

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 5 June 2024**

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

The meeting started at 6.00 pm and ended at 7.25 pm

### **1 Minutes of the previous meeting**

The minutes of the previous meeting of Cabinet held on 1 May 2024 were agreed.

The Chair congratulated Tracy Hendren as the newly appointed Chief Executive. He expressed his thanks to Simon Davey and Melanie Wellman for their roles as part of the interim Chief Executive team over the past few months. He congratulated Andrew Wood as the newly appointed Director of Place (interim) and Catrin Stark the newly appointed Director of Housing and Health (interim). The Chair welcomed Cllr Sam Hawkins, Cllr Todd Olive and Cllr Bethany Collins to their new roles on Cabinet.

### **2 Declarations of interest**

Min 204. Exmouth Sea Wall Emergency Repairs Update and Phase 2.  
Councillor Aurora Bailey, Affects Non-registerable Interest, is a Exmouth Town Councillor.

Min 204. Exmouth Sea Wall Emergency Repairs Update and Phase 2.  
Councillor Nick Hookway, Affects Non-registerable Interest, is a Exmouth Town Councillor.

Min 204. Exmouth Sea Wall Emergency Repairs Update and Phase 2.  
Councillor Paul Arnott, Affects Non-registerable Interest, is a candidate for the Exmouth & Exeter East parliamentary seat in the General Election.

Min 207. Colyton Parish Neighbourhood Plan - minor modification.  
Councillor Paul Arnott, Affects Non-registerable Interest, Is a Colyton Parish Councillor.

Min 210. Exeter Science Park - Deloitte Review.  
Councillor Paul Arnott, Affects Non-registerable Interest, is a candidate for the Exmouth & Exeter East parliamentary seat in the General Election.

Min 210. Exeter Science Park - Deloitte Review.  
Councillor Sam Hawkins, Affects Non-registerable Interest, is the Council Shareholder representative for Exeter Science Park.

### **3 Public speaking**

There were no public speakers.

### **4 Matters of urgency**

There were none.

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

There was one item dealt with in this way which is recorded at Minute 210.

6 **Minutes of Recycling and Waste Partnership Board held on 24 April 2024**

Members agreed to note the Minutes of the Recycling and Waste Partnership Board held on 24 April 2024.

7 **Minutes of South and East Devon Habitat Regulations Executive Committee held on 24 April 2024**

Members agreed to note the Minutes of the South and East Devon Habitat Regulations Executive Committee held on 24 April 2024.

8 **Preventing Homelessness & Rough Sleeping Strategy 2024-28**

The Housing Solutions Manager presented the Preventing Homelessness and Rough Sleeping Strategy 2024-28 for approval and adoption as required by the Homelessness Act 2002.

**RECOMMENDED to Council:**

To adopt the Homelessness and Rough Sleeping Strategy 2024 – 2028.

**REASON:**

The Homelessness Act 2002 places a statutory obligation on local authorities to undertake a review of homelessness in their area and develop and publish a strategy to prevent homelessness based on the findings of the review.

9 **Feniton Phase 4 Resolving risks to get to site**

Cabinet was updated on the latest set of issues the project had faced prior to getting to site, and the reason for the delay in getting to site. It highlighted the remaining risks to the project and what was being done to mitigate risks and update the total project costing, asking for approval for additional total project spend.

**RESOLVED that Cabinet:**

1. Approves the full scheme value for approval of £6.075m (No further EDDCs funds are required at this time, with additional project budget found from external sources)
2. Agrees to postpone commencing Phase 4 until the planning permission is granted.
3. Approves EDDC entering a contract with Kier Construction to deliver Phase 4, to mobilise asap once the planning permission has been secured, noting that the current additional external funds not yet been formally approved.
4. Subject to recommendation 3, Cabinet grants authority for EDDC to enter a contract for construction with Kier up to the value of £3.5m

**REASON:**

1. To ensure project has authority to proceed.
2. To support the planning process and not risk starting a scheme with a planning objection,
3. To remove any further delay to starting on the project. As delay will likely raise costs, with more fundraising needed.
4. To enable a speedy contract signing to get to site soon.

## 10 **Exmouth Sea Wall Emergency Repairs Update and Phase 2**

The Chair left the room while this item was being debated with the Deputy Leader acting as Chair.

The Portfolio Holder Coast, Country and Environment introduced this item detailing the events of last Autumn when the seawall collapsed due to a storm. The speed and reaction from staff to mobilising contractors within hours was superb and the moving of thousands of tons of sand to protect the wall from the next forecasted storm. Phase 2 was a challenge, but the work had to be done, he apologised to business tenants affected by the noise and disruption during this period.

The Engineering Projects Manager updated Members on the emergency repairs to Exmouth Seawall in Phase 1. He explained various options for Phase 2 and set out recommended alignment of Phase 2. The financial situation and update on the Slipway repairs and cladding options was outlined.

Members congratulated and thanked staff, contractors and the Portfolio Holder Coast, Country and Environment for an excellent effort in achieving so much in a short space of time.

### **RESOLVED that Cabinet:**

1. Approves the carrying out of further emergency (and permanent) repairs to Exmouth seafront in respect of Phase 1, Phase 2 and associated emergency works and grants delegated authority to the Director of Housing Health and Environment (initially and then to the new Director of Place) in respect of the project, in consultation with the Director of Finance, the Director of Governance and the Portfolio Holder Coast, Country and Environment.
2. Approves total budget spend for the Phase 1 and Phase 2 works of £3.312m. Note no additional budget from EDDC required over the £1.5m already approved. £1.812m obtained from external funding.
3. Supports the recommended option alignment and target start date for Phase 2 seawall repairs. However due to ongoing investigations, the final alignment decision being with the delegated officers as per recommendation 1.
4. Given the emergency nature of the works, Cabinet notes the exemption to contract standing orders in respect of the design consultancy total spend for the sum of £300,000 that has been approved by S151 Officer and Monitoring Officer as provided for in the Constitution. This is an increase from 6th March 2024.
5. Notes the decisions made to date on repairing the slipway.
6. Notes the Outline Business Case submission to the Environment Agency for access to national funding.

### **REASON:**

Given the location of the failed and failing wall, it was not an option to do nothing and allow the sea to erode the seafront further. Therefore Phase 2 must start in October prior to the winter storms. Starting in October dictates the wall alignment. Further spend and costs have been incurred due to further storms in April.

## 11 **Household Support Fund 5**

The Benefits and Financial Resilience Manager provided details on the proposed policy of the Household Support Fund and funding available to support households for the period 1 April 2024 to 30 September 2024.

### **RESOLVED that Cabinet:**

1. Agree to the proposed policy for the Household Support Fund for the period 1 April 2024 to 30 September 2024.
2. Agree for delegated authority to be given to the Assistant Director for Revenues, Benefits, Customer Services and Fraud and Compliance in consultation with the Portfolio Holder for Finance and the Portfolio Holder for Sustainable Homes and Communities, in the event subsequent changes need to be made to the policy including providing additional groups to receive a targeted payment. Any required changes would be based on funding, available data from our poverty dashboard, other relevant factors at the time a decision needs to be made including carrying out a new Equalities Impact Assessment.

**REASON:**

The recommendation allows for the administration of the Household Support Fund to be targeted at those who require financial support with the cost of essentials. In addition, the proposed policy is in line with the Department for Work and Pensions guidance and with other Team Devon authorities who continue to work together to ensure a Devon wide framework in administering the fund.

Based on data gathered from those residents who request support from the Financial Resilience team we know that 59% of residents who are approaching us for help are those residents who have a member of the household who is disabled or is a carer. Given that this group of residents are vulnerable they may be less likely to know that they can access support from the Household Support Fund, therefore we are proposing that we target support at those households.

The open application would still allow those with vulnerable residents in the household such as low-income households with children access to the fund. The policy continued to support the Council's anti-poverty strategy.

12 **Live and Move Sport England Place Partner 2025 - 2028**

The Cranbrook New Community Manager sought endorsement for a joint bid with Exeter City Council to extend the role of Cranbrook and Exeter as a Sport England Place Partner and apply for investment to 'deepen' the work of the Live and Move programme for a further three years (2025-2028).

**RESOLVED that Cabinet:**

Approve the joint bid with Exeter City Council as set out at Appendix C of this report, to become a Sport England Place Partner for the period 2025-2028.

**REASON:**

To ensure that residents of Cranbrook can continue to benefit from support to promote more active lifestyles and to help realise good health and wellbeing outcomes.

13 **Colyton Parish Neighbourhood Plan - minor modification**

The Deputy Leader took the Chair for this item.

The 'Colyton Parish Neighbourhood Plan' was made (adopted) by EDDC on 10 January 2022. On 5 December 2022, following a community governance review, EDDC agreed to create a new parish of Colyford, comprising part of the original Colyton parish area, and a new Parish Council for Colyford has since been established. The Colyton Designated Area and the area covered by the Colyton Parish Neighbourhood Plan therefore now covers the combined area of both the reduced Colyton parish and the new Colyford parish. Colyford Parish Council have asked if the name of the neighbourhood plan could

be amended to 'Colyton and Colyford Neighbourhood Plan' to reflect this for accuracy and clarity in its use and implementation.

**RESOLVED that Cabinet:**

1. Agree to the proposed minor modification to the Colyton Parish Neighbourhood Plan to reflect the change in community governance to the Colyton and Colyford Neighbourhood Plan, and to correct the error in page numbering in the index.
2. Agree to update the name of the Colyton Designated Neighbourhood Area accordingly to the Colyton and Colyford Neighbourhood Area.

**REASON:**

For clarity and accuracy and for the avoidance of doubt in the use and application of the neighbourhood plan and associated designated neighbourhood area for planning policy and development management purposes.

14 **Housing Ombudsman self-assessment and complaint procedure update**

The Monitoring Officer presented the report which covered 2 key areas, firstly the Housing Service self-assessment against the Housing Ombudsman's complaint handling code, which became statutory on 1 April 2024. Secondly it updated the corporate complaints policy and procedure to ensure compliance with the updated code and the code produced by the Local Government and Social Care Ombudsman.

**RESOLVED that Cabinet:**

1. Note and agree the procedure updates and compliance with the Housing Ombudsman code of practice in complaint handling.
2. Approve the appointment of the Portfolio Holder for Sustainable Homes and Communities to the role of Member Responsible for Complaints (MRC) for Housing complaints.

**REASON:**

The council, as social housing landlord, must demonstrate compliance with the Housing Ombudsman's code by 30 June 2024 and had made amendments to the corporate complaints procedure and policy to ensure that it was fully compliant.

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

**RESOLVED that Cabinet:**

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).

16 **Exeter Science Park - Deloitte Review**

The Chair and Cllr Hawkins left the room while this item was being debated with the Deputy Leader acting as Chair.

Cabinet last considered a report in relation to the Science Park at the November 2023 meeting. This committed to the results of a strategic review of the development of the

Science Park being reported to Cabinet when complete. The report fulfilled this commitment. The strategic review had been undertaken by Deloitte. The associated report highlighted a number of structural issues facing the company that went to the heart of the future development of the Science Park and made a number of recommendations to address these.

A variety of issues were discussed including how the recommendations from the review were influencing the development of the next business plan for the Science Park and the challenges around securing further investment to bring forward the next phases of development. It was agreed that a briefing session would help members to understand these issues in further detail.

**RESOLVED that Cabinet:**

1. Notes the findings of the strategic review, endorses the associated recommendations and the accompanying activity needed to implement them to;
  - Develop a clear marketing and business development strategy.
  - Deliver a sustainable operating and funding model via cost reduction and a restructuring of the debt.
  - Improve governance by reviewing the Further Agreement and Reserved Matters.
  - Secure an updated Local Development Order and start the process to bring in either a private sector investor or private sector developer to support delivery of the remainder of the science park.
2. Receives further reports as required on specific areas of activity together with an overarching report in 12 months' time setting out the collective progress in implementing these recommendations.

**REASON:**

To ensure that the Science Park could continue to develop and fulfil its potential as a key economic driver for the District and wider region.

**Attendance List**

**Present:**

**Portfolio Holders**

M Rixson	Portfolio Holder Climate Action & Emergency Response
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Sustainable Homes & Communities
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
S Hawkins	Portfolio Holder Finance
P Arnott	Leader of the Council
P Hayward	Deputy Leader and Portfolio Holder Finance
T Olive	Portfolio Holder Strategic Planning

**Cabinet apologies:**

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

Councillor Aurora Bailey  
Councillor Brian Bailey  
Councillor Ian Barlow

Councillor Kevin Blakey  
Councillor Colin Brown  
Councillor Bethany Collins  
Councillor Roy Collins  
Councillor Paula Fernley  
Councillor Richard Jefferies

**Also present:**

**Officers:**

Thea Billeter, Cranbrook New Community Manager  
Tom Buxton-Smith, Engineering Projects Manager  
Sharon Church, Benefits Manager  
Andrew Mitchell, Housing Solutions Service Manager  
Amanda Coombes, Democratic Services Officer  
Simon Davey, Director of Finance  
Andrew Hancock, Assistant Director StreetScene  
Tracy Hendren, Chief Executive  
Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement  
Andrew King, Tenancy Services Manager  
Melanie Wellman, Director of Governance (Monitoring Officer)  
Andrew Wood, Director of Place (interim)

Chair .....

Date: .....