

# Agenda for Council Wednesday, 26th February, 2020, 5.30 pm

To: All elected Members of the Council; Honorary Aldermen

**Venue:** Council Chamber, Blackdown House, Honiton

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Dear Sir/Madam

## Meeting of the Council of the District of East Devon on Wednesday, 26th February, 2020 at 5.30 pm

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

Yours faithfully

A handwritten signature in black ink, appearing to be "M. Howl", written over a white background.

Chief Executive

### 1 **Public speaking**

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

### 2 **Minutes of the previous meeting** (Pages 6 - 17)

### 3 **Apologies**

### 4 **Declarations of interest**

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

### 5 **Matters of urgency**

Information on [matters of urgency](#) is available online

**6 Announcements from the Chairman and Leader**

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

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

**8 To answer questions asked by Members of the Council pursuant to Procedure Rules No. 9.2 and 9.5 (Pages 18 - 35)**

**9 Revenue Estimates, Capital Programme & Council Tax Resolution 2020/21 (Pages 36 - 45)**

- a) To consider the report of the Council's Section 151 Officer, Strategic Lead - Finance, and the recommendations contained therein which include approval of the recommendations of the Cabinet on 5 February 2020 relating to the Council's Revenue and Capital Estimates for 2020/21 and precept details of the parish and town councils, Devon County Council, Devon and Cornwall Police & Crime Commissioner and the Devon and Somerset Fire and Rescue Authority.
- b) To approve the calculations for setting the Council Tax in accordance with the Local Government Finance Act 1992 as amended by the Localism Act 2011. These calculations form the basis of the formal setting of the Council Tax for the District.

**Note 1** The precept levels of other precepting bodies will be detailed in the report. The figures will be collated and the report sent out on Tuesday 18 February.

**Note 2** A recorded vote will be taken of the vote on this item so that there is a record of how Members have voted in budget setting (legislation which came into force on 25 February 2014 - The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014).

**Note 3** Section 106 of the Local Government Finance Act 1992 precludes councillors from voting on the setting of the Council's budget / council tax where there is an outstanding council tax debt of over two months. It is also a requirement, where you attend any meeting to set the budget and this preclusion applies, that you must declare the fact you are precluded from voting. A failure to do this is a criminal offence.

**10 Reports from the Cabinet and the Council's Committees and questions on those reports** (Pages 46 - 48)

- a) Minutes of Cabinet held on 8 January 2020 Minute numbers 106 - 123  
(Pages 49 - 59)
- b) Minutes of Cabinet held on 5 February 2020 Minute numbers 124 - 145  
(Pages 60 - 71)
- c) Minutes of Scrutiny Committee held on 6 February 2020 Minute numbers 50 - 59 (Pages 72 - 75)
- d) Minutes of the Joint Overview & Scrutiny Committees Budget meeting held on 15 January 2020 Minute numbers 1 - 6 (Pages 76 - 84)
- e) Minutes of the Overview Committee held on 30 January 2020 Minute numbers 40 - 49 (Pages 85 - 90)
- f) Minutes of Housing Review Board held on 23 January 2020 Minute numbers 45 - 62 (Pages 91 - 99)
- g) Minutes of Development Management Committee held on 7 January 2020 Minute numbers 83 - 88 (Pages 100 - 102)
- h) Minutes of Development Management Committee held on 4 February 2020 Minute numbers 89 - 96 (Pages 103 - 106)
- i) Minutes of Audit & Governance Committee held on 30 January 2020 Minute numbers 23 - 32 (Pages 107 - 109)
- j) Minutes of Licensing & Enforcement Committee held on 12 February 2020 Minute numbers 26 - 33 (Pages 110 - 114)
- k) Minutes of Licensing & Enforcement Sub Committee held on 12 February 2020 Minute numbers 11 - 16 (Pages 115 - 116)
- l) Minutes of Standards Committee held on 21 January 2020 Minute numbers 9 - 17 (Pages 117 - 119)

**11 Changes to the political balance, the committee allocations and the Constitution** (Pages 120 - 123)

**12 Motion: Fireworks**

This is modelled on motions approved by Councils in Torbay, Lincoln, Neath Port Talbot, Bradford, Lancaster and West Dumbartonshire and seeks to clarify policy while taking into account advice from our officers.

That this Council agrees to;

- (i) request the organisers of all public firework displays within East Devon, of which the Council is aware or becomes aware, to advertise them in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (ii) continue to support public awareness about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- (iii) write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90 decibels for those sold to the public for private displays;
- (iv) encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public use; and
- (v) recommends that Cabinet adapts the Drone Policy (being recommended to it from Overview Committee 30 January 2020) so as to prohibit;
  - a) the release of lanterns from EDDC property and land
  - b) the release of any firework (above 90db) from EDDC land.

Proposed by Councillor Mike Allen

Seconded by Councillor David Key

Supported by Councillors Paul Millar, Paul Arnott and Val Ranger

**13 Motion: Proposed Review of Cabinet Decisions on Budget (Page 124)**

The enclosed Housing Review Board papers show the council’s debt rising from £81 million to £141 million by 2041. This includes a figure of £10,000 per house, totalling £42 million, to reduce carbon emissions, and £20 million to replace the houses the council has to sell under right-to-buy.

The latest estimate per house of upgrades necessary, presented to Cabinet and Overview, is £25,000. Independent estimates from Government suggest that £40,000 may be needed to raise standards to the required levels. So if we add this in to the budget for our 4,200 properties, we will need to spend a further £15,000 to £30,000 per property, so we will have an additional debt of between £63 million and £126 million to factor in.

The Cabinet has also made decisions creating further uncounted liabilities for phase 4 flood alleviation in Feniton, and the Exmouth seafront projects.

The Council is aware of the major deficit in the revenue account in the next few years and this has been delayed, not eliminated

Council therefore resolves that it has no confidence in the future financial plans of this Council and that no approval of the 2021/22 budget expenditures shall occur until the Council is presented with an updated budget and forward plan for 2021-2026 and the full implications to the Housing Revenue Account and General Fund

account can be shown to be funded

Proposed by Cllr Mike Allen

Seconded by Cllr Dean Barrow

Supported by Councillors Moulding, Hall, Twiss, Dent, Skinner and De Saram.

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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