

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 10 October 2023**

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

The meeting started at 6.00 pm and ended at 8.45 pm

#### **52 Minutes of the previous meeting**

The minutes of the previous meeting of Cabinet held on 6 September 2023 were agreed.

#### **53 Declarations of interest**

Min 54. Public speaking.

Councillor Paul Arnott, Affects Non-registerable Interest, Member of Colyton Parish Council.

#### **54 Public speaking**

The Chair handed the meeting over to the Vice Chair at this point due to a personal interest.

Cllr Ian Priestley spoke as Chair of newly formed Colyford Parish Council. The judicial review brought by Colyton Parish Council was taking up a huge amount of their time and causing an unwelcome distraction. It was delaying providing for the village, for which they had the duty of care and responsibility, which they took very seriously. Cllr Priestley stated that Colyton Parish Council still owed over £11k plus interest to Colyford PC. He asked that EDDC take up the shoulder of responsibility of chasing Colyton PC for this sum, and that they needed one impartial district councillor who would be happy to represent, guide and help them in this matter.

The Portfolio Holder Communications and Democracy confirmed that a meeting would be set up with herself, Cllr Priestley, EDDC's Monitoring Officer and Colyford's Parish Clerk, with confirmation of this being sent to Cllr Priestley tomorrow.

#### **55 Matters of urgency**

There were none.

#### **56 Confidential/exempt item(s)**

There were 3 items which officers recommend should be dealt with in this way recorded at Minutes 69 to 71.

#### **57 Minutes of the Strategic Planning Committee held on 5 September 2023**

Members agreed to note the Minutes and recommendations of Strategic Planning Committee held on 5 September 2023.

**Minute 22: Gypsy and Traveller Site Provision**

1. That the Council agree in principle to taking over the lease arrangements for the Elbury Close site at Broadclyst and progress discussions with Devon County Council and the National Trust over these arrangements be agreed as well as to discuss the opportunities to continue the current management arrangements with Elim Housing. A detailed proposal for the new lease and management arrangements to then be brought to Cabinet for Members consideration.
2. That option 3 of paragraph 3.11 of the report be recommended as the preferred option.

**Minute 24: Section 106 and CIL Resources and Processes**

1. That the proposed revised S106 Monitoring Fees charging schedule appended to this report be supported.
2. That the proposed Planning Obligations Team incorporating the existing COL and Section 106 Officer posts and the proposed new Planning Obligations Manager and Planning Obligations Support Officer posts be created with the new posts to be funded from S106 Monitoring Fees and CIL admin funds be approved.
3. That the current spend process for S106 receipts for spend in the community on play areas, open space and other community spaces be amended as per option 2 as detailed in the report and delegated authority be given to the Assistant Director – Planning Strategy and Development Management to issue best practice guidance on the Council's website on how town and parish councils should engage their communities on spend decisions be approved.

**58 Minutes of Scrutiny Committee held on 7 September 2023**

Members agreed to note the Minutes and recommendations of Scrutiny Committee held on 7 September 2023.

**Minute 15 Section 106 and CIL Resources and Processes**

That an interim solution be found to put resources in place as soon as possible in respect of dealing with the approximately 150 outstanding cases where a notice of payment has been issued and monies remain outstanding. Officers were asked to give this matter their earliest attention.

**59 Minutes of Placemaking in Exmouth Town and Seafront Group held on 12 September 2023**

Members agreed to note the Minutes of Placemaking in Exmouth Town and Seafront Group held on 12 September 2023.

**60 Minutes of Budget Setting and Capital Allocations Panel held on 18 September 2023**

Members agreed to note the Minutes of Budget Setting and Capital Allocations Panel held on 18 September 2023.

**61 Minutes of LED Monitoring Forum held on 19 September 2023**

Members agreed to note the Minutes of LED Monitoring Forum held on 19 September 2023.

**62 Minutes of Extraordinary Recycling and Waste Partnership Board held on 20 September 2023**

Members agreed to note the Minutes of the Extraordinary Recycling and Waste Partnership Board held on 20 September 2023, when under discussion at Minute 69 - Recycling and Waste Contract extension.

**63 Council Tax - Local Discount for Care Leavers**

The Assistant Director Revenues, Benefits & Corporate Customer Services presented her report which sought Members approval to implement a council tax discount scheme of up to 100% relief for care leavers until their 25<sup>th</sup> birthday from 1<sup>st</sup> October 2023.

**RECOMMENDED to Council:**

1. To agree to a Care Leavers discount scheme of up to 100% relief until their 25th birthday where Devon County Council has acted as their corporate parent. Scheme to apply from 1 October 2023 using our provision under S13A (1) (C) of the Local Government Finance Act 1992.

**RESOLVED:**

2. That delegated authority is given to the Assistant Director for Revenues, Benefits, Corporate Customer Services to finalise the scheme criteria and make technical changes to ensure the scheme is aligned with the other Devon districts including any potential changes in scheme funding, be agreed.

**REASON:**

Care leavers face the challenge of having to cope with the demands of living on their own at a young age. They must manage finances, maintain a home and manage their lives independently, without the support from their families. Whilst not mitigating the impact of all the disadvantages that care leavers have experienced, a council tax discount can provide a positive financial measure.

**64 Updates to Discretionary Rate Relief Policies**

Approval was sought to update the following policies relating to technical and administrative changes:

- Local Discretionary Rate Relief and Hardship Policy
- Discretionary Rate Relief for Partly Occupied premises.

**RESOLVED:**

1. That the updated Local Discretionary Rate Relief and Hardship policy and the Discretionary Rate Relief for Partly Occupied premises policy, be agreed.  
2. That delegated authority be given to the Assistant Director responsible for Business Rates to update the policy to take account of technical or administrative changes.

**REASON:**

Policy updates currently required Cabinet approval as this had not been allowed for officers to make technical changes; moving forward the second recommendation would allow for this.

**65 Financial Plan 2024-2034**

The Director Finance presented the annual formulation of the Financial Plan and approval process which helped the Council plan ahead to maintain balance budgets. The

Budget Setting and Capital Allocation Panel had considered the draft Plan and have recommended it to Cabinet.

**RECOMMENDED to Council:**

To consider the draft Financial Plan 2024 – 2034 and recommend its adoption.

**REASON:**

It was essential the Council considered its financial resources in advance to allow time to make necessary amendments in its service provision to ensure balance budgets were maintained.

66 **East Devon - Local Economic Review**

The Economic Development Manager presented the main findings of the Local Economic Review (LER) recently completed by the Economic Development team. The core issues and challenges facing the district economy were evidenced from the most up to date Census and ONS data.

Endorsement of the work was sought alongside approval for its use in informing both the emerging Council Plan and in the development of a new Economic Development Strategy for East Devon.

During discussions the inclusion of any available broadband connectivity data for the district was suggested. It was also suggested the Neighbourhood Planning Officer should disseminate this evidence to local Neighbourhood Planning groups.

Members from across parties wished to thank and congratulate Rob Murray, Tom Winters and the team on this hugely important in-depth report, whose evidence and data had far reaching consequences that would help shape future decisions in the district.

**RESOLVED:**

1. That the report and detailed Local Economic Review which underpins it, be endorsed.
2. That the use of the Local Economic Review and up to date statistical evidence it comprises be used to inform the development of the emerging Council Plan, be agreed.
3. That the development of a new Economic Development Strategy for East Devon that would directly engage the core challenges highlighted by the Local Economic Review, be agreed.

**REASON:**

To ensure that the Council was informed, and so able to act upon, the most reliable, transparent, and up to date local economic evidence. This data could then inform the emerging Council Plan in identifying local economic and employment priorities, as well as providing baseline evidence for the development of a robust Economic Development Strategy to deliver on the new Council Plan aims.

67 **Enterprise Zone**

An update was provided on the operation and performance of the Exeter and East Devon Enterprise Zone designation. This included a review of what had been delivered to date since the beginning of the designation in 2017. The assessment focused particularly on the capacity for investment in specific projects, funded through borrowing against ring-fenced business rate income. This provided important wider context for specific investment proposals that would be reported to Cabinet over the coming months.

**RESOLVED:**

1. That the progress with the delivery of the Enterprise Zone designation to date, be noted.
2. That the current position regarding borrowing against retained business rate income and the capacity to support further strategic investment, be noted.

**RECOMMENDED to Council:**

3. that up to £250k is borrowed against future ring-fenced business rate income to support the ongoing progression of the Interconnector Project.

**REASON:**

To ensure that Cabinet was aware of the progress to date with the Enterprise Zone designation. To provide context for further investment decisions that would be reported to Cabinet in the coming months. To support the ongoing development of the Interconnector Project.

68 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

That under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

69 **Recycling & Waste Contract extension**

The report outlined the terms of the EDDC Recycling & Waste contract extension and explained why it was required, along with the due diligence that had been undertaken to assure that the terms were commensurate with the changing sector and the commercial pressures that were present. Agreement in principle to take the 3-year extension available in the contract was approved by Cabinet in March 2022.

The Portfolio Holder Coast, Country and Environment wished to thank Gareth Bourton and Andrew Hancock for their hard efforts in getting the extension contract through to this stage. In turn the Chair and Vice Chair thanked the Portfolio Holder Coast, Country and Environment for his constant support and dedication on this matter.

**RESOLVED:**

1. That the principal terms of the contract extension to the Recycling & Waste contract to take the contract up to its full contract term to June 2026 as set out in the report, be agreed.
2. That delegated authority is given to the Assistant Director StreetScene, Director of Finance and Director of Governance and Licensing, in consultation with Portfolio Holder Coast, Country & Environment to negotiate, agree the terms of the contract extension reflecting the agreement to agree from the Interim-extension letter and to enter into the contract extension.

**RECOMMENDED to Council:**

3. That an additional budget be allowed for 23/24 and future budget implications be modelled through annual budget setting for 24/25.
4. That a Portfolio Team be convened to take forward the preparation work for contract replacement from 2026, building on initial investigation work undertaken by the

department, to commission the scope of future services required to meet legislative and budgetary changes. The team to be politically balanced and consist of no more than 7 Members plus Portfolio Holder.

**REASON:**

Approval of the EDDC contract extension terms would allow the successful partnership to remain in place for the full available contract term of ten years, taking it up to June 2026. It would also provide continuity to allow the Recycling & Waste team to continue to appraise the forthcoming changes to the recycling and waste sector as DEFRA issue more information on legislative change for the industry, and thus prepare EDDC for implementation of the changes from 2025 onwards. Along with scoping and building a clearer specification for contract replacement in 2026.

70 **Review of Lifeguard provision 2023**

Increased tourism, the rise of the staycation, and an increased interest in water sports combined were leading to a rise in beach use, therefore the need to review and increase our lifeguard provision was required. At the same time the RNLI (lifeguard provider) were finding their budgets squeezed and costs increased and so needing to pass a greater proportion of the seasonal costs on to EDDC.

**RESOLVED:**

1. That the continuation of RNLI as best practice lifesaving service provider with step increases in % contribution payable by EDDC for the service, be agreed.
2. That the expansion of service to Budleigh (peak season only) for the reasons set out in the report, at 100% of cost contribution rate, be agreed.
3. That waiving standing orders to enable the contract with the RNLI to be extended, be agreed.
4. That procurement advice was obtained to ensure compliance with public sector procurement requirements.

**RECOMMENDED to Council:**

5. That a budget be approved for this service for Exmouth and Budleigh Salterton in 2024/25, to be confirmed through the budget setting process.

**REASON:**

As covered in the report lifeguarding provision was essential to meet the council's health and safety and water safety responsibilities.

71 **Review of the Home Safeguard Service**

The report outlined a review of the Home Safeguard (HSG) service and proposed interim changes that could address immediate issues. A comprehensive review with recommendations to be brought back to Cabinet at a future date, would be undertaken.

**RESOLVED:**

1. That a further 18-month contract between EDDC and Night-Owl; pending a full review of the services provided by Home Safeguard, be agreed.
2. That a review of the Out of Hours Service ensuring appropriate staff were in place to respond and with effective escalation procedures to deal with higher-level emergency issues, be agreed.

3. That the business plan and growth strategy undertaken in 2020 by an external consultant be reviewed and the draft report be updated with current changes in structure and data analysed, be agreed.

4. That delegated authority be given to the Assistant Director of Housing in consultation with the S151 Officer for the approval a budget for additional resource, as part of ensuring the interim structure sufficiently meets the needs of the service, be agreed.

**RECOMMENDED to Council:**

5. The authority to procure a new call handling system and agree the additional resources for IT improvements identified in this report to support the service.

6. That the amendments to the permanent and new interim structure, at the recommended grades (subject to job evaluation), for an 18-month period to enable the service to carry out IT implementation and carry out the reviews outlined in this report, be agreed.

**REASON:**

Home Safeguard provided a 24/7 monitoring and support service to approximately 1400 tenants and 2000 private sector residents. It provided support and guidance at point of need at all hours of the day and night. It was a statutory requirement for the Authority to provide an Out of Hours service to deal with emergencies and Home Safeguard performed this role for EDDC and Teignbridge District Council.

The service previously had not been running as a commercial entity and the review would investigate the options and opportunities this could present.

**Attendance List**

**Present:**

**Portfolio Holders**

G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Sustainable Homes & Communities
M Hall	Portfolio Holder Economy
O Davey	Portfolio Holder Strategic Planning
S Jackson	Portfolio Holder Communications and Democracy
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
P Arnott	Leader of the Council
P Hayward	Deputy Leader and Portfolio Holder Finance (Assets)

**Also present (for some or all the meeting)**

Councillor Ian Barlow  
Councillor Kevin Blakey  
Councillor Kim Bloxham  
Councillor Colin Brown  
Councillor Roy Collins  
Councillor Mike Goodman  
Councillor Todd Olive

**Also present:**

**Officers:**

Gareth Bourton, Recycling and Waste Contract Manager

Robert Murray, Economic Development Manager

Amanda Coombes, Democratic Services Officer

Simon Davey, Director of Finance

Amy Gilbert-Jeans, Assistant Director Housing

Andrew Hancock, Assistant Director StreetScene

Naomi Harnett, Delivery Manager

Tracy Hendren, Director of Housing, Health and Environment

Andrew Hopkins, Communications, Digital Services and Engagement Manager

Libby Jarrett, Assistant Director Revenues, Benefits, Corporate Customer Access, Fraud & Compliance

Andrew Melhuish, Democratic Services Manager

Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Andrew Wood, Assistant Director Growth Development and Prosperity

Chair .....

Date: .....