitor

Giles Salter, Solicitor

Stephen Saunders, Licensing Manager

Zoe Jones, Licensing Support Officer

Sarah Jenkins, Democratic Services Officer

Councillor apologies:

None

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Sub Committee held Online via the Zoom app on 15 June 2022****Attendance list at end of document**

The meeting started at 9.30 am and ended at 10.42 am

7 Declarations of interest

There were no declarations of interest.

8 Matters of urgency

There were no matters of urgency.

9 Confidential/exempt items

There were no confidential / exempt items.

10 Determination of an application for the grant of a premises licence to allow the sale of alcohol ON and OFF the premises, the provision of regulated entertainment and the provision of late night refreshment at Lympstone Manor Hotel, Courtlands Lane, Exmouth EX8 3NZ

The Sub Committee considered the application for the grant of a premises licence to allow the sale of alcohol ON and OFF the premises, the provision of regulated entertainment and the provision of late night refreshment at Lympstone Manor Hotel, Courtlands Lane, Exmouth EX8 3NZ. The meeting was a hearing to consider the application for a premises licence under the Licensing Act 2003.

The Chair introduced the members of the Sub Committee.

The applicant, Michael Caines of Lympstone Manor Ltd, had given notice that he would not attend and would not be represented at the hearing.

The interested parties, present and entitled to make representations were Jessica Dawkins, Jeffrey Kitson, Kathryn Kitson and John Longstaff.

The Licensing Authority had received representations from Devon & Cornwall Police and East Devon District Council Environmental Health Service.

The Sub Committee's legal advisor, Rebecca Heal, outlined the procedure for the meeting.

The Licensing Officer, Phillippa Norsworthy, outlined the application including the proposed licensable activities, which were set out at Appendix A of her report. The existing premises licence covered the hotel building only and provided for the same licensable activities as currently applied for, with the new application seeking slightly different timings. The existing conditions on the current premises licence were set out at

Appendix K and the conditions offered by the applicant within the operating schedule were set out separately at Appendix I.

The Licensing Officer advised that twelve representations had been received in total. The applicant had come to an agreed position with the two responsible authorities who had submitted representations, and had agreed to additional conditions being imposed on the operating schedule which were set out at Appendix J. The remaining ten representations in objection had been received from local residents, none of which had been withdrawn. The representations were set out at Appendix D. Local residents' key points and supporting documentation was set out at Appendices E, F, G and H. The applicant's response to the notice of hearing was set out at Appendix E. There had been no updates to the report since publication.

In response to questions from Members of the Sub Committee, the Licensing Officer advised the following:

- The regulated entertainment applied for would take place indoors only.
- The late night refreshment would be open to the public, with the 24 hours for alcohol sales for hotel residents and their bonafide guests only.
- No complaints had been received with regard to the current premises licence. A complaint had been received regarding a temporary event notice for an outdoors event in the previous year.
- The determination of bonafide guests of hotel residents would be a matter for the hotel.

In response to a question and concerns raised by the interested parties, the Licensing Officer advised that with regard to doors and windows remaining closed during events, this would depend on the conditions imposed on the licence for regulated entertainment.

The Legal Advisor confirmed that, within the agreed conditions, the applicant had agreed that all external windows and doors to any room where regulated entertainment was taking place must be kept closed except for access and egress.

In response to a query from an interested party regarding the report for the meeting, the Chair advised that all papers had been available on the Council's website and a link sent to the interested parties. The Legal Advisor suggested that the meeting could be adjourned briefly to allow the interested parties to view the report. An interested party requested a summary of the points which had been agreed with the applicant.

The Licensing Officer advised that the conditions put forward by the Police and Environmental Health, and agreed with the applicant, were set out in Appendix J of the report.

As the only licensing objective which was at issue was that of public nuisance, the Licensing Officer summarised the agreed position on public nuisance which had been reached with the Police and Environmental Health as set out in Appendix J of the report.

The Licensing Officer also summarised the conditions which had been put forward by the applicant in the Operating Schedule [Appendix I] in connection with the licensing objective of the prevention of public nuisance.

The Chair noted that a brief adjournment had been suggested and asked the interested parties whether the Licensing Officer's summary had provided sufficient information.

In response an interested party requested clarification of the definition of noise sensitive properties and whether this included residential homes in close proximity to the application site, such as those occupied by the interested parties.

It was noted that a temporary event had previously been held and noise had been audible. The Licensing Officer advised that only the Police and Environmental Health could object, and would take into account any previous complaints. An application for a temporary event would not be put out for public consultation.

The Environmental Health Officer, Ian Winter, joined the meeting.

Responding to questions and concerns from interested parties, the Environmental Health officer advised the following:

- In relation to noise sensitive properties, it was confirmed that local residents' dwellings in close proximity to the application site would be included in the definition.
- Regarding the issue of noise levels at property boundaries, and where a complaint had been made, the owner of the premises would be given the opportunity to address concerns in the first instance. Following which diary evidence could be submitted to EDDC in various ways, including online or paper diaries. In order to satisfy legal requirements in the event of a breach of conditions, noise monitoring equipment could be supplied and installed by EDDC Environmental Health at a resident's property for a short duration.
- Ambient noise levels vary depending on the surroundings and weather conditions. An ambient decibel level had not been set for this site as the location was generally quiet. Conditions stated that the noise level should not be more than 5 decibels above the background level at any given time. Site specific levels were more appropriate rather than a generic decibel level for East Devon.
- Where noise monitoring equipment was installed, this could be activated by a resident during a time of high noise levels and would record for a set period of time. This would provide Environmental Health with the evidence required to determine noise levels and feed back to the licence holder in the event of a breach and where further action was needed under Environmental Health legislation.
- A noise limiter would be fitted to equipment at the licensed premises and provided by the premises to ensure that levels did not exceed those permitted.
- Environmental Health had moved away from audibility clauses in conditions due to uncertainty and issues with enforcement. Conditions which set out decibel levels were clear and concise and more robustly meet with the licensing objectives.
- It was noted that the conditions included that music must be played through the system provided by Lymphstone Manor and not through equipment brought in by an entertainer.

The Chair advised that review powers were in place and, in the event of a complaint, and supported by sufficient evidence, the licence could be reviewed by the Sub Committee at a future date.

An interested party raised a concern regarding how realistic it was that even low levels of noise would not be heard beyond the boundary of the premises, given that a number of properties were only 50 metres away. In response the Environmental Health Officer advised that conditions would be imposed due to the proximity of the residential properties. Should the applicant not adhere to the conditions, the licence could be called back in for review.

The Chair queried whether the interested parties felt that they had had the opportunity to raise all their concerns through the questions to the Licensing Officer and the Environmental Health Officer.

In response an interested party noted that the pool complex would be licensed for up to 60 people and that access was by way of a gravel path which in itself created noise disturbance.

An interested party queried the submitted plan for the pool house which included the outside terrace area. The Licensing Officer advised that she had sought clarification from the applicant as to whether or not the terrace would be included in the licensable area, although regulated entertainment would be held indoors only.

The Licensing Officer further advised that, with regard to the licensable hours sought by the applicant, it was the Sub Committee's decision whether to grant the hours as sought or whether they should be amended.

An interested party advised that he and his wife worked long hours in demanding public sector work and needed to be able to rest at home undisturbed. He appealed to the Sub Committee to consider the hours which could not be policed all of the time and noise disturbance would be detrimental and intrusive.

In response to a query from an interested party regarding the report on noise levels, the Environmental Health Officer advised that noise assessments would be carried out at the time of any complaint. At that time, noise monitoring equipment would be installed and the complaint investigated.

In response to a query, the Environmental Health Officer further advised that noise levels have not been set, but the conditions include the requirement for noise not to exceed 5 decibels above the background noise level during the day from 7am to 11pm and no increase above background noise between 11pm and 7am. Background noise levels would change during the day depending on weather conditions at the time and therefore noise levels would be monitored at the time of assessment as a result of any complaint.

An interested party referred to the noise conditions in the grant of planning permission for the premises and asked that this be taken into account by the Sub Committee.

The Legal Advisor advised that any breach of planning conditions should be referred to the Local Planning Authority as the planning and licensing functions are separate regimes.

The interested party requested greater clarity on the planning condition regarding noise levels not being audible beyond the boundary and at noise sensitive properties.

In response, the Environmental Health Officer clarified that audibility had been found by the courts to be uncertain as it varies from person to person. For this reason, a decibel level had been set with regard to the licensing application as this was a clear, concise and enforceable condition.

The Legal Advisor advised that if the interested parties were content that their case had been put, the meeting could proceed to the next stage.

The Chair confirmed that none of the interested parties indicated that they wished to speak further.

The Chair then thanked all participants for attending the meeting and advised that the decision of the Sub Committee would be notified to all parties in writing within five working days.

Attendance List

Councillors present:

T Woodward
T Wright (Appointed Chair for this meeting)
S Gazzard (Appointed Vice-Chair for this meeting)

Councillors also present (for some or all the meeting)

None

Officers in attendance:

Lesley Barber, Licensing Officer
Rebecca Heal, Solicitor
Sarah Jenkins, Democratic Services Officer
Phillippa Norsworthy, Licensing Officer
Alethea Thompson, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Ian Winter, Environmental Health Officer

Councillor apologies:

None

Chair

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Personnel Committee held at online on 19 May 2022****Attendance list at end of document**

The meeting started at 2.00 pm and ended at 3.14 pm

39 Public speaking

There were no members of the public wishing to speak.

40 Minutes of the previous meeting

The minutes of the consultative meeting of the Personnel Committee held on 22 March 2022 were agreed.

41 Declarations of interest

Minute numbers 44 to 47

Cllr J Loudoun; Personal: Receives a pension from Unison.

42 Matters of urgency

None.

43 Confidential/exempt item(s)

There was one item that officers recommended should be dealt with in this way. This is recorded at minute 47.

44 Worksmart update

The committee received a further update on the Worksmart Review, following previous reports provided in September and November 2021.

The update outlined the work undertaken to implement a revised Worksmart approach from May 2022 onwards, building on the experience of delivering services through the pandemic.

Current work included managers working with teams to determine operations in line with the principles of Worksmart, including assessment of workspace, training and technology; and measurement of carbon impact on commuting.

The new Worksmart Policy was presented to the committee for debate and recommendation forward. This included:

- Working from home will not be a requirement of employment, but is available as an option subject to manager and team agreement;
- Requests for homeworking for all of the employee's hours will be refused unless there are exceptional circumstances.

The policy, once agreed will be kept under review through a formal evaluation of progress and outcomes. The committee would receive a further update in the autumn of how the initial months of implementation had progressed.

The committee discussed:

- How officers would establish the “exceptional circumstances” for 100% homeworking. In response, a number of factors that could be considered were discussed, with the stress on service delivery reiterated, as set out in the report;
- The Worksmart policy was a positive benefit for both retention and recruitment of staff;
- Assessment of pre and post pandemic carbon impact helped towards the Council’s objective relating to climate change.

RECOMMENDED to Senior Officer for approval that the new Worksmart Policy and the minor amendments to the Flexible Working Requests and Travel policies be agreed.

45 **People Data report**

The People Data report included:

- A slight increase in headcount of employees from the previous report in January 2022 from 502 (461.26 FTE) to 505 (463.26 FTE);
- A significant increase in vacancies, from 23 as at 31 December 2021 to 47 at 31 March 2022. The time taken to fill vacancies has slightly decreased to 99.4 days, still in line with benchmarking against the common circa 100 days to fill a vacancy;
- Market supplements remain high, an issue being addressed through the Reward Review;
- Agency worker levels remain constant;
- Turnover at a monthly level remains stable at under 1%;
- Sickness absence has decreased to 0.76 FTE days lost in March 2022.

Debate from Councillors included:

- Establishing if there were particular service needs due to the level of vacancies, or if the issue was widespread across all services – in response, the committee were informed that the impact of vacant posts is across most of the services of the authority, but that there were particular pinch points currently for the Housing team and the Tree Team. These issues would be flagged by Service Leads to their Portfolio Holders and other Councillors, in order to inform them about work priorities based on capacity;
- Many local authorities were experiencing the same issue due to competitive rates elsewhere, with examples given of the difficulties in recruitment for both officer and management posts;
- Some increase in agency staff was anticipated, but there were still difficulties in obtaining agency staff, as demand is high across the agency market too.

The committee endorsed the report.

46 **Personnel forward plan**

The committee noted the presented forward plan, with the inclusion of a Worksmart update to the scheduled October meeting.

47 **Reward Review**

Following discussion by the committee, they made the following recommendation:

Recommendation to Senior Officer to approve:

1. the proposed variations to the pay and grading structure, and agree for the Head of Paid Service, subject to completion and consideration of the equalities impact assessment, to progress the detailed design, consultation and, if agreed through consultation, to implement the proposals and to review and amend relevant policies as appropriate;
2. that Price Waterhouse Cooper undertake the equality impact assessment (cost to be funded from existing salary budget).

Attendance List

Councillors present:

I Thomas (Chair)
M Armstrong
P Arnott
K Blakey
B De Saram
P Hayward
J Loudoun
N Hookway

Councillors also present (for some or all the meeting)

G Jung
C Brown
D Ledger

Officers in attendance:

Joanna Fellows, Corporate HR Manager
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Debbie Meakin, Democratic Services Officer
Mark Williams, Chief Executive

Councillor apologies:

V Ranger
D Bickley
I Hall
R Lawrence

Chair

Date: