

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 18 October 2023**

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

The meeting started at 6.00 pm and ended at 6.43 pm

#### **29 Minutes of the meetings held on 11 July 2023 and 19 July 2023 and minutes of the Extraordinary meeting held on 4 October 2023**

The minutes of the Extraordinary Council meeting held on 11 July 2023, the minutes of the Council meeting held on 19 July 2023 and the minutes of the Extraordinary Council meeting held on 4 October 2023 were agreed as true records of the meetings.

#### **30 Declarations of interest**

There were no declarations of interest.

#### **31 Public speaking**

There were four speakers registered.

The first speaker, Mr Jack Rowland referred to the decision in March 2017 by the NHS Clinical Commissioning Group to remove the community beds at Seaton Hospital. Since then, Mr Rowland had been concerned regarding the 40% empty space as he feared that the remaining services would be re-located and the site declared surplus to requirements before being sold on the open market. This situation had prompted Mr Rowland to seek election to both the Town Council and the District Council. With the assistance of various parties, a business plan had been produced in 2019 which had support from the Royal Devon and Exeter Hospital and NHS Property Services. The preferred option was to purchase the site from NHS Property Services and create a health and well-being hub with a lower rent charge for the NHS. To finance the purchase there would be support from the League of Friends cash reserves. A report was also presented to EDDC Cabinet in January 2020 proposing a loan from the Public Works Loan Board (PWLB). The two funding sources would have enabled the site to be purchased and ownership transferred to a local community interest company which would have had responsibility for repayment to EDDC of the monthly PWLB loan payments.

The 2019 business case still stands, and Mr Rowland was seeking support from EDDC to help secure the future of Seaton Hospital as a viable asset, save the NHS money in the longer term and provide a valuable integrated health care system to local residents and those in the wider Axe Valley area. Mr Rowland was raising this issue due to the news that the Devon integrated care body was considering demolishing part of the building and that this had caused considerable alarm in the local community.

In response, the Leader thanked former Councillor Rowland for attending and speaking. It had been a missed opportunity in early 2020 when EDDC had not pursued this matter. However, the previous work undertaken was still available and internal meetings were already taking place for EDDC to explore the possibilities as urgently as possible. The Council needed to show leadership in a situation which involved various other agencies, in order to do the best for the residents of Seaton and the surrounding area.

The second speaker, Cllr Paul Hayward, congratulated Cllr Colin Brown on his appointment as Leader of the Conservative Group and Cllr Ingham on his appointment as Deputy Leader of the Conservative Group, and thanked Cllr Hartnell on his previous work in this role. Through the Chair, Cllr Hayward asked Cllr Brown to urge the MP for East Devon to cease his public war of attrition against the Council and to work with EDDC for the greater good of the District. Cllr Hayward invited Cllr Brown in his new role to help facilitate a meeting with the three local MPs to discuss current challenges and to agree how best to work together in partnership for the benefit of residents.

The third speaker, Cllr Mike Goodman, referred to the peer review which had been agreed by Council on 19 July 2023 and requested an outline of the likely timescales and what and who would be involved.

In response, Cllr Hayward advised that a written reply would be appropriate and would be provided in due course, however, in the meantime, Cllr Hayward provided the following details:

- The S.151 Officer and the Monitoring Officer had been involved in meetings with Local Government Association (LGA) representatives the Peer Review would be held during the first week of February 2024.
- A Peer Review officer working group had been established and had established priorities for the lead up to the review, the first of which would be to prepare a position statement.
- The scrutiny review by the Centre for Governance and Scrutiny would be undertaken at the end of October and into the start of November, and would include a short survey and interviews with members and senior officers and attendance at the 9 November meeting of the Overview Committee.
- A skills audit of Cabinet members and key Councillors has been allocated to the new Democratic Services Manager and an update would form part of a report that would be prepared for the Cabinet meeting on 29 November.
- Work to bring together the Cabinet and the senior officer leadership team had started with a positive workshop held in September and was progressing well.
- The Corporate HR Manager had been liaising with the LGA and South West Councils to review the training and support needed for the senior leadership team and to develop a costed developmental plan, to include how the impact of development would be measured.
- A report on budget implications of the review had been presented to Cabinet on 6 September and an update with detailed costings would be presented to Cabinet on 29 November.

The fourth speaker, Cllr Dan Ledger, advised that Mr Rowland had covered the issue regarding Seaton Hospital which Cllr Ledger had been going to raise.

## 32 **Matters of urgency**

There were no matters of urgency.

## 33 **Announcements from the Chair and Leader**

The Chair reminded Members of the need to be cautious as covid was still prevalent.

The Leader notified Members of the appointment of Cllrs Todd Olive and Paula Fernley as Assistant Portfolio Holders to support Cllr Geoff Jung with the Coast, Country and Environment Portfolio. The Leader would advise the division of responsibilities for the Assistant Portfolio Holders in due course.

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

There were no confidential / exempt items.

35 **To answer questions asked by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5**

No questions had been submitted within the requisite notice period.

36 **Reports from the Cabinet and the Council's Committees and questions on those reports**

The item was to receive and accept the minutes of Committees and to agree any recommendations contained therein.

The Chair invited the Leader and the Chairs of Committees to present their minutes.

37 **Minutes of Cabinet held on 6 September 2023. Minute numbers 31 - 51**

The Leader moved the above minutes and following a vote, the minutes were accepted. The Cabinet recommendations to Council contained in the minutes were agreed as follows:

<b><u>Cabinet 6th September 2023</u></b>	
<b>Minute 41 - Nature Recovery Declaration for East Devon</b>	
<b>RESOLVED</b>	<ol style="list-style-type: none"> <li>1. To adopt the Nature Recovery Declaration for East Devon;</li> <li>2. To support DCC as the 'Responsible Authority' in developing a Devon Local Nature Recovery Strategy in our role as a 'Supporting Authority' as defined by the Environment Act 2021;</li> <li>3. To develop a Local Nature Recovery Plan and Local Habitat Map for East Devon as a 'Supporting Authority' as defined by the Environment Act 2021.</li> </ol> <p><b>REASON:</b> This would enable East Devon DC to fulfil its role as a Supporting Authority as defined in the Environment Act 2021 and support Devon CC in developing a Devon Local Nature Recovery Strategy (LNRS). It would also enable EDDC to prepare a Local Nature Recovery Plan and Local Habitats Map that would develop the district's Nature Recovery Network and improve those habitats and species most under threat.</p>
<b>Minute 42 – Application for Local Authority Housing Fund for Afghan Refugee Resettlement</b>	

<b>RESOLVED</b>	<ol style="list-style-type: none"> <li>1. The Approval of £750K from the Local Authority Housing Fund to enable the provision of temporary accommodation for Afghan Refugees and others in need of temporary accommodation;</li> <li>2. The Approval of a Housing Revenue Account capital budget of £975,000 as match funding for the project if required.</li> </ol> <p><b>REASON:</b> The LAHF round 2 had been specifically designed to help those Afghani citizens who assisted us during the conflict in their country. All local authorities had been encouraged to participate in this national effort to ensure that accommodation and support to those individuals be provided.</p> <p>EDDC did not have sufficient appropriate accommodation for large families. Whilst this funding would initially only provide one property for general needs temporary accommodation, the properties originally allocated to assist with Afghan resettlement can revert to general needs housing once the need for refugee resettlement had been satisfied. This fund would therefore enable the council to either bring back into use or purchase family-sized accommodation that would assist local families in need both in the short and long term.</p>
<b>Minute 44 – Proposals for a Place and Prosperity Framework for EDDC</b>	
<b>RESOLVED</b>	<ol style="list-style-type: none"> <li>1. The adoption of the Place and Prosperity Framework as amended to include the Chair of Overview as an additional non-executive member at Stage 1 of the Framework process.</li> <li>2. The borrowing of up to £20,000,000 as a first tranche from Public Works Loan Board to deliver investments in accordance with the adopted Framework.</li> </ol> <p><b>REASON:</b> To allow the Framework to move forward for consideration through the democratic process and, subject to agreement, onwards to the implementation phase.</p>
<b>Minute 45 – Assistant Payroll Officer Funding Request</b>	
<b>RESOLVED</b>	<ol style="list-style-type: none"> <li>1. That approval is given to increase the Human Resources Service team budget by £34,344 per annum to facilitate a new post of Assistant Payroll Officer to support the existing payroll resource provision.</li> <li>2. That the HR Manager reviews the arrangements for the provision of payroll to external organisations to assess whether further costs can be recouped.</li> </ol>

	<p><b>REASON:</b> To ensure there was sufficient resource to operate an effective payroll.</p>
<p><b>Minute 46 - Annual Treasury Management Review 2022/23 - 1 April 2022 to 31 March 2023</b></p>	
RESOLVED	<p>That the investment values and performance for the year to 31 March 2023 be noted.</p> <p><b>REASON:</b> The Council was required by regulations issued under the Local Government Act 2003 and the Code of Practice on Treasury Management in Public Services published by the Chartered Institute of Public Finance &amp; Accounting (CIPFA) to produce an annual review of its treasury management activities and performance.</p>
<p><b>Minute 48 – Corporate Peer Challenge</b></p>	
RESOLVED	<p>1. That a budget of £25k be met from the Transformation Reserve to meet actions already adopted by Council.</p> <p><b>REASON:</b> To meet the adopted Motion of Council as outlined in the report. [Council minute 23 19<sup>th</sup> July 2023]</p>
<p><b>Minute 51 – Seaton Jurassic</b></p>	
RESOLVED	<p>1. The capital receipt being ring fenced for delivery of those types of projects outlined in the report.</p> <p><b>REASON:</b> To progress a way forward to ensure occupation of the site and its continued use as an Interpretation Centre linked to the broad requirements and expectations of the funding agreements and original intentions of the Centre.</p>

38 **Minutes of Cabinet held on 10 October 2023. Minute numbers 52 - 71**

The Leader moved the above minutes and following a vote, the minutes were accepted. The Cabinet recommendations to Council contained in the minutes were agreed as follows:

**Cabinet 10th October 2023**

<b>Minute 63 - Council Tax - Local Discount for Care Leavers</b>	
<b>RESOLVED</b>	<p>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.</p> <p><b>REASON:</b> 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.</p>
<b>Minute 65 – Financial Plan 2023 - 2024</b>	
<b>RESOLVED</b>	<p>To consider and adopt the draft Financial Plan 2024 – 2034.</p> <p><b>REASON:</b> 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.</p>
<b>Minute 67 – Enterprise Zone</b>	
<b>RESOLVED</b>	<p>1. that up to £250k is borrowed against future ring-fenced business rate income to support the ongoing progression of the Interconnector Project.</p> <p><b>REASON:</b> 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.</p>
<b>Minute 69 - Recycling &amp; Waste Contract extension</b>	
<b>RESOLVED</b>	<p>1. That an additional budget be allowed for 23/24 and future budget implications be modelled through annual budget setting or 24/25.</p> <p>2. 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.</p> <p><b>REASON:</b></p>

	<p>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 &amp; Waste team to continue to appraise the forthcoming changes to the recycling and waste sector as DEFRA issue more information 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.</p>
<p><b>Minute 70 – Review of Lifeguard provision 2023</b></p>	
<p><b>RESOLVED</b></p>	<p>1. That a budget be approved for this service for Exmouth and Budleigh Salterton in 2024/25, to be confirmed through the budget setting process.</p> <p><b>REASON:</b> As covered in the report lifeguarding provision was essential to meet the council's health and safety and water safety responsibilities.</p>
<p><b>Minute 71 - Review of the Home Safeguard Service</b></p>	
<p><b>RESOLVED</b></p>	<p>1. The authority to procure a new call handling system and agree the additional resources for IT improvements identified in the report to support the service.</p> <p>2. 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.</p> <p><b>REASON:</b> 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.</p> <p>The service previously had not been running as a commercial entity and the review would investigate the options and opportunities this could present.</p>

The Chair of the Scrutiny Committee moved the minutes of the above meeting and, following a vote, the minutes were accepted.

40 **Minutes of Scrutiny Committee held on 7 September 2023. Minute numbers 9 - 18**

The Chair of the Scrutiny Committee moved the minutes of the above meeting and, following a vote, the minutes were accepted.

41 **Minutes of Housing Review Board held on 15 June 2023. Minute numbers 1 - 20**

Cllr Ledger presented the above minutes. Cllr Gazzard expressed his disappointment that a number of meetings had been cancelled. Cllr Gazzard also noted that he had not received a response to his questions raised at the meeting held on 15 June 2023, which he had not been able to attend. The questions were set out at minute 1, Public Speaking. In response Cllr Ledger advised that the questions had been answered at the meeting.

Following a vote, the minutes were accepted.

42 **Minutes of Strategic Planning Committee held on 9 June 2023. Minute numbers 1 - 7**

In the absence of the Chair and Vice-Chair of the Strategic Planning Committee, the Chair moved the above minutes and, following a vote, the minutes were accepted.

43 **Minutes of Strategic Planning Committee held on 21 July 2023. Minute numbers 8 - 13**

The Chair moved the above minutes and, following a vote, the minutes were accepted.

44 **Minutes of Strategic Planning Committee held on 5 September 2023. Minute numbers 14 - 24**

The Chair moved the above minutes and, following a vote, the minutes were accepted. The recommendation contained in the minutes was agreed as follows:

**Strategic Planning Committee 5th September 2023**

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

**RESOLVED**

1. That these charges be applied with effect to Section 106 agreements associated with planning applications received once the new charges have been published on the Council’s website.
2. That the proposed Planning Obligations Team incorporating the existing CIL 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.
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45 **Minutes of Planning Committee held on 20 June 2023. Minute numbers 13 - 17**

The Chair of the Planning Committee moved the above minutes and, following a vote, the minutes were accepted.

46 **Minutes of Planning Committee held on 18 July 2023. Minute numbers 18 - 30**

The Chair of the Planning Committee moved the above minutes and, following a vote, the minutes were accepted.

47 **Minutes of Planning Committee held on 28 July 2023. Minute numbers 31 - 41**

The Chair of the Planning Committee moved the above minutes and, following a vote, the minutes were accepted.

48 **Minutes of Planning Committee held on 22 August 2023. Minute numbers 42 - 55**

The Chair of the Planning Committee moved the above minutes and, following a vote, the minutes were accepted.

49 **Minutes of Licensing and Enforcement Committee held on 19 July 2023. Minute numbers 1 - 7**

The Chair of the Licensing & Enforcement Committee moved the above minutes and, following a vote, the minutes were accepted.

The recommendation contained in the minutes was agreed as follows:

<b><u>Licensing and Enforcement Committee 19th July 2023</u></b>	
<b>Minute 7 – Taxi and Private Hire Licensing Policy</b>	
<b>RESOLVED</b>	<p>1. That the draft Hackney Carriage and Private Hire Policy, as amended, is adopted.</p> <p><b>REASON:</b> The legislation does not require the Council to have a policy relating to the licensing of hackney carriages, private hire vehicles, their drivers and private hire operators, however it is regarded as good practice to have a policy to indicate the Authority’s approach to taxi licensing within its area.</p>

50 **Minutes of Licensing & Enforcement Sub Committee held on 21 June 2023. Minute numbers 1 - 6**

The Chair of the Licensing & Enforcement Committee moved the above minutes and thanked the Vice-Chair of the Committee who had chaired several of the Sub Committee meetings. Following a vote, the minutes were accepted.

51 **Minutes of Licensing & Enforcement Sub Committee held on 12 July 2023. Minute numbers 7 - 12**

The Chair of the Licensing & Enforcement Committee moved the minutes of the above meeting and, following a vote, the minutes were accepted.

52 **Minutes of Licensing & Enforcement Sub Committee held on 19 July 2023. Minute numbers 13 - 17**

The Chair of the Licensing & Enforcement Committee moved the above minutes and, following a vote, the minutes were accepted.

53 **Minutes of Licensing & Enforcement Sub Committee held on 23 August 2023. Minute numbers 18 - 22**

The Chair of the Licensing & Enforcement Committee moved the above minutes and, following a vote, the minutes were accepted.

54 **Minutes of Audit & Governance Committee held on 27 July 2023. Minute numbers 1 - 13**

The Chair of the Audit & Governance Committee moved the minutes of the above meeting and, following a vote, the minutes were accepted.

55 **Minutes of Audit & Governance Committee held on 21 September 2023. Minute numbers 14 - 23**

The Chair of the Audit & Governance Committee moved the minutes of the above meeting and, following a vote, the minutes were accepted.

56 **Minutes of Overview Committee held on 20 July 2023. Minute numbers 1 - 8**

The Chair of the Overview Committee moved the minutes of the above meeting and, following a vote, the minutes were accepted.

57 **Appointments to the Housing Review Board**

It was noted that Cllr Ledger had stepped down as Chair of the Housing Review Board.

Cllr Arnott proposed that Cllr Sarah Chamberlain be appointed Chair of the Housing Review Board. This was seconded by Cllr Ledger and was **RESOLVED**.

Cllr Arnott proposed that Cllr Chris Burhop be appointed to the Housing Review Board to fill the Councillor vacancy. This was seconded by Cllr Ledger and was **RESOLVED**.

It was further **RESOLVED** to endorse the appointment of Pat Gore as the Tenant/Leaseholder Representative co-optee on the Housing Review Board.

58 **Appointment to the Planning Committee**

**IT WAS RESOLVED** to appoint Cllr Jenny Brown to the Planning Committee to replace Cllr Fred Caygill.

59 **Appointment of Leader of the Conservative Group**

Members noted the appointment of Cllr Colin Brown as Leader of the Conservative Group and therefore as Leader of the Opposition.

Members also thanked Cllr Marcus Hartnell for his work as the previous Leader of the Conservative Group.

**Attendance List**  
**Councillors present:**

P Arnott	A Hall	T McCollum
I Barlow	M Hall	C Nicholas
K Blakey	S Hawkins (Vice-Chair)	T Olive
K Bloxham	P Hayward	H Parr
C Brown	N Hookway	H Riddell
J Brown	S Hughes	M Rixson
M Chapman	B Ingham	E Rylance (Chair)
B Collins	S Jackson	S Smith
R Collins	R Jefferies	A Toye
T Dumper	G Jung	J Whibley
P Faithfull	D Ledger	D Wilson
S Gazzard	Y Levine	E Wragg
M Goodman	J Loudoun	
D Haggerty	D Mackinder	

**Officers in attendance:**

Simon Davey, Director of Finance  
Tracy Hendren, Director of Housing, Health and Environment  
Andrew Hopkins, Communications, Digital Services and Engagement Manager  
Sarah Jenkins, Democratic Services Officer  
Andrew Melhuish, Democratic Services Manager  
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

**Councillor apologies:**

B Bailey  
J Bailey  
V Bonetta

A Bruce  
C Burhop  
F Caygill  
S Chamberlain  
I Chubb  
O Davey  
P Fernley  
C Fitzgerald  
M Hartnell  
J Heath  
M Howe  
V Johns  
J Kemp  
M Martin  
S Richards  
S Westerman

Chair .....

Date: .....