

**Agenda for consultative meeting of the
Overview Committee
Thursday, 21st July, 2022, 6.00 pm**



Members of Overview Committee

Councillors V Johns (Chair), D Barrow, J Bonetta (Vice-Chair), A Colman, S Gazzard, I Hall, M Hartnell, B Ingham, D Manley, A Moulding, G Pook, V Ranger and T Woodward

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(or group number 01395 517546)
Wednesday, 13 July 2022

**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.

1 Public Speaking

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

2 Minutes of the previous meetings held on 18 November and 25 November 2021 (Pages 3 - 16)

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 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including press) have been excluded. There are **no** items that officers recommend should be dealt with in this way.

7 Forward Plan (Pages 17 - 18)

Proposal forms received:

1. Future of Seaton Jurassic – submitted by Cllr Marcus Hartnell

[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 consultative meeting of Overview Committee held at Online via the Zoom app on 18 November 2021****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.45 pm

7 Public Speaking

The Chair welcomed members of the public and Councillors to the meeting and explained that all participants were taking part remotely and the meeting was also being viewed online and recorded.

She outlined that due to concerns related to COVID risk, the Council had delegated much of its decision taking power to its Senior Officers for the period up to 17th January 2022. Consequently, the meeting was being held on a consultative basis only, and the normal procedural rules as detailed in the Council's Constitution, would continue to be closely adhered to.

However, where the meeting would have normally decided a matter, it will now make recommendation to a Senior Officer. The Officer will then take that recommendation into account, when making their decision.

The Chair welcomed Cllr Jake Bonetta as the new Vice Chair of the Committee and then started the meeting by doing a roll call of those present. She confirmed that the meeting was quorate.

During the meeting the public would be able to participate if they had pre-registered to speak. No members of the public had pre-registered to speak, but one individual, Paul Smith of Cranbrook, had emailed Cllr Millar with a brief statement they requested be read out at the meeting.

The Democratic Services Manager read out the statement which supported Cllr Millar's proposal for the creation of a publicly accessible register of Senior Council Officers Interests. It outlined Mr Smith's view that this would be in the interest of public confidence, transparency, and accountability, since Senior Officers have access and responsibility for the use and allocation of significant amounts of public finance within East Devon, and referred to the £20 million Commercial Fund and oversight of the proposed £40 million, Cranbrook Infrastructure Loan Scheme. Mr Smith went on to state that his comments were not intended to imply any past irregularity of conduct, but to ensure that any future suggestions of malfeasance could be scrutinised and where appropriate, quickly dismissed.

8 Minutes of the previous meeting

Following a vote the Chair confirmed that the minutes of the previous meeting, which was the Joint Overview & Scrutiny Committee meeting of 16th September, were noted and accepted as a true record by members of the Overview Committee.

9 Declarations of interest

No declarations of interest were given.

10 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential or exempt items.

12 **Report on East Devon Digital Connectivity**

The Chair invited the Senior Economic Development Officer, Geri Panteva, to provide a summary of the report.

The report was to provide members with an update on the current status of different initiatives to improve digital connectivity in East Devon, and more specifically:

- Provide an update on the roll-out of the Connecting Devon and Somerset (CDS) programme since a new delivery contract was awarded at the end of 2020
- Provide an update on the latest developments by Jurassic Fibre
- Present a case study of an ultra-fast broadband connection supplied to a new residential and commercial development in East Devon (Winslade Park at Clyst St. Mary) and,
- Highlight an alternative way to connect hard to reach rural areas through the Starlink satellite internet service piloted in East Devon (KOR Communications case study)

The COVID-19 pandemic had affected all aspects of the economy and society, including established working models and practices, and prompted by periods of national restrictions, working from home has become a new norm, which is expected to have long-lasting impact on how businesses approach their operational models going forward. Such changes have highlighted the importance of a reliable and fast digital and broadband infrastructure and associated connectivity.

Although set in a predominantly rural environment, and whilst East Devon has many challenges in delivering such infrastructure, it is at the same time seeing one of the most significant private investments in digital infrastructure delivered by Jurassic Fibre and is benefitting from the largest public funded super-fast broadband programme in the country – Connecting Devon and Somerset (CDS).

Comments or questions during the debate on this topic included the following;

- What will Jurassic Fibre and CDS be doing to ensure they connect to every individual household rather than the general local area?
In response the officer stated that the Government's Building a Digital UK initiative was aimed at funding programmes which are unlikely to be commercially viable, for example, for the purpose of reaching hard to reach areas. In contrast, for private companies commercial success is important and they will incline towards areas with many potential customers. In this situation, there will always be people or communities who could miss out on some opportunities but the report highlights different options available.
- There is a great difference in the reality between stating that 95% of areas will be covered and connected digitally, to stating that 95% of households will be

covered. This is both confusing and suggests a much better coverage than the reality.

- There are wards in East Devon which contain areas without any broadband connectivity. Is there a strategy in place for dealing with such areas remaining unconnected?

In response the officer stated that a Plan had been developed in March by the Department of Digital Culture, Media and Sport, aimed at encouraging and supporting a range of different contractual delivery options.

The Chair thanked the officer for her report and presentation and invited members to vote to indicate whether they accepted the update received. Following a vote, she confirmed that members were happy to note and accept the report.

13 **Public toilets review**

The Chair explained that following discussions earlier this week, it was agreed to defer this item to an additional and Extraordinary meeting scheduled for Thursday 25th November at 6pm, in order to give Elected Members and members of the public more time to read the report and accompanying papers before debate.

14 **Forward Plan**

The Chair introduced this item by stating that the Committee had received three Proposal forms from Cllr Paul Millar, to be considered by Overview Committee members for possible inclusion on a future agenda. As such the items were not for immediate debate, but for members to consider whether further information is required, so that they could be included at a future meeting where they could be debated.

In relation to the CIL/S106 Participatory Budgeting Policy, the Chair invited Cllr Millar to give a brief introduction, before inviting comments from other members.

Cllr Millar said that he considered that the current policy was unclear, and that EDDC and Ward Members should assume greater control over arranging consultations and deciding which play parks, and projects, ought to go out to consultation. He went on to say that currently decisions are devolved to Town and Parish Councils, many of which meet behind closed doors when debating and deciding projects for allocations of CIL/S106 spend, and only EDDC officers are able to attend these meetings. Given that EDDC is the authority legally accountable for S106 monies, its Ward Members have very little say unless they are on the town/parish council and the relevant 'Steering Group'. This is neither transparent nor democratic, which is why he wanted to propose that whilst there can still be a role for representatives of Town/Parish Councils and Councillors in steering groups but that these should be partnership groups between the District and Town/Parish Councils.

Comments or questions during consideration of this topic included the following;

- Cllrs need information on how the system works rather than a change in policy, so perhaps an information evening could be organised.
- It would be helpful to know the criteria used by officers to make decisions about S106 funds.
- There is no problem with the system at present. The idea of an information session is a good one because discussion with officers is helpful. This happens already in Exmouth with a S106 Working Party.

- Honiton does not currently appear to have a S106 working party. Ward Cllrs would be in a good position to be involved.
- There is no universal approach across the District.
- Problems occur because not everyone understands S106 or what is in place.
- A report from the South West Audit Partnership (SWAP) was undertaken on S106 and Cil and presented to the Audit & Governance Committee on 28th January which was very helpful. Members were encouraged to read this report and consider the direction of travel outlined in it.
- Axminster Cllrs have been very involved in discussions with officers for several years on S106 and participatory funding. Ward Cllrs and the Parish Council have all been involved in the discussions.
- The current system also works well in Whimble.
- It was suggested that a report could be made available on a regular basis so that Ward Cllrs could ask officers how the money could be spent.

Cllr Ledger said that he would welcome any suggestions to the Strategic Planning Committee on these matters, and reminded Cllrs that they could approach the S106 Officer at any time in order to obtain figures relating to any ward. Such figures could be made available very quickly. The SWAP findings had been taken forward, with a new officer in place and an information system which was working well. He suggested that training could helpfully be offered to Cllrs to outline the criteria used to consider various projects and to deal with any misconceptions held about the process.

The following proposal was put forward by Cllr Millar and seconded by Cllr Woodward.

That this issue be referred to Strategic Planning Committee with a request for a report on the CIL/S106 Participatory Budgeting Policy which could come to a future Overview Committee meeting, and which could include a review of current policy and how Ward Cllrs might be further embedded in the system.

Following a vote, the Chair confirmed that the proposal above would be referred to the Strategic Planning Committee.

In relation to the proposal relating to a Review Members Allowances, the Chair invited Cllr Millar to give a brief introduction, before inviting comments from other members. Cllr Millar stated that EDDC's allowances were among the lowest in Devon and have been frozen for ten years. He went on to say that the majority of Councils regularly reviewed their allowance scheme and there were regular increases in the allowances of County Councillors and Exeter City Councillors. In addition, the new administration had created a number of new roles, and important Committees since the new pandemic, to do work which was unfairly unremunerated. Depending on the recommendations of an Independent Remuneration Panel, they could if accepted lead to an ongoing increased financial cost to the Council, but they could also increase the number, diversity and calibre of candidates who run in elections, which could lead to a reduction in costs over time.

Comments or questions during consideration of this topic included the following;

- The Leader wanted to acknowledge that whilst EDDC allowances may be lower than some other Councils within Devon, the newspaper headlines were likely to be negative in the current financial climate at the news of any increase. Whilst it might be helpful to have a report prepared on this matter, he could not envisage a point in the future when even if a report recommended an increase, that this would be possible in the foreseeable future given the financial position of EDDC.

- Cllr Loudoun said that he considered that an independent investigation into Members' allowances would be likely to recommend an increase, but that this would not be taken well by local residents and that this was not the right time to be initiating one.
- Whilst there was sympathy with the proposal, caution was to be urged. If Cllrs were regarded as inviting an Independent Remuneration Panel (IRP) to meet which then recommended an increase, it would not be received well by the press or local communities.
- Many people in local communities are suffering more hardship than EDDC Cllrs, and it was considered that the press would tear the Council to shreds if an increase in members' allowances was agreed at this point in time.
- It had been suggested that an IRP meet before the last Elections in order to attract more young people and increase diversity. This did not happen but a more diverse group of Cllrs were interested and got elected.
- All Councils are in a difficult situation but are still increasing their Members allowances. Cllrs are elected to spend time supporting local residents and often alongside jobs and should receive a modest increase which could be tied to inflation.
- The Leader pointed out the need to look at the hard reality of EDDC finances, despite being a financially well managed Council. There are hard choices to be made imminently in relation to matters such as the provision of public toilets and car parking, so some form of cutback will be necessary in order to deliver the Medium Term Financial Plan. In this context, an increase in Members allowances would be hard to justify in the forthcoming year.
- There is a need to look at how to make EDDC more diverse, which is not just about money, but about what Councils do, what Cllrs do and what is involved in the role, so there should be a wider debate beyond allowances and what would influence younger people to stand as Cllrs.
- Claims for travelling and subsistence allowances per annum between the years 2017-2020 averaged approximately £23k and were much higher than those for 2021, so it may be helpful to have a review of allowances generally, but it would be more helpful to lobby to modernise ways of doing things, such as the continued use of Zoom for running meetings since it could make future travelling irrelevant.
- Working mothers who are also Cllrs have very different lives and pressures. The sheer volume of meetings to attend would make it difficult to do if they were also holding a regular job. It is a regular occurrence to spend hours on Council work, which are not then available to earn an income or be present as a parent. Being a Cllr is a lot of pressure and a key issue is how it can co-exist with a paid job. However, it is still not a good time to be raising the issue of raising allowances until it can be part of a wider debate.

The following proposal was put forward by Cllr Millar.

That the issue of an Independent review of Member's Allowances by an Independent Remuneration Panel be referred to a future meeting of the Overview Committee.

Following a vote, the Chair confirmed that this would go forward to a future meeting of the Overview Committee.

In relation to the proposal relating to a Public Register of Senior Officer Interests, the Chair referred to the advice provided by the Monitoring Officer. Whilst it is a legal requirement for members' Register of Interests to be made publicly available, there is no such obligation in relation to employees of any level. All officers complete a register of

interest that it is held by the Council and consideration would need to be given to the legal position and human rights / data protection issues involved. It could affect the terms and conditions of employment and would need to involve discussion with the Union.

She then invited Cllr Millar to say a few words by way of introduction, before inviting comments from other members.

Cllr Millar said that many Councils published a Register for Senior Officer Interests and it was an issue about reassuring the public given that officers deal with significant amounts of public money.

Comments or questions during consideration of this topic included the following;

- It was suggested that a public register should be extended to include all Planning Officers, who could potentially be contacted by external parties in order to influence planning decisions.
- This matter should be referred to the Personnel Committee since it was a staffing matter and would require the input of Trades Unions as it related to paid staff rather than Cllrs.
- This was not a matter for the Overview Committee.

The following proposal was put forward by Cllr Millar and seconded by Cllr Bonetta.

That the issue of a Public Register of Senior Officer Interests be referred to Personnel Committee for consideration.

Following a vote, the Chair confirmed that the proposal above would be referred to the Personnel Committee.

Cllr Dan Ledger reminded committee members that in February 2021, the Service Lead for Assets & Commercialisation -Tim Childs, had presented a Policy on Drones to the Overview Committee. This had then been raised at Council in February in the form of a Motion with the request that the Drone Policy also include the banning of fireworks over 90 decibels and the releasing of Chinese lanterns over Council land. This was referred back to Cabinet in March but since it was considered difficult to include all of these issues in a single policy, referred it back to Overview Committee for full scoping. Due to COVID 19, it had not yet come back to Overview and Cllr Ledger requested that it was put onto the committee's Forward Plan. A letter had also been received in response to the letter on this matter by EDDC from the relevant Government Minister.

The following proposal was put forward from the Chair of the meeting.

That a fully scoped report on the issues previously discussed in relation to the banning of fireworks over 90 decibels and of a total ban of the releasing of Chinese lanterns over Council land, be prepared and referred to the next available meeting of the Overview Committee.

Following a vote, the Chair confirmed that the proposal above would be referred to the next available meeting of the Overview Committee.

The Chair thanked everyone for their attendance and closed the meeting at 7.45pm.

Attendance List

Councillors present:

V Johns (Chair)
D Barrow
J Bonetta (Vice-Chair)
S Gazzard
M Hartnell
B Ingham
P Millar
A Moulding
G Pook
V Ranger
T Woodward

Councillors also present (for some or all the meeting)

J Bailey
G Jung
E Rylance
J Loudoun
P Arnott
S Hawkins
R Lawrence
P Faithfull
M Chapman
D Ledger

Officers in attendance:

Andrew Wood, Service Lead - Growth Development and Prosperity
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Sarah Helman, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

I Hall

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Overview Committee held online via the Zoom App on 25 November 2021

Attendance list at end of document

The meeting started at 6.04 pm and ended at 8.05 pm

15 Public Speaking

The following statement was read out on behalf of Honorary Alderman, Peter Burrow, in relation to the public toilet review:

“As I have been involved in getting the carnival events back up and running I had taken less of an interest in Council events, however I picked up on the review in late September as I was involved with the previous one many years ago and has encouraged me back onto Seaton Town Council.

The paper mentioned a co-ordinated campaign in getting people to response to the questionnaire when the results are not to the liking of those that initiated the consultation in the first place. To get as much response in the cornerstone of any democracy.

The consultation was itself loaded to make people support the premise of the categorisation made by the officers before answering questions about the toilets themselves. I, myself, had to go through it five times before putting the answers in, so it is disingenuous of the officers complaining of co-ordinated campaigns when they do not like the answers that they were expecting.

If when I personally went on Facebook to encourage people to response to the consultation less than a week before the closing date is the co-ordinated campaign I feel the officers underestimate the feelings of the residents of Seaton as a proper campaign done seven weeks earlier would have got an even more representative view of their opinions.

Relating to the Underfleet toilets, in clear view, the officers say that they can use the facilities at Tesco's as it was a planning condition. There was a planning condition that two zebra crossings be built on Harbour Road and there is only one! To access the toilets, which are not displayed, you must go into the front entrance 100 metres further away than the Underfleet ones then pass through the pay-out tills walk right along the store into the Costa area to find them, another 80 metre journey. Before Covid this was bad enough but wearing masks and negotiating young people in Costa is not something elderly people getting off the coaches want to do.

The Underfleet toilets there are very well used with disabled access, when event are held there in Thurley Harcourt Place, in fact, Saturday is a perfect example with the late night shopping/lights switch on and Christmas carnival which I have organised with the carnival committee. The parade starts there and with the desire of people to be entertained there will be hundreds there and they would not like to trek to the seafront if caught short.

Sadly, the public toilet review contained many flaws and a perfect example with the Chine toilets. Their closure was sold to the people of Seaton as upgrade of the premises with access to the toilets all year. Yes, the Hideaway Café does look nice but as you can

expect it is not open all the time. There have never been a sign that explains that the toilets within are available to coastal walkers etc., in fact, those walking along the coastal path see the back of the café and the closed toilets. I walk past here most mornings and I hear from any people that you cannot use the café toilets unless you are a customer. No what councillors were told at the time.

Please make sure the Underfleet toilets are not closed because Seaton will not gain coach friendly status which is no needed for the local community and visitors alike.”

16 **Declarations of interest**

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Dawn Manley, Personal, Sidmouth Town Councillor.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Helen Parr, Personal, Ward Member for Coly Valley.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Jake Bonetta, Personal, Ward Member for Honiton St Michaels and a Honiton Town Council for St Michaels.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Mike Allen and Councillor Phil Twiss, Personal, Ward Member for Honiton St Michaels.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Paul Millar, Personal, Director of Sideshore Community Interest Company who are working with EDDC on public toilets.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Steve Gazzard and Councillor Tony Woodward, Personal, Exmouth Town Councillor.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Val Ranger, Personal, Member of the Gigg Club that use the toilets at Port Royal, Sidmouth.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Vicky Johns, Personal, user of toilet facilities.

17 **Public Toilets Review - Consultation results and report**

The Chair welcomed everyone to the meeting and reminded Members that the item had been deferred from the meeting on 18 November to allow Councillors and members of the public more time to read the report and associated papers.

The Service Lead – Streetscene gave a detailed presentation to the committee outlining the consultation results and categorisation proposal. Members’ noted that 1,267 responses had been received which included:

- Most respondents want the council to continue to provide what is provided now;
- Many respondents commented on how the proposed changes would impact on those with protected characteristics including age and disability.

The Service Lead – Streetscene explained the three priorities from the report that Members' would need to consider, which were:

- To review the equalities impact assessment and the consultation reports and to provide Cabinet with your view to assist with their decision making;
- The current recommendations is to approve the categorisation as set out in the report, Overview Committee were asked to debate this;
- The reasons the review was required:
 - The need to invest in the retained sites;
 - The need to improve standards;
 - Can no longer afford to provide at all sites;
 - Would like to ask others to help: community groups, local businesses and other tiers of local government.

He also expanded on the reasons for undertaking the review which included:

- There had been no investment in toilets since 2014. This was now overdue and needed.
- There was a large budget deficit and a need to make savings to address the deficit.
- There was a need to make the service more affordable.
- An opportunity for alternative uses to bring additional attractions to an area, such as, a new community or local business space.

Comments made by the Portfolio Holder for Finance and Portfolio Holder for Coast Country and Environment included:

The Portfolio Holder for Finance stressed the importance for Members' to take into account the Council's current situation with the budget for this year and 2022/2023. He advised that the projected shortfall for this year was £439k which would need to be taken from the General Fund Reserve which cannot continue to be relied upon and an estimate of £700k for 2022/2023 leaving an estimated £300 - £500k to find.

The Portfolio Holder for Coast, Country and Environment acknowledged the challenge that Committee Members faced following the public consultation. He personally thanked the Service Lead – Streetscene, Jamie Buckley and the rest of the team for all their hard work, stamina and perseverance.

He advised that the 27 toilets provided by the Council were in need of substantial investment and addressed that in the current climate they were difficult to clean, not Covid compliant, easy to vandalise and not up to standard for baby/adult changing facilities. He addressed the need to act now to maintain the toilets to their highest standards by borrowing at a very low rate with the need to substantially reduce the cleaning and maintenance costs.

The Portfolio Holder for Coast Country and Environment addressed some of the issues which included:

- Government funding to provide one disabled adult changing toilet in each visitor town which would assist with the finances on top of the additional borrowing.
- Close some of the toilets which have less footfall or in close proximity to other toilets.
- Relocate toilets to more central locations.
- Some toilets would be better served with another use, such as a café with a public toilet incorporated or cycle hub
- A charge to use the toilet – 30p/40p. With a paid access card available at some retail establishments.

Questions raised by non-Committee Members included:

- In response to a question raised about the upgrade costings for Category A the Service Lead – Streetscene advised it would be in the region of £3.1m with service costs of £900k in total with the ability of that being reduced by £204k up to £430k.
- In response to an explanation about the charging contributions the Service Lead – Streetscene advised there would be a net benefit of £150k based on one million visits a year at a cost of 30p per visit or £200k based on 40p per visit.
- In response to the possibility of using monies from other non-statutory areas as well as the Transformation Reserve to continue funding toilet provision, the Portfolio Holder for Finance advised this would need a further public consultation and the Strategic Lead for Finance advised that using monies from the Transformation Fund would only be a one off payment to help with the transition period.
- Clarification sought on what further investigation had been made in paragraph 2.18 on page 25 and reference was made to Orcombe Point (Category B) and whether these could remain open. In response the Service Lead – Streetscene advised that further investigation referred to ‘going out to market’ to invite formal bids on alternative uses. He advised that at Orcombe Point an expression of interest had been received from a local business to repurpose the toilets into a café which would include publicly accessible toilets.
- Clarification sought on paragraph 6.4 and whether the closure of the Harbour Road toilets would reduce the capital costs for the town council. In response it was advised potentially the capital costs could reduce if the toilets closed.
- Clarification sought about whether SLAs could be set up for town and parish councils for the continuation of toilet cleaning. In response it was confirmed the district council could offer its services via an SLA to clean the sites but would need to cover both the revenue and capital costs.

Questions raised by Committee Members included:

- Clarification sought on paragraph 2.4 regarding the proximity of the toilets and whether the reports takes into account about hidden disabilities such as colitis, visual impairment and Crohns Disease. In response it was advised hidden disabilities had been considered in the Equalities Impact Assessment.
- Clarification sought on whether there would be an assessment done on people who cannot afford to pay or have medical needs. In response it was advised that an assessment would be done pending the decisions from Committee Members.

Comments made by non-Committee Members included:

- Two thirds of people who had commented on the questionnaire did not agree with all the categories which means that people are concerned with losing toilets. It is a basic human need.
- There is a need to retain toilet provision in Colyton.
- Concern expressed that Colyton was in Category C.
- Support was expressed for opportunities for town and parish councils.
- Concerns raised about Honiton which has a population of 16,785 people needs adequate toilet provision. The town is very clearly under provision which cannot be allowed to continue.
- There are no toilets in Ottery St Mary owned by East Devon District Council. There is no reason why a town or parish council cannot take on this responsibility as they have the budget to continue to deliver these services.

- A suggestion was made for further investigation as 50% of respondents disagreed with the recommendations.

Comments made by Committee Members:

- Concerns raised about massive precept changes which will affect town councils.
- The public want and need the council to carry on providing toilet provision and are prepared to make a contribution towards those facilities.
- There is a need to consider all toilets, both rural and urban.
- A questions was raised about whether the council should be trying to offload the responsibility to a lower tier of local government.
- It was highlighted about the difficulty in understanding how much each toilet costs.
- 56% of the public agreed that they would pay to access a toilet.
- In the last 15 years Exmouth has lost four toilets.
- Support was expressed for businesses to take over some toilets and a suggestion was made that these businesses must enter into a clear agreement that they must provide toilet provision with clear signage that they are public toilets.
- Exciting possibilities in Categories B and C.

Councillor Paul Millar proposed, seconded by Councillor Jake Bonetta, the following recommendations:

That Overview Committee recommends that Cabinet:

1. Request that more detailed water usage data for toilets EDDC owned and that toilets are more regularly assessed so they can be broken down to show how popular toilets are at certain points of the day/year.
2. To offer Town/Parish Councils one final opportunity to retain Category B and C toilets if leases with community partner organisations cannot be struck within 12 months.
3. Write to all local businesses and make a powerful case for them to offer the use of their toilets to non-paying customers who may have disabilities and illnesses that are not always visible, given the findings of the local consultations which shows the high extent of local need.
4. Establishes the principle of charging for Category A toilets and considers carefully both the price entry, the choice of private partners and the option of using cash.

In response the Portfolio Holder for Coast, Country and Environment welcomed the recommendations and the need for a more accurate figure for water usage. He addressed the difficulty of this year due to Covid-19 highlighting half of the toilets had been shut and the other half over used. He also addressed the use of cash and highlighted that most of the vandalism was because of coin collection boxes.

Councillor Jake Bonetta, proposed the following recommendations:

1. Acknowledge the historic, well-publicised and in parts still live, legal and governance issues within Honiton Town Council and in the fact that they require extra time to make finances and resourcing available for taking over King Street public toilets despite their early inclined desire and to make a special case to keep these toilets open for a further two years rather than one to allow time for them to make the necessary arrangements to inherit and manage the asset.
2. Write to the Secretary of State for Housing, Communities and Local Government to request that he lobbies the Treasury for a fund be created to help Councils further invest in public toilet provision and to make toilets a mandatory rather than

discretionary service given their positive role in ensuring people with health issues can live their lives.

Councillor Millar who seconded said he was happy for the recommendation to be incorporated into the other recommendations.

Councillor Andrew Moulding proposed the following amendment and seconded by Councillor Ben Ingham that recommendation 4 reads:

Establishes the principle of charging for Category A toilets, such toilets to be made and calculated and serviced to cover the costs of their refurbishment and retention together with careful consideration of the choice of private partners and the option of using cash.

Councillor Millar said he was happy for Councillor Moulding's recommendation to be incorporated into the other recommendations.

RECOMMENDED TO CABINET

- (1) Request that more detailed water usage data for toilets EDDC owned and that toilets are more regularly assessed so they can be broken down to show how popular toilets are at certain points of the day/year.**
- (2) Request that Town/Parish Councils are offered one final opportunity to retain Category B and C toilets if leases with community partner organisations cannot be struck within 12 months.**
- (3) Request that the council write to all local businesses and make a powerful case for them to offer the use of their toilets to non-paying customers who may have disabilities and illnesses that are not always visible, given the findings of the local consultations which shows the high extent of local need.**
- (4) Establishes the principle of charging for Category A toilets, such charges to be made and calculated so as to cover the costs of their refurbishment and retention together with careful consideration of the choice of private partners and the option of using cash.**
- (5) Acknowledge the historic, well-publicised and in parts still live, legal and governance issues within Honiton Town Council and in the fact that they require extra time to make finances and resourcing available for taking over King Street public toilets despite their early inclined desire and to make a special case to keep these toilets open for a further two years rather than one to allow time for them to make the necessary arrangements to inherit and manage the asset.**
- (6) Write to the Secretary of State for Housing, Communities and Local Government to request that he lobbies the Treasury for a fund be created to help Councils further invest in public toilet provision and to make toilets a mandatory rather than discretionary service given their positive role in ensuring people with health issues can live their lives.**

Attendance List

Councillors present:

V Johns (Chair)

J Bonetta (Vice-Chair)

S Gazzard

B Ingham

D Manley
P Millar
A Moulding
V Ranger
T Woodward

Councillors also present (for some or all the meeting)

M Allen
M Armstrong
P Arnott
D Bickley
K Bloxham
M Chapman
O Davey
B De Saram
P Faithfull
N Hookway
G Jung
J Kemp
R Lawrence
D Ledger
J Loudoun
H Parr
M Rixson
J Rowland
E Rylance
P Twiss
J Whibley
E Wragg

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Andrew Hancock, Service Lead StreetScene
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Tim Child, Service Lead - Place, Assets & Commercialisation
Wendy Harris, Democratic Services Officer
Sarah Helman, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Andrew Hopkins, Communications Consultant

Councillor apologies:

I Hall
M Hartnell
G Pook

Chairman

Date:

Proposal form for items for consideration by Overview Committee



Submitted by: Cllr Marcus Hartnell

Date submitted: 05/05/2022

Item for Consideration: Future of Seaton Jurassic

Expected outcome (i.e. new policy, new action, new partnership, improve the performance of other public bodies or of the Council in relation to its policy objectives, performance targets and/or particular service areas): To give Cabinet & Council a steer on both the long and short term future of Seaton Jurassic.

Priority for matter to be considered (please tick):

High (up to 3 months)	✓
Medium (3 to 6 months)	
Low (over 9 months)	

Basis on which priority has been set:

The suggested item should be included in future programme(s) because: (please tick as appropriate)

a) It is a district level function over which the district has some control	✓
b) It is a new policy area or service area of activity to be developed and introduced	
c) It is a policy area which has been required for some time and is due for development	
d) It is a major proposal for change	
e) It is an issue raised via complaints received	
f) It is an area of public concern	✓
g) It would be of benefit to residents of the district	✓

Which of the Council's objectives does the issue address?:
Greener East Devon/Resilient Economy

Is there a deadline for the Council to make a decision? (If so, when and why?):

It is of high importance that an interim café operator is found for 2022 and that a long-term operator is in place for 2023.

Members are requested to provide information on the following:-

What do you wish to achieve from the review?: To secure a sustainable long-term future for Seaton Jurassic.

Are the desired outcomes likely to be achievable?: Yes, although the need for a café operator for 2022 is urgent.

Will it change/increase efficiency and cost effectiveness?: It will remove ongoing budget liability for the council as interim costs are having to be met.

Additional information – an explanatory sentence or paragraph to be provided below to support each box which has been ticked:

Please can you return the completed form to Democratic Services via email to democraticservices@eastdevon.gov.uk.

MONITORING OFFICER COMMENTS

This is an ongoing matter and I have asked colleagues to provide an update on current progress which may negate the need for Overview to consider the issue at this time. Audit and Governance Committee considered the history of Seaton Jurassic at its meeting in January [Agenda for Audit and Governance Committee on Thursday, 20th January, 2022, 2.30 pm - East Devon](#), a draft Audit report has been received and is being reviewed prior to returning to the Audit and Governance shortly.

Date: 20 May 2022