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**Agenda for Council
Wednesday, 23rd October, 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, 14 October 2019

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on
Wednesday, 23rd October, 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 be "M. Howl", written over a white background.

Chief Executive

1 Public speaking

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

2 Minutes of the previous meeting (Pages 7 - 17)

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 18 - 34)

9 Reports from the Cabinet and the Council's Committees and questions on those reports (Pages 35 - 36)

- a) Minutes of Cabinet held on 4 September 2019 Minute numbers 36 - 54 (Pages 37 - 45)
- b) Minutes of Cabinet held on 2 October Minute numbers 55 - 73 (Pages 46 - 52)
- c) Minutes of Scrutiny Committee held on 18 July Minute numbers 11 - 20 (Pages 53 - 56)
- d) Minutes of Joint meeting of the Overview & Scrutiny Committees held on 5 September 2019 Minute numbers 1- 7 (Pages 57 - 67)
- e) Minutes of Scrutiny Committee held on 3 October 2019 Minute numbers 21 - 30 (Pages 68 - 73)
- f) Minutes of Overview Committee held on 27 June Minute numbers 1 - 8 (Pages 74 - 78)
- g) Minutes of Overview Committee held on 25 July 2019 Minute numbers 9 - 18 (Pages 79 - 86)
- h) Minutes of Overview held on 29 August 2019 Minute numbers 19 - 27 (Pages 87 - 95)
- i) Minutes of Housing Review Board held on 12 August 2019 Minute numbers 22 - 28 (Pages 96 - 98)
- j) Minutes of Housing Review Board held on 19 September 2019 Minute numbers 29 - 44 (Pages 99 - 105)
- k) Minutes of Strategic Planning Committee held on 20 August Minute numbers 9 - 17 (Pages 106 - 111)
- l) Minutes of Development Management Committee held on 9 July Minute numbers 17 - 29 (Pages 112 - 117)

- m) Minutes of Development Management Committee held on 6 August 2019 Minute numbers 30 - 40 (Pages 118 - 122)
- n) Minutes of Development Management Committee held on 3 September 2019 Minute numbers 41 - 50 (Pages 123 - 127)
- o) Minutes of Development Management Committee held on 1 October 2019 Minute numbers 51 - 60 (Pages 128 - 132)
- p) Minutes of Licensing & Enforcement Committee held on 18 September 2019 Minute numbers 9 - 15 (Pages 133 - 135)
- q) Minutes of Licensing & Enforcement Committee held on 16 October 2019 Minute numbers 16 - 25 (Pages 136 - 139)
- r) Minutes of Licensing & Enforcement Sub Committee held on 28 August 2018 Minute numbers 1 - 5 (Pages 140 - 143)
- s) Minutes of Licensing & Enforcement Sub Committee held on 18 September 2019 Minute numbers 6 - 10 (Pages 144 - 145)
- t) Minutes of Standards Committee held on 13 August 2019 Minute numbers 1 - 8 (Pages 146 - 148)
- u) Minutes of Audit & Governance Committee held on 25 July 2019 Minute numbers 1 - 11 (Pages 149 - 152)

10 Changes to the Political balance, the Constitution and the Councils Panel, Forums, Joint Bodies and Outside Bodies appointments (Pages 153 - 156)

To update the political balance following Cllr Millar leaving the Independent Group and effect changes that flow from that in relation to committee appointments and makeup on panels, forums and joint bodies. Also to address some other changes in terms of Council appointments.

11 Governance Review Working Party (Pages 157 - 159)

This report seeks the Council's approval to the establishment of a cross-party working group to review the Council's governance arrangements.

12 Motion: Constitutional Amendment (Car Park Strategy)

That Council agrees to amend Article 4.01 (a) of the Constitution, adding 'Car Park Strategy' to the current list of 12 discretionary areas of the Policy Framework which the Council adopts as a matter of local choice.

Proposed by Councillor Paul Millar

Seconded by Councillor Eileen Wragg

Supported by Councillors Luke Jeffery, Paul Arnott, Denise Bickley, Sarah Jackson, Marianne Rixson, Cathy Gardner, Val Ranger, Paul Hayward, John Loudoun, Mike Allen, Fred Caygill and Eleanor Rylance.

13 Motion: Tackling waste responsibly in East Devon

In order to achieve greater transparency and responsibility for our waste and to be certain that 'recycled' waste is not 'dumped' in an unprocessed state in another country, we propose the following motion:

a) that EDDC, in conjunction with Devon County Council and Suez, assess how it might, within the current legal framework, best secure transparency from recycling processors so as to facilitate clear reporting to our residents;

b) that EDDC, in conjunction with Devon County Council and Suez assess how it might best report in weight terms as well as percentages, (with the intention of securing greater understanding as to whether the volume of general, food, plastics, metal, glass, textiles and electronic waste is decreasing, as well as percentages increasing);

c) that EDDC assess how to encourage public behaviour change by promoting through EDDC's media presence the message 'refuse, refill, reduce' rather than focusing on 'recycle';

d) that a report be prepared on how EDDC can buy or commission products made from recycled materials whenever possible, (also joining with other councils where appropriate to reduce costs, for example for recycling sacks and bins) with a view to encouraging a closed loop circular economy system, the overall intention being to reduce and ultimately eliminate 'virgin' plastic entering the system.

Proposed by Councillor Denise Bickley

Seconded by Councillor Luke Jeffery

Supported by Councillors Paul Millar, Cathy Gardner, Paul Arnott, Marianne Rixson, Olly Davey, Tony Woodward, Val Ranger, Paul Hayward, Sarah Jackson and Eleanor Rylance.

14 **Motion: Tackling Poverty in East Devon**

This council is seeking new ways to help those in poverty.

We support the proposal of the Overview Committee to consider, within the corporate plan, a recent range of proposals on poverty and the willingness of Cabinet to assess the costs and to set up a working group on poverty.

We therefore propose that this council resolves to include within its Corporate Plan the following aspirations:

1. That no one in East Devon is destitute without immediate help
2. That nobody should be in involuntary poverty for more than two year's duration

Council further resolves that all Corporate Plans, strategies and Service Plans shall be subject to "poverty proofing" which means a poverty impact assessment will be made and reported to Overview Committee of the effect of the strategy or service plan on those in poverty

Proposed by Councillor Mike Allen

Seconded by Councillor Paul Millar

Supported by Councillors Cathy Gardner, Paul Arnott, Bruce De Saram, Eileen Wragg and Andrew Moulding

15 **Motion: National Park for Dorset & East Devon and the Glover Review**

That the council writes to thank Julian Glover and his team for the Glover Review into National Parks and AONBs and advises him of its next steps, the letter to be copied to the Secretary of State for the Environment, Theresa Villiers MP, and to the Leader of Devon County Council, Cllr John Hart.

That the council welcomes the historic recommendation on page 121 of the Glover Review which states:

"We received submissions on the case for several other AONBs to become National Parks too. The two that stand out as leading candidates are the Cotswolds AONB and the combined Dorset and East Devon AONBs"

That the council supports the formation of a cross party working group of up to 12 members to make contact as soon as possible with representatives of the proposed Dorset section of an East Devon/Dorset National Park to arrange a meeting at Blackdown House no later than January 30th 2020 in order to engage with and understand the issues and opportunities which would arise from a new National Park.

That this working group makes an initial report to the Overview Committee in March 2020.

Proposed by Councillor Paul Arnott

Seconded by Councillor Marianne Rixson

Supported by Councillors Luke Jeffery, Paul Hayward, Sarah Jackson, Val Ranger and Cathy Gardner

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](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 24 July 2019****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.18 pm

19 Public speaking

There were two members of the public wishing to speak.

Clara Douglas, representing the Honiton and Axe Valley Labour Party wanted to comment on East Devon District Council's (EDDC) response to the Devon Climate Change Emergency Declaration. She said that the County Council declaration states "we will lead in the global response", but action could not wait for its carbon foot-printing plan, which would take 18 months to develop. Radical policies were needed in times of crisis and Labour was calling upon EDDC to achieve measurable reductions in carbon emissions immediately by taking the following steps in the following areas;

Energy, by using green energy providers, and by encouraging individuals and businesses in the district to use providers whose power is purchased directly from a renewable energy generator, and which retains the Renewable Energy Guarantee of Origin.

Housing, by ensuring that all new homes built from now on are zero carbon by robust planning restriction.

Transport, by ensuring that all communities are served with regular, local bus services. Improving bus services in rural areas would not only boost communities but would also help the environment through reduced car use.

She concluded by stating that East Devon was the farming heart, and stomach, of the country and all levels of government must help farmers achieve the National Farmers Union net zero carbon target of 2040.

Todd Olive, introduced himself as a climate change academic, coordinator of a West Midlands climate change organisation and a young person threatened by predicted climate changes, and commented that the response proposed by Devon was wholly inadequate to prevent a scientifically assessed reality from occurring. Earlier goals needed to be set and it was necessary to accept the moral responsibility to take difficult action. There was a greater responsibility on those who had benefited from the wealth generated from actions causing the problems now facing future generations to reduce the impacts predicted.

The Leader of the Council, Cllr Ben Ingham responded that EDDC was working with Devon County Council and other partners to produce a Devon wide action plan on climate change. The target date for zero carbon emissions was set currently for 2050, but with an ambition to become carbon neutral at the earliest opportunity. After the development of an EDDC action plan it would be possible to identify a realistic evidence based date which cannot be identified at present. He went on to state that the Council could review all of its existing policies at this point, and would re-evaluate progress each year to assess whether the target date could be brought forward. He referred to the debate at Cabinet in July when the meeting was addressed by a speaker from Extinction Rebellion, and confirmed that EDDC would be addressing a very challenging agenda on this issue.

20 **Minutes of the previous meeting**

Prior to approval of the minutes of Annual Council held on 22 May 2019, the Monitoring Officer, Henry Gordon-Lennox outlined that a change needed to be made.

In relation to the Budget Working Party composition (Appendix B on page 15) the Chair of the committee was agreed as the Finance Portfolio Holder and not the Leader. In consequence the appointments to that committee (Part C on page 24) also need to be amended to reflect the Chair being the Finance Portfolio Holder.

Subject to this amendment being made the Chairman signed the minutes of the Annual Council as a true record.

21 **Declarations of interest**

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Iain Chubb, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Emergency declaration.

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Ian Hall, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Declaration.

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Phil Twiss, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Declaration.

9b. Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35. Councillor Stuart Hughes, Personal, (Minute 28) As a Devon County Councillor supports the Devon Climate Change Emergency declaration.

9d. Minutes of Overview Committee held on 28 March 2019 Minute numbers 24 - 30. Councillor Ian Hall, Personal, (Minute 28) As a Devon County Councillor involved in work on poverty at a County level.

9d. Minutes of Overview Committee held on 28 March 2019 Minute numbers 24 - 30. Councillor Mike Allen, Personal, (Minute 28) - Councillor involved in local Food Bank.

22 **Matters of urgency**

There are no matters of urgency.

23 **Announcements from the Chairman and Leader**

The Chairman wanted to make two announcements.

First, he announced the recent success of Honiton Rugby Club at Twickenham in May, by winning the RFU Senior Vase final, when over 500 people made the journey to watch them play.

He went on to say that the last 12 months had been a showcase of the town's sport, with the Club being promoted into the Western Counties league and then crowned Devon Intermediate Cup winners. A week later, winning the National Senior Vase at

Twickenham had capped off a successful season for them, beating a Yorkshire team in a high quality and entertaining game!

The Club has invested in its facilities to meet the needs of a growing membership, built by volunteers and supported by local business, as well as the small grants from the RFU and some locality funding, to support both Junior and Senior aspects of the club. It also offers coaching qualifications to all its junior coaches, ensuring they have high quality coaching to the 200+ juniors who train and play with them each week.

It is currently working with colleagues within EDDC to ensure that the playing facilities at Allhallows reflect the size of the club and the volume of rugby being played at a higher level.

The Chairman said that it is fitting since EDDC is now located in Honiton, that the Council celebrates the success of a local team. The Chairman was accompanied by Cabinet colleagues and Honiton Ward members and joined by players and officials of the club ahead of the Council meeting, to congratulate them on their recent success, and in order for them to join Members briefly at the start of Council.

Secondly, the Chairman announced that the Jeanne Edyvean Centre at the Norman Lockyer Observatory (NLO) will be formally opened by the BBC Sky at Night presenters, Pete Lawrence and Paul Abel at 5.30pm on Saturday August 10th during the South West Astronomy Fair at NLO. All Members are welcome to attend.

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

There were none.

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

Twelve questions had been submitted in accordance with Procedure Rule 9.2 - the questions and answers were circulated and published with the agenda. Councillors submitting questions are entitled to put a related supplementary question (Procedure Rule 9.5). A summary of the supplementary question asked and response is set out below.

Q1 Supplementary - Cllr Moulding asked whether the Leader had construed the original question solely as relating to allowances for Shadow Cabinet Members.

In response, the Leader stated that when in opposition, some Members had requested that the controlling group offer them the transparency and involvement encouraged by Local Government legislation that a new opposition group now appeared to be seeking. There had always been an opportunity to form a shadow cabinet but not necessary for it to be formally recognised.

Q2 Supplementary - Cllr Moulding enquired further about the Leader's view on a shadow cabinet.

In response, the Leader stated that he considered the question seemed to represent a sudden shift in attitude on the part of some Members after the elections on 2 May to that held before to recognise a Shadow Cabinet in the light of changed circumstances.

Q4 Supplementary – Cllr Moulding stated that the conservative group had no desire to be involved in the preparation of draft reports, but asked on what grounds was the

Leader refusing access to Council agendas to conservative lead members at the same time as Portfolio Holders of the controlling group.

In response, the Leader responded that documents would be made available and released in the manner they always have been according to Nolan principles, and if anything further was required it was unlikely to be considered necessary at this point, if it had not been considered necessary during the previous 45 years. This was not an issue relating to transparency but good management, and the protocols of preparing and conducting business between officers and members of the controlling group.

Q5 Supplementary – Cllr Pratt stated that since the car parking charges had been increased across the District in June, it had had a negative impact on the amount of visitors to Ottery St Mary which benefitted from little tourism already. He requested that a meeting be held to discuss this with local ward councillors and Ottery Business Forum.

In response, the Leader stated that as the Council budget is reviewed over the coming year, it is likely that budgets will need to be tightened and funding found to meet the deficit of over £2m. Car parks and other services provide a means of generating income, and so the Council could not look at the situation in Ottery in isolation since other towns may be similarly affected and it would be unfair. The Council will be looking at where it can make savings and generate funds overall.

Q6 Supplementary – Cllr Pratt stated that the Town Clerk for Ottery St Mary had been trying to obtain a statement of the S106 funding available for two years and from the information given in response to the original question, a considerable sum was available. He said that the lack of communication on this matter was unacceptable.

In response, the Leader confirmed that this kind of information could be requested at any time by Members in their role as Ward Councillors.

Q7 Supplementary – Cllr Arnott stated that amongst his election pledges he had promised to look at the reform of council governance and scrutinise the disposal of the former Council HQ and procurement of the new building. In keeping with the response to the original question, he asked that if a Member of the Scrutiny Committee wanted to take on a piece of work to look at the issues involved, whether there would be any objection.

In response, the Leader said that there would not be. He also stated that within the budget allocated for relocation, EDDC is currently in a favourable position, but it will be necessary to wait for the project closure report at the one year anniversary of the project to look at the full project cost analysis.

Q8 Supplementary – Cllr Gardner stated that the three priorities outlined in the response to the original question did not seem to indicate an agreed approach or much ambition. She wanted to know how the Independent group would make a difference to the public.

In response the Leader stated that there will shortly be a new Council Plan and new Cabinet priorities. There will be continuity but also new challenges and priorities to deal with. He considered that tackling climate change would be challenging and alongside the need to address the budget deficit was serious and required immediate action. He referred also to the change in Prime Minister and situation relating to Brexit which would impact on the Council.

Q9 Supplementary – Cllr Gardner stated that the Council was obliged to balance the books following cuts imposed by a conservative government. Was the Leader prepared to address this by writing to the Local Government Association (LGA) and joining their campaign to tackle cuts to Local Government being faced by the Council.

In response the Leader said that he had already met the new Chairman of the LGA, who wanted to tackle the current government and get more funding for Local Councils.

Q10 Supplementary – Cllr Twiss asked whether any preliminary work had been undertaken since the launch of the Government's Tourism Sector Deal and when a report would come to Council outlining progress.

In response, the Chief Executive, Mark Williams, said that the HotSW LEP is expected to make a bid for a Tourism Zone which is anticipated to have more chance of delivering local benefits than a District-only application.

Q11 Supplementary – Cllr Hayward asked about the officer resource, and Financial and Accounting procedures in place to monitor Overage agreements.

In response, the Leader said that he would have to provide a detailed response outside the meeting since he did not have the information to hand.

Q12 Supplementary – Cllr Hayward asked for confirmation that adequate resources were in place to ensure that communities across East Devon could access S106 monies allotted to them, and about the mechanisms for drawing down such funds.

In response, the Leader stated that there was a commitment to ensure adequate resources were in place. The Chief Executive said that established financial processes were in place to access sums, but it was not usual practice to dispense funds in advance of work being undertaken unless there were exceptional reasons for doing so. However, it would be possible for the communities to make a case for this to happen.

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

Arising from consideration of the minutes:-

➤ **Cabinet of 10 July 2019, minute number 28 – Climate Change Emergency – Our Response**

Cllr Luke Jeffery wanted to propose amendments to the Recommendations made by Cabinet. This was seconded by Cllr Eileen Wragg.

Cllr Jeffery proposed to amend the current Recommendation 1 by replacing it with the following;

“to sign up to and endorse the Devon Climate Change Emergency Declaration, but, rather than the Devon-wide target of carbon neutrality by 2050, adopt a target of 2040, and commit to bringing the target of 2040 forward whenever new circumstances arise which make an earlier date viable and achievable”.

There followed debate which focussed on the key issue of whether to adopt the Devon wide approach with a target of carbon neutrality by 2050 or unilaterally adopt a target date of 2040. Comments also included the need to focus on the actions required to achieve the target rather than a target date itself which may change.

After a lengthy debate, the Chairman asked Cllr Jeffery to make any comments in summary before the meeting proceeded to a vote.

Following a summing up by Cllr Jeffery, which included comments about the need for EDDC to take the lead and be more ambitious, the Chairman asked the Leader for any summary comments. The Leader commented in favour of not making a commitment to a particular target date before necessary and the need to for an open dialogue on these issues with Leaders from other Councils in Devon.

As a result of the debate the Chief Executive called for a vote on whether to accept an amendment to Recommendation 1 on page 62 of the agenda. This was agreed by those present.

Councillor Arnott called for a recorded vote about the amendment itself. The Chairman and Chief Executive agreed. Following a recorded vote the amendment was carried by 30 for and 24 against.

Those in favour were Cllrs; Armstrong, Arnott, Bailey, Bickley, Chamberlain, Colman, Davey, Faithfull, Gardner, Hayward, Hookway, Jackson, Jarvis, Jeffery, Johns, King, Ledger, Loudoun, Manley, McLauchlan, Millar, Pratt, Rixson, Rowland, Rylance, Taylor, Whibley, Woodward, Wragg, C. Wright.

Those against were Cllrs; Allen, Barrow, Blakey, Bloxham, Bond, Brown, Chubb, De Saram, Dent, Hall, Hartnell, Hawkins, Hughes, Ingham, Jung, McCollum, Moulding, Parr, Pepper, Pook, Skinner, Thomas, Twiss, T.Wright.

The Chief Executive stated that following the amendment to recommendation 1 on page 62, members should be asked to agree recommendations 2, 3, 4 and 5 as a block since they were all linked and related to the work which would be undertaken as part of the action plan.

The Chairman asked members if they were in favour of the recommendations. Those present agreed.

The Chairman then put Cllr Jeffery's proposal to the meeting to replace Recommendation 6 on page 62 with the following;

“to embed tackling the Climate Emergency as a key strategic priority of all parts of East Devon District Council, and reflect this as a priority in the new Council Plan and future updates of Services Plans and relevant corporate policies”.

This was agreed by those present.

The Chairman invited comments from members on the inclusion of two new recommendations proposed by Cllr Jeffery.

The Chief Executive reminded members that the outcome of adding further recommendations would be to commit the Council to allocating resources, preparing additional plans and work when there is already a commitment to the development of an action plan.

The Chairman then put Cllr Jeffery's proposal to the meeting to add two further amendments as follows;

“to seek out and engage with regional and national stakeholders, including Extinction Rebellion, academics, Citizens' Action groups, the UK Climate Change Committee, and the UK Youth Climate Coalition”, and,

“to publicise the dangers posed by the Climate Emergency to the district and the planet through the council's social media and print media presence, with reference

to robust academic findings by the Intergovernmental Panel on Climate Change, the UK Climate Change Committee, and other institutions”.

Following discussion Members wanted to add “for as long as the Declaration is in force within the District”, to the first recommendation, and also include “MPs, Government and Global Organisations”.

The Chief Executive read out the wording and the Chairman put the two new recommendations for page 62 to the vote. This proposal was agreed by those present.

RESOLVED;

1. To sign up to and endorse the Devon Climate Change Emergency Declaration, but, rather than the Devon-wide target of carbon neutrality by 2050, adopt a target of 2040, and commit to bringing the target of 2040 forward whenever new circumstances arise which make an earlier date viable and achievable.
2. To embed tackling the Climate Emergency as a key strategic priority of all parts of East Devon District Council, and reflect this as a priority in the new Council Plan and future updates of Services Plans and relevant corporate policies.
3. To seek out and engage with regional and national stakeholders, including MPs, Extinction Rebellion, academics, Citizens’ Action groups, the UK Climate Change Committee, the UK Youth Climate Coalition, the Government, and global organisations, for as long as the Declaration is in force within the District.
4. To publicise the dangers posed by the Climate Emergency to the district and the planet through the council’s social media and print media presence, with reference to robust academic findings by the Intergovernmental Panel on Climate Change, the UK Climate Change Committee, and other institutions.

- (a) **Minutes of Cabinet held on 5 June 2019 Minute numbers 1 to 17**
Cllr Ingham presented the minutes of Cabinet held on 5 June. These were agreed.
- (b) **Minutes of Cabinet meeting held on 10 July 2019 Minute numbers 18 - 35**
Cllr Ingham presented the minutes of Cabinet held on 10 July with the amendments to Recommendations on page 62, (item 28), as agreed. These were agreed.
- (c) **Minutes of Scrutiny Committee held on 6 June 2019 Minute numbers 1 - 10**
Cllr Dent presented the minutes of the Scrutiny Committee meeting held on 6 June. These were agreed.
- (d) **Minutes of Overview Committee held on 28 March 2019 Minute numbers 24 - 30**

Arising from consideration of the minutes:-

➤ **Overview Committee on 28th March 2019, minute number 28 – Poverty, homelessness, human rights and health and wellbeing in East Devon – Scoping report**

Cllr Allen expressed his disappointment that his proposals in the paper he tabled at the Overview Committee in November 2018 were not referred back to Overview Committee and Cabinet for action.

The Chief Executive stated that it was a matter for Council and the Chair of the Overview Committee to agree to debate this issue further and agree actions.

Cllr Hookway confirmed that he was happy to do so as Chair of the Overview Committee. The Leader confirmed that he would also be happy for this to happen.

There followed a debate by Members which touched on the negative impact of Universal Credit, delays with Housing Benefit and how the Council could mitigate the impact on poor people across the District of central government policies which disadvantaged the most vulnerable.

RESOLVED:

That the paper produced by Cllr Allen on tackling poverty included as page 76 of the agenda be referred back to the Overview Committee for further debate and action.

Cllr Hookway presented the minutes of the Overview Committee held on 28th March with the agreement to refer Cllr Allen's paper on poverty, appended to the minutes and on page 76 of the Council agenda be referred back to a future meeting of the Overview Committee. These were agreed.

- (e) **Minutes of Housing Review Board held on 28 March 2019 Minute numbers 63 - 85**
Cllr McCollum presented the minutes of the Housing Review Board on 28 March 2019. These were agreed.
- (f) **Minutes of Housing Review Board held on 20 June 2019 Minute numbers 1 - 21**
Cllr McCollum presented the minutes of the Housing Review Board on 20 June 2019. These were agreed.
- (g) **Minutes of Strategic Planning Committee held on 10 June Minute numbers 1-8**
Cllr Bond presented the minutes of the Strategic Planning meeting held on 10 June. These were agreed.
- (h) **Minutes of Development Management Committee held on 30 April 2019 Minute numbers 67 - 79**
Cllr McLauchlan presented minutes of the Development Management Committee held on 30 April. These were agreed.
- (i) **Minutes of Development Management Committee held on 11 June 2019 Minute numbers 1 - 11**
Cllr McLauchlan presented minutes of the Development Management Committee held on 11 June. These were agreed.
- (j) **Minutes of Development Management Committee held on 18 June 2019 Minute numbers 12 - 16**
Cllr McLauchlan presented minutes of the Development Management Committee held on 18 June. These were agreed.

(k) Licensing & Enforcement Committee held on 3 July 2019 Minute numbers 1 - 8

Cllr Jarvis presented the minutes of the Licensing & Enforcement Committee held on 3 July. These were agreed.

(l) Licensing & Enforcement Sub Committee held on 10 April 2019 Minute numbers 53 - 58

Cllr Jarvis presented the minutes of the Licensing & Enforcement Sub Committee held on 10 April 2019. These were agreed.

(m) Minutes of Standards Committee held on 16 April 2019 Minute numbers 15 - 21

Cllr Hughes presented the minutes of the Standards Committee held on 16 April 2019. These were agreed.

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

A number of Members wanted to speak to this item before a vote was taken. Cllr Arnott commented that he regarded the appointment as a political one with the result that a conservative councillor who had not been re-elected to the District Council was appointed to a role on the Standards Committee by a conservative Chairman.

Cllr Armstrong stated that there were a whole range of questions to be asked and she would like the process re-visited. There were issues about the process and the appropriateness of the individual for the role.

The Chief Executive wanted to encourage some caution about this matter, stating that if there are views on the appointment, there are proper ways to deal with it, including voting to confirm or not confirm the appointment, and to ask the Standards Committee if they would want to review the process. Comments about the suitability or otherwise of an individual and political points were not appropriate.

The Monitoring Officer gave an explanation of the process which took place, which was well established and had been used on many previous occasions.

The Chairman invited members present to vote on the appointment.

Those in support of the appointment – 27

Those against the appointment – 22

The Chairman declared that Cllr Pauline Stott was appointed as a non-voting Parish Council representative to the Standards Committee, and that the process of appointment could be discussed as an agenda item at the next meeting of Standards Committee on 13 August.

RESOLVED:

That the appointment of Cllr Pauline Stott as a non-voting Parish Council representative to the Standards Committee be confirmed.

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

The Chairman invited the proposer of the motion, Cllr Rylance to speak.

Cllr Rylance made a number of comments in support of the motion, with a focus on reviewing the obstacles to more people not using electric vehicles, such as the cost of

such vehicles and lack of charging points. She stated that it was possible to break the deadlock which prevented the further use of electric or hybrid vehicles by looking at the range, costs and charging infrastructure, which were issues already reflected in the Council Plan.

Cllr Jeffery seconded the motion and referred to the fact that there were no charging points presently in some of the towns in East Devon.

Comments arising from the discussion included the following;

- Fitting charging points into car parks is very costly, and it is likely that EDDC would only be able to install them into long stay car parks.
- Elements of the motion are already set to be superseded by the work already going on in the Greater Exeter area and with the Innovator Project. A considerable amount of work is already underway. The Council is able to facilitate such work but it will be the commercial sector who will progress the actions because it is not a cheap option to pursue.
- Installing charging points whenever new homes are built is essential.
- There is a need to explore new technologies and energy sources.
- It would be helpful to have a report coming back to Council outlining what EDDC are trying to achieve – for example, a commercial venture to help fund the future deficit.
- It is a hugely complicated issue requiring serious consideration and the input of experts.
- The motion could be referred to the Overview Committee for further work as soon as possible and then on to Cabinet so that it can be included in the action plan for Climate Change.

The Chief Executive stated that the work suggested by this motion will go into the draft action plan on climate change, progressing through Overview Committee and Cabinet so that it is not isolated from work already underway.

Cllr Allen proposed that the motion now be put.

Cllr Twiss supported the proposal that the motion be put.

The Chairman invited those present to vote. The motion was carried. Accordingly the substantive motion was put to the vote.

RESOLVED:

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.

That this motion should be referred to the Overview Committee for further consideration, prior to being presented at Cabinet and for inclusion in the action plan being developed to tackle climate change.

Attendance List
Councillors present:

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

Honorary Aldermen in attendance:

Christine Drew
Frances Newth

Officers in attendance:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Tim Child, Senior Manager Property and Estates

Councillor apologies:

V Ranger
F Caygill
D Key
M Chapman
S Gazzard
M Howe

Honorary Alderman apologies:

David Atkins	Trevor Cope	David Cox
Bernard Hughes	Stephanie Jones	Ken Potter
Bob Peachey	Graham Liverton	

Chairman

Date:

Questions by Members to Full Council on 23 October 2019 under Procedure Rule 9.2

Question 1: Procedure Rule 9.2 to the Leader from Councillor Cathy Gardner

Has the sale of the Knowle to Pegasus Life now been completed and funds received and what is the current balance of costs vs income for the relocation project as a whole to date?

Answer:

The council recently issued a press release concerning the latest position regarding the sale of its former HQ site to Pegasus Life. This is the link:

<https://eastdevon.gov.uk/news/2019/10/council-proud-of-uninterrupted-services-during-move-to-honiton/>

The final stage of the sale of East Devon District Council's former headquarters at Knowle in Sidmouth will take place on Wednesday 18 December 2019, when ownership of the site will be transferred to PegasusLife for an increased sum of £9,019,605 (a further £1,514,605 on top of the original agreed sale price of £7,505,000).

In terms of a cost analysis of the relocation project this was covered in my answer to a question at council on 24 April. A project closure report will be provided to council at the one year anniversary of the project in the Spring which will include a full project cost analysis. There will be detail of operational costs for the first year of operation of Blackdown House and annual running costs of Exmouth Town Hall and compared to the equivalent costs of operation of the Knowle.

Question 2: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

What assessment he has made of the response time from the Senior Management Team to requests for information from

a) Portfolio Holders and b) Ward Members?

Answer:

No assessment has been made. If either a Portfolio Holder or Ward Members have genuine concerns about response times they can take it up with me or with the Council's Chief Executive or Monitoring Officer.

Question 3: Procedure Rule 9.2 to the Portfolio Holder for Corporate Services from Councillor Paul Millar

What is the budget for the upcoming 'Careful Choices' publicity campaign?

Answer:

The careful choices campaign is the subject of a Cabinet Report and is intended for 30 October 2019. The report will outline the financial implications attached to the campaign – these are currently being assessed as the report is in the process of being drafted.

Question 4: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Can he outline the responsibilities of the Transformation Portfolio Holder, and what training and support does he believe was offered to him?

Answer:

A reading of the Service Plan – readily accessible through the internet <https://eastdevon.gov.uk/council-and-democracy/strategies-policies-and-performance/our-plans/service-plans/> - would provide part of the answer to this question. However, to assist, key areas of responsibility in this Portfolio include organisational development; working with Members to develop the Council Plan and organisational strategic direction; performance reporting and performance management of the organisation; Human Resources, Payroll Services, officer Learning and Development, Communications (internal and external), Website and implementation of Firmstep, Client Lead for Strata and OD/Human Resources provision to Strata.

As far as for training and support, the Strategic Lead's remit does not include responsibility for providing training for Members / Portfolio-holders – this is done through the Member Development Programme. I cannot say specifically what training and support was provided to the former Portfolio Holder for Transformation, however I can say that the relevant officer has already developed a productive working relationship with their other portfolio holder and this has included advice and support to assist them in their role.

Question 5: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Has he had any discussions with the Chief Executive regarding the merits of changing the structure of the Cabinet replacing the Transformation Portfolio with a Portfolio Holder for Climate Change and/or a Deputy Portfolio Holder for Sustainable Homes and Communities?

Answer:

No. However, in relation to Climate Change, it is an overarching responsibility for all Members, including Portfolio Holders, to have regard to this when fulfilling their functions following the Council signing up to the Climate Change declaration. Further, and given our strategies (Fit for Purpose, Careful Choice and Commercialisation) to address the budgetary position over the coming years there is no longer a need for a Transformation Portfolio, rather these strategies will be a shared responsibility of Cabinet.

Question 6: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Is it his policy for Strategic and Service Leads to involve relevant Portfolio Holders in all aspects of policy relevant to that Portfolio Holder's brief from design to completion?

Answer:

Yes as far as it is practicable to do so. This does not necessarily mean a day to day involvement in the operational work to achieve this though.

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

What is his assessment of the Council's policy of referring to East Devon residents and taxpayers as the Council's 'customers'?

Answer:

This is a perfectly acceptable term to use given the relationship between the Council and our residents.

Question 8: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Can he explain the rationale behind the date of January 1st 2020 in relation to the Cabinet's decision for the Queen's Drive Delivery Group to trial meetings in private?

Answer:

The decision to create the newly formed Queen's Drive Delivery Group was made at Cabinet on 4 September this year. The rationale of confidential meetings was explained in the report and was debated fully at Cabinet with an amendment agreed

to the effect that the need for confidentiality of the Group would be reviewed after three months. The reason for this review point was to give members reassurance that the confidential nature of the group would be kept under review rather than be open ended arrangement.

Question 9: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

To ask the Leader, what is his assessment of the fitness for purpose of the Scrutiny Call-In Procedure Rules as set out in Part 4.5, Section 15, paragraphs 4 iii, 4 iv, 6 and 9ii?

Answer:

The call-in procedure enables the suspension of a Cabinet decision to allow the Scrutiny Committee to consider the matter and express its views before Cabinet re-consider the matter in light of those views. This is an important check and safeguard in the operation of an executive model. However, it is equally important that the process is not utilised in such a way as to unreasonably interfere in the work of the Council. The paragraphs referred to all act to ensure that this does not happen and in my mind are a reasonable approach.

Question 10: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

a) Has he asked his Cabinet their views on the draft report of the Peer Review with his Cabinet before circulating it among Members and

b) What is the total cost to the Council of holding the Peer Review including officer time?

Answer:

The report of the Peer Review team is in the course of preparation and will be presented to Cabinet in December hopefully. The costs of the Peer Review is covered as part of our LGA subscription.

Officer time is not otherwise accounted for as there is an expectation that every Council will have a Peer Review approximately every 5 years (depending on local circumstances).

Question 11: Procedure Rule 9.2 to the Portfolio Holder for Homes and Communities from Councillor Paul Millar

What progress has the Strategic Lead and his team made to investigate the potential merits of a Council lettings agency?

Answer:

Initial consideration of this idea suggests that it is not compatible with our commitment to Devon Home Choice our choice based lettings partnership, and there is limited income generating potential in intervening in what is a mature market. However, this alongside other new initiatives will be considered at the forthcoming Service Planning event.

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

Does he feel the appearance, layout and location of the Council Chamber and glass-panelled public gallery promotes the Council as being an open, welcoming and democratic institution?

Answer:

The Council Chamber is much like those in other modern council offices. It is an adaptable space that meets the needs of the council and as a venue accessible to the public and visitors alike. So far it has proved its usefulness by accommodating full council meetings, all of our committees, elections, a planning inquiry and a various visitor events and conferences. The gallery above has been used successfully as an occasional overflow space when there is exceptional public interest.

There have been some issues resolved or being resolved such as room temperature and audio system quality and such issues are to be expected in settling into an entirely new building and systems. Members also have expressed some views about layout of seating in the Chamber for full council meetings in particular and officers have offered options on layout to try and reflect these preferences, one of which will be trialled on 23rd October 2019.

Question 13: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

What recent progress he has made on organising a public meeting to discuss the future of Exmouth seafront?

Answer:

I am very keen that there is a further opportunity for the public to hear about and discuss proposals for Queen's Drive. A public meeting to hear and explore the latest vision proposals by Wayne Hemingway Design for the site is scheduled to be held on 14 November. A public announcement will be made shortly to that effect.

Question 14: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

With reference to the 'Careful Choices' programme, what is his assessment of the level of executive pay among the Senior Management Team at East Devon District Council, and whether he has explored the potential merits of an executive pay review?

Answer:

Salaries were last formally reviewed in 2011/12 with South West Councils and since then have been informally monitored to ensure they are in line with other councils' roles at this level. Since 2011/12 senior pay levels have either been frozen or there have been below inflation level rises. A further review is not deemed necessary.

Question 15: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

With reference to the 2019 Lewisham Democracy Review and the 2017 Kirklees Democratic Commission, whether he will a) make it his policy to create a Working Group to review the Council's democratic culture and b) appoint a Lead Member for Democracy?

Answer:

The Council is currently undertaking a review of our Governance arrangements and there is an urgent report on the agenda dealing with this.

Question 16: Procedure Rule 9.2 to the Portfolio Holder for Corporate Services from Councillor Paul Millar

- a) What is her assessment of the current Council website?
- b) What timetable she is working towards with the Strategic Lead for Transformation and Development to improve the Council website, and
- c) What is her budget?

Answer:

The website is deemed to be fit for purpose and 80% of respondents in our last Viewpoint Survey were satisfied.

Recent additions include [Modern.Gov](#) which created some technical issues which degraded the 'Search' facility. This, together with a Content Management System

technical upgrade, has improved these matters. Furthermore, there is an action plan in progress which addresses comments made in the recent councillor survey.

This survey will be repeated in February 2020 to track improvements and any remaining issues.

Question 17: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

What is the Council's current policy on non-disclosure agreements?

Answer:

The council has used compromise/settlement agreements previously (which contain non-disclosure agreements) to terminate the employment for a mixture of contractual, performance and sickness issues. Settlement agreements are common practice in both the public and private sector where employers wish to bring employment to an end. We use these occasionally and in a variety of situations but generally where the employment relationship is no longer productive and it suits both parties to find a dignified and pragmatic exit strategy for the individual.

However, settlement agreements need a high level of HR knowledge and diplomacy to bring a satisfactory conclusion for both the employer and employee. Skill, trust and professionalism are key elements in the sensitive approach needed to ensure a settlement agreement is in the mutual interests of the council and individual employee.

Agreements are entered into voluntarily by both sides and can offer a cost-effective way to resolve more time-consuming, protracted and expensive legal processes such as tribunal costs.

The agreements also require the individual to agree not to take their employer to court and they also contain a confidentiality clause to protect both the employee and employer.

Question 18: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

What funding has been made available for Member Development?

Answer:

The budget for Member development for the financial year 2019/20 was set at £3500.

Question 19: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Has he explored the potential merits of ensuring Members can make informed decisions when asked to vote in Council meetings?

Answer:

Members have a responsibility to consider whether they have sufficient information to enable them to take an informed decision. If they don't, they are entitled to say as much and ask for more detail. Moreover, if they don't, then they shouldn't take any decision. It is for each Member to determine whether they have sufficient information.

Question 20: Procedure Rule 9.2 to the Portfolio Holder for Asset Management from Councillor Paul Millar

Pursuant to Q 5 from the last Council meeting (24 July 2019), could he provide statistics detailing capacity, usage pattern, cost to residents and revenue for every car park in East Devon for each year since 2005?

Answer:

It is not possible to provide this information within the timescale requested. Car parking usage statistics will be provided as part of the detailed review of car parking to be carried out by the TaFF set up by Scrutiny.

Question 21: Procedure Rule 9.2 to the Portfolio Holder for Economy from Councillor Paul Millar

How much revenue the Council accrued on business rates in

- (a) Axminster
- (b) Exmouth,
- (c) Seaton and
- (d) Sidmouth in each year since 2005?

Answer:

How much revenue the Council accrued on business rates cannot be answered per town. The current business rate retention scheme which calculates how much monies each council retains from business rates uses the total business rates for the

District and calculates the retained income on this basis. There are many factors in this calculation which are not attributable to town level.

The total business rates to be collected from each town could be assessed if required, although as explained this is not the revenue accrued to the Council, but this would require data being exported and then manipulated to provide the information as the Business Rates IT System does not provide this as part of its standard management information. If required it is estimated this is approximately a day's work for one of our Revenues & Benefits System Team.

Question 22: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

Were any discussions had with Devon County Council ahead of the Car Parking Tariff Review being released to the public?

Answer:

No as off street car parks in our ownership is a matter for the district council. DCC will be able to respond to the Parking Places Order statutory consultation process

Question 23: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes and Communities from Councillor Paul Millar

How many of the 380 residents in the District who claimed discretionary housing payments through the Council in 2018-19 reside in

- (a) Exmouth Town Ward,
- b) Exmouth Halsdon Ward,
- (c) Exmouth Littleham Ward,
- (d) Exmouth Brixington Ward and
- (e) Exmouth Withycombe Ward.

Answer:

- (a) Exmouth Town Ward, 46
- b) Exmouth Halsdon Ward, 12
- (c) Exmouth Littleham Ward, 26
- (d) Exmouth Brixington Ward and 19
- (e) Exmouth Withycombe Ward. 7

Question 24: Procedure Rule 9.2 to the Leader from Councillor Paul Millar

What was the total cost to the Council of the last District-wide public consultation it carried out?

Answer:

The cost of the Viewpoint Survey in 2018 was £2,195:

- £1,765 on the consultation itself (SNAP data entry of the paper questionnaires and the prize draw)
- £430 on Strata postage and printing etc

Question 25: Procedure Rule 9.2 to the Portfolio Holder – Sustainable Homes & Communities from Councillor Bruce De Saram

Question about Syrian Vulnerable Persons Scheme.

This Council acknowledged and fully debated in April 2018 the dire situation in Syria and other countries. It agreed to settle families in East Devon fairly and in a way that managed the impacts on local communities and services. The scheme is so important because as we know it aims to help survivors of torture, people with serious medical conditions, and women with children.

Could you please tell me what progress has been made concerning this issue namely our commitment as a Council to settle at least 8 families under this scheme since at that time many members including the current Leader and Deputy Leader were in support of implementing this motion. I also understand that the scheme has approximately another 7 months left to run so it would be useful for the communities we all serve if the Portfolio Holder could confirm any outstanding actions to be done following on from this motion of April 2018.

Answer:

To date 4 families have been resettled in East Devon. There is a strong possibility of a 5th family being accommodated in the near future as confirmation is due to be given on a property in Exmouth that would be suitable for the scheme. Also, there are two potential community sponsorship groups in East Devon actively looking for suitable properties. There is a governance group meeting set for December, where the future funding arrangements will be discussed.

Question 26: Procedure Rule 9.2 to the Leader from Councillor Mike Allen

Will the Leader please describe how policies and procedures are screened for equality and how this is to be reported to Council with regard to development of the Corporate Plan, Budget and Service Plans?

Answer:

As part of every report preparation the relevant officer assesses the equality implications either in summary form or where there is a high equality impact a detailed equality impact assessment will be undertaken so that the equality implications can be fully discussed and understood as part of the decision making process.

Question 27: Procedure Rule 9.2 to the Leader from Councillor John Loudoun

Re The Councillor's role

I note that in the LGA Guidance for new Councillors 2019/20, which this Council provided to me upon taking office in May, that at page 7 it states, in the section headed "*The Councillor's role*" that –

"A councillor's primary role is to represent their ward or division and the people who live in it. Councillors provide a bridge between the community and the council. As well as being an advocate for your local residents and signposting them to the right people at the council, you will need to keep them informed about the issues that affect them".

It goes on to explain that –

"As a local councillor, your residents will expect you to: ... know your patch and be aware of any problems ... represent their views at council meetings ... lead local campaigns on their behalf".

This LGA guidance was reinforced to Councillors through the training that it provided in May 2019.

Does the Leader agree with this guidance from the LGA's to Councillors? And if he does, for what reason(s) does he take for holding that opinion?

Answer:

As the Leader, I absolutely agree with the guidance given by the LGA in relation to that part of a Councillor's role – it is undeniable. However it is not their sole role. The same guidance also recognises the need for Councillors to balance '*the needs of your local area, your residents and voters, community groups, local businesses, your political party (if you belong to one) and the council*' and it goes on to say '*as a councillor you will have many different roles to balance. As the locally elected representative, you will engage with residents and groups on a wide range of different issues and take on an important community leadership role. At the council, you will contribute to the development of policies and strategies, including budget setting, and you may be involved in scrutinising council decisions or taking decisions on planning or licensing applications.*

Question 28: Procedure Rule 9.2 to the Leader from Councillor John Loudoun

Keeping a note

Sometimes Officers from this Council, beyond those directly responsible for local planning matters, meet and/or discuss with developers their planning application(s). Sometimes these meetings take place to discuss applications that this Council has failed to support.

Does the Leader agree with me that when such meetings and/or discussions take place it is most imperative that they are held in ways that give residents faith that the Officers are transparent and accountable in these matters? If he doesn't agree with me, what are his reasons for holding that opinion?

Does the Leader agree with me that it would be appropriate that at such meetings, or in such discussions, there should be more than one Officer present, such as a legal adviser and/or planning officer? If he doesn't agree with me, what are his reasons for holding that opinion?

Answer:

The circumstances surrounding any meeting will determine whether it is necessary for them to be held in any particular way. I have the upmost faith that our officers would appreciate the need to act in a way that ensures nothing untoward occurs.

Question 29: Procedure Rule 9.2 to the Leader from Councillor John Loudoun

Efficient & effective meetings

At the last Full Council meeting there was lengthy debate around a motion submitted by Councillor Rylance. A Member at one point interjected and proposed "*that the question now be put*". The Chair put this point of order to the meeting and I observed several things that followed–

- (i) Many members did not fully appreciate the implications of voting for or against this point of order.
- (ii) When this point of order was passed by a show of hands, there appeared to be confusion amongst some Members as to what had just been agreed.
- (iii) When the Chair then swiftly invited the meeting to vote on the motion on the agenda paper some Members appeared not to understand what was happening and what they were now being asked to vote on.
- (iv) Once the meeting had voted on the motion some Members were confused and/or disgruntled at all that had taken place since the point of order had been proposed.
- (v) It was only at this point that it was fully explained to Members what had happened and the implications of their first vote. However, by this point the votes had been cast and decisions made.
- (vi) The meeting ended with some Members expressing frustration and/or confusion about what the meeting had decided.

Does the Leader recognise this set of events? If he does, does he believe that the situation was acceptable? If he does, what would he recommend this Council does to avoid a similar set of circumstances occurring in the future?

If he doesn't recognise this set of events, how does he recall it?

Answer:

It is not for me to say what other members may or may not have understood. I understood what was happening. Members are always able to ask for confirmation on what is going on and I am sure the Chairman would, in such circumstances, ensure that clarity was given on the procedures from the officers present.

Question 30: Procedure Rule 9.2 to the Leader from Councillor Mike Allen

It has been stated by the Portfolio Holder for Economy at Overview Committee that he intends to commission a major study into Town Centres.

In view of the many studies already reporting nationally, and the lack of any specific proposals before Overview Committee, will the Leader give an indication of the cost proposed?

Secondly in the interests of proper transparency, could the Consultancy brief envisaged be put to the next Overview Committee for discussion before any expenditure is committed"

Answer:

As a council we lack good detailed intelligence about our towns and their economic wellbeing. This is not a good state of affairs. It is important that we are able to identify the best ways to support our towns, to prioritise our limited resources and to produce authoritative bids for third party funding. Research across our towns will inform the district council and each town council in ways that they better understand the strengths and weaknesses of their local economies and what the most effective actions are that they can take to improve matters.

A draft specification for the work is in development and has been discussed with the Chair and Deputy Chair of Overview Committee and we have agreed with them already that it make sense that Overview Committee should have an opportunity to discuss the proposal. Appropriate research and consultancy bids will subsequently be invited and cost will a key element of the criteria against which bids will be assessed. Invitees to tender will be asked to price their proposals against criteria but we are not setting a fixed price beforehand since cost competition for the work is an important consideration in judging any bids.

Question 31: Procedure Rule 9.2 to the Portfolio Holder for Corporate Services from Councillor Eleanor Rylance

In the spirit of inclusivity, how is it that this council is wilfully disadvantaging anyone with school aged children, caring responsibilities for school aged children, or those who work in schools or other educational establishments, by organising major meetings including this one during school half term?

Parents and teachers are unable to take holidays in term-time: are we saying that no parent or teacher can be an effective councillor?

I have 4 major meetings this week at district council, including 2 in daytime and one that will take most of a day. This is entirely avoidable.

Please can council set its timetable with school dates in mind in the future?

Answer:

I'm aware that Members agree the annual schedule of Council and Committee meetings as part of Annual Council. Whilst it would clearly be difficult to plan a yearly meeting cycle to accommodate school holidays, particularly bearing in mind the length of the summer holiday and the potential impact on the business of the Council, it would be helpful to consider if changes could be made in future.

With 3 school aged children of my own I am only too aware of the challenges of council meetings being scheduled during half-terms/holidays. The current timetable was organized before I was in post and allocated specific roles, and it is my view that the council needs to strive to accommodate all our councillors, including those who have children and those who work.

I am liaising with Democratic Services to look at how other councils schedule their meetings and also to seek input from the LGA in order to inform our approach. Whilst it may not be possible to change the calendar for the remainder of this council year, I would certainly expect that our findings will shape the calendar for the next council year.

Question 32: Procedure Rule 9.2 to the Portfolio Holder for Environment from Councillor Eleanor Rylance

Have full equalities impact assessments been carried out on the proposed changes to car park charges in East Devon car parks? In my view, the proximity of the "premium" car parks to places people want to be will mean that raised charges will disproportionately affect disabled people and those with limited mobility. Has this impact been taken into account, and if not, why not?

Answer:

As part of every report preparation the relevant officer assesses the equality implications in summary form. Where there is a high equality impact a detailed equality impact assessment will be undertaken so that the equality implications can

be fully discussed and understood as part of the decision making process. In relation to the car parks report to Cabinet, given that this was solely seeking approval to go out to consultation on increasing charges the impact was assessed as low. Following the consultation, any further report would need to reassess the impact.

Question 33: Procedure Rule 9.2 to the Portfolio Holder for Economy from Councillor Luke Jeffery

1. What specific preparations has the Council undertaken to prepare for a potential no deal Brexit?
2. How will the Council support local businesses if they experience difficulties post-Brexit?
3. What actions have been undertaken in order for the equalities impact of Brexit to be considered low?

Answer:

1. The Cabinet considered a report from the Chief Executive (as Brexit Lead) at its last meeting – the link for which is here [Cabinet 2nd October 2019](#).
2. The Government expects the Council to provide appropriate local intelligence to it so that the Government can assess what is appropriate and design bespoke schemes.
3. This refers to the report itself rather than a no-deal Brexit. I think it is generally accepted that there will be consequences for everyone in the event of a no-deal and the report to Cabinet refers to this.

Question 34: Procedure Rule 9.2 to the Leader from Councillor Philip Skinner

As the previous and what appears to now be the last Chairman of the Exmouth Regeneration Board;

Does the leader believe that the cessation of the Exmouth Regeneration Board and consequently formation of a new committee is the right step forward in engaging with both the public sector and private sector in working together to drive up the regeneration of Exmouth and how indeed this is going to deliver the Exmouth Masterplan aspirations that was agreed by this council when the plan was adopted and how he is going to offer inspiration to Exmouth with the new committee structure and how indeed discussions with private sector individuals are going to be able to be communicated with EDDC on this new narrow minded committee structure process.

Answer:

I take the opportunity again to thank those who were part of the previous Exmouth Regeneration Board for their commitment and contribution. It is this administration's view that a new and sharper focus was needed on delivering the final phase of the Queen's Drive development and that is what we are doing. That is not to say that

the Council may not then also turn its attention to other important projects for Exmouth but let's sort out the final phase of Queen's Drive first. This was what the masterplan asked for.

I agree that we need to keep close to local business, employers and the private sector generally. We continue to engage with the private sector in Exmouth and I myself have spent some time with the Chamber of Commerce and the Propeller Group for example.

Question 35: Procedure Rule 9.2 to the Leader from Councillor Philip Skinner

At the cabinet meeting last, I asked the leader about Exmouth Seafront Regeneration and I felt the response eluded that the previous administration which would have been myself as Chairman of the Board and my fellow Board members had in some way 'left a legacy of debt' or indeed in some way a huge deficit to the Town of Exmouth.

Could I ask the leader if he would be kind enough to expand on his thoughts for the benefit of doubt and let this Council know what his thoughts are on Phase 3 and indeed Harbour View Cafe going forward and if indeed this new administration is going to adhere to the formally adopted masterplan which links in very much with Exmouth's neighbourhood plan and Exmouth's vision.

Answer:

We are moving forward with Phase 3 to complete the Queen's Drive development with a further public engagement by Hemingway Design in November. This includes the Harbour View café site. Proposals are emerging for a mix of public space, continued popular free play facilities and the kind of commercial developments that will pay for those elements and benefit Exmouth's economy. This is very much in keeping with the principles laid out some years ago in the Exmouth masterplan and much more recently the policies agreed by Exmouth people in their Neighbourhood Plan.

Question 36: Procedure Rule 9.2 to the Chairman from Councillor Mike Allen

New regulations were introduced in 2015 to deal with disciplinary matters pertaining to Senior Officers of Council. The guidance calls for a Standing Investigation and Disciplinary Committee, an independent Person Panel and an Appeals Committee.

Following advice from the Monitoring Officer, I am informed that we only have a disciplinary Panel and that he could not immediately let me have details of the Terms of Reference or Procedures it should follow.

Can the Chief Executive and/ or Monitoring Officer regularise the Terms of Reference, Procedures and timescale to put this properly into place, and explain what should be done in the meanwhile if an allegation occurs and who assesses if the allegation passes an initial threshold

Answer:

The Council has an Employment Appeals Committee, a Disciplinary Panel and an appointed Independent Person (with the ability to request support from neighbouring authorities to use their Independent Person when necessary). This fulfils the obligations introduced into the Local Authorities (Standing Orders) (England) Regulations 2011 by the 2015 Regulations referred to. The Employment Appeals Committee's Terms of Reference is detailed in the Constitution. There is no written procedure but the Constitution makes it clear, in the section dealing with Officer Employment Procedure Rules (see Part 4.8), that detailed reference will be had to the 2001 Regulations when appropriate. In short, any HR procedure will need to follow the requirements of the 2001 Regulations and this will happen if the situation arises.

Summary of recommendations being presented to Council

23 October 2019 (Minutes in full have been circulated and are available on line.)

Cabinet – 4 September 2019	
44 Minutes of Housing Review Board held on 12 August 2019; Proposed purchase of 18A & B St. Andrews Road, Exmouth (known locally as the Sailors Rest) involving the spending of Right to Buy (RTB) receipts for 2019/2020.	
RECOMMENDED	3. The Constitution be amended to include a delegated authority for the Strategic Lead – Housing, Health & Environment to purchase land and property for the Housing Revenue Account (including Right to Buy receipts) subject to the funds being from within approved budgets, in consultation with the Portfolio Holder for Sustainable Homes and Communities and the Chair of the Housing Review Board.
53 Cranbrook Strategic Delivery Board	
RECOMMENDED	3. that the Portfolio Holder for Strategic Development and the Lead Member for Cranbrook be appointed to the Board and that it receive an annual report detailing the work of the Board and associated progress.

Cabinet – 2 October 2019	
68 Asset Devolution Programme Pilot: Beer Parish Council	
RECOMMENDED	<ol style="list-style-type: none"> 1. The transfer of assets as identified within the report to Beer Parish Council for nil consideration in accordance with the provisions of business case set out under paragraph 5 of the report; 2. Responsibility for agreeing detailed terms and conditions for the freehold/long leasehold transfers to be delegated to the Deputy Chief Executive in consultation with the Strategic Leads for Finance and Governance & Licensing.

Strategic Planning Committee – 20 August 2019	
14 Community Infrastructure Levy: Draft Charging Consultation Document & Revised Instalment policy	
RECOMMENDED	that the Community Infrastructure Levy Draft Charging Schedule for submission to the Planning Inspectorate for Examination together with any consultation responses received during the consultation recommended at 2 above.

Strategic Planning Committee – [20 August 2019](#)

16 Membership of Greater Exeter Strategic Plan Members Joint Advisory Reference Forum

RECOMMENDED	that Council agrees to increasing the membership of the Greater Exeter Strategic Plan Members Joint Reference Forum to 10 Members from each authority on the basis of each authority's political balance and appoints an additional 5 Members to sit on the Forum
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Licensing & Enforcement Committee – [16 October 2019](#)

23 Taxi Licensing Policy

RECOMMENDED	that the Council meeting on 23 October 2019 adopt the revised Taxi Policy following approval by Committee on 16 October 2019.
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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 4 September 2019****Attendance list at end of document**

The meeting started at 5.30 pm and ended at 6.52 pm

36 Public speaking

There were no members of the public wishing to speak.

37 Minutes of the previous meeting

The minutes of the Cabinet meeting held on 10 July 2019 were confirmed and signed as a true record.

38 Declarations of interest

Minute 39 Matters of urgency: Exmouth Queen's Drive Delivery Group.
Councillor Kevin Blakey, Personal, Chairman of the Exmouth Regeneration Board.

Minute 53 Cranbrook Strategic Delivery Board.
Councillor Kevin Blakey, Personal, Member of Cranbrook Town Council.

39 Matters of urgency: Exmouth Queen's Drive Delivery Group

The Deputy Chief Executive explained the purpose of the report was to secure approval for a new Project Delivery Group that would replace the existing Exmouth Regeneration Board and Exmouth Regeneration Executive Group. A brief update was included on the work that had taken place over the last year in advance of a more detailed Cabinet report that would come forward in October. The next report would provide information on the outcome of the work undertaken by the project's external professional advisors with recommendations for the next steps that would involve a new public engagement process before the end of this year. There was a discussion concerning the structure of the new Group and whether it should be a formal committee with Part B for when there were confidential items to discuss. The Strategic Lead Governance and Licensing explained that if the Group was to sit under a formal structure of the council it would lose the freedom panels and forums presently have under the constitution. He reminded Members that the Group would always have to feed back to Cabinet.

Further discussions included the following:

- The Exmouth Masterplan was agreed and consulted on in 2011, don't stop the work set out in the Plan and the considerable work that still needed to be done.
- Exmouth shopping centre needed regeneration to include the London Inn car park and Magnolia Centre.
- Local people would be disappointed if this work was not continued.
- There needed to be continuity on the membership of the new Group to share knowledge and previous issues.
- Queen's Drive was the main concern with its issues going on now for 8 years. A fresh approach was needed for Phase 3 of the project.
- There must be areas within Queen's Drive for young working families to enjoy.
- Get the views of community groups, stakeholders and interest and sports groups.

- Queen's Drive car parking needed to be more effective and modern.
- The signage in the town needed to be clear.
- Meetings must be held in Exmouth and open to the public.
- The number of officers in the Group was necessary for their professional input and advice. They would not all attend meetings at the same time but when their attendance was required. They were not voting members of the Group.

The Chairman reminded Members the previous Board's work would still continue and if the new Group was successful it could go on to work on other projects.

RESOLVED:

1. that the Exmouth Regeneration Board and Exmouth Regeneration Project Executive be dissolved and that an Exmouth Queen's Drive Delivery Group be established in its place up to 1 January 2020 initially when it will be reviewed on the basis of the terms of reference detailed at Appendix 1, and
2. that the appointment of the Councillors to the Ward Member positions as detailed in paragraph 2.3 of the report and delegated authority to the Leader to appoint replacement members to these positions should the need arise, both be approved.

REASON:

To enable appropriate engagement between local Exmouth Ward members, the Town Council, Lead councillors and officers of this council within a group where the project can be discussed in detail and confidentially. This will enable the group's members to have informed discussions relating to this complex project and its delivery. Notes of meetings will be published regularly as part of Cabinet papers.

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

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

41 **Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 October 2019 to 31 January 2020.

42 **Minutes of Strata Joint Executive Committee held on 18 June 2019**

Members received and noted the Minutes of Strata Joint Executive Committee held on 18 June 2019.

43 **Minutes of Housing Review Board held on 20 June 2019**

Members received the minutes of Housing Review Board held on 20 June 2019.

RESOLVED (1) that the following recommendations be agreed:

Minute 11 Housing Revenue Account Year End 2018/19 position

to add the in-year surpluses to the earmarked reserve for fire related building works.

Minute 13 Tenancy policy update

the updated tenancy policy.

Minute 14 Social housing regulator consumer standards

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

Minute 15 Homes legislation

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

Minute 16 Housing complaints

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.

44 **Minutes of Housing Review Board held on 12 August 2019**

Members received the minutes of Housing Review Board held on 12 August 2019.

RESOLVED that the following recommendations be agreed:

Minute 28 Proposed purchase of 18A & B St. Andrews Road, Exmouth (known locally as the Sailors Rest) involving the spending of Right to Buy (RTB) receipts for 2019/2020.

1. delegated authority be given to the Strategic Lead – Housing, Health & Environment, Portfolio Holder for Sustainable Homes & Communities and Chair of Housing Review Board to approve purchases to meet the 2019/2020 spending requirements using HRA funding to compliment the use of Right to Buy receipts;
2. the purchase of 18A & B St Andrews Road, Exmouth using Right to Buy receipts, HRA funding and any commuted sums available be approved;

RECOMMENDED to Council that:

3. the Constitution be amended to include a delegated authority for the Strategic Lead – Housing, Health & Environment to purchase land and property for the Housing Revenue Account (including Right to Buy receipts) subject to the funds being from within approved budgets, in consultation with the Portfolio Holder for Sustainable Homes and Communities and the Chair of the Housing Review Board.

45 **Minutes of Exmouth Regeneration Board held on 20 June 2019**

Members received and noted the minutes of Exmouth Regeneration Board held on 20 June 2019.

46 **Minutes of Overview Committee held on 27 June 2019**

Members received and noted the minutes of Overview Committee held on 27 June 2019.

47 **Minutes of Overview Committee held on 25 July 2019**

Members received and noted the minutes of Overview Committee held on 25 July 2019.

48 **Minutes of South and East Devon Habitat Regulations Executive Committee held on 16 July 2019**

Members received and noted the minutes of South and East Devon Habitat Regulations Executive Committee held on 16 July 2019.

49 **Minutes of Scrutiny Committee held on 18 July 2019**

Members received and noted the minutes of Scrutiny Committee held on 18 July 2019.

50 **Minutes of Community Grant Panel held on 24 July 2019**

Members received the minutes of Community Grant Panel held on 24 July 2019.

RESOLVED that the following recommendations be supported:

Minute 7 Hawkchurch Community Shop application to the Community Buildings Fund

the application for £2,133 from Hawkchurch Village Shop.

Minute 8 Dalwood Community Shop application to the community Buildings Fund

the application for £2,500 from Dalwood Community Shop and Post Office to the applicant being able to demonstrate that the other funding had been secured by the end of December 2019.

Minute 9 Whimble Victory Hall application to the Community Buildings Fund

the application for £5,000 from Whimble Victory Hall.

Minute 10 Chardstock Community Hall application to the Community Buildings Fund

the application for £5,000 from Chardstock Community hall on condition that the Public works Loan Board loan can be confirmed in writing and delegated approval to act be given to the Chairman and Engagement & Funding Officer.

Minute 11 Parishes Together Fund grant towards drainage in Colyton, request from Parish Council to the Panel for an extension to deadline for spending it

the application from Colyton Parish Council for an extension for their ditches and drainage project.

51 **Peer Review 2019**

Emily McGuinness of the Local Government Association gave a verbal presentation about the Peer Review scheduled for EDDC from the 23 - 25 September 2019.

52 **Council Tax Reduction Scheme for working age - Change to an income banded discount scheme from 2020/21**

The Service Lead Revenues and Benefits presented the report that sought approval for the draft scheme for public consultation. Members had approved on 12 December 2018 for officers to start scoping and developing an income banded discount scheme to be implemented for 2020/21. The report set out the reasons the need to change the scheme and includes proposals for increasing the amount of council tax support for low income working age households.

RESOLVED:

1. that the proposed draft scheme and carry out public consultation on it, be agreed,
2. that following public consultation, the Service Lead for Revenues & Benefits carry out a more detailed review and finalise the scheme in consultation with the Leader, Deputy Leader and Portfolio Holders for Finance, Sustainable Homes & Communities and Corporate Services,
3. that the final scheme be presented to Cabinet at its meeting on 8 January 2020 with a view to obtaining a recommendation to Council, and
4. that information for Members was published on the final scheme to ensure that they were fully informed once the final scheme was approved.

REASON:

The report set out the reasons the need to change working age Council Tax Support Scheme. In order to change the scheme it must firstly be agreed to the draft scheme which would need to be consulted on before determining the final scheme to be adopted.

53 **Cranbrook Strategic Delivery Board**

The East of Exeter Projects Director reported the key issues associated with delivering critical community infrastructure in Cranbrook and the subsequent challenges for future service delivery in the town. It was proposed to establish a Strategic Delivery Board with representation from the County, District and Town Councils to improve coordination.

RESOLVED:

1. that the key issues associated with the delivery of assets and services in Cranbrook and that a further briefing session is held to explain these in further detail be noted, and
2. establishing a Strategic Delivery Board and the accompanying Terms of Reference be endorsed.

RECOMMENDED to Council;

3. that the Portfolio Holder for Strategic Development and the Lead Member for Cranbrook be appointed to the Board and that it receive an annual report detailing the work of the Board and associated progress.

REASON:

To support the development of Cranbrook as a sustainable community and ensure that the growing population was supported by the timely provision of assets and services.

54 **Annual Treasury Management Review 2018/19 - 1 April 2018 to 31 March 2019**

The report detailed the overall position and performance of the Council's Treasury Management Strategy during 2018/19. Cabinet reviewed the report.

RESOLVED:

that the investment values and performance for the year to 31 March 2019 be noted.

REASON:

The Council was required by regulations issued under the Local Government Act 2003 and the Code of Practice on Treasury Management in Public Services published by the Chartered Institute of Public Finance & Accounting (CIPFA), to produce an annual review of its treasury management activities and performance.

Attendance List

Present:

Portfolio Holders

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

Cabinet apologies:

S Bond	Deputy Leader
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Also present (for some or all the meeting)

Councillor Dean Barrow
 Councillor Kim Bloxham
 Councillor Fred Caygill
 Councillor Maddy Chapman
 Councillor Alan Dent
 Councillor Sam Hawkins
 Councillor Nick Hookway
 Councillor Sarah Jackson
 Councillor Luke Jeffery
 Councillor Vicky Johns
 Councillor Dan Ledger
 Councillor Andrew Moulding
 Councillor Val Ranger
 Councillor Jack Rowland
 Councillor Eileen Wragg
 Councillor Ian Hall

Also present:

Officers:

Richard Cohen, Deputy Chief Executive

John Golding, Strategic Lead Housing, Health and Environment

Henry Gordon Lennox, Strategic Lead Governance and Licensing

Karen Simpkin, Strategic Lead Organisational Development and Transformation

Mark Williams, Chief Executive

Andrew Wood, East of Exeter Projects Director

Libby Jarrett, Service Lead Revenues and Benefits

Amanda Coombes, Democratic Services Officer

Emily McGuinness, Peer Challenge Manager - LGA

Chairman

Date:

APPENDIX 1

Exmouth Queen's Drive Delivery Group

- Membership: From East Devon District Council;
The Leader (Chair), Deputy Leader (Vice Chair), Portfolio Holders for Economy and Sustainable Homes & Communities, two Ward Members from Exmouth Littleham Ward and one Ward Member from Exmouth Town Ward
From Exmouth Town Council;
The Mayor and one further Councillor
- Support officers: Deputy Chief Executive, Senior Manager - Regeneration & Economic Development, Senior Manager - Property & Estates (to advise on the potential use of the Commercial Investment Fund), Principal Planning Officer for West Team, Principal Solicitor, Regeneration Officer, Clerk of Exmouth Town Council
- Meetings: A minimum of four times per year
- Quorum: Four District Councillors

Terms of Reference

- To provide a reference group of district and town councillors with officer support to inform progress and to make recommendations to East Devon District Council's Cabinet to enable it to take forward the successful delivery of *Exmouth Queen's Drive Redevelopment – phase 3*;
- To receive briefings and reports from officers and to act as a point of reference for the successful delivery of *Exmouth Queen's Drive Redevelopment – phase 3*;
- To monitor progress on achieving the delivery of the *Exmouth Queen's Drive Redevelopment – phase 3*;
- To advise on and input to external expert and professional consultancy;
- To support further engagement of public and stakeholders;
- To promote best practice, help overcome barriers and promote optimal outcomes for the benefit of Exmouth in delivering the redevelopment programme;

- To promote the objectives and successes of *Exmouth Queen's Drive Redevelopment*;
- To liaise with and share information with Exmouth Town Council

To assist the Delivery Group they may, through the Chair, invite individuals with relevant expertise to attend on a 'one-off' basis to discuss a particular issue.

The District Council will provide the secretariat service for the Delivery Group.

The Delivery Group will not be open to the general public and attendance will be by invitation only, reflecting the confidential and sensitive nature of matters discussed at meetings.

To ensure that there is public awareness of the Delivery Group's activities, discussions and project progress, notes of meetings will be publicly available and published as part of the District Council's Cabinet agendas.

The Delivery Group will be subject to review in two years' time to assess need for continuation and/or whether any changes are appropriate.

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 2 October 2019****Attendance list at end of document**

The meeting started at 5.30 pm and ended at 9.51 pm

55 Public speaking

Two questions were put by members of the public.

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

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

Councillor Ingham thanked the speakers for their comments.

56 Minutes of the previous meeting

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

57 Declarations of interest

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

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

58 Matters of urgency

There were no matters of urgency.

59 Confidential/exempt item(s)

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

60 Forward Plan

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

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

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

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

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

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

RESOLVED that the following recommendations be agreed:

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

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

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

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

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

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

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

66 **Car Parking Tariff Review**

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

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

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

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

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

RESOLVED that

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

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

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

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

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

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

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

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

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

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

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

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

The assets for transfer were:

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

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

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

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

RECOMMENDED to Council:

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

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

69 **Community Asset Devolution Procedure**

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

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

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

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

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

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

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

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

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

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

71 **Loan request by Exmouth Museum**

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

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

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

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

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

Current monitoring indicated that:

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

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

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

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

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

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

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

Attendance List

Present:

Portfolio Holders

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

Also present (for some or all the meeting)

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

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

Also present:

Officers:

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

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 18 July 2019****Attendance list at end of document**

The meeting started at 6.00pm and ended at 7.20pm.

11 Public speaking

There were no members of the public present.

12 Minutes of the previous meeting

The minutes of the meeting held on 6 June 2019 were agreed and signed as a true record.

13 Declarations of interest

Minute 20 Cllr Fabian King – Personal interest – involved with selection committee for CDS.

14 Matters of urgency

There were no matters of urgency.

15 Confidential/exempt item(s)

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

16 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.

17 Update on IT issues

The Committee received an update on IT issues from Laurence Whitlock, Strata IT Director. He reported that there had been 63 different issues raised on the iPad project from 22 Councillors. Members noted that Teignbridge District Council, had just introduced iPads to Councillors and they were happy with how things had progressed and the initial introduction had appeared to be less problematic than with EDDC.

Problems reported by Councillors included:

- Email on alternative devices
- Adding applications
- Need for more training
- Calendaring
- Email attachments
- Contacts/address book

- Folders/filing
- Security(including facial recognition)
- Insurance/tax
- Keyboard/hardware

Members noted that Clive Newton had been recruited as the Strata IT trainer. He would be available to all Councillors for training. Clive Newton can be contacted via the Strata Service Desk 01395 517433. Strata were working on an enhanced email system which was currently under development. Calendaring remained an issue, specifically combining council calendars with personal calendars. It was hoped that this could be addressed in future.

Councillor Ian Thomas reported that the purchase of keyboard hardware was not going to be recommended and it would be up to individual councillors whether they purchased one for their iPad. Facial recognition was available on the devices and it was possible that this could be used by councillors.

Laurence Whitlock, Strata IT Director reported that Strata hoped to be able to test the new O365 environment with 5 councillors shortly (circa 29th July) and it was hoped to migrate all councillors by the end of the summer if it proved successful.

There was a query about how long emails are kept on the system? This was currently subject to an ongoing debate regarding email retention and the council had an issue with email storage. Strata staff have a 5 GB limit on email storage, however, there is no limit currently on either Officer or Councillor email at EDDC. It was the understanding of the Strata technical team that emails are held indefinitely and they are not deleted from the email system unless a Cllr deletes an email themselves currently it is down to Officers and Councillors to manage their own email boxes.

Councillors reported that they had information wiped when they changed systems to the new iPads. Some of the documents in content had disappeared and Laurence Whitlock agreed to look into this.

18 **Joint Scrutiny and Overview Committee meeting on Service Planning 5 September 2019**

Members noted that on 5 September 2019, a Joint Scrutiny & Overview Committee would take place focussing on Service Plan Objectives, as part of the linked processes of Service planning and Budget Setting at East Devon District Council. A report had been received from Karen Jenkins with the agenda. The Chairman of the Scrutiny Committee had accordingly invited all Portfolio Holders to attend with the relevant Strategic/Service Lead Officer.

Portfolio Holders and relevant officers would have an opportunity to make a short presentation and answer questions relating to the three top priorities, issues and challenges in the current service plan. The objectives had been attached to the agenda. It was considered that this should also help Committee members in understanding the budget allocated to each of the service areas and how the budget deficit might impact service delivery going forward, providing committee members with a focus on the key issues.

Councillors asked whether the Service Plans could be addressed in a way which could increase their understanding at the September meeting. Concern was expressed that

investment in commercial property had not yet been achieved and was an important part of reducing the council's budget deficit. It was essential for commercial activity to generate funding required in future and it was also important to show where the council could save money to help reduce the predicted budget deficit.

19 **Quarterly Monitoring of Performance - 4th Quarter 2018/19 January - March 2019**

The Vice Chairman, Cllr Kim Bloxham introduced this item which provided performance information and progress against the council's priorities as outlined in the Council Plan. This cumulative quarterly information would be used to provide an annual review of performance against the Council Plan in the Annual Report.

The report also indicated a number of performance indicators that members may wish to discuss these included:

- A slight drop in the percentage of council tax collected at 98.81%
- The percentage of FOI requests responded to within statutory time limits which had fallen below 100%
- The percentage of other planning applications determined within 8 weeks which had fallen to 76.59%.

Other issues that Members raised would include the increase in levels of longer term staff sickness and also the increase in homelessness in the district.

Councillors commented on potential ways of reducing poverty in the district. It was estimated that 1 in 5 children in primary schools experienced poverty. To reduce poverty in the district there was a need to undertake an impact assessment on every policy and service area. There was also a need for an impact assessment with regard to climate change.

Members considered performance against delivery of the actions/priorities in the Council Plan, key service objectives from service plans and performance measures for the 4th quarter of 2018/19 so that any issues causing concern or interest could be addressed in a timely way.

RESOLVED that the issues raised at the meeting would be reviewed in future and monitored on an ongoing basis to ensure delivery of key council priorities using measures identified.

20 **Forward Plan 2019/20**

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

- Examination of spending of S106. Working Group led by Cllrs Maddy Chapman, Cathy Gardner and Jack Rowland be set up.
- Invite representatives of the local Primary Care Network in to discuss changes that are going to take place to the way care is given and doctors operate locally. Cllr Phil Twiss to provide contact details.

- Police & Crime Commissioner to be invited to give a presentation to November meeting (TBC).
- Roll out of rural broadband and CDS.
- 5th September – IT Update and Review of Service Plans.
- October – Examination of S106 and CIL monies.

Attendance List

Councillors present:

Alan Dent (Chairman)
Kim Bloxham (Vice Chairman)
Maddy Chapman
Iain Chubb
Cathy Gardner
Paul Jarvis
Fabian King
Kathy McLauchlan
Tony McCollum
Jack Rowland
Eleanor Rylance

Councillors also present (for some or all the meeting)

Ian Thomas
Phil Twiss
Vicky Johns
Nick Hookway
Dan Ledger
Helen Parr
Ian Hall
Mike Allen

Officers in attendance:

Rebecca Heal, Solicitor
Laurence Whitlock, Strata IT Director
Susan Howl, Democratic Services Manager
Debbie Meakin, Democratic Services Officer (Item 17 only)
Chris Lane, Democratic Services Officer

Councillor apologies:

B De Saram
J Whibley
V Ranger

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 5 September 2019****Attendance list at end of document**

The meeting started at 10.00am and ended at 4.40pm.

1 Public speaking

There were no public speakers at the meeting.

2 Welcome by Chairman

The Chairman, Councillor Alan Dent, welcomed Councillors and Officers to the meeting. He reported that the priority for Scrutiny was the services provided for the Council and that this was a briefing meeting to form our minds for the budget for the following year 2020/21, for which a meeting would be held in January 2020. This meeting would be chaired by Cllr Nick Hookway, Chairman of Overview Committee.

3 Declarations of interest

Cllr Ian Hall; minute 6; Personal interest, chairman of Cloakham Lawn Sports Centre and Devon County Councillor
Cllr Eleanor Rylance; minute 6; Personal interest; Member of Broadclyst Parish Council

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential items.

6 Service Plan Objectives 2019/20

The Chairman welcomed the Strategic Lead Finance to open the meeting with an overview of the budget position in the context of the Medium Term Financial Plan (MTFP) and the main factors influencing this and future budgets. This showed that if no action was taken the Council would be spending £2.1 m over the monies it had available to it in 2020/21. This funding gap grew each year and in 2023/24 the final year of the new Council the annual gap is £2.7m. It was noted that the Council will take action to reduce its annual expenditure/increase its annual income in order that it can prepare balanced budgets through the term of the new Council.

Members noted that a way forward to bridge this funding gap along the theme outlined previously in the Council's Transformation Strategy, to focus on the following areas: commercialisation, an organisation fit for purpose and our 'careful choices' strategy.

[Finance service plan](#)

Councillor Ian Thomas reported that a balanced budget was important and that the current budget made no account for the cost implications for the carbon reduction initiative. Other comments on the service included the following activities:

- Transformation Strategy was looking at ways to change the cost shortfall.
- Fraud and compliance initiatives.
- Band discount scheme for council tax.
- Maintain compliance and legality.
- Audit & Governance function.
- Treasury management.
- Importance of Capital Strategy & Allocations Group. This Group had an important function in looking at capital projects.
- The Budget Working Party – the meeting was needed to provide the right information when looking at capital projects.

Clarification and debate covered:

- Concern that the CAB budget provision had been reduced by £20k. It was noted that there was currently some duplication where payments were made to the Homemaker service and CAB will be asked to cover off this work going forward to reduce the overall cost to the Council.
- The Queens Drive Delivery Group had been specifically appointed to deliver the projects at Queens Drive.
- An annual estimate was made on how much income could be obtained from business rates.

Organisational Development & Transformation service plan

Councillor Jess Bailey reported that the three key things to underpin the service plan were:

1. Evolution of the transformation strategy into a commercialisation strategy.
2. Next year looking at the 'careful choices' campaign to consult on services bearing in mind the economic climate.
3. Fit for purpose coming through for the transformation strategy.

Karen Simpkin, Strategic Lead Organisational Development reported that the key challenge for the service plan was moving towards a digital East Devon. The first steps had been introduced which would ask customers to enter through a portal. Similar systems were being introduced in Teignbridge and Exeter. Aligned to this was the content on the website. EDDC's was a big website with a lot of content. The Action Plan was to review this on a monthly basis.

Another element was keeping the show on the road, HR and payroll were important backroom functions which keep the organisation going. There were 500 staff at EDDC and this was looked after by a small number of HR and payroll staff. It was noted that EDDC's staff attrition rates were in line with other public sector organisations and absence rates, once the long term absences were removed was 8 days, which was in line with the public sector average.

Other new initiatives were the upgrade to the Trent system, introducing an upgraded learning management system and achieving the platinum Investor in People award.

Clarification and debate covered:

- What was the % terms for sickness? Sickness rates at the Council were always measured in days.

- Do you undertake early intervention for staff sickness? There was a trigger and then staff underwent a formal absence management and if necessary HR were involved. It was confirmed that sickness was managed very robustly
- It was important that the Council was a good place to work and a supportive environment.
- Are there back to work interview undertaken for all staff sickness absences? Back to work interviews were supposed to be done for each sickness absence and were a vital management tool.
- The attrition rate for staff was 12% and Karen Simpkins confirmed she would like to see it reduced to 10% and it was expected to come down now staff were settled at Blackdown House.

Governance & Licensing service plan

Henry Gordon Lennox, Strategic Lead Governance & Licensing reported that there were several different elements to his service – legal, democratic services and information and complaints. There were also other roles involving the Monitoring Officer and Data Protection Officer. Licensing came under the Environmental Health portfolio. This was a support service with Licensing the only customer facing service. The three priorities were

1. Customer support
2. Deliver Statutory functions
3. Protect Council's interests

The challenge and issues that were facing the business were issues particular surrounding the need to reduce costs. It is a relatively small team and any staff reductions would impact on service delivery. The sharing of services maybe something to look at and IT software changes, such as Modern.Gov maybe a way to achieve further efficiencies. New case management software for the Legal service was also being introduced.

The Bosch system was being investigated along with Modern.Gov software as there were a number of useful features, such as electronic voting, that had not been used yet.

The review of the Council's governance arrangements was also likely to have an effect on staff resources needed.

Clarification and debate covered:

- Was CCTV for taxis a possibility? The Licensing Authority was aware of this request, but there were issues to overcome regarding putting CCTV in taxis.
- Was the new IT system for cemeteries being introduced? It was in the process of being implemented.
- Had there been an increase in FOI requests? The trend would show a reduction but there had been a change in the way they were reported. The work the Council was doing, such as relocation or Queens Drive developments drove these requests.
- Does the service have any scope for earning money? The legal department had some potential but this would mean additional staff and considerable work in setting up fees and charges and protocols.

Property & Estates service plan

Councillor Geoff Pook, Asset Management Portfolio Holder, reported that the top three priorities were

1. Corporate Management of Assets
2. Commercial Investment Fund
3. Asset Devolution Policy

Tim Child, Property & Estates Manager reported that the service consisted of the Estates Team who were chartered surveyors, the Property Services team who dealt with planned and reactive maintenance and health & safety compliance and the Facilities Management team which looked after a number of different tasks.

There was the need to improve the strategic management of assets to support the Council's wider business aims. The Commercial Investment Fund had been affected by uncertainty around Brexit.

Clarification and debate covered:

- When will the Asset Register be completed? It had improved a lot in the past few years but was still not completed. It would be nice to think that it could be finished in 12 months' time.
- Are you making good headway in the devolution of Council assets and the streamlining of this? The AMF had discussed this earlier in the week and agreed the first stage of the Beer pilot.
- Has the recent vandalism of Council assets affected the cost of insurance cover? There had been no implications on insurance cover so far, but the insurance cover was provided on a three year term.
- What progress had been made with the commercial investment initiative? It was a difficult at the moment finding suitable investments. There was one property nearing completion and when it was completed then we can go public with a report.

Planning & Planning Policy service plan

Ed Freeman, Service Lead Planning Strategy and Development Management reported that the services top three priorities, issues and challenges were:

1. Housing Delivery – To ensure that we have a ready supply of housing sites to meet the housing needs of the district.
2. Development Plan – To develop a clear strategy for the future development of the district including the delivery of homes, jobs and infrastructure.
3. Flexible working – improve service provision and deliver efficiencies through increased mobile working.

It was noted that the New Homes Bonus provided £1.5m of extra income for the Council each year, but the housing land supply was diminishing each year. The service was developing a house design guide, including environmental standards for new homes.

Clarification and debate covered:

- Need for improvement of plans on the website. A number of plans received in the last couple of months for developments that were of a poor standard and could applicants be informed that these were unacceptable? Plans need to be too scale and to show the information needed.
- There were greater attempts being made to engage the community when spending S106 monies.

- Issues around viability issues around housing delivery and affordable housing. Was anything we could do to strengthen this? A Housing Delivery Officer had been appointed to negotiate the best possible outcomes. There was also a policy regarding overage clauses and the CIL charging schedule is currently being consulted on following a review to take account of current viability.
- Investment in the Housing Company was delayed by relatively few sites coming forward.
- Why is there an additional charge for on line planning applications? The Planning portal imposed charges which we have no control over.
- There was preliminary work being undertaken to update the Local Plan
- Could grid references be added to plans to help Parish Council's better identify where sites were? This would be feedback to the Planning Team but all applications should be accompanied by a clear location plan to ensure that sites could be easily identified.
- Regarding the Five Year Land Supply, are we left with the less desirable sites? It was inevitable that the good sites would be built on we have to look at the less desirable sites.
- Will the Design Code include environmental standards? Yes this would be addressed in design guidance to achieve better outcomes but the guide cannot change policy. It can only provide guidance to expand on existing policy requirements.
- There was new Government guidance which put viability issues at the forefront of work. It was hoped to pick this up at the earliest stage.
- There was the need to build resilient communities and not store up problems for future generations.
- What were the chances of changing planning policy to include wildlife corridors? Our approach can only be changed through new policy as part of the local Plan Review. The service was trying to negotiate the best solutions we can within the current policy framework.
- A review of the Local Plan would be likely to take at least 3-4 years as a result of the work involved including consulting and engaging with our communities.

Regeneration & Economy service plan

Councillor Kevin Blakey, Portfolio Holder for Economy reported that the services top three priorities were:

1. Exmouth Regeneration – Delivery of phase 3.
2. East Devon Business Centre extension and additional locations in East Devon.
3. 'Our Town's' Study and Delivery Plan – Detailed and consultative evaluation of East Devon towns and intervention opportunities.

Members noted that the previous evening Cabinet had appointed a Queens Drive Delivery Group to replace the Exmouth Regeneration Board. It was also intended to have an in depth study of our 8 towns and their needs.

Clarification and debate covered:

- Seaton Regeneration seemed to have stalled. The Town Council had been working on the Seafront Enhancement Scheme, which had funding implications of £4m. Engagement with the Moridunum was acknowledged as an important part of Seaton seafront enhancement.

- Bidding for Coastal Communities Funding need to be carried out in collaboration with Seaton Town Council and more information was needed to improve future bids.
- There was a lot of knowledge amongst Councillor to help with the Town Centre study and the importance of obtaining data from local stakeholders, including Town Councillors was acknowledged.
- When was it intended to start and finish the town centre study as many town centre businesses were suffering? It was hoped to present a report to Cabinet by October and ask for tenders from consultants as soon as possible after.
- It was hoped that Exmouth would be considered as a whole and not just the Queens Drive development and the rest of the town not forgotten as other things in the town needed regenerating.
- Need to engage with local people on the town centre study. Support would be given to community organisations to help with the town centre study. Local engagement and intelligence was vital to the project.
- Hope that the implications of the GESP had been considered to develop the towns.

Growth Point service plan

Councillor Kevin Blakey, Portfolio Holder Economy reported that funding for two thirds of the Growth Point team came from non-core funding. There was also a Strategic Delivery Board being established for Cranbrook. Thee three service priorities were:

1. To deliver the Enterprise Zone programme.
2. To deliver the Green Infrastructure and Habitat Mitigation Strategies.
3. To ensure that effective mechanisms are in place to support the delivery of key strategic sites.

Clarification and debate covered:

- How does development at Cranbrook and the Growth Point benefit the wider East Devon community? The higher earners in this area spent money in the rest of the district. This was trickle-down economics.
- The target of 10,000 jobs in the Growth point was acknowledged. But what had been the actual delivery of jobs so far? There had been in the region of 1,000 jobs delivered so far.

Streetscene service plan

John Golding, Strategic Lead Housing, Health & Environment reported on the impact of the climate change agenda on the four services he managed and other Services, and the challenges and opportunities there were to influence the Council's climate change outcomes. It was suggested that this could be viewed as the Council's greatest challenge that will need sustained efforts over several decades.

Climate Change has recently been adopted by the Council as a priority, and will need to be reflected more prominently in the next iteration of Service Plans.

Andrew Hancock, Service Lead Streetscene services reported that the three service priorities were:

1. Recycling & Waste.
2. Grounds Maintenance & Cleaning of the public realm.

3. Coastal Defence & Asset Maintenance.

The service had a £9m spend, the biggest in the Council and the recycling contract generated £2m of income. The recycling rate was now up to 60% which made the council the top recycling authority in Devon.

The visibility of the Service was highlighted and the contribution towards the outstanding environment priority the council has adopted.

Clarification and debate covered:

- What happens to our recycling when it left East Devon and goes to other areas? The infrastructure does not exist to deal with the recycling in the South West, but it is all dealt with in the UK.
- What progress was being made on recycling other plastics that were not currently able to recycle? It was not easy to recycle these plastics and not commercially viable.
- What progress was being made on On-Street recycling? It was in the service plan and work on this was in-progress.
- The Government was proposing to make the collection of Green Waste a free service. The government strategy had indicated that Council's would be compensated for the costs of this but not for any surplus they made from their current Green Waste scheme. This would reduce EDDC's income generation.
- There were some things that could not currently be recycled. Were the service looking at increasing the things that could be recycled? The service were not looking at doing this as these items could be sent to the waste to energy plant in Exeter and this was a more carbon efficient way of dealing with this items.
- The Council's Green Waste scheme was been effective in carbon reduction as it had reduced car journeys to recycling centres.
- Fly tipping – could Town Council employees be given dispensation to deposit material they had recovered from fly tipping free at recycling centres in the same way as EDDC streetscene employees? This was a Devon County Council issue.

Environmental Health & Car Parks service plan

Andrew Ennis, Service Lead Environmental Health & Car Parks reported that the Services three priorities were:

1. Corporate Health & Safety Advice
2. Food and Water Safety and security
3. Public Health & Well Being

In outlining the Service responsibilities Andrew Ennis emphasised the wide ranging activities undertaken that focused around promoting healthy individuals and communities, preventing ill health, and protecting the environment. He also explained that car parking came under his Service, with a different Portfolio Holder.

Clarification and debate covered:

- With regard to electric cars and charging points in car parks. Were hydrogen fuel cell cars now the way forward? There was still the need for the foreseeable future to support electric cars with infrastructure.

- The service was attempting to improve Community Safety and improve communities, particularly in EDDC housing properties. There was money in the budget to tackle some of the anti-social behaviour,
- Campervan and motor van users car parking in Exmouth. Maer Road had proved adequate, but the use of Imperial Road had caused conflict of other users.
- Exmouth was short of playing field provisions. Warren View was not being used due to the unstable nature of the land. The FA had funding available to improve football pitches.
- Coach car parks – how many were there and was there a consistent charging policy? The coach car parks in Exmouth and Sidmouth were successful, but there was the possibility of a pilot Seaton coach policy.
- Would electric buses be considered for East Devon? This was a DCC/ECC issue.
- Should exercise be included in the public health & well-being priority? The importance of physical activity was emphasised in the service plan.
- Some outdoor gyms, provided by S106 funding, appeared to be underused.

Countryside & Arts service plan

Charlie Plowden, Service Lead – Countryside & Arts reported that the services top three priorities were:

1. Trees
2. Maintaining our nature reserves & green spaces
3. Outdoor health & wellbeing

Other issues included the need to resource dealing with ash die back and art work using recycled plastic. There were 150,000 visitors to the nature reserves and the visitors to Seaton wetlands had increased from 40 to 60,000. There was however, still the need to identify ways to improve the offer. In addition the service had 120 volunteers who contributed 5,000 hours work each year whilst deriving health and wellbeing benefits associated with working outdoors.

Clarification and debate covered:

- Use of Seaton Wetland for social prescribing – there was a problem in obtaining money from NHS primary care to support this work.
- How had the charcoal production gone? It had been very successful this year and 650 bags had been delivered to Darts Farm for sale. They were looking to increase production for next year.
- The service was not directly involved with the reintroduction of Beavers to East Devon, which was a collaboration between Devon Wildlife Trust and Clinton Devon Estates.
- Was there likely to be a social prescribing scheme in Exmouth? There would be a Wild Exmouth scheme introduced which would look to replicate the success of the Seaton Wetlands in Exmouth along with the LED Health coaches.

Housing service plan

Megan Armstrong, Portfolio Holder – Sustainable Housing & Community reported that the services top three priorities were:

1. More affordable homes – a decent house for all
2. Homelessness & Rough Sleeping.

3. Council homes fit for purpose, tenant safety & satisfied tenants.

Amy Gilbert Jeans highlighted the Service priorities bringing them to life with examples and facts and figures on performance. She explained some of the reasons for an increase in homelessness and the greater prevalence of mental health issues, together with the impact on the Service.

Amy Gilbert Jeans also mentioned the work she was doing on poverty and how this will translate into a series of recommendations when the Council could assist local individuals and communities

Clarification and debate covered:

- Will the service be getting information on poverty across the spectrum in East Devon? Yes. Need to look at prevention work around poverty.
- Concerns about the effect of the 'Right to Buy' scheme in reducing the stock of Council Housing available in East Devon.
- Success of the Littleham project and would provide a quarterly update on progress.
- 4,500 people were on the waiting list, with 56% in need of one bedroomed accommodation.
- Need to look for more innovative solutions to the housing problem.
- There were still opportunities to develop on the limited amount of HRA land available and possible development of garage sites.
- Hope to be able to build more Council houses in the future.
- Enable/acquired 237 new affordable homes in 2018/19 working with Registered Providers.
- Problems caused by HMOs included sharing kitchens and bathrooms. It was recognised that HOs provide an important source of lower cost accommodation, but they needed to be well run and many were not.

7 **Update on iPads**

The Chairman welcomed Laurence Whitlock, Strata IT Director to the meeting. He updated members on progress on the iPads. The brief had been given to Strata to improve the experience for East Devon iPad users. There had been a 5-6 week testing period of the new environment using selected Councillors. The challenge was to find a way around the issues reported by Councillors. It was felt that many of the problems presented had been overcome and positive feedback had been given by those Councillors in the test group. Although it was noted that Cllr Ian Thomas had reported a couple of continuing issues.

Laurence Whitlock reported that he was confident that the issues he had been asked to address was now addressed and he hoped to be able to deploy the new environment to the wider Council. He hoped to be able to work with Democratic Services to schedule migration to Councillors alongside the IT Trainer, Clive Newton.

Attendance List
Councillors present:

A Dent (Chairman)
N Hookway (Vice chairman)
K Bloxham
T McCollum
V Ranger
J Rowland
E Rylance
M Chapman
I Chubb
B De Saram
P Jarvis
F King
S Hawkins
I Hall
V Johns
Tony Woodward
Sam Hawkins
Ian Hall

Councillors also present (for some or all the meeting)

Megan Armstrong
Jess Bailey
Kevin Blakey
Peter Faithful
Ben Ingham
Geoff Jung
Andrew Moulding
Geoff Pook
Eileen Wragg

Officers in attendance:

Tim Child
Richard Cohen
Simon Davey
Andrew Ennis
Ed Freeman
Amy Gilbert Jeans
Henry Gordon Lennox
Andrew Hancock
Charlie Plowden
Karen Simpkins
Mark Williams
Chris Lane

Councillor apologies:

K McLauchlan
J Whibley
C Gardner
M Allen
S Chamberlain
M Hartnell
Sarah Chamberlain
Susie Bond
Marcus Hartnell

Marianne Rixson
John Loudon

Chairman

Date:

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

The meeting started at 6.00 pm and ended at 7.30 pm

21 Public speaking

John Radford, Sidmouth Resident, wished to address the Committee on the issue of the Council Plan regarding the Sidmouth Beach Management Plan. He reported that there appeared to have been changes made to the Council Plan relating to the Sidmouth Beach Management Plan. The Council had agreed to carry out work to East Beach. A press release dated 22 August had stated that the Council would progress East Beach to maintain coastal defences and reduce coastal and beach erosion.

This question would be passed on to the relevant officer at EDDC.

22 Minutes of previous meeting

The minutes of the previous meeting held on 18 July 2019 were agreed as a true record.

23 Declarations of interest

Minute 24 Matters of urgency: Kathy McLauchlan Manor Pavilion car park, Sidmouth Personal interest.

Minute 24 Matters of urgency: Tony McCollum Dowell Street car park, Honiton Personal Interest

24 Matters of urgencyCar Parking Tariff Review

Councillor Paul Millar wished to address the Committee on the issue of increases to car parking charges in the district which had been the subject of debate and decision at the previous evening's Cabinet meeting. He was deeply concerned that very important policy proposals which will affect very many residents seemed to be being decided arbitrarily and without providing a cost/benefit analysis, and that the report Cabinet were presented with provided insufficient evidence for such a consultation, and for Members to make an informed decision. He was concerned there was no background information with revenue and usage statistics for all car parks with which the Cabinet could reasonably consider the wider implications of a blanket rise in tariffs in popular car parks. He believed the correct approach would have been for the Cabinet to re-look at the proposed tariff rise, rather than amend the proposals on the spot. He was also concerned that East Devon did not consult with the County Council.

He was disappointed that the views of East Devon residents had not been taken into account. Raising car park tariffs could actually reduce the Council car park income as

there were many East Devon residents who would not be able to afford the increases proposed.

Councillor Mike Howe also wished to address the Committee on the issue of increases to car parking charges in the district which had been the subject of debate and decision at the Cabinet meeting. He felt there was the need for a TAFF to consider car parking in total to see the impact and viability and costs of car parking. Other issues were around CCTV and lighting in car parks.

Councillor Maddy Chapman reported that she agreed with the idea of a TAFF and the review of car parking. She would like campervan parking considered and asked how this was progressing. Other issues for discussion could include the level of fines, maintenance costs and revenue. There was a need to know the number of new smart parking meters and whether they were working correctly.

Councillor Jack Rowland agreed with the establishment of a TAFF to consider car parking and suggested that there was synergy with the work of the High Street TAFF as car parking was important to the High Street.

During discussion the following points were noted:

- Was there an equality impact assessment on car parks and if so this should be included in a TAFF.
- Need to include the possibility of improving advertising revenue in car parks in the TAFF's terms of reference.
- Charges for Manor Pavilion car park should be used for the benefit of the theatre.
- Consultation on the Cabinets proposals to increase car parking tariffs should go ahead and inform the work of the suggested TAFF, unless there is a call-in on this decision.

RESOLVED that a TAFF be established to consider Car Parking Tariffs in East Devon car parks comprised of representatives from each of the political groups and to include the following membership: Val Ranger, Bruce De Saram, Joe Whibley, Eleanor Rylance and a representative of the Green Party, to consider Car Parking Tariffs in East Devon car parks. Each member to invite an additional Scrutiny representative from their group.

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

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

26 **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.

27 **Quarterly monitoring of performance 1st Quarter 2019-20 April to June 2019**

Members received the report of Karen Simpkin, Strategic Lead – Organisational Development and Transformation which provided performance information and progress against our promises and priorities as outlined in our Council Plan and Service Plans. Members noted that this cumulative quarterly information will be used to provide an annual review of our performance against our Service and Council Plan in the Annual Report. This information would provide a clear view of progress against what we said we would deliver in our Council Plan and Service Plans and deal with performance issues arising.

Councillor Kim Bloxham reported that she would like Detailed updates on the following for November Scrutiny Meeting:

Council Priority 1 - Encouraging communities to be outstanding Empty Homes.

Council Priority 2 - Developing an outstanding local economy £20mn Commercial Investment Fund.

Council Priority 4 - Continuously improving to be an outstanding council Percentage of Council Tax Collected is sliding downwards.

A request was also made that an update be made on the use of robotic mowers in the Council's parks and green spaces.

Cllr Jack Rowland raised his concern about the way some of the things were being measured. Providing a date for completion of a project would also be useful. Karen Simpkins reported that there was an ongoing challenge to make the performance measures SMART. The Council did report on milestones for large projects such as IT.

RESOLVED that the report on performance against delivery of the key service objectives from service plans and performance measures for the 1st quarter of 2019-20 be accepted.

28 **Council Plan 2020-2024**

Members considered the report of Karen Simpkins, Strategic Lead – Organisational Development, on the first draft of the new Council Plan for 2020-2024. This was to assist with the ongoing development of our new Council Plan.

During discussions the following points were noted:

- An issue was raised over the continuous use of the word outstanding in the Plan. Karen Simpkins reported that we live in an outstanding area and the word outstanding would be kept in the Council Plan as it was important to staff morale. We aim to be a high performing Council and achieve Platinum Investor in People status. In reality the Council Plan was mainly read by Staff and Councillors, although it was the aim was that it would be more widely read by the public and business community.
- Question of the use of the words carbon neutrality rather than carbon neutral.
- Issues around Rural Broadband delivery.
- Would like to explore the creation of jobs across the district rather than just the Growth Point
- Concern about the trickle-down theory from higher paid jobs created by the Growth Point.

- The West Country has traditionally relied too much on low paid jobs and developing the Growth Point was a way to increase the number of higher paid jobs in the district.
- Concern that many of those council houses sold under Right to Buy were now in the private rented sector and that the receipts the Council receives should be spent on building more council housing. A higher percentage of the money received from the Right to Buy policy needs to be available for building more council housing.

RESOLVED that the comments above be provided as feedback on the priorities and actions for the draft of the new Council Plan 2020-2024:

29 **Update from the Working Party on Section 106 funds**

Members noted that due to personal issues, Cllr Cathy Gardner had not been able to make any progress on this issue and the Working Party whose other members were Maddy Chapman and Jack Rowland had not had a chance to meet. Cllr Rowland reported that he had met with Sulina Tallack, s106 Officer to discuss s106 in the Seaton area and would encourage other members to do the same. Work was in progress to make s106 receipts for each ward available on line, which should help keep members better informed.

Maddy Chapman was concerned that the information provided by the Section 106 Officer changed over time and appeared to be incorrect. She was a very busy officer and needed more support with her work. It was suggested that the officer and her line manager attend Scrutiny to give a report on progress on s106, but it was thought that this would delay her work even further and the provision of s106 information availability on line.

RESOLVED that Councillors Maddy Chapman and Jack Rowland follow up the issues raised at the meeting with Sulina Tallack, s106 Officer

30 **Forward Work Plan**

Scrutiny Forward Work Plan

21 November 19	PCC Alison Hernandez <ul style="list-style-type: none"> • Modern Day Slavery • County Lines • Closure of Police Stations • Provision of additional police officers Review of Waste and Recycling presentation Review of S106 monies Note: members of Overview invited to attend for PCC presentation
15 January 20	Joint meeting with Overview <ul style="list-style-type: none"> • Annual review of Service Plans and Budget setting

6 February 20	<ul style="list-style-type: none"> • Website Review • Street Cleaning and Furniture • Replacement of Public Bins
5 March 20	Presentation for Citizens Advice
2 April 20	Report on move of EDDC from Sidmouth to Honiton

Items for future consideration

- LED Leisure
- Housing Company
- Single use Plastic
- Commercial investment
- Climate Change action (possibly with Overview)
- Review of Planning Portal

Cllr Alan Dent, Chairman, reported that he had prepared a form for all members to complete to provide items for Scrutiny to consider and asked that members fill it in and send to Democratic Services. It would also be circulated electronically to all members so they could fill it in online.

Attendance List

Councillors present:

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

Councillors also present (for some or all the meeting)

P Millar
 M Howe
 M Armstrong
 S Bond
 P Faithfull
 N Hookway
 B Ingham
 S Jackson
 G Jung
 D Ledger
 A Moulding
 H Parr
 T Wright
 J Bailey

Officers in attendance:

Christopher Lane
Karen Simpkin, Strategic Lead Organisational Development and Transformation
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

I Chubb
C Gardner
E Wragg

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 27 June 2019****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.12 pm

1 Public Speaking

There were no questions raised under this item.

2 Minutes of the previous meeting

The minutes of the meeting held on the 28 March 2019 were confirmed as a true record.

3 Declarations of interest

Minute 6. Annual report of the Overview Committee 2018 - 2019.
Councillor Ian Hall, Personal, Devon County Councillor for Axminster Division.

Minute 8. Overview Forward Plan.
Councillor John Loudoun, Personal, Councillor for Sidmouth Town Council.
Councillor Marcus Hartnell, Personal, Shop owner in Seaton.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no items classified in this way.

6 Annual report of the Overview Committee 2018 - 2019

The Chairman read out the Annual Report of the Overview Committee 2018 – 2019 and took questions.

Issues in that report that were highlighted as of interest to members and to be further considered included:

- More information and progress on the GESP was required;
- Circulate slides on forthcoming Firmstep software implementation;
- Undertake further work on poverty and look locally too as well as take part in the Devon wide initiative as part of the Devon Strategic Partnership Welfare Task Group. The committee agreed to invite that Group to a future meeting to provide an update;
- Continue the work started in the previous term on climate change, looking at what could be done locally and seeking clarification on how and to what level targets could be brought forward. It was reported that a report “Climate Change Emergency – Our Response” was before the Cabinet on 10 July 2019.

Further discussion on future work for the Committee, prompted in part by the report, took place under minute 8 Overview Forward Plan.

RESOLVED:

That the Devon Strategic Partnership Welfare Task Group be invited to attend a future meeting of the Overview Committee.

7 Brief outline of scoping issues

The Democratic Services Officer briefly outlined the scoping template currently used by both the Overview and Scrutiny committees in determining how a topic would be handled by that committee.

The criteria covered:

- Broad topic area;
- Specific elements of that area;
- What isn't included, to make expectation clearer;
- Desired outcome that Councillors want to reach;
- Who should be consulted for evidence gathering;
- What evidence and data already exists that can be reviewed – including work carried out by other authorities;
- What experts to the committee need to hear from;
- How the work is handled – by committee meeting, or through smaller task and finish groups that can incorporate other Councillors;
- Timescale.

The scope was agreed to use as it stands, but may be considered for review in the future.

8 Overview Forward Plan

The current forward plan of work for the committee includes:

Work already allocated

- Review of draft drone policy for 25 July 2019
- Previously planned public toilet review for 25 July 2019 had been pulled by officers, as the report was still under preparation and due to go to Cabinet in September, which may lead to referral to Overview on some aspects of that review later in the year
- New Council Plan on 29 August 2019
- Joint meeting with the Scrutiny Committee on 5 September 2019 on service plans, and again on 15 January 2020 on the service plans and budget for 2020/21
- Economic Development update report on 14 November 2019

There was debate on the review of public toilets, both in terms of the controversy it would attract, and the impact that any public toilet closure would have on both residents and visitors. The need for a clear equalities impact assessment was also stressed. The committee were in agreement that there must be debate at Overview committee before any decisions were made by the Cabinet, because of the potential scale of impact on the District as a whole.

Advice was given to the Committee that the committee cycle as it stood meant that the minutes (and therefore any recommendations) would not be before Cabinet until their next scheduled meeting in September. Options therefore were for the Chairman to ask the Leader if he could address the Cabinet with this request at their meeting on the 10 July, or request that the minutes are taken as a matter of urgency at that meeting on the 10 July. Any matter of urgency has to be agreed by the Leader.

Work not yet allocated or scoped:

- Natural Capital in the Heart of the South West document
- Business case for increase in community engagement officers – this fell under the remit of the Housing Review Board, where the issue had already be raised, but could also be monitored by the Overview Committee as part of its review of the service plans;
- Review of Governance Arrangements (committee structure/Cabinet and Leader model) – a report was going to the 10 July Cabinet recommending that the Overview undertake this work, working with the Portfolio Holder for Transformation think tank on the topic. In response to a question, the Chairman advised that the objective was to look at the models of governance available and debate what best suited the Council as it stands now. The review would be mindful of any legal restrictions on models, and look to seek views of other authorities with their experiences of the different models.
- Select Committee report on Coastal Town Regeneration
- Select Committee report on Rural Economy
- Review out of hours telephone system provided by the council for residents and tenants – the Portfolio Holder for Environment had raised this issue with the Chairman, as he had experienced a poor response to a call but also felt that the system had not been reviewed for some time and therefore should be considered by the Overview Committee.

In addition to this, a number of topics had been identified as part of the induction training that afternoon and through consideration of the minutes of the previous meeting. These were:

- Climate change – including rising sea levels.
- Income generation – continuing the work of the Committee from the previous civic term in order to help the budget position, look to find more income generation opportunities. A suggestion was made to add to that investigating the Council financing, through loan, broadband in areas still not benefiting from the Connect Devon and Somerset project;
- High street and village centre regeneration – expand to include the development of new high street in reference to Cranbrook, and centre initially on the towns before later work on villages;
- Community focus
- Promotion of EDDC services to local residents
- Fairer funding from Government for the south west region
- Improving working with Town and Parish Councils
- Tackling poverty
- Reviewing internal recharges – understanding the breakdown of recharges, and being satisfied that these are correctly applied to be confident that the Council is as efficient as possible before examination of making further budget reductions
- Street trading
- Right to buy effect on housing stock

- Use of modular buildings (“flat pack”) to deliver housing
- Public toilets review
- Transport – specifically fares for 16 – 18 year olds still in education but not qualifying for state help. A suggestion was made to widen this to look at the timetable too, as many recent changes has resulted in longer and more complex journeys for residents, particularly to the Royal Devon and Exeter Hospital;
- Policy implementation – that policies put in place were being applied in practice. Whilst no specific examples of where a policy was not being applied were given, the suggestion that equalities would be a good starting point
- GESp involvement

Councillor Hall informed the committee of previous work of a Housing Task and Finish Forum that had encompassed a number of elements, including modular housing. The committee agreed that the report of that work be circulated, in order to help clarify the scope of the work. Assisted living was requested to be included in that scope.

Discussion on climate change centred around what could be done, and what could be influenced, by the District Council. This included aspects such as the Council using single use plastics, or how to encourage residents not to use single use plastics. A suggestion was made to have the majority of the focus on what could be achieved locally, with a smaller proportion on lobbying Government. Other factors included coastal erosion and rising sea levels.

The committee were advised that the work they wished to undertake was considerable, required scoping to determine what would be involved in each topic, and prioritising. Whilst some of the issues could be organised into themes, it still represented a considerable volume of work for the committee and the officer resource required to provide information and facilitation to the committee. A question was asked about increasing the number of meetings held in a year – in response, the committee were asked to bear in mind the resource implications of officer time and increased time that councillors would have to put in.

Some prioritisation was suggested, with the remaining areas being circulated to the Committee membership for feedback on prioritisation and to start to scope the topics.

RESOLVED

1. Check the developing service plan for Housing at the September meeting of the committee for reference to any additional community development officers;
2. That the Chairman requests of the Leader that he speaks at Cabinet on 10 July 2019 to request an opportunity to look at the public toilet review ahead of Cabinet consideration of that review in September 2019;
3. That a scope for income generation, including the Council providing broadband, be brought to the 25 July meeting;
4. That a scope for High Street and town centre revitalisation strategy be brought to the 25 July meeting with a view to this work being undertaken as a Task and Finish Forum;
5. That the items to be scoped and allocated are circulated to the Committee membership to ask for comment of priority and scope.

Attendance List

Councillors present:

N Hookway (Chairman)
V Johns (Vice-Chairman)
B De Saram
I Hall
M Hartnell
S Hawkins
J Loudoun
M Rixson
C Wright

Councillors also present (for some or all the meeting)

K Bloxham
S Bond
B Ingham
S Jackson
G Jung
A Moulding

Officers in attendance:

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Debbie Meakin, Democratic Services Officer

Councillor apologies:

M Allen
S Chamberlain
F King
T Woodward

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 25 July 2019****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.31 pm

9 Public Speaking

John Gregory, Labour Party member in Honiton on behalf of Honiton and Axe Vale Labour Party read out the following statement, in relation to minute 17.

“I am commenting on behalf of Honiton and Axe Valley Labour Party on the scoping of the district council’s Vitality of High Streets report and recommendations.

Labour is here today to speak up for Axminster, Honiton, Seaton, Colyton and Beer town centres. All are bursting with desire to capitalise on their unique heritage, beauty, character and amenity. We note the district council has as yet achieved none of its 2008 aspirations for the mixed-use development potential of Webster’s Garage in Axminster, or Honiton’s Ottery Moor Lane, Cattle Market, Bradford Builders Yard and Chapel Street.

Town centres should be buzzing destinations, with facilities, shops, amenities, health, culture, education and wellbeing backed by excellent physical and service-based infrastructure. Employment should be place-based. Neither community wellbeing nor environment are served by turning our towns into commuter dormitories for “Greater Exeter”.

The report should take note of the recommendations of the House of Commons cross party report on "High streets and town centres in 2030", which echoes Labour’s 5 point plan to rebuild our high streets:

- Ban ATM charges and stop bank branch and Post Office closures.
- Improve local bus services and provide free bus travel for under 25s.
- Deliver free public Wi-Fi in our town centres.
- Establish a register of landlords of empty shops.
- and bring the business rates system into the 21st century.

In a rural area with underfunded public transport options, it makes no sense to rule out looking at car parking solutions, as is proposed in the scoping statement. The innovative town of Frome in Somerset has successfully provided 700 free car parking spaces within 4-13 minutes’ walk of the town centre.

Our towns should be "destinations", with creatively packaged "happenings" integrating our creative, artisan and agricultural heritage with our history. Speciality markets can be packaged as a cultural experience, supported by erection of Cullompton-style high quality gazebos at rates affordable to small traders. Publicity campaigns, tourist information, signposts and a properly funded, vibrant website and social media offering should be facilitated by the district for each town, and that link up with surrounding villages, and each other, into a coherent trail.

Labour recommends the district funds and develops best practice with visionary organisations like Light Up Axminster, that have fostered a culture of trust and

community engagement and are incubators for the ideas that will transform our town centres.”

Anna Day Lewis, Labour Party member in Colyton on behalf of Honiton and Axe Vale Labour Party, read out the following statement.

“I am commenting on behalf of Honiton and Axe Valley Labour Party on the district council response to the Fire and Rescue Service consultation.

Colyton is Britain’s oldest fire station, dating from 1681. Even our medieval ancestors were more visionary than this present government, prudently importing the latest in fire-fighting technology for the benefit of the community, with an appropriate sense of humanity.

The Labour Party opposes both the closure of Colyton Fire Station and the downgrading of Honiton Fire Station. All the fire stations at the eastern end of the district are already run on an on-call basis, and even now there are no wholetime fire station services between Exmouth and Dorchester.

The figures used to justify the closures are bewildering. Why is present performance based on 80% staffing availability, but outcomes of the closures based on 100% staffing? How can the response times from other stations to meet Colyton’s needs be justified?

Just this week fire-fighters have released a trapped child in Honiton, but helping people in trouble is excluded from the consultation’s figures. So are the first responder services the fire service undertakes on behalf of the defunded ambulance service, the frontline support it provides to the police, and the public fire and safety training.

When the Clarence Hotel burned down in Exeter almost every engine across Devon responded, but how many stations were given credit for their response? Just one response was included in these official statistics being used to justify more cuts. And with all those engines engaged in Exeter, which station was meanwhile supporting the safety of our residents? You guessed it - Colyton Fire Station.

Just today Colyton was on standby, covering a farm fire near Bridport, but will they be given credit in the official figures? No.

Independent analysis shows that over 600,000 people annually face increased risk of death by fire under any of the current proposals. With significant population growth built into our local plans, the problem can only become worse. The population of Colyton is elderly, and statistically more vulnerable to fire, and I’m afraid to say apt to nod off with something on the stove.

Firefighters routinely give many hours over and above what they are contracted to provide, and are subsidising the service with their goodwill in spite of ongoing cuts to real wages and benefits. We can’t afford to lose the goodwill of the real people providing public services at the heart of our communities.

These cuts are not penny wise and they are pound foolish. Labour calls upon the district council to strongly oppose all of the options in the consultation, and to call for the fire station in Colyton, and the two pumps in Honiton, to be retained and properly maintained for the benefit of our district.”

10 **Minutes of the previous meeting**

The minutes of the meeting held on the 27 June 2019 were confirmed as a true record.

11 **Declarations of interest**

Minute 17. Vitality of High Streets and Town Centres scope.
Councillor Marcus Hartnell, Personal: Shopkeeper in Seaton.

Councillor Ian Hall, Personal: Devon County Councillor for Axminster Division.

12 **Matters of urgency**

There were no matters of urgency.

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

There were no items classified in this way.

14 **Devon and Somerset Fire and Rescue Service Changes consultation**

Devon and Somerset Fire and Rescue Service proposed changes were under consultation. The committee had the opportunity to comment on the proposed changes, whilst maintaining the ability for individual councillors to respond in their own right.

The reasons for the proposed change in service delivery related to changing risks over time, and the need to make significant financial savings.

The consultation offered six options for change, covering aspects such as station closures and how stations were crewed. Each of the six options in the consultation included the closure of two fire stations in the District: Colyton and Budleigh Salterton.

Ward Members for Colyton, Councillors Paul Arnott and Helen Parr spoke about the impact the proposed Colyton station closure would have over a much wider area than the town itself. Councillor Arnott recommended responding against all the options listed in the consultation, as it did clash with the Council's own policy for strategic development, including the expansion of the number of homes in Axminster, Seaton and Colyton.

Councillor Parr told the committee that local people had not been reassured by the public events held by the Fire Service. She challenged the data presented in the consultation and had asked for more financial detail. She felt that the proposals impacted more significantly on the District than for any other area in Devon and Somerset. She was not convinced that any of the options proposed would ensure the safety of people in the District.

Members of the committee had considered the consultation document, with some members attending a local public event held by the Fire Service. Concerns were raised on the proposed changes, including:

- What could be done locally to encourage local employers to release employees for service, such as working with local Chambers of Commerce;

- Impact of local road infrastructure in travel time to attend any incident, particularly for rural areas;
- Proposals were not “rural proved” and the Fire Service should be asked to demonstrate that they have taken the factors of rural locations into account, including the road networks and the type of buildings and materials that have a higher risk of faster burn times (for example thatched roofing and farming stock bedding and feed);
- Fire fighters are also first responders; reducing that number impacts on delivering for medical calls and the partnership arrangements with the Health Service; as well as impacting on policing duties that they also get involved with. There was no detail in the consultation on how that would be mitigated;
- There was no information in the consultation on how the funding arrangement for the area compares nationally, therefore there was no way to ascertain if the funding was fair;
- Not enough breakdown to compare rural and town data, or data for local area to compare with national data quoted in the consultation;
- Recent examples given of incidents that may not have had a positive outcome if the proposals are implemented – one such example being a fire at Seaton impacting on 17 residents;
- Whilst many residents and tourists were better educated on fire risks, dementia was growing in the area which could lead to an increased risk;
- Financial savings appeared to be the main driver for reform and other means of bridging this gap needed to be considered;
- Details of response times for rural incidents needed to be understood, as impacted both by access and speed of response from nearest station;
- What assessment had been made of the effectiveness of fire prevention work.

The conclusion from the debate was that there was insufficient information in the consultation for the committee to make any form of recommendation to be submitted either directly to the Fire Service, or to Cabinet and Council for a response to the consultation.

RESOLVED:

1. that the Overview Committee Chairman, working with the Leader of the Council, writes to the Devon and Somerset Fire and Rescue Service asking for more information as debated in the committee meeting; requesting a response to come to the 29 August 2019 meeting;
2. that the response be debated at the 29 August 2019 committee meeting to recommend to Cabinet for their 4 September 2019 meeting to Council in order to meet the deadline of the consultation.

15 **Review of the Council's Governance Arrangements**

At their meeting of 10 July, Cabinet resolved to instruct the Overview Committee to carry out a review of the Councils governance arrangements and options for change, and report back on its findings. The Portfolio Holder for Transformation was also instructed to establish a Think Tank for the purpose of investigating the options for change.

The Chairman outlined the need for the committee to scope the project, and focus on why the change was sought. This work would then lead to weighing up the advantages and disadvantages of the models of governance available.

Members of the committee and other councillors present put forward their views, including:

- Councils with no overall control tend to have a Cabinet system and offer intense briefing to all councillors;
- The culture of the council and the officer roles need to be examined as part of the process, including how staffing levels are determined;
- Hybrid forms of models had been put in place in other authorities and should be examined;
- No effective scrutiny function was currently in place, referenced by several councillors giving examples of previous work undertaken. Scrutiny had been done of external bodies who were not obliged to take action on any recommendations made; but little of value of the work of the Cabinet;
- More effective scrutiny in current Cabinet model could mean that no change of model is required;
- Set up a shadow cabinet to closely follow the work of the Portfolio Holders;
- Need to draw up scope and progress the work to look to have a new model in place from May 2020;
- Report directly to Council with findings;
- Time was needed for newly elected councillors to understand the processes of the current system and therefore any review of changing the model should wait until after May 2020;
- Weighing up better engagement of a committee model against quicker decision process of Cabinet model;
- Need to have a decision process that can act swiftly on financial decision, for example under Commercial Investment strategy;
- Time and money impact of visiting other authorities to seek evidence;
- Public have asked for change, evidenced by the outcome of the May 2019 election;
- Members feel excluded and unable to influence decisions - Cabinet decisions seem agreed before discussion at Cabinet meetings;
- Need to gather evidence and option, including on what decisions had already been made;
- Strong leadership is key for any governance model;
- Seek examples of authorities that have reverted back to a committee system;
- LGiU document "Changing to a new committee system in a new era" was recommended to the committee.

The Portfolio Holder for Transformation welcomed any views from councillors, including those that had experience of both committee and Cabinet models. He would be operating a think tank on a neutral approach, looking to build and evidence base to recommend a model before the next Annual Council. He would look to provide an update report on his work at the next meeting of the committee.

Advice to the committee from the Strategic Lead for Governance and Licensing was to take the necessary time to firstly establish the purpose of change, and then fully evaluate the advantages and disadvantages of governance models, which realistically may not be

possible to then deliver a change in governance by May 2020. Further work could be undertaken by the committee at their 29 August meeting, and if required, an additional meeting could be called if required by the Chairman to add to the scheduled dates.

In response to concern about some overlap or duplication of work with both Overview Committee and a Think Tank considering the same issue, the Chairman commented that there would be a balance between the two. The Overview Committee may reach a different conclusion to that of the Portfolio Holder for Transformation, but both would be put forward. The Portfolio Holder confirmed that the intention was not to duplicate, but to compliment each other. Ultimately, he commented, the model was about democracy, and if a new model would be more democratic whilst still delivering decisions at a speed felt acceptable.

The Chairman concluded the debate for that meeting, summing up that it was a positive step to evaluate how decisions were made. There was also a need to address the public concern about a lack of openness and transparency. He also recommended a document by the LGA and the Centre for Public Scrutiny entitled "Rethinking governance: Practical steps for councils considering changes to their governance arrangements". The issue would be debated further at the next meeting of the committee.

RESOLVED:

1. That the request from Cabinet to carry out a review of the Councils governance arrangements and options for change, and report back on its findings, be accepted;
2. That at the 29 August 2019 meeting, Members put forward and agree the reasons for change to the current governance arrangements and the objectives for the Council's governance arrangements going forward;
3. That at the 29 August 2019 meeting, Members consider, discuss and agree the method and process to be followed for undertaking a review of options;
4. That additional meetings of the committee be considered specifically to debate this item.

16 **Income generation including broadband scope**

The committee discussed completion of the scope of the work relating to income generation, specifically investigating the possibility of the Council providing broadband.

The Chairman updated the committee on previous work undertaken by the Scrutiny Committee in hearing from a solution for Talaton Parish Council provided by a wireless solution company Voenus; and the work by the Connect Devon and Somerset project, whereby Gigaclear were under contract for delivery of the second phase of broadband provision.

The committee discussed the shortcomings of the delivery of Gigaclear and the other options that were available to bridge the gap in delivery. There were also concerns about the levels of service for 4G varying widely across the District.

Comments were made that it was unlikely to be an income generation of any scale for the authority if it commissioned another provider to deliver to areas still short of the high speed broadband required. The issue may be better considered not as an income generation possibility, but a duty of care to the local community to help deliver it. The Council could consider if it had any suitable assets that masts could be attached to, as other authorities had already undertaken, and charge a fee for that service.

The Chairman agreed that the best way forward was to form a smaller group of Councillors to work out the detail to the scope and report back to the committee on how to progress. Volunteers to assist him were Councillors Hall, Rixson and King.

RESOLVED that the Chairman work with a small group of councillors to discuss and complete the scope for reporting back to the Overview Committee at a future meeting.

17 **Vitality of High Streets and Town Centres scope**

The committee discussed the completion of the scope of work relating to the decline in recent years of high streets in the District, and how such a review could assist the latest high street yet to be built at Cranbrook.

The scope would be amended to include specific reference to developing the high street at Cranbrook, and encourage investment in the District's towns.

Members felt it was key to compare how high streets had changed from the previous Forum held in 2012 on the same issue, and it was important to talk to the retailers themselves for their views. Cllr Allen had provided the Chairman with a number of suggestions for the evidence base.

The committee were advised of the basis of a Forum, which can include councillors that are not on the Overview Committee.

Cllr Marcus Hartnell volunteered to act as Chairman for the Forum, with volunteers from the committee Councillors De Saram, Rixson, and Hawkins. Councillor Moulding also volunteered. The Chairman agreed that further volunteers could be sought from outside the committee.

RESOLVED

1. That a request for volunteers for the Forum on the Vitality of High Streets and Town Centres is issued;
2. That Councillor Hartnell chairs the Forum and regularly reports progress to the Overview Committee.

18 **Overview Forward Plan**

The forward plan would be updated to reflect agreed requests from Council the previous evening, including the item "Poverty, homelessness, human rights and health and wellbeing in East Devon" which would be taken at the August meeting.

In light of government changes, the Chairman did not expect the Select Committee reports to be published soon and therefore removed them from the scheduled meeting.

The committee were advised to prepare for the September joint meeting with the Scrutiny committee by reviewing the current service plans. The committee preferred a start time of 10am for the all day meeting. Cllr Allen requested a follow up on a recommendation from January 2019, agreed by Council, that stated that "any amendments to make objectives more SMART following a review by Strategic Lead – Organisational Development and Transformation together with the Chairs of the Overview and Scrutiny Committees"

The forward plan was noted.

Attendance List

Councillors present:

N Hookway (Chairman)
V Johns (Vice-Chairman)
M Allen
S Chamberlain
B De Saram
I Hall
M Hartnell
S Hawkins
F King
M Rixson
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
K Bloxham
S Bond
P Hayward
B Ingham
S Jackson
D Ledger

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing
Debbie Meakin, Democratic Services Officer

Councillor apologies:

J Loudoun
C Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 29 August 2019****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.30 pm

19 Public Speaking

Adam Powell, Secretary for the Tiverton and Honiton Constituency Labour Party, read out the following statement:

“On behalf of the Tiverton and Honiton Labour Party I would like to offer some comments and observations on East Devon’s recent Review of Policies on Poverty. The report is obviously a result of detailed research.

Despite East Devon being an affluent region of the U.K., poverty is a real issue, and getting worse.

To quote:

11,956 households having two or more scores for deprivation,
7 wards with more serious deprivation [scores on 3 or 4 measures] in over 100 households,
6344 children growing up in poverty in East Devon,
Half the people in poverty live with someone registered disabled.

This is clearly not a credit to our affluent East Devon, that people flock to visit.

This report is academic, how many people in this room have experienced:

Not being able to feed their children in the summer holidays,

Not being able to ever afford a family holiday,

Not being able to afford school uniforms,

Not being able to afford to the rent,

Living in damp, housing where the children have no space to do their homework,

Or a case I heard about recently ‘Only being able to afford Weetabix for Sunday lunch for a family of four’.

Firstly this review needs an action plan of how to locate these East Devon people who are clearly needing extra help. A law was passed a few weeks ago in Sweden making it illegal to beg on the streets unless you registered on line for a permit to beg. The aim was not to punish beggars, but to make contact so they can be helped. East Devon we need to identify children, families, disabled people, and even working people who are simply, for what ever reason, are not able to afford their basic needs. The data needs joining up; free schools meals registers, ESA [employment support allowance] claimants, etc.

Secondly this council has failed in its target to build more truly affordable homes, dry and warm, and spacious enough for human beings not just to survive but to thrive. When we have a secure home we can benefit from good education; from the early years to sixth form and beyond to adult education as well. This can break the cycle of poverty and make society richer.

This council has failed to build quality social housing, we have failed to invest in education, the results are a poor society that suffers from physical and mental health prematurely. This is proven, now we need to act.

Many families in poverty are working, individuals holding down two or three low paid jobs are common. These people are not only financially poor, but also short of time to spend with their families. This council needs to positively nudge employers to pay the living wage [at least £10/hour] and champion those that do. East Devon falls short of their own targets on job creation.”

20 **Minutes of the previous meeting held on 25 July 2019**

The minutes of the previous meeting held on the 25 July 2019 were confirmed as a true record.

21 **Declarations of interest**

Minute 25. East Devon Policies on Poverty.
Councillor Ian Hall, Personal, Devon County Councillor.

Minute 25. East Devon Policies on Poverty.
Councillor Mike Allen, Personal, Volunteers for local food bank.

22 **Matters of urgency**

There were no matters of urgency.

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

There were no items classified in this way.

24 **Council Plan draft**

The Chairman welcomed the Portfolio Holder for Corporate Services to the meeting, to present the emerging draft Council Plan 2020 – 2024.

The Portfolio Holder explained the purpose of the plan is to set the strategic priorities for the Council. Drawing up the plan was a collaborative process, and she welcomed any input on it from the Committee and other councillors present. The draft plan would also be considered by the Scrutiny Committee, before going to Cabinet on the 30 October, with the final revised version being presented to Council on the 11 December. She specifically thanked the Strategic Lead Organisational Development, Transformation and Equalities for all her hard work in helping prepare the plan.

Questions on the plan, and suggestions for amendments generally, included:

- Summary information in the plan was based on data held by the Council, and information provided by Exeter University specifically on CO₂;
- That the plan was not sufficiently creative or aspirational;
- That budget shortfall figures should be consistent through the document.

Specifically on priority one: outstanding place and environment:

- a. Expand on working with Natural England to include working with East Dorset on a new national park;
- b. What was the latest decision on the Greater Exeter Strategic Plan;
- c. CPRE report wants to build more homes than are needed;
- d. What was meant by promoting open spaces on a commercial basis;
- e. Accessible green space at Cranbrook should be credited to Cranbrook Town Council, not the District;
- f. There is no reference to the playing pitch strategy – suggested that there is reference both to that, and to providing opportunities for sport, culture and leisure as part of preparations for the next Local Plan and the GESP;
- g. Proposals for housing design have drifted and should be a focus for planning
- a. Make specific reference to working with health support groups (there are a number, based in each town and in other areas) across the District, as well as enable links to local community hospitals;
- b. Include cycle paths in future infrastructure, in reference to Cranbrook;

In response to the points on priority one: outstanding place and environment:

- a. Building a case for a new national park covering the AONB areas in Dorset and East Devon is expected to take ten years or more, outside the period of the draft plan, and therefore it was deemed sensible to wait for an outcome of the review, before configuring that into a council plan;
- b. No decision has been taken on the GESP; an update report on progress by the new councils on it would be provided to the Strategic Planning Committee in November;
- c. Location of new housing will take into account all evidence, including the CPRE report, as has been set out in previous reports to the Strategic Planning Committee; the GESP and Local Plan are subject to consultation processes;
- d. Events run on council land is what is meant by promoting open spaces on a commercial basis, to help generate additional income;
- i. The development plan document is currently with the Inspector – if cyclepaths are not part of the plan that the Inspector has to consider, there isn't provision to include that – if the plan is found to be sound, the suggestion could subsequently be examined;

Specifically on priority two: outstanding homes and communities:

- a. What is the level of tenancy fraud;
- b. What are current levels of deprivation, broken down by town;
- c. How devolution of assets will be delivered – will it be on a town by town basis or collectively across the District;
- d. Divert the budget for an online ticketing service from section 106 funding to delivering the Beach Management Plan (BMP) for Sidmouth;
- e. Not enough affordable homes delivered and no news from the Housing Company; diminishing housing stock issue needs to be addressed and incorporated into the plan.

In response to the points on priority two: outstanding homes and communities:

- a. Tenancy fraud level is low, confirmed by an amnesty run in 2018;
- b. Specific data would come forward in a future report to the committee following the work of the Devon Strategic Partnership Welfare Task Group;
- c. Asset Management Forum have a report on the next steps for the agreed devolution of assets, which will come back to Cabinet along with the outcome of the pilot undertaken at Beer Parish Council;

- d. Section 106 funding is limited to where it can be spent by the agreement set up – it must relate directly to tourism and therefore cannot be utilised for the BMP.

Specifically on priority three: outstanding economic growth, productivity and prosperity:

- a. Where are the high skilled and better paid job opportunities in the District;
- b. What is the innovative approach to promoting tourism and what are the footfall figures for Seaton Jurassic;
- c. No comprehensive view of the rural and coastal community, the plan could be interpreted as only having focus on higher paid jobs being provided by the science park;
- d. Weighting high skilled/paid jobs to the west of the district meant that those who reside in the east would need to travel – there needs to be an even distribution across the District to reduce travel distances;
- e. Consider expanding on supporting infrastructure providers, as there will be a shortfall in the CDS project in delivering broadband across the District; having a good broadband service in place allows rural communities to better develop local businesses that can operate remotely and therefore helps boost the local economy. There needs to be action to enable a better penetration of broadband in the District;
- f. More promotion of the services available to SMEs, and work to deliver small business units that are needed in the District

In response to the points on priority three: outstanding economic growth, productivity and prosperity:

- a. The plan sets out to try to provide different land for different jobs, to encourage higher paid jobs – examples being the airport and the science park;
- b. Number of visitors to Seaton Jurassic can be provided to the councillor; previous attempts had been made to join up the tourism offer to promote the district as a whole, but towns had been reluctant to buy into that and had preferred to promote themselves on a single destination basis, so not pursued by the previous Council. This would be reviewed under the new administration;
- d. The Portfolio Holder for Corporate Services commented that the plan had the aspiration for all towns in the District to be able to offer highly skilled/paid jobs.

Specifically on priority four: outstanding council and council services:

- a. In regard to relocating to Blackdown House and Exmouth Town Hall, the savings are less than claimed; was the Project Manager still employed, what is the total consultation bill and the total refurbishment bill for Exmouth Town Hall;

In response to the points on priority four: outstanding council and council services:

- a. Cabinet will receive a report one year after the relocation that will outline the savings achieved and various elements related to the relocation;

The Leader explained to the committee his desire, and that of his Cabinet, to work towards delivering for the District's towns to enable them to become as self-sufficient as possible. He also shared his ambition for all towns to have their own business centres in the future, and the expansion of small business units to again help the degree of self-sufficiency each town could develop. Through the Heart of Devon partnership, an economic strategy was due to be presented to Government in the New Year outlining plans to expand growth in the enterprise zone areas.

He also commented that work was underway to try to change the diminishing housing stock, and that it would take time to ensure that the right policies were in place, and that

any new stock built would not be taken away by Government. He looked forward to hearing ideas from Councillors on how to address social housing, weighing up what could be delivered and within the law.

The Chairman brought the debate to a conclusion, adding that three elements would impact what the Council could deliver: Brexit; a general election; and climate change. It was likely that the plan would have to adapt over time to deal with those outcomes.

RECOMMENDED to Cabinet to accept the draft Council Plan, subject to revision taking into account the comments made during the debate by the Overview Committee; specifically that that there is reference both to the playing pitch strategy, and to providing opportunities for sport, culture and leisure as part of preparations for the next Local Plan and the GESP.

25 **East Devon Policies on Poverty**

Cllr Allen presented his paper to the committee. His paper outlined how poverty is defined currently, and how a new way of measuring poverty the Department of Work and Pensions takes account of factors other than income.

His paper covered the many causes of poverty, and the practical implications for those living in poverty. The paper also covered statistics for the District.

He suggested a number of measures that the Council could use to take action on local poverty, which are detailed in the recommendation to Cabinet below.

Debate on the item included:

- Further discussion should take place on the issue when a report prepared by officers was presented to the committee in November, which included the work undertaken to date alongside the Devon Strategic Partnership Group;
- Data from intelligence already held from council tax and benefit records needed to be presented to get a clear picture of what impact there is on the District;
- Any measures for alleviating poverty must include helping people with dealing with personal debt;
- More officer resource should be considered in order to build on work already undertaken by officers in both revenues and benefits, and the housing service, to help signpost where help could be found;
- Concentrate on the root causes of poverty and look to educate where possible; including working with housing providers to help identify those who need help;
- Not enough housing stock is key issue, as is the impact of universal credit;
- Wait for report in November and consider alongside the proposals in Councillor Allen's paper.

RECOMMENDED to Cabinet:

that in the preparation of the Council Plan, and subsequent service plans and related budgets, the following proposals on dealing with poverty are taken into account:

1. Council should have two basic aims, that:-

- 1.1. No one in East Devon is destitute without immediate help, and
- 1.2. Nobody is in poverty for more than two years duration.

2. To achieve this we should address the following key issues:

- 2.1. Boost incomes and reduce relative housing costs;
 - 2.2. Work with partners to deliver an effective benefit system;
 - 2.3. Deliver actions with Business and Public Sector to improve education standards, raise skills and improve work placements;
 - 2.4. Strengthen families and communities to help those at risk of poverty; and
 - 2.5. Promote long-term economic growth to reduce dependency on agriculture, tourism and catering industries
3. **Cabinet should organise lobbying of Government Policymakers by the Council and with Partners** Aimed to improve Welfare, Housing Policy and Employment Law using this report as a basis.
4. There is now a general power to give financial assistance for home repairs, providing the Council has a published policy for providing such assistance. Council should develop a clear Private Sector Housing strategy which plays a key part in delivering the various duties and powers the Council has regarding housing, such as:
- 4.1. assessing the quality, condition and management of the housing stock in the private sector
 - 4.2. tackling poor housing conditions and take action where the meet the requirements of the Decent Homes Standard is not met
 - 4.3. developing measures to bring empty properties back into use
 - 4.4. helping to drive up standards of property management in the private sector
 - 4.5. helping to improve homes through grant assistance in respect of Disabled Facilities Grants (DFGs)
 - 4.6. preventing and reducing homelessness
 - 4.7. improving energy efficiency and reducing carbon emissions from housing. From April 2018, it is unlawful for a landlord to rent out a residential property that does not reach a minimum energy efficiency standard. The intention is for the minimum standard to be set at EPC rating E.;
 - 4.8. administering and enforcing mandatory HMO (house in multiple occupation) licensing
- We cannot deliver the aims of such a strategy alone and it will only be achieved with the assistance of partners and with Devon Home Choice
5. **Devon Strategic Partnership** should report on poverty mapping and should include actions regarding:
- 5.1. Welfare Benefit Policies
 - 5.2. Homelessness
 - 5.3. Exeter and Heart of Devon local Economy actions on jobs
 - 5.4. Health and wellbeing integrated developments
 - 5.5. Broadband
 - 5.6. Food Banks
 - 5.7. Discretionary funding and match-funding with grants
 - 5.8. Review of Priorities
6. **Action with DCC and Skills Agency** Can improve skills and employment career advice to schools and links with SMEs through coordination with Jobcentres:-
7. **Work with EHOD Partners** including Skills Agency to enhance skills in Admin. Food Supply, Wholesale/Retail and Agriculture especially to counter Brexit damage
8. Work with Partners to support low-income residents into higher paid employment and raise skills, attainment and life chances.
9. **Encourage Clinical Commissioning Group** and County Council focus on poverty alleviation through coordination with the District Council
10. Work with partners to improve health outcomes for people on low incomes, including physical and mental health.
11. Apply rigour with transport licensing to improve rural and town access

Potential key areas of focus for the Council's own action going forward:

12. All relevant services and policies to be subject to “poverty proofing” by a report to Overview when each Service Plans and budget is being developed
13. Economic Development to prioritise Business support for Technology, Professional Services and Manufacturing businesses.
14. Economic Development to counter stereotypes of age in employment practises by suitable fact-based engagement with employers
15. Planning to be supportive in Planning applications for Technology, Professional Services and Manufacturing businesses.
16. Contract to AED or similar entity to crowdfund (and raise donations and legacies) and then administer an emergency help fund to help with catastrophic life events. Find grant funds for emergency bridging loans and signpost help
17. Specific EDDC local action integrated with volunteers to focus on key families based on the success of the Troubled Families Programme including creche, early years and childcare facilities; food clubs to improve nutrition; mums and dads clubs to improve parenting and homework and food facilities for children
18. A specific EDDC action research project to focus on disability and chronic ill health:
 - 18.1. Evaluation by Housing Department of disability affects in our social housing stock
 - 18.2. Research by Policy Planning Department on design standards which inform policies to address poverty amongst disabled people.
 - 18.3. Advisory help on home adaptations grants and methods for the disabled and elderly using Disabled facilities grants, Warm Home grants etc.
19. Mechanisms for mapping and enabling key volunteer agencies with committed 3-year funding support based on performance goals
20. Strengthening Community team action to build self-help among community volunteers
21. A Grant fund contributing to revenue funding of Foodbanks for the next 3 years
22. EDDC Community team to engage the Faith and Voluntary sector in an audit of what help exists in East Devon and plan how to help this sector can efficiently harmonise with statutory bodies
23. Support residents to access benefits and respond to the impacts of welfare reform and Brexit.
24. Work with voluntary sector partners to provide debt advice and financial advice - For example UC claimants are able to access the Jobcentre Plus Flexible Support Fund (FSF)—a discretionary fund, controlled by Work Coaches—to cover the up-front costs of childcare, if these would otherwise present a barrier to work. Universal Credit claimants are required to pay for childcare upfront, and claim the money back from DWP. Initial costs, including deposits, can run to hundreds of pounds: costs that may be prohibitive for people with no savings or immediate income. The Flexible Support Fund can be used to meet these costs.
25. Promote and signpost residents to sources of affordable finance.
26. Support residents in fuel and water poverty to reduce their energy and water bills.
27. Continue to promote the Living Wage to employers through Economic Development.
28. Work with local businesses to identify ways that they might use their skills, capacity and resources to support the achievement of shared objectives around poverty and disadvantage.
29. Continue to promote digital access for residents on low incomes with a PC loan fund.
30. Continue to promote volunteering as a means to develop skills and employability and build communities.
31. Promote community pride and cohesion through supporting a range of community events and celebrations to raise funds to alleviate immediate poverty.
32. Construct new Council homes, working with social landlords and developers to deliver more affordable homes.
33. Provide housing, employment and skills support for homeless people.

34. Deliver a range of projects to support groups of people that are more likely to experience poverty, including women, children and substance abuser.

RESOLVED that the proposals be considered alongside a report on Poverty at the November meeting of the committee, with a view to making further recommendations to Cabinet.

26 **Review of the Council's Governance Arrangements - update**

The Chairman advised the committee that circumstances had prevented a meeting between him and the Portfolio Holder for Transformation, but that work would continue on this issue.

An additional meeting for the committee was set for the 17 October 2019 to debate this issue only. Further discussion had also been timetabled in for the scheduled meeting in February 2020.

27 **Overview Forward Plan including update on active scopes**

The Chairman updated the committee on two issues:

- High Streets Task and Finish Forum would get underway later in the year, following discussion with the Portfolio Holder Economy in relation to his plans for a wider economic review of key towns of the District. A [recently published report by Manchester Metropolitan University](#) on the subject would be circulated to councillors;
- Broadband work continued, being actioned by Councillor King. A recent announcement had been made by Government of a [Rural Connected Communities competition](#).

The forward plan for the committee was noted.

Attendance List

Councillors present:

N Hookway (Chairman)
V Johns (Vice-Chairman)
M Allen
S Chamberlain
I Hall
M Hartnell
S Hawkins
F King
M Rixson
T Woodward

Councillors also present (for some or all the meeting)

M Armstrong
P Arnott
J Bailey
K Blakey

K Bloxham
S Bond
P Faithfull
B Ingham
S Jackson
A Moulding
G Pook
J Rowland

Officers in attendance:

Amy Gilbert-Jeans, Service Lead Housing
Libby Jarrett, Service Lead Revenues and Benefits
Debbie Meakin, Democratic Services Officer
Karen Simpkin, Strategic Lead Organisational Development, Transformation and Equalities
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive

Councillor apologies:

B De Saram
J Loudoun
C Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Housing Review Board held at Council Chamber, Blackdown House, Border Road, Honiton, EX14 1EJ on 12 August 2019****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 3.20 pm

22 Public speaking

There were no questions raised by members of the public.

23 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 20 June 2019 were confirmed and signed as a true record, subject to the word 'was' being changed to 'is' in Minute 4 Declaration of interest. Councillor Hall's declaration of interest regarding his mother being a housing tenant.

In response to a question, Amy Gilbert-Jeans, Service Lead – Housing reported that the Housing Service were actively advertising the three current vacancies on the Board and would shortly be preparing a press release. Peter Sullivan, Vice Chairman reported that that he was encouraging tenants to volunteer as Board members through the various tenant meetings that he attended.

24 Declarations of interest

Councillor Ian Hall: Personal interest – mother is a housing tenant. Chairman of the Millwey 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.

Pat Gore: Personal Interest – housing tenant.

Alek Williams: Personal interest – housing tenant

25 Matters of urgency

There were no matters of urgency raised at the meeting.

26 Confidential/exempt item(s)

There was one confidential item to be considered.

27 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 (Part B).

28 **Proposed purchase of 18A & B St. Andrews Road, Exmouth (known locally as the Sailors Rest) involving the spending of Right to Buy (RTB) receipts for 2019/2020.**

Members noted that the report sought permission to proceed with the purchase of the properties known as 18A & B St. Andrews Road, Exmouth following submission of a conditional offer. The report also outlined the proposed spending plan of Right to Buy (RTB) receipts for the 2019/2020 financial year. The report also sought delegated authority to continue the programme of property acquisitions using Right to Buy receipts supplemented with HRA funds and borrowing.

During discussions the points noted included the following:

- The need to ensure good value from the investment and the difference between a commercial investment and one based on housing need.
- The importance of getting the right balance of tenants in the property.
- The greatest housing need was for one bedroomed accommodation in Exmouth.
- The property was in good condition and should not need extensive repairs.
- This was a special and rare opportunity to add to the council's housing stock in Exmouth and a good use of HRA and RTB funding.

The Board considered the need for continuing the spending of Right to Buy receipts on individual property acquisitions and supported a continuation of the arrangements that had been effective during [previous financial years.

RECOMMENDED

1. that delegated authority be given to the Strategic Lead – Housing, Health & Environment, Portfolio Holder for Sustainable Homes & Communities and Chair of Housing Review Board to approve purchases to meet the 2019/2020 spending requirements using HRA funding to compliment the use of Right to Buy receipts;
2. that the purchase of 18A & B St Andrews Road, Exmouth using Right to Buy receipts, HRA funding and any commuted sums available be approved;
3. that it be recommended to Council that the Constitution be amended to include a delegated authority for the Strategic Lead – Housing, Health & Environment to purchase land and property for the Housing Revenue Account (including Right to Buy receipts) subject to the funds being from within approved budgets, in consultation with the Portfolio Holder for Sustainable Homes and Communities and the Chair of the Housing Review Board.

Attendance List

Board members present:

Councillor Tony McCollum (Chairman)
 Peter Sullivan, Tenant (Vice-Chairman)
 Pat Gore, Tenant
 Cat Summers, Tenant
 Alek Williams, Tenant
 Councillor Ian Hall
 Councillor Dan Ledger
 Councillor Helen Parr

Councillors also present (for some or all the meeting)

Brenda Taylor
Eileen Wragg

Officers in attendance:

John Golding, Strategic Lead Housing, Health and Environment
Giles Salter, Solicitor
Amy Gilbert-Jeans, Service Lead Housing
Paul Lowe, Housing Enabling & Allocations Manager
Chris Lane, Democratic Services Officer

Councillor apologies:

Christine Drew, Independent Community Representative
Councillor Kim Bloxham

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 19 September 2019****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 5.00 pm

29 Public speaking

Peter Sullivan, Vice Chairman informed members of the sad news that Victor Kemp who was formerly a member of the Board for many years had recently passed away. The funeral had been held last Friday at which both Board members and Officers had attended. All present wished to thank Victor for his work for the Board and members sat quietly in remembrance.

Councillor Ian Hall wished to talk to Board members on the Right to Buy scheme and the subsidy given to Housing Associations by the Government. The Board needed to look forward on both issues, particularly as he considered that the service provided by EDDC as a Housing Authority to its tenants was of a higher standard than that provided by Housing Associations. Cllr Hall outlined the need for options to be explored that involve EDDC looking at ways its own stock can be further increased as well as what additional funding could be available from central government to do this. Linked to the issue of the Right to Buy. The Acting Housing Service Lead highlighted the desire of the Portfolio Holder to create a working group that could look specifically at how right to buy receipts can be spent over the coming years as we see the need to accelerate spending as opposed to having to pay receipts back. Members were invited to contact the Acting Housing Service Lead directly if they wish to be part of this work.

He reported that there were particular anti-social behaviour problems in the east of the district and it was accepted that there was the need to provide extra resources to help our communities.

30 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 14 August 2019 were confirmed and signed as a true record.

31 Declarations of interest

Councillor Ian Hall: Personal interest – mother was a housing tenant and used Home Safeguard. Chairman of the Millwey Rise Action Group. Member of Devon County Council.

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.

Pat Gore: Personal interest – housing tenant

Alek Williams: Personal interest – housing tenant

32 Matters of urgency

There were no matters of urgency raised at the meeting.

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

There were no confidential or exempt items.

34 **Housing Review Board Forward Plan**

Amy Gilbert Jeans, 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 items to the next forward plan by informing either herself or the Democratic Services Officer. It was noted that the Brexit report had been removed from the forward plan as it would be considered by Cabinet.

A poverty report was being prepared in conjunction with Libby Jarrett, Service Lead Revenues and Benefits and would be presented to Overview Committee in November and would also be considered by the November meeting of the Board.

In response to concerns raised by Cllr Ian Hall, Amy Gilbert-Jeans suggested an information report on financial structures and set-ups of Housing Associations and the differences between us as a Local Authority in order to ensure the Boards understanding of both and where any opportunities could arise.

Amy Gilbert-Jeans referred back to the Right to Buy working group and suggested Members may want to focus part of the work the group do on lobbying Central Government in relation to the Right to Buy scheme around the perceived unfairness and risk to the organisation that a depletion of stock creates.

Members were encouraged to read the Consumer Regulation Review 2018-19 that had been provided as an information report and suggested a report is brought back to the November meeting detailing our position in relation to the Regulatory Code.

RESOLVED: that the forward plan be noted and updated.

35 **Producing a Carbon footprint for Housing**

Members noted that John Golding, Strategic Lead - Housing, Health & Environment had been championing Climate Change on behalf on the whole of the Council. There was the need to reduce the Council's carbon footprint where possible.

The report took forward our commitment given as part of the Devon Climate Change Declaration, to produce an accurate carbon footprint for the Councils activities. This is a complex piece of work and is vital that we perform accurately as this will create a baseline against which we will be measuring our journey towards carbon neutrality.

The expertise that can be found at the University of Exeter was engaged to assist us with this piece of work. This will also provide an independent and auditable assessment of our carbon baseline.

As members of SWEEG (South West Energy & Environment Group) we receive favourable rates when commissioning the University to provide advice and investigations in relation to environmental matters.

The Housing Service has a carbon footprint and calculating this will form an important part of the Council's overall footprint and therefore a key element of our ambition to become carbon neutral as a Council.

A Board member reported that the Council's website needed a more up to date statement as the link present on climate change referred to 2017.

- RESOLVED**
1. to produce a carbon footprint for our Housing Service, identifying and quantifying the carbon emissions from our activities and assets. This includes our contractors work on our behalf and the homes and buildings in our ownership and control.
 2. that the Council's communications team be requested to update the link on climate change on the website to include more up to date information.
 - 3 that paper copies of the agenda be only sent to members of the Board on request.

36 **Draft of the Annual Report to Tenants 2018-19**

Members were requested to comment on and approve the attached draft of the Annual Report to tenants. The draft is in word text format only and will be graphically designed once the wording has been finalised. The reason was to meet with good practice and provide performance information to tenants.

Peter Sullivan, Vice Chairman, reported that this report had been considered yesterday at the Tenants Forum and they were happy with the new format. It was accepted that a footnote should be added explaining regarding changes to the way statistic are captured.

RESOLVED that the Board approve the content of the annual report to tenants, subject to the information being graphically designed for reproduction in the December Housing Matters magazine

37 **HMO Update and Expenditure**

Members were requested to approve works to a recently acquired property that exceed initial budget estimates under powers delegated to the Strategic Lead Housing, Health and Environment – Housing 25 - authority to enter into contracts, including the appointment, liaison and monitoring of contractors and consultants working on Council homes.

The reason behind the report was to ensure that the refurbishment of the property meet regulatory compliance requirements and is suitable for occupation by our tenants, this also involved the entire refurbishment of the kitchen area that had not previously been considered. It was noted that the winning tender was £128,522 compared to the original estimate of £25,000. Members expressed their disappointment at the increase in costs and noted that the officer responsible had now left the Council and a new highly skilled Property and Asset Manager had been appointed to oversee this area going forward.

- RECOMMENDED**
1. that the update provided be noted.
 2. that further expenditure is approved to ensure that the property recently acquired in Morton Road, Exmouth, is fit for purpose, using available budgets, by the Strategic Lead for Housing, Health and Environment.

3. that the further expenditure be approved, subject to available budgets by the Service Lead for Housing, Health and Environment

38 **Community Development Update**

The Chairman welcomed Aaron Clark and Alex Gibson, Community Development Workers to the meeting. They gave an update on the activities on their work, including actual case studies and how it fitted within the wider context of the Housing Service Plan 2019/20. Members noted that Aaron Clark was involved with producing Mental Health strategies on behalf of the Council, the first draft of which would be available in December.

The report ensured the Housing Review Board were fully appraised of why Community Development Workers were employed and how their work can be central to achieving the wider objectives of the authority. This provided an asset based community approach that allowed residents to become more actively involved in supporting their communities. Members emphasised the need for a sustainable funding stream to continue this excellent work.

RESOLVED that Members note the work that is underway that focuses on building our communities to be more resilient.

39 **Update on Integrated Management contract**

John Taylor, Property and Asset Manager reported that the new Integrated Asset Management Contract commenced on the 1 July 2019.

This report updated Members on progress as we approached the end of the first 3 months of our new contracting arrangement with Ian Williams Ltd. The purpose of the report was to ensure Members were up to date with new contracting arrangements covering the maintenance of our housing stock.

Members noted that the Contractors were currently working on 10 voids a week compared to an average of 5. Tenants had responded well to the new repairs contract and the KPIs were monitored on a regular basis. The importance of getting the right staff in place was emphasised and there were currently 5-6 office based staff and 22 operatives working on jobs.

John Taylor took Members through the detail of each KPI with a summary of current performance in each area.

In response to a question, it was reported that the Handyperson Scheme was still available, although there was only one member of staff available at the moment as one had left for another job, but he would be replaced in due course.

RESOLVED that the Board be aware of the commencement of the Integrated Asset Management Contract and early progress be noted.

40 **Update on Your Home, Your Well Being Research Project**

Natalie Brown, Information & Analysis Officer provided the Board with an update on the progress of the three year research project being undertaken in partnership with LiveWest and the University of Birmingham.

The results of the study provided information on the relationship between housing and wellbeing and landlord satisfaction.

The report attempted to raise the profile of the project and to recognise the contribution the project is now making to national debates. It was hoped that the next stage of results could be reported to the November meeting of the Board.

RESOLVED that the ongoing progress of year 2 of the project including the wider contribution of the study to the Ministry of Housing, Communities and Local Government Committee enquiry into the long term delivery of social and affordable rented housing be noted.

41

Residents Involvement Strategy 2019-2022

The Chairman welcomed Sue Saunders and Sue Dawson who read out the following statement giving their view of the new Residents Involvement Strategy.

"I became an involved Tenant in 2006 the year the Tenant & Leaseholder Customer Panel was formed, a fully constituted committee, with elected members. Formal meetings were held under the leadership of a Chair and Vice-chair. Debates were minuted and votes recorded.

The Tenant Representative Group replaced it, its constitution also gave it minutes and recorded votes. The TRG took a closer look at Housing management, unfortunately, some members thought the work too onerous, as Chairs of the Service Review Groups were required to write reports.

Then came the TIF, no constitution no minutes and no voting. The only record of matters discussed, an Action Plan. Now the TIF is to be scrapped, leaving in its place The Scrutiny Panel, the Complaints Group, and two SRGs. The Strategy's answer to this depletion is Focus Groups, Forums and on-line chats.

With this new strategy we will have no meetings where we can come together and discuss the work of each group, just impotent, isolated little groups with no written records and no way to communicate with other tenants in order to gauge their views BEFORE decisions are made.

There is a force growing with-in the Housing Department for meetings to be held via the internet. This new Involvement Strategy is designed to bring that goal nearer. Is this also the way the Council and the Housing Review Board are moving, will full Council meetings be held on Twitter or on-line? No of course not because you know there is no substitute for formalised face to face debate.

I recall a time when tenants were fully involved at all levels. I personally was part of the team responsible for preparations for the Audit Commission investigation. I was on the team that set up the tenant Scrutiny Group and another which set up this Board, of which I was proud to be a founder member. I worked alongside tenants such Ted Brown, Ann Bickham and Victor Kemp, who sad to relate died recently, these people understood the responsibility needed to be a tenant representative. It's obvious the officers don't share that view.

Version 3 of the new strategy given to tenants to consult upon is, in Sue's opinion, an insult to our intelligence. Some wording has obviously been cut and pasted, as evidenced when the text contains the word City when describing East Devon. As far as she is aware there are no cities within the East Devon boundary. This is just an example of the level of importance officers are placing on Tenant Involvement.

The new Residents Involvement Strategy is being described as an EVOLUTION, incidentally, a word I suggested before I became aware of the true nature of the strategy being proposed I would now describe it as a Mutation.

Evolution suggests an improvement, a moving forward. In my opinion this strategy is a giant step backwards.”

Members considered the contents of the refreshed Resident Involvement Strategy and adopting it as fit for purpose for the period 2019/22. The purpose of the report was to ensure our Resident Involvement Strategy is agreed at the highest level and recorded for all to see. It was the result of 18 months of consultation with tenants.

It was noted that the movement to a more internet based approach was designed to improve the involvement of a younger resident demographic and those less physically able and was essential if the Resident Involvement Strategy was to be fit for the future.

Peter Sullivan, Vice Chairman reported that tenants had been consulted on this issue for 18 months. The younger age and disabled tenants were really struggling to be involved and the new strategy presented a number of opportunities for this to be enhanced. These days there were other ways to communicate other than face to face meetings and we must all work harder at making this happen. The Council needs to modernise and use technology. The new Resident Involvement Strategy would help make tenants more involved.

RESOLVED that the Resident Involvement Strategy 2019/22 be adopted.

42 **Public Health Strategic Plan**

The Chairman welcomed Helen Wharam, Public Health Project Officer who gave a presentation on the East Devon Public Health Strategic Plan 2019-2023.

Councillor Ian Hall reported that the east of the district was being cut off and that the East Devon Public Health Strategic Plan 2019-2023 needed to ensure it was district wide, which meant including the east of the district. He considered that the plan contained nothing at all about issues around drugs and county lines.

Helen Wharam reported that the priorities in the Plan were based on statistical evidence from Devon County and are intended to help focus resources. We will work across the district, with a focus on those areas of most need. She advised that EDDC has an Anti-Social Behaviour and Community Safety Coordinator.

RESOLVED that the report be noted.

43 **Consumer Regulation Review 2018-19**

Members of the Board received details of the Consumer Regulation Review 2018-19. This provided a summary of the Regulator’s consumer regulation work for the year 2018-19. It included case studies to demonstrate the approach to consumer regulation, as well as key lessons the Regulator of Social Housing wished to share with the housing sector and explained its current role and mandate as set by Parliament.

Amy Gilbert-Jeans reminded Members that as set out in the Forward Plan, a position statement on our performance in relation to this report will be brought back to the November meeting.

RESOLVED that the report be noted

44 **Housing Revenue Account update to end of August 2019**

Members receive a report from Rob Ward, Accountant which provided the Housing Review Board with the current position to August 2019 and details of the year end forecast of the draft Housing Revenue Account for 2019/20. This account shows the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a Housing Revenue Account has been a statutory requirement for Councils who manage and own their housing stock for some time, and therefore a key document for the Board to influence.

Rob apologised that the report had been a late addition to the agenda.

The report also provides the position of the HRA capital programme for both affordable housing and other capital items outside of the Housing Revenue Account Business Plan. Members requested that they receive a copy of the presentation.

RESOLVED that the Housing Revenue Account update to August 2019 be approved and it be recommended Cabinet.

Attendance List

Board members present:

- Councillor Tony McCollum (Chairman)
- Peter Sullivan, Tenant (Vice-Chairman)
- Christine Drew, Independent Community Representative
- Pat Gore, Tenant
- Alek Williams, Tenant
- Councillor Ian Hall
- Councillor Dan Ledger
- Councillor Helen Parr

Councillors also present (for some or all the meeting)

- Megan Armstrong
- Paul Millar

Officers in attendance:

- Sue Bewes, Landlord Services Manager
- Natalie Brown, Information and Analysis Officer (Housing)
- Amy Gilbert-Jeans, Service Lead Housing
- Christopher Lane
- Paul Lowe, Housing Enabling and Allocations Manager
- Andrew Mitchell, Housing Needs and Strategy Manager
- Giles Salter, Solicitor
- John Taylor, Property and Asset Manager
- Rob Ward, Accountant
- Helen Wharam, Public Health Project Officer
- Aaron Clark, Community Development Worker
- Alex Gibson, Community Development Worker

Councillor apologies:

- Cat Summers, Tenant
- Councillor Kim Bloxham

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Council Chamber Blackdown House on 20 August 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.45 am

9 Public speaking

There were no members of the public present.

10 Minutes of the previous meeting

The minutes of the Strategic Planning Committee held on 10 June 2019 were confirmed as a true record.

Cllr Ranger sought clarification if the Strategic Planning Committee would be undertaking a review of the Local Plan. In response the Service Lead Planning Strategy and Development Management confirmed work had commenced on evidence gathering and project planning but could not progress further until clarity was obtained on the Greater Exeter Strategic Plan Strategy which the Local Plan would sit under.

In relation to Minute 2 Cllr Moulding sought clarification when the Housing Needs Study would be undertaken. The Service Lead Planning Strategy and Development Management apologised for the delay in setting up the Panel and said it was due to the evidence gathering and co-ordinating with consultants. The Service Lead for Planning Strategy and Development Management would look to set up the Panel in October.

11 Declarations of interest

7. Community Infrastructure Levy: Draft Charging Schedule consultation document and revised instalment policy.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

7. Community Infrastructure Levy: Draft Charging Schedule consultation document and revised instalment policy.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

7. Community Infrastructure Levy: Draft Charging Schedule consultation document and revised instalment policy.

Councillor Paul Hayward, Personal, Parish Clerk to Chardstock and Newton Poppleford and Hapford Parish Councils. Both Councils are recipients of CIL and S106.

12 Matters of urgency

There were no matters of urgency discussed.

13 Confidential/exempt item(s)

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

14 **Community Infrastructure Levy: Draft Charging Schedule consultation document and revised instalment policy**

The Committee considered the report which sought to update Members on Government changes to the CIL system and to provide Members an understanding of issues that had arisen from the public consultation on the Preliminary Draft Charging Schedule, how the Council had taken into account the responses and subsequent changes proposed. The Service Lead Planning Strategy and Development Management advised Members one key reason for revising the Charging Schedule was to ensure infrastructure delivery at Cranbrook with a revised CIL charging zone.

It was highlighted only 15 responses had been received to the consultation which raised a number of issues, many of which had been addressed in the viability assessment.

As a result of the responses received the proposed changes were:

- Changing the boundaries of the Cranbrook charging zone to reflect the Cranbrook Plan area; and
- Axminster Urban Extension – amending the boundary to reflect the new endorsed Masterplan advocating a larger area for development.

The Committee also considered the revised Instalment Policy which proposed to reduce the number of instalments when small amounts are due to help reduce administration for the council and applicants and for the council to receive CIL from smaller schemes more quickly. Attention was drawn to how this would be implemented and members noted the proposal was to retain the existing instalment policy for developments that had already been issued a liability notice and implement the new instalment policy on new cases.

Discussions on the report included:

- Concerns raised on CIL being a failing system of drawing funding and it was questioned whether it was fit for purpose.
- Disappointment was expressed about the lack of comments received from developers during the consultation.
- Clarification sought on the outcome of CIL with other authorities. In response the Service Lead Planning Strategy and Development Management said the main issue was CIL was never intended to be the one source of funding for infrastructure.
- Concerns raised on paragraph 4.8 and the rebase of Habitat Mitigation. In response the Service Lead Planning Strategy and Development Management advised rebasing of CIL and Habitat Regulations were separate. Rebasing CIL focused on reassessing the viability of development whereas the Habitat Mitigation rebasing was about ensuring the necessary funds were collected to deliver the strategy.
- Concerns raised on paragraph 4.7 whether £147.23 per sq m reduction would be adequate for Winslade Park to achieve the required affordable housing commitments. In response the Service Lead Planning Strategy and Development Management advised that negotiations were on-going on this site but that the proposed reduced rate would certainly help to address previous liability concerns.
- It was queried why Pinhoe was included in East of Exeter and why Broadclyst had not been mentioned in Figure 2. The Service Lead Planning Strategy and Development Management advised he would remove Pinhoe and explained that Broadclyst was a parish in West Clyst.

- Assurance was sought that the affordable homes target would be met with the proposed changes to the CIL rate. The Service Lead Planning Strategy and Development Management gave a detailed explanation why the council was not able to give such an assurance.
- Concerns raised about Section 106 being quashed because it was not legally binding. It was advised at Development Management Committee very viable contributions had been waived on grounds of viability which had led to developers not paying CIL. In response the Service Lead Planning Strategy and Development Management explained that as non-policy compliant applications were required to be brought before Development Management Committee this may be obscuring perception of levels of applications claiming viability issues. It was further advised many applications that were policy compliant do pay CIL.
- It was claimed in 2010 Mid Devon's gross profit for each house built was £20k and in 2018 it was £71k. This was claimed to show developers were making more and more profit at the expense of the residents of East Devon.
- The retail sector is suffering under the current climate.
- The need to protect affordable housing.

RESOLVED:

1. That the consultation responses received on the Preliminary Draft Charging Schedule be noted and the council response be endorsed;
2. That the Community Infrastructure Levy Draft Charging Schedule consultation document for public consultation over a period of six weeks be approved;
3. That the revised Instalment Policy be approved.

RECOMMENDED TO COUNCIL:

that the Community Infrastructure Levy Draft Charging Schedule for submission to the Planning Inspectorate for Examination together with any consultation responses received during the consultation recommended at 2 above.

15 **S106/Community Infrastructure Levy Developer Contributions
Annual Report 2018/19**

Members welcomed the Section 106 Infrastructure Levy Developer Contributions Annual Report 2018/19 outlining the financial contributions received by the Council, where these had been spent and the balance of unspent monies at the end of the last financial year. The report also detailed a summary of the way the Council collect financial contributions through Community Infrastructure Levy.

Comments made during discussions included:

- Exeter and Teignbridge District Council were progressing ahead of this council with their Habitat Regulations Assessment Mitigation. In response the Service Lead Planning Strategy and Development Management advised the council was working closely with Devon Clinton Estates on heath initiatives. Members were also advised that the strategy is being delivered in partnership and that mitigation measures delivered in partner authority areas are beneficial to East Devon
- It was advised Broadclyst had not been included on Table 3.
- Concerns raised about the 2018 Section 106 cash flow figures detailed in Graph 1.

RESOLVED:

1. That the contents of this report be noted;
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2. That the sums secured for Habitat Mitigation non-infrastructure be increased to those detailed in table 4 in the report to reflect the rebasing of the Habitat Mitigation Strategy be agreed;
3. That the amount top-sliced from CIL receipts for Habitat Mitigation be 8.6% on net CIL receipts (11.7% of total CIL receipts) to reflect the rebasing report be agreed.

16 **Membership of Greater Exeter Strategic Plan Members Joint Advisory Reference Forum**

Members welcomed the report presented to them outlining the need to increase membership of the Greater Exeter Strategic Plan Members Joint Advisory Reference Forum to 10 members per partner authority with an additional 5 members to enable wider engagement with the membership of the Councils on the emerging proposals coming out of the work on GESP.

Discussion covered:

- Clarification sought about whether the partner authorities were doing the same. It was advised the partner authorities were putting in place the same arrangements.
- Clarification sought that all 4 authorities were moving forward with GESP. In response the Chief Executive advised the current understanding is that the 4 leaders were meeting regularly with a view to agreement to take forward GESP.

RECOMMENDED:

that Council agrees to increasing the membership of the Greater Exeter Strategic Plan Members Joint Reference Forum to 10 Members from each authority on the basis of each authority's political balance and appoints an additional 5 Members to sit on the Forum

17 **Validation of planning and related applications - adoption of revised information required to be submitted with planning and associated applications (Local List)**

The Committee was asked to consider the recommendations of the Validation of planning and related applications – adoption of revised information required to be submitted with planning and associated applications (Local Requirements List). The Service Lead Planning Strategy and Development Management advised as there had not been any substantial changes since it was last modified in 2017 it only required a light touch limited review and drew Members' attention to the minor changes and comments listed in paragraph 2.5 including Flood Risk Assessments and Design Access Statements.

The Service Lead Planning Strategy and Development Management provided Members with an update from the Economic Development Manager providing additional guidance under the Economic Impact Assessment that was not currently in the document.

Issues were highlighted as:

- Concerns raised about the quality of the presentation of plans and drawings especially when downloading from the council's website.
- Make it mandatory for Architects to not use the dark blue paper.

- The need for correctly titled planning drawings to easily identify revisions.
- The need to include additional information regarding a carbon impact statement.
- Would like to see heavy nudges through the planning process for developers to produce low carbon buildings.
- Clarification sought on the main changes proposed under delegated authority. The Service Lead Planning Strategy and Development Management advised the main changes included all major planning applications involving the loss of land or buildings last used for employment, retail and/or community purposes has to submit an Economic Impact Assessment as opposed to major developments, more detailed guidance and details on the marketing strategy.

RESOLVED:

that the revised information and requirements together with amendments to the Economic Impact Assessment requirement (as appended) in the document 'Information Required with Planning and Associated Applications' be adopted and published immediately for Development Management purposes.

Attendance List

Councillors present:

S Bond (Chairman)
N Hookway (Vice-Chairman)
O Davey
S Hawkins
P Hayward
M Howe
F King
D Ledger
A Moulding
G Pratt
E Rylance
P Skinner

Councillors also present (for some or all the meeting)

K Bloxham
A Dent
P Faithfull
S Jackson
G Jung
K McLauchlan
V Ranger
J Rowland

Officers in attendance:

Ed Freeman, Service Lead Strategic Planning and Development Management
Mark Williams, Chief Executive
Shirley Shaw, Planning Barrister
Keith Lane, Planning Officer (Planning Policy)
Wendy Harris, Democratic Services Officer

Councillor apologies:

M Allen

F Caygill
T McCollum

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 9 July 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 4.00 pm (The committee adjourned at 12.20pm and reconvened at 2.00pm)

17 Minutes of the previous meeting

The minutes of the Development Management Committee meeting held on 18 June 2019 were confirmed as a true record.

18 Declarations of interest

7. 18/2021/VAR (Major).

Councillor Tom Wright, Personal, Budleigh Salterton Town Councillor.

10. 19/0987/FUL (Other).

Councillor Tom Wright, Personal, Budleigh Salterton Town Councillor.

11. 19/0101/FUL (Minor).

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution the Chairman (on behalf of the Committee) advised lobbying in respect of this application.

11. 19/0101/FUL (Minor).

Councillor Colin Brown, Personal, Ward Member.

11. 19/0101/FUL (Minor).

Councillor David Key, Personal, Ward Member.

12. 19/0509/FUL (Minor).

Councillor Geoff Pratt, Personal, Ottery St Mary Town Councillor and member of Neighbourhood Planning Working Party.

14. 19/0836/FUL (Minor).

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution the Chairman (on behalf of the Committee) advised lobbying in respect of this application.

14. 19/0836/FUL (Minor).

Councillor Nick Hookway, Personal, In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution Cllr Hookway advised that as Ward Member he was predetermined and did not participate in the debate or vote..

14. 19/0836/FUL (Minor).

Cllr Ollly Davey, Personal, Was a member of Exmouth Town Council's Planning Committee when this application was discussed.

16. 19/0527/FUL (Minor).

Councillor Tony McCollum, Personal, Ward Member.

17. 19/0439/FUL (Minor).

Councillor Tony McCollum, Personal, Ward Member and known to the landlords at 22 New Street and 16 New Street and also lived in the flat above 16 New Street.

19 **Planning appeal statistics**

The Committee received and noted the Development Manager's report setting out appeals recently lodged and outlining 7 appeal decisions of which all 7 had been dismissed.

The Development Manager drew Members' attention to the appeal of application 18/0054/COU which had been dismissed due to policy in the Local Plan requiring a 12 month period of marketing. The Development Manager highlighted its relevance as it had similar issues to a couple of items on the agenda.

The Development Manager also drew Member's attention to the appeal of application 18/2608/OUT which was discussed at the last committee and advised the applicant had now submitted an appeal.

20 **18/2021/VAR (Major)**

BUDLEIGH SALTERTON

Applicant:

Mr Pounceby.

Location:

Land South Of B3178 (Evans Field), Budleigh Salterton.

Proposal:

Variation of Condition 2 (plans condition) of planning permission 11/2629/MFUL to propose changes in layout and furthermore to reduce the amount of affordable housing proposed.

RESOLVED:

Approved as per officer recommendation subject to updated plan numbers and additional conditions covering the following:

- Additional sections demonstrating that the levels adjoining hedgebank to the rear of plots 24-51 will not be altered in the interests of protecting the boundary treatment and the visual amenity of the area;
- Submission of an amended plan to remove a retaining wall from the Root Protection Area of the tree to Plot 24 to protect the tree from the development;
- Submission of details of the layout of the play area to ensure sufficient provision to serve the development;
- Submission and approval of a 10 year landscape management plan for the site in the interests of the visual amenity of the area and AONB.

21 **18/2538/FUL (Minor)**

AXMINSTER

Applicant:

Lisa Keech.

Location:

1 Rougemont Terrace, Musbury Road, Axminster, EX13 5JP.

Proposal:

Construction of a dwelling.

RESOLVED:

Deferred to the next committee meeting so that DCC Highways can be invited to explain their lack of highway safety objection to the application.

22 **18/1681/MOUT (Major)**

AXMINSTER

Applicant:

Axminster View Ltd.

Location:

Land South East of West Street Car Park, West Street, Axminster.

Proposal:

Outline application for the erection of 10 dwellings and associated access, parking and bin cycle store (matter of landscaping reserved).

RESOLVED:

Approved as per officer recommendation subject to the addition of the further 4 conditions relating to surface water drainage as requested by the Lead Local Flood Authority dated 28 June 2019.

23 **19/0987/FUL (Other)**

BUDLEIGH AND RALEIGH

Applicant:

Mr & Mrs Mike and Charlotte Lemon.

Location:

11B Stoneborough Lane, Budleigh Salterton, EX9 6HL.

Proposal:

Construction of roof over garage; extension to rear and enlarged porch.

RESOLVED:

Approved as per officer recommendation.

24 **19/0101/FUL (Minor)**

DUNKESWELL AND OTTERHEAD

Applicant:

Cutler.

Location:

Greenways, Awliscombe, Honiton, EX14 3PJ.

Proposal:

Construction of 5 dwellings (comprising a mix of affordable and market dwellings).

RESOLVED:

Approved as per officer recommendation.

25 **19/0509/FUL (Minor)**

OTTERY ST MARY

Applicant:

Mrs K Grannell.

Location:

30 Mill Street, Ottery St Mary, EX11 1AD.

Proposal:

Change of use on ground floor from part residential / part commercial to all residential and installation of timber window within existing timber surround.

RESOLVED:

Refused contrary to officer recommendation.

Members considered that in the absence of 12 months marketing of the premises, the proposal has the potential to undermine the vitality and viability of the town centre. As such the proposal is contrary to Policy 9, Strategies 24 and 32 of the Local Plan and Policy NP18 of the Neighbourhood Plan.

26 **19/0836/FUL (Minor)**

EXMOUTH LITTLEHAM

Applicant:

Mr Dave Turner (East Devon District Council).

Location:

Queen's Drive Space, Queen's Drive, Exmouth.

Proposal:

Overflow car park of approximately 50 vehicles.

RESOLVED:

Approved but only for a temporary period until 15 September 2020.

Members considered this was adequate time to enable alternative uses to come forward and as such a longer temporary period was not required.

27 **18/2261/FUL (Minor)**

EXMOUTH WITHYCOMBE RALEIGH

Applicant:

Mr & Mrs McMaster.

Location:

Land Rear of 198 Withycombe Village Road, Exmouth, EX8 3BD.

Proposal:

Proposed new dwelling.

RESOLVED:

Approved as per officer recommendation.

28 **19/0527/FUL (Minor)**

HONITON ST PAUL'S

Applicant:

Mr & Mrs D & A Wilkinson.

Location:

32-34 High Street, Honiton, EX14 1PU.

Proposal:

Proposed conversion and extension of existing building to create 4 dwellings, including the creation of amenity spaces and parking areas to rear and other external alterations.

RESOLVED:

Approved contrary to officer recommendation.

Members considered that the employment and community uses had been re-provided elsewhere within Honiton and as such there was no loss to social and community gathering facilities. As a result the proposal complies with Strategy 32 without the need for any further marketing of the premises.

29 **19/0439/FUL (Minor)**

HONITON ST PAUL'S

Applicant:

Mrs Hatice Oflaz.

Location:

20 New Street, Honiton, E14 1EY.

Proposal:

Change of use from A2 (professional services) to A3 (restaurant) use, including new rear access to serve residential unit and fenestration changes.

RESOLVED:

Refused contrary to officer recommendation.

Members considered that the proposal would result in harm to neighbouring residents by virtue of extended opening hours into the evening and from additional noise and disturbance likely from a restaurant use. In addition, members considered that the proposal would result in overlooking and loss of amenity from the new rear access and from activity associated with its use.

Attendance List

Councillors present (for some or all the meeting):

M Howe (Chairman)
K McLauchlan (Vice-Chairman)
P Arnott
K Bloxham
C Brown
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)

M Armstrong
K Blakey
B De Saram
P Faithfull
S Jackson
E Rylance

Officers in attendance:

Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer

Councillor apologies:

S Gazzard

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 6 August 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 3.50 pm (The Committee adjourned at 12.20 pm and reconvened at 2.00 pm)

30 Minutes of the previous meeting

The minutes of the Development Management Committee meeting held on 9 July 2019 were confirmed as a true record.

31 Declarations of interest

9. 18/2799/MOUT (Major).

Councillor Kathy McLauchlan, Personal, Declared that she had previously and her spouse work for the RD&E Trust and advised that as she was not able to consider the application fairly and so would not participate or vote in the matter.

9. 18/2799/MOUT (Major).

Councillor Paul Hayward, Personal, Spouse works for the RD&E Trust.

9. 18/2799/MOUT (Major).

The Chairman noted on behalf of the Committee that the Council was a shareholder in the Science Park company.

13. 19/0941/LBC (Other).

Councillors Arnott, Hayward, Hookway and the Chairman (on behalf of the Committee) declared a Personal Interest as the applicant was an East Devon District Councillor.

14. 18/2608/OUT (Minor).

Councillor Paul Hayward, Personal, 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 in the debate other than as an advisory role and was involved in any voting.

15. 18/2772/FUL (Minor).

Councillor Paul Hayward, Personal, Declared that in his role as Clerk to Newton Poppleford and Harpford Parish Council 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.

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution, Councillor Howe advised that he was the Ward Member in respect of application 19/0784/FUL so the Vice Chairman chaired the item.

32 Planning appeal statistics

The Committee received and noted the Development Manager's report setting out appeals recently lodged drawing members' attention to the appeal of application 18/2446/VAR which had been dismissed due to a lack of marking of the units for continued use as holiday accommodation, contrary to the Local Plan, and application 18/2514/FUL which had also been dismissed as it did not adequately mitigate its adverse effects on both the Exe Estuary SPA and the East Devon Pebblebed Heaths SPA and SAC.

33 **18/2538/FUL (Minor)**

AXMINSTER

Applicant:

Lisa Keech.

Location:

1 Rougemont Terrace, Musbury Road, Axminster, EX13 5JP.

Proposal:

Construction of a dwelling.

RESOLVED:

Approved as per officer recommendation.

34 **18/2799/MOUT (Major)**

BROADCLYST

Applicant:

Eagle One MMLIII Ltd.

Location:

Exeter Science Park, Clyst Honiton.

Proposal:

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

RESOLVED:

Deferred to seek further advice on the legitimacy of the health contribution following additional information being submitted by the applicant in response to the publication of the Committee Report.

35 **19/0784/FUL (Minor)**

CLYST VALLEY

Applicant:

Mr Terence Adams.

Location:

Greendale Farm, Greendale Lane, Clyst St Mary, EX5 1AW.

Proposal:

Demolition of existing farmhouse and replacement with 3 cottages and associated car parking, landscaping, bin store and ancillary works.

RESOLVED:

Approved as per officer recommendation.

36 **19/1038/FUL (Minor)**

DUNKESWELL AND OTTERHEAD

Applicant:

Mr A Luxton.

Location:

Emmetts Farm, Beacon, Yarcombe, Honiton, EX14 9LU.

Proposal:

General purpose agricultural building.

RESOLVED:

Approved contrary to officer recommendation with delegated authority to officers to impose appropriate conditions.

Members considered that the proposal was of an appropriate scale and materials such that it would conserve and enhance the AONB. In addition, it was considered that the proposed building was a sufficient distance from the nearby listed building to not cause any harm to its setting.

37 **19/1046/FUL (Minor)**

WOODBURY AND LYMPSTONE

Applicant:

FWS Carter and Sons Ltd.

Location:

10 Hogsbrook Units, Woodbury Salterton, EX5 1PY.

Proposal:

Retention of extension to industrial unit (including change of use from agricultural to Class B8 (storage)).

RESOLVED:

Approved as per officer recommendation.

38 **19/0941/LBC (Other)**

SIDMOUTH RURAL

Applicant:

Mr John Loudoun.

Location:

Bourne Cottage, Cotford Road, Sidbury, EX10 0SQ.

Proposal:

Replace existing cladding on gable extension of sunroom on (south elevation) with high level glazing to match below.

RESOLVED:

Approved as per officer recommendation.

39 **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 2 dwellings (with all matters other than access reserved).

RESOLVED:

As per officer recommendation that the Planning Inspectorate be advised that the application would have been approved with conditions had the applicant not appealed against non-determination.

40 **18/2772/FUL (Minor)**

NEWTON POPPLEFORD AND HARPFORD

Applicant:

Mr C Drake.

Location:

Homefield Farm, Newton Poppleford, EX10 0BY.

Proposal:

Application for a 'live/work' unit in conjunction with the existing business.

RESOLVED:

Approved contrary to officer recommendation with delegated authority to officers to impose appropriate conditions including the tying of the residential element to the business, removal of the portacabin before first use of the building, submission of a landscaping scheme, submission of materials for approval and submission of details of glazing for approval to reduce light-spill in the AONB.

Members considered that material considerations in terms of the nature of the work and wider economic and community benefits outweighed the lack of any planning policy support for the proposal.

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
T McCollum
H Parr
G Pratt
J Rowland
E Wragg

Councillors also present (for some or all the meeting)

M Allen
K Blakey
S Bond
G Jung
V Ranger
P Skinner

Officers in attendance:

Ed Freeman, Service Lead Strategic Planning and Development Management
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Chris Rose, Development Manager
Wendy Harris, Democratic Services Officer

Councillor apologies:

K Bloxham
D Key
T Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 3 September 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 3.15 pm. (The Committee adjourned at 12.35 pm and reconvened at 2.00 pm.)

41 Minutes of the previous meeting

The minutes of the Development Management Committee held on 6 August 2019 were confirmed as a true record.

42 Declarations of interest

9. 18/1850/MOUT (Major).

Councillor Helen Parr, Pecuniary, Director of Bakers which owns the land adjacent to the application site. Husband is a tenant of the field which is part of the application and is also a Director of Bakers and a shareholder. Cllr Helen Parr withdrew from the debate and the vote in respect to application 18/1850/MOUT.

9. 18/1850/MOUT (Major).

Councillor Paul Arnott, Personal, Member of Colyton and Colyford Community Land Trust which may or may not be involved in the affordable housing element if the application were to be approved.

11. 19/0591/MFUL (Major).

Councillor Colin Brown, Personal, The agent for planning application 19/0591/MFUL stayed as a paying guest in his hotel prior to the meeting. He had not spoken with the agent.

12. 19/0816/RES (Minor).

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Cllr Howe (on behalf of the Committee) advised that correspondence had been received from the objector in respect of this application.

43 Planning appeal statistics

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

The Development Manager drew the Committee's attention to the four appeals allowed. The Committee were advised the council were seeking legal advice on the Inspectors decision to allow the appeal on application 18/2030/PDQ – land north of Canterbury House Farm, Woodbury. The Inspector had allowed the appeal on the basis that a separate application should have been made under Regulation 77 of the Conservation of Habitats and Species Regulations 2017. The Committee were also advised that Natural England too had concerns about the decision made by the Inspector.

The Committee's attention was also drawn to the appeal allowed on application 18/0346/FUL – Dunscombe Barn, Salcombe Regis, Sidmouth. The Inspector determining that the proposal would not have a harmful to the setting of the nearby heritage site.

Finally the Committee were advised that the Inspector had allowed the appeals on applications 18/2280/FUL – 55 Peaslands Road, Sidmouth and 18/2296/FUL – 6 Endsleigh Crescent, Blackhorse, Exeter. The Inspector allowing the appeals on the basis the reduced daylight was considered acceptable.

The Development Manager drew attention to the Planning Inspectorate allowing more appeals on applications for house extensions and advising Members that any harm arising from house extensions would need to be significant in order for the Council to be able to win appeals against the refusal of planning permission.

44 **19/1184/FUL (Minor)**

BROADCLYST

Applicant:
Messrs Glanvill.

Location:
Land At Holbrook Farm, Clyst Honiton.

Proposal:
Demolition and replacement of agricultural building with erection of storage and distribution building (use class B8) and associated works.

RESOLVED:
Approved as per officer recommendation.

45 **18/1850/MOUT (Major)**

COLY VALLEY

Applicant:
Homes England.

Location:
Ceramtec UK Ltd., Sidmouth Road, Colyton, EX24 6JP.

Proposal:
Application for outline planning permission (all matters reserved for later approval except for access) for demolition of existing buildings and the development for up to 72 new houses and 6 B1 use class light industrial units (up to 1,000 sq.m.)

RESOLVED:
Approved as per officer recommendation but subject to the following changes:

- To the recommendation to read:

‘That delegated authority is given to the Service Lead – Planning Strategy and Development Management in consultation with the Chairman of Development Management and Ward Members to grant consent, subject to:’

- Condition 19 of Reptile Mitigation Strategy be strengthened to ensure that the relocation of the slow worms occurs to commencement of development;
- The removal of condition 17 (as it is a duplication of condition 21);
- Changes to wording of condition 21 to remove ‘and those set out in the [Document Name] (Report Ref. [Document Reference]), Rev. [Document Revision], dated [Document Date].’

46 **19/1065/FUL (Minor)**

HONITON ST MICHAEL’S

Applicant:

Mr Dave Vallender.

Location:

Pegasus House, King Street, Honiton.

Proposal:

Convert part of building to 2 x 1 bed single storey apartments, demolition of timber/corrugated sheds and construction of 1 x 1 bed house and 2 x 2 bed houses.

RESOLVED:

Approved as per officer recommendation.

47 **19/0591/MFUL (Major)**

WOODBURY AND LYMPSTONE

Applicant:

Plutus Energy Ltd., (Mr Paul Lazarevic)

Location:

Storage Land Adjacent Electricity Sub Station, Woodbury, EX5 1LD.

Proposal:

Installation of 20 self-contained natural gas engine driven electricity generators for the provision of flexible electricity generation, 2 switch rooms, 1 gas governor, 1 transformer, 4 metre high acoustic fence and landscaping, including screening bund.

RESOLVED:

Refused contrary to officer recommendation.

Members considered that the proposal was contrary to Local Plan Strategies 1, 3, 5, 7, 39, Local Plan Policies D1 and EN13 and guidance within the NPPF with the benefits from the proposal being outweighed by the harm created through development in the countryside of a power generator reliant upon fossil fuel. In addition, Members considered that the proposal would result in the harmful pollution of the local environment contrary to Local Plan Policy EN14.

48 **19/0816/RES (Minor)**

EXMOUTH HALSDON

Applicant:

Mr & Mrs M Murray

Location:

9 Seafield Avenue, Exmouth, EX8 3NJ.

Proposal:

Construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale).

RESOLVED:

Deferred for a Site Inspection to assess the impact upon the adjoining property at 7A Seafield Avenue.

49 **19/1267/FUL (Minor)**

EXMOUTH TOWN

Applicant:

Mr C Olisa.

Location:

Flat 1, 6 Alston Terrace, Exmouth, EX8 1BH.

Proposal:

Subdivision of flat 1 into 2 flats (retrospective application).

RESOLVED:

Refused as per officer recommendation.

50 **19/0203/FUL (Minor)**

EXMOUTH TOWN

Applicant:

Mr J Garrett.

Location:

St Saviours, 12 Morton Road, Exmouth, EX8 1AZ.

Proposal:

Change of use of building from nursing home to 19 bed house of multiple occupation (large HMO).

RESOLVED:

Refused contrary to officer recommendation.

Members considered that the intensive nature of the proposal and associated activity, coupled with its location, would adversely affect the character and amenities of the area

to the detriment of residential amenity and local tourism contrary to policies D1 and H3 of the Local Plan.

Attendance List

Councillors present (for some or all the meeting):

M Howe (Chairman)
K McLauchlan (Vice-Chairman)
P Arnott
K Bloxham
C Brown
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)

M Armstrong
J Bailey
S Bond
B Ingham
G Jung

Officers in attendance:

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

Councillor apologies:

K Bloxham (PM only)
O Davey
S Gazzard
G Pratt (PM only)
T Wright

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Development Management Committee held at Council Chamber Blackdown House on 1 October 2019****Attendance list at end of document**

The meeting started at 10.30 am and ended at 2.40 pm (The Committee adjourned at 11.45 am and reconvened at 1.30 pm)

51 Minutes of the previous meeting

The minutes of the Development Management Committee held on 3 September 2019 were confirmed as a true record.

52 Declarations of interest

9. 18/2799/MOUT (Major).

The Chairman noted on behalf of the Committee that the Council was a shareholder in the Science Park Company.

9. 18/2799/MOUT (Major).

Councillor Kathy McLauchlan, Personal, Declared that she and her spouse had previously worked for the RD&E Trust and advised that as she was not able to consider the application fairly she would not participate or vote in the matter.

9. 18/2799/MOUT (Major).

Councillor Kevin Blakey, Personal, Director of Exeter Science Park PLC.

9. 18/2799/MOUT (Major).

Councillor Paul Hayward, Personal, Spouse works for the RD&E Trust.

10. 19/0978/FUL (Minor).

Councillor Paul Hayward, Personal, Lives behind the application site.

12. 18/2504/MFUL (Major).

In accordance with the code of good practice for Councillors and Officers dealing with the planning matters as set out in the Constitution, Councillor Howe stepped down from the committee and the Vice Chairman chaired the item.

12. 18/2504/MFUL (Major).

Councillor Paul Arnott, Personal, Known to applicant's agent and the agent's spouse.

14. 19/0597/FUL (Minor).

Councillor John Loudoun, Personal, Known to applicant as he lives in the same village.

53 Planning appeal statistics

The Committee received and noted the Development Manager's report setting out the appeals recently lodged and outlining the four decisions notified of which all had been allowed.

The Development Manager drew Members' attention to the application of 18/1094/MOUT – Land East of Two Bridges, Two Bridges Road, Sidford and advised that although the

Inspector acknowledged that there would be some disturbance from HGV's generated by the proposal, the Inspector considered that the employment benefits outweighed any harm from increased HGV traffic.

54 **19/0816/RES (Minor)**

EXMOUTH HALSDON

Applicant:

Mr & Mrs M Murray.

Location:

9 Seafield Avenue, Exmouth.

Proposal:

Construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale).

RESOLVED:

Approved as per officer recommendation.

55 **18/2799/MOUT (Major)**

BROADCLYST

Applicant:

Eagle One MMIII Ltd.

Location:

Exeter Science Park, Clyst Honiton.

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.

56 **19/0978/FUL (Minor)**

AXMINSTER

Applicant:

East Devon District Council Housing Property & Asset

Location:

Poplar Mount, Axminster, EX13 5QE.

Proposal:

Erection of 3 external lift shafts and associated internal alterations.

RESOLVED:

Approved as per officer recommendation.

57 **19/1830/FUL (Minor)**

EXMOUTH BRIXINGTON

Applicant:

Mr & Mrs L Phillips-Clark

Location:

26 Withycombe Park Drive, Exmouth, EX8 4EL.

Proposal:

Construction of single storey rear extension, hip-to-gable extensions and rear dormer window. Charge of external materials.

RESOLVED:

Approved as per officer recommendation.

58 **18/2504/MFUL (Major)**

CLYST VALLEY

Applicant:

Mr Mark Tremlett.

Location:

Armada House, Odhams Wharf, Ebford.

Proposal:

Demolition of existing industrial unit and construction of replacement building, raising of site levels and construction of new bridge.

RESOLVED:

Approved as per officer recommendation.

59 **19/1066/FUL (Minor)**

NEWBRIDGES

Applicant:

Mr & Mrs S R & C A Perry.

Location:

Nower Dairy, Kilminster, EX13 7HD.

Proposal:

Construction of earth lined slurry lagoon.

RESOLVED:

Deferred to seek further information in relation to compliance with CIRIA Guidance C759b and the location of water courses and supplies in relation to the site and to obtain confirmation of the Environment Agency advice.

60 **19/0597/FUL (Minor)**

SIDMOUTH RURAL

Applicant:

Mr Upchurch.

Location:

Partridge Hill, Sidbury.

Proposal:

Construction of agricultural building, access track and widened access and depositing of soil excavated from the site of the building.

RESOLVED:

Deferred for a Site Inspection to assess the visual impact of the proposals on the AONB and trees within the site.

Attendance List

Councillors present (for some or all the meeting):

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

Councillors also present (for some or all the meeting)

M Allen
M Armstrong
K Blakey
S Bond
I Chubb
G Jung
J Loudoun
A Moulding
P Skinner

Officers in attendance:

Chris Rose, Development Manager
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Ed Freeman, Service Lead Strategic Planning and Development Management
Richard Cohen, Deputy Chief Executive

Andrew Wood, East of Exeter Projects Director
Wendy Harris, Democratic Services Officer

Councillor apologies:

S Gazzard
T McCollum

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Committee held at Council Chamber, Blackdown House, Honiton on 18 September 2019****Attendance list at end of document**

The meeting started at 10.30 am and ended at 11.10 am

9 Public Speaking

There were no questions raised by members of the public.

10 Minutes of the previous meeting

The minutes of the Licensing and Enforcement Committee held on 3 July 2019 were confirmed and signed as a true record.

11 Declarations of interest

There were no declarations of interest.

12 Matters of urgency

There were no matters of urgency raised at the meeting.

13 Confidential/exempt item(s)

There were no confidential or exempt items.

14 Seaton Taxi rank

Members considered the request from Seaton Town Council for the removal of the taxi rank in Marine Place which is to be relocated nearby, on the same side of the road on Castle Hill, Seaton. The request is part of the Town Council's seafront enhancement proposals.

Steve Saunders, Licensing Manager reported that the existing rank was not heavily used by the taxi trade, with only the occasional car sitting waiting for trade from the seafront. In response to a question from members he reported that there were between 20-25 taxis in Seaton and two main companies. Consultations on the proposals would let the trade know that the rank was under review.

It was noted that all taxi ranks in East Devon should be painted yellow or they would not be legally enforceable. It was the responsibility of Devon County Council as Highway Authority to ensure that taxi ranks were correctly painted.

RESOLVED that the request from Seaton Town Council to relocate the Hackney Carriage rank from Marine Place to Castle Hill, Seaton and to approve the options contained in this report to commence consultation with the taxi trade be approved.

15 Update on Proposed Hackney Carriage (Taxi) Fare Tariff Changes

Members considered the report of the Licensing Manager which provided an update regarding a proposed increase to the Hackney Carriage Fare Tariff. This was to enable the Hackney Carriage trade within the District to continue to operate economically whilst still maintaining an efficient, safe and cost effective service for those residents of and visitors to East Devon who need to use the services of a Hackney Carriage.

Members questioned whether further consultation was necessary in view of the lack of responses to the original consultation. It was noted that there had only been one email supporting the original proposals. The Exmouth Trade Association had made a request that the Tariff 1 be increased by £0.50 to £3.50 and also that the soiling charge be increased from £50 to £80. It was noted that there were over 70 taxi drivers in Exmouth, more than 50% of the total number of drivers in the District. Regularly Exmouth drivers did not use the meter to charge for fares but would make a lower charge to the customer. Members suggested that there was no need to go to further consultation in view of the lack of response to the original consultation.

Steve Saunders, Licensing Manager agreed to produce detailed figures of the taxi drivers and vehicles throughout East Devon for the next meeting of the Committee in October.

RESOLVED that the update provided in this report for proposed Hackney Carriage Tariff increase options set out in Appendices C and F following recent consultation with the taxi trade be noted and the proposals contained in Appendix F be approved for advertising more widely to the public.

Attendance List

Councillors present:

P Jarvis (Chairman)
K Bloxham (Vice-Chairman)
M Chapman
S Gazzard
S Jackson
J Whibley

Councillors also present (for some or all the meeting)

Peter Faithfull

Officers in attendance:

Giles Salter, Solicitor
Steve Saunders, Licensing Manager
Chris Lane, Democratic Services Officer

Councillor apologies:

N Hookway
B Taylor
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 16 October 2019****Attendance list at end of document**

The meeting started at 10.30 am and ended at 11.40 am

16 Public Speaking

There were no questions raised by members of the public.

17 Minutes of the previous meeting

The minutes of the meeting of the Licensing & Enforcement Committee held on 18 September 2019 were confirmed and signed as a true record.

18 Declarations of interest

Minute 22 Seaton Taxi rank: Jack Rowland Seaton Town Councillor and member of Seaton Seafront enhancement Scheme. Personal interest.

19 Matters of urgency

There were no matters of urgency raised at the meeting.

20 Confidential/exempt item(s)

There was one confidential item to be considered.

21 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 many things 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 the district received more TENs than other Devon authorities due to higher numbers of outdoor events happening in East Devon and during summer months work increased considerably for the licensing team with officers conducting compliance visits to many outdoor festivals including Sidmouth Folk week, Beautiful Days and other large outdoor events.

The licensing team also continued to offer mediation meetings when representations had been made against new licensing applications to ascertain whether objectors and applicants could reach an agreed position. Mediation was often successful and reduced the number of contested hearings that need to go before a licensing sub-committee.

Members noted that changes at the Gambling Commission had seen the withdrawal of the Commission regional officer from undertaking compliance work with officers in the region. This was a positive working arrangement and although licensing officers are suitably trained and knowledgeable regarding gambling legislation, the opportunity for staff from both organisations to undertake joint inspections had been effective in maintaining compliance. It was noted that East Devon had completed a premises inspection rate of 50 to 74% which was above average compared to other licensing authorities. Some of whom had not completed any inspections at all

A Licensing & Enforcement Sub Committee meeting was held on 18 September to consider a new private hire vehicle application for a zero emission vehicle. Being a hybrid electric vehicle without an internal combustion engine it fell outside the criteria set in the Taxi Policy for the minimum of 1000cc engine. A separate report was made to the Committee to allow the current policy to be revised to allow the licensing of electric vehicles without a combustion engine.

It was noted that the number of taxi/private hire drivers was reducing year on year. There is a requirement for licensed drivers to maintain a higher level of medical fitness than general drivers undergoing medical assessments upon first being licensed and upon key anniversary ages to ensure they are fit to carry the public. Activities and strategies were being considered that can support the continued wellbeing of licensed taxi drivers and engagement by the Licensing Manager with management of Leisure East Devon has identified an opportunity to arrange corporate membership at gyms across the district for licensed drivers.

Officers also met with the Council's Public Health Project Officer to consider other options such as using One Small Step and promoting the Stoptober Campaign that encourages smokers to quit.

It was noted that the taxi trade in East Devon should be encouraged to provide more wheelchair accessible vehicles. But the cost of these vehicles was often a barrier to more being purchased.

The Licensing Manager reported that the Sidmouth Folk Festival event took place between 2nd and 9th August and all 60 sea front pitches managed by the licensing team were allocated under the process that had operated since 2008. Officer's work extended hours with a presence in the town from 7am over all eight days. It was noted that the council's move to offices in Honiton had increased the time officers were engaged in the event. The time spent by the licensing team each year from March through to August and the overall commitment involving members of the team is considerable as officers are engaged in trader applications from March through to summer.

This level of involvement through to attending the event impacts upon other areas of licensing work and it was considered timely to consider the future approach given increasing demands on the licensing team by reviewing whether the current process remained cost effective and the best use of council resources. An option that was at an early stage would be for the organisers of Sidmouth Folk week to have responsibility for trading on The Esplanade.

RESOLVED:

1. that the Licensing Manager's update report be noted.
2. that the Licensing Manager prepare a report considering short term incentives in support of reducing emissions within the district for licensed hackney carriage and private hire vehicles for the next meeting.

22 **Seaton Taxi Rank**

The Licensing Manager's report updated the Committee on Seaton Town Council's request to remove the taxi rank in Marine Place and to relocate it on Castle Hill, Seaton. It was noted that the Town Council had made this request which would require a series of legal steps to be taken before adopting the change. It was noted that the local taxi drivers who regularly use the rank in Seaton had been consulted and two responses received which were considered by the Committee.

It was noted that Seaton Town Council were funding the first part of the seafront enhancement scheme and that the cost of the overall scheme would be over £4M.

RESOLVED

that the Committee considered the responses for relocating the Hackney Carriage rank from Marine Place to Castle Hill, Seaton and approve the following, namely;

1. To exercise the Council's powers under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to appoint the rank in Castle Hill, Seaton
2. That the requisite public notice be given of the proposed appointment as required by Section 63(2) of the Local Government (Miscellaneous Provisions) Act 1976.
3. That if no written objection or representation is received relating to the notice given under Section 63(2) of the Local Government (Miscellaneous Provisions) Act 1976 within the 28 day period following the publication of that notice the rank subject of this recommendation will be deemed appointed.
4. That following the appointment of the taxi rank Devon County Council Highways Authority be requested to put in place the appropriate legal provisions and to mark out the rank

23 **Taxi Licensing Policy**

The Licensing Manager's report asked the Licensing and Enforcement Committee to consider a proposed revision to the current taxi policy in line with recent developments and green priorities to remove the minimum engine capacity requirement for Ultra Low and Zero Emission Vehicles.

RECOMMENDED that the Council meeting on 23 October 2019 adopt the revised Taxi Policy following approval by Committee on 16 October 2019.

24 **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 (Part

B).

25 **Hackney Carriage Driver Licences suspended under powers delegated to Strategic Lead for Governance and Licensing**

The Licensing Manager's report provided the Licensing and Enforcement Committee with an update regarding suspended Hackney Carriage Driver Licences.

RESOLVED that the report be noted.

Attendance List

Councillors present:

P Jarvis (Chairman)
C Brown
M Chapman
S Gazzard
S Jackson
J Rowland
B Taylor
J Whibley
T Wright

Councillors also present (for some or all the meeting)

Officers in attendance:

Christopher Lane
Giles Salter, Solicitor
Stephen Saunders

Councillor apologies:

K Bloxham
I Chubb
N Hookway

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Sub Committee held at Exmouth Town Hall, Exmouth on 28 August 2019****Attendance list at end of document**

The meeting started at 10.30 am and ended at 2.15pm.

59 Minutes of the previous meeting

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 10 April 2019, were confirmed and signed as a true record.

60 Declarations of interest

There were no declarations of interest.

61 Matters of urgency

There were no matters of urgency.

62 Confidential/exempt items

There were no confidential items.

63 To consider an application for the grant of a time limited premises licence to allow the provision of recorded music, live music and the sale of alcohol for consumption ON the premises at H fest, Halsdon Farm, Mudbank Lane, Exmouth, EX8 3EG. The application is to cover the period 30 August - 31 August 2019

The Sub Committee gave consideration to an application for the grant of a time limited premises licence to allow the provision of recorded music, live music and the sale of alcohol for consumption ON the premises at H fest, Halsdon Farm, Mudbank Lane, Exmouth EX8 3EG.

The Sub Committee carefully considered the application with the amendments the applicant had now offered for the licensable activities and the extension of proposed hours of operation with a view to deciding whether the application 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 on the edge of Exmouth close to residential housing, and it was noted that some of this was sheltered housing.

The Sub Committee considered it relevant the police mediated with the applicant in relation to the Licensing Act objectives, which were – public safety, public

nuisance and crime and disorder and as result an agreed position was reached in relation to the hours of operation relating to the sale of alcohol, drinking up time and premises closure.

The applicant's case was on paper that an Event Management Plan version 5 had been submitted with the papers prior to the hearing which set out the organisation of the event in detail, this included a Risk Management Plan.

At the hearing, Mr George Nightingale stated that he had run community events for 4-5 years which included a TEN for an event held on the site in 2018. This event had raised £15,000 for RMA charities relating to the rehabilitation of wounded and sick marines.

An Event Management Plan version 5 had been submitted with the papers prior to the hearing which set out the organisation of the event in detail, this included a Risk Management Plan.

Cpt Paul Fleet RM stated H Fest was aimed at being a family event for the Exmouth community with a specific focus on the RM families who have historical links with the town. This was an event that would grow the work of RMA charities.

Andrew Lamont, National trust leaseholder at Lower Halsdon Farm also confirmed the benefits he had seen from the family event, he also referred to the covenant on the land to provide community activities for the community. He commented on the security of the site, the event site was protected by stock fencing and hedging around the perimeter, and this would prevent unwanted incursions from non-ticket holding attendees.

Current ticket sales as at the hearing were 236 for the two day event, but this was expected to double to 500-600 attendees, people arriving on the day.

Environmental Health commented on the requirements for noise monitoring on the site throughout the event and requested digital recording information to be sent to EDDC by close of business on 2nd September.

The interested parties' case was on paper, firstly in relation to the prevention of crime and disorder, a festival going on for 12 hours with loud non-stop music and alcohol available all day leading to rowdy festival goers causing vandalism to property/vehicles, and people being sick in the street.

Regarding public safety, lots of properties' rear gardens backed onto the festival site. Residents feel unsafe when strangers can gain access to their properties and could force entry.

Regarding the prevention of public nuisance, loud music until midnight and a great number of people talking loudly, shouting until well after midnight in a residential area was unacceptable. The event should finish by 10pm. Residents would still suffer loud noisy drunken people leaving the venue. Not all will camp for 2 days.

At the hearing they added that they were concerned about the appropriateness of the location, the concerns about noise nuisance, parking in Halsdon Avenue/Mudbank Lane, the late hour of the sale of alcohol, glass bottles being left on site, the access and egress on and off the site for vehicles and the lateness the

event would finish on each day. The effect on the long term health of vulnerable local residents.

The Sub Committee had carefully considered the operating schedule put forward by the applicants and the likely impact of the application. In relation to the evidence members heard regarding the premises, it was considered that the event would be well managed and controlled with appropriate policies in place and adequate supervision from line management. The had gained confidence during the hearing that the applicant had listened to the interested parties' concerns and had been flexible and accommodating in making compromises to alleviate perceived and undue concerns.

The Sub Committee did note accept that there was evidence of a significant public nuisance, risk to crime and disorder and risk to public safety arising from the proposed operation of the premises. They had however, taken into account the concerns of local residents about the operation of the event by ensuring that suitable conditions were imposed and that the operating hours were not unreasonably late.

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.

Whilst acknowledging the concerns expressed by the interested parties before the Sub Committee, they believed that the concerns expressed in representations had been addressed by the hours of operation for the licensable activities and the conditions imposed which had been tailored to the size, characteristics and activities on the premises, which were believed to be necessary and proportionate.

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 on Plan 4 of version 5 of the Event Management Plan, dated 19th August 2019.
- b) Permitted hours for the various licensable activities will be: Friday
Gates open to the public at 3.00pm. Amplified music from 3.00pm to 10.00pm with 30 minutes of respite between each act, no music between each act.

Alcohol sales from 3.00pm to 11.00pm, 30 minute drinking up time until 11.30pm, event closes at midnight.

Saturday Gates open to the public at 10.00am, amplified music from 12.00 to 10.30pm with 30 minutes of respite between each act, no music between each act.

Alcohol sales from 11.00am to 11.00pm, 30 minute drinking up time until 11.30pm, event closes at midnight.

- c) Appendix H conditions offered and de-rigging event debriefing of site to commence from 9.30am on Sunday 1st September.
- d) Festoon lighting to be switched off by 1.00am
- e) Sound measuring locations with sound level readings set at 65dba. 15 minute LAeq and measurements to be sent to Environmental Health the next working day, readings to be taken until 30 minutes at the end of the event on each night. No music allowed on the camp site overnight.
- f) All details of the 9 SIA staff to be supplied to the Licensing Authority no later than 9.00am on Friday 30th August.

2. The Designated Premises Supervisor would be George Nightingale of 43 The Strand, Exmouth, EX8 1AL.

Attendance List

Councillors present:

K Bloxham (Vice-Chairman)
P Jarvis (Vice-Chairman)
Jack Rowland

Councillors also present (for some or all the meeting)

Maddy Chapman

Officers in attendance:

Giles Salter, Solicitor
Steve Saunders, Licensing Manager
Jill Wheller, Environmental Health Officer
Lucy Maxwell, Licensing Officer
Chris Lane, Democratic Services Officer

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Licensing and Enforcement Sub Committee held at Blackdown House, Honiton on 18 September 2019****Attendance list at end of document**

The meeting started at 11.30 am and ended at 12.00 pm

64 Minutes of the meeting held on 28th August 2019

The minutes of the meeting of the Licensing & Enforcement Sub Committee held on 28th August 2019 were confirmed and signed as a true record.

65 Declarations of interest

There were no Declarations of Interest.

66 Matters of urgency

There were no matters of urgency.

67 Confidential/exempt items

There were no confidential items.

68 Determination of an application to licence a Private Hire vehicle which does not conform with the Council's vehicle specifications policy with regard to engine capacity

Members noted that it was the district council's current policy that on initial licensing as a private hire, a vehicle must not be less than 1000cc. The policy recognises the positive impact that low and zero emission vehicles have on the environment. Members considered a request to licence a Nissan Leaf with an engine capacity below 1000cc. This was a hybrid electric vehicle with an engine capacity of 0cc and met with the Council's climate change agenda.

Members noted that it was the intention to change the Private Hire & Taxi Licensing Policy at the October meeting to include reference to Zero Emission electric vehicles with a 0cc engine rating. Bearing in mind that electric only vehicles had a shorter operating range.

RESOLVED that the application to licence a black Nissan Leaf vehicle registration number, WJ19 MHF as a private hire vehicle be approved and an exception be made to the Council's present policy it was agreed to licence the vehicle. Being a hybrid electric vehicle it falls outside of the criteria in the policy agreed by Council being below 1000cc engine capacity.

Attendance List**Councillors present:**

K Bloxham (Vice-Chairman)

S Jackson

P Jarvis (Chairman)

Councillors also present (for some or all the meeting)

Peter Faithfull

Officers in attendance:

Giles Salter, Solicitor

Steve Saunders, Licensing Manager

Lucy Maxwell, Licensing Officer

Chris Lane, Democratic Services Officer

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Standards Committee held at Blackdown House, Honiton on 13 August 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.28 am

1 Public speaking

Councillor Paul Hayward asked whether the Ledbury Standards case decision was going to have any effect on this council's Standards Committee's work and workload. The Monitoring Officer replied that a Code of Conduct complaints procedure was in place and presently did not see this decision having any impact. However, each case would be considered on its merits in consideration of the circumstances relevant at the time.

2 Minutes of the previous meeting

The minutes of the Standards Committee held on 16 April 2019 were confirmed and signed as a true record.

3 Declarations of interest

Councillor DBS checks.

Councillor Ian Hall, Personal, DCC Councillor for Axminster who through this role had been DBS checked.

Councillor DBS checks.

Councillor Phil Twiss, Personal, DCC Councillor who sits on their Standards Committee and who through this role had been DBS checked.

Recruitment procedures for co-opting to the Standards Committee

Councillor Pauline Stott left the meeting during the discussion on this item as it had arisen as a consequence of her appointment by Council at 24th July 2019.

Forward Plan.

Councillor Paul Hayward, Personal, Assists Town and Parish councillors with their register of interest forms.

4 Annual report 2018/19

The Monitoring Officer presented the report which reviewed the 2018-19 year in the life of the Committee and outlined the work done. There was discussion concerning the cost of dealing with Town and Parish councils' code of conduct complaints. The Monitoring Officer confirmed that Town and Parish councils were the largest impact on resources and Code of Conduct training had been offered, although this had been poorly attended. The difficulty of engaging Town and Parish councillors on the issue of standards was discussed with reference to the debate by the Standards Committee in relation to this particular issue at one of its previous meetings. All of this workload was specifically down to the behaviour of all councillors across the district but there were certain councils that generated more work than others, although on the whole this was cyclical in nature

depending on whether there were any particularly contentious local issues that caused complaints to arise.

RESOLVED that the review of 2018-19 year be noted.

5 **Code 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 2019.

RESOLVED that the report be noted.

6 **Councillor DBS checks**

Members received a verbal update from the Monitoring Officer on uptake of Councillors undertaking voluntary basic DBS checks following the resolution of Cabinet on 6 September 2017. Councillor Ian Hall led discussions and said that although this was agreed by most members at the time, there had not been much take-up. He suggested that perhaps this should be refocused as the council was now into a new civic term. He wished that this issue was audited to ascertain any possible risks with councillors not being DBS checked.

Further discussions included the following:

- The public perception was that councillors were DBS checked
- A basic DBS check should be mandatory
- The fee should be paid for through councillors' allowances
- Safeguarding training was more important to councillors than these checks
- Emergency and first aid should be given whether a person was DBS checked or not
- All councillors including Town and Parish confirm that they are not disqualified to serve due to any criminal convictions, when they sign their nomination papers
- As the suggestion is for voluntary DBS checks this would not create any data protection issues
- Decision needs careful thought, how helpful is this really to have a list on a website just because it's popular
- A blanket approach may not be necessary but could be relevant in the right situation where checks were needed.

RESOLUTION that Cabinet are asked whether they wish to reconsider their previous recommendation for district councillors to only have voluntary DBS checks.

7 **Recruitment procedure for co-opting to the Standards Committee**

The report considered the process of recruiting co-optee members to the Committee. Through a discussion it was decided to have additional committee members involved in the recruitment process to ensure as wider a member involvement as possible.

RESOLVED that the process should be as it is currently but that the interview panel should comprise a maximum of 5 and minimum of 2 Standards Committee members with the Monitoring Officer. The panel shall be open to all committee members and shall comprise 3 district councillors and 1 of each of the independent and parish / town council

representatives. If either or both of the independent and parish / town council representatives positions are unable to be filled then their position may be filled by a district council member from the committee.

8 **Forward Plan**

The Committee noted the contents of the Forward Plan. Discussions included the need for more detail to be added to register of interests concerning land ownership in order to give more open and transparent information.

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 for Councillors with annual report to January committee
- Gifts & Hospitality Register for senior officers with annual report to January committee

Attendance List

Councillors present:

S Hughes (Chairman)
J Bailey
K McLauchlan
P Twiss

Councillors also present (for some or all the meeting)

P Arnott
S Bond
A Dent
I Hall
P Hayward
A Willan

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Henry Gordon Lennox, Strategic Lead Governance and Licensing

Councillor apologies:

D Manley

Chairman

Date:

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Audit and Governance Committee held at Council Chamber, Blackdown House on 25 July 2019****Attendance list at end of document**

The meeting started at 2.30 pm and ended at 3.27 pm

1 Public speaking

There were no members of the public wishing to speak.

2 Minutes of the previous meeting

The minutes of the Audit and Governance Committee meeting held on 21 March 2019 were confirmed as a true record.

3 Declarations on interest

Full Risk Review May/June 2019.

Councillor Paul Hayward, Personal, Clerk to Chardstock, All Saints and Newton Poppleford & Harpford parish councils and has communicated with the council's S106 officer.

4 Statement of Accounts 2018/19

The Strategic Lead Finance presented the Council's Statement of Accounts for 2018/19.

Geri Daly, Engagement Lead for Grant Thornton UK LLP the Council's appointed external auditors, explained they had not completed their audit to meet the 31 July deadline due to a lack of staff resources and had as yet not issued an audit opinion on the Accounts. She apologised for the lack of audits and went on to say that the council did not need an audit opinion to publish its statements of accounts. In answer to a question re penalties being levied for the lack of audits she said there were none for this particular area of audit. The Strategic Lead Finance said there were now issues for council resourcing as staff would normally go on leave in August once the accounts had been signed off and then on return focus on budget preparation for the following year. He stated that the Government and Public Sector Audit Appointments (PSAA) were fully aware of the position and a late audit opinion was out of the council's control.

The Accounts would be presented back to Committee for approval once this work was completed, it was envisaged approval would be sought at the September meeting.

RESOLVED:

that the position on publishing the 2018/19 Statement of Accounts and audit opinion be noted.

5 2018/19 Statement of Accounts - Assessment of Going Concern status

The report set out the Strategic Lead Finance's assessment as the council's Section 151 officer of the council's 'Going Concern' status; a key underlying assumption in preparing

the financial statements. An authority's financial statements should be prepared on a going concern basis i.e. the accounts should be prepared on the assumption the functions of the authority would continue in operational existence for the foreseeable future. The Section 151 officer confirmed this status.

RESOLVED:

that the assessment of the council's 'Going Concern' status be noted.

6 Internal Audit Plan 2018-19 Outturn Report

The Audit and Governance Committee agreed the 2018-19 Internal Audit Plan at its March 2018 meeting. Alastair Woodland, Assistant Director for SWAP provided an update on the outturn position of the 2018/19 Internal Audit Plan.

RESOLVED:

that the Internal Audit Plan Outturn report be noted.

7 Internal Audit Annual Opinion Report 2018-19

The report provided the internal auditor's overall opinion on the systems of internal control at the council. The Audit and Governance Committee agreed the 2018/19 Internal Audit Plan at its March 2018 meeting. Alastair Woodland explained to members that SWAP was independently assessed and as a result a Quality plan was produced. This was a live document and reviewed regularly.

RESOLVED:

that the content of the Internal Audit Annual Opinion report be noted.

8 Internal Audit Plan Progress July 2019 (2019/20)

The committee agreed the 2019/20 Internal Audit Plan at its March 2019 meeting. The report provided an update on the 2019/20 Internal Audit Plan as at end of June 2019.

RESOLVED:

that the content of the Internal Annual Audit Progress report be noted.

9 Full Risk Review May/June 2019

Risk information for the 2019/20 financial year was supplied to allow the Committee to monitor the risk status of Strategic and Operational Risks. This followed the full review of risks by responsible officers during May/June 2019. There was discussion around Community Infrastructure Levy receipts and it was agreed that this be put on the Forward Plan for an update to the Committee in November this year.

A discussion followed to which committee Section 106 and Community Infrastructure Levy should sit under as it covered many aspects. The Strategic Lead Finance explained that the areas being raised in relation to procedure and governance fitted well within the Audit and Governance Committee remit.

Councillor Dean Barrow questioned the operational risk register concerning the following;

1. That the facilitating new business space control status as 'Working and Effective' was not correct. He stated that a number of projects had been put forward over the last few years that had not come to fruition.
2. He did not believe the receipts of Section 106 funds contact status as 'Working and Effective' was accurate, as getting this information out to the communities concerned was not effective.
3. Other typo errors were raised which were noted for correction.

The Strategic Lead Finance said he would pass this information to key officers and ask for an update to be given.

RESOLVED:

that the current status of risks following the full risk review undertaken in May/June 2019 be noted.

10 **RIPA update**

At the meeting of 18 January 2018, Members agreed to receive an update on RIPA activity throughout the year. The RIPA Senior Responsible Officer advised that there had been no requests for RIPA authorisation since the last committee.

11 **Audit and Governance Forward Plan**

Members noted the contents of the Committee Forward Plan for 2019/20.

Items to be considered at the September 2019 committee included:

- External Audit Report 2018/19
- Statement of Accounts 2018/19 including Governance Statement
- Letter of Representation
- Audit Committee update
- Annual audit letter
- Certification Report
- RIPA update
- Expenditure on consultants and agency staff 2018/19
- Internal Audit Activity – Quarter 2 2019/20

Attendance List

Councillors present:

S Hawkins (Chairman)
D Barrow
P Hayward
M Rixson

Councillors also present (for some or all the meeting)

S Bond
P Faithfull
G Jung
A Moulding

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance

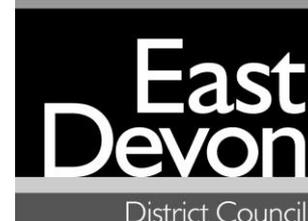
Gerri Daly, Grant Thornton
Georgina Teale, SWAP
Alastair Woodland, SWAP

Councillor apologies:

G Pratt
F Caygill
S Chamberlain
S Gazzard
P Twiss
C Wright

Chairman

Date:



Report to: Council

Date of Meeting: 23rd October 2019

Public Document: Yes

Exemption: None

Review date for release: None

Subject: Changes to the political balance, the Constitution and the Council's appointments to Panel, Forums, Joint Bodies and Outside Bodies.

Purpose of report: Following Cllr Millar leaving the Independent Group it is necessary to make changes to the political framework.

Recommendation: That Council;

1. Agrees to the changes to the political balance and revisions to the Committee allocations identified in paragraph 2.
2. Notes the Leader's changes to the Cabinet and Lead Members as identified in paragraph 3 and agrees the changes to the Constitution to reflect these.
3. Agrees the other changes to the Constitution identified in paragraph 4.
4. Agrees the changes and appointments in relation to Panels, Forums and Joint Bodies identified in paragraph 5.
5. Agrees the inclusion of the Sport England Local Delivery Plan Programme Board in the list of Outside Bodies and appoints the Portfolio Holder for Economy as the Council's representative in accordance with paragraph 7.

That Council vote on the appointments identified in paragraph 6, namely; Member Development Working Party, LED Leisure Management Ltd and the Lower Exe Mooring Authority Management Committee.

Reason for recommendation: To update the political balance following Cllr Millar leaving the Independent Group and effect changes that flow from that. Also to address some other changes in terms of Council appointments.

Officer: Henry Gordon Lennox, Monitoring Officer

Financial implications: There are no financial implications.

Legal implications: Only Full Council can amend the Constitution and, outside of the arrangements applicable to the Executive, make appointments.

Equalities impact: Low Impact

Climate change: Low Impact

Risk: Low Risk

Links to background information: • [Annual Council 22nd May 2019](#)

Link to Council Plan: Continuously improving to be an outstanding Council

Report in full

1. Following the resignation of Cllr Millar from the Independent Group it is necessary to revise the political balance of the Council and amend the committee membership accordingly. There are also amendments necessary to reflect changes in the Cabinet with consequential amendments as a consequence of this. Finally, there are some changes necessary in terms of the appointments to the Panels, Forums, Joint Bodies and Outside Bodies to reflect that there were vacancies in some of the positions and also a desire for a Member to change roles.

Political balance and Committee allocations

2. Firstly, the political balance and change to Committee membership.

Revised political balance

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	(19 members) – 32%	35 seats
Conservative Group	(19 members) – 32%	35 seats
Independent EDA	(11 members) – 18%	19 seats
Liberal Democrats Group	(8 members) – 13%	14 seats
Green Party	(2 members) – 3%	3 seats
Independent	(1 member) – 2%	2 seats
Total	(60) 100%	108 seats

Revised Committee membership

To accommodate the above change, and to ensure that Cllr Millar is allocated his 2 seats, the proposal is for the Independent Group to lose a seat on both the Overview Committee and the Licensing and Enforcement Committee and for Cllr Millar to be given those two seats.

The Independent Group are proposing that Cllrs McLauchlan and C.Wright are removed from these Committees respectively to accommodate the changes.

Constitutional changes

3. Secondly, the Leader has decided not to replace the Transformation Portfolio Holder position on Cabinet, with Cabinet therefore remaining as nine Members. This means that the Transformation Portfolio ceases to exist. The Cabinet collectively will take on responsibility for delivery of the Council Plan and the associated strategies of Fit for Purpose, Careful Choices and Commercialisation of Services. Therefore the changes are as follows;
 - (a) Remove Transformation Portfolio and any related reference throughout the Constitution. The Corporate Services Portfolio takes on responsibility for Digital by Design and Systems Thinking. In the Asset Management Portfolio, Revenue Generation is replaced with Commercialisation of Assets.
 - (b) In respect of Lead Members – the Leader would like to appoint Ian Hall as Youth Lead Member.
4. Thirdly, there are some tidying up changes to make. In Section 3 of Part 3 (Delegated Powers of Officers) on page 97 in powers delegated to the Strategic Lead (Housing, Health and Environment) in 'Section 2 Housing' add 'also exercisable by the Service Lead (Housing)'. This is to account for the permanent appointment of the Service Lead (Housing) and replicates the approach throughout the rest of the Scheme of Delegation. There are some old references to the Knowle in the Constitution still and so these will be changed to Blackdown House.

Panels, Forums and Joint Bodies

5. Fourthly, the need to address changes to the Panels, Forums and Joint Bodies. This will be amending Item 16 agreed at Annual Council in May (link to the relevant meeting is in the background links) and is to pick up changes necessary due to the Council's decision in relation to certain bodies, a Member wishing to no longer carry out the appointment as well as to fill vacancies. There are also a small number of tidying up changes. The amendments are;
 - Amending the makeup by removing reference to the Transformation Portfolio in any Panel, Forum or Joint Body where it appears.
 - In relation to the Budget Working Party, the designated Chair to switch to the Finance Portfolio Holder and not the Leader.
 - On the Greater Exeter Strategic Plan Joint Advisory Reference Forum;
 - (a) Deletion of 'none' from second column under Substitute
 - (b) That the makeup is changed to 10 members on basis of political balance and that one of these members is the Economy Portfolio Holder and there by one substitute for each of the representative groups as proposed below.

Economy PH (Kevin Blakey) (Independent Group)
Geoff Jung (Independent Group)
Cathy McClachlan (Independent Group)
Andrew Moulding (Conservative)
Mike Howe (Conservative)
Philip Skinner (Conservative)
Marianne Rixson (Independent EDA)

Paul Arnott (Independent EDA)
Eileen Wragg (Liberal Democrats)
Eleanor Rylance (Liberal Democrats)

Substitutes

Jess Bailey (Independent Group)
Mike Allen (Conservative)
Dan Ledger (Independent EDA)
Andrew Coleman (Liberal Democrats)

- In relation to the Sidmouth Beach Management Plan Steering Group the Environment Portfolio Holder to be the Chair and Deputy Leader is Vice Chair.

6. Fifthly, the Council will need to vote on the following appointments;

(a) Member Development Working Party (**one vacancy**)

Kim Bloxham (Independent Group)
Helen Parr (Conservative)
Paul Millar (Independent)

(b) LED Leisure Management Ltd (**one vacancy** as a replacement for Jess Bailey with Dean Barrow remaining as the other appointed Member)

Nick Hookway
Alan Dent
Paul Millar

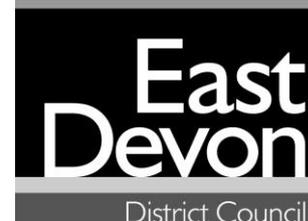
(c) Lower Exe Mooring Authority Management Committee (**substitute position is vacant**)

Fred Caygill

Outside Bodies

7. Finally, the need to address an omission from the list of Outside Bodies agreed as Item 17 agreed at Annual Council in May (link to the relevant meeting is in the background links).

- Sport England Local Delivery Plan Programme Board – Appointment is Portfolio Holder for Economy.



Report to:	Council
Date of Meeting:	23 rd October 2019
Public Document:	Yes
Exemption:	None
Review date for release	None

Subject: **Governance Review Working Party**

Purpose of report: Following an informal meeting of the Overview Committee with wider Member involvement it was agreed that Members would like a cross-party working group to consider the governance review. This report seeks the Council's approval to this.

Recommendation: **That Council agrees to set up a Governance Review Working Party on the basis set out in paragraph 7 of the report. Delegated authority be given to the Monitoring Officer to finalise the composition of the Working Group and agree the membership with the Group Leaders / non-affiliated members.**

Reason for recommendation: To enable and facilitate a cross party review of the Council's Governance arrangements.

Officer: Henry Gordon Lennox, Monitoring Officer

Financial implications: There are no direct financial implications from the recommendation in this report

Legal implications: The report raises no direct legal implications.

Equalities impact: Low Impact

Climate change: Low Impact

Risk: Low Risk

Links to background information:

- [Report to Cabinet on 10th July 2019](#)
- [Minutes of Cabinet on 10th July 2019](#)
- [Minutes of Overview on 25th July 2019](#)
- [Minutes of Overview on 29th August 2019 \(Item 26\)](#)

Link to Council Plan: Continuously improving to be an outstanding Council.

Report in full

1. A report was presented to Cabinet on 10th July in respect of a review of the Council's Governance arrangements. This recommended that the Overview Committee undertake a review and that the Portfolio Holder for Transformation establish a Think Tank to investigate options for change and to engage with the wider membership. While the Overview Committee considered the matter at its meeting of 25th July and agreed to take the matter further at its meeting in August, in the event this did not prove possible. Similarly the Portfolio Think Tank has not been progressed.

2. Since these meetings the Council has been the subject of a Peer Review where the issue of the governance review was raised / discussed and which led to an (initial) key recommendation of;

Ensure that there is clarity about the reasons for any change to governance arrangements and the options available, seeking external advice and support where appropriate.

At the Peer Review the LGA offered support in relation to the carrying out of the governance review.

3. With the outcome of the Peer Review and offer of assistance from the LGA, an informal meeting of the Overview Committee (opened to the whole membership) took place on 17th October. Present at the meeting were Andy Bates and Paul Clarke from the LGA who helped facilitate a discussion regarding taking the governance review forward.
4. There were 24 members present at the meeting with a good cross party attendance. Also present were the four Group Leaders. Following an informative discussion about carrying out a review and what it might entail, it was suggested that the Council establish a Governance Review Working Party on a cross party basis to enable this matter to be taken forward in a way that enables wide member engagement but also enables time to be taken to ensure that the right decisions are taken. It remains a fundamental point, reiterated by the LGA, that establishing what is sought to be achieved / what is the reason for change is the starting point for any review. Once that question is answered then it will enable the necessary research and analysis to be carried out to inform the debate.
5. While it is fair to say that the Overview Committee already has this on their work agenda, there is an overriding imperative that the membership is aware of this matter and endorse (and ideally engage in) a collective approach to this matter. It is important that the governance arrangements, as far as possible, are right for all members. Accordingly it is considered appropriate that Council should agree to the setting up of the Working Group and empower it to undertake this work.
6. Given that the critical question of what is sought to be achieved is yet to be debated and answered it is difficult for any definitive Terms of Reference to be established for the Group. Notwithstanding this, it is right that establishing the Terms of Reference ought to be a matter for the Working Group itself – another point agreed by the LGA.
7. In light of the above it is recommended that a Governance Review Working Group is set up to advise the Council on its governance arrangements on the following basis;
 - a. the Group be chaired by the Chairman of the Overview Committee.
 - b. it shall comprise between 10 – 15 voting members on a cross-party basis (although it does not need to be formally politically balanced). Nominations will be sought from the members with the Monitoring Officer finalising the composition - in terms of the overall size and fair apportionment of seats – once it is clear who is putting themselves forward. The Group Leaders will ultimately nominate who they would like to be on the Working Group from those putting themselves forward.
 - c. while there will be a restriction on the voting number of members sitting there will be no restriction on the number of members who can attend any meeting – it will be an open invite to attend and participate.
 - d. it will determine its own Terms of Reference and will be supported / advised by the Monitoring Officer reflecting the role of this position within the Council in relation to governance, lawful decision making and the Constitution.
 - e. it will agree its own meeting programme.
 - f. it will be supported Democratic Services.

- g. it may call for external support from the LGA or LGA Members if considered necessary.
- h. it may carry out such engagement with partners or other bodies or the public as it considers necessary.
- i. its meetings will not sit in public but the Working Group will be free to permit the attendance of anyone where it is deemed appropriate to do so.
- j. while it is established to advise Council, its findings will also be reported to the Overview Committee and Cabinet for detailed consideration / debate.