

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Council held at Council Chamber, Blackdown House, Honiton on 4 December 2024**

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

The meeting started at 6.00 pm and ended at 8.30 pm

#### **42 Apologies**

Apologies received from Councillors Jess Bailey, Jenny Brown, Violet Bonetta, Maddy Chapman, Del Haggerty, Anne Hall, Matt Hall, Marcus Hartnell, Mike Howe, Richard Jefferies, Vicky Johns, Cherry Nicholas, Todd Olive, Helen Parr, Sophie Richards and Simon Smith.

#### **43 Declarations of interest**

Agenda Item 13 - Motion on Notice Inheritance Tax (Agricultural Property Relief): Affects Non-Registerable Interest: Councillors Aurora Bailey, Brian Bailey, Alasdair Bruce, Sarah Chamberlain, Bethany Collins and Henry Riddell – local farming connection.

Ordinary Registerable Interest: Councillor Andrew Toye – local farming connection.

#### **44 Minutes of the previous meeting**

The minutes of the previous meeting held on 16 October 2024 were confirmed as a correct record and signed by the Chair of Council.

#### **45 Public speaking**

None.

#### **46 Matters of urgency**

None.

#### **47 Announcements from the Chair of Council and the Leader of Council**

None.

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

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

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

There were six questions received on notice pursuant to Procedure Rules no. 9.2 and 9.3 and members noted the responses.

**RESOLVED** That the questions asked by members of the Council pursuant to Procedure Rules no. 9.2 and 9.3 and the responses given are noted.

Question	Question from	Question	Response
1	Cllr Peter Faithfull	In your reply to me at the last full council meeting you stated that, in the last General Election, 'none of your election literature, published in your name, commended a target number.' Would you be willing to retract that statement?	The Leader of Council confirmed that the information related to national housing figures included in promotional information distributed.
2	Cllr Mike Goodman	In 2022/23 it was reported by Grant Thornton that the EDDC housing department were amongst the worse in the country for maladministration complaints at 87% as reported by the Ombudsman which focused on inspections and timeliness within damp and mould complaints. Can Councillor Dan Ledger explain why the Ombudsman's report 2023/24 shows there has been no improvement and what actions have been taken to improve the performance.	PFH Sustainable Homes & Communities response: In 2023/24, EDDC's maladministration rate was 89%. It should be noted, however, that this is relating to 89% of cases referred to the Housing Ombudsman for determination, not 89% of EDDC's total complaints. In 2023/24, 9 complaints were taken on by the Housing Ombudsman for determination, and 8 of those cases had a maladministration finding. Only one of these cases related to damp and mould. In the 2023/24 Landlord Performance Report for East Devon, published by the

			Housing Ombudsman, they state "The Landlord performed similarly when compared to similar landlords by size and type".
3	Cllr Mike Goodman	Could Councillor Jackson explain what progress has been made to develop an East Devon online petition as most councils have this in place and is valuable to our residents.	PFH Communications & Democracy response: The Overview Committee have requested a paper to set out the options for introducing an online petition for residents. The report is due to be reported to the committee on 23 January 2025.
4	Cllr Mike Goodman	Members were confidentially received the important long-awaited Stock condition survey, when is this report going to be made public.	<p>PFH Sustainable Homes &amp; Communities response: On November 7<sup>th</sup> 2024, all members were invited to attend a briefing session held by Currie and Brown to hear the initial headline data from the stock condition survey, not the full stock condition survey data. Aside from one preparatory meeting, this was also heard by Officers at the same time.</p> <p>This approach was taken to demonstrate the desire of Officers to work collaboratively and transparently with</p>

			<p>Members on the basis that further work would be needed to validate the data and complete internal quality assurance processes before moving forward.</p> <p>As has been explained, this validation and scrutiny will take time and the first stage of this is already underway and will be due to complete by the end of January. Until we are certain that the information we have been issued is a true reflection of our position and adopt it as such, we will not be able to publish a public report. In response to a follow up question the Portfolio Holder confirmed that the stock condition survey was currently subject to an internal quality assurance process and would be available to councillors when that work had concluded.</p>
5	Cllr Mike Goodman	The Grant Thornton internal report 2023/24 identifies a weakness in the Councils financial sustainability arrangements to fund the Housing stock. Can Councillor Hawkins outline what arrangements are being put in place.	<p>PFH Finance response:</p> <p>Council will be aware that a revised Housing Revenue Account (HRA) budget was approved for 2024/25 (July 2024), close monitoring is in</p>

		<p>place with weekly meetings between Finance and the Service to ensure the budget is not exceeded. Members of Cabinet, Housing Review Board and the Audit &amp; Governance Committee have received regular and timely financial monitoring reports giving the assurance of this position. In agreeing to the revised budget a sustainability plan was presented and approved, this outlined the implications for the 2025/26 budget and the longer term work required linked to the stock condition survey. To update and provide progress against this programme a HRA position statement was presented to the Housing Review Board on 7<sup>th</sup> November which covered the current financial position, the stock condition survey, CIPFA Health check, the HRA Sustainability Plan, the Business Plan and Options Appraisal work, the Asset management</p>
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			<p>Strategy, and the Housing Investment &amp; Delivery Plan.</p> <p>It is acknowledged that the financial sustainability of the HRA is a risk, but the Council has put in place the right mitigations as evidenced. I look forward to this being reflected in the 2024/25 outturn report.</p>
6	Cllr Mike Goodman	Having a place to call home is important to our residents could Councillor Ledger, confirm how many people are on the housing waiting list for each year from 2020 please.	<p>PFH Sustainable Homes &amp; Communities response:</p> <p>At EDDC we hold a housing waiting list, this includes any persons who wish to register for social housing, not just those who have a housing need.</p> <p>It is important to note the key difference between an applicant assessed as being in housing need and those that are on a housing waiting list. In answer to a follow up question the Portfolio Holder confirmed that the figures included housing need and waiting list details and it was hoped that the data could be reviewed to indicate the housing wait list numbers only.</p>

As at	Total Housing Need	Housing Waiting List	Total	Housing Need %	No Housing Need %
1st April 2020	2214	2494	4708	47%	53%
1st April 2021	2652	2254	4906	54%	46%
1st April 2022	2221	2326	4547	49%	51%
1st April 2023	2588	2786	5374	48%	52%
1st April 2024	3065	3140	6205	49%	51%
1 <sup>st</sup> Nov 2024	2881	2884	5765	50%	50%

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

The minutes from the meetings of the Cabinet and committees for meetings held between 16 October and 25 November 2024 were presented.

**RESOLVED:** That the minutes of the Cabinet and committees between 16 October and 25 November 2024 are noted:

- Cabinet – 30 October 2024
- Scrutiny Committee – 7 November 2024
- Housing Review Board – 7 November 2024 Overview Committee – 24 October 2024  
Planning Committee 22 October and 19 November 2024
- Strategic Planning Committee – 29 October, 1 November and 5 November 2024 South & East Devon Habitats – 24 October 2024
- Arts and Culture Forum – 6 November 2024
- Leisure Strategy Delivery – 11 November 2024

## 51 **Recommendation from Cabinet - 30 October 2024: Council Financial Plan 2025/2035**

The Leader of Council presented a recommendation from Cabinet on 30 October 2024 relating to the Financial Plan for the period 2025 to 2035.

Members noted that it was essential that the Council considered its financial resources in advance to allow time to make necessary amendments to its service provision to ensure balanced budgets were maintained.

The recommendation was moved by Cllr Paul Arnott and seconded by Cllr Sam Hawkins and put to the vote and carried by a majority show of hands.

**RESOLVED:** That the Financial Plan 2025 to 2035 and its direction outlined in balancing future budgets is adopted.

52 **Recommendation from Licensing & Enforcement Committee - Statement of Gambling Policy**

The Chair of the Licensing & Enforcement Committee presented the Statement of Licensing Policy for 2025 to 2025.

Members noted that there was a legal requirement to review the policy every three years and the updated policy presented had been amended to reflect changes in national guidance and feedback from the Gambling Commission. It was further noted that it was anticipated that a more substantive review of the policy outside of the standard three year review window would be necessary in light of changes to Guidance to Local Authorities from the Gambling Commission in the near future.

Council welcomed the update policy and Councillor Sarah Jackson moved the recommendation which was seconded by Councillor Joe Whibley. Having duly been seconded and put to the vote Council unanimously agreed to adopt the Statement of Licensing Policy for 2025 to 2028.

**RESOLVED:** That the Statement of Licensing Policy 2025 to 2026 is adopted.

53 **Recommendation from Strategic Planning Committee - Local Development Framework**

The Council received a recommendation from the Strategic Planning Committee relating to the Local Development Scheme (LDS). Members noted that the LDS set out a programme and timetable for production of future planning policy documents and that the previous LDS dates from 2023 required an update.

Members welcomed the new proposed LDS which formed a future work programme for the Planning Policy team at the Council and listed key policy documents that are proposed to be produced by the Planning Policy team or in which the policy team is partnering in production. The LDS also provided an overview of and advises on relevant planning policy work undertaken by outside partners, to include Devon County Council, in respect of waste and minerals plans and local communities in respect of Neighbourhood Plan making.

The recommendation was proposed by Councillor Dan Ledger and seconded by Councillor Yehudi Levine and having been put to the vote was carried by a majority show of hands.

**RESOLVED** that Council approve the Local Development Scheme to take effect immediately following approval.

54 **Motion on Notice - Inheritance Tax (Agricultural Property Relief)**

Councillor Colin Brown proposed the following motion:

This Council notes with concern the proposed changes to inheritance tax announced by the Government in the recent Autumn budget, which would scrap Agricultural Property Relief (ARP).



ARP has been instrumental in allowing British family farms to remain intact across generations, supporting food security, sustaining rural communities, and aiding environmental stewardship.

This tax is estimated to impact over 70,000 farming families with an inheritance tax bill of at least £240,000, which will force many to sell portions of their land or close entirely, paving the way for corporate ownership over family ownership.

The Council believes that this tax will have severe impacts:

1. Food Security: Selling off land and closing farms will put our national food independence at risk, at a time when global stability is already fragile. British family farms are critical to ensuring a steady supply of homegrown food.
2. Rural Community Stability: Family farms are the foundation of rural Britain, contributing to local jobs, schools and local services. The Government proposed tax, risks destabilising communities, eroding the rural way of life, and causing a negative ripple effect across the countryside.
3. Environmental Stewardship: Farms cover 70% of the UK's land, with family farms playing a leading role in nature recovery, biodiversity, and sustainable land management. The sale and fragmentation of these lands would hinder conservation efforts and undermine environmental initiatives.

This Council resolves to: Oppose the government's changes to inheritance tax affecting family farms.

Advocate for the exemption of family farms to preserve the UK's food security, rural communities, environmental initiatives.

Request all opposition parties oppose this budget inheritance tax on this basis.

This Council urges all Councillors to stand with Britain's family farmers, to support our rural communities, and that the CEO sends a letter to the Chancellor of the Exchequer and the Minister of State for Food Security and Rural Affairs Daniel Zeichner signed by all group leaders formally rejecting this proposed 'family farm tax'.

The motion was seconded by Councillor Colin Brown and supported by Councillors Aurora Bailey, Brian Bailey, Jenny Brown, Iain Chubb, Mike Goodman, Stuart Hughes and Ben Ingham.

Councillor John Loudoun proposed an amendment to the motion which was seconded by Councillor Eileen Wragg proposing that the matters set out in the motion were referred to the Scrutiny Committee. The proposer and seconder of the original motion consented to this change, namely:

In light of the confusing government department figures related to the number of farms affected by the recent Budget changes, and given that farmers' IHT is not an issue that all Members will have sufficient detailed knowledge about, and in order to give maximum consideration of what positive broad support this council might provide to the district's farmers, Council agrees to refer this motion to the Scrutiny Committee requesting that it considers the motion, its recommendations and their implications and to report back to council on the outcome of its deliberations.

During deliberations the motion was amended to include the following:  
Proposed by Councillor Ben Ingham and seconded by Cllr Brian Bailey.

This Council urges Councillors to stand with Britain's family farmers, to support our rural communities, and that the Chief Executive sends a letter to the Chancellor of the Exchequer and the Minister of State for Food Security and Rural Affairs signed by all Group Leaders requesting them to reconsider the proposed changes to the Agricultural Property Relief and farming/agricultural related Business Property Relief.

The substantive motion was put to the vote and carried by a majority show of hands and Council **RESOLVED:**

1. That In light of the confusing government department figures related to the number of farms affected by the recent Budget changes, and given that farmers' IHT is not an issue that all Members will have sufficient detailed knowledge about, and in order to give maximum consideration of what positive broad support this Council might provide to the district's farmers, Council agrees to refer this motion to the Scrutiny Committee requesting that it considers the motion, its recommendations and their implications and to report back to Council on the outcome of its deliberations.
2. That this Council urges Councillors to stand with Britain's family farmers, to support our rural communities, and that the Chief Executive sends a letter to the Chancellor of the Exchequer and the Minister of State for Food Security and Rural Affairs signed by all Group Leaders requesting them to reconsider the proposed changes to the Agricultural Property Relief and farming/agricultural related Business Property Relief.

## 55 **Motion on Notice - Housing**

Councillor Henry Riddell proposed the following motion.

### Housing

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

The council's stock condition survey has identified a number of properties with damp and mould and work is already underway to scrutinise the data received, understand works completed since the surveys took place and organise works outstanding. 33% of properties surveyed had some damp (40% benchmark at similar authority)- this could be condensation through to major damp. All Cat 1 & 2 damp and mould cases (9.81% of surveyed stock) were referred to the Council at the point of identification in order for works to be completed urgently.

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. The Council are awaiting further guidance from the Housing Ombudsman on Awaab's Law and other new standards. Once this guidance has been received a robust policy and procedure will be produced. for the Housing review board to consider.

In light of the above, the Council resolves to:

- Rectify the outstanding Cat 1 & 2 damp and mould issues at the relevant properties as a matter of urgency, creating schedules of works to eradicate damp and mould. That these plans are put in place before the end of the financial year for these properties.
- A full communications plan being established for all residents, whether owner occupier, social, affordable or privately rented, on how to identify, report, remove and reduce damp and mould in their property.

- Create robust policy and procedures before the next financial year to ensure the council is well placed to deal with the impacts of new legislation and regulations coming forward to the social housing sector. This will have particular focus on Awaab's law once guidance has been released."

Councillor Dan Ledger or Mike Goodman seconded the motion which was supported by Councillors Aurora Bailey, Brian Bailey, Colin Brown, Jenny Brown and Mike Goodman

In seconding the motion Councillor Dan Ledger stated that

Having been put to the vote the motion was unanimously carried.

**RESOLVED:**

1. That Council agrees to rectify the outstanding Cat 1 & 2 damp and mould issues at the relevant properties as a matter of urgency, creating schedules of works to eradicate damp and mould. That these plans are put in place before the end of the financial year for these properties.
2. That Council agrees that a full communications plan being established for all residents, whether owner occupier, social, affordable or privately rented, on how to identify, report, remove and reduce damp and mould in their property.
3. That the Council creates robust policy and procedures before the next financial year to ensure the council is well placed to deal with the impacts of new legislation and regulations coming forward to the social housing sector. This will have particular focus on Awaab's law once guidance has been released."

56 **Appointment of Co Opted Tenant Members to the Housing Review Board**

The Council received a report seeking approval for the appointment of two co-opted tenant representatives to serve on the Housing Review Board.

Members welcomed the appointments which would ensure that the voices of tenants were heard and considered in the board's decision-making processes.

The Chair of Council moved the recommendation and having been put to the vote was unanimously carried.

**RESOLVED:** To appoint Rachel Browne and Rosie Dale as co-opted tenant representatives on the Housing Review Board.

57 **Poverty Working Group - To appoint a councillor**

The Council received a nomination to appoint Councillor Colin Brown to serve on the Poverty Working Panel. There were no further nominations and the Chair moved that Councillor Colin Brown should be appointed to the Poverty Working Panel.

Having been put to the vote the nomination was unanimously carried.

**RESOLVED:** That Council appoint Councillor Colin Brown to serve on the Poverty Working Panel.

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

The Chair of Council moved that the Press and Public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information within the meaning of Schedule 12A to the Local Government Act 1972 Paragraph 5 in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Members unanimously supported the recommendation.

**RESOLVED:** To exclude the Press and Public from the meeting.

59 **Recommendation from Cabinet - 30 October 2024: Beer Cliffs Contribution**

The Portfolio Holder for Coast, Country and Environment presented a report seeking a financial contribution of up to £60,000 to carry out works to Beer Cliffs.

Members noted that funding was required to contribute towards a scheme to urgently reduce the risk of rock falling from the cliffs at Beer onto the EDDC owned public beach and leased out area.

Councillor Geoff Jung proposed the recommendation which was seconded by Councillor John Loudon and having been put to the vote was carried by a majority show of hands.

**RESOLVED:** That in year funding of up to £60,000 is found to contribute towards the scheme to urgently reduce the risk of rock falling from the cliffs at Beer onto the EDDC owned public beach leased out area.

**Attendance List**  
**Councillors present:**

P Arnott	T Dumper	D Ledger
A Bailey	P Faithfull	Y Levine
B Bailey	P Fernley	J Loudoun
I Barlow	C Fitzgerald	D Mackinder
K Blakey	S Gazzard	M Martin
K Bloxham	M Goodman	T McCollum
C Brown	S Hawkins	H Riddell
A Bruce	P Hayward	M Rixson
C Burhop	J Heath	E Rylance
S Chamberlain	N Hookway	A Toye
I Chubb	S Hughes	S Westerman
B Collins	B Ingham	J Whibley
R Collins	S Jackson	D Wilson
O Davey	G Jung	E Wragg

**Officers in attendance:**

Simon Davey, Director of Finance  
Tracy Hendren, Chief Executive  
Andrew Melhuish, Democratic Services Manager  
Catrin Stark, Director of Housing and Health  
Melanie Wellman, Director of Governance (Monitoring Officer)  
Andrew Wood, Director of Place

**Councillor apologies:**

J Bailey  
V Bonetta  
J Brown  
M Chapman  
D Haggerty  
A Hall  
M Hall  
M Hartnell  
M Howe  
R Jefferies  
V Johns  
C Nicholas  
T Olive  
H Parr  
S Richards  
S Smith

Chair .....

Date: .....