

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 2 October 2019

Attendance list at end of document

The meeting started at 5.30 pm and ended at 9.51 pm

55 Public speaking

Two questions were put by members of the public.

James McLean, a retailer and local business man in Sidmouth wanted to raise issues in relation to item 17 on the agenda, the Car Parking Tariff Review. He said that he was opposed to car parking charges being increased and commented that it was not the right time to do so due to the negative impact it would have on local businesses and footfall in the town. He told the meeting that he would be bringing a petition to the next Council meeting which would indicate the strength of local feeling about this.

Elisabeth Pole addressed the meeting as Chair of the Tiverton Labour Group, and also wanted to speak in relation to item 17 on the agenda, the Car Parking Tariff Review. She made a number of comments about sustained cuts in public expenditure which have had a cumulative negative effect on services, including public transport, and that raising car parking charges would compound the impact on the poorest and most vulnerable people in the district.

Councillor Ingham thanked the speakers for their comments.

56 Minutes of the previous meeting

The minutes of Cabinet held on the 4 September 2019 were confirmed and signed as a true record.

57 Declarations of interest

Minute 68 Asset Devolution Programme Pilot - Beer Parish Council
Councillor Geoff Pook, Personal, Chair of Beer Parish Council.

Minute 71 Loan Request by Exmouth Museum
Councillor Steve Gazzard, Personal, Chair of Exmouth Museum Trustees.

58 Matters of urgency

There were no matters of urgency.

59 Confidential/exempt item(s)

There were no items officers recommended should be dealt with in this way.

60 Forward Plan

Members agreed the contents of the forward plan for key decisions for the period 1 November 2019 to 29 February 2020.

61 **Minutes of Overview Committee held on 29 August 2019**

Members received and noted the minutes of the Overview Committee held on the 29 August 2019.

62 **Minutes of Asset Management Forum held on 2 September 2019**

Members received and noted the minutes of the Asset Management Forum held on the 2 September 2019.

Minute 18 Community Asset Transfer The recommendation was taken into account alongside the report to Cabinet under minute 68.

RESOLVED that the following recommendations be agreed:

Minute 21 Review of Business Rate Liability to approve an exemption to contract standing orders and appoint Val Williams as consultants to act on the Council's behalf in assessing and appealing (where appropriate) Business Rate Assessments.

63 **Minutes of Strata Joint Scrutiny Committee held on 4 September 2019**

Members received and noted the minutes of the Strata Joint Scrutiny Committee held on the 4 September 2019.

64 **Minutes of Joint meeting of Overview and Scrutiny Committees held on 5 September 2019**

Members received and noted the minutes of the Joint meeting of the Overview and Scrutiny Committee held on 5 September 2019.

65 **Minutes of Capital Strategy and Allocation Group held on 12 September 2019**

Members received and noted the minutes of the Capital Strategy and Allocation Group held on the 12 September 2019.

66 **Car Parking Tariff Review**

The Service Lead Environmental Health and Car Parks presented the report outlining the review for the car parking tariff.

The report requested consideration of how the Council's car parks are managed under the following headings:

- Car parks currently available for public parking free of charge;
- Car parks in prime areas where demand is high and spaces are at a premium;
- Car parks that are currently free of charge, but busy during evening hours with customers enjoying the attractions of that town or village;

- Car parks suitable for transfer to the town or parish council;
- Special arrangements in response to a request by Ottery St Mary Town Council;
- Free coach parking in Seaton.

The report also covered consideration of providing suitable and sufficient electric vehicle charging infrastructure. Additional income from the proposed tariff increase in the most popular car parks could be reinvested in accelerating the programme of the Council in delivering charging infrastructure locally.

RESOLVED that

1. The statutory advertisement and consultation procedures required to make changes to the East Devon District Council (Off-Street) Parking Places Order 2008 (as amended) be actioned with a view to changing the tariff in those high demand car parks identified in the report from £1 to £1.20 per hour.
2. A 12 month trial of free coach parking in Seaton Jurassic coach park starts with immediate effect;
3. A promotional tariff of £2 all day parking applies in Canaan Way and Brook Street car parks in Ottery St Mary with immediate effect.

REASON: to consider more efficient operational management options for our car parks including new or revised tariffs in the context of a strategic objective to maximise the value of our car parking assets whilst continuing to recognise their importance to our communities and town centre economics.

67 **EU Exit East Devon District Council preparedness**

The Chief Executive reported on the work undertaken by the authority in readiness for the UK leaving the European Union.

The Chief Executive is the designated Brexit Lead Officer and sits on the local Brexit Resilience and Opportunities Group (BROG), chaired by Devon County Council's Chief Executive.

The report set out the local risk register, covering areas of concern and actions planned to manage those risks. There was also an expectation that the Council would contribute £25K to a local emergency fund to provide support to the Devon, Cornwall and Isle of Scilly Local Resilience Forum.

RESOLVED that members note the content of the report which promotes an awareness of the risks of EU exit to our Members, staff, businesses and residents and which identifies where current and relevant information can be located via the links included in this report.

REASONS: Providing community resilience preparing for any future market shock for local businesses

68 **Asset Devolution Programme Pilot: Beer Parish Council**

The Senior Manager Property and Estates presented a report seeking approval for the business case for the transfer of assets to Beer Parish Council.

The business case had been discussed by the Asset Management Forum at their meeting on the 2 September 2019.

Beer Parish Council had submitted a proposal to the Council that seeks the transfer of responsibility for land and property assets to their council. The proposal, alongside being a project in its own right, is also a pilot project in order to assist the Council in considering the potential to roll out an asset devolution programme across the District.

The assets for transfer were:

- Beer Head Car Park (southern strip and central areas only)
- Star Bank
- Play area above Pumping Station along with possibly the Underleys play area (HRA still to be consulted and will be subject to separate decision making)
- Jubilee Gardens PC's
- Jubilee Gardens Access ' Hardstanding view point – includes income received currently of £700 per annum from RNLI
- Jubilee Gardens
- Charlies Yard
- Beach Court Car Park

The market values of these assets were detailed in the report.

Areas in the parish to be retained by the Council include:

- Beach – due to complexities around day-to-day management and because of regularisation of agreements being needed
- Cliff – Parish Council are not prepared to accept this liability. This is a concern to EDDC, has been worked through at length and has now been accepted by Officers as part of this wider asset transfer
- Majority of Beer Head Car Park
- Bottom section of Beach Access Road
- Central Car Park

RECOMMENDED to Council:

1. The transfer of assets as identified within the report to Beer Parish Council for nil consideration in accordance with the provisions of business case set out under paragraph 5 of the report;
2. Responsibility for agreeing detailed terms and conditions for the freehold/long leasehold transfers to be delegated to the Deputy Chief Executive in consultation with the Strategic Leads for Finance and Governance & Licensing.

REASON: Consideration and support from Members to the transfer of land and buildings as identified in the report.

69 **Community Asset Devolution Procedure**

The Community Asset Transfer Policy approach and the Community Asset Transfer Procedure had previously been debated by the Asset Management Forum. The principle behind the approach was to equip the Council with the information to:

- Identify those assets required by the Council to discharge its statutory functions;
- Assess those assets best owned and managed by the Council to deliver the aims of the Council Plan;

- Assess those assets that may deliver greatest community benefit through ownership and management by the communities in which they lie.

The report sought to seek approval in principle, with consultation to be undertaken with Town and Parish Councils. Feedback would be considered by the Asset Management Forum and the documentation revised as felt appropriate, before seeking approval from Cabinet.

RESOLVED that the Community Asset Transfer Policy approach and the Community Asset Transfer Procedure be endorsed in principle, and the consultation with Town and Parish Councils commence.

REASON: To enable progression of work to conclude in an asset devolution approach and procedure being adopted to provide Parish and Town Councils and others with a clear understanding of the Council's approach and support towards asset devolution, the process, and timelines involved.

70 **Annual Review of Public Health Priority Actions 2018-2019**

The Public Health Project Officer presented the Annual Review of Public Health Priority Actions for 2018 – 2019 to Members. The review highlighted the activities by services across the Council which have supported and helped improve physical health and mental wellbeing across the District.

RESOLVED that the Annual Review of Public Health Priority Actions for 2018 – 19 be approved.

REASON: to further encourage services to help support and improve health and wellbeing across the District in 2019 onwards.

71 **Loan request by Exmouth Museum**

Members considered a request for a loan to Exmouth Museum, financed by a Public Works Loan, in order to purchase the current leased premises from South West Water.

RESOLVED that the Chief Executive, in consultation with the Leader and Finance Portfolio Holder, is given authority to issue a loan to Exmouth Museum up to £105,000 subject to a property valuation to ensure adequate security over the loan and assurance obtained from the Museum of the ability to meet the annual loan payment.

REASON: The Council is keen to support Exmouth Museum but there is no grant funding available. The Council could at no cost to itself loan the Museum the balance of funds required to purchase the building as long as repayment sums are met by the Charity.

72 **Financial Monitoring Report 2019/20 - Month 5 August 2019**

The Strategic Lead Finance gave a summary of the Council's overall financial position for 2019/2020 at the end of month 5 (31 August 2019).

Current monitoring indicated that:

- The General Fund Balance is being maintained at or above the adopted level;
- The Housing Revenue Account Balance is being maintained at or above the adopted level.

RESOLVED that the variances identified as part of the Revenue and Capital Monitoring process up to Month 5 be acknowledged.

REASON: The report updates Members on the overall financial position of the Authority at set periods and includes recommendations where corrective action is required for the remainder of the financial year.

73 **Complaints to the Ombudsman during 2018/19**

The report of the Monitoring Officer set out information on complaints referred to and decided by the Local Government and Housing Ombudsman during 2018/19.

RESOLVED to note the report and learning points arising from complaints decided during the year.

REASON: To continue to improve the way the Council handle, and learn from, complaints.

Attendance List

Present:

Portfolio Holders

B Ingham	Leader
S Bond	Deputy Leader
M Armstrong	Portfolio Holder for Sustainable Homes and Communities
J Bailey	Portfolio Holder for Corporate Services
K Blakey	Portfolio Holder for Economy
P Faithfull	Deputy Portfolio Holder for Environment
G Jung	Portfolio Holder for Environment
G Pook	Portfolio Holder for Asset Management
I Thomas	Portfolio Holder for Finance

Also present (for some or all the meeting)

Councillor Mike Allen
Councillor Paul Arnott
Councillor Kim Bloxham
Councillor Colin Brown
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Cathy Gardner
Councillor Steve Gazzard
Councillor Marcus Hartnell
Councillor Sam Hawkins
Councillor Paul Hayward
Councillor Mike Howe
Councillor Stuart Hughes
Councillor Sarah Jackson

Councillor Vicky Johns
Councillor Fabian King
Councillor Dan Ledger
Councillor John Loudoun
Councillor Tony McCollum
Councillor Kathy McLauchlan
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pratt
Councillor Val Ranger
Councillor Marianne Rixson
Councillor Jack Rowland
Councillor Eleanor Rylance
Councillor Philip Skinner
Councillor Brenda Taylor
Councillor Eileen Wragg
Councillor Tom Wright

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
Tim Child, Senior Manager Property and Estates
Helen Wharam, Public Health Project Officer
Susan Howl, Democratic Services Manager

Chairman

Date: