

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 16 October 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.35 pm

19 Apologies

Apologies received from Cllrs Aurora Bailey, Sarah Chamberlain, Maddy Chapman, Iain Chubb, Charlotte Fitzgerald, Marcus Hartnell, Sam Hawkins, Stuart Hughes, Jamie Kemp, John Loudoun, Cherry Nicholas, Helen Parr, Sophie Richards, Marianne Rixson, Simon Smith, Daniel Wilson and Eileen Wragg.

20 Declarations of interest

21 Minutes of the previous meeting

The minutes of the Council meeting held on 17 July 2024 were confirmed as a correct record.

22 Public speaking

Agenda Item 15 Motion on Notice – Motion 1: Winter Fuel Payment

A statement from the Exmouth Community Association was read out to Council. The statement supported the motion on notice and called on the Council to support it.

23 Matters of urgency

None.

24 Announcements from the Chairman and Leader

25 Confidential/exempt item(s)

The Chair confirmed that there were four items of confidential business referred to under Agenda Items 20 – 23.

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

The Chair confirmed that there were eight questions on notice submitted and the responses to the questions was set out in the agenda pack.

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

The minutes from the meetings of the Cabinet and the Council's committee for the period from 2 July 2024 to 10 October 2024 were presented.

RESOLVED: That Council notes the minutes of the following meetings:

Cabinet – 10 July 2024, 4 September 2024 and 2 October 2024

Scrutiny Committee – 11 July 2024

Housing Review Board – 1 August 2024

Planning Committee – 16 July 2024, 20 August 2024 and 24 September 2024

Strategic Planning Committee – 15 July 2024, 6 August 2024, 3 September 2024, 11 September 2024, 20 September 2024, 23 September 2024 and 1 October 2024

Licensing & Enforcement Committee – 17 July 2024

Audit & Governance Committee – 25 July 2024 and 19 September 2024

Placemaking Exmouth Town & Seafront Group – 31 July 2024 and 9 September 2024

Cranbrook Placemaking Group – 16 September 2024

28 **Recommendation from Housing Review Board - 1 August 2024** **Terms of Reference**

The Council received a report setting out the recommendation from the Housing Review Board on 1 August 2024, proposing a change to membership of the Board in its Terms of Reference.

Members noted that the Board was proposing to increase the number of councillors to 7 to add capacity to the Housing Review Board pending a full review of the Terms of Reference as set out in the Scrutiny Improvement Plan.

Cllr Sarah Jackson proposed the recommendation which was duly seconded by Cllr Ian Barlow and having been put to the vote was unanimously carried.

RESOLVED: That Council approve that the Housing Review Board Terms of Reference in the Council's Constitution are amended as follows:

2.4 Housing Review Board (Housing Overview and Scrutiny Committee)

2.4.1 **Membership:** 7 Councillors (subject to the rules relating to political balance/proportionality); 5 tenant and leaseholder representatives; and 2 independent community representatives. The non-councillor members will be co-opted members and shall have the right to vote. Council shall appoint the Chair. The Board will elects its own Vice Chair.

29 **Recommendation from Cabinet - 4 September 2024: Placemaking in Exmouth Town and Seafront Group**

The Council received a recommendation from Cabinet on 4 September 2024 arising from their consideration of a report from the Placemaking in Exmouth Town and Seafront Group.

Members noted that the recommendation was seeking a budget of £40,000 to be made available to appoint WSP to complete the work necessary for adopting the Placemaking Plan, with the budget taken from a General Fund Supplementary Budget.

Members welcomed the recommendation in the report which would help to progress a final draft of the Placemaking Plan and to move forward a delivery phase for the project.

Cllr Dan Ledger proposed the recommendation and having been seconded by Cllr Bethany Collins was put to the vote and carried by a majority show of hands.

RESOLVED: That Council approve a budget of £40,000 to be made available to appoint WSP to complete the work necessary for adopting the Placemaking Plan, with the budget taken from a General Fund Supplementary Budget.

30 **Recommendation from Cabinet - 4 September 2024: Annual Treasury Management Review**

The Council received a report setting out the recommendations from the Cabinet on 4 September 2024 following consideration of the Annual Treasury Management Review for 2023/2024 by Audit & Governance Committee.

Cllr Alasdair Bruce proposed the recommendations which having been seconded by Cllr Ian Barlow were unanimously carried.

RESOLVED:

1. That Council approves the actual 2023/2024 prudential and treasury indicators in the report.
2. That Council notes the annual treasury management report for 2023/2024.

31 **Recommendation from Audit & Governance Committee - 19 September 2024: Audit letter on the application of the local authority backstop**

The Section 151 Officer presented an update from the Audit and Governance Committee on the application of the local authority backstop.

Members noted that the audit regime for local authority accounts has broken with only 1% of local authority bodies having published audited accounts on time last year, with a backlog of over 1,000 unaudited accounts.

In response Government had laid legislation to set a statutory backstop of 13 December 2024 for the publication of audited accounts for all financial years up to and including 2022/2023; on the understanding this would not be possible for most cases, and these being then deemed disclaimed and not audited.

Members were advised that the Council had published accounts for 2021/2022 and 2022/2023 but had not yet been audited. A letter from auditors Grant Thornton stated that they consider there is insufficient time to conclude their work for these years before 13 December 2024. The expectation by Grant Thornton is that they would apply a backstop for 2021/2022 and 2022/2023 giving a disclaimer on these accounts in that they had been unable to gain assurance necessary to issue an audit opinion by the backstop date.

Members were pleased to note that accounts for 2023/2024 have been through the public inspection period and it was envisaged that these accounts would be audited by the required backstop date of 28 February 2025 with the audit already in full progress and bringing the Council up to date without the need to rely on any future backstops.

Councillor Ian Barlow proposed the recommendation which having been seconded by Cllr Chris Burhop were unanimously carried.

RESOLVED: That Council note the position of backstops being applied to the Council's accounts for 2021/2022 and 2022/2023.

32 **Appointment of new Director of Housing and Health and a new Director of Place**

The Council received a report from the Interviewing Sub-Committee to appoint a new Director of Housing and Health and a new Director of Place following a recent recruitment process.

Members welcomed the appointments and Cllr Paul Arnott proposed the recommendation which was seconded by Cllr Dan Ledger and having been put to the vote was unanimously carried.

RESOLVED:

1. That Council appoints Catrin Stark as Director of Housing and Health at East Devon District Council.
2. That Council appoints Andrew Wood as Director of Place at East Devon District Council.

33 **Motion on Notice - Motion 1: Winter Fuel Allowance**

Councillor Mike Goodman proposed that Council resolves that they:-

Ask that the Chief Executive jointly with the Leader of the Council write to the Chancellor of the Exchequer calling for the policy on linking Winter Fuel Payments to Pension Credit receipts be paused and introduce a new threshold to determine eligibility for Winter Fuel Payments. That they also find a solution to protect vulnerable pensioners who will be subject to energy increases.

That the Council continues with their awareness campaign in East Devon to maximise the uptake of pension credits, this would include the use of Council notice boards, social media, promotion in local press, and the East Devon Residents app to those who may be eligible.

In speaking to the motion Councillor Goodman confirmed that the Labour government is withdrawing the winter fuel allowance for all Pensioners' unless they are on pension credit and there would be a 10% increase in the energy cap.

These two measures will affect and cause hardship to many pensioners in East Devon and plunge many pensioners into deep anxiety, a serious risk of ill health and a threat to life.

The 2021 census showed East Devon had over 45,000 people of pensionable age. Although this might have changed since the pensionable age being changed to 66 years. It still represents around 30% of the population.

East Devon was a leader in tackling poverty and helping residents, this was acknowledged during the 2024 peer review process.

Many residents have contacted members with their concerns about these Labour measures which have been well published locally and nationally.

It is important that East Devon council and its members do all they can to support our pensioners.

Councillor Colin Brown seconded the motion on notice.

The Leader of Council confirmed that along with the Chief Executive a letter should be sent to the Chancellor of the Exchequer as outlined in the motion and drawing attention to those residents who were fractionally over the pension credit threshold and who were impacted by the loss of the winter fuel allowance.

The motion having been proposed and seconded was put to the vote and unanimously carried.

RESOLVED:

1. That the Chief Executive jointly with the Leader of the Council write to the Chancellor of the Exchequer calling for the policy on linking Winter Fuel Payments to Pension Credit receipts be paused and introduce a new threshold to determine eligibility for Winter Fuel Payments. That they also find a solution to protect vulnerable pensioners who will be subject to energy increases.
2. That the council continues with their awareness campaign in East Devon to maximise the uptake of pension credits, this would include the use of Council notice boards, social media, promotion in local press, and the East Devon Residents app to those who may be eligible.

34 Motion on Notice - Motion 2: Housing Concerns

Councillor Henry Riddell proposed that Motion 2 was adjourned to the Council meeting on 4 December 2024 to allow officers, councillors and the Portfolio Holder to give further consideration to this matter.

RESOLVED: That the motion was deferred until 4 December 2024.

35 Motion on Notice - Motion 3: Ecological Crisis

Councillor Jess Bailey proposed the motion in support of the installation of bas and bird boxes and further nature and environmental improvements at the Blackdown House site.

Councillor Jess Bailey confirmed that the shocking depletion of nature in our country has resulted in an ecological crisis. The UK is within the bottom 10% of countries globally for biodiversity and is the worst G7 nation for biodiversity loss.

EDDC must take action to help stem the decline of nature on its own doorstep.

Councillor Melanie Martin seconded the motion.

Having been proposed and seconded the motion was put to the vote and unanimously carried.

RESOLVED:

That as a matter of urgency this Council will

1. Install bat boxes and bird boxes as required in its 2016 planning permission when Blackdown House was built
2. Install boxes specifically for swifts at Blackdown House, noting the excellent work elsewhere in Honiton to support swifts
3. Identify and implement further nature supporting initiatives for the Blackdown House site.

36 **Appointment of Member Champion - Member Champion for Arts & Culture**

The Council received a nomination to appoint Cllr Olly Davey to the role of Member Champion for Arts and Culture following the resignation of Cllr Joe Whibley.

Cllr Nick Hookway proposed the recommendation which was seconded by Cllr Tim Dumper and having been put to the vote was unanimously carried.

RESOLVED: That Council approve the appointment of Cllr Olly Davey to the role of Member Champion for Arts and Culture.

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

The Chair proposed that the Press and Public be excluded from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972.

The motion having been put by the Chair was unanimously carried.

RESOLVED: That Council approve that the Press and Public are excluded from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972.

The Council meeting was adjourned until 8.10pm.

38 **Record of Urgent Decision Outside the budget or policy framework - Acquisition of Land at Seaton Marshes (known as Salt & Church Plots)**

The Council received a report setting out details of an urgent decision that was taken outside of the budgetary framework.

Members noted that the decision was made in accordance with the provisions for urgent decisions as set out in the Council's Constitution on 14 August 2024 to enable the completion of the purchase of a key piece of land in accordance with the Cabinet Report dated 10 July 2024.

Members were advised that as the next Full Council meeting was not until 16 October 2024 delaying approval until such time could lead to the Council failing to secure the land which supported the enhancement of Seaton Wetlands.

RESOLVED: That Council notes the urgent decision taken and the reasons for its urgency.

39 **Recommendation from Cabinet - 4 September 2024: Recycling & Waste Future Services Model**

The Council received a recommendation from the Cabinet on 4 September 2024 to establish a budget with a sum as set out in the exempt report being approved from the transformation reserve to support the development of project set out in the exempt report.

The Council welcomed the approach set out in the report and Councillor Steve Gazzard proposed the recommendation which having been seconded by Councillor Alasdair Bruce was unanimously carried.

RESOLVED: That Council approve that sufficient project management resources and budget be established as set out in the exempt report being approved from the transformation reserve to support the development of the project set out in the exempt report.

40 **Recommendation from Cabinet - 4 September 2024: Home Safeguarding Digital Platform Procurement**

The Council received a report setting out the recommendation from Cabinet on 4 September 2024 in respect of the Home Safeguard Digital Platform procurement.

Members requested that they received a briefing on the new digital platform including the digital switchover and impacts on residents from BT.

Councillor Paul Hayward proposed the recommendation which was seconded by Councillor Vicky Johns and having been put to the vote was unanimously carried.

RESOLVED: That Council approve a budget for the amount set out in the exempt report being funded from the Transformation Fund.

41 **Review of Leisure Provision - Funding and Management Agreement with LED Community Leisure**

The Council received a recommendation from Cabinet on 4 September 2024 to support the completion of the strategic review as set out in the exempt report.

Members requested an update on the progress with the review.

Councillor Dan Ledger proposed the recommendation which having been seconded by Councillor Todd Olive was put to the vote and carried by a majority show of hands.

RESOLVED: That Council approve a budget up to the amount set out in the exempt report from the Transformation Fund to support the completion of the strategic review as set out in the exempt report.

Attendance List

Councillors present:

P Arnott	P Faithfull	G Jung
B Bailey	P Fernley	D Ledger
J Bailey	S Gazzard	Y Levine
I Barlow	M Goodman	D Mackinder
K Blakey	D Haggerty	M Martin
K Bloxham	A Hall	T McCollum
V Bonetta	M Hall	J O'Leary
C Brown	P Hayward	T Olive
J Brown	J Heath	H Riddell
A Bruce	N Hookway	E Rylance
C Burhop	M Howe	A Toye
B Collins	B Ingham	S Westerman
R Collins	S Jackson	J Whibley
O Davey	R Jefferies	
T Dumper	V Johns	

Officers in attendance:

Simon Davey, Director of Finance

Tracy Hendren, Chief Executive

Andrew Melhuish, Democratic Services Manager

Melanie Wellman, Director of Governance (Monitoring Officer)

Councillor apologies:

A Bailey
S Chamberlain
M Chapman
I Chubb
C Fitzgerald
M Hartnell
S Hawkins
S Hughes
J Kemp
J Loudoun

C Nicholas
H Parr
S Richards
M Rixson
S Smith
D Wilson
E Wragg

Chair

Date: