



East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ
DX 48808 HONITON
Tel: 01404 515616
www.eastdevon.gov.uk

**Agenda for Council
Wednesday, 16th October, 2024, 6.00 pm**

To: All elected Members of the Council; Honorary Aldermen

Venue: Council Chamber, Blackdown House, Honiton

Contact: Andrew Melhuish, Democratic Services Manager;

(or group number 01395 517546)
Issued Monday, 7 October 2024

This meeting is being recorded for subsequent publication on the Council's website and will be streamed live to the [East Devon District Council YouTube channel](#)

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on
Wednesday, 16th October, 2024 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 that reads "Tracy Hendren".

Tracy Hendren
Chief Executive

1 **Apologies**

2 **Declarations of interest**

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

3 **Minutes of the previous meeting** (Pages 7 - 26)

4 Public speaking

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

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 27 - 35)

9 Reports from the Cabinet and the Council's Committees and questions on those reports (Pages 36 - 149)

10 Recommendation from Housing Review Board - 1 August 2024 Terms of Reference (Pages 150 - 151)

11 Recommendation from Cabinet - 4 September 2024: Placemaking in Exmouth Town and Seafront Group (Pages 152 - 156)

12 Recommendation from Cabinet - 4 September 2024: Annual Treasury Management Review (Pages 157 - 159)

13 Recommendation from Audit & Governance Committee - 19 September 2024: Audit letter on the application of the local authority backstop (Pages 160 - 171)

14 Appointment of new Director of Housing and Health and a new Director of Place (Pages 172 - 174)

15 Motion on Notice - Motion 1: Winter Fuel Allowance (Pages 175 - 178)

Motion 1: Winter Fuel Allowance

Motion Proposed: Cllr Mike Goodman

Motion Seconded: Cllr Colin Brown

Motion signed: Cllrs Aurora Bailey, Brian Bailey, Jenny Brown, Alasdair Bruce, Maddy Chapman, Peter Faithfull, Stuart Hughes, Ben Ingham, Helen Parr, Sophie Richards and Henry Riddell

Motion received: 10 September 2024

The full text of the motion is set out below.

The Council notes.

The Labour government is withdrawing the winter fuel allowance for all Pensioners' unless they are on pension credit.

There will be a 10% increase in the energy cap.

These two measures will affect and cause hardship to many pensioners in East Devon.

This will plunge many East Devon 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 is 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.

The Council therefore 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 urgently commences a significant 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, targeted letters to those who may be eligible.

Resolve that the Leader and Chief Executive report back to Council.

16 **Motion on Notice - Motion 2: Housing Concerns**

Motion 2

Housing Motion

Motion Proposed: Cllr Henry Riddell

Motion Seconded: Cllr Mike Goodman

Motion Signed: Cllrs Aurora Bailey, Brian Bailey, Stuart Hughes and Ben Ingham

Motion received: 1 October 2024

The Council notes

Damp and mould has serious impacts on residents' lives and can cause negative health implications which can be life changing.

Under Awaab's law the council has to investigate each complaint about damp and mould in social housing and this will be extended to the private rented sector next year. If they do not, residents will be able to hold their landlords to account by taking legal action through the courts for a breach of contract.

That a stock condition survey of all properties commissioned in 2021 has still not been completed.

Once the stock condition survey is completed, a costed programme of housing improvements will be required and will need to be built into the Housing Revenue Account once the information is available. Along with a fund for tenants legal action. The council will also have to significantly invest in environmental health while there is a national shortage.

The Grant Thornton report in December 2023 stated that East Devon has one of the worst maladministration rates in the country at 89%. The report also said that there was evidence that this had continued in 2023.

The Council resolves to

1. An urgent report within the next three months is required to establish what the cost is to bring housing stock under the council stewardship to decent home standard, along with potential liabilities including legal action by tenants on failure to do this.
2. Investigate why the stock condition survey has not been completed, and report back to the full council.
3. A review of the procurement process and why it has not been delivered.
4. A hotline is established before winter for all residents, owner occupier, social and private rented areas to report damp and mould.
5. A plan is implemented to protect all residents (including owner occupied) from mould with guidance on how to remove, reduce and avoid damp and mould.

17 Motion on Notice - Motion 3: Ecological Crisis

Motion 3: Ecological Crisis

Motion Proposed: Cllr Jess Bailey

Motion Seconded: Cllr Melanie Martin

Motion Signed: Cllrs Ian Barlow, Chris Burhop, Alasdair Bruce, Olly Davey, Paula Fernley, Mike Howe, Vicky Johns and Yehudi Levine

Motion received: 2 October 2024

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.

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.

18 Appointment of Member Champion - Member Champion for Arts & Culture

To nominate Cllr Olly Davey to the role of Member Champion for Arts & Culture following the resignation from Cllr Joe Whibley.

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

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public 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.

Reason: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

20 Record of Urgent Decision Outside the budget or policy framework - Acquisition of Land at Seaton Marshes (known as Salt & Church Plots) (Pages 179 - 188)

- 21 **Recommendation from Cabinet - 4 September 2024: Recycling & Waste Future Services Model** (Pages 189 - 206)
- 22 **Recommendation from Cabinet - 4 September 2024: Home Safeguarding Digital Platform Procurement** (Pages 207 - 217)
- 23 **Review of Leisure Provision - Funding and Management Agreement with LED Community Leisure** (Pages 218 - 228)

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

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

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

[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 17 July 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.55 pm

1 Apologies

Apologies received from Cllrs Paula Fernley, Marcus Hartnell, Mike Howe, Vicky Johns, Simon Smith, Henry Riddell and Joe Whibley.

2 Minutes of the previous meeting

The minutes of the Council meeting held on 17 April 2024 and the Extraordinary Council meeting held on 8 May 2024 were confirmed as a correct record

3 Declarations of interest

4 Public speaking

No members of the public had registered to speak.

5 Matters of urgency

None.

6 Announcements from the Chair and Leader

The Chair of Council reminded members to bring their documentation with them to enable a DBS check to be carried out and advised that the councillor profile page would be updated to reflect that a DBS check had been completed.

7 Confidential/exempt item(s)

There was one item of confidential business referred to under Agenda Item 18.

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

There were no questions.

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

The minutes from meetings of the Cabinet and the Council's committees for the period 4 April 2024 to 1 July 2024 were presented.

RESOLVED: To note the minutes from the following meetings:

Scrutiny Committee – 4 April 2024
Leisure Strategy Delivery Forum – 9 April
Standards Committee – 10 April
Personnel Committee – 16 April
Scrutiny Committee – 18 April
Planning Committee – 23 April
South & East Devon Habitat Regulations Executive Committee – 24 April
Strategic Planning Committee – 30 April
Cabinet – 1 May
Licensing & Enforcement Committee – 8 May
Licensing & Enforcement Sub Committee – 8 May
Planning Committee – 21 & 24 May
Overview Committee – 30 May
Strategic Planning Committee – 4 June
Cabinet – 5 June
Arts & Culture Forum – 12 June
Personnel Committee – 13 June
Scrutiny Committee – 13 June
Asset Management Forum – 17 June
Planning Committee – 18 June
Poverty Working Panel – 24 June
Leisure Strategy Delivery Forum – 25 June
Licensing & Enforcement Sub Committee – 26 June
Cranbrook Placemaking Group – 1 July

10 **Recommendation - Cabinet 10 July 2024 - Peer Challenge Action Plan**

The Council received a report setting out recommendations from the Cabinet on 10 July 2024 which set out an overview of the Peer Challenge recommendations and the delivery plan to implement the recommendations, including a request for a supplementary estimate of £245,000 to support the purchase and implementation of a new performance, risk and complaints monitoring software system.

Members welcomed the action plan and noted that an update on the delivery plan would be submitted in the autumn.

Cllr John Loudoun proposed the recommendations which were duly seconded by Cllr Paul Hayward and having been put to the vote was unanimously carried.

RESOLVED:

1. That Council receive the Peer Challenge recommendations and endorse the delivery plan and the actions set out in it.

2. That a supplementary estimate of up to £245,000 to purchase and implement a new performance, risk and complaints monitoring software system(s).

11 **Recommendation - Cabinet 10 July 2024 - Scrutiny Improvement Plan Actions**

The Council received a report from the Cabinet on 10 July 2024 setting out its recommendation to Council arising from their consideration of a report on the Scrutiny Review recommendations and delivery plan.

Members noted that following the feedback report from the Centre for Governance and Scrutiny review a series of suggestions and recommendations had been made to the Council, including.

- Review Terms of Reference of the three Scrutiny Committees.
- Consideration of short-term investment to the Scrutiny Committee.
- Assign a senior officer to provide expertise and advice at the Committee meetings.
- Provide learning and development opportunities to Committee members.
- An in-depth look at the Scrutiny Protocol and terms of reference for the committees.
- That the approach to work programming for scrutiny is redesigned so anchored by long term strategic issues.
- Improved work-programming.
- Cross-party pre-meetings in advance of scrutiny sessions.
- Scrutiny support and training for officers.
- A process to track recommendations made and impacts arising.

The recommendations have been collated into a delivery plan along with a series of actions and information on how those recommendations can be delivered and the resources required to support them.

Cllr John Loudoun proposed the recommendations which were duly seconded by Cllr Mike Goodman, and having been put to the vote were carried by a majority show of hands. Council **RESOLVED** that Council receive the Scrutiny Review recommendations and endorse the delivery plan and the actions set out in it.

12 **Recommendation Cabinet 27 March 2024 Leisure & Sports Pitches**

The Council received a recommendation from Cabinet seeking approval of funding to support a series of actions contained within the Leisure Strategy Action Plan.

Cllr Nick Hookway proposed the recommendations which were seconded by Cllr Richard Jefferies and having been put to the vote was carried by a majority show of hands.

RESOLVED that Council;

1. approve funding from the Council's General Fund Revenue budget of £85,000 to help support the Estates team with the priority 1 actions identified within the Leisure Strategy action plan on stock condition surveys and renegotiating existing dual use facility agreements.

2. approve the provision of a budget of up to £76,974 for the 2024/25 financial year to fund the Community Connector, Community Builder and Project Manager posts, subject to there being a review of future provision and funding. That delegated authority be given to the S151 officer in consultation with the Portfolio Holder for Finance, Portfolio Holder for Culture, Leisure, Sports and Tourism and Cllr Kim Bloxham, to agree the arrangements for hosting and the performance management regime.
3. approve the provision of a budget of £57,756 inclusive of 30% on costs to fund the Strategic Leisure Enabler Lead role.

13 **Recommendation from Cabinet 1 May 2024 - New Communities in East Devon**

The Council received a recommendation from Cabinet on 1 May 2024 seeking a budget of up to £80,000 to be made available from the general fund to ensure that capacity was in place to undertake the Community Governance Review for Cranbrook and a wider strategic review of asset and service delivery in major new developments.

Cllr Todd Olive proposed the recommendation which was seconded by Cllr Kim Bloxham and having been put to the vote was unanimously carried.

RESOLVED: That Council approves a budget of up to £80,000 is made available from the general fund to ensure that capacity is in place to undertake both the Community Governance Review for Cranbrook and wider strategic review of asset and service delivery in major new developments

14 **Recommendation from Cabinet 5 June 2024 - Preventing Homelessness and Rough Sleeping Strategy**

The Council received a recommendation from Cabinet on 5 June 2024 seeking adoption of the Homelessness and Rough Sleeping Strategy.

Members noted that during July 2023 to September 2024 a series of focus groups had taken place and the feedback from those sessions had been used to inform a draft strategy that was subject to public consultation. The update strategy identified three key priorities, including: maximising prevention activity and supporting people to sustain existing tenancies; increasing the range of accommodation solutions available and ending rough sleeping.

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

RESOLVED: That the Homelessness and Rough Sleeping Strategy 2024 – 2028 is adopted.

15 **Recommendation - Cabinet 10 July 2024: Revenue & Capital Outturn 2023 - 2024**

The Council received recommendations from the Cabinet on 10 July 2024 relating to the Revenue and Capital Outturn Report 2023 – 2024.

Members noted that the report set out the revenue budget and capital outturn positions at the end of the financial year and the outturn position of the General Fund was a positive one with a surplus balance for reallocation of £0.648m.

Members recognised the Council had faced a challenging year with significant service demand and inflationary pressures in the supply of goods and services. It was noted that higher interest rates had seen a positive impact on the Council's investment returns which had enabled the Council to mitigate against service pressures during 2023/2024 although that would remain challenging for future years given the cost of living crisis and the impact this has had on levels of demand and cost.

Cllr Steve Gazzard proposed the recommendations which were seconded by Cllr Chris Burhop and having been put to the vote was unanimously carried.

RESOLVED:

1. That Council approves the outturn position for 2023/2024 including the implications and proposals relating to the Balances and Reserves held by the Council.
2. That Council approve the proposed reserve transfers contained within the report and that delegated authority is granted to the Director of Finance in consultation with the Portfolio Holder for Finance for any amendments to the transfers as additional year end data became available.

16 **Recommendation - Cabinet 10 July 2024 Housing Revenue Account Revised Budget**

The Council received recommendations from the Cabinet on 10 July 2024 relating to the Housing Revenue Account, including a financial review, revised budget and sustainability plan.

Members noted that the report was seeking to present a balanced budget and provide the necessary investment for regulatory compliance and the provision of good quality safe, affordable and warm homes for the Council's tenants.

Members made the following comments:

- importance of understanding the results of the stock condition survey to ensure properties were upgraded.
- voids management information to be made available to councillors on a ward by ward basis
- requirement to enable effective scrutiny of the housing revenue account through the Housing Review Board, including a review of the Board's terms of reference.

Councillor Dan Ledger proposed the recommendations which were seconded by Cllr Bethany Collins and having been put to the vote were carried by a majority show of hands.

RESOLVED that Council:

1. Approve £2.5m of additional borrowing to balance the HRA budget for the 2023/24 financial year.
2. Approve a revised HRA Budget for 2024/25 as set out in Appendix 3, and a revised Capital Programme Budget as set out in Appendix 4.

The approval to include:

- a) That up to £1.75m be allocated from the HRA Balance Reserve to fund the 2024/25 forecast revenue budget shortfall.
 - b) That a target annual revenue saving of £250k per annum be sought over 3 years to replenish the HRA Balance Reserve.
 - c) That £4.4m of Voluntary Revenue Provision be used to reduce the level of additional borrowing required within the HRA.
 - d) That £7.3m of new borrowing be agreed to fund the 2024/25 Capital Programme.
3. Note that £2.415m of savings and/or new additional revenue is required in 2025/26. This is needed to achieve a balanced budget, meet the increased cost arising from new borrowing in 2024/25, contribute toward the replenishment of the HRA Balance Reserve and fund additional new borrowing for Capital Programme investment in 2025/26.
 4. Note the work currently underway to investigate options and establish a longer-term strategic plan to ensure the sustainable and effective management and maintenance of the Councils Housing stock.
 5. Approve a £35k budget within the HRA to increase provision to a Full-Time HRA accountant to support the service.

17 **Political Proportionality and Allocation of Committee Places**

The Council received a report setting out details of changes to the allocation and appointments of members for seats on the Council's committee for the remainder of the 2024/2025 municipal year following the notification in changes to group membership and the formation of a new grouping Cranbrook Voice since the Annual Council meeting in May 2024. The report also set out appointments to Panels, Forums and Joint Bodies for 2024/2025.

There were a number of panels, forums and Joint Bodies where nominations for places exceeded the places available. These were put to the vote and the following was supported: Arts and Culture Forum Cllrs Paul Arnott, Olly Davey & Vicky Johns; Placemaking in Exmouth Town and Seafront Group Cllr Anne Hall; Recycling & Waste Partnership Board Cllr Mike Goodman; East Devon Gypsy & Traveller Forum Cllr Kim Bloxham.

Councillor Dan Ledger proposed the recommendations which was seconded by Cllr John Loudoun and having been put to the vote was carried by a majority show of hands.

RESOLVED:

1. That Council notes the revised political balance of the Council and agree the allocation of committee places:

**Audit and Governance Committee (10 seats)
(Democratic Alliance Group 5, Conservative 2, Independent Group 1, Cranbrook Voice 1 and Independent Councillor Group 1)**

Quorum 3

Co-opted non-voting Independent Member who shall be suitably qualified to support elected representatives in scrutinising local authority finances.

Chair: Cllr Chris Burhop	Democratic Alliance Group
Vice Chair: Cllr Olly Davey	Democratic Alliance Group
Cllr Joe Whibley	Democratic Alliance Group
Cllr Steve Gazzard	Democratic Alliance Group
Cllr Charlotte Fitzgerald	Democratic Alliance Group
Cllr Colin Brown	Conservative
Cllr Mike Goodman	Conservative
Cllr Ian Barlow	Independent Group
Cllr Kim Bloxham	Cranbrook Voice
Cllr Roy Collins	Independent Councillor Group

Housing Review Board (5 seats)

(Democratic Alliance Group 3, Conservative 1, Independent Group 1)

Quorum 4

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 elect its own vice Chair.

Chair: Cllr Sarah Chamberlain	Democratic Alliance Group
Cllr Chris Burhop	Democratic Alliance Group
Cllr Simon Smith	Democratic Alliance Group
Cllr Aurora Bailey	Conservative
Cllr Tony McCollum	Independent Group

Licensing and Enforcement Committee (15 seats)

(Democratic Alliance Group 8, Conservative 4, Independent Group 2 and Cranbrook Voice 1)

Quorum 4

Serving members of Cabinet are not eligible for appointment to this committee.

Chair: Cllr Joe Whibley	Democratic Alliance Group
Vice Chair: Cllr Kim Bloxham	Cranbrook Voice
Cllr Tim Dumper	Democratic Alliance Group
Steve Gazzard	Democratic Alliance Group
Cllr Richard Jefferies	Democratic Alliance Group
Cllr Sue Westerman	Democratic Alliance Group
Cllr John Heath	Democratic Alliance Group
Cllr Yehudi Levine	Democratic Alliance Group
Cllr Olly Davey	Democratic Alliance Group
Cllr Brian Bailey	Conservative
Cllr Maddy Chapman	Conservative
Cllr Cherry Nicholas	Conservative
Cllr John O'Leary	Conservative
Cllr Ian Barlow	Independent Group
Cllr Tony McCollum	Independent Group

Overview Committee (13 seats)

(Democratic Alliance Group 7, Conservative 3, Independent Group 2 and Cranbrook Voice 1)

Quorum 5

The Chair of the Committee shall be a Councillor from the majority party.

Chair: Cllr Anne Hall	Democratic Alliance Group
Vice Chair: Cllr Tim Dumper	Democratic Alliance Group
Cllr Yeuhdi Levine	Democratic Alliance Group
Cllr John Heath	Democratic Alliance Group
Cllr Paula Fernley	Democratic Alliance Group
Cllr Olly Davey	Democratic Alliance Group
Cllr Del Haggerty	Democratic Alliance Group
Cllr Aurora Bailey	Conservative
Cllr Brian Bailey	Conservative
Cllr Henry Riddell	Conservative
Cllr Vicky Johns	Independent Group
Cllr Melanie Martin	Independent Group
Cllr Kevin Blakey	Cranbrook Voice

Personnel Committee (15 seats)

(Democratic Alliance Group 8, Conservative 4, Independent Group 2 and Cranbrook Voice 1)

Quorum 4

The Leader, Deputy Leader and Portfolio Holder with Human Resources responsibilities shall be members. There shall be substitute members for each political group of the Council entitled to a seat to ensure flexibility in case of any conflict of interest and to ensure political balance and that the Sub Committees can be constituted.

Chair: Cllr Eleanor Rylance	Democratic Alliance Group
Vice Chair: Cllr John Loudoun	Democratic Alliance Group
Cllr Paul Arnott	Democratic Alliance Group
Cllr Paul Hayward	Democratic Alliance Group
Cllr Tim Dumper	Democratic Alliance Group
Cllr Nick Hookway	Democratic Alliance Group
Cllr Eileen Wragg	Democratic Alliance Group
Cllr Del Haggerty	Democratic Alliance Group
Cllr Jenny Brown	Conservative
Cllr Maddy Chapman	Conservative
Cllr Aurora Bailey	Conservative
Cllr Brian Bailey	Conservative
Cllr Tony McCollum	Independent Group
Cllr Melanie Martin	Independent Group
Cllr Kevin Blakey	Cranbrook Voice
Substitutes	
Cllr Sarah Jackson	Democratic Alliance Group
Cllr John Heath	Democratic Alliance Group
Cllr Alasdair Bruce	Independent Group
Cllr Sam Hawkins	Cranbrook Voice

Interviewing (Chief Officers) Sub Committee

Membership: 7 Councillors drawn from the membership of the Personnel Committee which shall include at least one member of the Cabinet (subject to the rules relating to political balance / proportionality). Substitute members can be used when necessary.
Quorum: 7

Investigating and Disciplinary Sub Committee.

Membership: 5 Councillors drawn from the membership of the Personnel Committee (subject to the rules relating to political balance / proportionality) none of whom shall

have sat on any Grievance Sub Committee relating to the same matter and which shall include at least one member of the Cabinet (which may not be the Leader). Substitute members can be used when necessary. Quorum: 5

Employment Appeals Sub Committee.

Membership: 5 Councillors drawn from the membership of the Personnel Committee (subject to the rules relating to political balance / proportionality) none of whom shall have sat on any Investigating and Disciplinary Committee relating to the same matter and which shall include at least one member of the Cabinet (which may not be the Leader). Substitute members can be used when necessary. Quorum: 5

Grievance Sub Committee.

Membership: 5 Councillors drawn from the membership of the Personnel Committee (subject to the rules relating to political balance / proportionality). Quorum: 3

Planning Committee (16 seats))

(Democratic Alliance Group 8, Conservative 4, Independent Group 2, Cranbrook Voice 1 and Independent Councillor Group 1)

Quorum 4

The Chair and Vice Chair shall not be from the same Ward and serving members of Cabinet are not eligible for appointment to this committee.

Chair: Cllr Olly Davey	Democratic Alliance Group
Vice Chair: Cllr Matt Hall	Democratic Alliance Group
Cllr Eileen Wragg	Democratic Alliance Group
Cllr Anne Hall	Democratic Alliance Group
Cllr Sarah Chamberlain	Democratic Alliance Group
Cllr Steve Gazzard	Democratic Alliance Group
Cllr Simon Smith	Democratic Alliance Group
Cllr Del Haggerty	Democratic Alliance Group
Cllr Maddy Chapman	Conservative
Cllr Brian Bailey	Conservative
Cllr Colin Brown	Conservative
Cllr Jenny Brown	Conservative
Cllr Ian Barlow	Independent Group
Cllr Mike Howe	Independent Group
Cllr Kim Bloxham	Cranbrook Voice
Cllr Peter Faithfull	Independent Councillor Group

Scrutiny Committee (15 seats)

(Democratic Alliance Group 8, Conservative 4, Independent Group 2 and Cranbrook Voice 1)

Quorum 5

The Chair shall be a Councillor from the opposition party / group agreed at Annual Council but in the event that no Councillor is proposed by the opposition then the Leader shall retain the right to nominate the Chair.

Chair: Cllr Mike Goodman	Conservative
Vice Chair – Cllr Duncan Mackinder	Democratic Alliance Group
Cllr Matt Hall	Democratic Alliance Group
Cllr John Heath	Democratic Alliance Group
Cllr Andrew Toye	Democratic Alliance Group
Cllr Anne Hall	Democratic Alliance Group
Cllr Joe Whibley	Democratic Alliance Group
Cllr Olly Davey	Democratic Alliance Group
Cllr Yehudi Levine	Democratic Alliance Group

Cllr Maddy Chapman	Conservative
Cllr Marcus Hartnell	Conservative
Cllr Jenny Brown	Conservative
Cllr Ian Barlow	Independent Group
Cllr Vicky Johns	Independent Group
Cllr Kim Bloxham	Cranbrook Voice

Standards Committee (7 seats)

(Democratic Alliance Group 4, Conservative 2 and Independent Group 1)

Quorum 4

Chair of Council will be the Chair. 3 non-voting Parish Councillor representatives and 3 non-voting independent members. There shall be substitute members for each political group of the Council entitled to a seat to ensure flexibility in case of any conflict of interest and to ensure political balance.

Chair: Cllr Eleanor Rylance	Democratic Alliance Group
Cllr Joe Whibley	Democratic Alliance Group
Cllr Tim Dumper	Democratic Alliance Group
Cllr John Loudoun	Democratic Alliance Group
Cllr Iain Chubb	Conservative
Cllr Stuart Hughes	Conservative
Cllr Jess Bailey	Independent Group
Substitutes	
Cllr John Heath	Democratic Alliance Group
Cllr Alasdair Bruce	Independent Group

Strategic Planning Committee (15 seats)

(Democratic Alliance Group 8, Conservative 4 and Independent Group 2 and Cranbrook Voice 1)

Quorum 5

No more than 4 may be from the Cabinet

Chair: Cllr Todd Olive	Democratic Alliance Group
Vice Chair: Cllr Mike Howe	Independent Group
Cllr Paul Hayward	Democratic Alliance Group
Cllr Dan Ledger	Democratic Alliance Group
Cllr Olly Davey	Democratic Alliance Group
Cllr Yeuhdi Levine	Democratic Alliance Group
Cllr Paula Fernley	Democratic Alliance Group
Cllr Bethany Collins	Democratic Alliance Group
Cllr Geoff Jung	Democratic Alliance Group
Cllr Ben Ingham	Conservative
Cllr Brian Bailey	Conservative
Cllr Helen Parr	Conservative
Cllr Colin Brown	Conservative
Cllr Jess Bailey	Independent Group
Cllr Kevin Blakey	Cranbrook Voice

2. That the Council agree the allocation of places to Panels, Forums and Joint Bodies for 2024/2025 as follows:

1. Asset Management Forum

Cabinet members (PFH Finance & Assets, PFH Economy, PFH Strategic Planning)
3, Assistant Portfolio Holders (APFH Coast, Country & Environment, APFH Economy & Assets) 2 and one ex officio councillor (Leader of Council).

Chair – Portfolio Holder Economy & Assets

Refer back to Asset Management Forum to review Terms of Reference.

	Councillor	Composition
a)	Chair Cllr Paul Hayward	Portfolio Holder Economy & Assets
b)	Cllr Sam Hawkins	Portfolio Holder Finance
c)	Cllr Todd Olive	Portfolio Holder Strategic Planning
d)	Cllr Geoff Jung	Assistant Portfolio Holder Coast, Country & Environment
e)		Assistant Portfolio Holder Economy & Assets
f)	Leader of Council	Ex-officio councillor

2. Budget Setting and Capital Allocations Panel

The Cabinet, Assistant Portfolio Holders, councillors 5

Chair – Portfolio Holder Finance

	Councillor	Composition
a)	Chair: Cllr Sam Hawkins	Portfolio Holder Finance
b)	Cllr Paul Arnott	Leader of Council
c)	Cllr Geoff Jung	Portfolio Holder Coast, Country and Environment
d)	Cllr Marianne Rixson	Portfolio Holder Climate Action and Emergency Response
e)	Cllr Sarah Jackson	Portfolio Holder Communications and Democracy
f)	Cllr John Loudoun	Portfolio Holder Council and Corporate Co ordination
g)	Cllr Nick Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
h)	Cllr Paul Hayward	Portfolio Holder Economy & Assets
i)	Cllr Todd Olive	Portfolio Holder Strategic Planning
j)	Cllr Dan Ledger	Portfolio Holder Sustainable Homes and Communities
k)	Cllr Paula Fernley	Assistant Portfolio Holder Coast, Country and Environment
l)	Cllr Charlotte Fitzgerald	Assistant Portfolio Holder Coast, Country and Environment
m)	Cllr Richard Jefferies	Assistant Portfolio Holder Culture, Leisure, Sport and Tourism
n)	Cllr John Heath	Councillor
o)	Cllr Charlotte Fitzgerald	Councillor
p)	Cllr Mike Goodman	Councillor
q)	Cllr Ian Barlow	Councillor
r)	Cllr Matt Hall	Councillor

3. Community Grant Panel

Cabinet member (PFH Finance & Assets) 1 and councillors 6

Chair – Portfolio Holder Finance

	Councillor	Composition
a)	Chair Cllr Sam Hawkins	Portfolio Holder Finance
b)	Cllr John Loudoun	Councillor
c)	Cllr Sarah Jackson	Councillor
d)	Cllr John Heath	Councillor
e)	Cllr Jessica Bailey	Councillor
f)	Cllr Stuart Hughes	Councillor
g)	Cllr Helen Parr	Councillor

4. Community Infrastructure Levy Working Group

Cabinet members 3 (PFH Strategic Planning, Sustainable Homes & Communities and PFH Economy), Vice Chair of Strategic Planning Committee, Chair and Vice Chair of Planning Committee, Councillors 4

Chair – Portfolio Holder Strategic Planning

	Councillor	Composition
a)	Chair Cllr Todd Olive	Portfolio Holder Strategic Planning
	Cllr Dan Ledger	Portfolio Holder Sustainable Homes & Communities
b)	Cllr Paul Hayward	Portfolio Holder Economy & Assets
c)	Cllr Mike Howe	Vice Chair Strategic Planning Committee
d)	Cllr Olly Davey	Chair Planning Committee
e)	Cllr Matt Hall	Vice Chair Planning Committee
f)	Cllr Sarah Chamberlain	Councillor
g)	Cllr Ian Barlow	Councillor
h)	Cllr Tony McCollum	Councillor
i)	Cllr Chris Burhop	Councillor

5. Constitution Working Group

Cabinet member 1 (PFH Communications & Democracy), Democratic Alliance Group 3, Conservative 2, Independent Group 1, Cranbrook Voice 1 and Independent Councillor Group 1)

Chair – PFH Communications & Democracy

	Councillor	Composition
a)	Chair Cllr Sarah Jackson	Portfolio Holder Communications & Democracy
b)	Cllr John Loudoun	Councillor (Democratic Alliance Group)
c)	Cllr Tim Dumper	Councillor (Democratic Alliance Group)
d)	Cllr Dan Ledger	Councillor (Democratic Alliance Group)
e)	Cllr Jenny Brown	Councillor (Conservative Group)

f)	Cllr Mike Goodman	Councillor (Conservative Group)
g)	Cllr Tony McCollum	Councillor (Independent Group)
h)	Cllr Kim Bloxham	Councillor (Cranbrook Voice)
i)	Cllr Peter Faithfull	Councillor (Independent Councillor Group)

6. Leisure Strategy Delivery Forum (formerly LED Monitoring Group)

Cabinet members 5 (Leader of Council, PFH Finance, PFH Council & Corporate Coordination, PFH Economy & Assets, PFH Culture Leisure, Sport & Tourism),
Councillors 5

	Councillor	Composition
a)	Chair Cllr Sam Hawkins	Portfolio Holder Finance
b)	Cllr Paul Arnott	Leader of Council
c)	Cllr John Loudoun	Portfolio Holder Council and Corporate Co ordination
d)	Cllr Paul Hayward	Portfolio Holder Economy and Assets
e)	Cllr Nick Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
f)	Cllr Andrew Toye	Councillor
g)	Cllr Joe Whibley	Councillor
h)	Cllr Simon Smith	Councillor
i)	Cllr Mike Goodman	Councillor
j)	Cllr Kim Bloxham	Councillor

7. Member Development Working Party

Cabinet members 3 (PFH Communications & Democracy, PFH Council & Corporate Coordination, Leader of Council), Member Champion for Mental Health, councillors 5

Chair – Portfolio Holder Communications and Democracy

	Councillor	Composition
a)	Chair Cllr Sarah Jackson	Portfolio Holder Communications and Democracy
b)	Cllr Paul Arnott	Leader of Council
c)	Cllr John Loudoun	Portfolio Holder Council and Corporate Co ordination
d)	Cllr Sue Westerman	Member Champion for Mental Health
e)	Cllr John Heath	Councillor
f)	Cllr Tim Dumper	Councillor
g)	Cllr Yehudi Levine	Councillor
h)	Cllr Ian Barlow	Councillor
i)	Cllr Mike Goodman	Councillor

8. Placemaking and Prosperity Investment Board (sub-committee of Cabinet)

Leader of Council, Deputy Leader and Portfolio Holder Finance (voting members),
Chair
of Overview Committee (non voting) and ward councillors as required.

	Councillor	Composition
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a)	Chair: Cllr Paul Arnott	Leader of Council
b)	Cllr Paul Hayward	Deputy Leader
c)	Cllr Sam Hawkins	Portfolio Holder Finance
d)	Cllr Anne Hall	Chair of Overview Committee (non-voting)

9. Poverty Working Panel

Cabinet member 1 (PFH Sustainable Homes & Communities), councillors 9

Chair – Portfolio Holder for Sustainable Homes and Communities

	Councillor	Composition
a)	Chair Cllr Dan Ledger	Portfolio Holder for Sustainable Homes and Communities
b)	Cllr Maddy Chapman	Councillor
c)	Cllr Mike Goodman	Councillor
d)	Cllr Melanie Martin	Councillor
e)	Cllr John Heath	Councillor
f)	Cllr Paul Arnott	Councillor
g)	Cllr Marianne Rixson	Councillor
h)	Cllr Simon Smith	Councillor
i)	Cllr Bethany Collins	Councillor
j)	Cllr Del Haggerty	Councillor

Joint Bodies

1. Arts and Culture Forum

Cabinet member 1 (PFH Tourism, Sport & Leisure), Assistant Portfolio Holder 1 (Coast, Country & Environment), councillors 4 (1 is Member Champion Arts & Culture) and town representatives 7 (A district or town councillor representing each of the towns of Axminster, Budleigh Salterton, Cranbrook, Exmouth, Honiton, Ottery St Mary, Seaton and Sidmouth)

Chair – Member Champion (Arts & Culture)

	Councillor	Composition
a)	Chair: Cllr Joe Whibley	Councillor (Member Champion Arts & Culture)
b)	Cllr Nick Hookway	Portfolio Holder Tourism, Sport, Leisure and Culture
c)	Cllr Paula Fernley	Assistant Portfolio Holder Coast, Country and Environment
d)	Cllr Olly Davey	Councillor
e)	Cllr Peter Faithfull	Councillor
f)	Cllr Vicky Johns	Councillor
g)	Jenny Bull	Axminster representative

h)	Richard Doormarr	Budleigh Salterton representative
i)	Colin Buchan	Cranbrook
j)	Steve Gazzard	Exmouth representative
k)	Jenny Brown	Honiton representative
l)	Nick Sneller	Ottery St Mary representative
m)	Amrik Singh	Seaton representative
n)	Ian Barlow	Sidmouth representative

2. East Devon Highways and Traffic Orders Committee

Councillors 3

	Councillor	Composition
a)	Cllr Chris Burhop	Councillor
b)	Cllr Tim Dumper	Councillor
c)	Cllr Ian Barlow	Councillor

County Committees

3. Cranbrook Placemaking Group

Cabinet member 1 (PFH Strategic Planning) and ward members 3

	Councillor	Composition
a)	Cllr Todd Olive	Portfolio Holder Strategic Planning
b)	Cllr Kim Bloxham	Councillor (Cranbrook Ward)
c)	Cllr Kevin Blakey	Councillor (Cranbrook Ward)
d)	Cllr Sam Hawkins	Councillor (Cranbrook Ward)

4. East Devon Gypsy & Traveller Forum

Cabinet member 1 (PFH Sustainable Homes & Communities), ward councillor 1 and councillor 1

	Councillor	Composition
a)	Cllr Dan Ledger	Portfolio Holder Sustainable Homes and Communities
b)	Cllr Kim Bloxham	Councillor (Cranbrook Ward)
c)	Cllr John Heath	Councillor

5. East and Mid Devon Community Safety Partnership

Councillor 1

	Councillor	Composition
a)	Cllr Paul Arnott	Councillor

6. Exeter and East Devon Enterprise Zone Board

Cabinet member 1 (Leader of Council)

	Councillor	Composition
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a)	Cllr Paul Arnott	Leader of Council
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7. Exmouth Beach Management Plan Steering Group

Cabinet members 3 (PFH Coast, Country & Environment, PFH Climate Action & Emergency Response, PFH Tourism, Sport, Leisure & Culture), Assistant Portfolio Holder (APFH Coast, Country & Environment), Exmouth Ward members 7

Chair – Portfolio Holder Coast, Country and Environment

	Councillor	Composition
a)	Chair Cllr Geoff Jung	Portfolio Holder Coast, Country and Environment
b)	Cllr Marianne Rixson	Portfolio Holder Climate Action and Emergency Response
c)	Cllr Nick Hookway	Portfolio Holder Tourism, Sport, Leisure and Culture
d)	Cllr Paula Fernley	Assistant Portfolio Holder Coast, Country and Environment
e)	Cllr Charlotte Fitzgerald	Assistant Portfolio Holder Coast, Country and Environment
f)	Cllr Maddy Chapman	Councillor (Exmouth Brixington Ward)
g)	Cllr Tim Dumper	Councillor (Exmouth Halsdon Ward)
h)	Cllr Anne Hall	Councillor (Exmouth Littleham Ward)
i)	Cllr Brian Bailey	Councillor (Exmouth Littleham Ward)
j)	Cllr Olly Davey	Councillor (Exmouth Town Ward)
k)	Cllr Eileen Wragg	Councillor (Exmouth Town Ward)
l)	Cllr Matt Hall	Councillor (Exmouth Withycombe Raleigh Ward)

8. Placemaking in Exmouth Town and Seafront Group

Cabinet members 3 (PFH Economy & Assets, PFH Strategic Planning & Leader of Council) and Exmouth Ward members 7

	Councillor	Composition
a)	Chair Cllr Nick Hookway	Councillor (Exmouth Littleham Ward)
b)	Vice Chair Cllr Paul Arnott	Leader of Council
c)	Cllr Paul Hayward	Portfolio Holder Economy and Assets
d)	Cllr Todd Olive	Portfolio Holder Strategic Planning
e)	Cllr Aurora Bailey	Councillor (Exmouth Brixington Ward)
f)	Cllr Tim Dumper	Councillor (Exmouth Halsdon Ward)
g)	Cllr Anne Hall	Councillor (Exmouth Littleham Ward)
h)	Cllr Olly Davey	Councillor (Exmouth Town Ward)
i)	Cllr Joe Whibley	Councillor (Exmouth Town Ward)
j)	Cllr Matt Hall	Councillor (Exmouth Withycombe Raleigh Ward)

9. Lower Exe Mooring Authority Management Committee

Councillors 2 plus substitute

	Councillor	Composition
a)	Cllr Geoff Jung	Councillor
b)	Cllr Nick Hookway	Councillor
c)	Substitute member Vacancy	Councillor

10. Recycling and Waste Partnership Board

Cabinet members 2 (PFH Coast, Country & Environment, PFH Climate Action & Emergency Response), Assistant Portfolio Holders 2 (APFH Coast, Country & Environment) and councillors 2

Chair – Portfolio Holder Coast, Country and Environment

	Councillor	Composition
a)	Chair Cllr Geoff Jung	Portfolio Holder Coast, Country and Environment
b)	Cllr Marianne Rixson	Portfolio Holder Climate Action and Emergency Response
c)	Cllr Paula Fernley	Assistant Portfolio Holder Coast, Country and Environment
d)	Cllr Charlotte Fitzgerald	Assistant Portfolio Holder Coast, Country and Environment
e)	Cllr Todd Olive	Councillor
f)	Cllr Mike Goodman	Councillor

11. Seaton Beach Management Steering Group

Cabinet members 2 (PFH Coast, Country & Environment, PFH Climate Action & Emergency Response), Assistant Portfolio Holder 2 (APFH Coast, Country & Environment) and Seaton ward members 3. Also includes representatives from Bournemouth, Christchurch Poole Council (Project management), Contractor, Seaton Town Council, Seaton Town Improvement Team, Chamber of Commerce,, Axmouth Parish Council, Axe Yacht Club, Sea Anglers, West Seaton Residents Association, East Devon Fishermans Association, Seaton Beach Hut owners, Parkrun, Jurassic Coast, AONB and National Trust.

Chair – Portfolio Holder Coast, Country and Environment

	Councillor	Composition
a)	Chair Cllr Geoff Jung	Portfolio Holder Coast, Country and Environment
b)	Cllr Marianne Rixson	Portfolio Holder Climate Action and Emergency Response
c)	Cllr Paula Fernley	Assistant Portfolio Holder Coast, Country and Environment
d)	Cllr Charlotte Fitzgerald	Assistant Portfolio Holder Coast, Country and Environment
e)	Cllr Dan Ledger	Councillor (Seaton ward)
f)	Cllr Del Haggerty	Councillor (Seaton ward)
g)	Cllr Marcus Hartnell	Councillor (Seaton ward)

12. Sidmouth Beach Management Plan Steering Group

Cabinet members 2 (PFH Coast, Country & Environment, PFH Climate Action & Emergency Response), Assistant Portfolio Holders 2 (APFH Coast, Country & Environment) and Sidmouth ward members 4

Chair – Portfolio Holder Coast, Country and Environment

	Councillor	Composition
a)	Chair Cllr Geoff Jung	Portfolio Holder Coast, Country and Environment
b)	Cllr Marianne Rixson	Portfolio Holder Climate Action and Emergency Response
c)	Cllr Paula Fernley	Assistant Portfolio Holder Coast, Country and Environment
d)	Cllr Charlotte Fitzgerald	Assistant Portfolio Holder Coast, Country and Environment
e)	Cllr Ian Barlow	Councillor (Sidmouth Town Ward)
f)	Cllr Sophie Richards	Councillor (Sidmouth Town Ward)
g)	Cllr John Loudoun	Councillor (Sidmouth Rural Ward)
h)	Cllr Stuart Hughes	Councillor (Sidmouth Sidford Ward)

13. South East Devon Habitat Regulations Executive Committee

Cabinet member 1 (PFH Coast, Country & Environment) and substitute member – Vice Chair of Strategic Planning Committee

	Councillor	Composition
a)	Cllr Geoff Jung	Portfolio Holder Coast, Country and Environment
b)	Substitute member Cllr Mike Howe	Vice Chair Strategic Planning Committee

14. STRATA Joint Executive Committee (EDDC, Exeter City Council and Teignbridge District Council)

Leader of Council and Chief Executive (substitute member Portfolio Holder Council and Corporate Co ordination)

	Councillor	Composition
a)	Cllr Paul Arnott	Leader of Council
b)	Substitute member Cllr John Loudoun	Portfolio Holder Council and Corporate Co ordination
c)	Chief Executive	Chief Executive

15. STRATA Joint Scrutiny Committee (EDDC, Exeter City Council and Teignbridge District Council)

Councillors 3 (substitute councillors 3)

	Councillor	Composition
a)	Cllr Sue Westerman	Councillor
b)	Cllr Yehudi Levine	Councillor
c)	Cllr Todd Olive	Councillor

d)	Substitute member Cllr Duncan Mackinder	Councillor
e)	Substitute member Vacancy	Councillor
f)	Substitute member Vacancy	Councillor

16. Woodbury, Exmouth and Budleigh (WEB) Community Health and Wellbeing Board

Cabinet member 1 (PFH Sustainable Homes & Communities) and substitute member Ward member from Budleigh and Raleigh, Exmouth or Woodbury and Lympstone

	Councillor	Composition
a)	Cllr Dan Ledger	Portfolio Holder Sustainable Homes and Communities
b)	Substitute member Cllr Charlotte Fitzgerald	Councillor

17. UK Shared Prosperity Fund (SPF) Programme Management Panel

Cabinet member 3 (Leader of Council, PFH Economy & Assets, PFH Climate Action & Emergency Response) and councillors 4

	Councillor	Composition
a)	Cllr Paul Arnott	Leader of Council
b)	Cllr Paul Hayward	Deputy Leader and Portfolio Holder Economy and Assets
c)	Cllr Marianne Rixson	Portfolio Holder Climate Action and Emergency Response
d)	Cllr Todd Olive	Councillor
e)	Cllr Tim Dumper	Councillor
f)	Cllr Ian Barlow	Councillor
g)	Cllr Matt Hall	Councillor

18 Recommendation from Cabinet -1 May 2024 Station Road Countryside Park

RESOLVED: That the press and public are 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.

The Council received a recommendation from Cabinet on 1 May 2024 seeking approval of a budget of up to £200,000 to be made available for 2024/2025 financial year to support delivery of the Station Road Countryside Park project to be recouped from the future sale of BNG units.

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

RESOLVED: That Council approves a budget of up to £200,000 to be made available for 2024/2025 financial year to support delivery of the project to be recouped from the future sale of BNG units.

Attendance List
Councillors present:

- | | | |
|---------------|--------------|-------------|
| P Arnott | T Dumper | D Ledger |
| A Bailey | P Faithfull | Y Levine |
| B Bailey | C Fitzgerald | J Loudoun |
| J Bailey | S Gazzard | D Mackinder |
| I Barlow | M Goodman | M Martin |
| K Blakey | D Haggerty | T McCollum |
| K Bloxham | A Hall | C Nicholas |
| V Bonetta | M Hall | J O'Leary |
| C Brown | S Hawkins | T Olive |
| J Brown | P Hayward | H Parr |
| A Bruce | J Heath | S Richards |
| C Burhop | N Hookway | M Rixson |
| S Chamberlain | S Hughes | E Rylance |
| M Chapman | B Ingham | A Toye |
| I Chubb | S Jackson | S Westerman |
| B Collins | R Jefferies | D Wilson |
| R Collins | G Jung | E Wragg |
| O Davey | J Kemp | |

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:

- P Fernley
- M Hartnell
- M Howe
- V Johns
- H Riddell
- S Smith
- J Whibley

Chair

Date:

The following questions on notice have been submitted for Full Council on 16 October 2024 in accordance with the Council's Constitution.

In accordance with the Constitution the response may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Question	Question from	Question	Response
1	Cllr Stuart Hughes	<p>Having recently been contacted by local residents in my ward about a bench that had been placed against their wishes following a representation from a Town Councillor.</p> <p>Would the Cabinet member advise why District ward members weren't consulted and will they agree that in future ALL requests on the placing of Memorial benches and other similar memorials on East Devon land affecting residents in their wards that they will be consulted?</p>	<p>Cllr Jung</p> <p>We have a long established memorial bench process, with information on our website https://eastdevon.gov.uk/parks-gardens-and-recreation/memorial-tree-bench-or-plaque/donate-a-memorial-bench-and-plaque/. Officers followed the normal documented process, and because this is seen as regular operational work in line with managing our green spaces, Members were not consulted. Ordinarily bench installations are straightforward and do not result in this type of representation. Many bench installations are made without such issues. It is not feasible to consult Members on all operational aspects of managing our spaces and we don't believe it should be necessary for a memorial bench, the installation of which is in line with normal protocol. When we were made aware of the disagreement on its location, Officers provided a response to Ward Members, including a reasoning</p>

			for its installation, which was supported by other local residents and a Town Councillor. In this way we have reviewed the installation and am satisfied the process is appropriate.
2	Cllr Peter Faithfull	At the last General Election you stood as the Liberal Democrat candidate for Exmouth and Exeter East. In your promotional information you stated you wanted the national housing targets to be 380,000 houses per year. Can you please explain to this council how many houses you (not our officers) consider we should be building across our district per year?	<p>Leader I thank Cllr Faithfull for this question. I hope he will have seen from the recent correspondence from Devon District Leaders co-signed by me last week that I believe that planning policy dictated by central government by number of homes built is unhelpful in every respect.</p> <p>The number identified for East Devon by the Conservative government was too high, and recent Labour government announcements risked driving it even higher. This administration and the councillors cross-party who have devoted many hours of extra time in delivering the Local Plan to its next phase by the end of this year have done well by their timely action to keep to the lower target, still too high most councillors believe.</p> <p>I am deeply concerned that the country, and East Devon, should instead be focussing on enlarging the base of affordable, attainable and social homes as a priority, but because of government</p>

			<p>policy are being driven by headline number announcements and land-banking by developers. I also believe, as I do most councillors, that the government must legislate to demand that developers and public agencies deliver infrastructure before any home can be occupied. Finally, none of the election literature published in my name commended a target number.</p>
3	Cllr Mike Goodman	<p>How many complaints have the service received regarding the condition of houses owned by EDDC since January 1st 2024, and how many have been investigated by the Ombudsman? Can the service include separate figures regarding mould complaints?</p>	<p>Cllr Ledger</p> <ul style="list-style-type: none"> • Since January 2024, 174 stage 1 complaints have been received relating to EDDC housing repairs and property maintenance. Of these, 50 complaints specifically referenced damp and mould. • Stage one complaints: 97 were upheld, 37 were partially upheld, 14 were not upheld and 25 are open awaiting review. Since April 2024, of those complaints upheld, 13 were damp and mould related. • During the same time period, 5 complaints were referred to us by the Housing Ombudsman relating to property repairs and maintenance, of which 3 specifically referenced damp and mould. Of these, one was upheld and the remaining 4 are still currently open.

4	Cllr Mike Goodman	<p>Social Housing is an important element in providing housing to residents, particularly the young and those that need help. Can the service confirm over the last ten years by year what are the net new social houses delivered in East Devon?</p>	<p>Cllr Ledger</p> <table border="1" data-bbox="1429 268 1975 730"> <thead> <tr> <th>Year</th> <th>No. Prop's added to EDDC Social Housing Stock</th> </tr> </thead> <tbody> <tr> <td>2014/15</td> <td>355</td> </tr> <tr> <td>2015/16</td> <td>212</td> </tr> <tr> <td>2016/17</td> <td>72</td> </tr> <tr> <td>2017/18</td> <td>120</td> </tr> <tr> <td>2018/19</td> <td>237</td> </tr> <tr> <td>2019/20</td> <td>320</td> </tr> <tr> <td>2020/21</td> <td>202</td> </tr> <tr> <td>2021/22</td> <td>241</td> </tr> <tr> <td>2022/23</td> <td>121</td> </tr> <tr> <td>2023/24</td> <td>94</td> </tr> </tbody> </table>	Year	No. Prop's added to EDDC Social Housing Stock	2014/15	355	2015/16	212	2016/17	72	2017/18	120	2018/19	237	2019/20	320	2020/21	202	2021/22	241	2022/23	121	2023/24	94
Year	No. Prop's added to EDDC Social Housing Stock																								
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5	Cllr Mike Goodman	<p>In June 2024 cabinet endorsed a paper regarding the Household support fund, which said 'one of the key elements was the fact that 59% of residents who are approaching us for help are those residents who have a member of the household who is disabled or is a carer. Given that this group of residents are potentially vulnerable they may be less likely to know that they can access support from the Household Support Fund, therefore we are proposing that we target support at those households'.</p> <p>Could the service update council on the progress being made in this key area?</p>	<p>Cllr Hawkins</p> <p>Targeted payments were made from the Household Support Fund for the period 01 April 2024 to 30 September 2024 to those residents who met the below criteria. Letters were sent out to households in June 2024 inviting them to claim their payment.</p> <ol style="list-style-type: none"> 1. In receipt of full Housing Benefit or full Council Tax Reduction and 2. Have under £3,000 in capital and 3. Have someone living in the household who is disabled or a carer or 4. Care leavers who are in receipt of a Council Tax relief and other district benefits such as Discretionary Housing Payment. <p>1105 residents received a payment of £230.</p>																						

			<p>1032 residents were marked as disabled. 340 residents were marked as carers.</p> <p>Please note that some residents are carers as well as being disabled themselves, therefore have chosen both indicators.</p> <p>We are currently considering households in these cohorts to receive a targeted award from Household Support Fund for the period 1 October 2024 to 31 March 2025.</p>
6	Cllr Mike Goodman	<p>In October 2022 the Council agreed a leisure strategy and action plan. This included 19 specific actions. Seven were timetabled to be completed in 2022/3 and nine in 2023/4 and others between 2025/7.</p> <p>I note that two actions have been completed for 2022/3 and two for 2023/4. With some not even started. Can the portfolio explain why these actions have not been delivered to time?</p>	<p>Cllr Hookway</p> <ol style="list-style-type: none"> 1. Charlie Plowden, Assistant Director – Countryside & Leisure provided Cllr Goodman with the updated Leisure Strategy Delivery Plan performance tracking spreadsheet that is presented to every Leisure Strategy Delivery Forum meeting. This provides a continual narrative on the progress being made against each of the priority 1,2 & 3 actions within the Strategy’s 10 year Delivery Plan. 2. In response to those actions which have not met their indicative timelines the mitigating factors for this are: <ul style="list-style-type: none"> • There has been up until now a lack of dedicated resource and capacity within various teams (Estates and the Leisure lead) to progress a number of the

priority actions within the timeframe indicated within the Delivery Plan. However, this has now been resolved with the appointment of a Senior Leisure Officer who is due to start in November and this post will be able to progress actions around playing pitch needs, liaison with community sports clubs and schools where there has been very limited progress so far.

- The areas around undertaking stock condition survey work on our leisure centres is in hand with the Estates team and though not completed as timetabled it is a considerable amount of work and is now on track for completion;
- Liaising with schools and dual use sites to renegotiate lease agreements has proved difficult to progress. Schools have significant budgetary challenges and are consequently reluctant to renegotiate a capital maintenance arrangement whereby they make a 40% financial contribution to the capital costs of maintaining their sports buildings and EDDC provides the 60% contribution. We have approached the majority of the dual use site schools with this arrangement to seek to renegotiate the lease arrangement whereby EDDC pays

			<p>40% and the school pays 60%. This accurately reflects the current situation due to safeguarding issues the amount of community use has been significantly reduced. However there has been no appetite to take this up and as the lease arrangements are complex legal agreements our Legal team have been reviewing each one to establish our position going forward.</p> <ul style="list-style-type: none"> • Finally, the recent round of 6 Leisure Review Workshops over the last 3 -4 months has enabled us to “deep dive” into many areas of the Leisure Strategy and better understand our position and a way forward. Critically this has helped to undertake a thorough and detailed review of our contract with our leisure provider LED in response to the Peer Review challenge to better understand the “affordability of the contract”. This process is almost complete now. Many of the actions in the Leisure Strategy are linked to this work and when this process is reviewed and presented to Cabinet the Council will have a clearer road map to enabling the delivery of the actions not already started in the Strategy.
7	Cllr Mike Goodman	It has been agreed that all Councillors will have a DBS check can the service confirm that all Councillors have complied with this?	Cllr Loudoun A small number of members are yet to undertake their DBS checks. Those members

			<p>are being followed up by the HR team, Monitoring Officer and their relevant Group Leader and we will be working with them to try and ensure that their application has been submitted by the end of October. We will be looking to include details on the Councils website from November as to which members have and have not submitted a DBS application.</p>
8	Cllr Goodman	<p>Work started last year on the constitution could Council be updated on progress made and when this will be completed?</p>	<p>Cllr Jackson An updated Constitution was submitted and approved at Annual Council in May 2024, including updates to reflect the new Council Plan priorities, key decision amount, Audit & Governance Committee Terms of Reference and the Member Safeguarding Protocol. The CWG have been reviewing the Member/Officer protocol which has also been considered by the Standards Committee and the working group will submit the protocol to Council in December for adoption. The Monitoring Officer will also hold a training session for members on the protocol and also a separate one for officers. The working group will be holding monthly meetings to continue their work and are currently reviewing Part 4 (Council Procedure Rules) with a view to revisions coming forward to Council for approval.</p>

			<p>The working group will continue to meet to review the constitution and given the task of the work involved it is unlikely that work to review the entire document will be completed until summer 2025.</p>
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Report to: Council

Date of Meeting 16 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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

Report summary:

To receive reports from the Cabinet and the Council's Committees and receive any questions on those reports from meetings between 2 July 2024 and 8 October 2024.

Recommendations from Cabinet and the Council's Committees are set out as separate agenda items and contained in the agenda pack.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

To note the reports from Cabinet and the Council's Committees and the responses to any questions raised.

Reason for recommendation:

In accordance with the Council's Constitution.

Officer: Andrew Melhuish (Corporate Lead Democratic and Scrutiny) –
andrew.melhuish@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
 - Coast, Country and Environment
 - Council and Corporate Co-ordination
 - Communications and Democracy
 - Economy
 - Finance and Assets
 - Strategic Planning
 - Sustainable Homes and Communities
 - Culture, Leisure, Sport and Tourism
-

Report in full

The minutes from the following meetings are included:
page 36

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

Financial implications:

None.

Legal implications:

None.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 10 July 2024

Attendance list at end of document

The meeting started at 5.00 pm and ended at 6.56 pm

17 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 5 June 2024 were agreed.

18 Declarations of interest

There were none.

19 Public speaking

There were no members of the public wishing to speak.

20 Matters of urgency

There were none.

21 Confidential/exempt item(s)

There was one item dealt with in this way which is recorded at Minute 39.

22 Minutes and recommendations of Overview Committee held on 30 May 2024

Members agreed to note the Minutes and recommendations of the Overview Committee held on 30 May 2024.

Minute 6 An Economic Development Strategy for East Devon

To adopt the Economic Development Strategy (2024-2029) for East Devon

23 Minutes of Scrutiny Committee held on 13 June 2024

Members agreed to note the Minutes and recommendations of the Scrutiny Committee held on 13 June 2024.

Minute 7 Improving green spaces for wildlife

1. Reviews the reasons that the Managing Sites for Wildlife approach was adopted and how this came about.
2. Endorses the approaches and amended process of wildlife improvement practices, and notes the wider Nature Recovery Work being led by Countryside.
3. Approves wider communication to Councillors regarding this approach, with a feature in the Councillor update and reconsiders communication with residents, towns and parishes to increase positive interaction.
4. Provides any further recommendations for supporting the important strategy

of transitioning traditionally maintained green spaces to wildlife improvement areas within climatic (eg. mild winters and wet springs) and budgeting constraints.

5. Agrees that Councillors increase their awareness of the reasoning and history of this approach and how it relates to central and local government legislative and policy frameworks.

6. Agrees that Councillors help disseminate this message to residents / voters in order to bridge the gap between Council strategy and residents' expectations of wildlife improvement areas and the continual transition of EDDC-owned green spaces from traditionally mown grass areas to wildlife havens. This will help StreetScene continue to align its targeted work with the legislative framework and Council-wide agendas, policies, strategies and action plans.

7. Endorses that the Council continues to work with voluntary and community groups across the District.

8. Supports that the Wildlife Improvement Strategy is brought back to the Scrutiny Committee on an annual basis.

Minute 8 Review of Emergency Responses in 2023/4 by EDDC

That the Council should encourage every community in East Devon to have a local emergency plan in place.

24 Minutes of Arts and Culture Forum held on 12 June 2024

Members agreed to note the Minutes of the Arts and Culture Forum held on 12 June 2024.

25 Minutes of Poverty Working Panel held on 24 June 2024

Members agreed to note the Minutes and recommendations of the Poverty Working Panel held on 24 June 2024.

Minute 4 Updated terms of reference for Poverty Working Panel

To approve the updated Terms of Reference for the Poverty Working Panel

26 Minutes of Leisure Strategy Delivery Forum held on 25 June 2024

Members agreed to note the Minutes of the Leisure Strategy Delivery Forum held on 25 June 2024.

27 Economic Development Strategy for East Devon

The Economic Development Manager updated members to the Economic Development Strategy for East Devon. An initial Economic Development Strategy (EDS) document was produced which was subject to an extensive internal/corporate and external district wide review with feedback informing the finalisation of the Strategy. Members of Overview Committee endorsed the Economic Development Strategy document and recommended it to Cabinet for publication.

RESOLVED that Cabinet:

1. Endorse the final draft Economic Development Strategy for East Devon (2024-2029).

2. Delegate to EDDC's Portfolio Holder for Economy and Assets and Interim Director of Place consent to approve final design and content updates in producing a digital version of the Strategy for publication on EDDC's website.

REASON:

To ensure that the Council's resources and those of its partners most effectively engage the core challenges highlighted by the Local Economic Review whilst delivering on the Council Plan (2024-2028) priority for a resilient economy that supported local businesses.

28 **Peer Challenge action plan**

The report provided an overview of the Peer Challenge recommendations and the delivery plan to implement the recommendations.

RESOLVED that Cabinet:

1. Receive the Peer Challenge recommendations and endorse the delivery plan and the actions set out in it.
2. Give delegated authority to the Director of Finance in consultation with the Director of Governance and Licensing and the Portfolio Holder Council and Corporate Co-ordination to purchase and implement a new performance, risk and complaints monitoring software system/s.

RECOMMENDED to Council:

3. That a supplementary budget is granted of up to £250k using monies from the Transformation Fund.

REASON:

To ensure that the recommendations from the Peer Challenge were actioned and delivered appropriately.

29 **Local Electric Vehicle Infrastructure**

The Parking Services Manager updated members that Devon County Council (DCC) had been allocated £7,067,000 funding through the Local Electric Vehicle Infrastructure (LEVI) Capital Fund to facilitate the installation of EV chargers across Devon. DCC have invited EDDC to be part of the project by selecting car park sites to have 22kWh chargers installed. EDDC had already been part of several previous EV charge point projects working with DCC and other local authorities in Devon. The project in particular benefits from the LEVI capital fund which would be used to unlock previously unviable sites.

RESOLVED that Cabinet:

1. Gives authority for EDDC to enter into the collaboration agreement with Devon County Council to commit to the LEVI Project and provides delegated authority to the Director of Finance to agree the terms of the agreement in consultation with the Director of Governance and the Portfolio Holder for Economy & Assets.
2. Approves the minimum list of Car Park sites to be included within the DCC LEVI project and provides delegated authority to the Director of Finance in consultation with the Director of Governance and the Portfolio Holder for Economy & Assets to add to or remove sites from the project.

3. Gives authority for EDDC to enter into lease agreements and any other legal documentation required for the siting of the EV charge points and provides delegated authority to the Director of Finance to agree the terms of the legal documents in consultation with the Director of Governance and the Portfolio Holder for Economy & Assets.

REASON:

The DCC LEVI project represented an opportunity for EDDC to provide additional EV chargers within District owned car parks that did not already contain them, including in some locations that may only be viable because of this funding stream. There would be no capital cost to EDDC and DCC had received funding for project management of the installation programme.

EDDC had worked with DCC on two previous EV installation projects and its collaboration with this project aligned with the principles and approach of the EDDC Parking Strategy, provided economies of scale as well as consistency of charging infrastructure across Devon.

30 **Annual complaint monitoring and service improvement report 2023-24**

The council's annual complaint monitoring and service improvement report for 2023/24 was presented to members.

During discussion it was asked that future reports include information of any progress made.

RESOLVED that Cabinet:

Note the numbers and trends in terms of formal complaints dealt with during the year, the learning points which had been identified and actions taken to address these.

REASON:

The council was required by the Housing Ombudsman to publish its self-assessment against their complaint handling code on an annual basis, as part of the complaint performance and service improvement report. This should be accompanied by Cabinet's response to the report.

The purpose of publishing the governing body's response to the self-assessment and to the report was to provide assurance that it was a true reflection of the council's complaint handling.

31 **Financial Outturn 2023-24**

The Finance Manager presented the report which set out the revenue budget and capital outturn positions at the end of the financial year. The 2023/24 outturn position of the General Fund was a positive one with a surplus balance for reallocation of £0.648m. The Council had again faced a challenging year with significant service demand and inflationary pressures in the supply of goods and services, such as temporary accommodation. Higher interest rates during 2023/24 had had a positive impact on our investment returns which had enabled the Council to mitigate against service pressures during 2023/24, however they would remain challenging for future years given the cost-of-living crisis and the impact this had on levels of demand and cost.

The report outlined the implications of these results on the Council's reserves and made recommendations on reserve transfers. The Council's General Fund balance at the end of the 2023/24 financial year was forecast to remain at £4.3m. In respect of the capital programme, it reported that capital expenditure of £13.973m against the approved budget of £27.198m.

The year end position of the Housing Revenue Account (HRA) was outlined. This included variance analysis of the outturn deficit and the use of earmarked reserves (previous underspends) to fund this position and confirmed the 31 March 2024 reserve balance position.

During discussion a question was asked as to the reason for achieving the budget was the inclusion of the higher interest sum received that expected, however could this influence this year's budget with the potential interest rate reduction expected and had this been taken into account. The Finance Manager confirmed this had been considered and would be monitored within the present financial year.

RESOLVED that Cabinet:

1. Considers and recommends to Council the outturn position for 2023/24 including the implications and proposals relating to the Balances and Reserves held by the Council.

RECOMMENDED to Council:

2. The proposed reserve transfers contained within the report and give delegated authority to the Director Finance in consultation with the Finance Portfolio for any amendments to these transfers as additional year end data becomes available.

REASON:

To accord with the Council's financial regulations, the report presented the outturn position for the Council's approved budgets for the General Fund, Housing Revenue Account and Capital Expenditure. The financial position would align to the Council's Statement of Accounts but the position in the report was presented in a style that accords to the budget setting and monitoring reports that members receive.

Members were asked to note the variations from the budgets identified within the report and consider the final position. It was appropriate at this stage to reflect on the reserves and balances held by the Council and determine if these were the right reserves at the right levels going forward.

32 **HRA 2024-25 Revised Budget**

The Interim Director of Housing and Health presented the report which summarised the current financial pressures facing the HRA. The need for additional new borrowing to meet budget shortfall in 2023/24 and for capital investment in 2024/25 to ensure regulatory compliance was highlighted. It set out plans to improve the short-term sustainability of the HRA and outlined work underway to consider longer term options for the effective management and maintenance of the Council's Housing stock.

Discussions included the following:

- Why was the overspend just being reported now? The Housing Review Board had not presented this financial situation. It needed to probe deeper and ask difficult questions. This needed action.
- EDDC were not the only council in this situation, many councils were having issues with shortfalls over the coming years. EDDC had identified the issue and responded to deliver for its residents.

- There was encouraging information in the report including the KPIs being meticulously monitored and seeing progress with them going in the right direction, with our tenants seeing the benefits.
- Taken aback by the levelling of borrowing being asked to sanction in order to fund a historical spend, which had come as a complete surprise with no indication to the need for this level of borrowing.
- It was difficult to turn off such levels of spending once started especially when we cannot afford such high rates of spend.
- It was important for members and officers to know the strategy and plan going forward. We must make sure we get value for money to avoid additional costs.
- This was a tricky situation as eating into reserved was a major risk, this was a good plan and worked for now. Monitoring the spend was a important.

In response the Director of Finance said the revised budget was brought to Cabinet because of the Housing Team's review of the housing stock and what was needed to be spend in terms of compliance. The Chief Executive stated the council was being open and transparent to the funding required to make the housing stock safe for next year. The council was waiting for reports from national bodies and the results of the housing stock condition survey to be confident in what spend was needed for the medium- and long-term strategy for the council's housing stock.

The Portfolio Holder Sustainable Homes & Communities suggested that as part of his monthly briefings with the Directors of Housing, if any issues were raised as concerns then the Chair of the Housing Review Board would be asked to call an extraordinary meeting to highlight this to the committee.

RECOMMENDED to Council:

1. Approve £2.5m of additional borrowing to balance the HRA budget for the 2023/24 financial year.
2. Approve a revised HRA Budget for 2024/25 as set out in Appendix 3, and a revised Capital Programme Budget as set out in Appendix 4.
The approval to include:
 - a) That up to £1.75m be allocated from the HRA Balance Reserve to fund the 2024/25 forecast revenue budget shortfall.
 - b) That a target annual revenue saving of £250k per annum be sought over 3 years to replenish the HRA Balance Reserve.
 - c) That £4.4m of Voluntary Revenue Provision be used to reduce the level of additional borrowing required within the HRA.
 - d) That £7.3m of new borrowing be agreed to fund the 2024/25 Capital Programme.
3. Note that £2.415m of savings and/or new additional revenue is required in 2025/26. This is needed to achieve a balanced budget, meet the increased cost arising from new borrowing in 2024/25, contribute toward the replenishment of the HRA Balance Reserve and fund additional new borrowing for Capital Programme investment in 2025/26.
4. Note the work currently underway to investigate options and establish a longer-term strategic plan to ensure the sustainable and effective management and maintenance of the Councils Housing stock.
5. Approve a £35k budget within the HRA to increase provision to a Full-Time HRA accountant to support the service.

REASON:

To balance the budget and provide the necessary investment for regulatory compliance and for the provision of good quality safe, affordable and warm homes for residents.

33 **Draft Productivity Plan**

When the Local Government Finance Settlement was published in late 2023 it included a requirement for Councils to publish a Productivity Plan. In April 2024, further guidance was received from Department for Levelling Up, Housing and Communities (DLUHC) setting out the requirements for the plan. The report set out the Productivity Plan for East Devon District Council which must be submitted to Government by 19 July 2024 and published on the Council's website.

RESOLVED that Cabinet:

1. Consider the Productivity Plan at Appendix A and subject to member comment approve the content and publication of the Productivity Plan.
2. Gives delegated authority to the Director of Finance to make any minor amendments to the Productivity Plan arising through the meeting.

REASON:

There was a requirement for all Councils to submit a Productivity Plan to the Government (DLUHC) by 19th July 2024.

34 **Information Security Management System policies update**

In conjunction with Strata, Exeter City Council and Teignbridge District Council a set of new Information Security Management System policies for agreement and sign off by Cabinet had been prepared. The project coincided with EDDC's work towards the Memorandum of Understanding (MoU) with the Department for Work and Pension (DWP) in which EDDC must ensure that its information security and data management related policies were relevant and fit for purpose so that it could continue sharing data with the DWP.

RESOLVED that Cabinet:

1. Review and agree the proposed Information Security Management System specific policies for implementation with the council.
2. Allow for the delegated authority to be given to the Director of Finance in consultation with the Portfolio Holder for Council and Corporate Co-ordination to agree future changes to the Information Security Management System policies. This also includes authority to sign off future new policies that maybe required to support Information Security Management within the council working with Strata.
3. Allow for the delegated authority to be given to the Director of Governance and Licensing in consultation with the Portfolio Holder for Council and Corporate Co-ordination to agree future changes to the Data Protection and Document Retention policies only in relation to supporting the MoU with DWP work.

REASON:

These policies need agreement and sign off for implementation within the council. The delegated authority being required for future changes to the policies was due to the fast pace of change and security detail contained within them. It was also required to support the work towards the Memorandum of Understanding with the Department for Work and pensions as this is time sensitive.

35 **Blackdown Hills National Landscape Management Plan consultation**

Tim Youngs, Manager of Blackdown Hills National Landscape presented the report which outlined that East Devon District Council together with other local authorities has

previously authorised the Blackdown Hills National Landscape Partnership to undertake a review of the AONB Management Plan by 31 March 2025, as required under Section IV of the Countryside and Rights of Way Act 2000.

The review process was well underway with key issues, new challenges and opportunities having been identified, including through stakeholder engagement. Approval was sought for public consultation on a draft of the reviewed Plan to take place during September and October 2024. This would inform any changes to be made and once finalised the revised Management Plan would be recommended by the National Landscape Partnership for adoption by each of the local authorities by the end of March 2025.

RESOLVED that Cabinet:

Agree to the Blackdown Hills National Landscape Partnership undertaking public consultation on the reviewed Blackdown Hills National Landscape Management Plan for 2025-2030.

REASON:

To enable the Blackdown Hills National Landscape Partnership to carry out the consultation on the reviewed Blackdown Hills National Landscape Management Plan. East Devon District Council, with other local authorities, had authorised the Blackdown Hills National Landscape Partnership to review the Management Plan on their behalf. Consultation was a standard component of statutory Plan preparation, involving a consultation period during which consultees including the public, could comment on the draft Plan.

36 **Scrutiny Review recommendations and delivery plan update**

The report provided an overview of the Scrutiny Review recommendations and the delivery plan to implement the recommendations.

RECOMMENDED to Council:

To receive the Scrutiny Review recommendations and endorse the delivery plan and the actions set out in it.

REASON:

To ensure that the recommendations from the Scrutiny Review were actioned and delivered appropriately.

37 **Forward Plan quarterly review**

Members agreed the contents of the forward plan for key decisions for the period 1 August 2024 to 30 November 2024.

The Portfolio Holder Communications and Democracy reported there had been an issue in the Honiton and Sidmouth Constituency at the recent general election, relating to polling cards. The council had received an apology from the printing company who did take remedial action to get the cards out to voters affected. The council upscaled the Communications it issued to remind people to vote and where their polling station was as well as through the Elections and Customer Services teams in picking up an increase in enquiries from voters. She was reassured that the turnout on the day was higher than the national average, but she and the Deputy Leader had requested a report come to Cabinet to look particularly at this issue and how lessons could be learnt, as well as

wider election-based issues and processes to continue to make improvements. She stated there had been issues nationally and that EDDC were not alone with election-based issues. There had been positive feedback locally and she thanked the Elections, Customer Services and Communications team as well as the polling and count staff. She thanked the Royal Mail employees for getting the polling cards out to people before the election day. She requested that this issue be put on the Cabinet Forward Plan.

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

RESOLVED that Cabinet:

That under Section 100(A) (4) of the Local Government Act 1972 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).

39 **Land acquisition at Seaton**

Cabinet agreed the recommendations as outlined in the report.

Attendance List

Present:

Portfolio Holders

P Arnott	Leader of the Council
S Hawkins	Portfolio Holder Finance
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
S Jackson	Portfolio Holder Communications and Democracy
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Sustainable Homes & Communities
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
T Olive	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action & Emergency Response

Also present (for some or all the meeting)

Councillor Aurora Bailey
 Councillor Brian Bailey
 Councillor Ian Barlow
 Councillor Kevin Blakey
 Councillor Kim Bloxham
 Councillor Colin Brown
 Councillor Jenny Brown
 Councillor Peter Faithfull
 Councillor Charlotte Fitzgerald
 Councillor Mike Goodman
 Councillor Yehudi Levine
 Councillor Roy Collins
 Councillor Christopher Burhop

Also present:

Officers:

- Jo Avery, Management Information Officer
- Tim Child, Assistant Director Place, Assets & Commercialisation
- Amanda Coombes, Democratic Services Officer
- Simon Davey, Director of Finance
- Richard Easthope, Parking Services Manager
- Amy Gilbert-Jeans, Assistant Director Housing (Tenancy Services)
- Tracy Hendren, Chief Executive
- Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement
- Andrew King, Tenancy Services Manager
- Robert Murray, Economic Development Manager
- Liam Reading, Housing Strategy, Enabling and Projects Service Manager
- Catrin Stark, Director of Housing and Health (interim)
- John Symes, Finance Manager
- Kate Symington, Information and Complaints Officer
- Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
- Tom Winters, Economic Development Officer
- Tim Youngs, Blackdown Hills National Landscape Manager
- Doug Stanton, Project Manager Estates
- Katie Webb, Property Lawyer
- Andrew Wood, Director of Place (interim)

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 4 September 2024

Attendance list at end of document

The meeting started at 6.32 pm and ended at 8.44 pm

40 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 10 July 2024 were agreed.

41 Declarations of interest

Min 54. Home Safeguard Digital Platform Procurement.
Councillor Nick Hookway, Affects Non-registerable Interest, Family member uses this service.

Min 54. Home Safeguard Digital Platform Procurement.
Councillor Paul Hayward, Affects Non-registerable Interest, Family member uses this service.

Min 55. Beer Community Land Trust.
Councillor John Heath, Other Registerable Interest, Is a member of the Beer CLT.

42 Public speaking

Cllr Mike Goodman had a question on the Government's proposal to do away with the Winter Fuel Allowance (WFA) which could affect many of the pensioners in East Devon. He asked that Cabinet requests the Chief Executive to write to the Chancellor for this policy to be paused and introduce a new threshold to determine eligibility for WFA.

The Chair suggested this be brought as a motion to the next meeting of full Council.

43 Matters of urgency

There were none.

44 Confidential/exempt item(s)

There were four items dealt with in this way which are recorded at Minutes 52-55.

45 Minutes of Scrutiny Committee held on 11 July 2024

Members agreed to note the Minutes and recommendations of the Scrutiny Committee held on 11 July 2024.

Minute 17 S.106 & CIL processes and resources update

1. Ward members be copied into correspondence with town and parish councils on S.106 and CIL matters.

2. Training be provided for town and parish councils on S.106 and CIL processes.

3. The Chair of the Strategic Planning Committee considers regular reporting on the recovery and spend of S.106 and CIL monies.

4. Communications with town and parish councils be improved so that local councils are better informed as to the S.106 and CIL monies available to them.

5. The link to the information on Exacom be sent to all members.

46 **Minutes of Recycling and Waste Partnership Board held on 24 July 2024**

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

47 **Minutes of Housing Review Board held on 1 August 2024**

Members agreed to note the Minutes and recommendations of the Housing Review Board held on 1 August 2024.

Minute 10 Housing Allocations Policy update

that Cabinet approve the updated housing allocations policy.

Minute 11 Housing Revenue Account and Housing Capital Finance 2023/24 year end outturn

that the Housing Revenue Account and Housing Capital Finance 2023/24 year end outturn report is noted and the reserve recommendations are approved by Cabinet.

Minute 15 Tenant recruitment to the Housing Review Board

that the Housing Review Board note the content of the report and recommend Cabinet approval of the proposed new tenant representative job description and application form.

48 **Minutes of Strategic Planning Committee held on 6 August 2024**

Members agreed to note the Minutes and recommendations of the Strategic Planning Committee held on 6 August 2024.

Minute 124: Devon Housing Commission Report

That Strategic Planning Committee recommend to Cabinet that they ask the Government to consider making legislative changes to incentivise developers to bring forward sites with planning permission.

Cabinet agreed that Cllr Todd Olive would draft this letter to the Government on the council's behalf.

Minute 125: Infrastructure Funding Statement

That Strategic Planning Committee recommend to Cabinet to examine the case for

ring fencing all future interest receipts from CIL and S106 monies to be spent on infrastructure within East Devon.

49 **Minutes of Placemaking in Exmouth Town and Seafront Group**

Members agreed to note the Minutes and recommendations of the Placemaking in Exmouth Town and Seafront Group.

Minute 27 Exmouth Placemaking Plan - Next Steps

1. To note that further work is required to refine the draft Exmouth Placemaking Plan prior to being adopted alongside an Implementation Plan.
2. Support the appointment of WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan.
3. Activate the PETS Sub-Group previously agreed by Cabinet in February of 2024 which is to be 'politically led' supported by Senior Officers to look initially at the 'common ground' matters and opportunities that all three Councils have which have been identified in the Draft EPP.
4. Support the introduction and formalising of programme management arrangements consistent with that already in place for other EDDC place based projects.
5. Seek endorsement across EDDC Service areas, DCC and ETC before a Placemaking Plan is adopted alongside an Implementation Plan.
6. Invite Stakeholders to join relevant future PETS meetings where it is relevant to do so (also agreed by Cabinet in February via the revised ToR for PETS).
7. Agree that the currently approved UKSPF budget be used to develop feasibility options for Queen's Drive and Beach Gardens – the total budget being ~£45k (initial design briefs are shown at Appendix A). This is already provided for within an approved budget.
8. Form a working group to oversee the recommendation in respect of UKSPF.

RECOMMENDED to Council:

That a budget of £40,000 be made available to appoint WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan and will be taken from a General Fund Supplementary Budget.

50 **Annual Treasury Management Review 2023/24 - 1 April 2023 to 31 March 2024**

The report detailed the overall position and performance of the Council's Treasury Management Strategy during 2023/24. During discussions it was highlighted that member training was being arranged before the next review due to the technical aspects of Treasury Management. The Portfolio Holder Finance requested that an opening page be included listing the key issues contained within future reports.

RECOMMENDED to Council;

1. Approve the actual 2023/24 prudential and treasury indicators in the report.
2. Note the annual treasury management report for 2023/24.

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.

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

RESOLVED that Cabinet:

That under Section 100(A) (4) of the Local Government Act 1972 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).

52 **Seaton Moridunum**

The report provided details of the marketing and selection process to identify a preferred developer to acquire the Moridunum site on Seaton Esplanade and set out a range of options for Members to consider in respect of next steps.

RESOLVED:

1. That Cabinet considers the Options Assessment as set out at Section 3 of the report.
2. That Cabinet endorse Option A and agrees that delegated authority be given to the Assistant Director of Place, Assets and Commercialisation, in consultation with the Portfolio Holder for Economy and Assets, the Director of Place and Director of Governance, to enter into Heads of Terms and then into detailed legal agreements to grant the 200-year lease to the successful bidder.

REASON:

To enable a decision to be taken on the future of the Moridunum site in Seaton.

53 **Recycling & Waste future services options - contract replacement**

Following last year's approval of the contract extension EDDC had now moved into the final 3 years of its current contract with Suez, with a new cost plus 5% payment mechanism. As part of the contract extension process, the council proposed a review of contract replacement options post 30 June 2026 (end of current contract).

RESOLVED that Cabinet;

Agrees the four recommendations as outlined in the report.

RECOMMENDED to Council;

To agree the recommendation as outlined in the report.

REASON:

To enable the contract replacement work to be completed before the end of the current contract in June 2026, a review of options and variables has been undertaken.

The chosen option was felt to give the best balance of risk and control given the industry and market conditions and was recommended as the way to take forward this high-quality service and put it in the best position to rise to the challenges seen ahead. This decision would allow the council to start work on more detailed documents and service specifications and take the next steps in the project.

54 **Home Safeguard Digital Platform Procurement**

In October 2023 Cabinet approved the procurement of a new digital platform for the Home Safeguard service, to enable the modernisation of the service and improve the

service to the council's telecare customers. The report sought approval for the necessary budget, along with approval to award the contract to the preferred provider.

RESOLVED that Cabinet;

Agrees that the contract for the new digital platform is awarded to the proposed provider

RECOMMENDED to Council;

That the budget for the 4-year period is approved from the Transformation Fund.

REASON:

As the country moved to digital telephone services from analogue, it was necessary to implement a new digital platform to enable digital alarm equipment to be installed in customers' homes. This would enable EDDC to ensure that its customers could continue to be effectively supported with an effective quality service. Additionally, the switch to digital technologies would provide the foundation required to expand the business and generate further future revenue income.

Home Safeguard was a development opportunity for EDDC that had the potential to generate significant additional income if it digitalised the service and plan to further extend the service beyond District Authority Boundaries.

55 **Beer Community Land Trust**

Council had previously approved development finance to Beer Community Land Trust to support the provision of local affordable housing under the condition that appropriate collateral was legally secured to protect the Council and all costs were recovered to give a cost neutral or better position to the Council. A request had been received by the Trust to amend current financing arrangements, to enter a longer-term arrangement to enable them to amend their plans.

RESOLVED that Cabinet:

Agree to Beer CLT's request to extend the existing loan period on agreed loans for up to 26 year, with flexibility to reduce this period on all or part of the sum if requested.

REASON:

Council had agreed to provide development finance to Beer CLT to provide local housing at no cost to the Council. The request for refinancing from the Trust was in line with that decision and sum approved, Cabinet were asked to consider a revision to the repayment details.

Attendance List

Present:

Portfolio Holders

M Rixson	Portfolio Holder Climate Action & Emergency Response
G Jung	Portfolio Holder Coast, Country and Environment
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
P Arnott	Leader of the Council
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
S Hawkins	Portfolio Holder Finance

T Olive Portfolio Holder Strategic Planning

Cabinet apologies:

D Ledger Portfolio Holder Sustainable Homes & Communities
S Jackson Portfolio Holder Communications and Democracy

Also present (for some or all the meeting)

Councillor Aurora Bailey
Councillor Brian Bailey
Councillor Ian Barlow
Councillor Christopher Burhop
Councillor Bethany Collins
Councillor Roy Collins
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor John Heath
Councillor Mike Howe
Councillor Richard Jefferies

Also present:

Officers:

Catrin Stark, Director of Housing and Health (interim)
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Gareth Bourton, Recycling and Waste Contract Manager
Tim Child, Assistant Director Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Director of Finance
Andrew Hancock, Assistant Director StreetScene
Alison Hayward, Project Manager Place & Prosperity
Tracy Hendren, Chief Executive
Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement
John Symes, Finance Manager
Andrew Wood, Director of Place (interim)

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Scrutiny Committee held at Council Chamber, Blackdown House, Honiton on 11 July 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.35 pm

10 Minutes of the previous meeting held on 13 June 2024

The minutes of the previous meeting held on 13 June 2024 were agreed and signed as a correct record.

11 Declarations of interest

Minute 17. S.106 & CIL processes and resources update.

Councillor Paul Hayward, Affects Non-registerable Interest, Member is employed by Axminster Town Council which benefits from S.106 and CIL monies.

The following declarations were made in respect of local councils which benefit from S.106 and CIL monies:

Minute 17. S.106 & CIL processes and resources update.

Councillor Andrew Toye, Affects Non-registerable Interest, Member of Exmouth Town Council.

Minute 17. S.106 & CIL processes and resources update.

Councillor Ian Barlow, Affects Non-registerable Interest, Member of Sidmouth Town Council.

Minute 17. S.106 & CIL processes and resources update.

Councillor Jenny Brown, Affects Non-registerable Interest, Member of Honiton Town Council.

Minute 17. S.106 & CIL processes and resources update.

Councillor Joe Whibley, Affects Non-registerable Interest, Member of Exmouth Town Council.

Minute 17. S.106 & CIL processes and resources update.

Councillor John Heath, Affects Non-registerable Interest, Member of Beer Parish Council.

Minute 17. S.106 & CIL processes and resources update.

Councillor Maddy Chapman, Affects Non-registerable Interest, Member of Exmouth Town Council.

Minute 17. S.106 & CIL processes and resources update.

Councillor Mike Goodman, Affects Non-registerable Interest, Member of Sidmouth Town Council.

Minute 17. S.106 & CIL processes and resources update.

Councillor Olly Davey, Affects Non-registerable Interest, Member of Exmouth Town Council.

Minute 17. S.106 & CIL processes and resources update.
Councillor Vicky Johns, Affects Non-registerable Interest, Member of Ottery St Mary Town Council.

12 **Public speaking**

The Democratic Services Officer read out a statement submitted by a member of the public, Mrs Ann Membery.

The statement referred to the meeting of the Scrutiny Committee held on 13 June 2024 and the report on improving green spaces for wildlife. The member of the public expressed concern that hedges and trees are being replaced with high wooden fences at the front of residential properties. This is both detrimental to wildlife and, in some cases, in breach of planning regulations. The member of the public had been in contact with the EDDC planning department and the Planning Enforcement Officer, and had been advised that residents could apply for retrospective planning permission for fences of more than 1m high. However, the member of the public was concerned that this could lead to more residents installing high wooden fences which would destroy wildlife and be detrimental to the street scene.

The Chair thanked the member of the public for their statement which would be forwarded to planning officers for a response.

13 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential / exempt items.

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

There were no decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure rules.

16 **East Devon Safeguarding annual review 2023/24**

The Assistant Director, Environmental Health, presented the first annual report which outlined the key deliverables that had been achieved during 2023-24 as part of East Devon District Council's safeguarding responsibilities. The report set out the general safeguarding submissions in 2023-24, details of the Safeguarding Policy which was adopted in March 2024, the safeguarding forum and training which has been delivered since 2022. The report author, the Emergency Planning and Business Continuity Officer, was present to answer questions.

Responses to questions and discussion included the following points:

- The report demonstrated a renewed and reinvigorated approach to the Council's safeguarding responsibilities.

- A job role for the Member Champion is currently being prepared to provide focus for this position.
- The Portfolio Holder for Council and Corporate Co-ordination stressed that all Members should start and complete the DBS check process. Councillors experiencing difficulties with the process should contact the Monitoring Officer for advice and were requested to copy in the Portfolio Holder, Cllr Loudoun.
- In response to a question regarding the robustness of the Council's links with partner agencies, officers confirmed that very good links with Devon County Council are in place. Officers are also developing links with children's services.
- Training for Multi Agency Safeguarding Hub (MASH) referrals for children's safeguarding is generic and does not cover the Devon process. This is being considered going forward to ensure that all staff involved are familiar with relevant processes.
- It was noted that Councillors' attendance at safeguarding training and completed DBS checks are not currently shown on the website. The Portfolio Holder for Communications and Democracy would follow this up outside the meeting.
- It was noted that self-neglect can also be caused by issues such as alcohol and drug dependency, and it was confirmed that officers still work with and offer support to residents where a safeguarding concern has been raised but has not met the threshold for a Section 42 Care Act 2014 concern with DCC Adult Social Care.
- In response to a question regarding safe-houses for domestic abuse cases, it was noted that this falls under the remit of the Community Safety Partnership, with the Anti-Social Behaviour & Community Safety Co-ordinator working closely with Devon County Council and the Police on such matters.

The Chair thanked officers for a very informative first annual report.

17 **S.106 & CIL processes and resources update**

The Planning Obligations Team Leader presented the report which updated Members on progress with addressing resourcing issues involved in S.106 obligations and CIL administration. This was further to a report to the Committee meetings held on 7 September 2023 and 4 April 2024 and subsequent resolutions from Cabinet on resourcing these key areas of work. A full team of officers is now in place and working on reviewing current systems, addressing a backlog of work and putting in place new, more efficient processes for collecting, recording and spending CIL and S.106 contributions. Short term priorities are to recover outstanding monies, undertake effective monitoring of developments, issuing of CIL liability notices and checking of exemption applications. Following that, the priority will change to spending monies.

The Planning Obligations Team leader has started the process of working more closely with town and parish councils. Every town and parish clerk has been contacted and some meetings have been attended by the officer.

An initial meeting of the CIL Member Working Group would be held in July to commence spending on key infrastructure projects, with approximately £10m available for local community projects.

Responses to questions and discussion included the following points:

- The Portfolio Holder for Strategic Planning advised that the new Planning Obligations team were making really good progress now that enough staff were in place. In light of this, the Portfolio Holder requested that the Committee re-consider the need for a Task and Finish Forum (TaFF) to scrutinise S.106 and CIL processes, and either withdraw the request or defer a review for 6 months.
- In response to a question regarding the availability of up to date information for town and parish councils, it was noted that the public facing Exacom system was not up to date and

that this was being addressed. The Infrastructure Funding Statement for 2022-23 would be published shortly and the information contained therein would be added to Exacom.

- It was noted that ward members were not copied in to emails to town and parish councils, and agreed that this would be looked at going forward.
- It was confirmed that no monies had been returned to developers and that the software system would alert officers as deadlines approached. Members were advised that where funds are allocated to a project, developers cannot usually demand repayment but this is dependent on the content of each individual S.106 agreement.
- It was noted that the decision on whether to take legal action against developers for non compliance rests with Revenue and Benefits service. The legal advice was that it was difficult to recover debts of more than six years old through the courts.
- It was suggested that a quarterly list of CIL amounts recovered and still outstanding would be helpful going forward. The Portfolio Holder for Strategic Planning would discuss this further with the Assistant Director Planning Strategy and Development Management.
- It was noted that the number of outstanding cases was falling every week. In some cases, amounts could be outstanding for reasons other than debt, eg. where a trigger point on a development had not yet been reached.
- In response to a question regarding interest, it was confirmed that all agreements have provision for indexation.
- Work was underway to set up a streamlined process for spending under S.106 agreements and training would be provided for town and parish councils when the system was in place.

The Chair thanked the Planning Obligations Team Leader for the report.

The Committee agreed not to proceed with a S.106 / CIL Resources & Processes Task and Finish Forum.

RECOMMENDATIONS TO CABINET

Recommended that:

1. Ward members be copied into correspondence with town and parish councils on S.106 and CIL matters.
2. Training be provided for town and parish councils on S.106 and CIL processes.
3. The Chair of the Strategic Planning Committee considers regular reporting on the recovery and spend of S.106 and CIL monies.
4. Communications with town and parish councils be improved so that local councils are better informed as to the S.106 and CIL monies available to them.
5. The link to the information on Exacom be sent to all members.

18 Work programme

The Committee discussed its work programme.

Members referenced the report to Cabinet regarding the HRA 2024-25 revised budget [minute 32 of Cabinet 10 July 2024 refers].

It was agreed that Scrutiny would like to offer to Cabinet and the Chief Executive to assist the Housing Review Board in dealing with the difficult decisions that they are facing, especially with looking back at spending over the last 12 months leading to the report to Cabinet on 10 July 2024.

The Deputy Monitoring Officer would follow up this matter.

Attendance List

Councillors present:

- I Barlow
- J Brown
- M Chapman
- O Davey
- M Goodman (Chair)
- M Hartnell
- J Heath
- V Johns
- Y Levine
- D Mackinder (Vice-Chair)
- A Toye
- J Whibley

Councillors also present (for some or all the meeting)

- A Bailey
- B Bailey
- C Brown
- R Collins
- P Faithfull
- P Hayward
- M Howe
- S Jackson
- G Jung
- J Loudoun
- T Olive

Officers in attendance:

- Jonathan Smith, Planning Obligations Team Leader
- Andrew Wood, Director of Place (interim)
- Matthew Blythe, Assistant Director Environmental Health
- Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement
- Sarah Jenkins, Democratic Services Officer
- David Whelan, Anti-Social Behaviour & Community Safety Co-Ordinator
- Anita Williams, Principal Solicitor (Deputy Monitoring Officer)

Councillor apologies:

- A Hall
- M Hall

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Housing Review Board held at Council Chamber, Blackdown House, Honiton, EX14 1EJ on 1 August 2024

Attendance list at end of document

The meeting started at 10.02 am and ended at 1.16 pm

1 Public speaking

One member of the public, Steve Beer, had registered to speak at the meeting but in the event, did not attend.

2 Appointment of Vice-Chair

The Chair welcomed all those present to the meeting. She informed them that co-opted tenant member Sue Dawson had resigned from the Housing Review Board and thanked Sue for her contribution to and time spent on the Board.

Nominations for Vice Chair were received for Cllr Simon Smith.

RESOLVED: that Cllr Simon Smith be appointed Vice Chair of the Board for the ensuing year.

3 Minutes of the previous meeting

The minutes of the meeting held on 14 March 2024 were agreed.

4 Declarations of interest

Cllr A Bailey – Minutes 7 – 16; Affects Non-Registerable Interest: Tenant of East Devon District Council.

Cllr B Bailey – Minutes 7 – 16; Affects Non-Registerable Interest: Tenant of East Devon District Council.

Cllr J Brown – Minutes 7 – 16; Affects Non-Registerable Interest: Member of Honiton Town Council.

Cllr S Gazzard – Minutes 7 – 16; Affects Non-Registerable Interest: Tenant of East Devon District Council.

Rob Robinson – Minutes 7 – 16; Affects Non-Registerable Interest: Tenant of East Devon District Council.

Advice was given by the Monitoring Officer that as Rob Robinson is now a Council tenant, he is no longer independent of the Council. Whereas there is nothing in the Terms of Reference which prevents him sitting on the Board as an Independent Community Representative, it would be appropriate for his role to transfer to Tenant Representative, following this meeting.

Cllr S Chamberlain declared that she was employed by Exeter City Council in the housing department.

5 Matters of urgency

There were none.

6 Confidential/exempt item(s)

There were none.

7 Housing Review Board forward plan

The Interim Director – Housing and Health presented the forward plan and advised members that the forward plan acted as a reminder of agenda items to come forward to future meetings. The forward plan had been derived from previous meetings and requests, as well as the housing service plan. Service managers were currently reviewing realistic timeframes against each topic. Members were reminded that they could add further reports and topics for discussion to the next forward plan by either informing herself or the Democratic Services Officer.

Members were informed that it was intended to call an Extraordinary Meeting of the Housing Review Board in November, for the Board to receive a second report on the Housing Revenue Account (HRA). Due to its urgency, there had not been time to bring the first HRA paper (minute 11 refers) to the Board prior to Cabinet and Full Council.

Discussion and clarification included the following points:

- Members asked that the following items are added to the Forward Plan:
 - Stock Condition Report
 - A mandatory Financial Review, as a standing item for every agenda.
- The Stock Condition Survey is a critical piece of work to gain important information which the Council needs and Members expressed disappointment at the time that it has taken for this work to be completed. In response, members were informed that there had been difficulties gaining access to some properties, and challenges around the quality of the work carried out by the organisation commissioned to conduct the surveys. However, the standard of work has now been verified by senior staff and whereas there have been some wider issues around contract management, the work is now expected to complete three months ahead of target. The Stock Condition Survey report would be brought to the Board in the autumn, as part of a wider piece of work.
- Members highlighted that a mechanism needs to be in place for more in-depth debate and scrutiny to take place outside of formal meetings of the Housing Review Board, to ensure that members have a strong understanding of complex issues on which they are asked to vote. It was noted that the Scrutiny Improvement Plan recently endorsed by Cabinet and Full Council sets out a recommendation and associated action for briefing sessions to be put in place for members, and senior officers and Cabinet are committed to supporting to this approach.
- There have been a lot of changes to the housing service over the years and it was suggested that learnings could be taken from what has worked well historically, with a view to reinstating some of those practices.

8 Housing Review Board terms of reference

The Director of Governance and Licensing introduced this item, outlining the purpose of the Housing Review Board (HRB) as part of the organisation's statutory Overview and Scrutiny function and highlighting a recommendation which came out of the scrutiny review carried out by the Centre for Governance and Scrutiny, that the HRB's Terms of Reference (ToR) should be reviewed, to provide greater clarity moving forward.

Delivery of the recommendations arising from the scrutiny review is set out in a Scrutiny Improvement Plan endorsed by Cabinet and Council in July, the improvement process being led by the Democratic Services Manager. However, Members could recommend to Council some minor revisions to the Board's ToR now, if they were minded to do so.

Discussion and clarification included the following points:

- It was proposed to recommend to Council to increase the number of Councillors on the HRB from five to seven, to better align with the membership of the other scrutiny committees; the HRB membership would then comprise seven Councillors, five Tenant Members and two Independent Community Representatives.
- Members felt the ToR needed to more clearly set out that the HRB is a scrutiny committee.
- The role of the Independent Community Representatives on the membership needs to be better defined, and appropriate training provided to enable the representatives to contribute fully.
- Members noted the recommendation from the scrutiny review that pre-briefings for Members take place outside of formal meetings and challenged why these were not yet taking place. The Director of Governance and Licensing responded that the recommendation and associated action was set out in the Scrutiny Improvement Plan and would be delivered by the Democratic Services Manager by the date set out within the Plan.

RECOMMENDED to Council:

That the number of Council Members on the Housing Review Board increase from five to seven with the quorum remaining at four, the purpose being to add additional capacity pending a full review of the Terms of Reference.

9 **Housing Performance Report - Quarter 4 2023/24**

The Housing Review Board were presented with the key performance indicator (KPI) dashboard and the compliance dashboard for quarter 4. The Interim Assistant Director (Regulatory Services) and the Responsive Repairs and Voids Service Manager introduced themselves and gave a presentation which summarised the performance and actions being taken to improve performance where targets were not being achieved. Performance targets were set annually, but during the 2023/24 year the framework began part way through the year so targets were not set for all the indicators. Figures were benchmarked against the previous financial years' performance and HouseMark was used to benchmark performance and set targets for the KPIs against performance of other social housing landlords.

Discussion and clarification included the following points:

- Members observed that a lot of the Key Performance Indicators (KPIs) appeared to evidence improvement, and voids were falling, but Year to Date figures in most cases replicate the Quarter 4 figures, and this is not correct.
- The KPIs are non-financial and the Housing Review Board needs financial indicators with which to monitor and scrutinise the Housing Revenue Account and the capital

performance within that. Members asked that the Board receives financial key performance indicators at least quarterly, based on the latest quarter's figures.

- Members were keen that tenants have the opportunity to speak with someone from the Council in person, when staffing allows. The Interim Assistant Director for Housing commented that the need to connect with tenants needs to be balanced with the tenants right to live peacefully in their home. The Council takes an intelligence and risk-based approach to tenant visits, intervening where there is evidence which suggests a tenant is vulnerable or in need of support.
- Due to the high volume of responsive repairs carried out by the contractor Ian Williams and its subcontractors, it is not possible for the Council to post-inspect every job and an audit-based approach is used whereby the Council inspects a sample of jobs completed, with the audit used to inform the Councils approach going forward.
- The contractor's internal staff and their sub-contractors are subject to a rigorous process of safeguarding measures including DBS checks and regular safeguarding training. Some members were concerned that sub-contractors use vans with no signage to indicate that they are working on behalf of Ian Williams or EDDC, and some vulnerable residents will therefore not answer the door to them. Officers will explore with Ian Williams how best to address this issue.
- Whilst the KPIs appear to evidence improvement, feedback from residents and staff is that the service is poor and Members sought to understand the apparent disconnect. The Interim Director for Housing and Health commented that the number of complaints was small relative to repairs completed. She added that there was a need to manage expectations, since customers' expectations on what they would like to be completed and what they are entitled to have completed can differ.
- The Housing service is working with the Council's Communications team to introduce a transactional customer satisfaction service whereby the Council use email, SMS or telephone to survey every tenant that has a repair completed, with a view to gathering feedback. It was suggested to seek feedback from some tenants via a letter in the post.

RESOLVED that the Housing Review Board will be presented with timely key performance information including financial and non-financial indicators on at least a quarterly basis.

10 **Housing Allocations Policy update**

The Housing Review Board were provided with and asked to approve an updated housing allocations policy. The policy had been amended to reflect relevant changes originating from legislation, the Consumer Standard, recommendations from an Ombudsman case and a previous HRB report focussing on downsizing. Amendments included data protection considerations and additional sections on management moves and downsizing. Also included was confirmation of criteria for allocating sheltered accommodation. Properties which were previously specified as 'sheltered' would only be allocated to those over 55 years of age with a housing support need. Exceptional circumstances would be considered for applicants demonstrating a housing support need but who did not meet the age criteria. These cases would be reviewed on a case-by-case basis by the relevant service managers. It was noted that this change in criteria would not affect tenants already living in sheltered housing, it would apply to new lets only.

A request was made for consideration be given to the number of dogs that could be kept in sheltered accommodation due to associated noise issues. The Housing Solutions Manager advised that this was a tenancy agreement issue rather than related specifically to the allocation of sheltered accommodation. The Interim Assistant Housing Director (Regulated Services) advised that in 2017 the age criteria for sheltered accommodation was reduced from 65 to 18 years of age. In recent benchmarking exercises it was apparent that 55 was the norm and was 'older persons housing', so therefore the age

was actually being raised back up. This also formed part of a wider review of the use of sheltered housing stock.

It was noted that downsizing was a challenge for every local authority, in meeting the needs and demands of tenants, whilst facilitating downsizing.

RECOMMENDED: that Cabinet approve the updated housing allocations policy.

11 **Housing Revenue Account and Housing Capital Finance 2023/24 year end outturn**

The accountant's report provided the Housing Review Board with current draft financial figures for the housing revenue account (HRA) and housing capital programme for the 2023/24 financial year. Producing a HRA was a statutory function for Councils who managed and owned their housing stock and was therefore a key document for the Board to influence. It was noted that the figures were still subject to external audit, although no changes were expected.

The Board noted that for 2023/24 the outturn deficit for the year was proposed to be covered from earmarked reserves and borrowing, leaving the HRA balance at the adopted level of £3.1million. A summary by cost driver was included in the report and covered:

- Supervision and management +£1.39million.
- Income + £0.047million due to lost income from voids.
- Supplies, services and other costs £5.3million, mainly due to responsive repairs.
- Interest income and charges -£0.530million from improved returns on investments.
- Expenditure on premises +0.49million.

This position of significant increase in spend with a reduction in income had previously been highlighted to members and was of concern. This position could be funded from reserves attributed to underspends in previous years set aside to fund increased expenditure on what was believed to be catch up repairs and maintenance. However, this level of spend was also required moving forwards.

It was noted that a total of six acquisitions were completed within the year (£1.6 million), with 11 right to buy sales reducing stock. During 2023/24 £4.35million was spent on capital related improvements to properties, blocks, major adaptations for disabilities and major voids works. The report highlighted the funding implications of this. The total revenue contribution to capital made from the HRA was £2.6million versus a budgeted figure of £0.88million.

The final table in the report showed the final reserve levels should the allocations proposed be approved.

Concern was expressed that savings of £2.5million was being sought and information was requested on which staffing posts would not be recruited to and where the remainder of the savings would be found. It was noted that the savings would be sought from the 2025/26 budget. The current outturn report related to the 2023/24 budget.

It was suggested that it would be more cost effective for void properties be sold off rather than being retained and invested in. The Interim Housing Director confirmed that a disposals and process policy would be part of the options appraisal which would be brought back to the Board in the autumn.

RECOMMENDED: that the Housing Revenue Account and Housing Capital Finance 2023/24 year end outturn report is noted and the reserve recommendations are approved by Cabinet.

12 **Housing Revenue Account: Financial review, revised budget and sustainability plan**

The Board were presented with the housing revenue account (HRA) finance report for awareness and information. This report had been presented to Cabinet on 10 July 2024 and Council on 17 July 2024 and the recommendations contained within it were approved at those meetings.

An options appraisal would be brought back in the autumn, which would include the viability of retaining the housing stock as a local authority. Other local authorities were stating a requirement of £50,000 per property needed to come up to standard.

It was noted that the 2025/26 budget would go to Cabinet in January 2025 for approval and recommendation on to Council.

The Interim Director for Housing and Health formally thanked the Housing Strategy and Project Enabling Manager for producing the report.

RESOLVED: that the Housing Review Board note the report.

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

The Board were presented with the Housing Ombudsman self-assessment and complaint procedure update report for awareness and information. This report had been presented to Cabinet on 5 June 2024 and the recommendations contained within it were approved at that meeting.

The report covered two key areas:

- The housing service self-assessment against the Housing Ombudsman's complaint handling code, which became statutory on 1 April 2024.
- Updates to the corporate complaints policy and procedure to ensure compliance with the updated code produced by the Local Government and Social Care Ombudsman.

It was noted that the report would ordinarily have come to the Housing Review Board before being presented to Cabinet, but this had not been possible due to timing issues.

RESOLVED: that the Housing Review Board note the report.

14 **Results of Tenant Satisfaction Measures Survey 2023/24**

As part of the Social Housing (Regulation) Act 2023, the Regulator for Social Housing stipulated that all registered providers of social housing must undertake an annual perception survey. Within the survey 12 tenant satisfaction measure (TSM) survey questions must be asked and the results of these would need to be submitted to the Regulator so they could monitor performance across the sector. The survey results, survey report and action plan were attached for the Board's consideration.

Based on feedback from the survey, the findings were encouraging particularly when compared to the previous set of results. As a whole, satisfaction had improved across all TSM measures except one (cleanliness and maintenance of communal areas). This was

encouraging as sector wide analysis indicated a 5 year trend showing a clear decline in satisfaction. More recent analysis also showed how the current operating environment, such as the cost of living crisis was also having a significant impact on the increases in dissatisfaction with social landlords.

Although results had improved, there was clearly significant work to do to ensure that tenant satisfaction continued to improve across the housing service. To ensure that tenants' feedback was taken on board, an action plan was being developed alongside a communications plan. The action plan built on work previously outlined (following the 2022/23 results being published) and would be brought to the HRB in November. It also further developed and outlined changes that had been underway in the housing service over the past 12 months following the changes in the senior management structure. In this plan all the TSMs had been highlighted and clear objectives and desired outcomes produced which mapped across to the Service Plan. In devising the content of the action plan, officers had made sure the tenant was at the heart of decisions in an attempt to drive improvement, get better as a landlord, and it was hoped that the TSM survey results in 2024/25, would reflected this in the scores. This financial year tenants would be surveyed quarterly, rather than annually. This would reflect more 'live' data and feedback and ensure that officers were able to flex and respond appropriately.

Officers were congratulated for their improvements, but concern was expressed over the finances involved and whether the improvements were sustainable. The Assistant Director Housing (Regulated Services) responded that this would link into work being undertaken on a review of service charges.

It was noted that if Board members wanted to understand more about certain service areas they could shadow officers in order to increase awareness and understanding on how services operated.

RESOLVED: that the Housing Review Board note the TSM survey results and the action plan would be brought back to the Housing Review Board in November 2024.

15 **Tenant recruitment to the Housing Review Board**

The Interim Assistant Director Housing (Regulated Services)'s report outlined a refreshed approach to the recruitment of co-opted tenant/leaseholder representatives on to the Housing Review Board. Recruitment of tenant and leaseholder representatives had been difficult over recent years and there were currently four out of the five tenant co-optee positions on the Board vacant. It was felt essential that a refreshed approach was taken to attract additional interest and wider demographic representation to ensure future tenant involvement in the scrutiny of the Council's housing services.

Tenant feedback to officers was that some of the restrictions on membership for co-opted members had put up barriers for some tenants who would otherwise have been interested in applying. Additionally some tenant members who had been on the Board in recent years had not regularly attended meetings so the report suggested that expectations surrounding attendance should also be reviewed.

A new application form and job description for the Housing Review Board tenant representative had been created. These were included with the report and the Board were asked to approve this. The application form ensured applicants had acknowledged and self-assessed against the eligibility for standing for Board membership, and

provided the opportunity for them to put forward their desire and passion for being a tenant representative. Key alterations to the job description were:

- Attendance at meetings – to be brought in line with expectations set for district councillors.
- Requirements and exclusions – clarity provided on areas that had been considered ambiguous.
- Person specification – updated to ensure a focus on training and supporting new members, as well as setting out expectations of the role.

The Board recognised that a refreshed approach and efforts were needed to encourage the participation of tenants and leaseholders in the HRB. Officers intended to start a programme of recruitment efforts that would include social media, direct communications with tenants and approaching involved tenants to promote the role. It was suggested that interactive online ways of applying to become a member should also be investigated.

RECOMMENDED: that the Housing Review Board note the content of the report and recommend Cabinet approval of the proposed new tenant representative job description and application form.

16 **Annual Tenant Event**

The Interim Assistant Housing Director (Regulatory Services) gave the Board a verbal update on the Annual Tenant event recently rebranded as the 'Tenant Festival'.

The event will be held on Thursday 22nd August from 10.00am – 4.00pm at the Sid Vale Scout Group Hall.

Attendance List

Board members present:

Sara Clarke, Independent Community Representative
Rob Robinson, Independent Community Representative
Councillor Sarah Chamberlain (Chair)
Councillor Christopher Burhop
Councillor Aurora Bailey
Councillor Simon Smith (Vice-Chair)
Councillor Melanie Martin

Councillors also present (for some or all the meeting)

B Bailey
I Barlow
C Brown
J Brown
R Collins
S Gazzard
M Goodman
J Heath
D Ledger
J Loudoun
T Olive
D Wilson

Officers in attendance:

- Amy Gilbert-Jeans, Assistant Director Housing (Tenancy Services)
- Tracy Hendren, Chief Executive
- Andrew King, Tenancy Services Manager
- Andrew Mitchell, Housing Solutions Service Manager
- Giles Salter, Solicitor
- Sarah James, Democratic Services Officer
- Catrin Stark, Director of Housing and Health (interim)
- John Symes, Finance Manager
- Melanie Wellman, Director of Governance (Monitoring Officer)
- Susie Williams, Responsive Repairs and Voids Service Manager
- Liam Reading, Housing Strategy, Enabling and Projects Service Manager

Chair:

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 16 July 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 2.20 pm. During the meeting two short adjournments took place, the first took place at 11.35 am reconvening at 11.55 am and the second at 1.32 pm reconvening at 1.40 pm.

181 Minutes of the previous meeting

The minutes of the Planning Committee meeting held on 18 June 2024 were confirmed as a true record.

182 Declarations of interest

Minute 186. 24/0415/MFUL (Major) BUDLEIGH & RALEIGH.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution Members advised of lobbying in respect of this application.

Minute 187. 24/0331/MFUL (Major) FENITON.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution Councillor Peter Faithfull advised of lobbying in respect of this application.

Minute 188. 24/0594/FUL (Minor) BUDLEIGH & RALEIGH.

Wendy Ormsby, Directly relates Non-registerable Interest, The applicant is a close associate of a family member.

183 Matters of urgency

There were none.

184 Confidential/exempt item(s)

There were none.

185 Planning appeal statistics

The Committee noted the Development Manager's report which included an update on application 21/F0358 – Higher Wick Farm, Luppitt. Members were advised that the Planning Inspectorate would be considering the appeal of the enforcement notice by written representations and not by Public Inquiry.

186 24/0415/MFUL (Major) BUDLEIGH & RALEIGH

Applicant:

Ladram Bay.

Location:

Ladram Bay Holiday Park, Otterton, EX9 7BX.

Proposal:

Change of use and regrading of top field to accommodate 32 luxury lodges and re-layout of existing holiday park to reduce holiday caravan pitches (no net increase in number of units) and provide landscape and environmental improvements.

RESOLVED:

Refused as per officer recommendation.

187 **24/0331/MFUL (Major) FENITON**

Applicant:

Mr Tom Buxton-Smith.

Location:

Land north and south of Station Road, Warwick Close, Wells Avenue, land opposite Greenacres Close and land adjacent to Ottery Road near Sidmouth Junction Sewage Pumping Station, Feniton.

Proposal:

Amendments to phase 4 of the flood alleviation scheme (consented under reference 14/2882/MFUL) – works comprising the construction of channels, culverts and swales and mitigation works including flood defences, inlet water storage areas, infrastructure and outfall structure.

RESOLVED:

Approved as per officer recommendation subject to an additional condition regarding hours of construction.

188 **24/0594/FUL (Minor) BUDLEIGH & RALEIGH**

Applicant:

Mr Mitch Tonks.

Location:

Longboat Café, Marine Parade, Budleigh Salterton, EX9 6NS.

Proposal:

Proposed extension with retractable roof and walls.

RESOLVED:

Approved with conditions as per officer recommendation.

189 **23/1785/FUL (Minor) COLY VALLEY**

Applicant:

Mr Lewis Pring.

Location:

The Old Reservoir, Ridgeway Lane, Colyton.

Proposal:

Demolition of existing reservoir tanks and construction of new dwelling house.

RESOLVED:

1. The Appropriate Assessment be adopted.
2. Refused as per officer recommendation.

190 **24/0195/FUL (Minor) DUNKESWELL & OTTERHEAD**

Applicant:

Duncan Gray.

Location:

Twistgates Farm, Upottery, EX14 9PE.

Proposal:

Proposal for change of use of land to site 3 timber cabins for holiday accommodation; landscaping and construction of pond.

RESOLVED:

Approved contrary to officer recommendation subject to planning conditions to be agreed in consultation with the Chair, Vice Chair and Ward Members.

Members considered that the proposal was in line with Policy E5 (Small Scale Economic Development in Rural Areas).

Attendance List

Councillors present:

B Bailey
I Barlow
C Brown
J Brown
O Davey (Chair)
P Faithfull
D Haggerty
A Hall
M Hall (Vice-Chair)
M Howe
S Smith

Councillors also present (for some or all the meeting)

R Collins
C Fitzgerald
G Jung
T Olive
H Riddell

Officers in attendance:

Wendy Ormsby, Development Manager
Damian Hunter, Planning Solicitor
Wendy Harris, Democratic Services Officer
Gareth Stephenson, Principal Planning Officer

Chris Hariades, Landscape Architect, Development Management
Nigel Barrett, Senior Planning Officer
Charlie McCullough, Senior Development Control Officer

Councillor apologies:

A Bruce
S Chamberlain
M Chapman
S Gazzard
E Wragg

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 20 August 2024

Attendance list at end of document

The meeting started at 10.05 am and ended at 5.55 pm. The Committee adjourned for lunch at 1.50 pm and reconvened at 2.30 pm.

During the meeting brief adjournments took place at 11.33 am and reconvened at 11.45 am and 4.50 pm and reconvened at 5.00 pm.

191 Minutes of the previous meeting

The minutes of the Planning Committee meeting held on 16 July 2024 were confirmed as a true record.

192 Declarations of interest

Minute 199. 23/1269/MFUL (Major) WOODBURY and LYMPSTONE.
Councillor Olly Davey, Affects Non-registerable Interest, Member of RSPB.

Minute 199. 23/1269/MFUL (Major) WOODBURY and LYMPSTONE.
In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution Members advised of lobbying in respect of this application.

193 Matters of urgency

There were none.

194 Confidential/exempt item(s)

There were none.

195 Planning appeal statistics

The Committee noted the Development Manager's report which included two updates. The first related to an appeal against an enforcement notice in respect of Higher Wick Farm (21/F0358). Members were advised that as the enforcement notice had not specified sufficient information on the alleged breach the Inspector had deemed it invalid.

The second related to an appeal against the refusal of a lawful development certificate in respect of Salcombe Regis Camping and Caravan Park (23/0027/CPL) which would have allowed the siting a large number of static caravans with unfettered use. The Development Manager was pleased to report that as a result of all the hard work from officers representing the council's position the Inspector had dismissed this appeal which was a good result for the council and residents.

196 22/1478/FUL (Minor) SEATON

Applicant:

Mr T Sidhu.

Location:

Axe Valley Mini Travel, 26 Harbour Road, Seaton, EX12 2NA.

Proposal:

Demolition of existing STC store and bus garage on site to be replaced by 7 residential units, 198 square metres of commercial floorspace (Use Class E) and landscaped gardens and private parking.

RESOLVED:

Approved contrary to officer recommendation subject conditions to be agreed by the Development Manager in consultation with the Chair, Vice Chair and Ward Members which should include:

1. Not to be used for holiday lettings
2. Notwithstanding the existing FWEPP, prior to commencement a revised FWEPP is to be prepared and approved.
3. Permitted Development Rights Class E to be removed to prevent conversion to Class C3.

Members considered that the sequential test had been met and that the Flood Warning and Evacuation Plan had demonstrated that the development would be safe for its lifetime and so was not contrary to Policy EN21 of the East Devon Local Plan.

197 **23/1276/MOUT & 23/1271/FUL (Major) DUNKESWELL and OTTERHEAD**

Applicant:

Mr R Falle.

Location:

Land adjacent to Hillcrest, Awliscombe.

Proposal:

23/1276/MOUT

Outline planning application for construction of 20 dwellings, village hall and farm shop and provision of village green and car parking, seeking approval of access only (matters of appearance, landscaping, layout and scale reserved).

23/1271/FUL

Change of use of agricultural land to form recreation area.

RESOLVED:

23/1276/MOUT

Refused in accordance with officer recommendation.

23/1271/FUL

Approved contrary to officer recommendation with conditions to be agreed by the Development Manager in consultation with the Chair, Vice Chair and Ward Members.

Members considered that the proposal was in line with Policy RC 4 (Recreation Facilities in the Countryside and Coast) and so would not conflict with the countryside, nature or landscape nor would it detract from the amenities of the area.

198 **24/0226/FUL & 24/0227/LBC (Minor) BROADCLYST**

Applicant:

Mr & Mrs Stewart.

Location:

Town Tenement Farm, Clyst Hydon, Cullompton, EX15 2NB.

Proposal:

24/0226/FUL

Demolition of lean-to structure, proposed part conversion to one residential dwelling with garden and associated works and the rebuild, repair and conservation of the existing barns.

24/0227/LBC

Demolition of lean-to structure and the rebuild, repair and conservation of the existing barns.

RESOLVED:

24/0226/FUL

1. The Appropriate Assessment be adopted.
2. Approved contrary to officer recommendation subject to planning conditions to be agreed by the Development Manager in consultation with the Chair, Vice Chair and Ward Members.

Members considered that the heritage benefits would outweigh the minor conflicts with Policy D8 (Re-use of Rural Buildings Outside of Settlements) and the proposal is in line with Chapter 16 of the NPPF.

24/0227/LBC

Approved with conditions in accordance with officer recommendation.

199 **23/1269/MFUL (Major) WOODBURY and LYMPSTONE**

Applicant:

Mr Nick Yeo (3West Strawberry Hill Ltd.)

Location:

Land south of Meeting Lane, Lymptone.

Proposal:

Construction of 42 residential units, affordable housing, new vehicular accesses from Meeting Lane and Strawberry Lane, associated internal roadways, SUDS features and landscaping.

RESOLVED:

1. The Appropriate Assessment be adopted
2. Refused contrary to officer recommendation.

Members considered that:

- The site is located outside the settlement boundary of Lypstone in an unsustainable location, distant from local services and without safe pedestrian access to services contrary to Strategy 7 and 27.
- It would have an adverse impact on trees contrary to Policies D1 and D2.
- Poor layout in particular failure to pepper pot affordable homes throughout the development creating a division of social cohesion contrary to Strategy 34.

200 **24/1197/PIP (Other) FENITON**

Applicant:

Mr Graham Braddick.

Location:

Land adjacent to Hamlet House, Nags Head Road, Gittisham.

Proposal:

Permission in principle application for the conversion of an existing building into a single dwelling.

RESOLVED:

Refused in accordance with officer recommendation.

201 **24/0603/FUL (Minor) TALE VALE**

Applicant:

Mr Craig Davies.

Location:

Beacon Copse, Talaton.

Proposal:

Erection of 4 x military tents, installation of 20ft container for storage of equipment, installation of two person compost toilet.

RESOLVED:

Approved with conditions in accordance with officer recommendation.

Attendance List

Councillors present:

B Bailey
I Barlow
C Brown
J Brown
M Chapman
O Davey (Chair)
P Faithfull
D Haggerty
A Hall
M Hall (Vice-Chair)
S Smith
E Wragg

K Bloxham

Councillors also present (for some or all the meeting)

R Collins
M Hartnell
B Ingham
G Jung
T Olive

Officers in attendance:

Wendy Harris, Democratic Services Officer
Nigel Barrett, Senior Planning Officer
Jeremy Ebdon, Principal Planning Officer (East)
Liam Fisher, Senior Planning Officer
Damian Hunter, Planning Solicitor
Wendy Ormsby, Development Manager
Jamie Quinton, Senior Planning Officer
Gavin Spiller, Principal Planning Officer (West)

Councillor apologies:

S Chamberlain
S Gazzard
M Howe

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 24 September 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 1.06 pm. A brief adjournment took place at 11.12 am until 11.25 am.

202 Minutes of the previous meeting

The minutes of the Planning Committee held on 20 August 2024 were confirmed as a true record.

203 Declarations of interest

There were none.

204 Matters of urgency

There were none.

205 Confidential/exempt item(s)

There were none.

206 Planning appeal statistics

The Committee noted the appeals statistics report.

207 23/1258/MOUT (Major) WOODBURY AND LYMPSTONE

Applicant:

Mr David Lovell (Heritage New Homes).

Location:

Land to the rear of Orchard House, Globe Hill, Woodbury, EX5 1JP.

Proposal:

Outline application (with details of access to be considered and all other matters reserved) for the residential development of up to 35 dwellings (12 affordable); vehicular and pedestrian access from Globe Hill, pedestrian access only from public right of way; demolition of existing wooden structure to be replaced with parish council building; community parking area, public open space; landscaping, wildflower meadow and orchard and other associated infrastructure.

RESOLVED:

Approved in accordance with officer recommendation subject to:

1. Section 106 Agreement in accordance with the Heads of Terms outlined in the report but omitting reference to 'off-site highway works'.
2. Conditions as set out in the report with amendments to conditions 1, 13 and 14 as set out in the presentation.

3. Amendments to the approved plans list to include only the site location plan and plans showing the proposed access.
4. Subject to confirmation that Natural England agrees the Appropriate Assessment.

208 **23/1600/MOUT (Major) WOODBURY AND LYMPSTONE**

Applicant:

Mr Gary Salter.

Location:

Land off Globe Hill, Woodbury, EX5 1LL.

Proposal:

Outline application for construction of up to 28 residential units (including affordable housing), new vehicular access onto Globe Hill, open space, new parish office and Globe Hill highway works (all matters reserved except for access).

RESOLVED:

Approved in accordance with officer recommendation subject to:

1. A Section 106 Agreement in accordance with the Heads of Terms outlined in the report but omitting reference to 'off-site highways works'.
2. Conditions as set out in the report with amendments to conditions 1, 13 and 14 as set out in the presentation.

209 **24/1051/FUL (Minor) BROADCLYST**

Applicant:

Mr Mark Heuff.

Location:

Unit 10 Mushroom Road, Hill Barton Business Park, Clyst St Mary.

Proposal:

Construction of a synchronous gas-powered standby generation facility and associated infrastructure.

RESOLVED:

Approved with conditions in accordance with officer recommendation subject to an additional condition to be agreed with the Environmental Health Officer, Ward Members and Chair of Planning Committee to secure the following:

Within 3 to 4 months of the development being brought into use a noise verification assessment shall be undertaken to assess the noise levels when all 3 of the generators are operating at full capacity in locations that have previously been agreed in writing with the Local Planning Authority and in accordance with a methodology that shall have previously been agreed in writing by the Local Planning Authority.

The assessment shall seek to demonstrate that noise levels at the agreed monitoring point(s) does not exceed levels to be agreed. If noise levels exceed the agreed levels appropriate mitigation is to be agreed and implemented.

The purpose being to protect residential amenity.

The precise wording of this condition is to be agreed as set out above.

Attendance List

Councillors present:

B Bailey
I Barlow
C Brown
J Brown
S Chamberlain
O Davey (Chair)
P Faithfull
D Haggerty
A Hall
M Hall (Vice-Chair)
M Howe
E Wragg
K Bloxham

Councillors also present (for some or all the meeting)

B Ingham
T Olive

Officers in attendance:

Wendy Ormsby, Development Manager
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Wendy Harris, Democratic Services Officer
Lynne Shwenn, Senior Development Control Officer
Ian Winter, Environmental Health Officer

Councillor apologies:

M Chapman
S Gazzard
S Smith

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 15 July 2024

Attendance list at end of document

The meeting started at 10.02 am and ended at 1.15 pm.

110 Minutes of the previous meeting

The minutes of the Strategic Planning Committee meeting held on 4 June 2024 were confirmed as a true record.

111 Declarations of interest

Minute 115. Current and Future Housing Land Supply Challenges.
Councillor Paul Hayward, Affects Non-registerable Interest, Employed by Axminster Town Council as the Town Clerk.

Minute 118. Renewable Energy Generation Policies.
Councillor Paul Hayward, Affects Non-registerable Interest, Employed by Axminster Town Council as the Town Clerk.

112 Public speaking

Richard Eley welcomed the creation of the Local Plan Working Group that had been created to oversee the development of the East Devon Local Plan but raised concerns that these meetings should not be done in secret behind closed doors as he believed this was a breach of the Nolan Principles. These meetings should be open to the public and recorded so that public scrutiny and public intervention can, if necessary, correct any mistakes made throughout this detailed and complex process.

Mr Eley highlighted that there had not been any press coverage, nor any information on the EDDC website or social media platforms about these meetings and further highlighted that the notes taken at these meetings would not be available for public viewing for at least 3 months. He suggested in order to avoid the escalation of public concern the meetings should reconvene and be conducted in public and recorded for openness and transparency and information should not be withheld from the public unless there are clear and lawful reasons for doing this.

In response the Planning Solicitor advised that the complaint had been forwarded to the Monitoring Officer who would be responding to it in due course.

113 Matters of urgency

There were no matters of urgency.

114 Confidential/exempt item(s)

There were no confidential/exempt items.

115 Current and Future Housing Land Supply Challenges

The report presented to the committee provided an update on the current housing land supply position. The Assistant Director – Planning Strategy and Development Management explained that whilst recent changes to government guidance provides for Local Planning Authorities whose Local Plans are at Regulation 18 stage to determine applications without having to apply the ‘tilted balance’ if they can show a 4-year housing land supply, there was still a requirement for the council to show a 5-year housing land supply for the new Local Plan to be found sound at examination.

The Assistant Director – Planning Strategy and Development Management provided some good news advising that the requirement figure, under the governments standard method for calculating housing need, had been reduced from 910 homes to 893 homes per year.

In order to achieve a 5-year land supply upon plan adoption officer’s had been looking at potential housing trajectory models for sites coming forward that had been identified in the draft Local Plan. Members were advised that a ‘stepped trajectory’ was the only way to just about demonstrate a 5-year housing land supply which would allow strategic sites to come forward in a phased delivery. It was highlighted that a risk associated with using this model was that as there was a shortage of affordable housing in the district this could be seen as inappropriate but it was hoped with the opportunity of a second new community this would give a logical reason to take this approach.

He further advised that clarification had been sought from Kings Counsel on the legal position on the current issues relating to housing land supply and the advice received confirmed that significant weight should be given to housing land supply issues without applying the tilted balance to boost our housing numbers.

Members were advised of alternative options:

- To not take action but this would run the risk of the Local Plan being found unsound;
- To provide advice to the Planning Committee that in considering planning applications for housing developments that would deliver homes within the next 5 years in a sustainable way, significant weight should be given to the need to bolster the council’s housing land supply position;
- To not provide advice to the Planning Committee regarding the weight to be given to housing land supply matters.

Before receiving questions from Members, the Chair asked Members to bear in mind that the recent changes to government guidance may become redundant following the election of the new government who has proposed to immediately review the changes made to the NPPF.

Questions from Members covered:

- Clarification was sought on the number of homes needed to demonstrate a 5-year housing land supply. In response it was advised there was a need for in excess of 447 homes to get to 5 years supply but we should be looking to build a buffer as the 5 years supply is a minimum;
- Clarification was sought on what could be done to make sure houses were constructed in a timely manner within the required 5 years. It was advised that this was not a common issue in East Devon due to the housing demand;

- Reassurance was sought that detailed discussions had already taken place with the landowners regarding the schedule of delivery. Landowners and their representatives have been contacted but not about delivery as this will be addressed in the masterplan.
- How can we make an informed decision without having sight of counsel's advice. The Planning Solicitor advised that members of the Strategic Planning Committee may have sight of the Kings Counsel advice but that it was legally privileged and so not available for disclosure to the general public. He reassured Members that a comprehensive summary of the advice had been provided in the report.
- There is a need to explain to the public that the housing numbers are government generated and not figures made by the council;
- Does the council have an influence on the type of housing delivered, could we make sure it is mainly social and affordable housing?
- A concern was raised that Strategic Planning Committee were expected to advise the Planning Committee to go ahead and choose the first and second choice sites when this committee still had not seen them. There is a need to see them beforehand to make sure they are suitable.

Following comments from Members expressing their wish to see the Kings Counsel Advice before reaching a decision, the Chair advised that the meeting would be adjourned to allow members of the Strategic Planning Committee to read the document.

The meeting was adjourned at 10.55am and briefly reconvened at 11.23am.

The meeting was then moved into private session at 11.23am to allow members of the Strategic Planning Committee to ask questions in respect of the Kings Counsel Advice and returned to a public meeting at 11.37am.

Upon returning to a public session further questions and discussion from Members in respect to the report covered:

- Clarification was sought whether the council would have a 5-year land supply if all the allocations were put into the Local Plan. In response it was advised if the council followed the stepped trajectory and used the first and second choice sites the council would demonstrate a 5-year housing land supply but only just;
- In response to a question about whether the first and second choice sites would include Whimple and Feniton the Assistant Director – Planning Strategy and Development Management advised he would need to follow this up;
- It was suggested that the current wording in the recommendation suggests that the Planning Committee can do what they like if a 5-year housing land supply can be demonstrated. It was suggested to include the wording 'and in compliance with the emerging East Devon Local Plan strategic and planning policies' in the recommendation. In response the Assistant Director – Planning Strategy and Development Management advised that the emerging Local Plan was not at an advanced enough stage to legally carry weight to influence decision making;
- Do not support the recommendation to provide advice to the Planning Committee as this would be a dangerous approach due to uncertainty;
- There is a need to make a decision as the longer we leave this decision the worse it gets for the Local Plan. There is a need to advise the Planning Committee to positively promote ready to go schemes to help bolster the 5-year housing land supply.

The Chair proposed the recommendation as written in the report.

RESOLVED:

That Members advise Planning Committee that in considering planning applications for housing developments that would deliver homes within the next 5 years in a sustainable way, significant weight should be given to the need to bolster the council's housing land supply position. This is to ensure that the Council has a robust housing land supply and as a result a sound Local Plan in respect of housing land supply for examination of the Local Plan.

116 **East Devon Local Plan work programme update**

Members noted the progress report on the production of the new Local Plan which provided a timetable of the key steps and stages to allow a Regulation 19 Plan to be brought to Committee in November 2024, followed by a consultation on the Plan from December 2024 to January 2025 and finally the submission for examination in May 2025.

Questions raised by Members included:

- Reference was made to the ongoing evidence gathering studies bullet pointed on page 16 and reassurance was sought whether the timetable was realistic. In response it was advised that it could be achieved but would be challenging;
- As we are in a housing crisis is there a way to stop houses being built for second homes? In response it was advised there was not very much that could be done to prevent houses being used as second homes but members were reassured that council tax data showed it was not a district wide issue and that this issue could be dealt with by way of neighbourhood plans in those specific communities;
- Can this council specify a minimum distance between houses?
- Can pavement width be added to the evidence gathering because pavements are not wide enough for wheelchairs and pushchairs?
- The Assistant Director - Planning Strategy and Development Management advised the last two points would be dealt with by a Local Design Guide that the council would need to produce but was not sure whether the new government would make this a requirement.

RESOLVED:

That the work programme going forward on production of the new East Devon Local Plan be noted.

117 **Local Plan Zero Carbon Policies for New Developments**

The report presented to committee sought direction from members on how they would like to progress with new development zero carbon policies for inclusion in the new Local Plan.

Following discussions with South West Energy and Environment Group (SWEEG) they advised that the greater benefit would be achieved by focussing on the issues around the supply chain and embedded carbon and referred to their work with Exeter City Council's Local Plan.

The Assistant Director – Planning Strategy and Development Management advised Members that officer preference based on the advice from SWEEG would be to focus on savings that could be made from policies around embedded carbon and supply chain issues and sought Members advice on this.

It was highlighted to Members that if they choose to follow this route there was a potential issue in that there would be a requirement that all new development at the point of construction would require the installation of photovoltaics.

Questions raised by Members and discussions covered:

- Clarification was sought on whether the report was seeking a preferred approach that would give the greatest impact on carbon omissions without compromising on viability considerations. It was advised that a policy was needed that would produce the maximum carbon savings;
- Do the recommendations cover house extensions and alterations and if not what can be done to tighten up energy efficiency for these?
- There is a need to consider the future and demand items like water butts and grey water recycling to be provided for all new builds;
- Clarification was sought on home insulation under the New Homes Standard and the requirement of solar panels and heat pumps. Should the council be requiring a higher level of Building Regulation Standards?

Councillor Mike Howe proposed the recommendations with a slight amendment to Recommendation 1 which would encompass the demolition of buildings as this is when the most carbon emissions are generated. This was seconded by Councillor Geoff Jung.

1. That committee endorse a policy approach for either demolition and/or new development that places the emphasis on seeking to minimise carbon emissions during and through the demolition and/or construction phase of development.

Further comments included:

- There is a need to encourage builders to buy in bulk/buy to scale;
- There is a need to change the national mindset of making homes more energy efficient;
- Reference was made to paragraphs 3.5 and 3.6 and clarification was sought about when a report would be brought to committee about Strategy 34. In response it was proposed a report would be brought to committee close to November 2024 timescale.

During discussions Councillor Paula Fernley asked for a third recommendation for Strategic Planning Committee to write an open letter to the new Secretary of State about what we want to do at local level and what they should be doing at national level. The proposer, Councillor Howe and seconder, Councillor Jung were happy to include this as a third recommendation.

The Chair also proposed a fourth recommendation in line with paragraph 3.24 that the Local Plan should require wherever possible all new development to be at least PV ready as a minimum standard.

The proposer, Councillor Howe sought clarification whether this referred to commercial development as well. The Chair confirmed this would be for all development.

RESOLVED:

1. That a policy approach for either demolition and/or new development that places the emphasis on seeking to minimise carbon emissions during and through the demolition and/or construction phase of development be endorsed.

2. That a Local Plan policy approach that relies on application of building regulations in respect to future energy standards for construction, rather than one that seek to exceed these standards be endorsed.
3. The Chair of Strategic Planning Committee write an open letter to the Secretary of State on behalf of the council highlighting concerns that local authorities cannot require standards that exceed Part L of Building Regulations under the written ministerial statement of the previous government and there is a need for this government to take measures to move to zero carbon development more quickly.
4. That the Local Plan should require as a minimum that all new development should be photovoltaic ready.

118 **Renewable Energy Generation Policies**

The report presented to committee sought direction from members on how they would like to progress with renewable energy generation – wind and solar farms for inclusion in the new Local Plan.

The Assistant Director – Planning Strategy and Development Management advised that as part of this work officers had looked at other authorities that had taken a more proactive approach including Teignbridge District Council. He advised that to do something similar would take time to complete and as the deadline for the examination of the Local Plan was drawing near it was officers preference to continue with the current approach to identify the areas where this could be possible. The Assistant Director – Planning Strategy and Development Management emphasised a potential risk about using this approach in that at the time of the examination of the Local Plan it could be seen that this ‘reactive’ approach that is out of step with government.

In response to the report the Chair sought clarification whether there was an opportunity to leave a ‘hook’ in the Local Plan to consider this under a Supplementary Planning Document. The Assistant Director – Planning Strategy and Development Management confirmed this could be considered.

Some members expressed disappointment about there not being enough time to do the work on the renewable energy generation policies and supported being proactive in wind power in the district.

Councillor Mike Howe proposed the following amended recommendation, seconded by the Chair.

That Committee agree to continue with the currently proposed approach for solar and wind farm development with sites that are technically suitable for these developments identified in the plan but with a criteria-based policy applied to ensure that they are acceptable in terms of impacts on the landscape, heritage assets and other planning considerations. That officers in reporting on the wording of this chapter of the Plan at a future meeting, advise on potential to include a hook in the chapter to enable the production of a Supplementary Planning Document on the subject in the future.

RESOLVED:

To continue with the currently proposed approach for solar and wind farm development with sites that are technically suitable for these developments identified in the plan but with a criteria-based policy applied to ensure that they are acceptable in terms of impacts on the landscape, heritage assets and other planning considerations be agreed and that officers in reporting on the wording of this chapter of the Plan at a future meeting, advise

on potential to include provision in the chapter to allow the production of a Supplementary Planning Document on the subject.

Attendance List

Councillors present:

J Bailey
K Blakey
C Brown
B Collins
O Davey
P Fernley
P Hayward
M Howe (Vice-Chair)
B Ingham
G Jung
Y Levine
T Olive (Chair)
H Parr

Councillors also present (for some or all the meeting)

I Barlow
R Collins
P Faithfull
J Loudoun
M Rixson

Officers in attendance:

Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor
Wendy Harris, Democratic Services Officer

Councillor apologies:

B Bailey
D Ledger

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 6 August 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 12.05 pm. The meeting was briefly adjourned at 11.15 am and reconvened at 11.25 am.

119 Minutes of the previous meeting

The minutes of the Strategic Planning Committee meeting held on 15 July 2024 were confirmed as a true record.

120 Declarations of interest

Minute 124. Devon Housing Commission Report.
Councillor Paul Hayward, Affects Non-registerable Interest, Employed by Axminster Town Council as the Town Clerk.

Minute 125. Infrastructure Funding Statement.
Councillor Paul Hayward, Affects Non-registerable Interest, Employed by Axminster Town Council as the Town Clerk.

Minute 126. Implications of the proposed reforms to the National Planning Policy Framework on the Local Plan Work Programme.
Councillor Paul Hayward, Affects Non-registerable Interest, Employed by Axminster Town Council as the Town Clerk.

121 Public speaking

Mr Persey, who had previously attended a Strategic Planning Committee meeting in October about the need for affordable rural housing, urged Members to consider whether the 5,109 families on the East Devon District Council housing waiting list could be used to identify the need for rural exception sites without the requirement for parish councils to complete a housing needs survey as only 3 parishes in East Devon had completed this survey in the last two years.

To further highlight this need it was reported that the Devon Housing Commission had emphasised the need for more rural housing and since the general election the new administration has stated 'there must be more affordable housing'.

Mr Persey suggested that East Devon District Council did not want affordable housing and referred to a pre application enquiry for 12 affordable homes in Dulford that had been refused. He emphasised the importance that East Devon needed affordable housing and referred to the Rt Hon Angela Rayner MP's letter dated 30 July sent to all local authorities which stated that it was councils responsibility to deliver affordable and social housing.

The Chair thanked Mr Persey for his comments and advised that rural affordable housing would always be considered if it was in an appropriate location and appropriately evidenced. He advised Committee Members that the rural exception sites policy for the emerging Local Plan would be considered later in the Autumn.

122 **Matters of urgency**

There was one matter of urgency discussed under item 9 on the agenda (Minute 126).

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

There were no confidential/exempt items.

124 **Devon Housing Commission Report**

The report presented to committee drew Members attention to the recently published report of the Devon Housing Commission which addressed the housing crisis in Devon. Members were asked to consider the findings and recommendations on the planning matters contained in the report which would be discussed in detail at a future Cabinet meeting.

The Assistant Director – Planning Strategy and Development Management provided a brief summary of the main findings. These included:

- Recommendation for local authorities be given greater discretion to call in any significant development using permitted rights.
- Recommendation that central government should permit the imposition of a stricter timetable for action where planning consent is granted but development has stalled.
- Recommendation that central government should permit local planning authorities to recover the full cost of processing planning applications from developers.
- Recommendation to explore the opportunities for a county-wide system of appointing and promoting planning staff to assist in the recruitment and retention of planning staff.

Prior to debate Members sought clarification on the following questions:

- In response to a question about whether parish councils would need to complete a Housing Needs Survey it was advised that if parish councils were wanting to achieve rural exception sites then the survey would be required under current policy.
- Clarification was sought on one of the other planning recommendations relating to the viability of land. The Assistant Director – Planning Strategy and Development Management advised that as local authorities do not have control on the price of land they could only make developers aware of the council's requirements from the offset to ensure that the provision of affordable housing is non-negotiable.
- Support was expressed for Recommendation 8.1 and clarification was sought on the staffing position of the Planning Department. The Assistant Director – Planning Strategy and Development Management confirmed the team was currently well resourced which included one apprentice and a planning graduate starting in September via the pathways to planning programme.
- Clarification was sought on the ratio figure for affordable housing and whether this was across the district. The council's planning obligations were intended to be a 70% - 30% split in favour of social rented properties but this has been skewed in recent years by first homes requirements by government. Members were advised that this would be looked at again for the new Local Plan in October.
- Clarification was sought on the difference between the housing list figures and the planning need figures. The Assistant Director – Planning Strategy and

Development Management was not able to provide a full answer to this question but said that he understood that the housing list was simply a record of those currently claiming to be in housing need whereas the planning figures are future projections of overall need.

- With regard to the proposed changes to the NPPF will there be an opportunity to revisit the hierarchy of settlements? It was advised that as this had already been looked at twice and had now been agreed it would not be revisited unless there were marked changes. This was currently being looked into and if required a report would be brought back to Members in October.
- Why is the Devon Wide Development Corporation not featured in this report. The Assistant Director – Planning Strategy and Development Management acknowledged that although this was featured in the Devon Housing Commission Report it was better suited for a wider discussion at Cabinet because it was more about the delivery.

Discussions covered:

- A concern was raised about the recommendation for a county-wide planning system as the good work achieved by East Devon's Planning Department would be lost.
- A concern was raised to the response to Recommendation 8.4. It was suggested that developers should start to pay council tax/business rates after 3 or 5 years if the development has been stalled. Developers should not be allowed to squirrel away planning permissions.
- Support for strategic planning for the whole county to achieve better infrastructure.
- This makes depressing reading for families in private rented accommodation – changes are needed in East Devon and there is a need to consider building upwards.
- More social housing is needed as there are a lot of families in temporary accommodation.
- It was suggested to write to the government and copying in the Devon Housing Commission to address the concerns raised by Members.
- It was suggested for the Devon Housing Commission Report to be published on the council's website to highlight to the public what the challenges are that the council faced.

Councillor Dan Ledger proposed the recommendation which was seconded by Councillor Mike Howe with a request to include the following recommendation in relation to Recommendation 8.4.

'Government should look to make changes to the legislation of council tax/business rates on sites that have made a start and not completed after 3 or 5 years or to allow the developer/landowner to rescind their planning application to avoid these charges and stopping the fallback position.'

In response the Assistant Director – Planning Strategy and Development Management acknowledged the concerns raised but advised it was not a planning matter but a change to the Business Rates Regulations but said he was happy for a letter to be sent to government if this is what members wished. It was highlighted that a report would be going to Cabinet on the wider Commission Report which may include further recommendations to write to government so the Assistant Director – Planning Strategy and Development Management suggested that the Leader should write to government in relation to Recommendation 8.4.

RESOLVED:

That the findings and recommendations of the Devon Housing Commission and officer's comments on them be noted and utilised as evidence for the production of the new Local Plan.

RECOMMENDATION TO CABINET:

That Strategic Planning Committee recommend to Cabinet that they ask the Government to consider making legislative changes to incentivise developers to bring forward sites with planning permission.

125 **Infrastructure Funding Statement**

The Assistant Director – Planning Strategy and Development Management presented the report outlining the annual Community Infrastructure Levy (CIL) and Section 106 income (S106) and expenditure figures for the previous financial year 2022/23. It was explained that due to staff resourcing issues it had not been possible to produce the annual statement to the required timetable and that a more detailed and helpful report would be produced for the next financial year for members consideration.

Questions and discussions included:

- A concern was raised about the £10m unspent CIL and S106 money and the need to get the money out to communities and to start the process as a matter of urgency. In response it was explained that staff resourcing issues had been the main problem which had now been resolved and that the CIL Member Working Group had recently met to discuss the spend process.
- It was suggested that a time limit should be put on successful projects.
- Clarification was sought on the bidding process. The Assistant Director – Planning Strategy and Development Management explained that bids would be invited via a bidding form from the main strategic infrastructure providers in the district which would then be reviewed by the CIL Member Working Party and a final decision of the projects to be funded would be made by Strategic Planning Committee Members by the end of this calendar year.

Councillor Jess Bailey proposed an additional recommendation as follows:

That the Strategic Planning Committee notes that EDDC hold circa £10m in CIL and S106 monies and urges the Cabinet to finalise the bidding process for these funds as soon as possible

The Chair, Councillor Todd Olive, the proposer of the written recommendations sought guidance from the Assistant Director – Planning Strategy and Development Management that he was happy with the additional recommendation. He advised that he was happy but that the CIL Member Working Party would be better suited rather than Cabinet.

Councillor Dan Ledger proposed the following further recommendation to Cabinet:

That any future interest receipts from CIL monies received is ring fenced for the purpose of infrastructure funding and it should not be put in the council's general fund.

Following a suggestion from Councillor Paul Hayward to also include Section 106 monies in the recommendation the proposer, Councillor Todd Olive proposed the following wording.

Recommend that Cabinet examine the case for ring fencing all future interest receipts from CIL and S106 monies to be spent on infrastructure within East Devon.

RESOLVED:

1. That the contents of this report and the requirement to provide an annual Infrastructure Funding Statement be noted.
2. That the publication and submission to government of the 2022/23 annual Infrastructure Funding Statement based on the information detailed in this report be approved.
3. To note that EDDC holds circa £10m CIL and S106 monies and recommends that the CIL Working Party progress the spending as a matter of urgency.

RECOMMENDED TO CABINET:

That Strategic Planning Committee recommend to Cabinet to examine the case for ring fencing all future interest receipts from CIL and S106 monies to be spent on infrastructure within East Devon.

126 **Implications of the proposed reforms to the National Planning Policy Framework on the Local Plan Work Programme**

The report presented to the committee provided a number of key changes in the government's consultation to the new National Planning Policy Framework (NPPF) which would have a direct impact on the production of East Devon's Local Plan.

These changes would include:

- the change to the calculation of the housing requirement figures which would increase the housing requirement figure for East Devon from 893 homes per annum to 1,146 homes per annum.
- reintroducing a 5% buffer for the purposes of demonstrating a 5-year housing land supply.
- The withdrawal of a 4-year land supply requirement.

The Assistant Director – Planning Strategy and Development Management advised in light of these changes Members had two options to consider with regard to progressing the Local Plan.

1. Seek to publish a publication version of the plan within 1 month of publication of the revised NPPF and ensure that the plan provides for at least 946 homes per annum plus headroom. In these circumstances the plan would be examined against the December 2023 version of the NPPF and not the new version.
2. Pursue a new Local Plan in accordance with the new NPPF and in so doing comply with the new standard method requirement of at least 1,146 homes per annum plus the required 5% buffer and any headroom. Under the consultation the plan would need to be submitted for examination no more than 18 months after the publication of the revised NPPF.

Members noted that officer's preference was for option 1 and to progress with the Local Plan as soon as possible.

Questions and discussion included:

- The Chair sought clarification from the Assistant Director – Planning Strategy and Development Management about whether options 1 and 2 were viable options. In response it was confirmed that option 1 was still an option but that it was very

unlikely that option 2 could be achieved. The Assistant Director – Planning Strategy and Development Management advised that officers were very concerned about the increase in housing numbers and that there would be significant challenges ahead to meet these numbers.

- Clarification was sought on Green Wedges and whether these will be affected with the new NPPF. Members will need to consider allocating numbers in the less sensitive areas which will be a challenge to prevent settlement coalescence.
- Support was expressed for option 1 and to get the Local Plan finished as quickly as possible.
- Clarification was sought on which NPPF the council should follow. It was advised that work should continue in line with the December publication of the NPPF unless and until any proposed reforms had been incorporated into the NPPF. Although, members should be mindful of the proposed reforms.

RESOLVED:

That Strategic Planning Committee agreed to progress plan production under the previously agreed timetable with the intention of publishing a Regulation 19 within 1 month of publication of the new NPPF. The plan to be based on a housing requirement of at least 946 homes per year in order to benefit from the transitional arrangements proposed within the 'Proposed reforms to the National Planning Policy Framework and other changes to the planning system' consultation document.

Attendance List

Councillors present:

B Bailey
J Bailey
K Blakey
C Brown
B Collins
P Fernley
P Hayward
M Howe (Vice-Chair)
G Jung
D Ledger
Y Levine
T Olive (Chair)
H Parr

Councillors also present (for some or all the meeting)

I Barlow
R Collins
P Faithfull

Officers in attendance:

Wendy Harris, Democratic Services Officer
Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor

Councillor apologies:

O Davey

B Ingham

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 3 September 2024

Attendance list at end of document

The meeting started at 10.03 am and ended at 5.43 pm

127 Minutes of the previous meeting

The minutes of the previous meeting held on 6 August 2024 were confirmed as a true record.

128 Declarations of interest

Minute 135 to 142.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution the Chair, Councillor Todd Olive, advised of extensive lobbying to all members in respect of the proposed housing site allocations.

Minute 135 to 142.

Councillor Matt Hall, Affects Non-registerable Interest – He works as a Planning Officer for Exeter City Council.

129 Public speaking

Susie Culhane spoke on The Exmouth and Surrounds Local Plan Member Working Group note of discussions, and the Feedback on potential development sites at Exmouth and Lympstone in respect of Coastal Preservation Area and Green Wedge designation report. In her community, concerns had been raised about infrastructure capacity to cope with the needs of Exmouth and the surrounding areas. She asked if the unspent CIL funding could be utilised for this purpose as a matter of priority.

The Assistant Director for Planning explained the process in relation to the CIL funding, including consideration of bids later in the year for infrastructure projects.

130 Matters of urgency

None.

131 Confidential/exempt item(s)

None.

132 Notes of the CIL Working Party 1 August 2024

The notes of the CIL working party held on 1 August 2024 were confirmed as a true record.

133 Housing Requirement Report

The Assistant Director for Planning Strategy and Development Management set out his report to the Committee.

The Committee had previously discussed the housing requirement in August, when it was resolved that the emerging Local Plan should include a requirement of at least 946 homes per year. The report set out the housing requirement in more detail by identifying how many homes have already been built or have planning permission in the plan period. Windfall site expectations are then added to the total, to leave a remaining number of dwellings that should be allocated as sites, or broad locations for growth in the emerging Local Plan.

The calculations show that the current projected housing supply across the Local Plan period is sufficient to meet the requirement of 20,812 dwellings. However, the supply figure falls short of the Officer recommended 10% headroom by a total of 1,828 dwellings, with the supply headroom currently standing at 253 dwellings, or 1.2%. This figure needs to be kept under review as work progresses.

In addition, the report recommended adding two years to the plan period, to meet the National Planning Policy Framework (NPPF) requirement that plans should look ahead over a minimum of 15 years from adoption.

Discussion on the report included what weight a planning Inspector may place on an agreed percentage of headroom, and if the amount proposed in the report was normal practice for Local Authorities. In response, the figure was indeed good practice, and the reasons for a headroom element were explained including to provide resilience to maintaining a five year land supply.

RESOLVED that

1. The end date of the new Local Plan period be extended by two years to the year 2042;
2. The emerging Local Plan total housing requirement is 20,812 dwellings but is currently short of the officer recommended figure for an additional 10% of supply headroom;
3. The emerging Local Plan housing requirement can be met, subject to agreement on site allocations at this and future meetings; be noted.

134 Proposed Housing Site Allocations - Exmouth and surrounding areas

The committee considered the proposed site allocations for Exmouth and surrounding areas, as set out in these minutes.

135 Exmouth Site Selection Report

Exmo_50 Exmouth Police Station

Proposed use: Housing and redeveloped police station

Number of dwellings: 20

Officer recommendation: Allocate

A statement was read out on behalf of ESCAPE (End Sewage Convoys and Pollution in Exmouth) on this site, but was also applicable to all other sites that would feed wastewater to Maer Lane treatment works. The statement covered the increase in population growth in the area, along with the current over-capacity on the current treatment works and the repeated failure of the sewer infrastructure. ESCAPE therefore recommended that planning development is refused until South West Water carried out a

full review, led by an independent expert, to lead to the production and delivery of a fit for purpose sewage infrastructure.

Officers advised the committee that there was continued engagement with South West Water, and they were very aware of the issues. The committee were charged with consideration of allocation of sites at this stage, and not conditions on planning applications.

Inclusion for allocation was proposed by Cllr Davey and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo_50 in the site allocation.**

Exmo_03 land at bottom of Bampton Lane

Proposed use: Housing

Number of dwellings: 5

Officer recommendation: Not for allocation

Committee **agreed to move on to the next site allocation.**

Exmo_23 Courtlands Barn, Courtlands Lane

Proposed use: Housing

Number of dwellings: 12

Officer recommendation: Allocate

Ward Member Councillor Tim Dumper spoke against the allocation on the grounds of the site being in the coastal protection area, and if developed would result in coalescence of Exmouth and Lympstone which was not supported by local residents.

Committee debated the poor access issues and the opposition locally to the site.

A proposal to move onto the next site failed.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr Hayward.

Committee **endorsed the recommendation to include Exmo_23 in the site allocation.**

Lymp_07 Land at Courtlands Cross, Exeter Road, Lympstone

Proposed use: Housing

Number of dwellings: 100

Officer recommendation: Allocate

Susie Culhane spoke in objection to the allocation, citing reasons of green wedge, and historical refusal of a planning application. She outlined some of the characteristics of the site and expressed concern of the single track access, as well as the lack of suitable water treatment system

Helen Dimond reminded the committee of the view of the Planning Inspector in 2012 and felt that to remove the green wedge between the settlements was not appropriate.

Susan Francis from Lympstone Parish Council outlined their concerns regarding the ecological impact and the risk of coalescence.

The committee discussed other reasons for not including the site, including the proximity of a grade 1 listed wall and the impact on Lympstone Manor. Officers confirmed that the

site was sensitive but could still be put forward as an allocation site with further work on mitigation of adverse impacts.

Committee **agreed to move on to the next site allocation.**

Lymp_12 Land fronting A376 and Summer Lane

Proposed use: Housing

Number of dwellings: 14

Officer recommendation: Allocate

Committee **agreed to move on to the next site allocation.**

Lymp_08 Land off Summer Lane, Exmouth

Proposed use: Housing

Number of dwellings: 174

Officer recommendation: Not to allocate

Susie Culhane spoke in objection to the allocation, citing reasons of greed wedge, and the need for a robust water treatment system.

Elements discussed by the Committee included future plans for a cycle route on the current access, which would be difficult to achieve. Other members felt it could work and should be included.

A proposal for inclusion of the site failed.

Committee **agreed to move on to the next site allocation.**

Exmo_04 Land at Marley Drive, Lympstone

Proposed use: Housing

Number of dwellings: 50

Officer recommendation: Allocate

Andrew Roberts spoke against the allocation of this and related sites Lymp_09 and Lymp_10a on the grounds that these were green field sites, adverse impact on the brook, ponds and existing oaks on site, and risk of coalescence. Access to Lump_09 was not acceptable and the site would adversely impact on historic woodlands. There was also no pedestrian access on the road relating to site Lymp_10a. He asked the committee to take account of the views of both residents and the local councils as he felt those had been ignored.

Ward Member Maddy Chapman rejected the allocation on the grounds of the impact on wildlife and the natural watercourses. She referenced a rejection from Natural England.

Committee members raised issues of the adverse impact on other natural areas including the Pebblebed heaths, and that the access was not sustainable.

Committee **agreed to move on to the next site allocation.**

Lymp_09 Land fronting Hulham Road

Proposed use: Housing

Number of dwellings: 54

Officer recommendation: Allocate

Helen Dimond spoke against the allocation for reasons of flood risk, whereby water currently drained into the site leading to flashing run off to the village. Any development will only exacerbate this problem.

Susan Francis representing Lympstone Parish Council also raised flood risks as outlined by the previous speaker, as well as the impact of increased traffic, unsuitable pavements and too remote from facilities, making the site unsustainable.

The committee discussed the previous discounting of the site and questioned adding it now as an allocation, Others referenced the need to deal with issues such as flood alleviation and traffic as part of the planning application process.

A proposal for including the site in the allocation failed.

Committee **agreed to move on to the next site allocation.**

Lymp_10 (a & b) land off Hulham Road, Lympstone

Proposed use: Housing

Number of dwellings: 100

Officer recommendation: Allocate

Andrew Roberts spoke against the allocation, outlining the lack of pedestrian access.

Susan Francis, representing Lympstone Parish Council, made reference to some of report detail that stated that sections of the site were remote and therefore too remote for dwellings.

Committee discussed aspects that could be resolved as part of the planning application process. Others raised aspects that they felt were not sustainable for the site, including distance to reach local shops.

Committee **agreed to move on to the next site allocation.**

Lymp_14 Coles Field, Hulham Road

Proposed use: Housing

Number of dwellings: 59

Officer recommendation: Allocate

Andrew Roberts spoke against the allocation, outlining the increased traffic in the area if developed, along with a planned industrial estate nearby. This would lead to unacceptable danger around the primary school site. Brixington facilities were also limited, making this site unsustainable.

Susan Francis of Lympstone Parish Council informed the committee that they had already been approached by the developer but objected to the site, due to the location in countryside, and being isolated from the village. She also explained issues of impact on wildlife, pedestrian safety and poor access.

Simon Collier, representing Eagle Investments Ltd spoke in support of the allocation and explained where access would be along the western boundary of the adjacent development.

The committee discussed the need to resolve the access and the potential for a cycle route to link up to Dinan Way.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr Levine.

Committee **endorsed the recommendation to include Lymp_14 in the site allocation.**

Lymp_13 Kings Garden Centre, Higher Hulham Road

Proposed use: Housing

Number of dwellings: 25

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Lymp_17 Land at Marley House

Proposed use: Housing

Number of dwellings: 80

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Exmo_07 Bystock Court, Old Bystock Drive

Proposed use: Housing

Number of dwellings: 40

Officer recommendation: Not to allocate

Ward Member Maddy Chapman outlined reasons for not including the site.

The committee agreed with the officer recommendation not to allocate the site for reasons set out in the report.

Committee **agreed to move on to the next site allocation.**

Exmo_21 Land east of Bystock Court

Proposed use: Housing

Number of dwellings: 40

Officer recommendation: Not to allocate

Ward Member Maddy Chapman outlined reasons for not including the site.

The committee agreed with the officer recommendation not to allocate the site for reasons set out in the report.

Committee **agreed to move on to the next site allocation.**

Exmo_20a Land at St Johns, Exmouth

Proposed use: Housing development; if developed other uses

Number of dwellings: 550

Officer recommendation: Not to allocate

Simon Collier representing Eagle Investments Ltd advised committee that the site was available and could open up access to woodland. He outlined the scale and type of development that could occupy the site of this size.

Ward Member Councillor Matt Hall stated that there were a number of issues with the site, including the ecology, and the poor access, making the site unsustainable. Due to the size of the site and expected homes, this would result in considerable impact on already stretched services in the area. He spoke of the “golden triangle” of land expansion in the area but felt that this site alone was too small to attract the necessary scale of s106 monies needed to support such growth.

The committee were reminded that more analysis of the site was required, particularly on reservations about the access to the site, although if taken into account along with Exmo_20b this may offer an improved means of access. Committee debated the need to carefully consider access and by mindful of St Johns In the Wilderness in that area.

Inclusion for allocation, against officer recommendation, was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Exmo_20 in the site allocation.**

Exmo_20b Land North of Liverton Business Park

Proposed use: Housing development

Number of dwellings: 150

Officer recommendation: Allocate

Simon Collier representing Eagle Investments Ltd advised committee that the site was available and of a suitable size for rapid delivery. It was well connected in the landscape with minimal visual impact, with access at the western boundary and close to services and bus routes.

Ward Member Councillor Matt Hall stated that this site alone could not be supported as it would not deliver enough s106 monies to support infrastructure. He asked the committee to look at the wider picture, not at individual small sites.

Inclusion for allocation was proposed by Cllr Ingham and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo_20b in the site allocation.**

Exmo_24 Land to the North of Salterton Road

Proposed use: Mixed use

Officer recommendation: Not to allocate

Clare James, on behalf of Clinton Devon Estates, spoke of ongoing engagement with the Council. She felt that the site was sustainable and in a good location on a transport corridor.

Ward Member Councillor Matt Hall advised that the site did not work as a stand alone site, but could work if part of a masterplan area. He did not feel the site alone was sustainable and was not of a sufficient size to generate s106 monies.

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

Exmo_18 Land directly to the East of Liverton Business Park

Proposed use: 2.8 hectares of employment land

Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She spoke on the high demand for employment use land, with a good connection to the neighbouring business park.

Ward Member Councillor Matt Hall, advised that he supported the site for employment use due to the need for local jobs. He felt it was key to link with the County Council to make a request for a junction onto the road; and that the Dinan Way improvements go ahead as planned.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr H Parr.

Committee endorsed the recommendation to include Exmo_18 in the site allocation.

Exmo_17 Land to the South of Littleham

Proposed use: Mixed use development

Number of dwellings: 410

Officer recommendation: Allocate

Roger Gibson advised the committee that to include this site would not preserve the natural landscape as set out in the 2016 Exmouth neighbourhood plan. It would lead to a loss of productive farmland, wildlife habitat and more pressure on local services. He suggested other sites that could offer affordable apartments should be considered instead.

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She outlined the feasibility study undertaken, and the detailed design would incorporate an element of affordable housing, as well as employment land and an improvement to the local junction to Liverton Business Park.

Ward Member Councillor Nick Hookway, spoke against the inclusion of the site, advising that this would set a dangerous precedent for other development. He advised the committee of the topography of the site, being prominently visible due to its height and exposed location.

Ward Member Councillor Anne Hall advised that as the site was classified in the national landscape, it was contrary to the NPPF. Public consultation on the coastal protection area to include this site in that protection received strong public support.

The Committee were reminded that classification of being a National Landscape was the highest designation for a site, and the site was only recommended with the greatest reluctance.

Inclusion for allocation was proposed by Cllr Davey and seconded by Cllr Ingham.

Committee endorsed the recommendation to include Exmo_17 in the site allocation.

Exmo_06 Douglas Gardens, Exmouth

Proposed use: Housing development

Number of dwellings: 44
Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site, which had a resolution to grant planning in 2003.

Ward Member Councillor Anne Hall, advised that the site would not deliver the type of housing needed by the local community.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Howe.

Committee **endorsed the recommendation to include Exmo_06 in the site allocation.**

Exmo_08 Littleham Fields, Exmouth

Proposed use: Housing development
Number of dwellings: 40
Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She outlined the scoping undertaken, including access to the site through the neighbouring new development.

Ward Member Councillor Anne Hall, advised that the site was a bolt on to the neighbouring new development, and that it offered no additional facilities.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo_08 in the site allocation.**

Exmo_16 Land to the rear of Elm Lane

Proposed use: Housing development
Number of dwellings: 5
Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She cited grounds of the sustainable location and that it should be considered as an in-fill site.

Ward Member Councillor Anne Hall, spoke against including the site for allocation. Mitigating measures were required for the Flood Zone 3 site, and amenities were not within walking distance.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo_16 in the site allocation.**

136 **Lympstone Site Selection Report**

Lymp_01 Little Paddocks, 22 Underhill Crescent, Lympstone

Proposed use: Housing
Number of dwellings: 14
Officer recommendation: Allocate

Helen Dimond outlined the flood risks related to the site, which she opposed for allocation. The expansion was too large for the village facilities to accommodate.

Susan Francis of Lympstone Parish Council also raised concerns about flood risk if the site was developed, and advised that there was a current planning application for two dwellings on the site. However the local parish did consider that some scale of development could be achieved on the site.

Chris Wintrell as landowner outlined details of the site including mitigation for water. He advised that the site was close to village amenities.

Committee discussed the close proximity of the site to the village.

Inclusion for allocation was proposed from the chair by Cllr Olive.

Committee **endorsed the recommendation to include Lymp_01 in the site allocation.**

GH/ED/72 Land at Meeting Lane, Lympstone

Proposed use: Housing
Number of dwellings: 131
Officer recommendation: Not to allocate

A statement from Jane Moffatt was read out which outlined reasons against allocation of the site, which included reasons of being in the coastal protection area, the lack of infrastructure to support development on this scale, flooding issues, and being unsustainable.

Ken Perry representing Lympstone Parish Council, felt that the site could be included but required work on drainage and waste water management to make it viable.

Steve Parks, as landowner, outlined the type of housing that could be on the site, and advocated the connections to local facilities. Nutwell Road would provide access.

Committee raised the issue of the visual impact on the norther boundary.

Committee **agreed to move on to the next site allocation.**

GD/ED/73 Land North West of Strawberry Hill, Lympstone

Proposed use: Housing
Number of dwellings:46
Officer recommendation: Allocate

A statement from Jane Moffatt was read out which outlined reasons against allocation of the site, which included reasons of being in the coastal protection area, the lack of infrastructure to support development on this scale, flooding issues, and pedestrian safety.

Susan Francis representing Lympstone Parish Council, objected to the inclusion of this site for reasons of considerable work to make the site viable.

Simon Collier, on behalf of Eagle Investments, spoke about the viability of the site and explained that the site did not have views to the sea or estuary.

Committee discussed the need to mitigate issues at the planning stage but felt the site could be included.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Olive.

Committee **endorsed the recommendation to include GD/ED/73 in the site allocation.**

GD/ED/74 Land at Strawberry Hill, Lympstone

Proposed: Housing

Number of dwellings: 141

Recommendation: Not to allocate

Susan Francis, representing Lympstone Parish Council, did not support the allocation and outlined issues with watercourses through the site.

Committee **agreed to move on to the next site allocation.**

GD/ED/75 Land off Grange Close, Lympstone

Proposed: Housing

Number of dwellings: 6

Recommendation: Not to allocate

Susan Francis, representing Lympstone Parish Council, did not support the allocation and outlined issues of habitat loss and unacceptable access points.

Committee **agreed to move on to the next site allocation.**

137 **Woodbury Site Selection Report**

Wood_04 Land off Globe Hill, Woodbury

Proposed: Housing

Number of dwellings: 28

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_06 Land to rear of Orchard House, Globe Hill, Woodbury

Proposed: Housing

Number of dwellings:30

Recommendation: Allocate

A representative from Woodbury Parish Council, spoke in support of the allocation and outlined benefits to the local community.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Ingham.

Committee **endorsed the recommendation to include Wood_06 in the site allocation.**

Wood_07 Land off Globe Hill, Woodbury

Proposed: Housing

Number of dwellings: 9

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_09 Land off Globe Hill, Woodbury

Proposed: Housing

Number of dwellings: 28

Recommendation: Allocate

Roger Stokes spoke in objection to the allocation, setting out reasons of poor access and as heritage grounds alongside a grade 3 listed building. The site had originally been purchased to prevent building on it, and now acted as a wildlife corridor as well as a landing spot for the air ambulance.

A representative from Woodbury Parish Council spoke in support of the site and that development of it would improve the village centre.

Inclusion for allocation was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Wood_09 in the site allocation.**

Wood_10 Land at Gilbrook, Woodbury

Proposed: Housing

Number of dwellings: 60

Recommendation: Allocate

Cheryl McGauley spoke as a local resident in objection, citing reasons of pedestrian safety as a major issue and the road and bridge not being suitable for the level and type of traffic developing the site would create.

Peter Oliver, a local resident, outlined his grave concerns for the safety of road users and questioned the measurements used for tractors in calculating the width of access. Visibility was also very poor and the area had a history of accidents.

Woodbury Parish Council did not support the allocation due to reasons of the inability to assign space for safe pedestrian access into Woodbury.

Simon Collier, spoke in support, outlining the good range of local facilities and the lack of objection from statutory consultees in the outline application currently in place.

The committee were advised of the work on the current application, but the aspects put forward for pedestrian safety were still challenged locally.

Committee **agreed to move on to the next site allocation.**

Wood_11 Land at rear of Escot Cottages, Broadway, Woodbury

Proposed: Housing
Number of dwellings: 5
Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_12 Land to the East of Higher Venmore Farm, Woodbury

Proposed: Housing
Number of dwellings: 141
Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_14 Land West of Pound Lane, Woodbury

Proposed: Housing
Number of dwellings: 18
Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_16 Land of Broadway (phase 2) Woodbury

Proposed: Housing
Number of dwellings: 67
Recommendation: Allocate

Woodbury Parish Council spoke in support of the site but there were still concerns on related traffic impact and pedestrian safety that needed resolution. There was a request for the provision of a crossing and close liaison with the Parish.

Clare James on behalf of Clinton Devon Estates outlined that the site was ready to proceed with a developer in place and permission granted in November 2023.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Ingham.

Committee **endorsed the recommendation to include Wood_16 in the site allocation.**

Wood_20 Land at Town Lane, Woodbury

Proposed: Housing
Number of dwellings: 28
Recommendation: Allocate

Woodbury Parish Council did not support the site, due to the narrow nature of Town Lane and the access to the local primary school was already dangerous, with poor visibility.

Clare James on behalf of Clinton Devon Estates, spoke in support of the site and outlined the type of development and considered as an in-fill site. Access could be discussed further based on concerns raised.

A proposal to include the site failed

Committee **agreed to move on to the next site allocation.**

Wood_23 Ford Farm, Woodbury

Proposed: Housing

Number of dwellings: 18

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_24 Land North East of Webbers Meadow, Castle Lane, Woodbury

Proposed: Housing

Number of dwellings: 45

Recommendation: Not to allocate

Simon Stokes, representing the site owners, spoke in support of the site and outlined the housing density of the site that could still leave a good amenity proportion, as well as joining the existing bridleway with a new footpath.

Committee **agreed to move on to the next site allocation.**

Wood_37 Cricket Field off Town Lane, Woodbury

Proposed: Housing

Number of dwellings: 81

Recommendation: Not to allocate

Clare James on behalf of Clinton Devon Estates, spoke in support of the site. Housing could be designed around the existing cricket pitch and there was no intention to diminish the value of the pitch.

Committee **agreed to move on to the next site allocation.**

Wood_42 Webbers Farm, Castle Lane, Woodbury

Proposed: Housing

Number of dwellings: 101

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_46 West of Wood_10

Proposed: Housing

Number of dwellings: 23

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_31 Woodbury Business Park, Woodbury

Proposed: Employment land

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Wood_38 Land at Greendale Barton

Proposal: 71.2 hectares employment land

Recommendation: Not to allocate

Woodbury Parish Council spoke against the allocation of the site, to protect the woodland there.

Colin Danks, representative of the landowner, outlined the continued demand for business space, the rapid rate that the land could come into use, and the consequences of not meeting the demand of businesses already at Greendale Barton.

Committee **agreed to move on to the next site allocation.**

139 **Exton Site Selection Report**

Wood_01 Field 4583, Exmouth Road, Exton

Proposal: Housing

Number of dwellings: 14

Recommendation: Allocate

Woodbury Parish Council supported the allocation, providing that the flooding issues are resolved before any development takes place.

Inclusion of allocation was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Wood_01 in the site allocation.**

Wood_28 Land to the North and East of Exton Farm, Exton

Proposal: Housing

Number of dwellings: 39

Recommendation: Allocate

Woodbury Parish Council supported the allocation, providing that the flooding issues, particularly relating to Maer Lane, are resolved before any development takes place.

Clare James on behalf of Clinton Devon Estates explained that work was ongoing with tenants further upstream on the issue of flood risk.

Inclusion of allocation was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Wood_28 in the site allocation.**

Wood_41 Land adjacent A376 Exeter Road, Exton

Proposal: Housing

Number of dwellings: 225

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

140 **Budleigh Salterton Site Selection Report**

BudI_01 Land adjacent to Clyst Hayes Farmhouse

Proposal: Housing

Number of dwellings: 355

Recommendation: Not to allocate

Clare James on behalf of Clinton Devon Estates spoke in support of the site.

Councillor Doorbar of Budleigh Town Council spoke against including the site, due to grade 1 agricultural land being at a premium, and a lack of infrastructure.

Committee **agreed to move on to the next site allocation.**

BudI_02 Land at Barn Lane, Knowle

Proposal: Housing

Number of dwellings: 25

Recommendation: Allocate

Councillor Doorbar of Budleigh Town Council spoke against the allocation of the site, including that pedestrian access and speeding in that area was still an issue.

Simon Coles, representing Wayne Homes, supported the allocation and asked the committee to consider an increase in the number of dwellings for the site, as capacity was felt to be for 35 dwellings.

A statement was read out on behalf of Ward Member Charlotte Fitzgerald, who supported the application.

Ward Member Melanie Martin also spoke in support of the allocation.

Inclusion of allocation was proposed by Cllr Jung and seconded by the Chair.

Committee **endorsed the recommendation to include BudI_02 in the site allocation.**

BudI_03 Land at Barn Lane, Knowle

Proposal: Housing

Number of dwellings: 40

Recommendation: Not to allocate

Clare James on behalf of Clinton Devon Estates spoke in support of the site and work that would provide safe access to the town.

Committee viewed photographs of the site and were reminded of the classification of the site as National Landscape, the highest classification of protection. Such sites would not usually be put forward for allocation, but the pressure of meeting the requirements meant that the site had been included. Committee felt this was an unacceptable use of grade 1 farmland.

Committee **agreed to move on to the next site allocation.**

BudI_05 Little Knowle

Proposal: Housing

Number of dwellings: 5

Recommendation: Not to allocate

Councillor Doorbar of Budleigh Town Council spoke against the allocation of the site, including that the site was an attractive feature in the Streetscene currently and added to the risk of flooding if developed.

Clare James on behalf of Clinton Devon Estates, felt the site should be included as it was close to facilities and could support modest development.

Committee **agreed to move on to the next site allocation.**

Budl_06 Budleigh Salterton Community Hospital

Proposal: Housing

Number of dwellings: 20

Recommendation: Not to allocate

Councillor Doorbar of Budleigh Salterton Town Council spoke of the success of the current hospital hub and felt the site should not be allocated.

Committee **agreed to move on to the next site allocation.**

141 **East Budleigh Site Selection Report**

Ebud_01 Land off Frogmore Road, East Budleigh

Proposal: Housing

Number of dwellings: 22

Recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site with good connections to facilities.

Inclusion of allocation was proposed by Cllr Jung and seconded by Cllr Ingham.

Committee **endorsed the recommendation to include Ebud_01 in the site allocation.**

142 **Otterton Site Selection Report**

Otto_01 Bell Street

Proposal: Housing

Number of dwellings: 10

Recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site, including good connections to transport and local facilities.

Inclusion of allocation proposed by Cllr Howe, seconded by Cllr Jung.

Committee **endorsed the recommendation to include Otto_01 in the site allocation.**

Otto_02 Adjacent to North Star

Proposal: Housing

Number of dwellings: 8

Recommendation: Not to allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site, as an in-fill site.

Committee sought advice on the flood zone classification, and if that could be overcome through planning conditions.

Inclusion of allocation, against officer recommendation, proposed by Cllr Ingham, seconded by Cllr Jung.

Committee **endorsed to include Otto_02 in the site allocation against officer recommendation.**

Otto_15 Hayes Lane

Proposal: Housing

Number of dwellings: 32

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Otto_04 Rydon Close

Proposal: Housing

Number of dwellings: 32

Recommendation: Not to allocate

Committee **agreed to move on to the next item.**

(a) Exmouth and Surrounds Local Plan Member Working Group Note of Discussions

The committee noted this item for information.

(b) Feedback on potential development sites at Exmouth and Lypstone in respect of Coastal Preservation Area and Green Wedge Designation

The committee noted this item for information.

Attendance List

Councillors present:

B Bailey

C Brown

O Davey

P Fernley

P Hayward

M Howe (Vice-Chair)

B Ingham

G Jung

Y Levine

T Olive (Chair)

H Parr

Councillors also present (for some or all the meeting)

I Barlow

J Brown

M Chapman

R Collins
T Dumper
P Faithfull
M Martin

Officers in attendance:

Matthew Dickins, Planning Policy Manager
Ed Freeman, Assistant Director Planning Strategy and Development Management
Debbie Meakin, Democratic Services Officer
Damian Hunter, Planning Solicitor

Councillor apologies:

J Bailey
B Collins

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 11 September 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 4.30 pm. The meeting was adjourned for lunch at 12.30 pm and reconvened at 2.00 pm. Further brief adjournments took place at 11.25 am reconvening at 11.30 am and 3.25 pm and reconvening at 3.35 pm.

143 Declarations of interest

Minute 147 to 157.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution the Chair, Councillor Todd Olive, advised of extensive lobbying to all members in respect of the proposed housing site allocations.

Minute 153. Seaton Site Selection Report.

Councillor Dan Ledger, Affects and prejudicial Non-registerable Interest, Lives opposite Seat_02 - land at Barnards Hill Lane, Seaton.

Minute 153. Seaton Site Selection Report.

Councillor Paul Hayward, Affects Non-registerable Interest, Family members live close to Seat_02 - land at Barnards Hill Lane, Seaton and Seat_13a - land adjacent to Axe View Road, Seaton.

144 Public speaking

There were no public speakers.

145 Matters of urgency

There were no matters of urgency.

146 Confidential/exempt item(s)

There were no confidential or exempt items.

147 Proposed Housing Site Allocations - Sidmouth and surrounding areas

The committee considered the proposed site allocations for Sidmouth and surrounding areas, as set out in these minutes

148 Sidmouth Site Selection Report

Sidm_17 Peak Coach House, Cotmaton Road & The Belvedere, Peak Hill Road

Proposal: Housing

Number of dwellings: 8

Recommendation: Not to allocate

Councillor Helen Parr proposed to move on, seconded by Councillor Ben Ingham.

Committee **agreed to move on to the next site allocation.**

Sidm_12 The Hams, Fortescue Road

Proposal: Housing

Number of dwellings: 62

Recommendation: Not to allocate

A statement was read out on behalf of Ward Member Councillor John Loudoun, who did not support the site allocation.

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_13 Land adjoining Fortescue Road

Proposal: Housing/mixed

Number of dwellings: 43 plus hotel

Recommendation: Not to allocate

Richard Eley, the landowner spoke in support of the allocation and expressed disappointment with the altered version of the proposal which had been done without consent and suggested that committee defer this site allocation to the next meeting so that members can view the correct evidence and to consider the options available.

The Assistant Director Strategic Planning and Development Management explained that officers assessment had only included the parts of Mr Eley's site that were to be developed. Further proposals for recreation and wildlife areas did not need to be allocated in the plan and could not be reasonably secured and so could not be considered through the Local Plan allocations process.

Committee considered the advice given.

A statement was read out on behalf of Ward Member, Councillor John Loudoun, who did not support the site allocation.

Councillor Ben Ingham proposed to move on seconded by Councillor Helen Parr.

Committee **agreed to move on to the next site allocation.**

Sidm_14 Land adjacent to Stevens Cross Close (east side), Sidford

Proposal: Housing

Number of dwellings: 12

Recommendation: Not to allocate

A short statement was read out by Ward Member Councillor John Loudoun who did not support the site allocation.

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_29 Land at Two Bridges, Sidford

Proposal: 1.63 ha employment land
Recommendation: Allocate

Councillor Lockyear, representing Sidmouth Town Council spoke in objection of the site as there was no clear need for this additional employment land which would affect the Green Wedge between Sidford and Sidbury and the access onto the A375 was unsuitable for heavy traffic.

Philip Wragg, representing the Sid Vale Association spoke in objection as there was no evidence to demonstrate the need for more employment land, the impact on the National Landscape and the loss of Green Wedge between Sidford and Sidbury.

Committee considered advice about the need for employment land in the district which had been identified in the up-to-date Economic Needs Assessment.

Paul Sheldon-Matthews objected as it would create misery for residents in Sidford, Sidbury and parts of Sidmouth and should be located close to existing infrastructure, namely Exeter Airport or Skypark.

A statement was read out by Ward Member Councillor John Loudoun who did not support the site allocation.

Councillor Paul Hayward proposed not to allocate, against officer recommendation, seconded by Councillor Jess Bailey.

Committee **endorsed not to include Sidm_29 in the site allocation against officer recommendation.**

Sidm_30 Redwood Road Sidmouth

Proposal: Housing
Number of dwellings: 30
Recommendation: Not to allocate

A short statement was read out by Ward Member Councillor John Loudoun who did not support the site allocation.

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_02 Land at Sidford High Street

Proposal: Housing
Number of dwellings: 124
Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_04 Land to the West of The Lookout, Coreway, Sidford

Proposal: Housing
Number of dwellings: 10
Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_06 Land west of Two Bridges Road, Sidford

Proposal: Housing

Number of dwellings: 30 for Sidm_06a, 238 for Sidm_06b

Recommendation: Allocate Sidm_06a, Not to allocate Sidm_06b

Councillor Lockyear, representing Sidmouth Town Council strongly objected to the site allocation for Sidm_06a as the area was prone to flooding, it would be built in part of the National Landscape and would encroach on the Green Wedge between Sidford and Sidbury.

Liz Lees representing the Sid Vale Association objected to the site allocation raising concerns about the insufficient local infrastructure.

Ward Members Councillor Marianne Rixson and Councillor Mike Goodman did not support the site allocation as it would affect the creeping coalescence between Sidford and Sidbury, the land was unsuitable due to frequent flooding and set a precedent for future building in this area.

Inclusion of allocation Sidm_06a proposed by Councillor Mike Howe, seconded by Councillor Olly Davey.

Committee **endorsed to include Sidm_06a in the site allocation.**

The Chair proposed to move on for Sidm_06b

Committee **agreed to move on to the next site allocation.**

Sidm_19 Land at Dark Lane, Sidmouth

Proposal: Housing

Number of dwellings: 8

Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_20 Station Yard, Station Road, Sidmouth

Proposal: Housing

Number of dwellings: 11

Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_22 Alexandria Industrial Estate, Alexandria Road

Proposal: Housing

Number of dwellings: 43

Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

Sidm_28 Church Street Car Park, Sidford

Proposal: Housing

Number of dwellings: 4

Recommendation: Not to allocate

Councillor Paul Hayward proposed to move on, seconded by Councillor Yehudi Levine.

Committee **agreed to move on to the next site allocation.**

Sidm_31 Land north of Cornfields, Sidford

Proposal: Housing

Number of dwellings: 15

Recommendation: Allocate

Councillor Lockyear representing Sidmouth Town Council spoke in support of the site as it would benefit the community but suggested it should be in line with the Sid Valley Neighbourhood Plan Policies 12 and 13.

Inclusion of allocation proposed by Councillor Ben Ingham and seconded by Councillor Dan Ledger.

Committee **endorsed the recommendation to include Sidm_31 in the site allocation**

Sidm_32 Land west of Woolbrook Road, Sidmouth

Proposal: Mixed use

Number of dwellings: 127 plus 0.27 ha employment land

Recommendation: Allocate Sidm_32a; Not to allocate Sidm_32b

Councillor Lockyear representing Sidmouth Town Council spoke in support of Sidm_32a as it would benefit the community but suggested it should be in line with the Sid Valley Neighbourhood Plan Policies 12 and 13 and include the provision of a park and change service to assist sustainable travel.

Ward Members Councillor Marianne Rixson and Councillor Mike Goodman spoke in support on the proviso that developers deliver the right type of housing in accordance with policies 12 and 13 of the Sid Valley Neighbourhood Plan.

Inclusion of Sidm_32a proposed by Councillor Ben Ingham and seconded by Councillor Helen Parr

Committee **endorsed the recommendation to include Sidm_32a in the site allocation.**

The Chair proposed to move on for Sidm_32b.

Committee **agreed to move on to the next site allocation.**

Sidm_35 Land north of Sidford High Street, Sidford

Proposal: Housing

Number of dwellings: 80
Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

149 **Sidbury Site Selection Report**

Sidm_34 Land between Furzehill and Hillside, Sidbury

Proposal: Mixed use

Number of dwellings: 38 plus 0.15ha employment land

Recommendation: Allocate Sidm_34a; Not to allocate Sidm_34b

Neil Robinson spoke in objection to the allocation as the land is fairly steep which would have an adverse impact on water runoff, serious flooding on the A375 along Burnt Oak and inadequate access proposed for the allocation.

Philip Wragg representing the Sid Vale Association also spoke in objection as it would be a loss of agricultural land and Designated Landscape which would a negative impact on biodiversity.

Dan Yeates representing the landowner advised committee that 34a and 34b should be delivered as a whole site to benefit the delivery of the secure footpath and which could easily accommodate 50 homes to include open space and biodiversity net gains.

A statement was read out on behalf of the Ward Member, Councillor John Loudoun who did not support the site allocation for either Sidm_34a and Sidm_35b.

Inclusion for allocation was proposed by Councillor Ben Ingham and seconded by Councillor Kevin Blakey for Sidm_34a

Committee **endorsed the recommendation to include Sidm_34a in the site allocation.**

Councillor Ben Ingham proposed to move on to the next site for Sidm_34b, seconded by Councillor Kevin Blakey.

Committee **agreed to move on to the next site allocation.**

150 **Newton Poppleford Site Selection Report**

Newt_01 Goosemoor Farm, Exeter Road

Proposal: Housing

Number of dwellings: 119

Recommendation: Not to allocate

Newt_02 Littledown Farm, Littledown Lane

Proposal: Housing

Number of dwellings: 21

Recommendation: Not to allocate

Newt_04 Land to the west of Badger Close, Exmouth Road

Proposal: Housing
Number of dwellings:
Recommendation: Not to allocate

Newt_05 Land to the east of Exmouth Road

Proposal: Housing
Number of dwellings: 27
Recommendation: Not to allocate

Newt_13 Land off Down Close

Proposal: Housing
Number of dwellings: 11
Recommendation: Not to allocate

Newt_14 Seniors Farm Yard

Proposal: Housing
Number of dwellings: 5
Recommendation: Not to allocate

The committee were reminded about the pinch point between the junction between Exmouth Road and the A3052 which did not have any pavements of footpath which would make it difficult to link an access to the east of the village.

A proposal was received from Councillor Ben Ingham, seconded by Councillor Mike Howe to move on from all the site allocations in Newton Poppleford.

Committee **agreed to move on from all the site allocations in Newton Poppleford.**

151 **Proposed Housing Site Allocations - Seaton and surrounding areas**

The committee considered the proposed site allocations for Seaton and surrounding areas, as set out in these minutes

152 **Seaton Site Selection Report**

Seat_01 Clay Common

Proposal: Housing
Number of dwellings: 50
Recommendation: Not to allocate

David Morgan spoke in objection citing reasons of the impact to the skyline and topography of Seaton and its location to the Beer Quarry Caves which is a protected areas for bats.

Iestyn John, the agent for the landowner advised it was an opportunity site to deliver housing, which was less constrained than some of the other sites proposed.

Ward Member, Councillor Marcus Hartnell objected to the site allocation.

Councillor Dan Ledger, proposed to move on to the next site allocation, seconded by Councillor Ben Ingham.

Committee **agreed to move on to the next site allocation.**

Councillor Dan Ledger left the room for the following site allocation and did not take part in discussions or the vote.

Seat_02 Land at Barnards Hill Lane

Proposal: Housing

Number of dwellings: 40

Recommendation: Allocate

Richard Ayre from Baker Estates was keen to continue delivering homes for the town as it needs more housing, investment and growth and supports the officer site assessments.

Ward Member, Councillor Marcus Hartnell spoke against the site allocation on the grounds of flood risk and the drainage infrastructure in Seaton being at capacity.

Inclusion for allocation was proposed by Councillor Paul Hayward and seconded by Councillor Ben Ingham.

Committee **endorsed the recommendation to include Seat_02 in the site allocation**

Seat_03 Land to the South of Harepath Hill

Proposal: Housing

Number of dwellings: 75

Recommendation: Allocate

Tony Smith objected to the site allocation citing ecology reasons.

Richard Ayre from Baker Estates advised the allocation of the land would benefit the community by the long awaited sports pitch being part of the proposal in Seat_03 and Seat_05.

Ward Member, Councillor Marcus Hartnell raised concerns about flooding and the drainage infrastructure but could see merit in some development in Seat_03 and Seat_05 but taken together.

Inclusion for allocation was proposed by Councillor Dan Ledger and seconded by Councillor Ben Ingham.

Committee **endorsed the recommendation to include Seat_03 in the site allocation.**

Seat_05 Land off Harepath Road

Proposal: Mixed use

Number of dwellings: 130 dwellings and 2.2 ha employment land

Recommendation: Allocate

Diane Smith objected to the site allocation as it would encroach on the Green Wedge between Seaton and Colyford and would have an adverse impact on the ecology of the wetlands resulting in further flooding.

Peter Mason objected to the site allocation as he felt further development could not be justified as it was important to maintain the coalescence between Seaton and Colyford.

Richard Ayre advised committee the site allocation would provide a mix of uses contributing to the social and economic wellbeing of the town.

Ward Member, Councillor Marcus Hartnell raised concerns about flooding and the drainage infrastructure but could see merit in some development in Seat_03 and Seat_05 but taken together.

Inclusion for allocation was proposed by Councillor Ben Ingham and seconded by Councillor Ben Ingham.

Committee **endorsed the recommendation to include Seat_05 in the site allocation.**

Seat_08 Land between Churston Rise and Couchill Copse

Proposal: Housing

Number of dwellings: 38

Recommendation: Not to allocate

David Morgan objected to the site allocation advising any development would have an adverse impact on the topography and skyline on the western boundary of Seaton and would be seen from multiple view points

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

Seat_09 Land at Clay Common (Little Paddock)

Proposal: Housing

Number of dwellings: 7

Recommendation: Not to allocate

Iestyn John referred to members concerns that the site was in the Coastal Preservation Area advising he was 100% confident this site would not be visible on the coast and could be delivered with the existing access.

Councillor Dan Ledger proposed to move on to the next site allocation, seconded by Councillor Colin Brown.

Committee **agreed to move on to the next site allocation.**

Seat_10 Land south of Beer Road

Proposal: Housing

Number of dwellings: 12

Recommendation: Not to allocate

David Morgan objected to the site allocation advising any development would have an adverse impact on the topography and skyline and would be visible in Beer and would not contribute to affordable housing.

Councillor Dan Ledger proposed to move on to the next site allocation, seconded by Councillor Todd Olive.

Committee **agreed to move on to the next site allocation.**

Seat_13 Land adjacent to Axe View Road

Proposal: Housing

Number of dwellings: 39
Recommendation: Allocate Seat_13a

Ward Member, Councillor Marcus Hartnell agreed with the recommendation that Seat_13b should not be allocated and advised that Seat_13a should not be separated from Seat_13b should be treated as one site. He referred to an ancient monument which was in the ownership of EDDC and suggested there could be more Roman remains beneath Seat_13a

Inclusion for allocation was proposed by Councillor Paul Hayward and seconded by Councillor Dan Ledger.

Committee **endorsed the recommendation to include Seat_13a in the site allocation.**

Councillor Paul Hayward proposed to move on to the next site allocation, seconded by Councillor Dan Ledger.

Committee **agreed to move from Seat_13b on to the next site allocation.**

Seat_15 White Cross, Colyford Road

Proposal: Housing
Number of dwellings: 36
Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

153 **Colyton Site Selection Report**

Coly_02 Land at Hillhead

Proposal: Housing
Number of dwellings: 49
Recommendation: Coly_02a Allocate & Coly_02b Allocate

Richard Ayre objected to the site allocation expressing his view that Coly_03 would be more suitable

Councillor Alison Stenning representing Colyton Parish Council objected to the site allocation as it would destroy the natural setting of Colyton as both sites are above the town and will be widely visible.

Ward Member, Councillor Paul Arnott, supported the site allocation Seat_02a and could not support Seat_02b and it had a single track road which was not appropriate for more houses.

Inclusion for allocation on Seat_02a was proposed by Councillor Paul Hayward, seconded by Councillor Dan Ledger.

Committee **endorsed the recommendation to include Seat_02a in the site allocation.**

Councillor Paul Hayward proposed to move on to the next site allocation, seconded by Councillor Dan Ledger.

Committee **agreed to move on to the next site allocation.**

Coly_03 Land adjacent to Fair View Lane

Proposal: Housing

Number of dwellings: 97

Recommendation: Not to allocate

Committee sought clarification about the landscape issues and whether there was merit in reducing the size of the site. Committee were advised that as the land was landscape sensitive officers were of the view reducing the size would not alter the sensitivity.

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

Coly_06 Land to the south and east of Colyton (adjacent to Peace Memorial Playing Fields, Coly Road)

Proposal: Housing

Number of dwellings: 12

Recommendation: Allocate Coly_06a & Coly_06b Not to Allocate

Councillor Alison Stenning, representing Colyton Parish Council supported the site allocation and that it should be used to build a new primary school to support the increasing number of houses proposed in Colyton.

Ward Member, Councillor Paul Arnott strongly supported the comments by Councillor Stenning.

The Committee were advised that Devon County Council as the statutory consultee had advised the primary school had capacity and had not submitted any comments to say it should be kept for a primary school.

Councillor Helen Parr proposed to move on from Coly_06a to the next site allocation, seconded by Councillor Paul Hayward.

Committee **agreed to move on to the next site allocation.**

Councillor Helen Parr proposed to move on from Coly_06b to the next site allocation, seconded by Councillor Paul Hayward.

Committee **agreed to move on to the next site allocation.**

154 **Beer Site Selection Report**

Beer_01 Part South Down Farm, Common Hill

Proposal: Housing

Number of dwellings: 130

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

Beer_03 Land at Quarry Lane

Proposal: Housing

Number of dwellings: 35

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

155 **Branscombe Site Selection Report**

Bran_01 Land to the west of Cott Mead, north side of the road

Proposal: Housing

Number of dwellings: 10

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

Bran_02 Field forming part of Cotte Barton Farm

Proposal: Housing

Number of dwellings: 21

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

156 **Uplyme Site Selection Report**

Uply_01 Land at Sidmouth Road

Proposal: Housing

Number of dwellings: 92

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

157 **Response to proposed reforms to the National Planning Police Framework and other changes to the planning system**

Members considered the report that set out the proposed responses to the government consultation on changes to the National Planning Policy Framework.

A query was raised about Q7 and the protection provided by the 4-year housing land requirement established by the December version of the NPPF. The committee were reminded about the need to bolster the council's housing land supply to enable the Local Plan to be found sound and Members were advised that the proposed response

highlights the council's housing land supply issues which would allow the council to move to a better position.

RESOLVED:

That the proposed consultation responses included within this report be agreed and submitted as the Council's responses to the consultation.

Attendance List

Councillors present:

J Bailey
K Blakey
C Brown
O Davey
P Hayward
M Howe (Vice-Chair)
B Ingham
D Ledger
Y Levine
T Olive (Chair)
H Parr

Councillors also present (for some or all the meeting)

P Arnott
I Barlow
J Brown
C Burhop
R Collins
P Faithfull
M Goodman
D Haggerty
M Hartnell
M Rixson

Officers in attendance:

Wendy Harris, Democratic Services Officer
Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor
Keith Lane, Senior Planning Officer (Planning Policy)
James Coles, Planning Policy Officer

Councillor apologies:

B Bailey
B Collins
P Fernley
G Jung

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of CommitteeName held at MeetingLocation on MeetingDate

Attendance list at end of document

The meeting started at MeetingActualStartTime and ended at MeetingActualFinishTime

Attendance List

Councillors present:

MembersUsrTyp(C)PresentAttendcommentShortRolesRows

Councillors also present (for some or all the meeting)

GuestInattendanceAttendCommentShortRows

Officers in attendance:

OfficerInattendanceAttendcommentTitleRows

Councillor apologies:

MembersUsrTyp(C)ApologiesAttendcommentShortRows

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of CommitteeName held at MeetingLocation on MeetingDate

Attendance list at end of document

The meeting started at MeetingActualStartTime and ended at MeetingActualFinishTime

Attendance List

Councillors present:

MembersUsrTyp(C)PresentAttendcommentShortRolesRows

Councillors also present (for some or all the meeting)

GuestInattendanceAttendCommentShortRows

Officers in attendance:

OfficerInattendanceAttendcommentTitleRows

Councillor apologies:

MembersUsrTyp(C)ApologiesAttendcommentShortRows

Chairman

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Committee held at Council Chamber, Blackdown House, Honiton on 17 July 2024

Attendance list at end of document

The meeting started at 10.02 am and ended at 10.58 am

1 Minutes of the previous meeting

The minutes of the previous meeting held on 8 May 2024 were agreed and signed as a correct record.

2 Declarations of interest

There were no declarations of interest.

3 Public Speaking

There were no members of the public registered to speak.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential / exempt items.

6 Committee Update – Licensing Act 2003, Gambling Act 2005, Taxis & General Licensing

The Licensing Officer, Mr Lee Staples, presented the report which 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 and pavement licences, for the period 8 May to 8 July 2024.

The following points from the report were highlighted to Members:

- During the reporting period, 231 applications were received and processed under the Licensing Act 2003.
- A Devon wide working group is currently drafting a pavement licensing policy to be used by Local Authorities across the county following the Levelling Up & Regeneration Act 2023 coming into force on 31 March 2024.
- Based on advice from the Gambling Commission, officers had undertaken a summary review of the Statement of Gambling Policy [minute 8 refers].
- With regard to taxi and private hire licensing, there had been a slight drop in the issue of hackney carriage driver licences, private hire drivers, vehicles and operators during the reporting period. There had been a slight increase in the number of hackney carriage vehicle licences issued.
- Four referrals to the Licensing & Enforcement Sub Committee for taxi matters had been made during the reporting period.

- An open consultation is currently underway regarding the potential tax impacts of recent High Court judgements on transport legislation in the private hire sector and its passengers.
- At the time of the report, 29 street trading consents were in operation.
- A new Licensing Support Officer was appointed on 1 July 2024.

Responses to questions from Members and discussion included the following points:

- The new pavement licensing policy would include issues such as keeping premises clean and tidy and the storing of furniture. It was noted that a uniform approach was needed with clear definitions for pavement licence holders. Complaints regarding premises in East Devon could be addressed by the Licensing team under enforcement powers.
- The emerging pavement licensing policy would be brought to the Committee at a future date as it would be helpful to have Members' comments.
- Following discussion on comparative figures for Licensing Act 2003 applications in previous reporting periods, it was agreed that these would be included in future reports.
- The Licensing team advised that it is aware of the new 'Martyn's Law' and has looked at the training. Most of the businesses in East Devon fall into the small businesses tier. The Licensing Team is awaiting further information from the Government and would be contacting all licensed premises as information becomes available.

The Committee thanked officers for their work and agreed to note the contents of the update report.

7 **Hackney carriage fare review update**

The Licensing Officer, Mrs Emily Westlake, presented the report which was to advise the Committee that the new Hackney Carriage Table of Maximum Fares, agreed by the Licensing & Enforcement Committee at a meeting on 8 May 2024, came into effect on 18 June 2024 following the statutory advertisement and public consultation period and, following the receipt and subsequent withdrawal of an objection.

The Committee was advised that an email was sent to all East Devon hackney carriage proprietors on 19 June 2024 to inform them that the revised Table of Maximum Fares had come into operation and that all hackney carriage meters must be re-calibrated to the new fares at their earliest convenience and no later than 1 October 2024.

In response to questions from Members, the following points were noted:

- There had been a few concerns among members of the taxi trade with regard to the fare increase, but overall there was consensus that the increase was necessary.
- The fares are the maximum which may be charged. Proprietors may decide to charge less and it would be up to the driver to explain any lower charges to customers.
- It was noted that the authority is currently at a relatively high position in the league table of fares, partly due to the high level of dead mileage. The agreed introduction of the Guildford Method would take factors such as dead mileage and inflation into account when calculating fares in the future.
- A report on the introduction of the Guildford Method would be brought to the Committee at its November meeting.

The Committee thanked officers for their work and noted the content of the report and the new Hackney Carriage Table of Maximum Fares.

8 **Draft Statement of Gambling Policy 2025- 2028**

The report was presented by the Licensing Officer, Mr Lee Staples. The Council's current Statement of Licensing Policy under the Gambling Act 2005 was written in 2021

and came into effect in January 2022. There is a legal requirement to review such policy statements every three years. The current policy must be reviewed by 31 January 2025.

The report included a draft policy which had been reviewed and updated to reflect changes in national guidance and feedback from the Gambling Commission, but a further, more in depth review of the Policy was proposed to be undertaken once the Gambling Commission had completed updating its guidance to Local Authorities.

The report asked the Committee to consider a proposal to consult with statutory consultees, in order to obtain their views on the proposed draft Statement of Licensing Policy attached to the report.

Discussion and responses to questions from Members included the following points:

- It was not yet known whether there would be further changes in the national guidance from the Gambling Commission following the recent change in Government.
- When the updated national guidance is received, a much wider full public consultation would be held, to include members and representatives of the gambling industry.

RESOLVED

1. That having considered the draft Statement of Licensing Policy, the Committee approved the sharing of the draft Policy with the statutory consultees as set out at Appendix B to the report.
2. That the draft Policy document be returned to the Licensing and Enforcement Committee for further consideration following consultation with the statutory consultees.

Attendance List

Councillors present:

I Barlow
K Bloxham (Vice-Chair)
M Chapman
T Dumper
J Heath
Y Levine
C Nicholas
J Whibley (Chair)

Councillors also present (for some or all the meeting)

R Collins

Officers in attendance:

Sarah Jenkins, Democratic Services Officer
Giles Salter, Solicitor
Lee Staples, Licensing Officer
Emily Westlake, Licensing Officer

Councillor apologies:

O Davey
S Gazzard
T McCollum

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Audit and Governance Committee held at Council Chamber, Blackdown House on 25 July 2024

Attendance list at end of document

The meeting started at 2.30 pm and ended at 4.11 pm

1 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 21 March 2024 were confirmed as a true record.

2 Declarations on interest

There were none given.

3 Public speaking

There were no members of the public wishing to speak.

4 Matters of urgency

There were none.

5 Confidential/exempt item(s)

There were none.

The Chair wished to thank the outgoing Chair of the Audit & Governance Committee Cllr Sam Hawkins for his dedication to this role and wished him luck in his new role as the Portfolio Holder for Finance. He welcomed new Members to the Committee.

6 Audit Plan 2023/24 - Grant Thornton

Peter Barber from Grant Thornton presented the Audit Plan 2023/24. He clarified the independent role of Grant Thornton stating once a year their intention was to sign off the council's accounts, with a secondary role of looking at value for money and that effective arrangements were in place in use of resources.

The Director of Finance in response to a question to why there had been a delay in submitting the accounts explained that staffing resources has been an issue due to the technical skill set required to oversee this work. Members were pleased to see the concerns over the HRA were being looked into by Grant Thornton.

RESOLVED:

That the Audit Plan 2023/24 be noted.

7 Internal Audit Activity Progress report - Quarter 4 2023/24

Lisa Fryer from SWAP presented the 2023-24 Quarter 4 Internal Audit Activity Progress report. The report allowed for monitoring against the planned audits agreed for 2023/24. There was discussion around how items were added to the audit plan and whether budgets were looked at by SWAP. In response Lisa stated items were considered on a risk-base scenario and that anything could be added to the plan, however their role concentrated on processes to assist with good forecasting.

RESOLVED:

That the Internal Audit Activity Progress report - Quarter 4 2023/24 be noted.

8 **Internal Audit Annual Opinion 2023/24 - SWAP**

Lisa Fryer from SWAP presented the Internal Audit Annual Opinion 2023/24.

RESOLVED:

That the Internal Audit Annual Opinion 2023/24 be noted.

9 **Revenue and Capital Outturn Report 2023/24**

The Director of Finance informed Members that the report had been presented to Cabinet on 10 July 2024 and then agreed by Council on 17 July 2024. The report was presented to Audit & Governance Committee to provide information of the financial outturn position for 2023/24 and to note the recommendations to Council.

Discussions included the budget position presented to members re the Housing Revenue Account. The Director of Finance reconfirmed the situation that led to this present position. The wait for key information from the housing stock condition survey to formulate a budget that would then allow priority to the areas necessary in terms of expenditure had been an issue. Without knowing what the expenditure would be it was difficult to know what levels the budget should be set for 2024/25.

Discussion also included:

- The Audit and Governance Committee were there to govern and make sure the budget was adhered to. Unexpected borrowing of £2.5m to cover unplanned overspend was a concern. Was the Committee happy there was enough governance on this matter?
- It was not acceptable the housing stock condition survey was not yet completed. Once completed would this put even more pressure on the council's budget.
- The Housing Review Board needed to investigate this and raise questions where necessary.

RESOLVED:

That the Revenue and Capital Outturn position for 2023/24 and the recommendations to Cabinet on 10 July 2024 be noted.

10 **Strata Services Solutions - Internal Audit Report Annual Opinion**

This item was deferred to the next meeting due to the auditor not being available to present the report. The committee wished their frustration and disappointment noted for this last-minute change to the agenda.

11 **Audit and Governance training programme**

The Director Finance presented the report which followed on from an Audit and Governance members skills assessment carried out by SWAP earlier in the year. This was with the previous Committee membership but is considered still relevant and will be followed up with a further survey once training has been provided to ensure continuous improvements, to ensure members of the Committee were provided with the right resources to undertake their role.

The work of the Committee was technical, and it was positive to note from the survey that there was a good coverage of abilities overall. Some gaps were identified, most significantly in respect of:

- Governance
- Counter-Fraud
- Treasury Management.

The Chair stated any training would also be open to non-committee members who wished to access this.

RESOLVED:

To consider the training timetable and to adopt a final version.

12 **Audit and Governance Forward Plan**

Audit and Governance Committee Forward Plan items to be considered at the 19 September 2024 committee included:

- Internal Audit Plan 2023-24
- Internal Audit Activity Progress report
- Audit Progress report and Sector update
- Financial Monitoring report 2023/24 - Month 4 July 2023
- Project review of Housing procurement (Part B)
- Risk Management Review
- Strata Services Solutions - Internal Audit Report Annual Opinion

Attendance List

Councillors present:

I Barlow
C Brown
C Burhop (Chair)
R Collins
O Davey (Vice-Chair)
C Fitzgerald
M Goodman

Councillors also present (for some or all the meeting)

J Brown
J Loudoun
T Olive

Officers in attendance:

Amanda Coombes, Democratic Services Officer

Peter Barber, Grant Thornton
Simon Davey, Director of Finance
Lisa Fryer, SWAP
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)

Councillor apologies:

S Gazzard
J Whibley
K Bloxham

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Audit and Governance Committee held at Council Chamber, Blackdown House on 19 September 2024

Attendance list at end of document

The meeting started at 2.30 pm and ended at 4.07 pm

13 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 25 July 2024 were confirmed as a true record.

14 Declarations on interest

There were no declarations made.

15 Public speaking

There were no members of the public wishing to speak.

16 Matters of urgency

There were none.

17 Confidential/exempt item(s)

There were none.

18 Auditor letter on the application of the local authority backstop

Peter Barber from Grant Thornton update Members about the backstop. He agreed this was not a desired position to be in and that this was a sector-wide problem across the Country. He pointed out that this did give an opportunity for a reset to work with the 2023/24 accounts onwards while meeting deadlines. The Committee's remit was to make sure that this happened as this was public money, with the council needing to prepare audited accounts.

The Chair stated that the ramifications for the 2021/22 and 2022/23 accounts going forward would impact future audits. Peter Barber confirmed this position but stated Grant Thornton were undertaking further work due to the backstop to give confidence in accounts going forward.

RECOMMENDED to Council;

That the backstop for 2021/22 and 2022/23 be recommended to Council with a covering report from the Director of Finance to explain the position for Members understanding.

19 Internal Audit Plan 2024-25 - SWAP

Lisa Fryer from SWAP presented the Internal Audit Plan 1 October 2024 to 31 March 2025. Members asked questions on controls within the Housing Services relating to finance and contract management. The Director of Finance stated there was ongoing work with SWAP relating to the control environment which would determine if more audit resource would be required to give Council assurance. The Director of Finance was requested that an update of this position be given at each meeting until this was handed to SWAP to report on.

RESOLVED:

That the Internal Audit Plan for 1 October 2024 to 31 March 2025 be noted.

20 **Internal Audit Activity Progress report - SWAP**

Lisa Fryer presented the Internal Audit Activity Progress Report – September 2024. She reported that 5 extra pieces of work had been added with some activities subsequently deferred to further in the year. She confirmed that key controls recommendations resulting from confidential audits would be brought back to the Committee. The key audits and monitoring included in the Plan would form the basis for next year's audit activity. During discussion concern was raised to several outstanding actions which was identified as down to management responsibility. Climate Change audits had been received but not at the time of publication of this report, they will be included on the next progress report. In response the Director for Finance stated that the Executive Leadership Team had discussed the high number of outstanding recommendations and requested that SWAP hold a workshop session with each Directorate to go through and prioritise the implementation of outstanding recommendations or to update where they had been completed or circumstances had changed to ensure an up-to-date position was being presented to Members.

RESOLVED:

That the progress made in delivery of the 2024/25 Internal Audit Plan as at the start of September, and the findings reported be noted.

21 **Strata Services Solutions - Internal Audit Report Annual Opinion**

The Committee received audit assurance through the independent work and reports from SWAP, however the internal audit of the Councils ICT provision (Strata Services Solutions) was audited by the Devon Assurance Partnership (DAP). Joanne McCormick from DAP presented this annual opinion. During discussion it was asked that the report be received in a timelier manner for the March committee meeting each year. A focus on business and backup continuity was asked for. It was requested by the Committee that Strata presented to them the current position relating to an of concern highlighted in the assurance statement on back up processes. If appropriate for DAP to be present.

The Audit Opinion for 2023/24 was Reasonable Assurance.

RESOLVED:

That the annual audit opinion for Strata Services Solutions Ltd be noted.

22 **Risk Management Project update**

It had been recognised the need to review the risk management practices including undertaking a full review of the risk register entries. To support this work, the council had engaged with a risk specialist from Gallagher Bassett. The report proposed a project to undertake the review and project plan which had been approved by the Senior Leadership Team. It was explained that the cost of this review was covered and given as a free service as part of the added value within the Council's insurance contract.

RESOLVED:

That the risk project and way forward be noted.

23 **Audit and Governance Forward Plan**

Audit and Governance Committee Forward Plan items to be considered at the 21 November 2024 committee included:

- Internal Audit Plan Progress report 2024/25
- Interim Auditor's Annual Report 2022/23 – to inc. information on the backstop of the 2021/2022/2023 accounts
- Value for Money report
- Fraud Strategy Delivery Plan
- Project review of Housing procurement (Part B)
- Financial Monitoring report 2024/25 - Month 5
- Strata update on limited assurance and business continuity and backups

Attendance List

Councillors present:

I Barlow
C Burhop (Chair)
R Collins
O Davey (Vice-Chair)
C Fitzgerald
M Goodman

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Jo Avery, Management Information Officer
Peter Barber, Grant Thornton
Simon Davey, Director of Finance
Lisa Fryer, SWAP
Connor McLaughlin Nester, SWAP
John Symes, Finance Manager
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Joanne McCormick, DAP

Councillor apologies:

K Bloxham
C Brown
S Gazzard
J Whibley

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Placemaking in Exmouth Town and Seafront Group held at Online via the Zoom app on 31 July 2024

Attendance list at end of document

The meeting started at 11.02 am and ended at 12.18 pm

1 Minutes of the previous meeting held on 23 January 2024

The minutes of the previous meeting held on 23 January 2024 were noted as a true and accurate record.

2 Declarations of interest

Cllr N Hookway – Minutes 4 – 6; Affects Non-Registerable Interest: Member of Exmouth Town Council.

Cllr A Bailey – Minutes 4 – 6; Affects Non-Registerable Interest: Member of Exmouth Town Council.

Cllr T Dumper – Minutes 4 – 6; Affects Non-Registerable Interest: Member of Exmouth Town Council.

Cllr M Hall – Minutes 4 – 6; Affects Non-Registerable Interest: Member of Exmouth Town Council.

Cllr J Whibley – Minutes 4 – 6; Affects Non-Registerable Interest: Member of East Devon District Council.

3 Public speaking

One member of the public, Mr Digby Morrison had provided a statement to be read out by an officer, on his behalf.

Mr Morrison was of the view that for a number of reasons, the findings and recommendation set out in the Exmouth Placemaking Plan reports were flawed. He stated that the obvious conclusion to draw from the reports was a recommendation to rerun the consultation for a longer duration and with a number of suggested changes, in order to achieve a better response and credible understanding of resident and visitor views. Mr Morrison wished for these views to be considered by Councillors before they decided on accepting the recommendation.

The Chair expressed thanks for Mr Morrison's contribution, which would be taken into consideration.

4 Exmouth Placemaking Plan - Next Steps

The Interim Director of Place presented this report which set out the current position in regard to the Exmouth Placemaking Plan together with a summary of next steps and the outcomes which the Council is seeking to achieve by the end of 2024.

It was acknowledged that the draft Placemaking Plan requires further work, particularly around deliverability of proposals by EDDC, other public sector stakeholders and by the private sector.

Discussion and clarification included the following points:

- Whilst the Placemaking Plan is for the wider town, it would be appropriate to focus on what the Council can deliver for Queen's Drive by way of 'quick wins', to maintain the credibility of the process.
- Members were concerned that questions in the recent public consultation were somewhat ambiguous, and one member expressed that there should have been some face-to-face consultation. It was recognised however that this was the third consultation exercise, and the draft Placemaking Plan itself was based on extensive, wider consultation.
- Members asked direct questions and expressed views around specific projects including the dinosaur park, Harbour View Café, the Coast Watch tower, the proposed reuse of the Pavilion and proposals for multi-storey parking provision. There was also discussion around the need to respect Blue Badge disability parking provision.
- It was noted that the Exmouth Gateway part of the Levelling Up Bid had been dropped by Devon County Council (DCC) and it was therefore suggested to re-evaluate the connection with the train station including signage and road crossings. It was felt that transport considerations are fundamental to the Placemaking process, including cycle lanes and proposals for a park and ride facility, and early engagement with DCC in this respect will be vital.
- Meaningful engagement with DCC and Exmouth Town Council is fundamental to the Placemaking process and it is intended to hold a joint meeting between these councils and EDDC, with a view to reaching agreement and securing endorsement for the Placemaking Plan. The Placemaking in Exmouth Town and Seafront Sub-Group agreed by Cabinet in February 2024 is a good example of partnership working and all three councils coming together.
- Members asked that, going forward, developments in relation to the Placemaking Plan are clearly explained in a press release containing important contextual information.

RECOMMENDED to Cabinet:

1. To note that further work is required to refine the draft Exmouth Placemaking Plan prior to being adopted alongside an Implementation Plan.
2. Support the appointment of WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan.
3. Activate the PETS Sub-Group previously agreed by Cabinet in February of 2024 which is to be 'politically led' supported by Senior Officers to look initially at the 'common ground' matters and opportunities that all three Councils have which have been identified in the Draft EPP.
4. Support the introduction and formalising of programme management arrangements consistent with that already in place for other EDDC place based projects.
5. Seek endorsement across EDDC Service areas, DCC and ETC before a Placemaking Plan is adopted alongside an Implementation Plan.
6. Invite Stakeholders to join relevant future PETS meetings where it is relevant to do so (also agreed by Cabinet in February via the revised ToR for PETS).
7. Agree that the currently approved UKSPF budget be used to develop feasibility options for Queen's Drive and Beach Gardens – the total budget being ~£45k (initial design briefs are shown at Appendix A. This is already provided for within an approved budget.
8. Form a working group to oversee the recommendation in respect of UKSPF.

RECOMMENDED to Council:

That a budget of £30-40,000 be made available to appoint WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan and will be taken from a General Fund Supplementary Budget.

5 **Exmouth Placemaking Plan - Consultation**

The Project Manager – Place & Prosperity (Exmouth) introduced this report which set out the results of the recent consultation exercise on the draft Placemaking Plan, undertaken at the request of the Placemaking in Exmouth Town and Seafront Group members in January 2024. Members were reminded that the draft Placemaking Plan had itself been informed by extensive stakeholder and public consultations undertaken in 2022 and 2023.

Members of the PETS Group noted the consultation findings which were provided in the report, noting and respecting that there were positive and negative views expressed as there were previously at the workshops held in the 2022 consultation. The next steps set out in the report entitled 'Exmouth Placemaking Plan – Next Steps' allowed for refinement of the Placemaking Plan and would enable these latest consultation responses to help inform, alongside other factors.

6 **Exmouth General Update**

The Project Manager – Place & Prosperity (Exmouth) introduced this report which provided a general summary on progress with on-the-ground placemaking projects currently being delivered in Exmouth, and other placemaking-related projects and events across the town.

Discussion and clarification included the following points:

- Members expressed thanks to Exmouth Town Council and Exmouth Pride for the recent festivals which were widely enjoyed.
- Design briefs are being considered for the Queen's Drive fitness space; the use of the space is subject to planning and site constraints but officers are confident that the Council would get a reasonable return on letting it out.

Members noted the update report and the successes achieved.

Attendance List

Councillors present:

P Arnott (Vice-Chair)
A Bailey
T Dumper
A Hall
M Hall
P Hayward
N Hookway (Chair)
T Olive
G Deasy (Exmouth Town Council)

J Whibley (Exmouth Town Council)

Councillors also present (for some or all the meeting)

I Barlow
M Chapman
P Faithfull
G Jung
C Nicholas
A Toye
E Wragg

Officers in attendance:

Sarah Jenkins, Democratic Services Officer
Sarah James, Democratic Services Officer
Marie Ainsworth, Place & Prosperity Officer
Tracy Hendren, Chief Executive
Gerry Mills, Project Manager Place & Prosperity (Exmouth)
Katie Webb, Property Lawyer
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Andrew Wood, Director of Place (interim)

Also in attendance:

Lisa Bowman, Exmouth Town Clerk

Councillor apologies:

O Davey

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Placemaking in Exmouth Town and Seafront Group held at Online via the Zoom app on 9 September 2024

Attendance list at end of document

The meeting started at 10.04 am and ended at 10.25 am

7 Minutes of the previous meeting held on 31 July 2024

The minutes of the previous meeting held on 31 July 2024 were noted as a true and accurate record.

8 Declarations of interest

Cllr N Hookway – Minute 10; Affects Non-Registerable Interest: Member of Exmouth Town Council.

Cllr O Davey - Minute 10; Affects Non-Registerable Interest: Member of Exmouth Town Council.

Cllr T Dumper - Minute 10; Affects Non-Registerable Interest: Member of Exmouth Town Council.

9 Public speaking

One member of the public had registered to speak at the meeting.

Mrs Ann Membery was of the view that the Placemaking in Exmouth Town and Seafront Group had spent too much time and money on the 10 year strategic plan for Exmouth, rather than making improvements to Exmouth now. She commented that the Queen's Drive Space needs attractions for all generations to enjoy, at an affordable price. Mrs Membery added that she agreed with the content of a letter written by Mr Tweddle and recently published in the Exmouth Journal; she invited members to read it.

The Chair thanked Mrs Membery for taking the time to speak and responded that the Council needs to follow due process, and draw on the specialism of the consultants, and this takes time. He remarked that there are significant legal implications for the Council in the event that it fails to follow due process.

10 Progress Report on The Draft Options for Queen's Drive Space and Beach Gardens, Exmouth

The Project Manager – Place and Prosperity introduced this report which outlined the progress made to date on draft design and feasibility options for Queen's Drive Space and Beach Gardens on Exmouth seafront.

Discussion and clarification included the following points:

- Concern was expressed that the loss of car parking spaces at Beach Gardens could cause difficulties for those customers of the Pavilion who have limited mobility and who currently use the Beach Gardens car park due to its proximity to the facility. In response, it was confirmed that whilst there is an ambition to reduce the level of car domination on

the seafront, the needs of users must take priority and any car parking spaces that are removed will need to be replaced so that the car parking capacity remains.

- It will be important to consider car parking for all users of the Pavilion, including performers and the audience.

Attendance List

Councillors present:

A Bailey
O Davey
T Dumper
P Hayward
N Hookway (Chair)
G Deasy (Exmouth Town Council)

Councillors also present (for some or all the meeting)

I Barlow
P Faithfull
G Jung

Officers in attendance:

Tim Child, Assistant Director Place, Assets & Commercialisation
Naomi Harnett, Delivery Manager
Tracy Hendren, Chief Executive
Sarah Jenkins, Democratic Services Officer
Gerry Mills, Project Manager Place & Prosperity (Exmouth)
Sarah James, Democratic Services Officer
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Andrew Wood, Director of Place (interim)
Marie Ainsworth, Place & Prosperity Officer

Also in attendance:

Chetna Jones, Exmouth Deputy Town Clerk

Councillor apologies:

P Arnott
T Olive

Chair:

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cranbrook Placemaking Group held at Conference Room, Younghayes Centre, Cranbrook on 16 September 2024

Attendance list at end of document

The meeting started at 10.30 am and ended at 12.05 pm

9 Minutes of the previous meeting held on 1 July 2024

The minutes of the previous meeting held on 1 July 2024 were confirmed as a true record.

10 Declarations of interest

There were none.

11 Public speaking

There were no speakers.

12 Matters of urgency

There were none.

13 Confidential / exempt items

There were none.

14 Electricity supply

The Chair welcomed representatives of National Grid Electricity Distribution (NGED) and introductions were made around the table.

The working group received a presentation that gave an update on NGED's proposed strategy for Cranbrook outlining:

- Estimated requirement for the expansion zone for the eastern side of Cranbrook which would include the Cobdens area (2,000+ residential dwellings, community buildings, 2 schools, local centre and place of worship)
- EV charging provisions.
- Expansion for individual heat pumps
- Existing connection points (Marsh Green - primary circuit) which will be monitored during growth and interconnected with new circuits.
- Estimated requirement for the expansion zone for the western side of Cranbrook which would include Treasbeare (1,035 residential dwellings, school, sports hub and 10 ha of employment land) and Bluehayes (up to 950 residential dwellings, school and local centre)
- Existing connection points (Clyst Honiton – primary circuit) which will be monitored during growth and interconnected with new circuits and a new primary is required.
- Reinforcement options using the existing primary circuits.
- Consideration of a new primary substation – currently looking at options to secure land north of Cranbrook.

- Business plan for a new BSP (bulk supply point) in Exeter – early stages to look for viable land east of the M5 and in proximity to existing infrastructure.

Responses to questions from members of the group included:

- It was noted that there would be one EV charging point per property which would not which would not increase the overall demand on the network as charging would be done at different times.
- In response to whether there was capacity to increase electricity supply, alternative options would need to be looked at depending on what was required.
- It was noted that a further BSP would be required for the proposed new town.
- In response to noise omissions, noise enclosures can put over the top of the transformers which would also act as a visual amenity.
- In response to a question about the provision for electric HGVs, NGED advised they had reserved capacity to do this but emphasised this would take a number of years depending on the location of demand.

Director of Place (Interim) advised he was keen to follow up on the noise omissions and referred to the planned converter station that was going to be located close to the A30 and welcomed joint working with NGED. This was welcomed as it would be beneficial to locate the BSP close to the station.

RESOLVED:

The work of National Grid Electricity Distribution in seeking to ensure that there is adequate network capacity to cater for the electrical loading arising from the expansion of Cranbrook be noted.

15 **Town Centre masterplan**

The New Cranbrook Manager's presentation outlined the current plans for inclusion in the Cranbrook town centre masterplan and advised that invites would go out shortly inviting members to meet next week to go through the final details.

These included:

- Key routes in and out of the town centre;
- Key pedestrian routes across;
- TC3 link to supermarket;
- Orientation of buildings to maximise hours of daylight;
- Key viewpoints.

Following discussions with stakeholders the following key assumptions had been made which included:

- DCC facilities will become part of Till House which will free up TC4b;
- Cranbox will form one part of TC2 square;
- Health and Wellbeing Centre and Leisure Centre will be in separate buildings as there is no capital budget available;
- Drainage will be required on site;
- Biodiversity Net Gain will be required on site to make it a greener town centre

Outstanding decisions included:

- Whether a building is required for the Fire Station. Risk review completed;
- Size of the Tillhouse building;
- Preferred size of the second square;

- Preferred location of the Health and Wellbeing Centre;
- Preferred location of the Leisure Centre;
- Width of footpaths;
- Precise alignment of road through TC4e;
- Heights of buildings;
- Quantum of car parking;

Group members viewed two town centre plan options and the New Cranbrook Manager asked group members to attend an in-person workshop to finalise the plans and to discuss the outstanding decisions. Group Members were happy to meet either Wednesday, 25 September or Thursday, 26 September.

Clarification was sought about whether the town centre masterplan would be considered at the Strategic Planning Committee on 29 October 2024. Nicola advised that although there are ongoing positive discussions with Cranbrook Town Council it was not ready for a DCC Cabinet decision. The Chair urged Devon County Council of the urgency that a decision needed to be reached as soon as possible.

Responses to the outstanding decisions included:

- It was suggested that the second square should be made into a square (same width as depth);
- The width of the Tillhouse building would be determined by the width of the square and as deep as necessary;
- Need a significant amount of car parking to make the town centre viable. It was suggested to use Area D for more car parking provision;
- Shared footpaths and cycle paths do not work;
- Town Centre Plan – prefer option 2 as it has more car parking spaces and green spaces;

Further comments included:

- There is a need to have a footpath link from the Tillhouse to the countrypark;
- Support was expressed for the masterplan to remain flexible to keep spaces free to enable the town to grow into itself;
- Reference to paragraph 15 of the report and whether the sizes of the leisure centre and the health and wellbeing centre have been agreed; The Cranbrook Manager advised that the NHS had confirmed a floorspace of approximately 3,000 square metres and the leisure centre was still to be decided but it would need to accommodate a 6 lane swimming pool;
- The lack of water supply at the existing town centre needs to be rectified.

The Cranbrook Manager noted all the points raised and advised these can be discussed during the workshop.

RESOLVED:

1. That the progress made on the town centre masterplan to date be noted and the Cranbrook Placemaking Group provide feedback to guide the refinement and completion of the masterplan.
2. That the town centre masterplan document be presented to Strategic Planning Committee at their meeting on 29 October 2024.

Director of Place (Interim) advised that the funding for Cranbox has been confirmed for the end of March 2025 subject to wider ongoing national discussions.

The following update was read out on behalf of Naomi Harnett, Corporate Lead – Major Projects & Programmes (Interim):

I have met with the town council to discuss a brief for the architects and the scheme can now progress from concept to a deliverable scheme. The location for the scheme has also been identified through the master planning work, with the location in TC2 to the west of the proposed town centre building.

Working with Kenji, Andy and Thea the proposed locations works in placemaking terms and will begin to frame the square to the north of the high street.

Janine and myself have agreed that the business case will be revised inhouse, this will progress once the planning application is submitted.

17 **Implementation plan**

Group Members noted the updated Implementation Plan.

18 **Forward plan**

Group Members noted the Forward Plan up to Quarter 1 January to March 2025.

19 **Move More Cranbrook and Place Partnership (verbal update)**

Item deferred to a later meeting.

Attendance List

Councillors present:

K Blakey
T Olive

Councillors also present (for some or all the meeting)

I Barlow
P Faithfull

Officers in attendance:

Thea Billeter, Cranbrook New Community Manager
Wendy Harris, Democratic Services Officer
Andrew Wood, Director of Place (interim)

Councillor apologies:

K Bloxham

Chair

Date:

Report to: Council



Date of Meeting 16 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Housing Review Board – Terms of Reference

Report summary:

The Housing Review Board discussed the Terms of Reference of the committee and highlighted a recommendation that came out of the scrutiny review carried out by the Centre for Governance and Scrutiny to review the terms of reference to provide greater clarity moving forward.

Delivery of the recommendations arising from the scrutiny review is set out in a Scrutiny Improvement Plan endorsed by Cabinet and Council in July, the improvement process being led by the Democratic Services Manager. However, Members could recommend to Council some minor revisions to the Board's ToR now, if they were minded to do so.

The Housing Review Board discussed the terms of reference including the following points:

- It was proposed to recommend to Council to increase the number of Councillors on the HRB from five to seven, to better align with the membership of the other scrutiny committees; the HRB membership would then comprise seven Councillors, five Tenant Members and two Independent Community Representatives.
- Members felt the ToR needed to more clearly set out that the HRB is a scrutiny committee.
- The role of the Independent Community Representatives on the membership needs to be better defined, and appropriate training provided to enable the representatives to contribute fully.
- Members noted the recommendation from the scrutiny review that pre-briefings for Members take place outside of formal meetings and challenged why these were not yet taking place. The Director of Governance and Licensing responded that the recommendation and associated action was set out in the Scrutiny Improvement Plan and would be delivered by the Democratic Services Manager by the date set out within the Plan.

The Housing Review Board recommended to Council that the number of Council Members on the Housing Review Board increase from five to seven with the quorum remaining at four, the purpose being to add additional capacity pending a full review of the Terms of Reference.

A full review of the terms of reference will be conducted by the Chairs and Vice Chairs of the Overview Committee, Scrutiny Committee and Housing Review Board including consultation with councillors in line with the Scrutiny Improvement Action Plan approved by Full Council in July 2024.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Housing Review Board Terms of Reference 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 elect its own Vice Chair.

Reason for recommendation:

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.

Officer: Andrew Melhuish, Democratic Services Manager (andrew.melhuish@eastdevon.gov.uk)

Report to: Council

Date of Meeting 16 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Placemaking in Exmouth Town and Seafront Group

Report summary:

This report sets out the Cabinet recommendation to Council arising from their consideration of a report from the Placemaking in Exmouth Town and Seafront Group on 4 September 2024.

Note: The references in this report to Paper A relate to the relevant report considered by the Cabinet with recommendations for Full Council to consider and are appended to this report for reference.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That a budget of £40,000 be made available to appoint WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan and will be taken from a General Fund Supplementary Budget.

Reason for recommendation:

To progress to a final draft of the Placemaking plan and to move forward a delivery phase for the project.

Officer: Andrew Melhuish, Democratic Services Manager (andrew.melhuish@eastdevon.gov.uk)

Report to: Placemaking in Exmouth Town and Seafront Group

Date of Meeting 31st July 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release NA

The Exmouth Placemaking Plan – Current Position and Next Steps

Report summary:

A draft of the Exmouth Placemaking Plan was presented to the Placemaking in Exmouth Town and Seafront Group on 24th January. Subsequent to this a further consultation as requested by the Group has been undertaken, the results of which, along with a wider review by EDDC Officer Stakeholders, has informed the recommended way forward. It is acknowledged that the draft Placemaking Plan requires further work, particularly around deliverability of proposals by EDDC, other public sector stakeholders and by the private sector. We need to ensure aspiration can move to implementation but also recognising that ownership is needed, not only within EDDC - acknowledging that this not for one person to deliver, but also with our key partners but that we also need to pay particular attention to the funding and resources needed to move to implementation.

In terms of next steps, these can be summarised as follows:

- Refined Placemaking Plan – in response to latest consultation (alongside the 2022 and 2023 consultation exercises) and through closer corporate alignment and with greater emphasis around deliverability.
- Seek endorsement across EDDC Service areas, DCC and ETC.
- Develop clear implementation plan – moving from aspiration to implementation acknowledging that EDDC's role in delivery is actually quite limited.
- Introduce and formalise programme management arrangements consistent with that already in place for other EDDC place-based projects – including as additions to current arrangements, a PETS Sub-Group consisting of Members from across partner authorities, already agreed by Cabinet, along also with a senior-level multi-disciplinary officer group.
- Commissioning WSP to support the next steps - this will require an additional £40K General Fund Supplementary Budget.
- Agree that the currently approved UKSPF budget be used to develop feasibility options for Queen's Drive and Beach Gardens – the total budget being ~£45k (initial design briefs are shown at Appendix A). This budget has previously been approved.
- Form a working group to oversee the UKSPF work outlined above.

Outcomes seeking to achieve by end of 2024:

- Adopt refined Placemaking Plan with Implementation Plan
- Identify Quick Wins
- Secure budget / resources
- Build collaborative advantage
- Explore strategic funding opportunities – discussions with Arts Council England as an example

- Leverage wider investment plans and strategic decisions with closer alignment to other already established corporate workstreams – utilising existing staffing resource but also where possible using existing budgets in a place-based way.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Placemaking in Exmouth Town and Seafront Group recommend to Cabinet to;

- Note that further work is required to refine the draft Exmouth Placemaking Plan prior to being adopted alongside an Implementation Plan.
- Support the appointment of WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan.
- Activate the PETS Sub-Group previously agreed by Cabinet in February of 2024 which is to be 'politically led' supported by Senior Officers to look initially at the 'common ground' matters and opportunities that all three Councils have which have been identified in the Draft EPP.
- Support the introduction and formalising of programme management arrangements consistent with that already in place for other EDDC place based projects
- Seek endorsement across EDDC Service areas, DCC and ETC before a Placemaking Plan is adopted alongside an Implementation Plan.
- Invite Stakeholders to join relevant future PETS meetings where it is relevant to do so (also agreed by Cabinet in February via the revised ToR for PETS).
- Agree that the currently approved UKSPF budget be used to develop feasibility options for Queen's Drive and Beach Gardens – the total budget being ~£45k (initial design briefs are shown at Appendix A. This is already provided for within an approved budget.
- Form a working group to oversee the recommendation in respect of UKSPF.

Recommend to Council:

That a budget of £40,000 be made available to appoint WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan and will be taken from a General Fund Supplementary Budget.

Reason for recommendation:

To progress to a final draft of the Placemaking plan and to move forward a delivery phase for the project.

Officer: Gerry Mills Project Manager Place and Prosperity (Exmouth) gmills@eastdevon.gov.uk

Tel 01395 519960

Portfolio(s) (check which apply):

Climate Action and Emergency Response

Coast, Country and Environment

Council and Corporate Co-ordination

- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities
- Culture, Leisure, Sport and Culture

Equalities Impact Low Impact

Risk: Low Risk; The report is to note an update on progress since our last meeting

Climate change Low Impact

Risk: Low Risk; The report is to note an update on progress since our last meeting.

Links to background information

- a) Appendix A Exmouth Placemaking Plan Design Briefs

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

Report in full

The purpose of this report is to provide Members with the recommended next steps for taking forward the draft Exmouth Placemaking Plan to a position where alongside an Implementation Plan we can move from aspiration to implementation.

Introduction

Background

- 1.1 EPP (Exmouth Placemaking Plan) draft was presented to the Placemaking in Exmouth Town and Seafront Group on the 23th of January 24 – and was well received. This built upon a set of 2 consultations in 2022 and 2023 which were published to ensure the transparency of process. At the meeting it was proposed that a further consultation on this be undertaken, which is detailed in an earlier paper – (Paper 2).
- 1.2 Whilst all Placemaking is aspirational, phase 1 proposed in the draft plan has ~13 potential projects to the value of ~£6M which the Council doesn't have at its disposal – we have however a small UKSPF budget (already approved) which is also timebound for spend by March 2025.
- 1.3 To finalise the draft plan will take some refinement and prioritisation which we propose to do in the same transparent manner as before with Members, supported by officers with the outcomes published – this will be in the form of a number of part B workshops in the Autumn and from there we will prepare an appropriate delivery/implementation plan.
- 1.4 We will build through closer corporate alignment and with greater emphasis around deliverability eg as the time lapse between the original consultation to the present has meant that a number of identified projects have been advanced (eg the area around the

Methodist Church on the Strand is being implemented, the issues around sea walls need to be more prominent, the facelift works around the Octagon are also underway.

- 1.5 As the Plan will impact on 2 other Councils, Exmouth Town Council and Devon County Council the need for joint working is imperative.
- 1.6 The Aim is to hold the workshops in the Autumn and to finalise the Placemaking Plan in late 2024.
- 1.7 The ultimate goal is to get to a refined Placemaking Plan that can be endorsed by the County, District and Town Councils.

Recommendations

That the Placemaking in Exmouth Town and Seafront Group recommend to Cabinet to;

- Note that further work is required to refine the draft Exmouth Placemaking Plan prior to being adopted alongside an Implementation Plan.
- Support the appointment of WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan.
- Activate the PETS Sub-Group previously agreed by Cabinet in February of 2024 which is to be 'politically led' supported by Senior Officers to look initially at the 'common ground' matters and opportunities all three Councils have which have been identified in the Draft EPP.
- Support the introduction and formalising of programme management arrangements consistent with that already in place for other EDDC place based projects
- Seek endorsement across EDDC Service areas, DCC and ETC before a Placemaking Plan is adopted alongside an Implementation Plan.
- Invite Stakeholders to join relevant future PETS meetings where it is relevant to do so (also agreed by Cabinet in February via the revised ToR for PETS)
- Agree that the currently approved UKSPF budget be used to develop feasibility options for Queen's Drive and Beach Gardens – the total budget being ~£45k (initial design briefs are shown at Appendix A. This is already provided for within an approved budget.
- Form a working group to oversee the recommendation IRO UKSPF

Recommend to Council:

That a budget of £30-40,000 made available to appoint WSP to complete the work necessary for adopting the Placemaking Plan. This will include some workshops in a similar format as we used previously; a revised Placemaking Plan and an Implementation Plan and will be taken from a General Fund Supplementary Budget.

Financial implications:

There is a request for a supplementary budget in year of £40,000. This will have to be met from the General Fund Balance and increases the overall budget that was approved at the beginning of the year. Members need to be mindful of supplementary estimates in year are sums not identified during the budget process and therefore need to be taken from the General Fund Balance, this is not ideal but members can approve on an exceptional basis.

Legal implications:

There are no substantive legal issues to be added to this report.

Report to: Council



Date of Meeting 16 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Annual Treasury Management Review 2023/2024

Report summary:

This report sets out the Cabinet recommendation to Council arising from their consideration of a report on the Annual Treasury Management Review 2023/2024 on 4 September 2024.

Note: The references in this report to Paper A relate to the relevant report considered by the Cabinet with recommendations for Full Council to consider and are appended to this report for reference.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Council approves the actual 2023/24 prudential and treasury indicators in the report.
2. That Council notes the annual treasury management report for 2023/24.

Reason for recommendation:

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.

Officer: Andrew Melhuish, Democratic Services Manager (andrew.melhuish@eastdevon.gov.uk)

Report to: Cabinet



Date of Meeting 4 September 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Annual Treasury Management Review 2023/24 – 1 April 2023 to 31 March 2024

Report summary:

This report details the overall position and performance of the Council's Treasury Management Strategy during 2023/24.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet reviews the document and recommends to Council that they:

1. Approve the actual 2023/24 prudential and treasury indicators in this report.
2. Note the annual treasury management report for 2023/24.

Reason for recommendation:

The Council is 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.

Officer: Janet Reeves – Accountant. jreeves@eastdevon.gov.uk 01404 515616, Extension 2033

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities

Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; any depositing of surplus funds exposes the Council to a certain degree of risk relating to the security of deposits, investment return and interest rate risk. However, through the Council's Treasury Management Strategy, the level of risk is proactively managed to an acceptable level.

Links to background information [Annual Treasury Management Review 2023/24 – 1 April 2023 to 31 March 2024](#)

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

Report in full

See link to background information for the report in full.

Financial implications:

Contained within the report.

Legal implications:

The legal position is set out in the report and accompanying document and no further comment is required.

Report to: Council



Date of Meeting 16th October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Paper to support recommendation for Audit and Governance on the Application of the local authority backstop

Report summary:

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 have 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 2022/23; on the understanding this will not be possible for most cases, and these being then deemed “disclaimed” and not audited. Future backstop dates have then been set for 2023/24 accounts and further years where a similar process will apply in attempt to clear the backlog situation and bring audits up to date.

EDDC have published accounts for 2021/22 and 2022/23 that have been advertised and through the public inspection period but have not been audited. The attached letter from Grant Thornton states they consider there is insufficient time to conclude their work for these years before 13 December 2024 deadline. In context each audit takes several months of intense, complex work requiring significant resource from the auditors and from the local authorities’ own finance team. The expectation by Grant Thornton is that they will apply a backstop for 2021/22 and 2022/23 giving a disclaimer on these accounts in that they have been unable to gain assurance necessary to issue an audit opinion by the backstop date.

We have published accounts for 2023/24, again that have been through the public inspection period, it currently envisaged that these will be audited by the required backstop date of 28th February 2025 with the audit already in full progress. This will then bring us up to date without the need to rely on any future backstops.

The Audit and Governance Committee whilst accepting the position on the backstop and agreeing to Grant Thornton’s letter felt that Council should be aware of the position and understand this national issue.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

The Audit & Governance Committee required Council to understand the position of backstops being applied to the Council’s accounts for 2021/22 and 2022/23.

Reason for recommendation:

The Audit & Governance Committee whilst accepting and agreeing to the position of a backstop being applied to the two years accounts it considered that Council should be aware.

Officer: Simon Davey, Director for Finance (S151/CFO) sdavey@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities
- Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; Whilst this is a national issue the implications for members and the public is that the Council will have assurance of audited accounts for 2 years and the implications going forward until the annual audit can cover all years presented.

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

1. Background and Context

- 1.1 Consultation to deal with local authority audit backlogs began under the previous Government, taken forward by the current Government with the legislation which is now to be introduced.
- 1.2 The growing backlog in the publication of audited accounts of local bodies in England has been stated by Government as unacceptable. Timely, high-quality financial reporting and audit of local bodies is a vital part of the democratic system and ensures transparency and accountability to local taxpayers.

- 1.3 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.
- 1.4 Several issues have contributed to this position; local authority accounts have become more complex and technical, a contortion of statutory overrides turning a set of accounts into a large and difficult read, a shortage of experienced and qualified individuals to prepare and then audit the statements with other work pressures for those individuals, commercial investments and initiatives by local authorities has increased risk with additional audit requirements, a general greater expectation of the regulator and new and revised auditing standards and the new National Audit Office Value for Money Code. The overriding factor being there has not been sufficient people resource on both the local authority side and the audit side where there are only a few audit companies in the market.

2. Governments action to clear the backlog.

- 2.1 On 30th July a written ministerial statement was issued setting out proposals to tackle the local audit backlog. Key extracts from that statement are given below:

This government's manifesto committed to overhaul the local audit system to enable taxpayers to get better value for money. A growing backlog will severely hamper necessary fundamental reforms to repair the system, and will continue to undermine local accountability and governance. We must act now to get the house in order and to rebuild the system so that it is fit, legal, and decent, and the public have an effective early warning system.

This statement outlines immediate actions the Government – together with the Financial Reporting Council (FRC), the National Audit Office (NAO), and organisations in the wider system – is taking, which are designed to address the backlog and put local audit on a sustainable footing. The previous Government launched a welcome consultation on this issue in February. Despite a lack of action, there was clear support for the core elements of the approach to clearing the backlog. All key local audit organisations support these bold measures, recognise their exceptional nature, and continue to share the conviction that this urgent and decisive action is needed to reset the system and repair the foundations of local government.

Local authorities and other local bodies, alongside their auditors, are our partners in this plan to restore a system of high-quality and timely financial reporting and audit, while managing the impact of this in a sustainable way. I commend the commitment of local finance teams and auditors in their work to date.

Proposed secondary legislation.

I intend to lay secondary legislation when parliamentary time allows, and, at the point at which the Comptroller and Auditor General requests, I would also lay a new Code of Audit Practice (again, subject to parliamentary time). Taken together, these measures aim to facilitate a return to timely, purposeful audits of local body accounts. The secondary legislation would amend the Accounts and Audit Regulations (2015) to set a series of backstop dates.

The first backstop date would clear the backlog of unaudited accounts up to and including 2022/23, but given the size of the audit backlog, it is unlikely that all outstanding audits will be completed in full ahead of this date. The Government recognises that this is likely to have unfortunate consequences for the system in the short term and has been forced to take this difficult decision due to the backlog we inherited. This Government is determined, however, to make the tough choices necessary to begin rebuilding the foundations of local

government. Where auditors have been unable to complete audits, they will issue a 'disclaimed' or 'modified' audit opinion. Auditors are likely to issue hundreds of 'disclaimed' audit opinions and disclaimed opinions will likely continue for some bodies for a number of years.

The proposed legislation will include five further backstop dates up to and including financial year 2027/28 to allow full assurance to be rebuilt over several audit cycles. It is the aspiration of the Government and key local audit system partners that, in the public interest, local audit recovers as early in this five-year period as possible. This means disclaimed opinions driven by backstop dates should, in most cases, be limited to the next two years (up to and including the 2024/25 backstop date of 27 February 2026), with only a small number of exceptional cases, due to specific individual circumstances, continuing thereafter. The proposed backstop dates are:

- Financial years up-to-and-including 2022/23: 13 December 2024
- Financial year 2023/24: 28 February 2025
- Financial year 2024/25: 27 February 2026
- Financial year 2025/26: 31 January 2027
- Financial year 2026/27: 30 November 2027
- Financial year 2027/28: 30 November 2028

While there will be modified and disclaimed opinions, auditors' other statutory duties – including to report on Value for Money (VfM) arrangements, to make statutory recommendations and issue Public Interest Reports – remain a high priority. Our government will make that crystal clear.

Bodies that are non-exempt but have failed to comply with a backstop date will be required to publish an explanation, to send a copy of this to the Secretary of State (to facilitate scrutiny) and publish audited accounts as soon as practicable. The Government also intends to publish a list of bodies and auditors that do not meet the proposed backstop dates, which will make clear where 'draft' (unaudited) accounts have also not been published. I intend to keep this under close review and may explore further mechanisms to take appropriate action, should reasons given be inadequate.

Communications to support local bodies and auditors.

There will be extensive communications and engagement on these measures, to make clear the necessity of these steps and emphasise the context for modified or disclaimed opinions. Local bodies should not be unfairly judged based on disclaimed or modified opinions, caused by the introduction of backstop dates that are largely beyond their control. Auditors will be expected to provide clear reasons for the issuing of such opinions to mitigate the potential reputational risk that local bodies may face. We will work with partners to provide communications support to the system.

Audit fees.

Issuing a disclaimed or modified audit opinion and a subsequent return to being able to fully complete audits will require differing levels of work by auditors. Public Sector Audit Appointments Ltd (PSAA) will set scale fees and determine fee variations where the auditor undertakes substantially more or less work than assumed by the scale fee and will consult with bodies where appropriate. In doing so PSAA will apply the following principles: if auditors have worked in good faith to meet the requirements of the Code of Audit Practice in place at the time the work was conducted (and have reported on work that is no longer

required), then they are due the appropriate fee for the work done, and the body is due to pay the applicable fee, including where there is a modified or disclaimed opinion. Conversely, if an auditor has collected audit fees in part or in full, and the backstop date means that the total work done represents less than the fee already collected, then the auditor must return the balance and refund the body the appropriate amount – this ensures that the bodies pay only for work that has been done and reported.

Conclusion

I recognise that aspects of these proposals are uncomfortable. Given the scale of the failure in the local audit system that this Government inherited, however, we have had to take this difficult decision to proceed. Without this decisive action, the backlog would continue to grow, and the system will move even further away from timely assurance. The secondary legislation I will lay will give effect to these proposals and start to repair the foundations of local governance. Significant reform is needed to overhaul the local audit system to get the house in order and open the books. I will continue to review the evidence, including considering the recommendations of external reviews to date, and will update the House in the Autumn on the Government's longer-term plans to fix local audit.

3. This Council's position.

- 3.1 EDDC have published accounts for 2021/22 and 2022/23 that have been advertised and through the public inspection period but have not been audited. The attached letter from Grant Thornton, that was presented to the Audit and Governance Committee, states they consider there is insufficient time to conclude their work for these years before 13 December 2024 deadline. In context each audit takes several months of intense, complex work requiring significant resource from the auditors and from the local authorities' own finance team. The expectation by Grant Thornton is that they will apply a backstop for 2021/22 and 2022/23 giving a disclaimer on these accounts in that they have been unable to gain assurance necessary to issue an audit opinion by the backstop date. This is far from ideal for public accountability but places us in a similar position to many local authorities and the position will need to be effectively communicated.
- 3.2 We have published accounts for 2023/24, again that have been through the public inspection period, it currently envisaged that these will be audited by the required backstop date of 28th February 2025 with the audit already in full progress. This will then bring us up to date without the need to rely on any future backstops. However, it should be noted as the prior years to 2023/24 will not be audited we are unlikely to have an unqualified opinion for 2023/24 because of prior year balances and comparisons will not have been audited. Further guidance is expected on this for the auditors and local authorities.
- 3.3 The deadline for annual Accounts draft publication date going forward has been specified as June each year. This is the date that this Council will need to ensure it can meet going forward (some 6 week earlier than we finalised the current accounts), whilst the Finance Team has restructured to ensure resource is placed on this objective, including the resource required to support the audit, we currently carry three vacancies in this small team.
- 3.4 In the view of your Section 151 Officer although the backstop position is a necessity as a reset, without the necessary changes to simply local authority accounts in order to prepare, audit and most importantly for the public to understand then this will not have solved the route problem.

Financial implications:

There are no direct financial implications on the Council

Legal implications:

The legal issues are dealt with in the body of the report.



28 August 2024

To Audit and Governance Committee Chair
East Devon District Council

Grant Thornton UK LLP
2 Glass Wharf
Bristol BS2 0EL

T +44 (0)117 305 7600
F +44 (0)117 305 7784
grantthornton.co.uk

Dear Cllr Burhop

East Devon District Council: An update on the application of the local authority backstop

On 30 July 2024, the Minister of State for Local Government and English Devolution, Jim McMahon, provided the following written statement to Parliament [Written statements - Written questions, answers and statements - UK Parliament](#). This confirms the government's intention to introduce a backstop date for English local authority audits up to 2022/23 of 13 December 2024. A backstop date for 2023/24 is proposed of 28 February 2025.

In this letter, I set out more details of the approach Grant Thornton plans to take in respect of the backstop, and how this is likely to impact your authority. I should be happy to discuss this further including at the next Audit and Governance Committee.

Applying the backstop for years up to 2022/23

As you will be aware, we have not yet signed the audits for years 2021/22 or 2022/23. As previously reported, these audits were delayed due to the 2020/21 opinion audit not being concluded until November 2023 as a result of historic capacity issues within the finance team which combined with national technical issues and subsequent audit team changes that compounded the delay. As a result, it has not been possible to make a timely start on the 2021/22 and 2022/23 post-statements audits. The Council did not publish draft financial statements for 2021/22 until January 2024 and for 2022/23 until May 2024.

We have, however, completed planning and issued an audit plan for the 2021/22 year. We have also completed our Value for Money work for both 2021/22 and 2022/23 and have reported this through the Audit and Governance Committee.

We consider that there will not be sufficient time to conclude our work for both 2021/22 and 2022/23 in advance of the 13 December 2024 backstop deadline. On that basis, our expectation is that we will apply the backstop for the 2021/22 and 2022/23 years. Given that a number of key audit areas remain outstanding, then our audit reports will be issued as a disclaimer of opinion. Effectively this means that we will have been unable to gain the assurance necessary to give an audit opinion by the statutory backstop date.

In plain terms, a disclaimer means that we have been unable to form an opinion. In this instance, the reason for this will be the limitation of scope imposed by statute (not by the local authority). A disclaimer due to the backstop does not of itself indicate a local authority failing. Where however we consider that there have been weaknesses in local authority arrangements for accounts closedown, we will report these in the Audit Findings Report which we produce at the conclusion of the audit. Should we have identified any issues during the audit which ordinarily would have impacted our opinion, we will give consideration to how these should be reported in the disclaimer of opinion.

Chartered Accountants

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Before we issue a disclaimer of opinion, we will:

- Report any matters arising from the audit which we need to share with you under the auditing standards; and
- Share the wording of the draft disclaimer of opinion with you.

To help us meet the backstop requirements, please ensure that for both years you have:

- adopted the financial statements in accordance with the requirements of the CIPFA Code and the Accounts and Audit Regulations
- met the requirements under legislation in terms of the rights of local electors to inspect the accounts
- set aside a date for an Audit & Governance Committee in advance of 13 December 2024. In practice, we recommend arranging this in November if possible.

Please also note that we will need a letter of representation from you in respect of each of the financial statements before we issue a disclaimer.

We appreciate that where a full audit has not been completed, an adjustment will be needed in terms of fees. PSAA will be making determinations on this in due course.

The recovery period – 2023/24 and onwards

The government has set out its intention that from 2023/24, auditors should work with local authorities to begin the process of recovery. A backstop date for 2023/24 has been proposed of 28 February 2025, and a date for 2024/25 audits of 27 February 2026.

As part of our commitment to supporting the recovery we have agreed with you a start date for our financial statements audit for 2023/24 and will enter our main phase of fieldwork in the coming months.

The fact that previous audits have been disclaimed brings with it a number of challenges. Not least of these is the fact that we will not have assurance over the opening balances in the financial statements for 2023/24. In addition, there are risks that the allocation of funds between different reserves could be misstated, and also that prior year errors in areas such as the Minimum Revenue Provision could have gone undetected.

Our intention is that over time we will re-build assurance in respect of prior years. The NAO and FRC are currently working on guidance to support auditors and we will update you as and when this is received. In the meantime, recognising that the next backstop date is set for 28 February 2025, our intention is to prioritise (amongst other things) the following areas:

- Risk assessment and evaluation of the control environment for 2023/24 including ISA 315 assessment
- Audit of closing balances as at 31 March 2024
- Audit of income and expenditure and movements within financial year 2023/24 and associated cut off testing
- Testing of journals within 2023/24
- Testing of Movement of Reserves statements and other primary statements (within the constraints that we will not have opening balance assurance)
- Financial statements disclosure testing
- Recognising the sensitivity of cash, we propose to look at the opening cash position as at 1 April 2023.

Our current aim is to be able to complete the above work by the end of January 2025. We will provide an Audit Findings Report to those charged with governance setting out the findings from our work and any key outcomes.

At this stage, given the inherent challenges outlined above, we consider that it is unlikely to be possible to undertake sufficient audit work by 28 February 2025 that would enable us to regain full assurance on opening balances, or on prior year property valuations.

The consequence of this is that there is a strong possibility audit year 2023/24 will be disclaimed in respect of opening balances. We are working with the NAO and FRC to identify the best way to regain full assurance and return to a clean opinion as quickly as possible over the coming years.

We will keep you updated on the progress of our work. Do please ensure that a suitable Audit & Governance Committee date is arranged in advance of the 2023/24 backstop date of 28 February 2025. We recommend that a late January 2025 would be ideal.

Looking ahead

We recognise these are unusual and difficult times for all authorities that will be subject to the backstop. We believe that public confidence is best enabled by returning to a position of timely audit reporting and clean opinions as soon as possible. We will work actively with you and others in the sector to do our best to achieve this.

Yours sincerely



Jackson Murray, Key Audit Partner 2021/22 and 2022/23



Peter Barber, Key Audit Partner 2023/24 onwards

For Grant Thornton UK LLP

CC Director of Finance

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Audit and Governance Committee held at Council Chamber, Blackdown House on 19 September 2024

Attendance list at end of document

The meeting started at 2.30 pm and ended at 4.07 pm

13 Minutes of the previous meeting

The minutes of the Audit and Governance Committee held on 25 July 2024 were confirmed as a true record.

14 Declarations on interest

There were no declarations made.

15 Public speaking

There were no members of the public wishing to speak.

16 Matters of urgency

There were none.

17 Confidential/exempt item(s)

There were none.

18 Auditor letter on the application of the local authority backstop

Peter Barber from Grant Thornton update Members about the backstop. He agreed this was not a desired position to be in and that this was a sector-wide problem across the Country. He pointed out that this did give an opportunity for a reset to work with the 2023/24 accounts onwards while meeting deadlines. The Committee's remit was to make sure that this happened as this was public money, with the council needing to prepare audited accounts.

The Chair stated that the ramifications for the 2021/22 and 2022/23 accounts going forward would impact future audits. Peter Barber confirmed this position but stated Grant Thornton were undertaking further work due to the backstop to give confidence in accounts going forward.

RECOMMENDED to Council;

That the backstop for 2021/22 and 2022/23 be recommended to Council with a covering report from the Director of Finance to explain the position for Members understanding.

19 Internal Audit Plan 2024-25 - SWAP

Lisa Fryer from SWAP presented the Internal Audit Plan 1 October 2024 to 31 March 2025. Members asked questions on controls within the Housing Services relating to finance and contract management. The Director of Finance stated there was ongoing work with SWAP relating to the control environment which would determine if more audit resource would be required to give Council assurance. The Director of Finance was requested that an update of this position be given at each meeting until this was handed to SWAP to report on.

RESOLVED:

That the Internal Audit Plan for 1 October 2024 to 31 March 2025 be noted.

20 **Internal Audit Activity Progress report - SWAP**

Lisa Fryer presented the Internal Audit Activity Progress Report – September 2024. She reported that 5 extra pieces of work had been added with some activities subsequently deferred to further in the year. She confirmed that key controls recommendations resulting from confidential audits would be brought back to the Committee. The key audits and monitoring included in the Plan would form the basis for next year's audit activity. During discussion concern was raised to several outstanding actions which was identified as down to management responsibility. Climate Change audits had been received but not at the time of publication of this report, they will be included on the next progress report. In response the Director for Finance stated that the Executive Leadership Team had discussed the high number of outstanding recommendations and requested that SWAP hold a workshop session with each Directorate to go through and prioritise the implementation of outstanding recommendations or to update where they had been completed or circumstances had changed to ensure an up-to-date position was being presented to Members.

RESOLVED:

That the progress made in delivery of the 2024/25 Internal Audit Plan as at the start of September, and the findings reported be noted.

21 **Strata Services Solutions - Internal Audit Report Annual Opinion**

The Committee received audit assurance through the independent work and reports from SWAP, however the internal audit of the Councils ICT provision (Strata Services Solutions) was audited by the Devon Assurance Partnership (DAP). Joanne McCormick from DAP presented this annual opinion. During discussion it was asked that the report be received in a timelier manner for the March committee meeting each year. A focus on business and backup continuity was asked for. It was requested by the Committee that Strata presented to them the current position relating to an of concern highlighted in the assurance statement on back up processes. If appropriate for DAP to be present.

The Audit Opinion for 2023/24 was Reasonable Assurance.

RESOLVED:

That the annual audit opinion for Strata Services Solutions Ltd be noted.

22 **Risk Management Project update**

It had been recognised the need to review the risk management practices including undertaking a full review of the risk register entries. To support this work, the council had engaged with a risk specialist from Gallagher Bassett. The report proposed a project to undertake the review and project plan which had been approved by the Senior Leadership Team. It was explained that the cost of this review was covered and given as a free service as part of the added value within the Council's insurance contract.

RESOLVED:

That the risk project and way forward be noted.

23 **Audit and Governance Forward Plan**

Audit and Governance Committee Forward Plan items to be considered at the 21 November 2024 committee included:

- Internal Audit Plan Progress report 2024/25
- Interim Auditor's Annual Report 2022/23 – to inc. information on the backstop of the 2021/2022/2023 accounts
- Value for Money report
- Fraud Strategy Delivery Plan
- Project review of Housing procurement (Part B)
- Financial Monitoring report 2024/25 - Month 5
- Strata update on limited assurance and business continuity and backups

Attendance List

Councillors present:

I Barlow
C Burhop (Chair)
R Collins
O Davey (Vice-Chair)
C Fitzgerald
M Goodman

Officers in attendance:

Amanda Coombes, Democratic Services Officer
Jo Avery, Management Information Officer
Peter Barber, Grant Thornton
Simon Davey, Director of Finance
Lisa Fryer, SWAP
Connor McLaughlin Nester, SWAP
John Symes, Finance Manager
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Joanne McCormick, DAP

Councillor apologies:

K Bloxham
C Brown
S Gazzard
J Whibley

Chair

Date:

Report to: Council



Date of Meeting 18th October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release [Click here to enter review date for release of document if currently covered by exemption above or state "N/A"](#)

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

Report summary:

For Council to consider the recommendation of the Interviewing Sub Committee to appoint a new Director of Housing and Health and Director of Place following the recent recruitment process.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Council appoints Andrew Wood as Director of Place at East Devon District Council.

That Council appoints Catrin Stark as Director of Housing and Health at East Devon District Council.

Reason for recommendation:

In line with the Constitution, Council are required to make the final decision regarding the appointment of Directors, following recommendation from the Interviewing Sub Committee.

Officer: Sue Cockayne, HR Business Partner

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities
- Culture, Leisure, Sport and Tourism

Equalities impact Medium Impact

Failure to follow relevant employment law and HR policy during recruitment processes could leave the Council open to discrimination claims. The actions taken to date have been taken in accordance with legislation and Council policy.

Climate change Low Impact

Risk: Low Risk; As outlined above and in the report, the recruitment process has been robust and undertaken in accordance with legislation and Council policy.

Links to background information Click here to enter links to background information; appendices online; and previous reports. These must link to an electronic document. Do not include any confidential or exempt information.

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

Report in full

1. Changes to the Executive Leadership Team roles, including a new Director of Place, were agreed by Council on 8th May 2024 and temporary interim acting up arrangements were put in place pending the permanent recruitment process. The permanent recruitment process has now taken place, as summarised below. Following this process, suitable candidates for both posts have been selected and Council approval of the appointments is now sought.
2. The Interviewing Sub Committee (a sub committee of the Personnel Committee) are responsible for making recommendations on the appointments of Chief Officers to the Council (including Directors) when vacancies arise in these posts and to take such other action as it deems necessary leading up to the making of those appointments. The Sub Committee consists of seven councillors drawn from the membership of the Personnel Committee which shall include at least one member of the Cabinet, subject to the rules relating to political balance/proportionality (Personnel Committee Terms of Reference, Part 3, Section 2, paragraph 2.10.6).

3. Recruitment Process

- 3.1. The Directors posts were advertised in the Municipal Journal on 13th June 2024. Alongside this, a dedicated microsite for the role was developed, which enabled potential candidates to find out more information about the Council and the roles.
- 3.2. The advert closed on 21st July 2024 and 29 applications were received for the Director of Place role and 12 applications for the Director of Housing & Health. A longlist of 7 candidates were selected for the Director of Place role and 4 candidates for the Director of Housing & Health role who were then interviewed by the Chief Executive, a technical assessor and HR on 13th August for Director Housing & Health and 14th August for Director Place, from which 3 candidates for each role were then shortlisted for consideration by the Sub Committee.
- 3.3. On 4th September 2024 candidates were invited to an assessment centre. The assessment process included:
 - Psychometric assessments.
 - Group discussion exercise with Assistant Directors.
 - Group discussion exercise with relevant partners from Place and Housing & Health.
- 3.4. The Interviewing Sub Committee reviewed feedback from the above selection methods and used this to inform the final formal presentation and interview and their appointment recommendation.
- 3.5. An executive search agency was commissioned to support the recruitment process. This is standard practice for roles at this level as it provides access to a wide range of potential candidates and specialist advice and support, which is particularly helpful given the continuing challenging employment market. This approach had also proved beneficial during the 2023 Director and 2024 Chief Executive recruitments. The agency developed a

recruitment campaign, liaised with potential candidates, and advised and supported the selection process. During the period up to the assessment centre, the agency also undertook several due diligence checks. The agency chosen has a strong track record of working within the local government sector and therefore had the contacts and technical experience to support recruitment to both roles.

4. Appointment of Director of Place

- 4.1. The appointment of Andrew Wood to the role of Director of Place is recommended following the recruitment process. Andrew has demonstrated his ability to act as a highly effective senior leader and brings a wealth of relevant expertise and knowledge to the role of Director of Place.
- 4.2. If agreed, Andrew Wood as Director of Place will both commence the role with effect from 1st October 2024.
- 4.3. Andrew Wood will be employed on Joint Negotiating Committee (JNC) Chief Officer terms and conditions at the advertised salary of £102,602.00 per annum.
- 4.4. As this is an internal appointment, the Chief Executive and new Director are currently liaising to confirm backfill arrangements.

5. Appointment of Director of Housing and Health

- 5.1. The appointment of Catrin Stark to the role of Director of Housing and Health is recommended following the recruitment process. Catrin has a strong background in housing and has worked successfully at a senior level for some years. She has a strong focus on people and culture and her appointment will be positive move forward for Housing & Health.
- 5.2. If agreed, Catrin Stark will commence the role of Director Housing & Health with effect from 1st October 2024.
- 5.3. Catrin Stark will be employed on Joint Negotiating Committee (JNC) Chief Officer terms and conditions at the advertised salary of £102,602.00 per annum.
- 5.4. As this is an internal appointment, the Chief Executive and new Director are currently liaising to confirm backfill arrangements.

Financial implications:

Council have approved these two posts in the establishment on the understanding that the costs of the additional Director post would be found from existing staffing budgets.

Legal implications:

As is outlined in the report, the procedure for the recruitment of a Chief Executive and Directors is set out in the Officer Procedure Rules. This requires appointment by Full Council following a recommendation by the Interviewing Sub-Committee. Full Council can only appoint where no well-founded objection has been made by a Member of the Cabinet. Council makes the final decision on whether a complaint is well-founded.



Report to: Council

Date of Meeting 21 February 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Motions on Notice

Report summary:

The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and at least 3 members and submitted not later than 10 clear days before the date of the meeting.

Motions must be about matters for which the council has a responsibility, or which affect East Devon District Council and will be listed on the agenda in the order in which notice received..

Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Motions on Notice are debated and determined by Council.

Reason for recommendation:

The constitution makes provision for motions on notice to be debated and decided by Council.

Officer: Andrew Melhuish, Democratic Services Manager (andrew.melhuish@eastdevon.gov.uk)

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities
- Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

The impact is low as this report is dealing with the submission of motions on notice. Any work undertaken following the consideration of the motions on notice would be subject to an equalities impact assessment being undertaken.

Climate change Low Impact

Risk: Low Risk; A risk assessment would need to be completed on any works or further investigations resulting from the motions of notice.

Links to background information N/A

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

Report in full

Motion 1: Winter Fuel Allowance

Motion Proposed: Cllr Mike Goodman

Motion Seconded: Cllr Colin Brown

Motion signed: Cllrs Aurora Bailey, Brian Bailey, Jenny Brown, Alasdair Bruce, Maddy Chapman, Peter Faithfull, Stuart Hughes, Ben Ingham, Sophie Richards and Henry Riddell

Motion received: 10 September 2024

The full text of the motion is set out below.

The Council notes.

The Labour government is withdrawing the winter fuel allowance for all Pensioners' unless they are on pension credit.

There will be a 10% increase in the energy cap.

These two measures will affect and cause hardship to many pensioners in East Devon.

This will plunge many East Devon 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 is 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.

The Council therefore resolves that they:-

Ask that the CEO 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 urgently commences a significant 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, targeted letters to those who may be eligible.

Resolve that the Leader and Chief Executive report back to Council.

Motion 2: Housing Motion

Motion Proposed: Cllr Henry Riddell

Motion Seconded: Cllr Mike Goodman

Motion Signed: Cllrs Aurora Bailey, Brian Bailey and Stuart Hughes

Motion received: 1 October 2024

The Council notes

Damp and mould has serious impacts on residents' lives and can cause negative health implications which can be life changing.

Under Awaab's law the council has to investigate each complaint about damp and mould in social housing and this will be extended to the private rented sector next year. If they do not, residents will be able to hold their landlords to account by taking legal action through the courts for a breach of contract.

That a stock condition survey of all properties commissioned in 2021 has still not been completed.

Once the stock condition survey is completed, a costed programme of housing improvements will be required and will need to be built into the Housing Revenue Account once the information is available. Along with a fund for tenants legal action. The council will also have to significantly invest in environmental health while there is a national shortage.

The Grant Thornton report in December 2023 stated that East Devon has one of the worst maladministration rates in the country at 89%. The report also said that there was evidence that this had continued in 2023.

The Council resolves to

1. An urgent report within the next three months is required to establish what the cost is to bring housing stock under the council stewardship to decent home standard, along with potential liabilities including legal action by tenants on failure to do this.
2. Investigate why the stock condition survey has not been completed, and report back to the full council.
3. A review of the procurement process and why it has not been delivered.
4. A hotline is established before winter for all residents, owner occupier, social and private rented areas to report damp and mould.
5. A plan is implemented to protect all residents (including owner occupied) from mould with guidance on how to remove, reduce and avoid damp and mould.

Motion 3: Ecological Crisis

Motion Proposed: Cllr Jess Bailey

Motion Seconded: Cllr Melanie Martin

Motion Signed: Cllrs Ian Barlow, Alasdair Bruce, Chris Burhop, Olly Davey, Paula Fernley, Mike Howe, Vicky Johns and Yehudi Levine

Motion received: 2 October 2024

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.

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.

Financial implications:

To be confirmed.

Legal implications:

The motions on notice have been submitted in accordance with the Part 4 of the Council's Constitution – Rules of Procedure 10.1 Notice: Except for motions which can be moved without notice under Rule 11, written notice of every motion, signed by at least 5 members, must be delivered to the Chief Executive not later than 10 clear days before the date of the meeting.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
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