



East Devon District Council
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Agenda for Council Wednesday, 24th July, 2019, 6.00 pm

To: All elected Members of the Council; Honorary Aldermen

Venue: Council Chamber, Blackdown House, Honiton

Contact: Susan Howl, Democratic Services Manager;

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(or group number 01395 517546)

Issued Monday, 15 July 2019

Dear Sir/Madam

Meeting of the Council of the District of East Devon on Wednesday, 24th July, 2019 at 6.00 pm

You are called upon to attend the above meeting to be held in the Council Chamber, Blackdown House, Honiton. It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers expedient.

Yours faithfully

A handwritten signature in black ink, appearing to read "M. Howl", is written over a horizontal line.

Chief Executive

1 Public speaking

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

2 Minutes of the previous meeting (Pages 5 - 35)

Minutes of the Annual Council meeting held on 22 May 2019.

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 Announcements from the Chairman and Leader

7 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way, but if confidential minutes from Cabinet and/or the Council's Committees are being discussed, Officers may recommend consideration in the private part of the meeting.

8 To answer questions asked by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5 (Pages 36 - 50)

Twelve Questions have been submitted in accordance with Procedure Rule No. 9.2 which have been included with the answers in the agenda.

9 Reports from the Cabinet and the Council's Committees and questions on those reports (Page 51)

The Recommendations Summary sheet indicates the recommendations from Committees which are to be presented to Council.

- a) Minutes of Cabinet held on 5 June 2019 Minute numbers 1 to 17 (Pages 52 - 59)
- b) Minutes of cabinet meeting held on 10 July 2019 Minute numbers 18 - 35 (Pages 60 - 67)
- c) Minutes of Scrutiny Committee held on 6 June 2019 Minute numbers 1 - 10 (Pages 68 - 71)
- d) Minutes of Overview Committee held on 28 March 2019 Minute numbers 24 - 30 (Pages 72 - 77)
- e) Minutes of Housing Review Board held on 28 March 2019 Minute numbers 63 - 85 (Pages 78 - 89)
- f) Minutes of Housing Review Board held on 20 June 2019 Minute numbers 1 - 21 (Pages 90 - 110)
- g) Minutes of Strategic Planning Committee held on 10 June Minutes 1-8 (Pages 111 - 114)
- h) Minutes of Development Management Committee held on 30 April 2019 (Pages 115 - 121)
- i) Minutes of Development Management Committee held on 11 June 2019 Minute numbers 1 - 11 (Pages 122 - 126)
- j) Minutes of Development Management Committee held on 18 June 2019 Minute numbers 12 - 16 (Pages 127 - 129)
- k) Licensing & Enforcement Committee held on 3 July 2019 Minute numbers 1 - 8 (Pages 130 - 133)
- l) Licensing & Enforcement Sub Committee held on 10 April 2019 Minute numbers 53 - 58 (Pages 134 - 138)
- m) Minutes of Standards Committee held on 16 April 2019 Minute numbers 15 - 21 (Pages 139 - 141)

10 Appointment of a non-voting Parish Council representative to the Standards Committee

Members are asked to confirm the appointment of Councillor Pauline Stott (Exmouth TC), as a non-voting Parish Council representative to the Standards Committee, following a recent recruitment process to fill the vacancy on the Committee.

11 Motion - Electrical Charging points for Vehicles and light transport in East Devon District Council Car Parks across the District

That in supporting the Devon Declaration on Climate Change Emergency this Council should;

1. Prepare a costed roll out 5 year programme that would ensure at least 10 electrical charging points for cars and light vans in all its principal car parks.
2. Assess the viability of charging points for all types of cycles
3. Have as a priority in both the Greater Exeter Structure Plan and the review of the Local Plan the provision of EV charging points for all properties where parking spaces are provided.

Proposed by Cllr Eleanor Rylance

Seconded by Cllr Cllr Luke Jeffery

Supported by Cllrs Andrew Colman, Eileen Wragg, Cathy Gardner, Sarah Chamberlain, Paul Arnott, Denise Bickley, Paul Hayward, Jack Rowland, Kathy McLauchlan, Sam Hawkins, Paul Jarvis, John Loudoun and Marianne Rixson.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Members of the public exercising their right to speak during Public Question Time will be recorded.

[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Annual Council held at Council Chamber,
Blackdown House, Honiton on 22 May 2019****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 7.07 pm

1 Election of Chairman of the Council for the ensuing year

Councillor Andrew Moulding (retiring Chairman) invited nominations for the office of Chairman of the Council for the ensuing year.

Councillor Ben Ingham proposed and Councillor Phil Twiss seconded Councillor Stuart Hughes being elected Chairman of the Council for the coming civic year.

In proposing, Councillor Ingham spoke of Councillor Hughes extensive experience as a councillor. During his previous years in office as Chairman of East Devon, Councillor Hughes had shown much enthusiasm and understanding whilst undertaking his duties and had a very inclusive style. He would undoubtedly continue to show the same commitment to East Devon during his second term as Chairman.

In seconding, Councillor Twiss said that the position was much deserved given the experience of Councillor Hughes, who had been a friend and colleague to people of all persuasions.

There were no other nominations.

RESOLVED

that Councillor Stuart Hughes be elected Chairman of the Council for the ensuing year.

Following the election, Councillor Hughes read, and signed the Declaration of Acceptance of Office. He then spoke in response to his election. He thanked his proposer and seconder and the other Members for putting their trust in him to fly the flag for the Council at the various events he would be attending, which he would do with pride. He said that he had enjoyed his previous term as Chairman and was looking forward to undertaking the role again. He thanked Councillor Moulding as the retiring Chairman for his good work on behalf of EDDC and handed him the badge in thanks for his services as Chairman.

Councillor Moulding referred to the many achievements he had been involved with during his term in office as Chairman, including the opening of the new Council Offices in Honiton, and awards and events which had raised the profile of East Devon and benefitted local residents across the District.

He thanked Members and his Vice Chairman in particular, Councillor David Key, for their support, and also the Chief Executive, Mark Williams, Maria Pearce and Sue Howl for assisting him whilst in office.

2 Appointment of Vice Chairman of the Council for the ensuing year

The Chairman invited nominations for the appointment of Vice-Chairman of the Council for the ensuing year.

Councillor Geoff Jung proposed and Councillor Ben Ingham seconded Councillor Val Ranger being appointed Vice-Chairman of the Council for the coming civic year.

In proposing, Councillor Jung outlined the role of a Vice Chair as being an ambassador for the Council, a sounding board and critical friend for members. Councillor Ranger was a busy person, in full time employment and deserved this honourable position. Councillor Ranger possessed the skills and sound understanding to undertake this important role.

In seconding Councillor Ranger, Councillor Ingham confirmed that she had often been the person from whom he had sought advice over recent weeks, and the position of Vice Chairman was much deserved.

The Chairman invited further nominations.

There were no other nominations.

RESOLVED

that Councillor Val Ranger be appointed Vice-Chairman of the Council for the ensuing year.

Following the appointment, Councillor Ranger read and signed the Declaration of Acceptance of Office. She then spoke in response to her appointment, thanking her proposer and seconder. She said that she was looking forward to her first year as Vice-Chairman and thanked members for the trust they had placed in her. It would be an honour to undertake the role and she would do her utmost to support the Council during the challenging times ahead.

She then thanked the retiring Vice Chairman, Councillor David Key, for his services to the Council in this role and handed him a badge in thanks.

Councillor Key responded by confirming that it had been a great honour to act as Vice Chairman at EDDC.

3 Public Speaking

The Chairman welcomed Councillors, Honorary Aldermen and members of the public and invited questions or comments.

Douglas Hull wanted to comment that there appeared to be an issue with Blackdown House at present, in that the disabled access door was currently locked. He pointed out that this could present a Fire risk and potentially be breaking regulations because it should be unlocked at all times when the building is open for public use. He also stated that the mat inside the door presents a hazard for those with limited mobility. The Chairman and Chief Executive confirmed that they would address this immediately.

Honorary Alderman Trevor Cope wanted to make several points as follows;

That the Council should note and agree to respect those councillors who were not re-elected at the recent district elections.

Secondly, that he was disappointed to see no signs for Exmouth Town Council when he visited Exmouth Town Hall, but only signs for EDDC.

Thirdly, that following recent elections there was now an opportunity for all members to be heard. He stated that the new Council is a very different one to that which he served

on which had been difficult at times, and given the change in composition of the parties now reflected on the Council, and the fact that it is no longer dominated by a single party, he hoped that Independent, Liberal Democrat and other members would now be heard and respected.

The Chairman noted the points raised.

4 Minutes of the previous Council meeting

The minutes of the meeting of the Council held on 24 April 2019 were agreed and signed as a true record.

The Chairman invited Councillor Wragg to comment. She wanted to provide information relating to the Motion proposed by Councillor Hughes at the last Council meeting on 24 April (Minute 66 refers), 'Government support requested for financial contributions from utility companies to flood and coastal protection schemes'.

She reported that subsequent to the meeting she had made enquiries of South West Water (SWW) and the Consumer Council for Water and both had provided a detailed response which she would pass on to the relevant officers. SWW had confirmed that they have contributed £1.47m to the Environment Agency Flood Defence Scheme in Exeter and were subject to regulation by OFWAT, and had to draw up a 5 Year Plan. Sidmouth were not currently covered in this plan, but SWW were keen to meet with EDDC to discuss working together in future on such matters.

5 Declarations of interest

No declarations were announced.

6 Matters of urgency

None.

7 Announcements from the Chairman

The Chairman wanted to make two announcements.

Firstly in relation to Blue Flag Awards, the Chairman stated that following a great deal of work between council teams and the Environment Agency (EA) to improve the bathing water quality at all East Devon Beaches, as well as ensuring the surrounding beach visitor infrastructure meets the high standards set out for the awards; Exmouth had been successful in securing a converted Blue Flag Award this year. Last year, EDDC won a Seaside Award for Exmouth and Seaton, which is a good way to prepare for a Blue Flag application.

All of East Devon beaches now meet the excellent water quality required for a Blue Flag application, but some do not have all of the supporting infrastructure required.

We have been successful in achieving the following:

Exmouth : Blue Flag, and Seaside award; Budleigh: Seaside award; Sidmouth Town Beach: Seaside award; and Seaton: Seaside award.

The Blue Flag and Seaside Awards are aimed at improving the quality of England's coastline and promoting England's best beaches. To win the awards beaches have had to reach a stringent set of criteria around water quality, management, safety and the environment.

Blue Flag is an international award presented to well-managed beaches with excellent water quality and environmental education programmes. Seaside Awards are presented to the best beaches in England and celebrate the quality and diversity of our coastline, so the Chairman wanted to thank the Streetscene team and all officers who had worked hard for this achievement.

Secondly, the Chairman wanted to congratulate all staff who had been involved in the District and Local Elections on 2 May, and made them run smoothly and successfully. He also wanted to wish them well for running the European Elections on 23 May.

8 Confidential/exempt item(s)

There were none.

9 Election of leader of the Council for the ensuing year

Councillor Susie Bond proposed Councillor Ben Ingham as Leader of the Council for the ensuing year. This proposal was seconded by Councillor Paul Arnott.

In proposing, Councillor Bond spoke of Councillor Ingham's ability to take on the leadership of East Devon District Council.

She stated that Councillor Ingham had been elected in 1995 as a Conservative to Woodbury and Lymptone, but in 2005 had decided to become a champion for the Independent cause, always supporting his colleagues and new members. He had unanimous support from the Independent group to become the Leader of the Council.

In seconding, Councillor Arnott endorsed the proposer's motion and stated his view that there was only one serious candidate for this role, and that was Councillor Ingham. He said that Councillor Ingham had a unique record on the Council, having also been Leader of the East Devon Alliance before returning to the Independent Group. He referred to a policy promise discussed and agreed over recent days with Councillor Ingham, to review the current constitutional and governance arrangements of the Council, explore alternatives, with the intention to seek reform of EDDC.

The Chairman asked if there were any other nominations for the role of Leader. There were none. There was unanimous support for Councillor Ingham.

RESOLVED

that Councillor Ben Ingham be elected Leader of the Council for the ensuing year.

In accepting his appointment, Councillor Ingham thanked his proposer and seconder, and all those supporting his nomination.

He referred to the promise mentioned by Councillor Arnott and clarified that his promise was that EDDC Councillors will have the opportunity to consider fully, alternative arrangements to the existing Cabinet arrangements in place, and if change is preferred then this should be what happens.

He went on to say that this was a momentous day for East Devon. For the first time in nearly half a century, East Devon is no longer under Conservative control. The Independent Group are committed to being a transparent and accountable administration, listening to residents and communities to bring about change in a planned and managed way. They intend to work collaboratively with all councillors across the political spectrum. But as the largest group, the Independent Group has unanimously agreed to step forward and “Take the Lead”. It is a big task ahead, but not overwhelming. They are determined to prove that their commitment and loyalty to East Devon is unparalleled.

10 **Leader's appointment of the Deputy Leader of the Council**

The Leader confirmed his appointment of Councillor Susie Bond as Deputy Leader of the Council. Councillor Ingham said that he had turned consistently to Councillor Bond since the departure of Councillor Giles. She recognised what was important and what could wait. She was able to address issues and people in times of pressure and was a very able communicator. She served the Independent cause with commitment and enthusiasm and her nomination as Deputy Leader had the unanimous support of the Independent Group.

The Chairman asked Councillors to note the appointment, and confirmed Councillor Susie Bond as Deputy Leader of the Council.

RESOLVED

that Councillor Susie Bond be appointed Deputy Leader of the Council for the ensuing year.

In response to the appointment, Councillor Bond gave her thanks and said that she was keen to get on with the job.

11 **Leader's appointment to Cabinet**

The Leader advised that taking on the administration of the council is not something the Independent Group considered lightly. Picking up the reins after forty five years of Conservative control would involve considerable planning, effort and commitment. They were determined to make the transition as smooth as possible.

As they move forward, they intend to look for the common ground, identifying common values and following a common cause: “For the Benefit of East Devon”. They will apply decisions with common sense and invite all members of the council to work with them for the benefit of communities and the environment in East Devon.

Accordingly, the Leader advised that, to support this, they had picked a cabinet to maximise their ability, namely;

Councillor Susie Bond to be Deputy Leader, and the Strategic Development portfolio holder.

Councillor Kevin Blakey to be the Economy portfolio holder.

Councillor Megan Armstrong to be the Sustainable Homes and Communities portfolio holder.

Councillor Geoff Jung to be the Lead Environment portfolio holder and Councillor Peter Faithfull will be the Deputy Environment portfolio holder.

Councillor Jess Bailey to be the Corporate Services portfolio holder.

Councillor Paul Millar to be the Transformation portfolio holder.

Councillor Geoff Pook to be the Asset Management portfolio holder.

Councillor Ian Thomas to be the Finance portfolio holder.

The cabinet appointments follow the same portfolio responsibilities as the outgoing administration to promote continuity during the first controlling group change in the history of this council. Any future change will be well informed, well considered and evidence based.

The Leader went on to state that the Independents had already decided not to tolerate bullying and harassment, and do not accept that the rough and tumble of politics can include the personal and verbal abuse of councillors or officers. No one at East Devon District Council should ever suffer emotional anxiety as a result of verbal abuse, in or outside of meetings, and this sort of aggressive behaviour will be challenged whenever it occurs. The new Committee chairs have already agreed not to tolerate it.

On a warmer note, the new administration provides an opportunity to be inclusive towards all communities, with everyone in the district having the right to be a part of what is done and achieved together. Over the next four years, whatever the future brings for the country, they will endeavour to ensure that there is no finer place to live than in East Devon.

12

Report by the Chief Executive and Monitoring Officer recommending changes to the Constitution and to seek confirmation of the Committees and their size and terms of reference and to agree the scheme of delegations.

The Chairman invited the Chief Executive to present his report. Mark Williams referred Councillors to page two of the agenda and the four recommendations as set out, which if adopted would agree proposed changes to the Constitution; confirm the current Committee structure and terms of reference for those Committees; delegate authority to the Monitoring Officer to amend the Constitution to reflect the appointment of Cabinet Members and Portfolio Holders, and determination of Lead Members via Cabinet.

The Chairman invited Councillors to consider and agree the recommendations.

RESOLVED that Council:

1. Approves the Constitution including the amendments to it as shown in the draft and detailed in this report and thereby agree the Committee structure, their size and terms of reference and the scheme of delegations.
2. Delegates authority to the Monitoring Officer to amend the Constitution

during the civic year to reflect legislative changes and to amend any of the details in the 'Existing Name and Area of Wards and Number of Councillors' table as necessary.

3. Delegates authority to the Monitoring Officer to amend the Constitution to reflect the Leader's appointment of Cabinet Members and portfolio areas of responsibility and to revise the Leader's Scheme of Delegations to Portfolio Holders (Part 3 Section 2) so that specific powers align with any changed portfolios where necessary.
4. Delegates authority to Cabinet to determine the Lead Members and their areas of responsibility and to the Monitoring Officer to update the Constitution accordingly.

13 **To consider the report of the Chief Executive**

The Chairman invited the Chief Executive to present his report. Mark Williams referred Councillors to pages 18 to 29 of the agenda, which include four recommendations. Having agreed the Committees and other bodies as included in the Constitution, this report sets out the scope of Committees and the make-up of various bodies, setting out how many members are included on them based either on proportional balance or other local conventions. There are no nominations in the report. These are covered in the following items on the agenda and are to be agreed separately.

The Chairman invited Councillors to consider and agree the recommendations.

RESOLVED:

- a) that the allocation to different political groups of seats to be filled by the Council be determined as follows in respect of overview, regulatory and other committees:

Independent Group	20 Members	34%
Conservative Group	19 Members	32%
Independent East Devon Alliance	11 Members	18%
Liberal Democrats Group	8 Members	13%
East Devon Green Party	2 Members	3%
Total	60 Members	

- b) that the allocation of seats on individual overview/scrutiny, regulatory and other committees according to proportional balance be as set out in Appendix A;
- c) that the make-up of Panels, Forums and Joint Bodies be as set out in Appendix B;
- d) that the Membership of the Standards Committee and Housing Review Board be as set out in Part C to this report.

14 **To agree the appointment of Councillors to Committees**

The Chief Executive referred Councillors to pages 30 and 31 of the agenda and the proposed membership to Committees as set out. There was only one amendment to be made, which was that Councillor Pratt was no longer to be a member of Scrutiny Committee and was to be replaced by Councillor McLauchlan.

The Chairman invited Councillors to agree the appointments to Committees as set out.

RESOLVED

that the membership of Committees for 2019/20 be as set out on pages 19 - 20 of these minutes.

15 **To appoint the Chairmen and Vice Chairmen of Committees**

The Chief Executive referred Councillors to page 32 of the agenda which indicated nominations for the Chairmen and Vice Chairmen of Committees.

The Chairman invited Councillors to agree the nominations.

RESOLVED:

that the Councillors be appointed as the Chairmen and Vice-Chairmen of the Committees for 2019/20 as indicated on page 21 of the minutes.

16 **To agree the appointment of Councillors to Panels, Forums and Joint Bodies**

The Chief Executive drew attention to pages 33 to 35 on the agenda. This related to the appointment of Councillors to Panels, Forums and Joint Bodies. A certain number of Councillors are required to fill the positions. In certain cases there are more nominations than vacancies which then require a vote to confirm who will take up the positions. The Chief Executive went through the list of nominations for each position, inviting a vote on any contested positions. He then announced in turn which of the Councillors were to be appointed.

After proceeding through the list in full, the Chairman invited Councillors to agree all positions as stated.

RESOLVED

that appointments be made to Forum, Panels and Joint Bodies for 2019/20 as set out on page 22 - 27 of the minutes.

17 **To agree the appointment of representatives on Outside Bodies**

The Chief Executive referred Councillors to pages 36 to 38 of the agenda, pointing out that a few of the appointments were contested with more nominations than positions available.

The Chief Executive worked through the list of nominations for each body, inviting a vote on contested positions, before announcing who was to be appointed to the various bodies as required.

The Chairman then invited Councillors to agree the appointments as set out.

RESOLVED:

that appointments be made to Outside Bodies for 2019/20 as set out on pages 28-30 of the minutes.

18 **To approve a programme of ordinary meetings of the Council, Cabinet and Committees for 2019/20**

The Chairman asked Councillors to agree the programme of meetings for the civic year, and advised them also to refer to forthcoming meetings section of the weekly Upcoming Meetings email to check for changes such as cancelled or additional meetings throughout the year.

RESOLVED

that the programme of ordinary meetings of the Council, Cabinet and Committee meetings for 2019/20 be approved as set out on page 31 of the minutes.

The Chairman then declared the meeting closed and thanked everyone for their attendance.

Attendance List
Councillors present:

T McCollum	E Wragg	P Millar
N Hookway	S Hawkins	A Moulding
M Howe	P Arnott	H Parr
K Bloxham	P Faithfull	S Gazzard
K McLauchlan	P Hayward	G Pratt
C Pepper	S Hughes	V Ranger
A Dent	K Blakey	M Rixson
B Ingham	S Jackson	J Rowland
C Brown	P Jarvis	P Skinner
F Caygill	L Jeffery	B Taylor
S Chamberlain	V Johns	I Thomas
M Chapman	G Jung	P Twiss
O Davey	D Key	J Whibley
S Bond	F King	T Woodward
M Hartnell	D Ledger	D Barrow
M Armstrong	J Loudoun	C Wright
M Allen	B De Saram	D Bickley
I Hall	J Bailey	

Officers in attendance:

Mark Williams, Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager

Honorary Aldermen/women in attendance:

Christine drew
Frances Newth
Sara Randall Johnson
Ray Franklin
John Jeffery
Trevor Cope
Peter Halse

Councillor apologies:

D Manley
I Chubb
A Colman
C Gardner
T Wright
G Pook
E Rylance

Chairman

Date:

MEMBERSHIP OF COMMITTEES – SEATS AND PROPORTIONAL BALANCE 2019/20

APPENDIX A

Number in Group % of Council membership	15seats: Scrutiny	13seats Overview	5 seats: Housing Review Board	15 seats Strategic Planning	16 seats Development Management	10 seats Audit and Governance	*5 seats Standards	7 seats Interview (Chief Officers)	7 seats Employ- ment Appeals	15 seats Licensing & Enforce- ment	108 total seats
20 Independent Group (34%)	5	4	2	5	5	3	2	3	3	5	37 34%
19 Conservatives (32%)	5	4	2	5	5	3	2	2	2	5	35 32%
11 Independent EDA (18%)	3	2	1	2	3	2	1	1	1	3	19 18%
8 Liberal Democrats (13%)	2	2	0	2	2	2	0	1	1	2	14 13%
2 Green Party (3%)	0	1	0	1	1	0	0	0	0	0	3 3%

NOTE:

1. The **Cabinet** is not shown on the above table as it is not a legal requirement for the political balance rules to apply.

APPENDIX B - Makeup of Panels, Forum and Joint Bodies 2019/20

Panels and Forums	Composition 2019 / 20	Positions to be appointed at Annual Council
1. Asset Management Forum (Five Cabinet Members plus two ex officio Councillors)	Portfolio Holders: Asset Management (Chair) Economy Strategic Development Finance Transformation ex officio: Leader Chairman of the Council	None
2. Budget Working Party (The Cabinet plus two Councillors)	Leader (Chair) Portfolio Holders: Asset Management Economy Strategic Development Finance Transformation Sustainable Homes & Communities Environment Corporate Services Deputy Portfolio Holder: Environment Cllrs: Two	Two Councillors
3. Capital Strategy and Allocation Group (The Cabinet plus two Councillors)	Leader Portfolio Holders: Asset Management Economy Strategic Development Finance (Chair) Transformation Sustainable Homes & Communities Environment Corporate Services Deputy Portfolio Holder: Environment Cllrs: Two	Two Councillors
4. Community Grant Panel	Portfolio Holder: Finance (Chair)	Six Councillors

APPENDIX B - Makeup of Panels, Forum and Joint Bodies 2019/20

	(One Cabinet Member and five Councillors)	Cllrs: Six	
5.	Community Infrastructure Levy (CiL) Working Group (Three Cabinet Members, Chair & Vice Chair of DMC and four Councillors)	Portfolio Holders: Strategic Development Economy Sustainable Homes & Communities DMC: Chair (Chair) Vice Chair Cllrs: Four	Four Councillors
6.	Disciplinary Panel – to consider disciplinary matters relating to statutory officers (Four Councillors)	Cllrs: Four	Four Councillors
7.	Member Development Working Party (One Cabinet Member and five Councillors)	Portfolio Holder: Corporate Services (Chair) Cllrs: Five	Five Councillors
Joint Bodies		EDDC Appointees	Positions to be appointed at Annual Council
8.	Heart of the South - West Joint Committee (Two Cabinet Members)	Leader Deputy Leader	None
9.	Arts and Culture Forum (Two Lead Members, one Councillor and one ex officio Councillor)	Lead Members: Culture (Chair) Tourism Cllrs: One (plus 2 Community & 7 town representatives) ex officio Portfolio Holder: Corporate Services	One Councillor
10.	East and Mid Devon	Cllrs:	One Councillor

APPENDIX B - Makeup of Panels, Forum and Joint Bodies 2019/20

	Community Safety Partnership	One	
	(One Councillor)		
11.	County Committees including: East Devon Highways and Traffic Orders Committee	Cllrs: Three	Three Councillors
	(Three Councillors)		
12.	Exeter and East Devon Enterprise Zone Board	Leader	None
	(One Cabinet Member)		
13.	Exeter and Heart of Devon Growth Board	Leader	None
	(One Cabinet Member)	(substitute: Deputy Leader)	
14.	Greater Exeter Strategic Plan	a) Portfolio Holder: Strategic Development	a) None
	a) Member Steering Group which includes a representative from each of the five councils (Devon, East Devon, Exeter, Mid Devon and Teignbridge)	(substitute: Portfolio Holder – Economy)	
	(One Cabinet Member)		
	b) *Joint Advisory Reference forum	b) Portfolio Holder: Economy	b) East and West of the District Representatives and two substitutes
	(Five Councillors – comprising a Cabinet Member, representatives of East and West of the District and two Councillors)	East and West of District Representatives (substitutes: two Councillors)	Two Councillors
		Cllrs: Two	
	*Informally politically balanced forum comprising 5 councillors each from the five councils to consider and		

APPENDIX B - Makeup of Panels, Forum and Joint Bodies 2019/20

make comments on draft plan proposals before they are formally considered by each council)

15.	LED Leisure Management Ltd (Two Councillors)	Cllrs: Two	Two Councillors
16.	Local Joint Panel (Three Cabinet Members, Two Councillors)	Leader Portfolio Holders: Finance Corporate Services Cllrs: Two	Two Councillors
17.	Lower Exe Mooring Authority Management Committee (Two Councillors)	Cllrs: Two (plus substitute)	Two Councillors and one substitute
18.	Recycling and Waste Partnership Board (Two Cabinet Members and three Councillors)	Portfolio Holder: Environment (Chair) Deputy PH Environment Cllrs: Three	Three Councillors
19.	Regeneration Board – Axminster (Three Cabinet Members, one Lead Member and two local ward Councillors)	Portfolio Holders: Strategic Development Sustainable Homes & Communities Economy (Chair) Axminster Lead Cllrs: Two Axminster Ward Councillors	Two Axminster Ward Councillors
20.	Regeneration Board - Exmouth (Three Cabinet Members, two Lead Members)	Portfolio Holders: Economy (Chair) Strategic Development Sustainable Homes & Communities (Vice Chairman)	None

APPENDIX B - Makeup of Panels, Forum and Joint Bodies 2019/20

		Lead Members: Exmouth Tourism	
21.	Sidmouth Beach Management Plan Steering Group (Three Cabinet Members, Sidmouth Ward Members, One Councillor)	Deputy Leader Portfolio Holder: Environment Deputy PH Environment Sidmouth Ward Members Cllrs: One	One Councillor
22.	Sidmouth Port Royal Project Reference Group (Two Councillors)	Cllrs: Two	Two Councillors
23.	STRATA Joint Executive Committee (EDDC, Exeter City and Teignbridge authorities) (One Cabinet Member and CEO)	Leader Chief Executive (substitute: Portfolio Holder: Corporate Services)	None
24.	STRATA Joint Scrutiny Committee ((EDDC, Exeter City and Teignbridge authorities) (Three Councillors)	Cllrs: Three (substitutes: three Councillors)	Three Councillors and three substitutes
25.	South East Devon Habitat Regulations Executive Committee (One Cabinet Member)	Portfolio Holder: Strategic Development (substitute – PH Environment)	None
26.	Woodbury, Exmouth & Budleigh (WEB) Community Health and Wellbeing Board (One Cabinet Member)	Portfolio Holder: Sustainable Homes and Communities (substitute: Health and Well Being Lead Member)	None

APPENDIX B - Makeup of Panels, Forum and Joint Bodies 2019/20

***includes any amendments made to appointments agreed at Council meetings held during the civic year 2016/17**

NOTES:

1. The Council is required to appoint 'designated persons' to comply with the arrangements (introduced in 2014) for dealing with complaints by tenants – the designated persons to work alongside the Tenant Complaint Panel.

2018/19 current 'designated persons' were Cllrs Rob Longhurst and Simon Grundy.

Part C – Membership of the Standards Committee and Housing Review Board.

1. The Standards Committee comprises the following membership;

Council representatives: Chairman of the Council and four other members of the Council to be nominated and appointed.

Substitute members: Three members of the Council to be nominated and appointed.

Non-voting independent representatives: Martin Goscomb and Tim Swarbrick*
Non-voting parish/town council representatives: Bob Nelson (Broadhembury Parish Council), Vacant position.

*Tim Swarbrick (non-voting independent representative) was originally appointed in 2012 for a 4-year term. Council approved a second 4-year term in 2016 to retain Mr Swarbrick's experience and knowledge.

For information - The Council's non-voting appointed Independent Person (Alison Willan) is a consultee and not a member of the Standards Committee. The Monitoring Officer consults with an Independent Person when dealing with Code of Conduct complaints. Her original appointment in 2012 was for a term of 4 years, Members approved a second 4-year term in 2016 for the Independent Person so that her experience and knowledge could continue to benefit this Council and support its governance arrangements.

2. To confirm the membership of the Housing Review Board

Council representatives: Five members of the Council to be nominated and appointed.

Tenant and/or Leaseholder representatives (5) - to serve a further year on the Board:
Peter Sullivan, Mike Berridge, Pat Gore, Cat Summers and Alek Williams.

Independent Community representatives (2) – to service a further year on the Board:
Julie Bingham and Christine Drew.

Membership of Committees 2019/20

Members of Cabinet and Committees 2019/20	Cabinet 10	Housing Company Sub 5	Scrutiny 15	Overview 13	Housing Review Board 5	Strategic Planning 15	Development Management 16	Standards 5	Audit & Governance 10	Interviewing (Chief Officers) 7	Employment Appeals 7	Licensing & Enforcement 15
Allen Mike												
Armstrong Megan												
Arnott Paul												
Bailey Jess												
Barrow Dean												
Bickley Denise												
Blakey Kevin												
Bloxham Kim												
Bond Susie												
Brown Colin												
Caygill Fred												
Chamberlain Sarah												
Chapman Maddy												
Chubb Iain												
Colman Andrew												
Dacey Olly												
Deer Alan												
DeSaram Bruce												
Faithfull Peter												
Gardner Cathy												
Gazzard Steve												
Hall Ian												
Hartnell Marcus												
Hawkins Sam												
Hayward Paul												
Hookway Nick												
Howe Mike												
Hughes Stuart												
Ingham Ben												
Jackson Sarah												
Jarvis Paul												
Jeffery Luke												
Johns Vicky												
Jung Geoff												
Key David												
King Fabian												

Membership of Committees 2019/20

Members of Cabinet and Committees 2019/20	Cabinet 10	Housing Company Sub 5	Scrutiny 15	Overview 13	Housing Review Board 5	Strategic Planning 15	Development Management 16	Standards 5	Audit & Governance 10	Interviewing (Chief Officers) 7	Employment Appeals 7	Licensing & Enforcement 15
Ledger Dan												
Loudoun John												
Manley Dawn												
McCollum Tony					Chair							
McLauchlan Kathy							Vice Chair					
Millar Paul												
Moulding Andrew												
Parr Helen												
Pepper Christopher												
Pook Geoff												
Pratt Geoff									Vice Chair			
Ranger Val												
Rixson Marianne												
Rowland Jack												
Ryance Eleanor												
Skinner Philip												
Taylor Brenda												
Thomas Ian												
Twiss Phil												
Whibley Joe												
Woodward Tony												
Wragg Eileen												
Wright Chris												
Wright Tom												

Portfolio Holders: Strategic Development, Corporate Services, Economy, Environment, Deputy Environment, Finance, Sustainable Homes and Communities and Transformation.

EAST DEVON DISTRICT COUNCIL

Nominations for Chairmen and Vice-Chairmen 2019/2020

Committees	Chairman	Vice-Chairman
Overview Committee	Nick Hookway	Vicky Johns
Scrutiny Committee	Alan Dent	Kim Bloxham
Housing Review Board	Tony McCollum	To be appointed by Housing Review Board
Strategic Planning Committee	Susie Bond	Nick Hookway
Development Management	Mike Howe	Kathy McLauchlan
Audit & Governance	Sam Hawkins	Geoff Pratt
Standards	Chairman of the Council	
Interviewing (Chief Officers)	Leader	Deputy Leader
Employment Appeals	Deputy Leader	
Licensing and Enforcement	Paul Jarvis	Kim Bloxham

Appointments to Panels, Forum and Joint Bodies 2019/20

Panels and Forums	Composition 2019 / 20	Appointments
1. Asset Management Forum (Five Cabinet Members plus two ex officio Councillors)	Portfolio Holders: Asset Management (Chair) Economy Strategic Development Finance Transformation ex officio: Leader Chairman of the Council	Portfolio Holders: Asset Management (Chair) Economy Strategic Development Finance Transformation ex officio: Leader Chairman of the Council
2. Budget Working Party (The Cabinet plus two Councillors)	Leader (Chair) Portfolio Holders: Asset Management Economy Strategic Development Finance Transformation Sustainable Homes & Communities Environment Corporate Services Deputy Portfolio Holder: Environment Cllrs: Two	Leader (Chair) Portfolio Holders: Asset Management Economy Strategic Development Finance Transformation Sustainable Homes & Communities Environment Corporate Services Deputy Portfolio Holder: Environment Dean Barrow Eleanor Rylance
3. Capital Strategy and Allocation Group (The Cabinet plus two Councillors)	Leader Portfolio Holders: Asset Management Economy Strategic Development Finance (Chair) Transformation Sustainable Homes & Communities Environment Corporate Services Deputy Portfolio Holder: Environment Cllrs: Two	Leader Portfolio Holders: Asset Management Economy Strategic Development Finance (Chair) Transformation Sustainable Homes & Communities Environment Corporate Services Deputy Portfolio Holder: Environment Dean Barrow Fabian King

Appointments to Panels, Forum and Joint Bodies 2019/20

4.	Community Grant Panel (One Cabinet Member and five Councillors)	Portfolio Holder: Finance (Chair) Cllrs: Six	Portfolio Holder: Finance (Chair) Alan Dent Marcus Hartnell Sarah Jackson David Key Fabian King Tony McCollum
5.	Community Infrastructure Levy (CiL) Working Group (Three Cabinet Members, Chair & Vice Chair of DMC and four Councillors)	Portfolio Holders: Strategic Development Economy Sustainable Homes & Communities DMC: Chair (Chair) Vice Chair Cllrs: Four	Portfolio Holders: Strategic Development Economy Sustainable Homes & Communities DMC: Chair (Chair) Vice Chair Ian Hall Fabian King Geoff Jung Eleanor Rylance
6.	Disciplinary Panel – to consider disciplinary matters relating to statutory officers (Four Councillors)	Cllrs: Four	Megan Armstrong Mike Howe Andrew Moulding Eileen Wragg
7.	Member Development Working Party (One Cabinet Member and five Councillors)	Portfolio Holder: Corporate Services (Chair) Cllrs: Five	Portfolio Holder: Corporate Services (Chair) Maddy Chapman Alan Dent Steve Gazzard Sarah Jackson Vacant

Joint Bodies	EDDC Appointees	Appointments
8. Heart of the South - West Joint Committee (Two Cabinet Members)	Leader Deputy Leader	Leader Deputy Leader

Appointments to Panels, Forum and Joint Bodies 2019/20

9.	Arts and Culture Forum (Two Lead Members, one Councillor and one ex officio Councillor)	Lead Members: Culture (Chair) Tourism Cllrs: One (plus 2 Community & 7 town representatives) ex officio Portfolio Holder: Corporate Services	Lead Members: Culture (Chair) Tourism Bruce De Saram (plus 2 Community & 7 town representatives) ex officio Portfolio Holder: Corporate Services
10.	East and Mid Devon Community Safety Partnership (One Councillor)	Cllrs: One	Steve Gazzard
11.	County Committees including: East Devon Highways and Traffic Orders Committee (Three Councillors)	Cllrs: Three	Marcus Hartnell Mike Howe Tony McCollum
12.	Exeter and East Devon Enterprise Zone Board (One Cabinet Member)	Leader	Leader
13.	Exeter and Heart of Devon Growth Board (One Cabinet Member)	Leader (substitute: Deputy Leader)	Leader (substitute: Deputy Leader)
14.	Greater Exeter Strategic Plan a) Member Steering Group which includes a representative from each of the five councils (Devon, East Devon, Exeter, Mid Devon and Teignbridge) (One Cabinet Member) b) *Joint Advisory Reference forum	a) Portfolio Holder: Strategic Development (substitute: Portfolio Holder – Economy) b) Portfolio Holder: Economy	a) Portfolio Holder: Strategic Development (substitute: Portfolio Holder – Economy) b) Portfolio Holder: Economy Mike Howe (West)

Appointments to Panels, Forum and Joint Bodies 2019/20

	(Five Councillors – comprising a Cabinet Member, representatives of East and West of the District and two Councillors)	East and West of District Representatives (substitutes: two Councillors) Cllrs: Two	Geoff Jung (West) Tony McCollum (East) Andrew Moulding (East) Subs: Nick Hookway (West)
	*Informally politically balanced forum comprising 5 councillors each from the five councils to consider and make comments on draft plan proposals before they are formally considered by each council)		
15.	LED Leisure Management Ltd (Two Councillors)	Cllrs: Two	Jess Bailey Dean Barrow
16.	Local Joint Panel (Three Cabinet Members, Two Councillors)	Leader Portfolio Holders: Finance Corporate Services Cllrs: Two	Leader Portfolio Holders: Finance Corporate Services Jack Rowland Phil Twiss
17.	Lower Exe Mooring Authority Management Committee (Two Councillors)	Cllrs: Two (plus substitute)	Fred Caygill Brenda Taylor Sub: None
18.	Recycling and Waste Partnership Board (Two Cabinet Members and three Councillors)	Portfolio Holder: Environment (Chair) Deputy PH Environment Cllrs: Three	Portfolio Holder: Environment (Chair) Deputy PH Environment Denise Bickley Eleanor Rylance Tom Wright
19.	Regeneration Board – Axminster (Three Cabinet	Portfolio Holders: Strategic Development Sustainable Homes & Communities	Portfolio Holders: Strategic Development Sustainable Homes & Communities

Appointments to Panels, Forum and Joint Bodies 2019/20

	Members, one Lead Member and two local ward Councillors)	Economy (Chair) Axminster Lead Cllrs: Two Axminster Ward Councillors	Economy (Chair) Axminster Lead Member Sarah Jackson Andrew Moulding
20.	Regeneration Board - Exmouth (Three Cabinet Members, two Lead Members)	Portfolio Holders: Economy (Chair) Strategic Development Sustainable Homes & Communities (Vice Chairman) Lead Members: Exmouth Tourism	Portfolio Holders: Economy (Chair) Strategic Development Sustainable Homes & Communities (Vice Chairman) Lead Members: Exmouth Tourism
21.	Sidmouth Beach Management Plan Steering Group (Three Cabinet Members, Sidmouth Ward Members, One Councillor)	Deputy Leader Portfolio Holder: Environment Deputy PH Environment Sidmouth Ward Members Cllrs: One	Deputy Leader Portfolio Holder: Environment Deputy PH Environment Sidmouth Ward Members Geoff Pook
22.	Sidmouth Port Royal Project Reference Group (Two Councillors)	Cllrs: Two	Cathy Gardner Stuart Hughes
23.	STRATA Joint Executive Committee (EDDC, Exeter City and Teignbridge authorities) (One Cabinet Member and CEO)	Leader Chief Executive (substitute: Portfolio Holder: Corporate Services)	Leader Chief Executive (substitute: Portfolio Holder: Corporate Services)
24.	STRATA Joint Scrutiny Committee ((EDDC, Exeter City and Teignbridge authorities) (Three Councillors)	Cllrs: Three (substitutes: three Councillors)	Paul Millar (Sub: Nick Hookway) Eleanor Rylance (Sub: Sarah Chamberlain) Phil Twiss

Appointments to Panels, Forum and Joint Bodies 2019/20

25.	South East Devon Habitat Regulations Executive Committee	Portfolio Holder: Strategic Development	(Sub: Colin Brown)
			Portfolio Holder: Strategic Development
	(One Cabinet Member)	(substitute – PH Environment)	(substitute – PH Environment)
26.	Woodbury, Exmouth & Budleigh (WEB) Community Health and Wellbeing Board	Portfolio Holder: Sustainable Homes and Communities	Portfolio Holder:
			Sustainable Homes and Communities
	(One Cabinet Member)	(substitute: Health and Well Being Lead Member)	(substitute: Health and Well Being Lead Member)

***includes any amendments made to appointments agreed at Council meetings held during the civic year 2016/17**

NOTES:

1. The Council is required to appoint 'designated persons' to comply with the arrangements (introduced in 2014) for dealing with complaints by tenants – the designated persons to work alongside the Tenant Complaint Panel.

2019/20 'designated persons' are Cllrs Ian Hall, Paul Millar and Jack Rowland.

	Name of Outside Body	Appointments 2019/20	Portfolio Holders/ Lead – reporting link
(a)	APPOINTMENTS: GENERAL		
1	Blackdown Hills (AONB) Joint Advisory Committee	Colin Brown	Environment
2	Devon and Exeter Area Rail Working Party	Susie Bond Bruce De Saram	Economy
3	Devon Authorities Strategic Waste Committee	Environment Portfolio Holder Substitute: Deputy Environment Portfolio Holder	Environment
4	SPACE (formerly Devon Youth Service)	Member Lead – Sport and Recreation	Sustainable Housing/ Communities
5	East Devon AONB Partnership	Helen Parr Geoff Pook	Environment
6	East Devon Citizens' Advice Bureau	Megan Armstrong Maddy Chapman	Sustainable Housing/ Communities
7	East Devon Transport, Research and Information Project (TRIP) Working Party/Management Group	Dean Barrow	Sustainable Housing/ Communities
8	Action East Devon (formerly East Devon Volunteer Support Agency)	Mike Allen Megan Armstrong	Sustainable Housing/ Communities
9	Exe Estuary Management Group	Mike Howe Substitute: Geoff Jung	Environment
10	Exeter International Airport Consultative Group	Philip Skinner	Economy/ Environment
11	Exeter Science Park Board of Directors: Exeter Science Park – Shareholder representative	PH – Economy (Director) PH – Finance (Shareholder rep)	Finance/ Economy/ Strategic Dev & Partnerships
12	Queens Drive Exmouth Community Interest Company	Sam Hawkins (Director) Paul Millar (Director)	Finance/ Economy/ Strategic Dev & Partnerships

	Name of Outside Body	Appointments 2019/20	Portfolio Holders/ Lead – reporting link
13	Greater Exeter Strategic Sports Board	Economy Portfolio Holder (substitute Lead Councillor – Sport & Recreation)	Economy/ Sustainable Housing/ Communities
14	Local Government Association General Assembly	Leader* (substitute: Deputy Leader) *Leader is SW representative on district councillor network executive	Council
15	Local Government Association Annual Rural Assembly	Leader (with vote) Deputy Leader (who can vote in the absence of Leader)	Council
16	Police and Crime Panel – Devon and Cornwall	Paul Jarvis Substitute: Ian Hall	Council
17	SWAP (South West Audit Partnership Ltd)	Shareholder – Audit and Governance Chairman Director – Section 151 Officer	Finance
18	South West Councils - including Employers' Panel	Leader Deputy: Portfolio Holder – Corporate Services	Council
19	SPARSE – Rural Special Interest Group	Leader Substitute: Rural Economy Lead Councillor	Council

***above details include any amendments made to appointments agreed at Council meetings held during civic year 2019/20**

OUTSIDE BODIES - NOTE:

Further to the 2012 review undertaken initially by the Corporate Business Portfolio Holder's Think Tank and recommendations of the Overview and Scrutiny Committee which were supported by Cabinet at its meeting on 4 April 2012, formal appointment of councillor representatives to outside bodies will only now be made where the outside body meets one or more of the following criteria:

- a) The Council makes a financial contribution to the outside body;
- b) There is a clear need for the business of the outside body to be reported back to Council;
- c) The Council has a partnership relationship with the outside body

Council representatives formally appointed to outside bodies will engage with the relevant Portfolio Holder to ensure information is both fed back, and fed into, each outside body, panel and forum that meets the criteria for formal appointment.

In the case of outside bodies falling outside the criteria (including those listed below), the Democratic Services team will provide the contact details of the ward member(s)/member champion so that arrangements can be made direct;

- Active Honiton
- Budleigh Salterton Traffic Group
- Campaign to Protect Rural England (Devon Branch)
- Devon Conservation Group
- Devon County Agricultural Association's Council
- Devon Historic Buildings Trust
- East Devon Local Children's Trust
- Exmouth Local Nature Reserve Management Committee
- Honiton Community & Arts Centre Project Working Group
- Honiton Development Trust
- Norman Lockyer Observatory Management Committee
- Salisbury – Exeter Line side Consortium of Authorities
- Sidmouth Traffic Management Plan
- World Heritage Site Management Plan Steering Group

PATROLAJC – Parking and Traffic Regulations Outside London Adjudication Joint Committee (re Traffic Management Act 2004). No member appointment but the Council will continue to subscribe to this quasi-judicial body which appoints adjudicators to hear formal appeals against parking tickets in all councils (including EDDC) that use civil parking enforcement process.

List of meetings 2019/2020

Unless otherwise indicated meetings will normally be held at Blackdown House, Honiton. Not all meetings are open to the public and the public can be asked to leave other meetings on specified grounds.

2019				2020											
Meeting	Day	Time	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Annual Council	Wed	6.00pm	22												13
Council	Wed	6.00pm			24			23		11		26		22	
Cabinet	Wed	5.30pm		5	10		4	2 30	27		8	5	4	1	6
Housing Company Sub Committee	Wed	2.30pm						2					4		
Scrutiny Committee	Thu	6.00pm		6	4			3	21			6	5	2	
Overview & Scrutiny Committees joint meetings	Wed	9.00am					5				15				
Overview Committee	Thu	6.00pm		27	25	29			14		30	27	26		
Strategic Planning Committee	Tue	10.00am		10		20		22		17		25		28	
Development Management Committee *	Tue	10.00am		11 18	9	6	3	1 29		3	7	4	3	7	5
Audit & Governance Committee	Thu	2.30pm			25		26		28		30		19		
Housing Review Board ~	Thu	2.30pm		20			19		21		23		26		
Licensing & Enforcement Committee	Wed	9.30am			3			16				12		15	
Standards Committee	Tue	10.00am				13		15			21			14	
Asset Management Forum	Thu	9.30am		13			5			5			5		
STRATA Joint Executive Committee	Wed	5.30pm		18			24								
STRATA Joint Scrutiny Committee	Thu	5.30pm	30				4								
South East Devon Habitat Regulations Executive Committee ~		2.00pm			18			30			30			17	
Recycling and Waste Partnership Board	Wed	10.00am		5	17			23			29			29	
Capital Strategy and Allocation Group	Wed	2.30pm			10			16		4					
Budget Working Party	Wed	2.30pm		26			25						18		

Sub-Committees of the Licensing and Enforcement Committee are timetabled for Wednesdays on an 'if required' basis. **Cancelled meetings are shown crossed through in red. Extraordinary Council meetings are shown in blue.** ~ Held at Exmouth Town Hall, # Held at Civic Centre, Exeter; ~ Held at Teignbridge District Council, Forde House, Newton Abbot; * Formal site visits as required will be held on the morning of the meeting date. ^ Starts at 2pm. ♠ Starts at 11.30am. ▣ Starts 4pm. + Starts at 4.30pm.

Questions by Members to Full Council on 24 April 2019 under Procedure Rule 9.2

Question 1: Procedure Rule 9.2 to the Leader from Councillor Andrew Moulding

Will the Leader give valid reasons why he and the current Cabinet are not prepared to recognise the concept of an official opposition, with shadow portfolio holders from within the conservative group?

Answer:

The Council does acknowledge through its schedule of allowances the position of opposition leader and deputy leader of the opposition. It is not thought appropriate at this stage to extend the allowance scheme to official shadow portfolio holders. Furthermore, the current political composition of the Council suggests there is a clear need to approach decision making on a collaborative and hopefully consensual basis. If we were to formalise the concept of an official opposition with shadow portfolio holders in the Constitution this would arguably send the wrong message. I think the public would perceive that we would be mirroring the Parliamentary situation where it is expected and assumed that the Government of the day and the official opposition approach matters on a much more combative, divisive and antagonistic basis.

Question 2: Procedure Rule 9.2 to the Leader from Councillor Andrew Moulding

Could the leader explain why he feels that the appointment of shadow portfolio holders would not assist the new portfolio holders in discussions on council matters?

Answer:

I welcome the idea that the Conservative Group has appointed members of its group to be lead spokespersons for particular topics. This will assist the Portfolio Holders and their think tanks in promoting a degree of specialism.

Question 3: Procedure Rule 9.2 to the Leader from Councillor Andrew Moulding

Would the Leader confirm that the concept of an official opposition and shadow portfolio holders will be included as part of the proposed Overview Committee review of governance arrangements?

Answer:

It has already been suggested that this could be included in the terms of reference for the review.

Question 4: Procedure Rule 9.2 to the Leader from Councillor Andrew Moulding

Would the leader recognise that the conservative group has appointed its own lead members for each of the current portfolios, and that these lead members will be given access to each council agenda at the same time as the current portfolio holders?

Answer:

If you are referring to the preparation of draft reports then the answer is 'no'.

Question 5: Procedure Rule 9.2 to the Portfolio Holder for the Environment from Councillor Geoff Pratt

Please confirm the total income received from metered car parks for the year 2018-19 and the expenses incurred for the same period with a breakdown of those expenses.

Answer:

(Please see attached sheet)

Question 6: Procedure Rule 9.2 to the Portfolio Holder for Strategic Development from Councillor Geoff Pratt

Please confirm the total amount of section 106 monies held by the council in respect of monies due to Ottery St. Mary Town Council.

Answer:

(Please see attached sheet)

Question 7: Procedure Rule 9.2 to the Leader from Councillor Paul Arnott

Both the disposal of the Knowle HQ and the procurement of the new Honiton HQ are matters of great concern to thousands of people in East Devon. Questions will hang in the air until they are fully addressed. Will the Leader support the immediate creation of a councillor-led working party, politically balanced, of up to 10 members, all of them newly elected in 2019, reporting to the Scrutiny committee, to look into these matters in the public interest?

Answer:

Relocation has been a key element of the council's transformation agenda in terms of delivering against priorities of reducing council operational costs and introducing modern ways of working. Throughout its lifetime the relocation project has been subject to regular reporting to Cabinet and Council, dedicated project management,

Senior member and officer oversight through the Office Accommodation Executive Group, regular risk review and the scrutiny of South West Audit Partnership (SWAP).

Prior to the decision to move to Exmouth and Honiton and dispose of the Knowle site an independent audit was carried out to inform the decision to relocate and to test the financial projections for the project. These findings were included as part of the report to cabinet in March 2015 seeking approval of the move. Both Audit and Governance and Overview and Scrutiny committees met jointly to consider the relocation project programme and gave their endorsement. Cabinet and Council were provided with extensive detail, independent evaluation and wider committee endorsement as part of their approval.

Relocation has been delivered successfully in terms of the physical moves and performance of the council. Furthermore this complex project has been delivered within budget. A project closure report will be provided to council at the one year anniversary of the project which will include a full project cost analysis and detail of operational costs for the first year of operation of Blackdown House and annual running costs of Exmouth Town Hall.

If Scrutiny were so minded they could ask to consider the officer report or undertake a piece of work themselves and as Leader I would not want to restrict or pre-empt their independence to set their own forward plan. The Scrutiny Committee is politically balanced and already well placed to do this without the imposition of a working party which is constitutionally unsound in terms of its suggested membership.

Question 8: Procedure Rule 9.2 to the Leader from Councillor Cathy Gardner

As the new Independent Leader of EDDC, can you outline your 3 main objectives for the coming year and the priorities agreed by your Independent Group?

Answer:

Our 3 main objectives are to prepare and agree a new Council Plan; pursue the issue of a Climate Change Emergency; and keep the Council's finances on a sound footing. The issue of Council priorities will be debated by all Councillors as part of the preparation for the new Council Plan and I think it is more appropriate to think of priorities in these terms rather than make them partisan political issues.

Question 9: Procedure Rule 9.2 to the Leader from Councillor Cathy Gardner

You were recently heard to state that you are going to wipe out the Council's looming deficit "this year". Can you please explain what measures you are proposing to take in order to achieve this?

Answer:

A detailed discussion took place at the Budget Working Party on the 26th June on the predicted budget deficit for next year and over the term of the New Council to which all members were invited and I was pleased a good number attended outside of the committee itself. At that meeting proposals were discussed and agreed in principle on how the Council through careful choices would balance the books, minutes of that meeting were then presented to Cabinet on 10th July who agreed with the recommendations of the Budget Working Party that the actions identified for implementation in accordance with the Transformation Strategy be taken forward so as to enable a balanced budget to be set for 2020/21 and over the term of the new Council. Further meetings of the Working Party will update on these initiatives and actions and I would encourage members to attend.

Question 10: Procedure Rule 9.2 to the Economy Portfolio Holder from Councillor Phil Twiss

On the 28th of June 2019 The U.K. Government launched its Tourism Sector Deal as part of its Industrial strategy.

Can I be confident that given the important social and economic benefit of this sector to East Devon that this council with strategic partners will be making a bid to become a Tourism Zone to address market failure in the local Tourism economy?

Answer:

Tourism is a vital sector to the East Devon economy and the council has a strong past and ongoing commitment to keeping our visitor offer fresh and attractive. The government's Tourism Sector Deal document published in June makes a number of statements around increasing skills training, apprenticeships, infrastructure and business support. It also floats the idea of a competition to create up to five 'Tourism Zones' across the country. Detail of the bidding process is not yet available.

We will assess the criteria and bidding arrangements when they are published later in the year but East Devon alone will not be bidding. The sector deal document states that government expects Tourism Zones to develop from stakeholder collaboration, therefore in order to become a Zone, businesses, Local Enterprise Partnerships, Destination Management Organisations and Local Authorities will need to join together to develop a strategy for how they plan to grow their local visitor economy.

HotSW LEP is proposing to bid for a Tourism Zone as part of its Local industrial Strategy commitments and we will support that endeavour along with other partners with a view to securing benefits for the district. This approach is more likely to have a chance of delivering funded local benefits to our tourism industry than a district-only application to the government's Tourism Sector Deal. We hope that the government will put some meaningful level of funding into this initiative.

Question 11: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Can you confirm how many Overage agreements have been legally ratified or created as conditions of planning consents since 2011?

Answer:

Overage agreements are not secured through conditions on planning consents but would be secured as a clause in a section 106 agreement usually where the development concerned is unable to meet the usual policy requirements for the provision of infrastructure due to viability issues which have been independently checked. There will therefore be no conditions securing an overage agreement but there will be a significant number of overage clauses in Section 106 agreements. If this is what you meant by your question then there would be a significant amount of work involved in producing this information and we would be unable to do so for Council on 24th July. If you can confirm that it is the number of Section 106 overage clauses that you are referring to then we would be happy to produce this information and forward this to you as soon as possible.

Question 12: Procedure Rule 9.2 to the Leader from Councillor Paul Hayward

Can you confirm, as at today's date, the value (and number) of individual Section 106 contributions held by the District Council, pending disbursement to the communities involved?

Answer:

The question suggests that through Section 106 agreements we are collecting monies from developments to be disbursed to communities but this would not usually be the case. Section 106 agreements secure monies for spend on a specific project and then that spend such as for a play area or other piece of infrastructure would usually be overseen by the infrastructure provider and the money spent directly on that project. It may be that you are referring to the proportion of Community Infrastructure Levy (CIL) receipts that are specifically disbursed to the community for them to spend. If so then the monies disbursed to the communities in the last year will form part of the annual CIL Monitoring report to be presented to the next Strategic Planning Committee and will be available shortly with any remaining monies held being minimal as payments have only recently been made. If you could confirm what you mean by this question then again we can ensure that we provide the correct information as soon as possible.

Car Parks - Extract from 2018/19 Statement of Accounts**Detail Level**

<u>Account Name</u>	<u>Actual</u>
WAGES	183.68
SALARIES	119,195.21
Additional Unpaid Leave -	54.94
W/End & Bank Hol Enhanced Pay	5,699.46
OVERTIME	250.26
HOLIDAY PAY	510.95
STAT SICK PAY PAID TO EE	-
Employee Benefits Accrual	211.30
NI ERS REV EXP	10,643.32
SUPERANNUATION ERS	25,702.95
RECRUITMENT ADVERTISING	150.00
CASUALTY INSURANCE	1,369.41
X reference charge IDT 6330	23.99
PENSIONS PAID ACTUAL CONTRIBS -	25,702.95
PENSION CURRENT SERVICE COST	45,488.97
PROPERTY CONTRACTORS	86,310.14
STREET CLEANSING RECHARGE	60,000.00
GROUNDNS MAINTENANCE RECHARGE	45,000.00
IDT Exp GROUNDNS MAINTENCE 6193	650.46
MATERIALS LAND AND BUILD	-
ELECTRICITY BULK BILLING	5,740.70
RATES	489,974.07
WATER CHARGES	1,425.66
IDT Exp FEES PLAN APPL 6187	116.00
ENVIRONMENT AGENCY FEES	113.74
REPAIR OF VEHICLE	169.54
VEHICLE FUEL	6,101.00
MATERIALS DIRECT	-
ROAD FUND LICENCE	20.00
IDT Exp CAR PARK PERMITS 6188	291.43
VAN LEASE	9,526.34
TRAVELLING	276.26
IRRECOVERABLE VAT ON TRAVEL	0.25
VEHICLE ALLOWANCE	247.80
CLASS 1A NI ERS	13.80
VEHICLE INSURANCE	2,328.15
EDDC VEHICLE INS Repair&EXCESS	667.38
EQUIPMENT & PLANT PURCHASE	35,643.05
EQUIPMENT MAINTENANCE CONTRACT	21,279.60
EQUIPMENT AD HOC REPAIR	4,667.23
COMMISSION	1,207.74
CONSUMABLES	1.29
OFFICIAL Signage	4,500.00
MATERIALS	1,218.27
PROTECTIVE CLOTHING 6220	675.45
STATIONERY	558.87
EXTERNAL PRINTING	3,796.67
STRATA External Print Jobs	2,703.30
EDDC STAFF DBS Fees Via HR	99.75
CASH COLLECTION CHARGE	32,592.81
SPUR REGISTRATION FEES	54.00

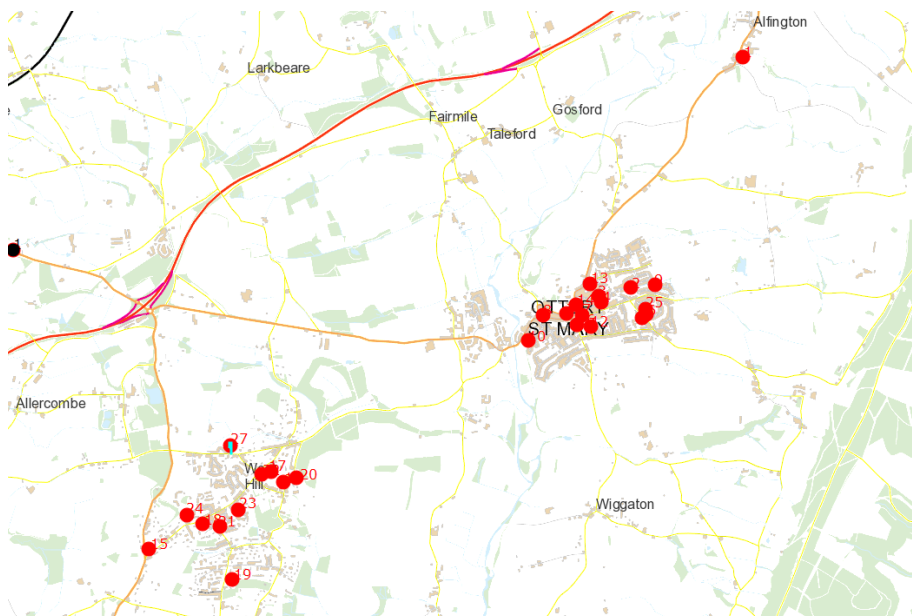
PATROL PCN CHARGES	788.25
FEES	430.00
TRACING FEES	310.00
ADMINISTRATION FEE	4,625.45
Enforcement Agent Fees	5,545.58
LEGAL FEES	630.00
BANK CHARGES	6,772.61
SPECIAL PROMOTIONS/EVENTS	2.00
LAND REGISTRY	39.00
External Postage	192.33
PHONE MOBILES STRATA INT RECHG	4,191.91
IT SOFTWARE PURCHASE/Upgrade	3,041.63
IT SOFTWARE ANNUAL COSTS	3,234.72
CONTRIBUTION TO RUNNING COSTS	844.17
Donations	150.00
ADVERTISING GENERAL	682.00
IT HARDWARE PURCHASE	991.95
LEGAL SERV RECHG	3,470.00
HR RECHG	4,910.00
CUSTOMER SERV CENTRE RECHG	29,000.00
STRATA Service Post Fixed	6,010.00
STRATA Service Print Fixed	220.00
STRATA Service MFD Fixed	130.00
ACCOUNTANCY RECHG	6,760.00
INCOME & PAYMENTS RECHG	15,210.00
STR SCENE ENGINEERING RECHG	16,650.00
INTERNAL AUDIT RECHG	2,950.00
PAYROLL RECHG	2,220.00
STR SCENE OPS RECHG	17,180.00
PROP SERV RECHG	8,960.00
Manstone Depot Recharge	1,030.00
OFFICE ACCOMMODATION RECHG	16,560.00
STRATA Contract Recharge	31,860.00
R & B MANAGEMENT RECHG	6,020.00
Strat Lead Govern Licen RECHG	1,020.00
Org Dev Recharge	1,890.00
POLICY TEAM RECHG	11,920.00
CAR PARK CHARGES	- 2,395,170.95
INCOME - RECOVERY OF COSTS	- 3,402.96
CAR PARK RENTAL	- 141,083.63
RECY OF INS LOSSES	- 667.38
Postal Service Income	- 3.00
EXCESS CAR PARK CHARGES	- 53,219.82
REFUND	347.27
WRITE OFF	0.26
CAR PARK PERMITS	- 487,788.54
IDT Income CAR PK PERMITS 2270	- 32,684.90
EVENTS	- 3,000.00
Car Parks Weekly Permits	- 36,091.28
Car Park Mobile Fees Income	- 202,378.24
Credit/Debit Card payments	- 130,050.62
IDT Cash Collection Fee 3258	- 2,550.00
Contactless card payments	- 46,546.10
RENT	- 35,605.11
DEPRECIATION REVENUE	4,141.10

- 2,347,669.94

Income from Car Park Charges - 2,774,145.91

S106 FINANCIAL SUMS OVERVIEW			
<div> Filter Parish Is OTTERY ST MARY Apply AND </div>			
Deeds from 01 January 1983 To 01 December 2035			
AND parish='OTTERY ST MARY'			
Type	Potential	Due	Collected
Affordable Housing	36,068.00	0.00	0.00
Education - Generic - Primary	444,518.82	0.00	102,831.74
Education - Generic - Second...	731,920.12	0.00	264,424.46
Education - Primary - Ottery	88,820.65	0.00	0.00
Education - Secondary - Otter...	207,940.65	0.00	457,321.28
Education Generic post Apr 1...	36,000.00	0.00	0.00
Education Generic pre Apr 10	3,797.18	0.00	6,750.00
Habitat Mit Generic PH post A...	1,398.85	0.00	626.75
Habitat Mit Generic PH pre Ap...	1,252.00	0.00	53,670.41
Habitat Mit non-infra PH post...	12,520.00	0.00	1,983.90
Highways Generic post Apr 1...	24,000.00	0.00	220,512.63
Highways pre Apr 10	0.00	0.00	112,000.00
Monitoring	4,879.50	0.00	9,457.79
Open Space Generic post Apr...	103,948.75	0.00	114,061.22
Open Space Generic pre Apr 10	1,397.15	4,692.70	38,581.96
Open Space Landscaping	0.00	0.00	5,101.31
Play Area - Ottery - Winters L...	11,716.35	0.00	2,408.85
Public Art post Apr 10 pre Apr...	0.00	0.00	5,101.31
S111 - PB	1,762.22	0.00	734.25
Sport - Ottery -Pitch	115,202.00	0.00	0.00
SWW	192,000.00	0.00	0.00
Town Centre Improvement	0.00	0.00	20,405.24
Transport Bus Contribution	45,000.00	0.00	45,902.00
TOTALS	2,064,142.24	4,692.70	1,461,875.10

Pre-spend (Ottery and West-Hill Open Space Receipts)



Pre –spend (Ottery and West-Hill Open Space Receipts)

Location	Play	Sport	Generic	
Otter Park, OSM for linking footpath				
OSM Flood Defence (landscape maintenance)				
OSM Flood Defence mowing				
8 & 9 Antony Cottages, Alfington	3,419.92	3,453.23		
23 Raleigh Rd	1,640.50	1,726.61		
74 Sandhill Street	9343.64	10359.7		
Chapel Lane	1,640.50	1,726.61		
17 Grandisson Drive	1,640.50	1,726.61		
7a Slade Close	1,640.50	1,726.61		
1 Batts Lane	1,640.50	1,726.61		
62 Mill Street	1,640.50	1,726.61		
1a Coleridge Road	1,640.50	1,726.61		
Basement Flat 24 Riverside View	1,166.63	1,116.52		
Wright's Court, Saddlers Lane	3,419.92	3,453.23		
Ridgeway House			2,894.88	
22 Longdogs Lane	1,640.50	1,726.61		
48 Raleigh Road			2,894.88	
1 Ridgeway Gardens	1,640.50	1,726.61		
Land adjacent to Mariners West Hill Road			2,894.88	
Marist Convent Site 8 Broad St			8,075.40	
Land at The Orchard Yonder St			660.45	
2 Cornhill	1,116.52	1,166.63		
Amberley	1,640.50	1,726.61		
Holly Bank, Lower Broad Oak Rd	1,640.50	1,726.61		
Fernbrook, West Hill Road	1,640.50	1,726.61		
Heather Down West Hill Rd	1,640.50	1,726.61		
Higher Broad Oak Road	535.5	1,726.61		
Tile Barn	3,419.92	3,453.23		
16 Warren Park (Manana)	1,640.50	1,726.61		
Gorse Croft West Hill Rd	1,640.50	1,726.61		
Land north of Eastfield			12589	
3 Ashley Brake	1,640.50	1,726.61		
Land at Brick House Farm, West Hill Road	1,640.50	1,726.61		
Land r/o Crantock West Hill Road			5,789.76	
Rustlings Lower Broad Oak Road			660.45	
Land at Highlands West Hill Road			2,894.88	
29A Slade Close	1,640.50	1,726.61		
19 Tip Hill	1,116.52	1,166.63		
Slade Farm			2558.85	Winters Lai
Pebbles, Bendarroch Road	1,640.50	1,726.61		
Land N Higher Ridgeway			54561.9	Formal Park

Green – Ottery

Purple – West Hill

Yellow – Planning Condition (not the same pooling and time spend restrictions)

AND name% 'Ottery'

OR name% 'West Hill'

Ref	Name	Allocated	Spent
30	Ottery Bridge Project	£990,000.00	£990,000.00
117	Upottery MUGA	£3,453.23	£3,450.00
118	Upottery Basket Swing	£3,453.23	£0.00
59	West Hill Play Area Project 2018	£14,565.00	£14,565.00
182	Ottery Land of Canaan Play Area	£15,816.00	£15,816.00
184	Ottery/WH Sports Wall	£14,500.00	£14,500.00
186	Ottery/WH Petanque Court	£8,000.00	£8,000.00
185	Ottery/WH Football Goals	£3,000.00	£3,000.00
187	Ottery/WH Skate Park	£15,267.00	£15,267.00
183	Ottery/WH Outdoor Gym	£15,552.00	£15,552.00
54	CIL NP Ottery St Mary	£4,788.58	£0.00
58	CIL NP West Hill	£3,637.38	£0.00
180	West Hill G OS Project	£0.00	£0.00
181	West Hill G Play Area	£4,921.50	£0.00
188	Ottery G Play Project	£22,581.00	£0.00
189	Ottery G OS Project	£66,192.63	£0.00

Post spend

Location	Town	Plan app no. (if known)	Date rec'd on ledger		Play	Sport	Generic	
Otter Park, OSM for linking footpath	Ottery St Mary	97/0005	13/03/2002					
OSM Flood Defence (landscape maintenance)	Ottery St Mary		07/10/2004					
OSM Flood Defence mowing	Ottery St Mary		09/03/2005					
8 & 9 Antony Cottages, Alfington	Ottery St Mary	07/0156/FUL	03/03/2008	1	3,419.92	0.00		
23 Raleigh Rd	Ottery St Mary	07/2723/FUL	28/03/2008	2	1,640.50	0.00		
74 Sandhill Street	Ottery St Mary	05/1228/FUL	22/04/2008		0	0	0	
Chapel Lane	Ottery St Mary	07/0699/FUL	22/04/2008		0.00	0.00		
17 Grandisson Drive	Ottery St Mary	09/1140/FUL	07/07/2010		0.00	0.00		
7a Slade Close	Ottery St Mary	09/0216/FUL	01/10/2010		0.00	0.00		
1 Batts Lane	Ottery St Mary	10/0573/FUL	09/12/2010	3	1,640.50	0.00		
62 Mill Street	Ottery St Mary	10/1609/FUL	16/02/2011	4	1,640.50	0.00		
1a Coleridge Road	Ottery St Mary	08/0404/FUL	10/02/2012	5	89.64	0.00	0	
Basement Flat 24 Riverside View	Ottery St Mary	09/1773/FUL	15/02/2012	6	1,166.63	0.00		
Wright's Court, Saddlers Lane	Ottery St Mary	10/1597/FUL	12/04/2012	7	3,419.92	0.00		
Ridgeway House	Ottery St Mary	13/0937/COU	30/01/2014				0.00	

OTTERY ST MARY

Response to Members Question No 6

22 Longdogs Lane	Ottery St Mary	12/0052/ FUL	23/09/ 2014	8	1,640.5 0	0.00		
48 Raleigh Road	Ottery St Mary	13/1425/ FUL	25/09/ 2014				2,894.88	
1 Ridgeway Gardens	Ottery St Mary	12/0723/ FUL	02/09/ 2015	9	1,640.5 0	0.00		
Land adjacent to Mariners West Hill Road	Ottery St Mary	13/1459/ OUT	04/09/ 2015				2,894.88	W/Hill
Marist Convent Site 8 Broad St	Ottery St Mary	14/2151/ VAR	22/02/ 2016				8,075.40	
Land at The Orchard Yonder St	Ottery St Mary	14/0973/ FUL	21/03/ 2016				660.45	
2 Cornhill	Ottery St Mary	12/1789/ COU	13/09/ 2016	10	1,116.5 2	1,166.6 3		
Amberley	West Hill	08/0126/ FUL	07/07/ 2008		0.00	0.00	0	
Holly Bank, Lower Broad Oak Rd	West Hill	11/2796/ FUL	10/12/ 2009		0.00	0.00		
Fernbrook, West Hill Road	West Hill	09/1229/ RES	24/08/ 2010		0.00	0.00		
Heather Down West Hill Rd	West Hill	12/2103/ FUL	10/02/ 2011		0.00	0.00		
Higher Broad Oak Road	West Hill	07/1406/ OUT	12/04/ 2011		0	0.00		
Tile Barn	West Hill	13/1585/ VAR	01/05/ 2012		0.00	0.00		
16 Warren Park (Manana)	West Hill	10/2039/ OUT	20/11/ 2013		0.00	0.00		
Gorse Croft West Hill Rd	West Hill	11/1710/ FUL	30/01/ 2014		0.00	0.00		
Land north of Eastfield	West Hill	13/1809/ MOUT	20/03/ 2018				12589	W/Hill
3 Ashley Brake	West Hill	10/2278/ OUT	18/08/ 2014		0.00	0.00		
Land at Brick House Farm, West Hill Road	West Hill	09/2023/ FUL	16/09/ 2014		0.00	0.00	0	
Land r/o Crantock West Hill Road	West Hill	14/0160/ FUL	27/07/ 2015				5,789.76	W/Hill
Rustlings Lower Broad Oak Road	West Hill	14/1225/ FUL	18/01/ 2016				660.45	W/Hill
Land adj Greytrops (Cooper Court)	West Hill	13/1248/ OUT	21/03/ 2016					W/Hill
Land at Highlands West Hill Road	West Hill	14/0191/ OUT	21/03/ 2016				2,894.88	W/Hill
29A Slade Close	Ottery	12/0378/ FUL	08/03/ 2018	11	1,640.5 0	0.00		
19 Tip Hill	Ottery	12/1242/ COU	18/01/ 2018	12	1,116.5 2	1,166.6 3		
Slade Farm	Ottery	15/2542/ FUL	12/01/ 2018				2408.85	On EXACOM under G playPlay Winters Lane
Pebbles, Bendarroch Road	West Hill	10/0302/ FUL	18/01/ 2018	13		1,726.6 1		
Land N Higher Ridgeway	Ottery	14/2419/ MFUL	03/04/ 2019				54561.9	Formal Park/Sport provision

Actual Open Space Spend

Projects		Agreed	Spend	
Sport	Outdoor Gym	2011	15000	15552
	Sports Wall	2015	15000	14500
	Football Goals	?	3000	3000
	Petanque Court	2015	8000	8000
	Skate Park	2011	15267	15267
Play	West Hill			
	P1		2372.32	2165
	Ps		13640	12400
	Land of Canaan	2015	18842.59	15816

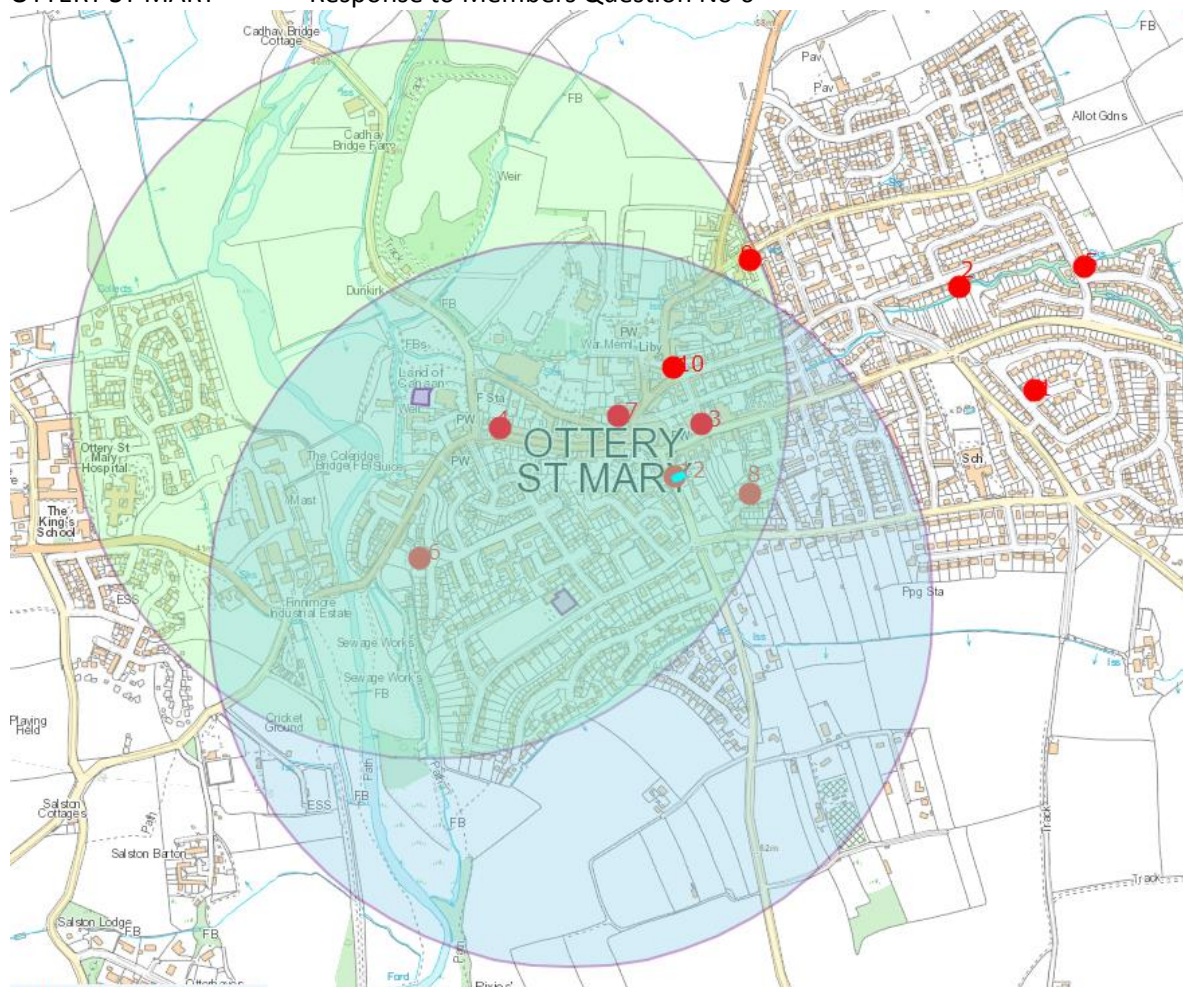
Open Space Monies Remaining (Ottery only)

		£17,881.00	£0.00	£17,881.00
188	Ottery G Play Project	£22,581.00	£0.00	£22,581.00
189	Ottery G OS Project	£66,192.63	£0.00	£66,192.63

Generic Open Space must be spent on any or all of the following ;

- Allotments
- Amenity open space
- Formal park provision
- Childrens play
- Youth play

The remaining open space receipts are mapped as follows (please note that at least 1 of the receipts must be spent at the Winters Lane site).



Open Space receipts still to be triggered or have been triggered and are being chased.

Project Drilldown						
Type	Service Owner	Site Address	Clause	App No	Due	Amount
Open Space Generic po...	S106 Monitoring	Lower Coombe Cottage,Tipton St John,...	S1	14/2724/FUL	07/03/2018	£0.01
Open Space Generic po...	S106 Monitoring	Land North Of Higher Ridgeway,Ottery...	S1 Part...	14/2419/MFUL	06/03/2018	£0.01
Open Space Generic po...	S106 Monitoring	Barnfield House ,Cadhay Lane,Ottery St...	S1-2	13/0642/OUT	14/03/2018	£7,395.73
Open Space Generic po...	S106 Monitoring	Former Gerway Nurseries,Sidmouth Ro...	S1.3.2 -...	14/1227/MOUT	19/03/2018	£96,553.00
TOTAL						£103,948.75

Project Drilldown						
Type	Service Owner	Site Address	Clause	App No	Due	Amount
Open Space Generic pre...	S106 Monitoring	Land East Of Thorne Farm Way,Ottery...	3.2	00/P1923	01/02/2018	£1,397.15
TOTAL						£1,397.15

* Not included from demand value

Project Drilldown						
Type	Service Owner	Site Address	Clause	App No	Due	Amount
Open Space Generic pre...	S106 Monitoring	17 Broad Street,Ottery St Mary,EX11 1...	S1-2	09/2027/FUL	02/02/2018	£4,692.70
TOTAL						£4,692.70

Project Drilldown						
Type	Service Owner	Site Address	Clause	App No	Due	Amount
Sport - Ottery -Pitch	Streetscene	Land East Of Butts Road,Higher Ridgew...	C3	12/0277/MOUT	None	£115,202.00
TOTAL						£115,202.00

CIL – Overview

PRIMARY CIL SUMS OVERVIEW

Filter
Parish
Is
Ottery St Mary Town (p
Apply AND
Apply

From
01 January 2016
To
26 December 2035

AND parish='Ottery St Mary'
OR parish='Ottery St Mary Rural'
OR parish='Ottery St M

OR parish='Ottery St Mary Town (pre 02/05/19)'

Allocation	Potential	Due	Collected
CIL Admin	10,796.08	45.44	1,723.36
Neighbourhood CIL	35,227.39	227.21	4,821.05
CIL 123 List	169,898.12	636.19	27,922.78
TOTALS	215,921.59	908.84	34,467.19

Receipts paid out to date to Town Council - £4,778.58

(Minutes in full have been circulated and are available on line.)

Cabinet – [10 July 2019](#)

28 Climate Change Emergency – Our Response

RECOMMENDED	<p>that the following be agreed:</p> <ul style="list-style-type: none"> (1) to sign up to the Devon Climate Change Emergency Declaration; and (2) to work with Devon County Council and other partners to produce a Devon wide action plan on climate change; and (3) to prepare an East Devon District Council action plan to reduce its' carbon footprint; and (4) to link the Council plan with the work of the Low Carbon Task Force; and (5) to support the acceleration of the proposals to achieve zero carbon development in the West End of the district; and (6) to reflect climate change as a priority in the new Council Plan and future updates of Service Plans and relevant corporate policies.
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Cabinet - [10 July 2019](#)

29 Zero Carbon Development in the West end

RECOMMENDED	<p>1. To commit funding of up to £30k to support an application to round 9 of Heat Networks Delivery unit funding.</p>
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Licensing & Enforcement Committee – [3 July 2019](#)

7 Sex Establishment Licensing Policy

RECOMMENDED	<p>that Council adopt the revised Sex Establishment Licensing Policy.</p>
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Strategic Planning Committee – [10 June 2019](#)

6 Review of East Devon Area of Special Control of Advertisements (ASCA)

RECOMMENDED	<p>that Full Council make amendments to the areas covered by the Area of Special Control of Advertisements as set out in this report.</p>
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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 5 June 2019****Attendance list at end of document**

The meeting started at 5.30 pm and ended at 6.24 pm

1 Public speaking

There were no members of the public wishing to speak.

Councillor Steve Gazzard asked when the Phear Park Café, Exmouth was due to re-open under a new tenancy as this was expected to have been open by Easter this year. As well as being a well-run café this was also a community hub and residents were frustrated by the delay in its opening.

In response the Deputy Chief Executive acknowledged the frustrations felt and confirmed the lease had been agreed and would be completed shortly. He confirmed that once the café was opened full details of the new tenancy would be published through the Press, as well Exmouth Councillors being advised in order to inform their residents.

2 Minutes of the previous meeting

The minutes of the Cabinet meeting held on 3 April 2019 were confirmed and signed as a true record.

3 Declarations of interest

Cllr Susie Bond, Personal interest; Minute 7 – Involved in one of the grant applications

Cllr Paul Millar, Personal interest; Minute 12 – works in public affairs for Pennon Group and so declaring in case there are discussions on environmental issues that may relate to Pennon's business

Cllr Steve Gazzard, Personal interest; Minute 4 – Council house tenant

Cllr Steve Gazzard, Personal interest; Minute 7 – Member of Exmouth Town Council who have made one of the grant applications

Cllr Peter Faithfull, Personal interest; Minute 7 – Member of Ottery St Mary group involved in one of the grant applications

4 Matters of urgency - Exemption from Contract Standing Orders for temporary arrangements to ensure the ongoing maintenance of Council Homes

The Acting Housing Service Lead presented the report to seek approval for an exemption to Standing Orders in order to ensure continuity of repairs and maintenance to the Council's housing stock, during a period of demobilisation of the current contract for day to day repairs and work to void properties. The temporary arrangements that were required were for a period of approximately 4 weeks as part of mobilisation of the new Integrated Asset Management Contract.

The Portfolio Holder for Sustainable Homes and Communities stated that she supported this action taken and congratulated the department for their forward thinking on this issue, maintaining an ongoing resilience service to the council's tenants.

In answer to the question concerning sanctions against the existing contractor, the

Acting Housing Service Lead confirmed that penalties could be used and this was being looked into with advice from the Legal department. She also confirmed that tenant satisfaction forms were important and that tenants were involved in to what was the best way to collect this feedback.

RESOLVED:

that the Exemption from Contract Standing Orders to ensure continuity of service to Council tenants and the protection of the Councils housing stock in relation to day to day repairs and void management, be agreed.

REASON:

An exemption from standing orders was appropriate in the circumstances.

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

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

6 **Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 July 2019 to 31 October 2019.

7 **Minutes of New Homes Bonus Panel held on 19 March 2019**

Members received the Minutes of New Homes Bonus Panel held on 19 March 2019.

RESOLVED (1) that the following recommendations to support be agreed:

Minute 8 Budleigh Food Event - £2,687.28

Budleigh Salterton Chamber of Commerce on the condition that money be raised to pay for a similar event in 2020.

Minute 9 Application from Honiton transport to dementia support - £4,000 from Honiton Dementia Alliance. That an independent evaluation comparing the Honiton dementia scheme and the Ottery dementia scheme be a condition of the grant, and that this be paid for using some of the Communities Together Fund underspend.

Minute 10 Application from Lypstone Parish Council - £7,700

to reduce flood risk

Minute 11 Application from Newton Poppleford Playing Field Foundation – air ambulance landing site - £1,500

to put in a night landing site at Newton Poppleford playing fields.

Minute 12 Application from Ottery St Mary Help Scheme – Dementia Action Alliance and outreach - £10,390

1. the Ottery St Mary Help Scheme for £10,390, and
2. an independent evaluation comparing the Honiton dementia scheme and the Ottery dementia scheme be a condition of the grant and that this be paid for using some of the Communities Together underspend.

Minute 13 Seaton Town Council - £2,921.60

Seaton Town Council's request for funding to produce a leaflet for walkers from walks

from Sidmouth to Seaton.

Minute 14 Application from Stoke Canon Parish Council – Improving section of footpath - £1,960

the application from Stoke Canon Parish Council to improve a 100m of public footpath.

Minute 15 Application from Uplyme Parish Council – Air ambulance landing site - £2,783.62

the Uplyme Parish Council application for an air ambulance landing site.

Minute 16 Application from Upottery Playing Fields Association – footpath - £5,000

the application from Upottery Playing Fields Association for funding for £5,000 to create a safer access to Glebe Park sports and playing fields.

Minute 17 Application from West Hill Parish Council – Football goals - £1,581

West Hill Parish Council's application to purchase full size portable goals.

Minute 19 Any other business

Exmouth Town Council - Drainage - £1,292.90

Exmouth Town Council's request to keep the Exmouth Dragon's Den 2018/19 underspend of £4,938.76 to distribute through a similar Dragon's Den style event in 2019/20.

Otterton Parishes Together Fund project 2016/17 - £3,289.50

Otterton and Woodbury Parish Councils request to spend the £3,289.50 grant from the Parishes Together Fund 2016/17 on urgent repairs and replacements for footpath signage in their parishes.

RESOLVED (2) that the following recommendation not to support be agreed:

Minute 18 Seaton Majorettes purchase of 30 new batons - £3,360

Seaton Majorettes application for funds for 30 new batons.

8 Minutes of Arts and Culture Forum held on 27 March 2019

Members received and noted the minutes of Arts and Culture Forum held on 27 March 2019.

9 Minutes of Exmouth Regeneration Board held on 28 March 2019

Members received and noted the minutes of Exmouth Regeneration Board held on 28 March 2019.

10 Minutes of Housing Review Board held on 28 March 2019

Members received the minutes of Housing Review Board held on 28 March 2019.

RESOLVED (1) that the following recommendation be agreed:

Minute 74 Brexit preparations

a number of the housing plans be stress tested as part of the housing service's preparations for Brexit to ensure service continuity for tenants and customers.

Minute 75 Future rent policy

future rent setting had regard to the national rent setting policy as set out in rents for social housing from 2020 published by the Ministry of Housing, Communities and Local Government.

Minute 76 Review of landlord disabled adaptation policy

1. the revised landlord disabled adaptation policy to council homes, and
2. delegated authority be given to the Acting Housing Service Lead in consultation with the Portfolio Holder for Housing for any minor amendments to be made to the policy prior to its publication.

Minute 79 Tenancy agreement changes update

1. note the results of the consultation, and
2. the implementation of the revised tenancy agreement in line with the process outlined in the report.

11 Minutes of Overview Committee held on 28 March 2019

Members received the minutes of Overview Committee held on 28 March 2019.

RESOLVED (1) that the following recommendations be agreed:

Minute 28 Poverty, homelessness, human rights and health and wellbeing in East Devon - scoping report

the additional suggestions for key areas of focus go forward to the Devon Strategic Partnership Welfare Task Group for consideration alongside Cabinet's agreed themes of the scope.

Minute 29 Environmental sustainability and climate change emergency

to recommend to Council that we work with Devon County Council on a shared climate change programme, and signal our commitment to tackling climate change in areas where we can affect positive and meaningful change in our activities, and those of our partners, communities and residents.

12 Minutes of Recycling and Waste Partnership Board held on 24 April 2019

Members received the minutes of Recycling and Waste Partnership Board held on 24 April 2019.

The Portfolio Holder for Environment wished to thank the outgoing Portfolio Holder Councillor Tom Wright for his valued contribution over the last 4 years.

RESOLVED (1) that the following recommendation be agreed:

Minute 46 Green waste collection service update and year end accounts

that 100% of the profit be distributed on the 60/40 (EDDC/SUEZ) split.

Minute 50 HM Government strategy consultation

the SUEZ Director of Municipal Services be invited onto the Recycling and Waste Partnership Board.

RESOLVED (2) that it be noted:

That any plans contemplated for the possible reduction to the level of the council's recycling service would not make any sense to the protection of the Environment, to customer service and to the council's budget. The implications to increased collections were not trivial.

13 **Minutes of South and East Devon Habitat Regulations Executive Committee held on 29 April 2019**

Members received and noted the minutes of South and East Devon Habitat Regulations Executive Committee held on 29 April 2019.

14 **Payhembury Neighbourhood Plan ('the Plan') to be formally 'made'**

The Plan has now passed referendum and must be formally made by East Devon District Council in order to form part of the development plan.

RESOLVED:

1. that the Plan was made so it forms part of the development plan, and
2. that the Neighbourhood Plan Steering Group be congratulated on all their hard work and advised that the Plan would now carry full weight in the planning decision making process.

REASON:

The Plan received a majority 'yes' vote in the referendum as required by the regulations and there was no substantive reason not to make the Plan.

15 **Revenue and Capital Outturn Report 2018/19**

The Strategic Lead Finance presented the report which explained that during 2018/19 budget monitoring reports had informed members of budget variations and the anticipated year-end financial position. The report contains the final position for the year and compares the outturn position against the budgets set. The report outlined the implications of the results on the Council's reserves and made recommendations on any reserve transfers.

The Council's Unaudited Accounts were issued on 31 May 2019 and published on the Council's website, it was anticipated the Audited Accounts would be issued on 25 July 2019.

RESOLVED:

that the outturn position for 2018/19 including the implications and proposals relating to the Balances and Reserves held by the Council, be consider and agreed.

REASON:

To report the outturn position for the Council's approved budgets for the General Fund, Housing Revenue Account and Capital Expenditure. This financial position aligns to the Council's Statement of Accounts but the position in this report was presented in a style that accords to the budget setting and monitoring reports that members receive. Members were asked to note the variations from the budgets identified within the report and consider the final position. It was appropriate at this stage to reflect on the reserves and balances held by the Council and determine if these were the right reserves at the right levels going forward.

16 **Leader's annual report on urgent executive decisions**

Under regulation 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations, there was a requirement to submit a report containing details of each executive decision which was agreed as urgent under Regulation 11 (cases of special urgency) where less than 5 days' notice could be given.

RESOLVED:

That the annual report on urgent executive decisions be noted.

17 **Appointment of Lead Members**

The Leader presented his list of Lead Members for the Cabinet to approve in accordance with the delegation given by Annual Council on 22 May 2019.

Axminster	Ian Hall	Sustainable Homes and Communities
Culture	Joe Whibley	Environment
Cranbrook (NEW)	Kim Bloxham	Strategic Development
Exmouth	Nick Hookway	Strategic Development
Business and Employment	Mike Allen	Economy
Flooding	Chris Pepper	Environment
Health and Wellbeing	Tony Woodward	Sustainable Homes and Communities
Member Development and Engagement	Maddy Chapman	Corporate Services
Neighbourhood Planning	Bruce de Saram	Strategic Development
Building Design and Heritage	Helen Parr	Economy
Procurement	Dan Ledger	Finance
Rural Economy	Andrew Moulding	Economy
Sport and Recreation	Vicky Johns	Economy
Tourism	Chris Wright	Economy
Youth		Corporate Services
Community Safety	Tom Wright	Environment
NPPF	Kathy McLauchlan	Strategic Development
Environmental Health	Olly Davey	Environment
Council Housing	Tony McCollum	Sustainable Homes and Communities
Affordable Homes	Paul Jarvis	Sustainable Homes and Communities
Parks and Open Spaces	Nick Hookway	Environment
Consultation		Corporate Services
Branding and Marketing		Corporate Services
Customer Services	Jack Rowland	Corporate Services
Estates and Property Services	Sam Hawkins	Asset Management
Commercial Property	Geoff Pratt	Asset Management
Inclusivity (NEW)	John Loudoun	Corporate Services

RESOLVED:

that the Leader's list of Lead Members be agreed and delegated authority be given to the Leader to appoint further Councillors to the vacant positions.

Attendance List

Present:

Portfolio Holders

M Armstrong
K Blakey

S Bond
P Faithfull

B Ingham
G Pook

P Millar
G Jung

I Thomas

Cabinet apologies:

J Bailey

Also present (for some or all the meeting)

Dean Barrow
Kim Bloxham
Maddy Chapman
Iain Chubb
Alan Dent
Steve Gazzard
Ian Hall
Marcus Hartnell
Paul Hayward
Mike Howe
Sarah Jackson
Dan Ledger
Tony McCollum
Kathy McLauchlan
Andrew Moulding
Helen Parr
Val Ranger
Jack Rowland
Rylance Eleanor
Philip Skinner
Brenda Taylor
Eileen Wragg
Tom Wright

Also present:

Officers:

Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
Amy Gilbert-Jeans, Service Lead Housing
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Amanda Coombes, Democratic Services Officer

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 10 July 2019****Attendance list at end of document**

The meeting started at 5.30 pm and ended at 7.47 pm

18 Public speaking

A member of the public spoke at Minute 28 Climate Change Emergency – Our Response.

19 Minutes of the previous meeting held on 5 June 2019

The minutes of the Cabinet meeting held on 5 June 2019 were confirmed and signed as a true record.

20 Declarations of interest

12. Climate Change Emergency - Our Response.
Councillor Ian Hall, Personal, Councillor for Devon County Council.

14. Long Lane Enhancement Scheme.
Councillor Ian Thomas, Personal, Chairman of East Devon Enterprise Zone Board.

18. Public Health Implementation Plan 2019/20.
Councillor Geoff Pook, Personal, Member of Seaton Area Health Matters Group.

18. Public Health Implementation Plan 2019/20.
Councillor Jack Rowland, Personal, Chairman of Seaton Area Health Matters Group.

18. Public Health Implementation Plan 2019/20.
Councillor Paul Millar, Personal, Works for South West Water.

21 Matters of urgency: Additional works - Maer Road Car Park

The report set out a solution to an issue that had arisen during ongoing capital project works at Maer Road car park in Exmouth. Upon commence of works it became apparent the car park construction was substantially poorer beneath the surface than had previously been assumed and that more extensive works comprising both new sub base and tarmac finish, were required to complete the projects satisfactorily.

RESOLVED:

that the following be agreed:

1. Option 3 be taken forward, as this was the lowest whole life cost option for maintaining the car park. This results in least disruption to the car parks users and maximised the availability of the car park and its income generating potential, and
2. an exemption to Contract Standing Orders in relation to using the existing contractor on site and the additional costs involved.

REASON:

To ensure the car park was fit for purpose and would provide a convenient and useful facility for car, coach and motorhome parking in the town for the 2019 summer period and continue to do so in the future.

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

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

23 **Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 August to 30 November 2019.

24 **Minutes of Strata Joint Scrutiny Committee held on 30 May 2019**

Members received and noted the minutes of Strata Joint Scrutiny Committee held on 30 May 2019.

25 **Minutes of Scrutiny Committee held on 6 June 2019**

Members received and noted the Minutes of Scrutiny Committee held on 6 June 2019.

26 **Minutes of Asset Management Forum held on 13 June 2019**

Members received and noted the Minutes of Asset Management Forum held on 13 June 2019.

27 **Minutes of Budget Working Party held on 26 June 2019**

Members received the Minutes of Budget Working Party held on 26 June 2019.

RESOLVED (1) that the following recommendations be agreed:

Minute 3 - Medium Term Financial Plan and Transformation Strategy 2019 - 2029
that the actions identified for implementation in accordance with the Transformation Strategy be taken forward so as to enable a balanced budget to be set for 2020/21 and over the term of new Council.

28 **Climate Change Emergency - Our Response**

David Rochester, a member of Extinction Rebellion congratulated EDDC for its comprehensive reports on climate change on the agenda. He suggested the date of 2050 for net-zero carbon emissions was too far away and that massive cultural changes to reduce these emissions must be made immediately. He welcomed the report but said more must be done. He suggested a clear date of 2025 to be carbon neutral reflecting the reality of the emergency we face, being stronger with this message to higher tiers of Government as well as the council taking an assertive approach to lobbying central government. Immediate action could be made through the planning process with a must to any new substantial developments being close to employment and public transport links. He pointed out that area development must include adequate storage for bicycles in order people to use buses and trains.

The Strategic Lead Housing, Health and Environment introduced his report which was intended as a high level discussion document for Cabinet to assist in exploring EDDC's organisational ambitions in relation to climate change, consider how this topic might feature on the new Council's agenda and priorities. He spoke clearly and concisely on how the issue must be a concerted effort from everyone - people, businesses, local and central governments who should and must act now. Everyone including businesses must assume personal responsibility to look into their carbon reliance. He stated the need to research EDDC's present carbon footprint before a date could be put forward to becoming carbon neutral.

The Cabinet was invited to sign a declaration and give a steer, which would influence the development of an EDDC action plan, a series of commitments, and the process for contributing towards challenging reductions in greenhouse gas emissions. This approach needed to be consistent with international, national and regional efforts to limit further climate change.

As part of these considerations EDDC needed to form a view on:

- The extent of its' ambitions in this area;
- Whether to look to be a Carbon Neutral Council and engage in carbon offsetting;
- How to establish an emissions baseline for council activities/buildings (essential if wanting to become carbon neutral);
- How this ambition would be articulated politically, through communications and in the Council Plan;
- The resourcing requirements and financial implications;
- How to embrace this as a one council activity touching all Services;
- The extent to which EDDC would work in partnership with others;
- How the education, influencer, and enabling roles would operate;
- The wider policy context and where the council could make meaningful interventions.

Discussions included the following:

- The need to stop granting planning permissions on flood plans
- Planting hundreds of more trees to address the balance
- Must lead by example to engage residents to follow as well as being achievable
- Local housing stock to have solar panels to become carbon neutral with any surplus brought back to be reinvested in climate change education
- It was not hard to reduce one's own individual carbon footprint
- Anything done now must be considered and sensible and done in a coordinated way
- Declare a Climate Emergency locally
- Work with the farming community to reduce the production of methane in order to gain the greatest carbon capture
- Try for 2025 for significantly reducing carbon emissions
- Keep records of what we are doing in order to make calculations
- Carbon capture was being lost through the development of new roads, houses and industrial estates reliance on concrete
- Show leadership in the community with a need for a solid framework which to operate on.
- Baseline surveys being evolving documents necessary to establish carbon emissions
- Regular quarterly update reviews

- Reflect the emergency within the EDDC itself
- Local public transport to work together to improve and coordinate their timetables
- Lobby central government to revise building regulations
- No plastic drink containers to be sold on EDDC land
- Consider how to engage younger people
- Targets must be informed by understanding the issues, there must be a quantifiable plan set up with the ability to finance changes
- Lobby local MPs to demonstrate on our behalf on local government finances
- The need to look at the ecology of the district with plans for new development to have greenspaces
- Need to act now and not wait until changes in policies through the local plan
- Local plan evolves from the NPPF hence the need for Government intervention to this and other national policies

The Chairman reminded members that the 10 new leaders across Devon were all wanting to take this opportunity to work together to address this climate emergency. He stated the success rate would be higher if everyone worked with positivity. He agreed that citizen assemblies must be created as well as more sustainable communities with everyone remaining flexible and fluid to change the date closer for zero carbon emissions.

The Portfolio Holders for Environment and Finance wished to thank and congratulate John Golding and his team for their detailed and informative report.

RECOMMENDED:

that the following be agreed:

- (1) to sign up to the Devon Climate Change Emergency Declaration; and
- (2) to work with Devon County Council and other partners to produce a Devon wide action plan on climate change; and
- (3) to prepare an East Devon District Council action plan to reduce its' carbon footprint; and
- (4) to link the Council plan with the work of the Low Carbon Task Force; and
- (5) to support the acceleration of the proposals to achieve zero carbon development in the West End of the district; and
- (6) to reflect climate change as a priority in the new Council Plan and future updates of Service Plans and relevant corporate policies.

REASON:

To commit to an agenda and series of actions that have a positive impact on reducing EDDC's carbon footprint and greenhouse gas emissions with the ambition of becoming carbon neutral as an organisation at the earliest opportunity.

To also work in partnership with others on the climate change agenda to ensure that the council was supporting and influencing regional, national and international responses as well as assisting businesses, communities and visitors reduce their carbon use.

Zero Carbon Development in the West End

The report set out the key issues associated with achieving large scale zero carbon development in the West End of the district and proposed a way forward to address these issues. An endorsement was sought for undertaking a market engagement exercise in conjunction with Government.

RECOMMENDED to Council:

1. To commit funding of up to £30k to support an application to round 9 of Heat Networks Delivery Unit funding

RESOLVED:

that the following be agreed;

1. to note the key issues associated with achieving zero carbon development in the West End of the district,
2. to endorse undertaking a market engagement exercise in conjunction with Government,
3. to receive a further report setting out a proposed pathway to zero carbon including detailing the potential role for the Council.

REASON:

To ensure that there was a clear pathway for achieving large scale zero carbon development in the West End of the district.

30 **Long Lane Enhancement Scheme**

The report provided an update on progress with securing financial contributions towards the Long Lane enhancement scheme. It recommended a reduction to the extent of the scheme to reflect a change in the risk profile associated with the works.

RESOLVED:

that the scope of the Long Lane enhancement scheme was reduced to delete the section between the Flybe Training Academy and Harrier Court, be agreed.

REASON:

To adequately manage the risk associated with securing financial contributions towards the enhancement scheme and to protect the Council's position.

31 **Review of the Council's governance arrangements**

At Annual Council it was confirmed by the Leader that the Council would have the opportunity of considering the alternative arrangements of a committee structure in place of the current Cabinet / Leader model. The report by the Strategic Lead Governance & Licensing & Monitoring Officer, gave a brief background to the existing position and options for change and recommended that Members lead on the review of whether or not to adopt alternative arrangements.

The Portfolio Holder Transformation suggested the need to start from the basics and look into other councils committee structures. He stated that any think tanks would have cross party membership.

Discussions included the following:

- This had excellent potential with a strong scrutiny function element
- Cross party working could be conducive and working with others grew mutual respect

RESOLVED:

1. that Cabinet ask the Overview Committee to carry out a review of the Council's governance arrangements and options for change and reports its findings and recommendations back to Cabinet in due course. The Overview Committee to set

the terms of reference for carrying out the review and consideration of the alternative models,

2. that the Portfolio Holder for Transformation establishes a Think Tank for the purpose of investigating the options for change and to enable engagement with the wider membership of the Council on the necessity for and objective of change.

REASON:

To enable the Council Membership to fully consider and engage on the review of the Council's governance arrangements and whether or not they should be changed.

32 **Revised arrangements for lone worker safety**

The new arrangements for lone worker safety meant that there would be a simple and easy to use council wide system. The revised arrangements rely on managers taking responsibility for identifying and monitoring their lone working staff and putting in place suitable and efficient arrangements to ensure their safety according to the risks that they face. It also relies on each employee taking responsibility for telling the system where they are and what they are doing; the system would fail "safe" by triggering an alert to their manager if they forget to do so.

RESOLVED:

that the revised Lone Working Policy & Procedures be agreed.

REASON:

To ensure that the Council continued to take reasonable measures to meet its obligations to protect the health and safety of its workforce from foreseeable risks.

33 **Construction (Design and Management) Regulations 2015 Policy**

At present the Council had guidance notes on the requirements of these Regulations but no formal policy on how these matters are managed within the Council.

RESOLVED:

that the proposed Policy and the further work required to implement the Policy throughout the Councils operations, be agreed.

REASON:

To ensure all areas of the Councils operations comply with the requirements of the Regulations and staff were clear on their duties and responsibilities.

34 **Public Health Implementation Plan 2019/20**

In the Council's Public Health Strategic Plan (2019 – 2023) it was recognised that a lot of residents would like to be (and could be) in better health and the council's role was that as a provider of important public services, it had an overarching responsibility to think about people's health and wellbeing in everything it does. Every year the council committed to a Public Health Implementation Plan that set out specific things that the council was going to do to help people to be healthy and to stay healthy. The report collected examples of some of the really good work that had been and was continuing to be delivered by front line council services.

RESOLVED:

that the Public Health Implementation Plan 2019/20, be promoted and agreed.

REASON:

To raise awareness of the importance of the council's work in keeping people well and to celebrate the enormous contribution its services make to the prevention agenda within the Devon Sustainability and Transformation Partnership (STP) – the comprehensive five-year plan to transform health and care services for local people so they were fit for the future.

35

Sid Valley Neighbourhood Plan Examiner's Report

The report provided feedback and set out the proposed modifications following the examination of the Sid Valley Neighbourhood Plan.

Councillor Bruce de Saram Lead Councillor for Neighbourhood Planning; through the Chair, endorsed the Examiner's recommendations on the Sid Valley Neighbourhood Plan and congratulated the steering Group on getting this far with the process. He wished to remember the work of Councillor Michael Earthey, a valued member of the steering group who sadly passed away recently. He stated how impressive and to their credit that a Young People's Advisory Group had been set up as part of the process in order that it linked into the plans vision statement promoting its appeal to young and old.

RESOLVED:

That the following be agreed:

1. the Examiner's recommendations on the Sid Valley Neighbourhood Plan (the Plan),
2. a 'referendum version' of the Plan (incorporating the Examiner's proposed modifications) should proceed to referendum and a decision notice to this effect be published,
3. the Neighbourhood Plan Steering Group be congratulated on their hard work.

REASON:

The legislation required a decision notice to be produced at this stage in the process. The Plan was the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications which were accepted by the Town Council.

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
P Millar	Portfolio Holder for Transformation
G Pook	Portfolio Holder for Asset Management
I Thomas	Portfolio Holder for Finance

Also present (for some or all the meeting)

Councillor Paul Arnott
Councillor Kim Bloxham
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Ian Hall
Councillor Sam Hawkins
Councillor Nick Hookway
Councillor Sarah Jackson
Councillor Luke Jeffery
Councillor Vicky Johns
Councillor Dan Ledger
Councillor Tony McCollum
Councillor Val Ranger
Councillor Marianne Rixson
Councillor Jack Rowland
Councillor Eileen Wragg
Councillor Tom Wright
Councillor Fabian King

Also present:

Officers:

Richard Cohen, Deputy Chief Executive
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Helen Wharam, Public Health Project Officer
Andrew Wood, East of Exeter Projects Director

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 6 June 2019****Attendance list at end of document**

The meeting started at 6.00pm and ended at 8.00pm.

1 Public speaking

There were no members of the public present.

2 Minutes of the previous meeting

The minutes of the Scrutiny Committee held on 7th March were confirmed and signed as a true record. Subject to an amendment that the proposal attributed to Cllr Chapman was actually made by Cllr Eileen Wragg.

3 Declarations of interest

There were no declarations of interest.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no items that officers recommended should be dealt with requiring the exclusion of the public or press.

6 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules

There were no decisions called in.

7 Annual report of the Scrutiny Committee 2018/19

The Annual Report of the Scrutiny Committee 2018/19 was noted.

8 Members iPads - Services Required

Members welcomed Cllr Ian Thomas, Portfolio Holder, Finance who explained the background to the IT project for Councillors which was based around iPads, Modern.Gov and a limited number of Applications. The project had started in 2017/18 and rolled out over the last few months. However, although the hardware was fit for purpose, the software was found to be too restrictive and did not do what members wanted.

Cllr Thomas reported that he had held a meeting with Strata and they had agreed to a significant modification programme which had also been agreed by SMT. He reported

that he would work with Cllr Jess Bailey, Portfolio Holder, Corporate Services on approving these modifications.

It was expected that these would include being able to have Council emails back on mobile phones and other personal devices, moving back to a modified form of Office 365 for Councillors which would mean being able to use calendars and emails on other devices.

Members noted that Strata Service Solutions had appointed a new IT Trainer who would help train all Councillors who needed it, on the new iPads. Cllr Thomas requested that all Councillors provide a paragraph with all the IT requirements that they needed to be able to do their job. He reported that by the beginning of July he and Cllr Jess Bailey would have some significant improvements and would hope to be able roll these out towards the end of July and have a significantly better platform.

It was acknowledged that the system did not need to be as secure as originally configured as 90% of what Councillors needed was widely available in the public domain.

Comments from Councillors included:

- Would Calendars transfer to personal equipment? There was an issue for security of personal calendars.
- Members wanted emails on their personal iPads and iPhones.
- The reintroduction of Office 365 would be a step forward.
- 95% of what Councillor required was included in the comments from Cllr Ian Thomas. Consideration should be given to of setting up a TAFF to contribute to the project and cover the other 5% of issues.
- Need to spend more time with members to establish all the issues.
- What was the cost and lifespan of the devices? It was expected that this would exceed the lifespan of the Council.
- There was still the issue of insurance for the iPads. It was confirmed that that they were not covered under personal household insurance.
- What was the cost of the project so far? The cost was £48,000.
- What problems did Exeter City Council experience when introducing the project and why did we not adopt their system? The first 3 months at Exeter City Council were reported to be very difficult and there had been a number of issues.
- Why was there not a group of Councillors contacted to test the scheme before it evolved? It was acknowledged that this could have been better handled.
- Now that Councillors had gone Paperless/Paperlight, would officers be encouraged to do the same?
- Importance of working towards further reduction the use of paper in the Council was much needed.
- Any training for Councillors had to include the option of one-to-one training.
- Would there be a talking software option as some time? This would be pursued.

Laurence Whitlock, Strata IT Director, reported that since the introduction of new printers Strata had captured who printed the most amongst the Departments. Statistics of usage were being compiled since January. A new IT Trainer had joined recently and was looking at the best ways to train people and producing a training strategy for Councillors.

Some concern was expressed over the need for Councillors to turn around to speak to others behind them at meetings in the Council Chamber. It was noted that the configuration of the Council Chamber would be considered by Cllrs Bond and Bailey.

Councillor Ian Thomas thanked all members for their positive contribution. He reported that there would be a phased programme and properly thought through.

Councillors requirements for IT improvements were as follows:

Essential

Access to emails on personal devices and mobiles.

Diary synchronisation.

Filing systems and contact groups

Printing facilities

Training to be customised to Councillor preference, such as one to one, one to three or group.

Ability to create and manipulate documents.

Desirable

Talking software

Out of office replies

When using the extranet there is a need to log in several times during a session.

Forwarding of sensitive attachments as currently these are blocked.

Taking photos and sending them to Councillors iPad's via air drop

Members were requested to send details of their required improvements to Members IT systems to Cllrs Ian Thomas and Jess Bailey and/or Cllr Dent who would forward the comments.

The issue of establishing a Members IT User Group was discussed and it was acknowledged that this could be useful, but Laurence Whitlock advised that the joint Strata Scrutiny Committee has Members from all three authorities on it so it was felt that this was sufficient.

RESOLVED that the above comments be forwarded to Strata for action.

9 **Forward Plan 2019/20**

Members gave consideration to items for the Forward Plan. The following were proposed:

- Gigaclear and Connecting Devon and Somerset to discuss Broadband.
- South West Water Capacity and its obligations to take on additional volumes.
- Service Plans & Budget
- Use of Plastics
- Council Enforcement Policy with particular regard to planning conditions,
- Police & Crime Commissioner – to discuss modern day slavery, closure of police stations, county lines and deployment of additional police officers

10 **Date of next meeting - To note that at the request of the Chairman the date of the next meeting has been changed to Thursday 18 July 2019 at 6.00pm.**

Attendance List

Councillors present:

A Dent (Chairman)
K Bloxham (Deputy Chair)
T McCollum
K McLauchlan
V Ranger
J Rowland
E Rylance
J Whibley
M Chapman
I Chubb
B De Saram
P Jarvis
F King

Councillors also present (for some or all the meeting)

Kevin Blakey
Colin Brown
Susie Bond
Peter Faithful
Sam Hawkins
Mike Howe
Ben Ingham
Geoff Jung
Dan Ledger
Andrew Moulding
Helen Parr
Ian Thomas

Officers in attendance:

Simon Davey, Strategic Lead - Finance
Laurence Whitlock, Strata IT Director
Anita Williams, Principal Solicitor & Deputy Monitoring Officer
Adrian Smith, Strata Head of Infrastructure and Support
Chris Lane, Democratic Services Officer

Councillor apologies:

C Gardner
C Pepper

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 28 March 2019****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.11 pm

24 Public Speaking

There were no questions from the public on items on the agenda.

25 Minutes of the previous meeting

The minutes of the Overview Committee held on the 15 November 2018 were confirmed as a true record. The minutes of the joint meeting held with the Scrutiny Committee on the 16 January 2019 were also confirmed as a correct record.

A query was raised on the issue of SMART objectives and if that discussion, as set out in the minutes of 16 January, had taken place.

In response, the committee were informed that the process of reviewing the service plan objectives would have involvement of the Scrutiny and Overview committees in the next civic term earlier in the process, with joint meetings in the autumn to debate the service objectives coming forward from the new Council Plan.

Councillor Allen challenged that the objectives put forward on 16 January had not been amended at their request, specifically in regard to those relating to Economy and Regeneration.

The Chairman advised that the new Overview Chairman in the new civic term would have to closely monitor any developing plans accordingly.

26 Declarations of interest

Minute 28 Poverty, homelessness, human rights and health and wellbeing in East Devon - scoping report.

Councillor Mike Allen, Personal, Works in food bank run by Honiton Community Church.

Minute 30 Overview Draft Annual Report.

Councillor Ian Hall, Personal, Chairman of Cloakham Lawns Sports Centre.

27 Digital East Devon - Firmstep presentation

The Chairman welcomed the Service Lead for Organisational Development and Transformation, Karen Jenkins.

She outlined steps the Council will be implementing as part of the Digital Strategy. This included a step change in the delivery of digital services, by introducing new software – Firmstep. The outcome would be to meet the growing customer demand for the choice to transact online, with better customer journeys – both in completing the transaction, but also kept informed of progress in getting to completion.

The committee received a presentation from Firmstep Customer Ambassador, Hilary Jones and colleague Tamsin Cooper. Hilary explained her own experience of implementation at Scarborough Borough Council, and gave practical examples of what customers can expect from the changes.

Tamsin Cooper took the committee through some specific examples of transactions that a customer could complete in one place, through their own customer account. This meant that a customer didn't need to search for each individual service they required, or had to complete information for each of those services required. Logging into their customer account provided access to all the relevant information to that customer.

Other benefits of the new software included:

- Tailoring ability to provide the right questions and validate the responses, streamlining the process to what the customer needs;
- Ability to transact on behalf of others, such adult with mature parent who is not confident in transacting online;
- Transactions working across smartphones, tablets and other devices;
- Feedback built in to keep customer updated on progress and provide reminders;
- Frees up frontline staff to help with customers who do need personal interaction in order to transact, because much of the administration will have been dealt with by the software.

Developers from Strata – John Williams and Roy Podbery – were also present. They would be working on moving the existing online transactions to the new software, and creating new ones, working closely with officers delivering the service.

Councillors raised several questions on service delivery to understand how the changes would benefit residents of East Devon.

Debate on the issue covered:

- Helping digital inclusion for all sectors of the community, through front line staff helping people to become more confident in transacting online, and Councillors championing that support;
- Recognition that not all transactions can be offered online, because of their complexity;
- Frontline staff helping customers complete information online was already happening, and this would extend that further, to other transactions;
- Using a wide range of means to help people, including community groups and family members, as well as frontline staff;
- Expected take-up was high, based on experience both with existing LAGAN (current software) transactions at the Council, and with authorities across the country using Firmstep;
- Firmstep was compliant with data protection regulation, working with a secure workflow and on a permissions basis;
- The Digital Strategy was clear that this was not a channel shift to all transactions being online – but to offer the choice, accepting that some services, such as homelessness triage cases, needed personal interaction;
- Positive approach to providing a solution to customers that can signpost to what they need, regardless of who is providing it - such as other authorities or voluntary bodies that can provide help and advice.

The committee were advised to look specifically at Scarborough Borough Council's website, as a working example of the range of services available to residents to transact with online. A customer network also existed to provide lots of case examples and shared good practice.

In response to a question about timeframe for implantation, the committee were informed that Phase 1, covering existing transactions that the Council offers online, would take between 12 and 18 months, before moving onto Phase 2 for new transactions. There would be continual improvement to keep developing what was available, to meet demand. Development for the Cloud 9 based East Devon App was also planned, to include voice recognition.

The Chairman welcomed the development in online services and agreed that it was an exciting time for improving service delivery further. He thanked the representatives for their extensive presentation and helpful examples.

28 **Poverty, homelessness, human rights and health and wellbeing in East Devon - scoping report**

Cabinet received the report at their meeting of the 6 March 2019, in response to a Council motion in December 2018.

The motion put was "Following the findings of both the UK Equalities and Human Rights Commission and the UN Special Rapporteur on the impact of benefits changes and other spending cuts on people living in the UK, this Council will receive a report on the potential impacts on residents in East Devon and the need for further support from this Council, for example in supporting the roll-out of Universal Credit, homelessness prevention or for local food banks".

The report tried to scope the subject, and suggested themes for further investigation to provide a locally meaningful analysis of poverty and interventions that could influence, and perhaps provide action, to alleviate the impact of poverty on individuals and communities. It was recognised that the implications highlighted were as a result of national social welfare policy decisions, where the Council had limited influence. The report also proposed that the council work alongside Devon County Council, who were also investigating the issues and share the same concerns.

Cabinet resolved to agree the scope with the themes set out in the report, namely:

- Welfare benefits
- Homelessness
- Food banks
- Local economy
- Health and wellbeing of individuals and communities

Draft terms of reference have been made for this work, falling to the formed Devon Strategic Partnership Welfare Task Group. This group includes representation from East Devon District Council.

The committee discussed:

- Including in the review what local services can provide;
- Defining affordable homes and pushing back against developer arguments for not fulfilling the target percentage of affordable homes being built;

- Impact on affordable housing, recognising housing crisis, and reduction or withdrawal of grants to build homes;
- Profit had increased for house builders.

Cllr Allen tabled a paper setting out his suggestions for key areas of focus for the Council's approach that should be included, which is appended to these minutes. The suggestions would go forward with the minutes of the meeting to the Task Group.

RECOMMENDED to Cabinet

that the additional suggestions for key areas of focus go forward to the Devon Strategic Partnership Welfare Task Group for consideration alongside Cabinet's agreed themes of the scope.

29 **Environmental sustainability and climate change emergency**

Devon County Council have agreed, following a proposal by their Cabinet, to declare a 'climate emergency' and start a county-wide partnership to ensure that Devon is carbon neutral by 2050. The report before the committee, due to go before Cabinet in April, requests a commitment from this authority to be part of this partnership. The County will be working with Exeter University and others who can draw in the necessary experts to ensure that any plans adopted have the impact sought.

The committee discussed:

- Delivery of charging points in car parks. Many authorities were undertaking their own installations. There was some debate that, whilst this might help in respect of emissions, the electricity still had to be produced;
- Need for government support to change housing build requirements to include better standards, such as quality insulation and PV panels, balanced with what those measures cost on the overall cost of build;
- Society demand for new products, rather than repair, reuse and recycle;
- Need to see some specific proposals, on how the District can sustain itself and how;
- Need to bring forward the proposed date for these measures – too little too late?;
- Need of a test bed – such as East Devon – to establish what would be needed to reach the target;
- Future Council Plan should reflect the need to address climate change.

RECOMMENDED to Cabinet

to recommend to Council that we work with Devon County Council on a shared climate change programme, and signal our commitment to tackling climate change in areas where we can affect positive and meaningful change in our activities, and those of our partners, communities and residents.

30 **Overview Draft Annual Report**

The committee considered the draft report on the work of the Committee in the current civic term.

The Vice Chairman, Councillor Ian Hall, voiced his concern that despite a successful Housing Taff undertaken by the committee during 2017/18, no real progress was evident. He wanted to see progress in providing more social housing and assisted living accommodation, giving an example of opportunity in his own Ward. He asked that this issue be pursued into the next civic term to bring about progress.

There was also a request to make clear that the committee had always strived to push forward for a more business approach to aspects such as commercial property investment.

RESOLVED that the final version of the Overview Annual Report be agreed by the Chairman and Vice Chairman before submission to Annual Council in May 2019.

CLOSING WORDS OF THE CHAIRMAN

The Chairman gave thanks to the support from officers, both in terms of reports provided, legal advice, and from the Democratic Services Officer.

He asked the committee to continue to, and to develop, strategic forward thinking in the coming civic term. He felt that the role of the committee was important to the Council and should continue to be so.

Attendance List

Councillors present:

G Godbeer (Chairman)
I Hall (Vice-Chairman)
M Allen
T Dumper
P Faithfull
R Longhurst
G Pratt

Officers in attendance:

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Mark Williams, Chief Executive
Debbie Meakin, Democratic Services Officer

Councillor apologies:

M Evans-Martin
S Hall
D Hull
J Humphreys
M Williamson

Chairman

Date:

Cllr Allen tabled a paper setting out this suggestions for key areas of focus for the Council's approach that should be included:

- All relevant services to be subject to poverty proofing
- The success of the Problem Families Programme to be turned into local action
- A grant fund for revenue funding of Foodbanks for three years to be developed
- Improve skills and employment career advice to schools and through co-ordination with job centres
- Encourage the CCG and County Council to focus on poverty alleviation through co-ordination with this Council
- Community team to engage the faith and voluntary sector in an audit of what exists and how to help this sector to efficiently harmonise with statutory bodies
- Supporting residents to access benefits and responding to the impacts of welfare reform
- Working with voluntary sector partners to provide debt advice and financial advice
- Promoting and signposting residents to sources of affordable finance
- Supporting residents in fuel and water poverty to reduce their energy and water bills
- Continuing to promote the Living Wage to employers
- Working with businesses to identify ways that they might use their skills, capacity and resources to support achievement of shared objectives around poverty and disadvantage
- Working with partners to support low income residents into higher paid employment and raise skills, attainment and life chances
- Continuing to promote digital access for residents on low incomes
- Continuing to promote volunteering as a means to develop skills and employability and build communities
- Promoting community pride and cohesion through supporting a range of community events and celebrations
- Working with partners to improve health outcomes for people on low incomes, including physical and mental health
- Constructing new Council homes and working with social landlords and developers to deliver more affordable homes
- Providing housing, employment and skills support for homeless people
- Delivering a range of projects to support groups of people that are more likely to experience poverty, including women, children and substance abusers.

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Housing Review Board held at Council Chamber, Exmouth Town Hall, Exmouth EX8 1AW on 28 March 2019****Attendance list at end of document**

The meeting started at 2.35 pm and ended at 4.40 pm

63 Public speaking

There were no questions raised by members of the public.

64 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 24 January 2019 were confirmed and signed as a true record.

The Chairman informed the Board that there would be a modular homes workshop starting at 10:30am on 24 April 2019 in Exmouth Town Hall and invited members to attend.

65 Apologies**66 Declarations of interest**

Pat Gore: Personal interest - housing tenant.

Peter Sullivan: Personal interest – housing tenant.

Cat Summers: Personal interest – housing tenant.

Cllr Steve Gazzard (non Board member): Personal interest – housing tenant.

67 Matters of urgency

There were no matters of urgency raised at the meeting.

68 Confidential/exempt item(s)

There were no confidential or exempt items.

69 Introduction to Ian Williams Ltd

The Chairman introduced and welcomed Jane Cox, Operations Director, and Claire Harris, Project Manager, from Ian Williams Ltd to the meeting. They explained that Ian Williams Ltd was a family business first established in 1946. It was privately owned and had a turnover of £80m. It was a stable business with 15 offices nationwide and contracts of £300m to 2033.

Ian Williams Ltd invested in people and their staff. They had Investors in People (IIP) gold status and had recently received the RoSPA president's award. It employed 850 people and had more than 10% apprentices. In the South West Ian Williams had long term relationships with:

- Exeter City Council
- Plymouth Community Homes

- Teign Housing

They had over 100 employees, 9 apprentices, 4 trainee surveyors and 50 local small to medium enterprises (SME). They were the Price Waterhouse Cooper (PWC) South West Business of the year in 2017.

The Ian Williams Ltd contract with EDDC would start on 1 July 2019. To begin with it would be for repairs, voids and compliance, with planned works in the future. There would be seven office staff based at Woodbury Business Park, with desk space available for EDDC employees. A Business Manager had been appointed through internal promotion and other vacancies would be advertised locally. There would be 25 site staff, with 2 apprentices. Employees of the incumbent contractors could transfer under TUPE. SME subcontractors would be used based on EDDC's recommendations and advice.

The commitments to EDDC tenants requesting a repair were:

- Appointments made on the first call
- Risk assessment
- Photographs
- Signature & questionnaire
- Job update card for follow ons
- Appointment from site
- Follow up on feedback
- Post inspections

The Ian Williams Academy offered employee development and knowledge expansion. It was award winning and in 2018 had 6.5 training days per employee. For EDDC the IW Academy would provide

- 1 additional apprentice per annum
- 1 additional trainee surveyor every 3-4 years
- Annual engagement with schools & colleges
- Upskilling existing workforce

Ian Williams Foundation was established 2016 and aimed to support local communities. It was an employee led team, with over £50,000 a year in donations. With EDDC the IW Foundation would provide:

- Active resident representation
- Resident trade training days
- Attendance at resident workshops
- Community sponsorship and donation

On behalf of the Board the Chairman thanked Jane Cox and Claire Harris for their informative presentation.

70

Integrated asset management contract update

The Acting Service Lead's report summarised progress on the mobilisation of the new integrated asset management contract, and introduced the structure and timetable for the process.

The revised start date for the contract, which had been awarded to Ian Williams Ltd, was 1 July 2019. Six sub groups had been set up carry out specific tasks to ensure mobilisation was carried out as seamlessly as possible. These were:

- Delivery sub group
- ICT sub group
- Commercial sub group
- Communications sub group
- Health and safety group

All subgroups would contain both Ian Williams and EDDC staff. There were tenants on most of the sub groups too. A steering group would oversee the work of the six sub groups and had overall management of the 'live' mobilisation project plan. The communications sub group was key to how the contract worked on a day to day basis and how the change of contractors was communicated to tenants. The group were looking at innovative ways to communicate the change with tenants.

ICT integration was the biggest challenge of the project and also related to the majority of the milestones.

The Vice Chairman thanked the Acting Housing Service Lead for her presentation and for attending the Tenant Involvement Forum to keep them informed. Tenants had been involved in the new contract from the start.

RESOLVED: that the progress made in the mobilisation of the new integrated asset management contract be noted by the Housing Review Board.

71 **Housing Review Board Forward Plan**

The Acting Housing Service Lead presented the forward plan and advised Members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either herself or the Democratic Services Officer.

The following items were added to the forward plan:

- Presentation on modular homes – 10:30am, 24 April 2019, Exmouth Town Hall.
- Report on the Homes (Fitness for Human Habitation) Act 2018.

RESOLVED: that the forward plan be noted and updated.

72 **Homelessness Strategy 2019 -2023**

The Housing Needs and Strategy Manager presented the Homelessness and Rough Sleeping Strategy 2019 – 2023. This was a statutory requirement, as directed by the Homelessness Act 2002, and a general fund matter that has already been adopted at Cabinet.

The previous strategy has been reviewed alongside the current homelessness data and new responsibilities for action to prevent homelessness introduced by the Homelessness Reduction Act 2017. This placed a statutory duty on local authorities to assist individuals and households who were homeless. The definition of being threatened with homelessness has been extended from 28 days to 56 days.

It explained why the strategy had been prepared, the strategic context and influences on homelessness locally and nationally, and why it mattered to the Council.

As outlined in the strategy, the key priorities were to:

- Maximise prevention activities and outcomes
- Increase accommodation options
- Minimise rough sleeping
- Improve health and wellbeing

The strategy had been prepared in consultation with members, officers and housing teams internally, and representatives of local partnership and homelessness support agencies externally. Individuals who had experienced homelessness had also been interviewed. Following adoption of the Strategy, the Council would:

- Set up a steering group of member, customer and officer representatives to oversee implementation.
- Design and publish the strategy including pictures and quotes from customers and case studies.
- Develop an action plan with SMART objectives to progress our key priorities.
- Report progress against outcome and evaluation measurements.

The Housing Needs and Strategy Manager explained that the Council had purchased a house of multiple occupation to provide temporary accommodation and also outlined two successful bids to combat rough sleeping.

RESOLVED: that the information in the report be noted by the Housing Review Board.

73 **Poverty, Housing and Safeguarding**

Members of the Housing Review Board considered the report of the Strategic Lead – Housing, Health and Environment, which explored the links between social policy, increasing levels of poverty, homelessness and safeguarding. A similar report had been presented to the Devon Safeguarding Adults Board to highlight the concerns and ensure that the issues were reflected in the business plan and priorities of the Board.

The purpose of the report was to better understand how poverty was impacting on people and communities and to ensure that the Council's tenants and other housing customers were safeguarded through the adoption of up to date safeguarding practices.

Poverty was a growing problem across the country. 14 million people in the UK, a fifth of the population, lived in poverty. In East Devon some 18% of children were identified as being in poverty by the End Child Poverty 2014 Child Poverty Map of the UK. EDDC were working proactively on a local level to try and combat the problem. The Devon Strategic Partnership Welfare Task Group had been established initially to focus on East Devon and Exeter, to understand:

- the impacts of welfare reform at a local level,
- the actions the authorities could take to alleviate the effects of poverty on individuals and communities.

A future report on this would be brought back to the Board when more details were known.

RESOLVED: that the protocol for safeguarding in housing be adopted, and a report be invited back on the findings of the local research into poverty and the consequences.

74 **Housing Policy Note on the Mental Capacity Act 2005**

The Landlord Services Manager presented the draft Housing Policy Note on the Mental Capacity Act 2005 for approval by the Housing Review Board.

The Mental Capacity Act 2005 applied to anyone who had dealings with people who may lack capacity, and provided the legal framework for acting and making decisions on behalf of adults who lacked capacity to make some decisions themselves.

There were increasing numbers of vulnerable people living in the community whose mental capacity was inhibited by disease, mental ill health, injury, or disability, and the Council had a responsibility to safeguard their interests in line with the statutory requirements of the Mental Capacity Act and best practice set out in the Code of Practice.

The Housing Policy Note would be applied across the Housing Services to:

- Facilitate the necessary decisions to be made in relation to council housing services, including homelessness.
- Ensure the best interests of individuals whose mental capacity may be in doubt.
- Minimise recourse to litigation.

The Landlord Services Manager advised that there was training on the Mental Capacity Act for appropriate staff on 9 April. If there were remaining spaces these could be opened up to Board members on a first come first served basis if they wished to attend.

RESOLVED: that the Housing Policy Note be approved.

75 **Brexit preparations**

The Strategic Lead – Housing, Health and Environment's report looked at some of the implications that might occur on leaving the European Union and the potential impact on tenants and customers of the housing service. There was the opportunity to 'stress test' the Housing Revenue Account Business Plan using a number of different scenarios. This was a useful exercise to ensure it remained fit for purpose in adverse conditions.

EDDC was in contact with all contractors and suppliers seeking reassurance that they could continue to provide their service post Brexit.

It was noted that the situation in relation to Brexit was changing rapidly, but as a responsible landlord EDDC was assessing the risks.

RECOMMENDED: that a number of the housing plans be stress tested as part of the housing service's preparations for Brexit to ensure service continuity for tenants and customers.

RESOLVED: that ongoing communications with all contractors and partners currently being undertaken to prepare for the potential impact of Brexit be noted.

76 **Future Rent Policy**

The Strategic Lead – Housing, Health and Environment's report outlined the Government's position on future rent setting for social housing tenants. Following a period of rent reduction and a consultation exercise Government had confirmed a future

rent increase of CPI + 1% for a period of five years. There would also be a rent standard published by the Social Housing Regulator that would be applicable to all local authorities.

The current business plan assumed an increase of 3% from 2020/21 onwards with CPI = 1% currently equating to 2.8% (as at January 2019). CPI + 1% would add an estimated £480,000 of income assuming the current stock and void levels.

RECOMMENDED: that Cabinet agree that future rent setting has regard to the national rent setting policy as set out in rents for social housing from 2020 published by the Ministry of Housing, Communities and Local Government.

77 **Review of Landlord Disabled Adaptation Policy**

In 2017 Members agreed a revised landlord adaptation policy. The Acting Housing Service Lead's report set out a further review to the policy with a recommendation that going forward the policy was reviewed every two years or sooner if there is a significant legislative need to review the position. Tenants, staff and key stakeholders had been consulted with in order to test the policy.

The Policy provided a clear framework which set out the Councils approach to providing adaptations for tenants or their household members to help them live independently at home.

The Council was continuing to see a growing demand for adaptations to its stock. There was an increased demand for adaptations to general needs housing, not just in sheltered accommodation. The most common requests came from sheltered housing properties and were for wet room showers. It was recognised that these adaptations could be considered when sheltered properties became void, therefore preventing demand in the future.

Since the start of the 2018/19 financial year 327 requests had been received for adaptations. These were a mix of formal statement of needs (received from Occupational Therapists) as well as Mobile Support Officer requests for adaptations to tenants homes (mainly minor adaptations). In total for the year 2017/2018 353 adaptation requests were received. Properties currently in the Right to Buy process were not eligible for adaptations.

It was noted that on a day to day basis the policy had worked well, providing a solid framework for providing adaptations and ensuring consistency. Individual cases could be extremely complex, particularly when a household had a number of family members with individual needs that needed to be met. Strong partnership working with Occupational Therapists was vital and their presence at the internal adaptation panel meetings helped with the management of these cases.

Minor changes to the revised policy included;

- An additional clause to recognise adaptations that might be required as a result of a hospital discharge. Attempts would always be made to prioritise such cases where practical to do so although it was never guaranteed all needs could be met and any adaptations required would be reviewed on an individual basis by the Adaptations Officer.
- An increase in the minor adaptation cap from £1000 to £1200, to capture rising costs of building works.

- Installing wet room showers on all sheltered housing voids where a bathroom replacement was due.
- Where major adaptations were required and it was deemed alternative accommodation could be considered, if after a period of 3 months alternative accommodation had not been secured the case will be reviewed again.

The Board acknowledged that it was likely the demand for adaptations would continue to rise as there was a continuing shift in national policy that encouraged people to remain in their homes for longer. The revised policy would continue to ensure that all requests were treated consistently.

RECOMMENDED:

1. that Cabinet approved the revised Landlord Disabled Adaptation Policy to Council Homes be approved.
2. that delegated authority be given to the Acting Housing Service Lead in consultation with the Portfolio Holder for Housing for any minor amendments to be made to the policy prior to its publication.

78 **Use of shipping containers in social housing**

Members had expressed an interest in learning more about the potential for using shipping containers as part of the Council's response to emergency accommodation and housing supply. The Housing Needs and Strategy Manager's report explained that a number of Councils were using shipping containers and porta cabins which had been converted to form self-contained living accommodation for emergency and temporary accommodation. This was in response to the rise in the number of rough sleepers and homeless applicants, the cost and reliance of using Bed & Breakfast and the lack of supply of suitable housing. The Councils who had taken this approach were mostly inner city Councils where rough sleeper numbers were high and the supply of affordable accommodation was low. In Bristol a social enterprise 'Help Bristol's Homeless' had been addressing the rise in numbers of rough sleepers by providing converted shipping containers as accommodation. This had been funded through donations and good will of local people, the land had been leased by Bristol City Council at a peppercorn rent.

Shipping containers were proving popular for the following reasons:

- Potential to reduce homelessness
- Reduce reliance on Bed & Breakfast accommodation
- Efficient use of space
- Cost, time and flexibility

Whilst there were many benefits there were also challenges and drawbacks to housing people in shipping containers. These could be summarised as:

- There had been reports that the containers are cold and inadequately heated.
- Whilst temporary in nature many people in containers in Ealing had been there for 18 months and had reported that they felt they were 'not living in a real home' and were 'feel contained'.
- There had also been problems with anti-social behaviour and residents not feeling safe as a result. Housing large numbers of people in a small area often resulted in anti-social behaviour especially if there were residents with additional support needs who led chaotic lives.
- Some re-purposed shipping containers have had problems and damage from previous rough handling and seawater. The previous use was also important as many containers could have been used to transport dangerous chemicals and biohazards.

The Housing Needs and Strategy Manager's report concluded that shipping containers offered a quick, affordable, flexible alternative to housing people where demand was very high and supply of suitable accommodation and land was limited. However it did not provide 'a home' and was only ever a temporary solution. The response to the rise in homelessness within East Devon was to purchase the House of Multiple Occupation which would be used as temporary, emergency accommodation rather than rely on Bed & Breakfast. This would be a test base to see if this type of accommodation worked and provided the stop gap that people needed to help them move on.

RESOLVED: that the Housing Review Board note the information contained in the report.

79 **Garage Task and Finish Forum update**

The Garage Task and Finish Forum (TaFF) was set up in 2012 to review the Housing Revenue Account (HRA) portfolio. It considered which garages across the district should be retained, developed or disposed of. Two sites (Plymtree and Luppit) had been sold. Other sites identified by the TaFF were on going considerations and further details were contained in the report. Advice was being sought on how to redevelop some sites.

The Chairman suggested that Garage TaFF sites be revisited. The Acting Housing Service Lead advised that all garage sites would be included in the stock condition survey.

RESOLVED: that the information contained in the report be noted by the Housing Review Board.

80 **Tenancy agreement changes update**

The Housing Needs and Strategy Manager's report updated members on the results of the tenant consultation on the proposed changes to the tenancy agreement and presented the final version of the 2019 tenancy agreement for approval.

The revised tenancy agreement was approved by the Housing Review Board in November 2018. A preliminary notice letter was sent to all tenants on 13 December 2018, this marked the start of a seven week consultation period. 53 responses were received in relation to the proposed changes. These would be responded to once the implementation of the revised tenancy agreement was approved. The three main areas that were raised were:

- Loft spaces
- Mobility scooters
- Permissions (CCTV and firearms)

The tenancy agreement was now ready to progress to the final stages and would 'go live' on 17 June 2019. The Final Notice of Variation and the tenancy agreement document would be sent to all tenants on 25 April 2019. An explanation of the proposed changes would also be included with the letter. In line with this the tenant handbook would be revised to reflect the changes to the tenancy agreement and the queries raised during the consultation period.

RECOMMENDED:

1. that Cabinet note the results of the consultation.
2. that Cabinet approve the implementation of the revised tenancy agreement in line with the process outlined in the report.

81 **Together with Tenants National Housing Federation**

The Strategic Lead – Housing Health and Environment's report drew the Board's attention to the National Housing Federation (NHF) publication and consultation – Together with Tenants. This document had been produced in response to the Housing Green Paper and the aftermath of the Grenfell tragedy. Whilst the document was intended for housing associations, it was suggested that the Board follow the project and use some of the recommendations to strengthen the work of the Housing Review Board and rejuvenate the tenant involvement processes.

The Government's Social Housing Green Paper – a New Deal for Social Housing was published on 14 August 2018 and was structured around five themes:

- Ensuring homes were decent and safe
- Effective resolution of complaints
- Empowering residents and strengthening the regulator
- Tackling stigma and celebrating thriving communities
- Expanding supply and supporting home ownership.

The Green Paper addressed a range of issues that affect housing associations, on issues such as safety, supply and the stigma of social housing tenants. However, at its heart was a desire to rebalance the relationship between social housing tenants and their landlords – looking at issues such as complaints procedures, transparency and accountability.

The Green Paper set out proposals of how those issues could be addressed, including through increased regulatory oversight and performance standards. It also referenced the Offer for Tenants work (now known as Together with Tenants) that was already being done as a sector, which offered an important sector-led response to the challenges around accountability and transparency. There was an opportunity for strengthening the relationship between housing associations and their tenants and residents. However, there was a lack of consistency between landlords and in some housing associations there was a lack of trust between residents and landlords.

The National Housing Federation have developed a draft plan for strengthening the relationship between housing associations and their tenants and residents. The overriding ambition of 'Together with Tenants' was to strengthen the relationship between housing associations and their tenants and residents. A four-point plan for delivering this ambition had been developed. The four actions were:

1. A new requirement in the Code of Governance for boards to be accountable to their tenants and residents.
2. A new charter setting out what tenants and residents can expect from their housing association landlord.
3. Tenant and resident oversight and scrutiny of the charter with a report on how their landlord is doing against charter commitments.
4. A closer link with regulation.

The Board noted the project and would keep up to date with its journey.

RESOLVED: that the progress of the National Housing Federation project Together with Tenants be followed and good practice recommendations that were relevant to East Devon be imported.

82 **Housing Revenue Account update to end of February 2019**

The Housing Accountant's report provided the Board with the current position to February 2019 and details of the year end forecast of the draft Housing Revenue Account (HRA) for 2018/19. The HRA showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a HRA business plan had been a statutory requirement for Councils who manage and own their own stock for some time, and therefore a key document for the Board to influence.

The report also provided the position of the HRA capital programme for both affordable housing and other capital items outside of the HRA.

The notable items of budget variance were:

- Reduction in spending on gas related items due to a delay in the contract.
- Lower than budgeted requirement on asbestos spending.
- Lower than expected salary costs as recruitment continues.
- Higher than budgeted spend on voids and responsive maintenance.

The business plan included a programme of expenditure to replace properties lost through Right to Buy sales and ensure that Right to Buy receipts were invested and not returned to central government. It was noted that if Right to Buy sales declined this would have an impact on capital expenditure in future years.

RESOLVED: that the Housing Review Board approve the report on the Housing Revenue Account update to February 2019.

83 **Quarterly performance monitoring report**

The Board was presented with the Housing Service performance indicator report for quarter 3 2018/19, with details of selected indicators measuring performance across the Housing Service.

The Portfolio Holder for Sustainable Homes and Communities thanked tenants for paying their rent on time, providing high rent collection figures.

RESOLVED: that the performance of the Housing Service be noted by the Board.

84 **Devon Home Choice update**

The report of the Housing Enabling & Allocations Manager updated the Board on Devon Home Choice (DHC), which East Devon District Council had been a member of since 2010. EDDC and ten other Local Authorities and Registered Providers (RP's) made up the DHC Board.

DHC was an online based housing register that enabled individuals to register, then bid for suitable rented homes either with a RP or Local Authorities. DHC had been designed to allow applicants to register on line or if necessary over the phone. It bands individuals into housing need, the highest being band A (urgently need housing) the lowest Band E (no housing need). DHC was managed within the Council's Allocations Team which

included a dedicated DHC Officer in addition to other team members that processed all enquiries and applications.

As of the 1 April 2018 there were 3915 applications on DHC compared to 3361 at the same time the previous year. Currently there are 4654 DHC applicants looking for a home in East Devon (including Band E applications). The total number of properties allocated so far this year was 445, this was an improvement on the previous year's figure of 379.

The Council's Allocations Team were about to embark on a review of all applicants that had registered on DHC and not either bid for a property or accessed their DHC records within the past twelve months. Emails and letters would be sent to all the applicants concerned. The applications would be cancelled if there had been no change to the application after 14 days. If necessary, the applicant could reactivate the application at a later date.

Due to repeated and ongoing issues with the current software provider a decision was made by the DHC Board to source a new supplier. DHC Partners had continually experienced technical problems with the provider, including lack of processing capacity, protracted periods when the system had failed completely and other day to day 'back office' operational issues.

It was not clear at the present time as to the actual cost of switching to another provider. The DHC Board's reserves would cover any initial set-up costs incurred by the new provider. Currently EDDC contributed £1,000 per annum to the Board, plus £25 per advert that appeared in the newsletter and online. EDDC might have to contribute an additional amount to facilitate the new service, depending on the overall cost of employing the new software provider. If additional funding was required then a further report will be presented to the Board.

RESOLVED: that the report be noted.

85

Homes (Fitness for Human Habitation) Act 2018

The Chartered Institute of Housing's (CIH) briefing note on what you need to know about the Homes (Fitness for Human Habitation) Act 2018 was included on the agenda for the Board's information. A more detailed report on this would be brought to next meeting of the Housing Review Board.

Attendance List

Board members present:

Councillor Pauline Stott (Chairman)
Peter Sullivan, Tenant (Vice-Chairman)
Pat Gore, Tenant
Cat Summers, Tenant
Councillor Megan Armstrong
Councillor Brenda Taylor

Councillors also present (for some or all the meeting)

J Elson
S Gazzard

Officers in attendance:

Graham Baker, Senior Technical Officer Asset Management
Sue Bewes, Landlord Services Manager
Amy Gilbert-Jeans, Service Lead Housing
Tim Laurence-Othen, Housing Projects Officer
Andrew Mitchell, Housing Needs and Strategy Manager
Giles Salter, Solicitor

Councillor apologies:

Christine Drew, Independent Community Representative
Alek Williams, Tenant
Councillor Helen Parr

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Housing Review Board held at Council Chamber, Exmouth Town Hall, Exmouth EX8 1AW on 20 June 2019****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 5.15 pm

1 Public speaking

There were no questions raised by members of the public.

2 Appointment of Vice Chairman

The Chairman welcomed all those present to the meeting and invited everyone to introduce themselves.

Nominations for Vice Chairman were received for co-opted tenant member Peter Sullivan.

RESOLVED: that tenant representative Peter Sullivan be appointed Vice Chairman of the Board for the ensuing year.

3 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 28 March 2019 were confirmed and signed as a true record.

4 Declarations of interest

Councillor Ian Hall: Personal interest – mother was a housing tenant and used Home Safeguard. Chairman of the Millway Rise Action Group.

Councillor Dan Ledger: Personal interest – employed by a third party contractor for the current repairs and maintenance service.

Peter Sullivan: Personal interest – housing tenant.

Cat Summers: Personal interest – housing tenant.

5 Matters of urgency

There were no matters of urgency raised at the meeting.

6 Confidential/exempt item(s)

There were no confidential or exempt items.

7 Housing Review Board forward plan

The Strategic Lead – Housing, Health and Environment presented the forward plan and advised Members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either himself or the Democratic Services Officer.

The following items were added to the forward plan:

- Report on community development work.
- Resident involvement strategy.
- Position statement on the new integrated asset management contract and an update on the departure of the incumbent contractors.
- Housing's contribution to the climate change agenda, to include sustainability.

RESOLVED: that the forward plan be noted and updated.

8 **Housing Review Board induction**

The Strategic Lead – Housing, Health and Environment's report provided an introduction to the work of the Housing Review Board. It was intended for new members of the Board, and also a reminder for existing members. The report was a reminder of Housing Service priorities and the remit of the HRB. It would help the Board focus on key activities and the areas of service that mattered to tenants and service users. Members noted that the housing service ran a whole range of discretionary as well as statutory services.

The purpose of the Housing Review Board was to oversee and steer the Council's housing landlord activities. The report outlined the remit of the HRB and the aim and purpose for housing services, as well as future challenges and opportunities for housing, how the housing service was organised and gave a summary of the Housing Strategy, the overarching aim of this 'a decent home for all'. Tenants were involved in the decision making process and underpinned the work of the Board. It was noted that delivering new affordable housing was a challenge, with approximately 300 new homes per year required.

RESOLVED: that the Housing Review Board use the contents of the report as part of their induction process.

9 **Housing Review Board 2018/19 annual report**

Members were asked to note the annual report of the Housing Review Board which highlighted the achievements and detailed the breadth of work undertaken by the Board over the last year. The Democratic Services Officer was thanked for producing the report.

RESOLVED: that the annual report be noted by the Housing Review Board.

10 **Integrated asset management contract update**

The Board received a detailed presentation from the Acting Housing Service Lead on the integrated asset management contract. The presentation covered the entire process and set out the key milestones that had been achieved since the project began in 2015. They also received a report summarising the final stage of the process on the mobilisation of the new contract. It was confirmed that final preparations were complete, with a 'go live' date of the 1 July 2019.

It was noted that Ian Williams Ltd was a very reputable contractor who were proud of their work in the community and with vulnerable people. It was a condition of the contract that all staff were DBS checked.

The Acting Housing Service Lead was thanked for her report.

RESOLVED: that the Housing Review Board note the progress made in the mobilisation of the new contract with confirmation that the new contracting arrangements would begin on 1 July 2019.

11 **Housing Revenue Account Year End 2018/19 Year End position**

The Housing Accountant's report provided the HRB with an extract from the draft statement of accounts for 2018/19 for items relating to the Housing Revenue Account (HRA). The HRA was the ring-fenced account for providing council housing and associated services and showed the main areas of anticipated income and expenditure on landlord activities for the year. Producing a HRA had been a statutory duty for Councils who owned and managed their stock for some time, and therefore a key document for the Board to influence.

The Board received a presentation from the Housing Accountant by way of an introduction to the HRA, which explained what the HRA was and the code principles to guide its effective management. He explained the differences between capital and revenue, as well as a simplistic balance sheet. He explained how the right to buy procedure worked.

It was noted that the current year surplus was £1.1 million. The income from tenants was £18.3 million. Expenditure was broken down into financing, management and overheads, maintenance and other expenditure, and improvements/contribution to additions.

The financial responsibilities of the HRB included:

- Approving the strategic direction of the HRA
 - 40 year Business Plan
 - Stock replenishment programme
 - Indebtedness
- Monitoring financial performance
 - Budgeting process
 - Benchmarking
 - Ensuring 'value for money'
- Adherence to the code principles

RECOMMENDED: that Cabinet agree the recommendation within the narrative report from the Strategic Lead Finance to add the in-year surpluses to the earmarked reserve for fire related building works.

RESOLVED: that the extract from the 2018/19 statement of accounts relating to the Housing Revenue Account be noted.

12 **Tenancy agreement changes**

The Housing Needs and Strategy Manager's report summarised the process of updating the tenancy agreement and confirmed that the revised agreement came into effect on 17 June 2019.

It was noted that the tenancy agreement was a contract between the council and tenants. It was unique and bespoke to East Devon, although best practice research had been undertaken when updating the agreement.

RESOLVED: that the tenancy agreement update report be noted by the Housing Review Board.

13 **Tenancy policy update**

The Housing Needs and Strategy Manager presented the Housing Review Board with the EDDC tenancy policy, which had been updated to reflect changes made to the tenancy agreement.

RECOMMENDED: that Cabinet approve the updated tenancy policy.

14 **Social housing regulator consumer standards**

The Strategic Lead – Housing, Health and Environment explained that the Regulator of Social Housing had recently written to all Registered Providers reminding them of their obligations under the Home Standard for ensuring that tenant's homes were safe. It was one of the Council's priorities as a landlord and it was important to always remain vigilant and ensure that it was fully compliant with the various requirements for tenants' safety. Since the Grenfell fire tenant safety was under greater scrutiny.

RECOMMENDED: that Cabinet agree to a self-assessment audit against the Regulator of Social Housing's consumer standards applicable to local authority social landlords.

15 **Homes legislation**

The newly appointed Property and Asset Manager introduced himself to the Board. He explained that the Homes (Fitness for Human Habitation) Act 2018 had come into force on 20 March 2019 and his report outlined the operation and extent of the new legislation. EDDC owned and managed in excess of 4200 properties which remained compliant and to a high standard. The legislation was designed to provide those tenants of 'slum landlords' greater access to the courts for a quicker remedy whilst protecting their tenancy from possible subsequent vindictive eviction.

Officers were confident that EDDC complied with the Act, maintaining its stock to a high standard and annually investing in planned maintenance and cyclical compliance works. There were also numerous checks and balances in place to ensure that EDDC remained compliant.

RECOMMENDED: that Cabinet approve that the Housing Service ensures that the properties in the Council's portfolio comply with the Homes (Fitness for Human Habitation) Act 2018.

16 **Housing complaints**

The Landlord Services Manager's report provided the Housing Review Board with information on formal complaints received in relation to the Housing Service for the period April 2018 to March 2019. Formal complaints were monitored carefully to learn from them and use them to improve services wherever possible.

The Housing Service dealt with formal complaints through the corporate complaints two stage process:

- Stage 1 – complaints would be considered by the Strategic Lead.
- Stage 2 – complaints would be considered by the Deputy Chief Executive/Monitoring Officer.

Between April 2018 and March 2019 37 formal housing complaints were received. 15 of these went from stage 1 to stage 2. There was an increase in the number of new stage 1 complaints and the time taken to issue a full response to all stage 1 complaints. The main messages revealed by the complaints were noted in the Landlord Services Manager's report.

RECOMMENDED: that Cabinet approve that:

1. the housing leadership team re-iterate the importance of outstanding customer care, considering additional training and awareness of opportunities where appropriate.
2. the Property and Asset Manager reviews processes to ensure the repairs team are always providing timely responses to issues reported to them.
3. the Landlord Services Manager reviews processes to ensure appropriate communication and response from officers is given when dealing with complaints regarding antisocial behaviour and noise.

RESOLVED: that the Housing Review Board note the contents of the report.

17 **Designated persons leaflet**

The designated persons leaflet, which explained what tenants could do if they remained unhappy with the way a complaint had been handled, was noted by the Board.

18 **Construction, design and management regulations**

The Board received a report due to go to Cabinet in July, for the adoption of a Construction (Design and Management) Regulations 2015 Policy. It had been referred to the Board for information as much of the content of the policy applied to work of the housing service.

19 **Future rent policy and rent standard**

The Rental Manager's report explained the new rent standard and its implications to EDDC. Rents had decreased by 1% since 2016 except for a small number of exceptions where rents had remained static. This had meant a reduction in the amount of rent the council could collect over the past four years and therefore a reduction in the amount of services which could be funded from the rent collected. The council had the ability to increase rents from April 2020 to maximise income for the Housing Revenue Account.

It was noted that almost £19 million was collected in rents in 2018/19. EDDC was in the top quartile for rent collection, with over 99% of rents consistently collected for the past 11 years.

It was important to be mindful of the impact a rental increase on tenants. The rental team had strategies in place to help tenants who were struggling financially and these were outlined in the report.

RESOLVED: that the Housing Review Board note the changes to how rents would be increased from 2020.

20 **Quarterly performance indicator report**

The Board was presented with the Housing Service performance indicator report for quarter 4 2018/19, with details of selected indicators measuring performance across the Housing Service.

The Board noted that the number of rights to buy had increased. The Rental Manager was thanked for maintaining high rental income performance. There were some issues to be addressed with housing complaints.

RESOLVED: that the Housing Review Board note the performance of the Housing Service.

21 **Countryside outreach project**

The Board received an update on the countryside outreach project. From 2015 the HRB had funded one and a half days per week for an Education Ranger from the Countryside team to work in areas of the district with high levels of council housing. The aims of the project were to encourage more people to use their local green space and to provide a supported 'way in' for families and young people to spend more time outdoors.

The Board agreed that it was a very worthwhile investment and were shown a BBC Spotlight clip of the 'dragons den' which had been run in Honiton.

Attendance List

Board members present:

Councillor Tony McCollum (Chairman)
Peter Sullivan, Tenant (Vice-Chairman)
Christine Drew, Independent Community Representative
Cat Summers, Tenant
Councillor Ian Hall
Councillor Dan Ledger
Councillor Helen Parr

Councillors also present (for some or all the meeting)

M Chapman
M Armstrong
P Faithfull
A Moulding

Officers in attendance:

John Golding, Strategic Lead Housing, Health and Environment
Giles Salter, Solicitor
Sue Bewes, Landlord Services Manager
Natalie Brown, Information and Analysis Officer (Housing)
Amy Gilbert-Jeans, Service Lead Housing
Andi Loosemoore, Rental Manager
Andrew Mitchell, Housing Needs and Strategy Manager

John Taylor, Property and Asset Manager
Alethea Thompson, Democratic Services Officer
Rob Ward, Accountant

Board member apologies:

Mike Berridge, Tenant
Pat Gore, Tenant
Alek Williams, Tenant
Councillor Kim Bloxham

Chairman


Date:

Integrated Asset Management Contract; July 2019- July 2020



A new dawn....

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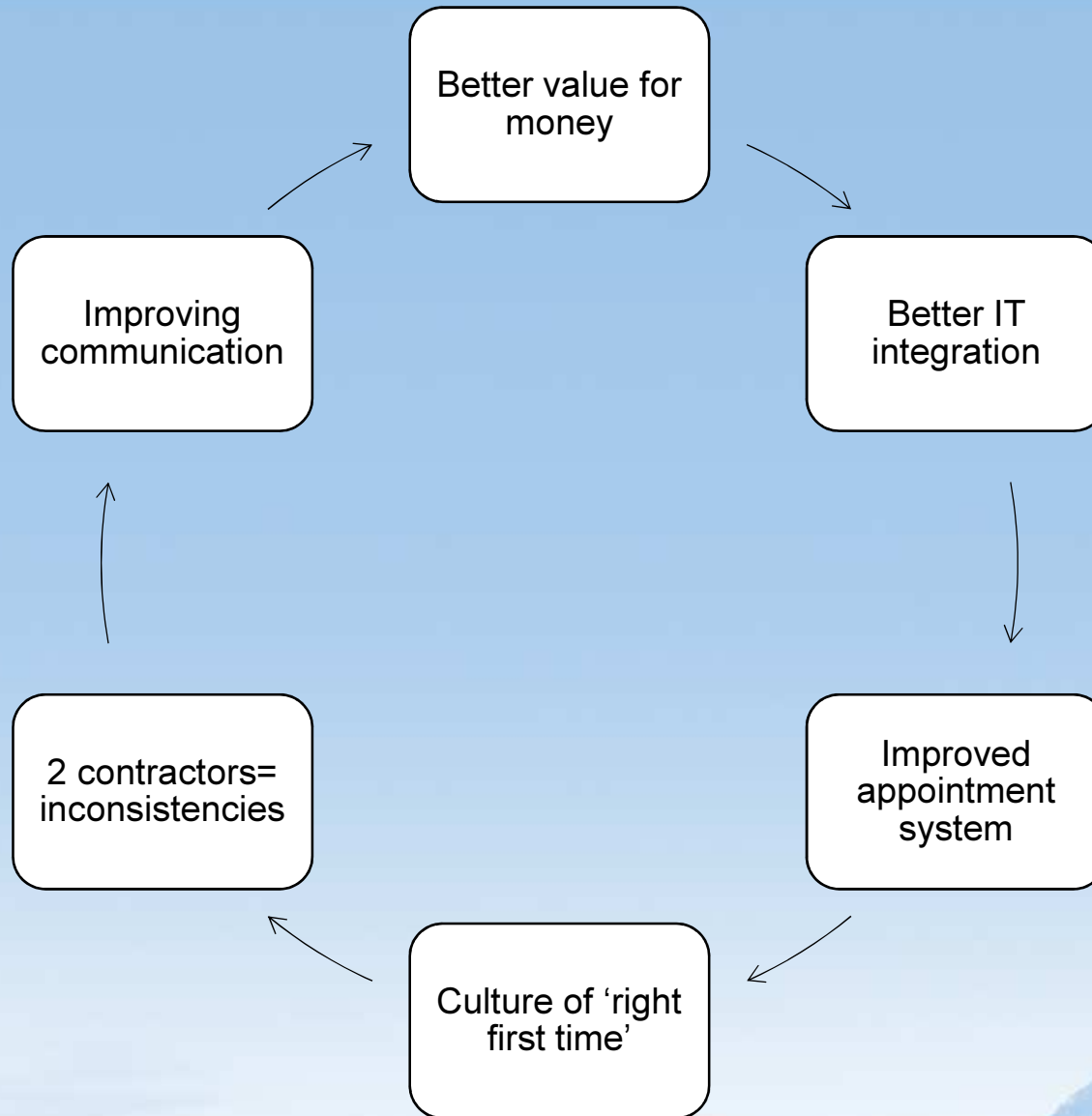
A landscape photograph showing a bright sun low on the horizon, casting a warm glow over a green field. In the background, there are several houses and trees. The sky is a clear blue.

Current contracts coming to an end
The opportunity to review and design a new service

The journey so far.....

September 2016	In depth review of current service commenced
June 2017	HRB recommended the adoption of an outsourcing model
January 2018	Procurement commenced
September 2018	Contract awarded
November 2018	Mobilisation commenced
July 2019	Start of new contracting arrangement with Ian Williams Ltd

Drivers for change



The options

- Outsourcing V Wholly owned subsidiary (WOS)
- Careful consideration of advantages and disadvantages to both, detailed SWOT (strengths, weaknesses, opportunities and threats) in the **June 2017** paper of the housing review board
- Significant risks involved with WOS, limited financial benefits as a Local Authority
- Size of our stock, relatively small compared to some who have gone down this route making this potentially an unattractive route for bidders
- Current contracting arrangements have served us well over a number of years
- Good levels of customer satisfaction

The model

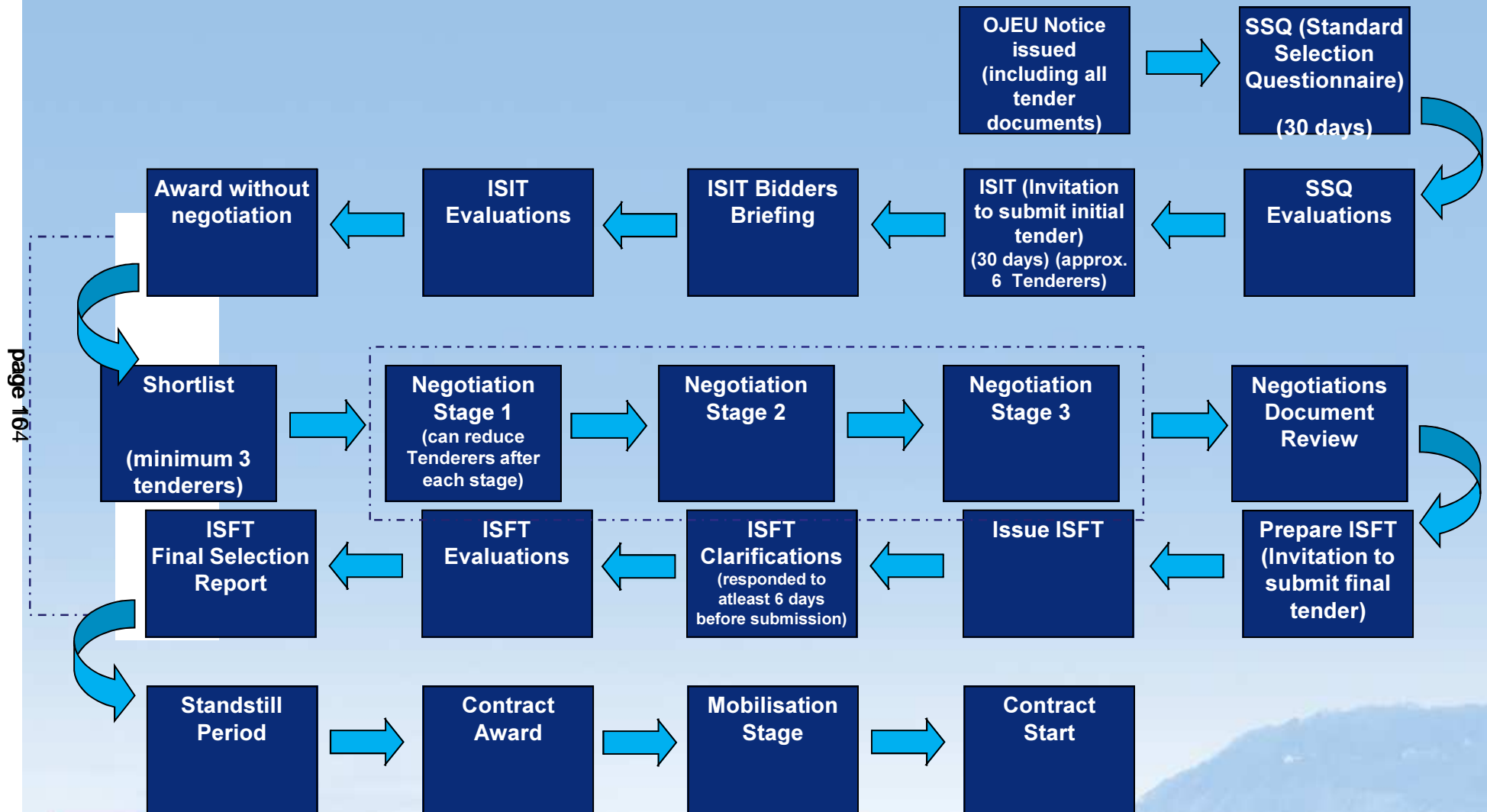
- Single provider
- Formal partnering contract (TPC2005)
- Contract with minimum term of 10 years
- Initially all day to day repairs, void management and servicing
- Introduction of price per property and price per void model
- Incentivised commercial model- adding planned/cyclical work
- A new void specification and associated costs target
- A robust customer satisfaction survey process
- Appointments made for all repairs at first point of contact- text message alerts
- Weekend slots
- A renewed 'right first time' assessment with a fix and stay fixed requirement
- Introduction of a complete property service model – contractor undertakes an annual physical check of all 'working' components and structure of property (MOT)
- Introduction of new suite of KPIs (key performance indicators)
- Handyperson scheme
- Customer portal
- Co-location- One team!

The Procurement process

- Established a project team to drive and manage the process
- Assistance from Devon County Council procurement team and Echelon Consultancy
- Form of procurement; Competitive procedure with Negotiation
- 3 stage evaluation process
- Two bidders day
- Bidders scored: 60% on Quality, 40% on price
- 7 companies submitted a bid (24 registered an interest)
- 3 taken through to final round
- 7 areas of scrutiny..



Competitive Procedure with Negotiation



The winning bid



- Score of 92.13%
- Established South West company
- Specialist contractor status dealing with vulnerable people
- Ian Williams Training Academy
- Customer focused culture
- Commitment to align with our customer involvement aspirations
- Instant access to performance information
- Robust, zero tolerance approach to compliance and health and safety
- Seamless IT integration, consistent with our desire to ensure complete accessibility and a 24/7 service
- An impressive social value offer



www.eastdevon.gov.uk



Social Value Offer



- Securing opportunities for local supply chain
- Ian Williams Foundation- Community sponsorship and donation
- Resident training days- targeting lifestyle issues such as damp and mould
- Apprenticeships, trainee surveyors
- Engagement with schools- primary and secondary, including 1:1 mentoring service for at least 10 pupils a year as part of preparing students for an apprenticeship route
- Support EDDC career events, look to actively engage unemployed residents with work experience opportunities



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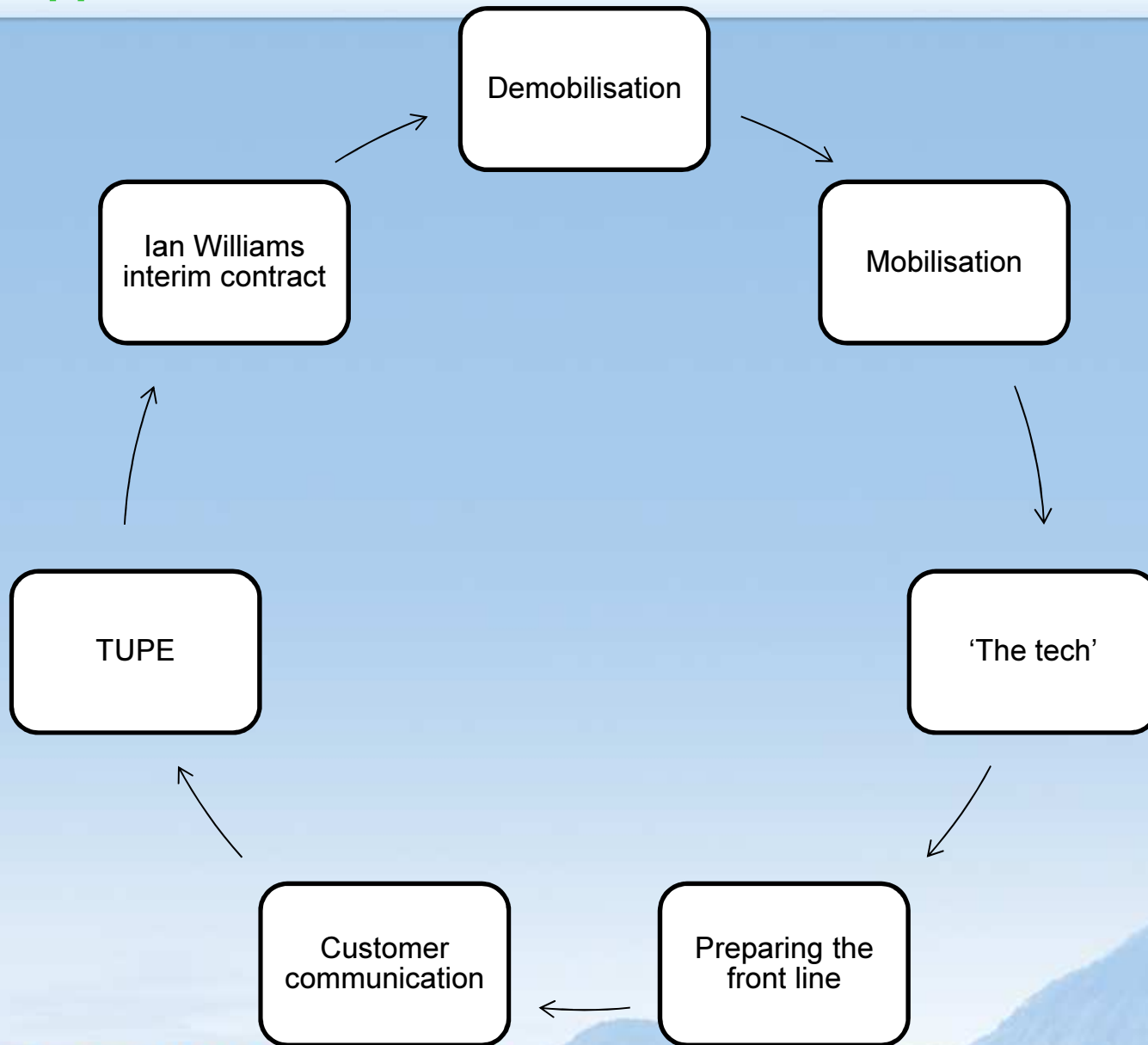
Customer involvement

Customers views and experiences seen as one of the most important parts of reviewing the current service
Customer care submissions were evaluated by a panel of customer representatives

A customer representative was invited onto the competitive dialogue procurement panel meaning face to face interaction and scrutiny of final 3 bidder submissions

- **Regular updates and reviews to tenant involvement groups**
- **Customer representation on the steering group**

Making it happen



The start of an exciting partnership



EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Council Chamber Blackdown House on 10 June 2019****Attendance list at end of document**

The meeting started at 10.01 am and ended at 10.53 am

1 Public speaking

The Chairman welcomed everyone present to the meeting and commended the previous Strategic Planning Committee for the work done under the Chairmanship of Paul Diviani and Vice Chairman Mike Allen.

There were no members of the public present.

2 Minutes of the previous meeting

The minutes of the Strategic Planning Committee held on 26 March 2019 were confirmed as a true record with the following amendment to Cllr Ian Hall declaration of interest which should read Chairman of Cloakham Lawns Sports Centre.

Cllr Moulding sought an update on the progress of the independent study agreed at Strategic Planning Committee on 27 November 2018 to consider the specific housing needs within the community. The Service Lead, Planning Strategy and Development Management advised consultants had been commissioned for the study but it was decided to wait to run the panel meeting until post elections to allow works to progress to discuss initial findings. The Service Lead, Planning Strategy and Development Management would look to set up a panel meeting early summer.

Some members were keen to consider the independent study as an agenda item at the next Strategic Planning Committee. In response the Service Lead, Planning Strategy and Development Management advised it was intended to be an open invite to all members and not specifically for this committee although agreed the consultants works would come back to the Strategic Planning Committee.

3 Declarations of interest

Cllr Sam Hawkins – Minute 6 - Personal interest – Ward member for Cranbrook
Cllr Olly Davey – Minute 6 – Personal interest – Ward member for Exmouth
Cllr Fred Caygill – Minute 6 – Personal interest – Ward member for Exmouth

The Strategic Lead for Governance and Licensing and Monitoring Officer gave advice on declarations of interest and reminded members to be clear on what they were declaring and that it must be in relation to the agenda.

The Planning Barrister suggested seeking advice prior to the start of the committee if they had any concerns about interests, bias and predetermination.

4 Matters of urgency

There were no matters of urgency discussed.

5 Confidential/exempt item(s)

There were no items that officers recommended should be dealt with requiring exclusion of the public or press.

6 Review of East Devon Area of Special Control of Advertisements (ASCA)

The committee considered the Service Lead, Planning Strategy and Development Management's report on the review of the Area of Special Control of Advertisements (ASCA) which sought agreement to recommend that full council make changes to the areas included in the East Devon Area of Special Control of Advertisements.

The Service Lead, Planning Strategy and Development Management highlighted the need for a greater level of control of advertisements within the district and that there a need to review the ASCA on a regular basis to ensure that the appropriate areas were covered.

The report outlined the four responses received including proposed changes from Colyton Parish Council and Cranbrook Town Council.

Members raised the following points during discussion:

- Clarification was sought on how far the district council can control advertisements for businesses, in particular A-boards. In response the Service Lead, Planning Strategy and Development Management advised legislation determined that A-boards on footpaths do not need consent as they were not classed as a permanent fixture. The Service Lead, Planning Strategy and Development Management invited the member to email him with specific sites and locations of concern to follow up and advised, if appropriate, refer to the Highways Authority for investigation.
- Clarification was sought on advertisement prohibition that could affect future planning applications for car parks in Axminster. The Service Lead, Planning Strategy and Development Management confirmed it would not affect future planning applications.

RECOMMENDED:

1. That Full Council make amendments to the areas covered by the Area of Special Control of Advertisements as set out in this report be approved.

RESOLVED:

2. That the Service Lead, Planning Strategy and Development Management be authorised to make minor changes to the draft Modification Order (Appendix 2) prior to finalisation being approved.

7 Planning Appeals Status Report

The Committee considered and discussed the report presented by the Service Lead, Planning Strategy and Development Management outlining the current performance in respect of planning appeal decisions.

Members were pleased to note that the success rate on planning appeals had improved from last year. The Service Lead, Planning Strategy and Development Management reported that 72.2% of appeal decisions had been won this year compared to 64.3% last year. Members also noted that the figure was in excess of the national level of the Planning Inspectorate statistics which was a good reflection on the quality of decision making.

The Service Lead, Planning Strategy and Development Management highlighted that a high number of decisions that had been lost were on house extensions. The Planning Inspectorate felt the harm identified had been insufficient to justify refusal which suggested the level of harm had to be quite severe. The Service Lead, Planning Strategy and Development Management advised members to be aware of this in future decision making.

Discussions covered:

- Clarification was sought on what the approach should be taken with the Planning Inspectorate when different decisions had been made on properties that were in close proximity to each other. In response the Service Lead, Planning Strategy and Development Management advised to contact the Planning Inspectorate Complaints Team.
- A query was raised on the appeals process and whether the council had powers to request landowners to keep their land tidy. In response the Service Lead, Planning Strategy and Development Management advised that Enforcement Officers have the power to issue Section 215 Notices.
- Concerns were raised that the Planning Inspectorate should make the reasons for their decisions clear as they can be open to legal challenge and the cost of a legal challenge is expensive.
- Members thanked officers and members from the previous committee for all their hard work in improving the appeal statistics.
- Clarification was sought on supporting evidence to show that house extensions increased the housing stock. In response the Service Lead, Planning Strategy and Development Management advised he was not aware of any formal evidence but suggested anecdotally it was the government's thinking that multiple generations are now living in the same household.
- Concerns were raised that members need to understand Section 215 powers. In response the Service Lead, Planning Strategy and Development Management advised if members were in agreement he would provide a briefing paper on the powers of a Section 215 but highlighted it was not an area of concern. The Strategic Lead, Governance and Licensing and Monitoring Officer referred to government guidance of trying to negotiate breaches first and highlighted it is a settlement approach rather than a hard enforcement approach.
- Members welcomed the suggestion of a training session on planning enforcement and its protocols with an invite extended to Development Management Committee members and, if required, a briefing note to be brought to committee after the training session.

RESOLVED:

1. That the Council's success rate on planning appeals over the last year has improved from 64.3% in the 2017 – 2018 monitoring year to 72.2% over the last year be noted,

2. That the trends in appeal decisions identified in the report particularly the substantial harm that needs to be identified to successfully defend the refusal of household extensions be noted.

8 **East Devon Guide for the Listing of Local Heritage Assets**

The Committee considered the Service Lead, Strategic Planning and Development Management report summarising the comments on responses received on the public consultation and to seek approval to adopt the draft East Devon Guide for the Listing of Local Heritage Assets.

RESOLVED:

That the adoption of the draft East Devon Guide for the Listing of Local Heritage Assets, subject to amendments arising from the consultation as set out in the report be agreed.

Attendance List

Councillors present:

S Bond (Chairman)
N Hookway (Vice-Chairman)
F Caygill
O Davey
S Hawkins
P Hayward
M Howe
F King
D Ledger
T McCollum
A Moulding
P Skinner

Councillors also present (for some or all the meeting)

K Blakey
A Dent
G Jung

Officers in attendance:

Ed Freeman, Service Lead Strategic Planning and Development Management
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer

Councillor apologies:

G Pratt

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Development Management Committee held at Council Chamber, Exmouth Town Hall, Exmouth, EX8 1AW on 30 April 2019

Attendance list at end of document

The meeting started at 10.00 am and ended at 3.40 pm (The committee adjourned at 2 pm and reconvened at 2.30 pm)

67 Minutes of the previous meeting

The minutes of the Development Management Committee meeting held on 2 April 2019 were confirmed and signed as a true record.

68 Declarations of interest

Cllr Mike Howe; 17/3002/MOUT; Personal interest; Bishops Clyst Parish Councillor.

Cllr Mike Howe; 19/0208/FUL; Personal interest; Applicant was known to the Councillor.

Cllr Paul Carter; 19/0034/COU & 19/0035/COU; Personal interest; Distant family connection to the applicant.

Cllr Ben Ingham; 18/2589/MFUL; Personal interest; Agent, parish representative, objectors and supporters was known to the Councillor.

Cllr Geoff Jung; 17/3002/MOUT; Personal interest; Applicant was known to the Councillor.

Cllr Geoff Jung; 19/0208/FUL; Personal interest; Woodbury Parish Councillor.

Cllr Geoff Jung; 19/0034/COU & 19/0035/COU; Personal interest; Woodbury Parish Councillor and Member of Woodbury Salterton Residents Association. Cllr Jung outlined that he considered the civil matter against him by the owners for trespassing, which he had refuted, was now closed.

Cllr Geoff Jung; 18/1464/FUL; Personal interest; Had attended meetings with residents to discuss issues relating to bat conservation.

Cllr Geoff Jung; 19/0545/AGR; Personal interest; Woodbury Parish Councillor.

Cllr Steve Gazzard; 19/0545/AGR; Personal interest; Trustee was a friend.

Cllr Peter Faithfull; 18/1585/FUL & 18/1586/LBC; Declared that he had turned down work to repair the building; stood on the flat roof between the two chimneys; had made enquiries about the building whilst it was on the open market, visited the property twice and on the second visit took 190 photographs of the inside of the property.

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution Cllr Howe (on behalf of the Committee) advised of lobbying in respect of applications 18/2589/MFUL, 17/3002/MOUT and 18/1464/FUL.

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution, Cllr Howe advised that he was the Ward Member in respect of application 17/3002/MOUT so the Vice Chairman chaired the item.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Cllr Paul Carter withdrew from the debate and the vote in respect of applications 19/0034/COU & 19/0035/COU.

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution Cllr Brian Bailey and Cllr Geoff Jung advised of lobbying in respect of application 18/1585/FUL & 18/1586/LBC.

69 **Planning appeal statistics**

The Committee received and noted the Development Manager's report setting out appeals recently lodged and four appeal decisions notified – three had been dismissed and one had been allowed.

The Development Manager drew the Committee's attention to the appeal on application 17/1539/MFUL - land to the south of Redgate, Salterton Road, Exmouth. The Committee were advised that the Planning Inspectorate had dismissed the appeal which proposed an extra care unit on the site on the valid grounds of the loss of designated employment site.

The Development Manager drew the Committee's attention to the appeal of application 18/1051/OUT – land south of Knights Lane, All Saints. The Inspector dismissing the appeal on unsustainable location and countryside protection issues.

The Committee's attention was also drawn to the appeal allowed on application 17/1481/MRES – land off Clapper Lane (formerly Allotments) Honiton. The Inspector allowing the appeal on the basis the design was considered acceptable.

Finally the Committee were advised that the Inspector had upheld the Committee's decision to refuse application 17/2493/FUL – Manor Hotel Garages, Beacon Place, Exmouth on design grounds.

The Committee noted the Development Manager's report that came before Cabinet on 3 April 2019 showing the percentage of planning application decisions allowed against the authority's decision to refuse was excellent.

70 **17/3002/MOUT (Major)**

CLYST VALLEY
17/3002/MOUT

Applicant:

Andrew Langton (Langdon Properties).

Location:

Dart Business Park Road, Past Darts Farm, Clyst St George.

Proposal:

Outline application to extend Business Park to create 10 additional units to be used for offices, light industry and storage and distribution (Use Classes Order B1 and B8): all matters reserved other than access; consideration of scale and layout.

RESOLVED:

Refused contrary to officer recommendation. Members considered that the development was located in an unsustainable location for the scale of development proposed with a resultant harmful visual impact and as such the harm from the development outweighed

any benefits and the proposal is contrary to Local Plan Strategies 6, 7, 8, 44 and 46, Local Plan Policies D1, D2, D3, E5 and E7 and Neighbourhood Plan Policies 5, 6 and 9.

71 **18/2589/MFUL (Major)**

WOODBURY AND LYMPSTONE
18/2589/MFUL

Applicant:

Mr Luke Salter (Salter Property Investments).

Location:

Lympstone Nurseries, Church Road, Lympstone, Exmouth, EX8 5JU.

Proposal:

Demolition of existing polytunnels/greenhouses and erection of 10 dwellings, public open space and a car park for use by the church.

RESOLVED:

Approved as per officer recommendation but subject to change to the planning obligations to reflect the transfer of the car park to the church rather than the Parish Council.

(Cllr Burrows did not vote on the application as he was not present at the start of the application).

72 **19/0208/FUL (Minor)**

WOODBURY AND LYMPSTONE
19/0208/FUL

Applicant:

Ms Miles.

Location:

Land Adjacent To Melford Rise, Toby Lane, Woodbury Salterton.

Proposal:

Retention of agricultural barn.

RESOLVED:

Approved as per officer recommendation.

73 **19/0034/COU & 19/0035/COU (Minor)**

RALEIGH
19/0034/COU & 19/0035/COU

Applicant:

F W S Carter & Son.

Location:

Compound East 6 and Land Adjacent Compound East 6 (Land At Hogsbrook Farm),
Greendale Business Park, Woodbury Salterton.

Proposal:

Retrospective change of use to B8 class use (storage and distribution)

RESOLVED:

Approved as per officer recommendations.

74 **18/1464/FUL (Minor)**

BUDLEIGH SALTERTON
18/1464/FUL

Applicant:

Mr Leigh Rix.

Location:

The Pound, Lower Budleigh, East Budleigh.

Proposal:

Demolition of existing barn and construction of a single dwelling.

RESOLVED:

Approved as per officer recommendation but with 3 additional conditions: to secure hedge planting between the bat barn and the dwelling to further reduce light spill; restricting the use of the bat barn such that it cannot be used for residential use ancillary to the main dwelling; and that requires the applicant to submit to the Local Planning Authority a copy of the bat licence, annex, monitoring programme, method statement, work schedule and any monitoring reports to ensure that the works are appropriately carried out in accordance with Policy EN5.

75 **18/1957/MOUT (Major)**

BEER AND BRANSCOMBE
18/1957/MOUT

Applicant:

Clinton Devon Estates.

Location:

Land Adjacent Short Furlong, Short Furlong, Beer.

Proposal:

Construction of up to 30 new dwellings (including affordable housing provision) outline application with all matters apart from access reserved.

RESOLVED:

Approved as per officer recommendation subject to removal of one of the duplicate conditions 9 and 10.

76 **18/2797/MOUT (Major)**

**BROADCLYST
18/2797/MOUT**

Applicant:

Eagle One MMLIII Ltd.

Location:

Land North And South Of Anning Road, Exeter Science Park, Clyst Honiton.

Proposal:

Development of 15,329sqm floor space for Class B1b (Research and Development) uses with ancillary Class B1a and B1c uses and Science Park wide ancillary supporting uses (Retail – convenience (Class A1), café/restaurant (Class A3), crèche (Class D1) and conference and health/fitness facilities (Class D2)) together with associated infrastructure and works to form part of the Exeter Science Park (all matters reserved) on land north and south of Anning Road, Exeter Science Park, Clyst Honiton.

RESOLVED:

Approved as per officer recommendation subject to updated plan numbers and change to Condition 15 to secure a minimum 3m width pedestrian/cycle link.

77 **18/2799/MOUT (Major)**

**BROADCLYST
18/2799/MOUT**

Applicant:

Eagle One MMLIII Ltd.

Location:

Exeter Science Park, Clyst Honiton (East Of Langaton Lane).

Proposal:

Erection of up to 150 dwellings with associated infrastructure and public open spaces including allotments/community gardens (all matters reserved except access).

RESOLVED:

Approved as per officer recommendation subject to a change to condition 16 to secure a minimum 3m width pedestrian/cycle link and securing of a financial contribution towards the NHS at a maximum of £216,247 subject to the Council's Viability Consultant confirming that the overall land use swap deal is viable with the contribution.

78 **18/1585/FUL & 18/1586/LBC (Minor)**

**OTTERY ST MARY TOWN
18/1585/FUL & 18/1586/LBC**

Applicant:

Belfield Developments Ltd. (Mr Justin Denno)

Location:

The Priory, Paternoster Row, Ottery St Mary, EX11 1DP.

Proposal:

Conversion of former elderly care home into 8 apartments incorporating modifications to rear section of building.

RESOLVED:

Approved as per officer recommendations.

79

19/0545/AGR (Minor)

RALEIGH

19/0545/AGR

Applicant:

Geoff Pook.

Location:

Stallcombe House, Sanctuary Lane, Woodbury, Exeter, EX5 1EX.

Proposal:

Agricultural storage building.

RESOLVED:

Approved as per officer recommendation.

Attendance List

Councillors present (for some or all the meeting):

M Howe (Chairman)

C Brown (Vice-Chairman)

M Allen

S Bond

S Gazzard

B Ingham

G Jung

D Key

H Parr

B De Saram

Councillors also present (for some or all the meeting)

P Faithfull

G Pook

T Wright

Officers in attendance:

Chris Rose, Development Manager

Shirley Shaw, Planning Barrister

Wendy Harris, Democratic Services Officer

Councillor apologies:

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 11 June 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 3.44 pm. (The Committee adjourned at 11.45am and reconvened at 2pm)

1 Minutes of the previous meeting

The minutes of the Development Management Committee meeting held on 30 April 2019 were confirmed as a true record with the following amendment to minute 77 planning application 18/2799/MOUT – Exeter Science Park, Clyst Honiton (East Of Langaton Lane) which should read:

RESOLVED:

Approved as per officer recommendation subject to change to Condition 16 to secure a minimum 3m width pedestrian/cycle link and securing of a financial contribution towards the NHS at a maximum of £216,247 subject to the Council's Viability Consultant confirming that the overall land use swap deal is viable with the contribution. If the Council's Viability Consultant confirms that the proposal is only viable with a contribution to the NHS of less than £216,247, that the decision be delegated to the Chairman for determination.

2 Declarations of interest

Cllr Paul Hayward; 18/2608/OUT; Personal Interest; Declared that in his role as Clerk to Newton Poppleford and Harpford Parish Council he had attended meetings when this application was discussed and conveyed said comments to the Local Planning Authority. Also declared that he had no input into the debate other than as an advisory role and was not involved in any voting.

Cllr Paul Hayward; 19/0078/FUL; Personal Interest; Declared that in his role as Clerk to All Saints Parish Council he had attended meetings when this application was discussed and conveyed said comments to the Local Planning Authority. Also declared that he had no input into the debate other than as an advisory role and was not involved in any voting.

3 Planning appeal statistics

The Committee received and noted the Development Manager's report setting out appeals recently lodged and four appeal decisions notified – two had been allowed and two had been dismissed.

The Committee's attention was drawn to an appeal allowed on application 18/1474/FUL – Land adjacent Heathfield, Longmeadow Road, Lypstone, EX8 5LF. The Development Manager advised that although the Inspector had agreed that a condition was required to prevent the window opening out over adjoining land, he had amended the wording of the condition to allow inward opening windows.

The Development Manager also drew the Committee's attention to the appeal of application 18/1790/FUL – Broadlands, Combe Raleigh, Honiton, EX14 4TQ. The Committee were advised that the Planning Inspectorate disagreed with the decision that

the proposal would have a detrimental impact to a nearby listed building and therefore allowed the appeal.

Finally the Committee were advised that the Inspector had upheld the decisions to refuse application 18/0450/FUL – 8 Mill Street, Ottery St Mary, EX11 1AD and 17/2953/FUL – Churston, Harcombe Road, Axminster, EX13 5TB agreeing that the first caused a detrimental level of overlooking with the second resulting in a detriment visual impact.

4 17/1584/FUL & 18/2015/FUL (Minor)

BUDLEIGH AND RALEIGH

Applicant:

Ladram Bay Holiday Park.

Location:

Land North West Of Ladram Bay Holiday Park, Ladram Bay, Otterton, EX9 7BX.

Proposal:

(17/1584/FUL) Revisions to planning permission 16/1709/FUL (Construction of new service yard and building) to incorporate repositioned and widened vehicular access from Ladram Road, creation of additional vehicular access of Bay Road, formation of private access road to water purification tanks, provision of footpath (including gateway to field), construction of retaining wall around service yard, enlarged storage building and new parking area and associated details.

(18/2015/FUL) Installation of LPG storage tanks and associated works.

RESOLVED:

Approved as per officer recommendation but with 17/1584/FUL subject to a change to Condition 6 to secure a grasscrete surface to the car park and that the Arboriculture Officers place a Tree Preservation Order on the trees secured as part of the approved landscaping scheme.

5 18/1517/FUL (Minor)

BUDLEIGH AND RALEIGH

Applicant:

Ladram Bay Holiday Park.

Location:

Ladram Bay Holiday Park, Ladram Bay, Otterton, EX9 7BX.

Proposal:

Retrospective application for a new 'splash' zone adjacent to in indoor swimming pool, relocation and re-orientation of bases and addition of static caravan.

RESOLVED:

Approved as per officer recommendation.

6 19/0394/FUL (Minor)

TALE VALE

Applicant:

Mr & Mrs N Mason.

Location:

Aquarius, Plymtree, Cullompton, EX15 2JS.

Proposal:

Erection of dwelling.

RESOLVED:

Approved as per officer recommendation.

7 **18/2583/FUL (Minor)**

TALE VALE

Applicant:

Mrs Nicki Collas.

Location:

Plymtree Garages, Plymtree.

Proposal:

Removal of garages and construction of dwelling.

RESOLVED:

Approved contrary to officer recommendation with conditions delegated to officers to include. Members considered that the proposal was acceptable as it was infill development that would develop an untidy brownfield site.

8 **19/0619/FUL (Other)**

WOODBURY AND LYMPSTONE

Applicant:

Mr Michael Best.

Location:

Brockways, Woodmanton, Woodbury, EX5 1HG.

Proposal:

Construction of detached garage/store.

RESOLVED:

Approved as per officer recommendation.

9 **18/2649/MRES (Major)**

WOODBURY AND LYMPSTONE

Applicant:

Mr Leigh Rix. (Clinton Devon Estates)

Location:

Blackhill Quarry, Woodbury, Exeter, EX5 1HD.

Proposal:

Approval of reserved matters (appearance, landscaping, layout and scale) for the construction of a single 929sqm (10,000 sq. ft.) building, car parking, landscaping, ecological measures and associated development (pursuant to outline approval 17/3022/MOUT).

RESOLVED:

Approved as per officer recommendation but with change to condition 6 to read:

Other than for the purposes of Passive InfraRed (PIR) triggered sensor safety lighting no lighting inside or outside the building here approved shall be operated except between the hours of 06:30 and 18:30hrs Monday to Friday, or 06:30 and 13:30 on Saturdays and not at all on Sundays or Bank Holidays. (Reason – To protect the amenities of local residents from noise and to protect the environment in accordance with Policy EN14 (Control of Pollution) and Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan 2013-2031).

10 **18/2608/OUT (Minor)**

NEWTON POPPLEFORD AND HARPFORD

Applicant:

Mr Rix.

Location:

Land South Of King Alfred Way, Newton Poppleford, EX10 0DG.

Proposal:

Construction of up to two dwellings (with all matters other than access reserved).

RESOLVED:

Deferred for 3 months to provide an opportunity for the Parish Council, applicant and Coleridge Medical Centre to get together to resolve the situation and to make their positions clear to the local planning authority.

11 **19/0078/FUL (Minor)**

YARTY

Applicant:

Mr & Mrs Raggio.

Location:

Land East Of Goldsmith Lane, All Saints, Axminster, EX13 7LU.

Proposal:

Demolition of former cottage and construction of new dwelling.

RESOLVED:

Refused as per officer recommendation.

Attendance List

Councillors present (for some or all the meeting):

M Howe (Chairman)
K McLauchlan (Vice-Chairman)
P Arnott
O Davey
P Hayward
N Hookway
D Key
T McCollum
H Parr
G Pratt
J Rowland
E Wragg
T Wright

Councillors also present (for some or all the meeting)

K Blakey
S Bond
A Dent
G Jung
P Skinner

Officers in attendance:

Chris Rose, Development Manager
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Wendy Harris, Democratic Services Officer

Councillor apologies:

K Bloxham
C Brown
S Gazzard

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 18 June 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 12.10 pm

12 Minutes of the previous meeting

The minutes of the Development Management Committee meeting held on 11 June 2019 were confirmed as a true record.

13 Declarations of interest

Cllr Colin Brown; 19/0198/FUL; Personal interest; Ward Member.

Cllr David Key; 19/0198/FUL; Personal interest; Ward Member.

Cllr Eileen Wragg; 19/0221/FUL; Personal interest; Known to someone associated with the application.

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution, Cllr Howe advised that as the Ward Member in respect of application 18/2437/MFUL he was predetermined so he stepped down from the committee and the Vice Chairman chaired the item. Cllr Howe did not vote on application 18/2437/MFUL.

14 19/0198/FUL (Minor)**DUNKESWELL AND OTTERHEAD****Applicant:**

Mr Njal Lovell.

Location:

Mansell Raceway, Dunkeswell Aerodrome, Dunkeswell, Honiton, EX14 4LT.

Proposal:

Construction of a detached cart workshop with first floor viewing terrace linked to the race building.

RESOLVED:

Approved as per officer recommendation.

15 18/2437/MFUL (Major)**CLYST VALLEY****Applicant:**

Mr David Manley, (Ixora Energy Limited).

Location:

Enfield Farm Biodigester, Oil Mill Lane, Clyst St Mary, EX5 1AF.

Proposal:

Installation of a roof and roller shutter door to existing storage clamp; installation of dome to collect residual gas and installation of digestate processor unit.

RESOLVED:

Approved as per officer recommendation subject to a change to the wording of Condition 4 to include the submission of the colour of the roof to the silage clamp before installation and for the condition to be discharged in consultation with the Ward Member.

16

19/0221/FUL (Minor)

TALE VALE

Applicant:

Mr Lunn

Location:

Land To The North Of Brickfield Farm, Dulford.

Proposal:

Erection of a second permanent rural workers dwelling.

RESOLVED:

Refused as per officer recommendation.

Attendance List

Councillors present (for some or all the meeting):

M Howe (Chairman)

K McLauchlan (Vice-Chairman)

P Arnott

C Brown

O Davey

S Gazzard

P Hayward

N Hookway

D Key

T McCollum

H Parr

G Pratt

J Rowland

E Wragg

Councillors also present (for some or all the meeting)

S Bond

P Skinner

Officers in attendance:

Chris Rose, Development Manager

Shirley Shaw, Planning Barrister

Wendy Harris, Democratic Services Officer

Councillor apologies:

K Bloxham

T Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Committee held at Council Chamber, Blackdown House, Honiton on 3 July 2019****Attendance list at end of document**

The meeting started at 9.30 am and ended at 10.30 am

1 Public Speaking

There were no questions raised by members of the public.

The Chairman welcomed everyone to the meeting and invited those present to introduce themselves.

He suggested that the start time of the sub-committee meetings change from 9:30am to 10:30am. Licensing and Enforcement Committee meetings would continue to commence at 9:30am.

RESOLVED: that the sub-committee meeting start time be amended from 9:30am to 10:30am for future meetings.

2 Minutes of the previous meeting

The minutes of the Licensing and Enforcement Committee held on 20 February 2019 were confirmed and signed as a true record.

3 Declarations of interest

9. Proposed Hackney Carriage (Taxi) Tariff Changes.
Councillor Sarah Jackson, Personal, She had close friendships with taxi drivers..

4 Matters of urgency

There were no matters of urgency raised at the meeting.

5 Confidential/exempt item(s)

There were no confidential or exempt items.

6 Committee Update - Licensing Act 2003, Gambling Act 2005, Taxis & General (Street Trading) Licensing

The Licensing Manager presented his report to the committee. It provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, taxi legislation and general licensing, including street trading.

The Licensing Manager highlighted that the licensing team covered almost everything across East Devon. This included:

- All alcohol related matters.
- Taxis and private hire work.
- Gambling (excluding online betting).

- Street trading.
- Charitable collections.
- Cemeteries and burial bookings.

It was noted that officers undertook compliance visits to licensed premises. Visits with partner agencies occurred when there was a need in addition to those inspections completed each month by the team. Two mediation meetings had occurred for new license applications during the March to July 2019 period. It was noted that each case was dealt with on its merits and that about 70% of mediation was successful.

At the last meeting of the Licensing and Enforcement Committee members raised a need for officers to consider a review of the street trading policy by exploring options to re-introduce application charges for commercial street trading consents. It was not proposed to charge fees for charitable/community events, but would be applied to commercial trading. The background behind the previous removal of the street trading charges was explained and discussed. The situation had been reviewed for the past two year and there was a dedicated officer post for delivering the work required to manage applications. It was noted that street traders tended to be more common in the western side of the district, particularly in locations adjacent to Exeter (where street trading fees were charged). The Licensing Manager advised that there were approximately 20 constant traders who moved to different locations around the district. There was no application fee for street trading consents, so if one location was refused, traders simply applied elsewhere. This was expensive and time consuming process for officers.

It was noted that town and parish councils were consulted during the process for dealing with a street trading application, however, they were not informed whether or not an application was successful. The Licensing Manager acknowledged that it would be good practice to inform town and parish councils when a street trading consent was granted.

RESOLVED:

1. that the Licensing Manager's update report be noted.
2. that a detailed structure for charging commercial street trading fees be brought to the next meeting of the Licensing and Enforcement Committee to allow further consideration of charging fees.

7 Sex Establishment Licensing Policy

The Licensing Manager's report updated the committee on the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 – Sex Establishment Licensing Policy and standard conditions, and sought approval to make minor amendments to update the policy.

The Licensing Manager explained that there had only been one sex establishment in East Devon, which had closed in 2014. The legislation did not require the Council to have a policy relating to the licensing of sex establishments, however it was regarded as good practice in order to indicate the authority's approach to licensing premises of this type. It was noted that the changes to the policy were minor but that the Council was vulnerable without an updated policy.

RECOMMENDED: that Council adopt the revised Sex Establishment Licensing Policy.

RESOLVED: that the minor revisions to the Council's Sex Establishment Licensing Policy be approved.

8 **Proposed Hackney Carriage (Taxi) Tariff Changes**

The Licensing Manager's report asked the Licensing and Enforcement Committee to consider a proposed increase to the Hackney Carriage Fare Tariff. The tariff set the maximum fares that taxis could charge the public when using their vehicles. The last tariff increase was agreed by the Committee in December 2012.

Since the 2012 increase the subject of fare increases had been kept under review and discussed at twice yearly meetings held between taxi proprietors, the chairman and vice chairman of the Licensing and Enforcement Committee and licensing officers. The taxi trade's opinion had generally been divided over the past two years in view of the economic situation that some did not wish to see a fare increase as the costs for fares were met by the public using taxis. In late 2018 all taxi drivers were balloted and asked whether a fare review was necessary. Two thirds who responded were in favour of a fare increase and one third against. It tended to be the taxi companies that wanted to the fare increase and the self-employed/individual drivers not wanting it. No figures were provided in the consultation.

Officers had researched and produced a comparison table of current fares set by EDDC and other authorities which was considered by the committee. EDDC sat mid table in the Devon comparison. If EDDC increased Tariff 1 it would become second in the Devon fares comparison table and become one of the 16 Council's in the national table that had set the charge of £6.60 for the first two miles of a journey

It was noted that legislation required that before any alteration to the tariff table could take effect a public notice explaining the changes must be placed in a local newspaper. An alternative was to continue to consult with taxi drivers, with indicative price increase figures and review taxi fares again at the next committee meeting.

The Chairman advised the committee that he has met with the trade in taxi licenses in Exmouth to discuss a 'keep safe campaign' for taxi drivers, to show support that there was no excuse for abuse. He would also be taking the issues of lack of police presence/response times to the Police and Crime Panel

RESOLVED: that the Licensing Manager carry out further consultation with taxi drivers on a proposed increase to the Hackney Carriage Fare Tariff and report back with a full update to the next meeting of the Licensing and Enforcement Committee.

Attendance List

Councillors present:

P Jarvis (Chairman)
K Bloxham (Vice-Chairman)
C Brown
M Chapman
N Hookway
S Jackson
J Rowland
B Taylor

J Whibley

Councillors also present (for some or all the meeting)

Officers in attendance:

Stephen Saunders

Alethea Thompson, Democratic Services Officer

Nicola Cooper, Solicitor

Councillor apologies:

I Chubb

S Gazzard

T Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Sub Committee held at Blackdown House, Honiton on 10 April 2019

Attendance list at end of document

The meeting started at 9.30 am and ended at 1.10pm.

53 Minutes of the previous meeting

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 30 January 2019, were confirmed and signed as a true record.

54 Exempt Information

RESOLVED

that the classification given to the documents to be submitted to the Sub-Committee be confirmed and that the report relating to exempt information be dealt with under Part B of the agenda.

55 Declarations of interest

There were no declarations of interest.

56 That members consider an application for the grant of a premises licence to allow the sale of alcohol on and off the premises & late night refreshment on the premises at Mansell Raceway, Dunkeswell, Honiton EX14 4AH

The Sub Committee gave consideration to an application for the grant of a premises licence to allow the sale of alcohol on and off the premises and late night refreshment on the premises at Mansell Raceway, Dunkeswell, Honiton, EX14 4AH.

The Sub Committee carefully considered the application with the amendments the applicant had now offered at the hearing for the licensable activities and the extension of proposed hours of operation with a view to deciding whether the applicant promoted the licensing objectives as required by the Licensing Act 2003. They also took into account Government Guidance and the Council's own licensing policy and the Human Rights Act 1998 in making this decision.

The Sub Committee considered the relevant representations that all parties had made and the written representations and other documentation put before the Sub Committee. They also considered the particular locality of the premises in a rural setting within the Blackdown Hills AONB and its physical relationship with other residential and commercial properties in the vicinity.

The Sub Committee considered it relevant that no representations had been received from the police in relation to the Licensing Act objectives that had been the subject of representations, that is to say: public safety, public nuisance, crime

and disorder. From this the Sub-Committee had concluded that the police did not consider that there would be any significant problem associated with the operation of the premises.

The applicant was Njal Lovell, DPS/Manager, represented by Amy Cater of Tozers Solicitors. The applicant's case was set out on paper.

At the hearing the applicant added that the Karting Track at the site had been in existence since the 1960s, and brought tourism to the area but there was a need to provide more facilities on site through a Licensing application. This was no different to other karting tracks across the country. Customers could attend a race day and have a drink or meal in the new premises. The Mansell brand was about legacy and he would not want the premises to negatively impact on the community.

The extensive condition dealt with the issue of kart use and alcohol consumption which was prohibited through the use of wrist bands, so that alcohol could not be purchased by anyone participating in kart racing until the wrist band had been removed, also the management used breathalysers if there were any suspicions of alcohol consumption, incident reports and CCTV.

The applicant referred to the fact that there had been no representations from any of the Responsible Authorities which remonstrated that they were not unduly concerned by the proposed operation or that they were concerned by light or noise pollution from the premises as this was a new application. The applicant suggested that the proposed operating schedule was therefore in line with the Licensing Objectives as set out in the Act.

At page 51 of the bundle the applicant referred the Sub Committee to the proximity of the premises in Sheldon and Dunkeswell from which objections to the application had been received. All the properties were over 1km from the premises. It was accepted that there was some noise from the karting but noise from patrons leaving the premises or car doors being closed at night would not be heard or have the impact the residents suggested.

The applicant made comparisons with The Aviator, Dunkeswell Aerodrome and the Dunkeswell Social Club which had longer hours of operation and were closer to residential premises. Planning permission had dealt with light emanating from the premises. A condition of the planning consent had been the installation of light reducing glazing, and low level lighting as patrons leave the premises at night.

At pages 53, 56 & 57 of the report the Sub Committee were shown photographs of light pollution from buildings at the aerodrome and the point was made that light pollution could not be an issue at the premises currently because the building was not currently operational.

In conclusion the applicant stated that the application was not abnormal, it was sustainable and all concerns were addressed in the premises operating schedule.

The interested parties represented at the meeting were, Cllr Colin Brown, representing Dunkeswell Parish Council, Wendy Plimmer-Page, representing Jennifer Ash and James Page and Claudie Napier from Sheldon Parish Meeting and representing Nancy Plimmer, David Whipp and Moira Wood.

The interested parties' case was on paper, first in relation to the prevention of crime and disorder, concerns about drinking and driving outside of the venue, lack of policing in a rural area, particularly at night. Regarding public safety, relating to drinking and driving. Regarding the prevention of public nuisance, noise and light pollution in the AONB, intensification of traffic on the rural roads.

At the hearing they expressed their concern for the continuing development of the site in the AONB, that Sheldon and Dunkeswell were fundamentally very quiet places other than when the karting track was in use. The track use was controlled by a planning agreement between Mansell Raceway and the Council.

Cllr Brown wanted to know why the premises needed to be licensed outside of times when there was karting taking place. The applicant responded that it had been approached by businesses at the aerodrome to provide a place where they could meet with clients etc. and that a licence as submitted was the most appropriate way to meet those needs. It was a commercial decision.

Wendy Plimmer-Page stated that the premises did have an impact on her and other residents in Sheldon because of light and noise pollution and that she could not understand how the premises needed to operate after 9.30pm on any evening. There were smaller businesses that relied on the peace and tranquillity of the area.

The Sub Committee wanted some clarification of how the site was controlled and managed over a race weekend when there were caravans/campers on site to ensure minimal disturbance in the area. The applicant assured the Sub Committee that the site was shut down at 10.30pm when generators were requested to be switched off and lights turned out.

The Sub Committee had carefully considered the operating schedule put forward by the applicants and the likely impact of the application. They considered that the establishment would well managed and controlled with good policies in place and adequate supervision from line management.

The Sub Committee did not accept that there was evidence of a significant public nuisance, risk to crime and disorder, risk to public safety, arising from the proposed operation of the premises. At the present time there was no real evidence that the operation the applicant proposed to run would cause the unacceptable impact local resident suggested.

Whilst the Sub Committee acknowledged the concerns expressed by the interested party before it, they believed the concerns expressed in representations had been addressed by the hours of operation for the licensable activities and the conditions offered and agreed at mediation which had been tailored to the size, characteristics and activities on the premises, and which members believed were necessary and proportionate.

All parties were reminded of the closure and review powers which the government brought into force once the new licences were operational from 24th November 2005. Premises which do not operate in an acceptable way in terms of the licensing objectives may in extreme cases be closed down by police action or have their scope of operation reduced by the licensing authority.

RESOLVED 1.that the premises licence be granted as follows:

- a) The extent of the areas within which the various licensable activities will be permitted is as indicated by the legends on the applicant's plan.
- b) Permitted hours for the various licensable activities will be set out in Appendix A, as amended by the applicant's plan.
Sunday Hours
Sale of alcohol 10.00am to 21.30pm. Terminal Hour 10.00pm
- c) The conditions in the operating schedule at set out in the Appendix F will apply, with additional conditions.
- d) Condition 27. A dedicated phone number of the DPS or Duty Manager will be provided for residents to raise issues or concerns relating to the premises licence under the Licensing Act 2003 licensing objectives.
- e) Condition 28. All windows and doors to be closed no later than 10.00pm, save for access and egress to or from the premises, to prohibit noise escape and reduce any noise disturbance to residents.
- f) The mandatory condition required by section 19 of the Licensing Act 2003 will also be imposed.

2. The Designated Premises Supervisor would be Njal Lovell of 28 Queen Street, Honiton, EX14 1HD.

57 **Exclusion of the Public**

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session.

58 **To determine whether the person named in the report is a fit and proper person to be licensed as a Hackney Carriage Driver**

Consideration was given to whether a new applicant was a fit and proper person to be licensed as a Hackney Carriage Driver.

Members considered the Council's policy on all issues, the overriding duty of the Sub Committee was protection of the public.

RESOLVED that, Mr CJG's Hackney Carriage Drivers application for his licence be refused.

Attendance List

Councillors present:

C Brown
S Hall (Chairman)
G Jung
B de Saram

Councillors also present (for some or all the meeting)

Officers in attendance:

Lesley Barber, Licensing Officer
Christopher Lane
Giles Salter, Solicitor

Councillor apologies:

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Standards Committee held at Blackdown House, Honiton on 16 April 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 10.50 am

15 Public speaking

There were no questions asked.

16 Minutes of previous meeting

The minutes of the meeting of the Standards Committee held on 22 January 2019, were confirmed and signed as a true record.

17 Declarations of interest

There were none.

18 Code of Conduct Complaint Form

Members noted that at its meeting on 22 January 2019, the Committee discussed the benefit of using a standardised form for the making of complaints that councillors had breached the code of conduct. It was agreed that this was a sensible way to proceed. The Committee had requested that the complaint form was brought back for review and agreement prior to being used.

A copy of the proposed form was attached to the report and it also highlighted where to find EDDC's code and also explained that town/parish councils may have their own version. It required complainants to identify the relevant sections of the code which had been breached and to identify the relevant sections of the code which had been breached. And to identify how a councillor was acting in an official capacity.

The complaint form would sit on the councillor conduct page of the website and complaints would not be progressed unless a completed form was provided. Members discussed the complaint form and made several changes to the points raised in Section 4 - Details of Complaint, including removal of the words "that he" in point one, adding reference to use of social media and written word in point two and adding the words "24 hours to the date of the alleged incident" in point 3. When discussing Section 5 – Remedy they wished to add "to set out what the remedies were in the box".

RESOLVED that the complaint form be used following the May elections.

19 Complaint update

The Committee considered and noted the report of the Monitoring Officer, which provided an update for the Committee on new Code related cases received since 1 May 2018. Members went through in detail the cases raised in 2019. Anita Williams, Deputy Monitoring Officer reported that there was an additional case 2019-CO8 which was an

allegation of poor conduct at a Town Council Planning meeting from an individual councillor. She reported that more information was trying to be found on this case.

RESOLVED that the report be noted.

20 **Monitoring officer to update Committee on Standards training planned for post May 2019 election. Verbal Report**

Members received the verbal report of the Deputy Monitoring Officer on Standards training planned for post May 2019 elections. It was noted that it was the intention to offer planning training for new/existing town/parish councils. District Councillors would receive a welcome pack of information. Any district councillor who wished to sit on a committee must have code of conduct training. There would also be two welcome evenings for district councillors and a mop up session for those not able to attend one of these evenings.

Councillor Andrew Moulding, Chairman, reported that he had attended the annual meeting of town/parish clerks and found it very useful and informative.

21 **Forward Plan**

The Committee noted the contents of the Forward Plan and future meeting dates. Members wished to add the following items to the Forward Plan for consideration at a future meeting:

- Experiences of Standards training from town/parish councils.
- Gifts & Hospitality Register.
- Progress update on the new complaints form.
- Progress update from EDDC councillors training.

Members discussed the problem of finding enough people to stand as town/parish councillors and expressed their concern that many of these councils could not find enough residents to stand as councillors, leaving vacancies unfilled.

Attendance List

Councillors present:

A Moulding (Chairman)
S Bond

Councillors also present (for some or all the meeting)

None

Also Present:

Martin Goscomb. Co-opted Independent member
Frances Newth, Co-opted Parish/Town Council member
Tim Swarbrick, Co-opted Independent member

Also present:

Alison Willan, Independent Person

Officers in attendance:

Christopher Lane, Democratic Services Officer
Anita Williams, Deputy Monitoring Officer

Councillor apologies:

G Godbeer
D Hull

Chairman

Date: