

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Online via the Zoom app. on 28 October 2020

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.16 pm

227 Public speaking

Gill Adamson spoke on Minute 239 - Homelessness Strategy. She was concerned for the welfare of a particular homeless man in Exmouth. He was a vulnerable man with mental health issues being made worse due to the fact he was homeless. She asked what help the Housing department was doing for him.

In responses to the question the Housing Manager confirmed he was aware of the case and that the Housing department were dealing with the man individually however he could not comment any further due to confidential nature of the case. The Chair thanked Gill Adamson for highlighting this situation.

Jeremy Woodward had questions concerning transparency and democracy at the council. He said it was very useful to be able to refer to the council's own press releases over the years but this had its limitations, with the news archive only provided items from this year, half from 2019 and then stops at 2018. Providing access to archives did not take up much space on the web server. This was fundamentally about transparency and if there was limited access to information, especially official information, then the democratic process was compromised.

He asked how remote meetings by Zoom were working – whether they were enabling greater participation for both the public and members in meetings and whether the hybrid meeting approach was being looked into; where there would be a choice to physically attend meetings or appear via video link.

He concluded by asking what kind of measures were the new administration looking to introduce to bring about greater transparency and democracy at the council.

In response to Mr Woodward the Portfolio Holder Democracy and Transparency confirmed virtual Zoom meetings were working well especially as the public could watch live online as well as participate in the meetings through public speaking. He wished to thank the Democratic Services team for their hard efforts in successfully facilitating these meetings. He said that hybrid meetings needed to be scoped for their effectiveness before any decision would be made to whether the council would go along with this type of meeting.

Sarah Butcher asked that her statement be read out on her behalf.

Having seen the recent publicity about the Government's white paper she wanted to highlight the plight of wildlife in East Devon before the council considered any new planning reforms. She was chair of Devon Bat Group, a volunteer with Devon Wildlife Trust and had qualifications in Biological Recording. She felt really strongly about how rapidly wildlife was already disappearing and how little was being done about it; the relaxation of the existing planning regulations can only make things worse.

As everyone knows we were in the midst of a climate emergency, with wildlife under more threat now than it had ever been. There seemed however to be a missing link in people's understanding about where nature was, thinking it starts elsewhere and not at our own doorstep and back gardens and was our shared responsibility. All too often wildlife was being pushed into increasingly small spaces, not just with the expansion of local housing but also with the drive for low-maintenance tidy gardens, hedges kept neat and tidy and grass in public areas kept short. A habitat could only support a finite number of creatures before food resources ran out, yet still we put our need for housing first and force them into ever smaller areas and possibly sub-optimal habitat.

We were blessed in Devon to have so much wonderful green space, gorgeous hills, fantastic pasture and beautiful woodland. Many of us had moved here because of this, while much of the economy depended on people wanting to visit. Without a local council ecologist in East Devon we were already at a huge disadvantage. She knew East Devon already had a plan for its Nature Recovery Networks that shows great potential but we need to be able to put these into practice and look after what we had left while still having something to protect. Looking after green public spaces was great but if we had less control over new developments, we had an even more massive mountain to climb.

228 **Minutes of the previous meeting**

The minutes of Cabinet held on 8 October 2020 were confirmed as a true record.

229 **Declarations of interest**

Minute 239. Homelessness Strategy update.

Councillor Eileen Wragg, Personal, Has a relative who is accommodated through EDDC properties.

Minute 240. Seaton Jurassic Phase 2 and Seaton Wetlands Link Project.

Councillor Dan Ledger, Personal, Ward Member for Seaton.

Minute 240. Seaton Jurassic Phase 2 and Seaton Wetlands Link Project.

Councillor Paul Arnott, Personal, Ward Member for Coly Valley which covers part Seaton Wetlands.

Minute 241. Sideshore, Exmouth - Community Interest Company.

Councillor Paul Millar, Personal, is a Council appointed Director of CIC.

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

None.

231 **Forward Plan**

Members agreed the contents of the Forward Plan for key decisions for the period 1 November 2020 to 28 February 2021.

232 **Minutes of the Housing Company Task and Finish Forum held on 8 October 2020**

Members received and noted the Minutes of the Housing Company Task and Finish Forum held on 8 October 2020.

233 **Minutes of Scrutiny Committee held on 10 September 2020**

Members received and noted the Minutes of Scrutiny Committee held on 10 September 2020.

234 **Minutes of STRATA Joint Executive Committee held on 22 September 2020**

Members received and noted the Minutes of STRATA Joint Executive Committee held on 22 September 2020.

235 **Covid-19 Economic Response and Recovery**

The report by the Service Leads for Revenue and Benefits and Growth, Development & Prosperity provided an overview of the impact of the Covid-19 pandemic on the economy of the District, the initiatives that had been undertaken to mitigate this and those that were planned to support to recovery.

During discussions it was agreed all members supported these measures which went beyond politics; it was about people. Libby Jarrett and Andy Wood were congratulated for the excellent report.

RESOLVED that Cabinet;

1. note the work that had been undertaken to manage the immediate impact of the pandemic,
2. support co-ordinating economic recovery activity through the Team Devon approach,
3. approve the proposed Local Restrictions Support grant policy and for delegated authority to be granted to the Council's S151 Officer in consultation with the Leader, Deputy Leader and Portfolio Holder for Finance to make such amendments as might be required in order to take account of changes in government guidance, and
4. receive a further report;
 - at the November Cabinet meeting setting out the resource requirements associated with supporting economic recovery, and then
 - in 6 months detailing the progress made with supporting economic recovery in the District.

REASON:

To ensure that a programme of measures and initiatives is in place to aid economic recovery from the impact of the Covid-19 pandemic in the District.

Officers:

236 **Exmouth Tidal Defence Scheme Flood Gate Operations**

The report superseded item 4.3 of Cabinet report of 9 November 2016 that permitted East Devon District Council to operate the highways flood gate and sign up to a 3-party agreement to allow community volunteers to close non highways flood gates.

RESOLVED that Cabinet;

1. agree to permit East Devon District Council to be the primary responder to operating the highway flood gates in Exmouth, and
2. agree for East Devon District Council to sign up to the 3-party Memorandum of Understanding between East Devon District Council, the Environment Agency and Exmouth Town Council to allow community volunteers to be the primary responder for operating non-highway flood gates, with delegated authority granted to the Strategic Lead Housing, Health and Environment to complete the agreement in consultation with the Strategic Lead Governance and Licensing.

REASON:

1. East Devon District Council was geographically well placed to respond quickly to both closing and opening of gates, minimising inconvenience for Exmouth.
2. Having the community close non-highway gates would give a sense of community ownership, build community spirit and reduce inconvenience to Exmouth, as well as limiting operating cost increases.

237 **Complaints to the Ombudsman during 2019/20**

The report from the Monitoring Officer provided information on complaints referred to and decided by the Local Government and Housing Ombudsman during 2019/20.

The Portfolio Holder Democracy and Transparency thanked Henry Gordon Lennox for the report.

RESOLVED that Cabinet;

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

REASON:

To continue to improve the way the council handle, and learn from, complaints.

238 **Response to the Farringdon Neighbourhood Plan Submission**

The purpose of the report was to formally agree the response by EDDC to the submission consultation for the Farringdon Neighbourhood Plan. Farringdon Parish Council had formally submitted their Neighbourhood Plan to the District Council. The Neighbourhood Planning (General) Regulations 2012 (Regulation 16) require the District Council to formally consult on the Plan for a minimum of 6 weeks. The comments of EDDC and all other comments received during the consultation would be submitted to an independent Examiner for inspection of the Plan against a series of conditions, which must be met in order for it to proceed to a referendum.

The Portfolio Holder Finance congratulated the Farringdon Neighbourhood Planning team for producing their Plan and wanted to reassure them that it would be considered alongside policies set out in the Local Plan.

RESOLVED that Cabinet;

1. note the formal submission of the Farringdon Neighbourhood Plan and congratulate the producers of the plan on their dedicated hard work and commitment in producing the document, and

2. make the proposed representation set out at paragraph 1.19 in the report in response to the consultation.

REASON:

To ensure that the view of the District Council was recorded and informed the consideration of the Neighbourhood Plan by the independent Examiner.

239 **Homelessness Strategy update**

The Housing Manager updated members on the Council's Homelessness Strategy and a review of levels of homelessness in the district was provided. The Covid-19 pandemic had hugely impacted the need for temporary accommodation and therefore increased expenditure in this area. The staffing requirements within the Housing Options team were addressed.

Discussions included the following;

- It was quite clear extra staff were required
- The council to write to the 3 local MPs and the Housing Minister to put a block on evictions by private landlords
- Nothing could be worse than losing your home
- Many homeless people suffer from mental health problems

RESOLVED that Cabinet;

1. note the updates provided in relation to the Council's Homelessness Strategy and the current levels of homelessness in the district.
2. write to the 3 local MPs and Housing Minister for restrictions on evictions to be in place for the foreseeable future.

RECOMMENDED to Council;

3. to agree the requested amendments to the current staffing arrangements; comprising an upgrade of a part time post to a full time post and to convert a fixed term post to a permanent post as detailed in the report.

REASON:

To ensure the Housing Options team were better equipped to tackle the level of pressure on the homelessness service.

240 **Seaton Jurassic Phase 2 and Seaton Wetlands Link Project**

The Project Manager Place, Assets & Commercialisation presented the report which set out proposals for a new landscaping and interpretation project focussing on the themes of wildlife, nature and climate change that will form a second phase to Seaton Jurassic. The project was one of the project interventions identified in the Seaton Wetlands Link Project that was reported to Cabinet in January this year. The project was being led by Devon Wildlife Trust, tenant and operator of Seaton Jurassic.

The report also provided an update on the other intervention projects for the Seaton Wetlands Link Project and sought authority to enter into negotiations to acquire 2 small parcels of land to facilitate the circular walk that would lead up to the Wetlands from Seaton Jurassic and the Underfleet car park.

RESOLVED that Cabinet approves;

1. Delegated authority be given to the Service Lead for Place Assets & Commercialisation in consultation with the Portfolio Holder for Economy and Assets and the Strategic Lead for Finance to:
 - a) enter into Heads of Terms in substantially the same, or a similar form of those shown at appendix 6, with Devon Wildlife Trust for the lease of Area A on the plan attached at appendix 1,
 - b) enter into a Management Agreement with DWT for the shared management and maintenance of Area B on the plan attached at appendix 1,
 - c) enter into an Agreement for Lease (and associated Lease) with DWT for Area A on the attached plan,
 - d) enter into any other relevant documentation that arises as a consequence of varying the existing legal documentation with DWT for Seaton Jurassic.
2. To remove that part of the council's existing car park shown cross hatched red on the plan attached at appendix 1, from its Parking Places Order, in order to facilitate the grant of the agreement referred to in 1c above.
3. Delegated authority be given to the Service Lead for Place, Assets & Commercialisation to enter into negotiations and to acquire land to provide access into and out of the Sheep's Marsh site in Seaton, in consultation with the Portfolio Holder for Economy and Assets and the Strategic Lead for Finance.
4. The council provides a letter of support to accompany DWT's funding application to the RDPE for this project.
5. The overflow carpark in the Underfleet to be open all year round on the same opening and closing times as the main Underfleet carpark. The income for both carparks to be monitored over the period post loss of the 18 carpark spaces and to report back on the actual income received, to evaluate whether additional carpark spaces need to be provided to replace the lost spaces.

REASON:

To facilitate the delivery of one of the Seaton Wetlands Link projects/interventions that was identified within an earlier Cabinet report in January 2020 and enable DWT to apply for external funding to support delivery of this project. To facilitate delivery of a second of the project interventions that would enable access in and out of Sheep's Marsh.

241 **Sideshore, Exmouth - Community Interest Company**

The Project Manager Place, Assets & Commercialisation explained the purpose of this report was to secure approval for signing legal and financial documents in the capacity as a Member (shareholder) of the Community Interest Company (CIC).

Sideshore was the new Watersports centre in Exmouth that was being developed by Grenadier Estates who leased the site from the council. Once the new building was complete, the lease between the council and Grenadier Estates would fall away and the CIC would become the direct tenant of the council. The CIC would run the centre and have sub leases with the individual operating businesses within the development. The council was a member (shareholder) of the CIC and had appointed 2 Directors to the CIC Board. The other 3 Directors were Board members of Grenadier Estates.

The Portfolio Holder Democracy and Transparency in his role as a Director of CIC wished to give enormous thanks Alison Hayward who has led on the project throughout and done a terrific job through all the internal and external negotiations a project like this brought.

RESOLVED that Cabinet;

1. agree to the signing of Members Agreement on behalf of the Council as shareholder of the Community Interest Company (CIC), and
2. grant delegated authority to the Portfolio Holder for Economy and Assets to authorise entering into legal, finance or any other documentation on behalf of the Council as shareholder of the CIC.

REASON:

This will enable the Sideshore CIC to adopt the Companies Act audit exemption based on a parent company guarantee from Oxygen House Group Limited (the CIC's ultimate parent company). It will also allow the council to enter into other documentation and take other actions that require the authority of the Members (shareholders) of the CIC.

242 **Honiton Swimming Pool - options for the refurbishment and internal alterations**

The Interim Principal Surveyor advised Cabinet of the identified options in respect of the Refurbishment and Internal Alterations to the reception, changing rooms and other associated areas at Honiton Swimming Pool.

RESOLVED that Cabinet;

1. considered the Options for the refurbishment and internal alterations of the reception, changing and other associated areas at Honiton Swimming Pool and agreed that Option 2 should be progressed; and
2. assess the potential for solar panels and/or air source heat pumps to be installed to provide energy efficient heating of the Honiton swimming pool, taking advantage of government backed schemes where possible, with the aim of greatly reducing the carbon footprint and saving money in the long term. This should be seen as a trial before roll out to all LED pools and sports centres wherever viable.

RECOMMENDED to Council;

3. to include the sum of £380,000 in the capital programme towards delivering Option 2 refurbishment and internal alterations of the reception, changing and other associated areas at Honiton Swimming Pool.

REASON:

The condition on the reception area, changing rooms and associated other rooms, excluding the pool hall, at Honiton Swimming Pool had continued to deteriorate since a former bid was approved in 2016. Further, following a recent survey, it had been established that there was water ingress both internally from the showers / changing rooms and externally through the walls. This had caused additional issues associated with rising damp and efflorescence, which in turn had resulted in a further deleterious effect on the finishes and fittings. There were also issues with the existing M&E installation with a lack of mechanical ventilation and local heating.

Remedial works needed to be undertaken to correct the water ingress that would require all the screed in the areas to be removed including the associated floor, part of the wall tiling, all associated fixtures and fittings and subsequently replaced after treatment. In the circumstances, it was considered that the opportunity should be taken to both refurbish the affected areas and replace the defective elements of the M&E installation. This refurbishment work would enable Honiton Swimming Pool to be a more a pleasing, pleasant, hygienic venue to visit, and as result would be more attractive to the public.

243 **Poverty Working Panel**

The Portfolio Holder Sustainable Homes and Communities gave a verbal update to the newly formed Poverty Working Panel. The first meeting was intended to explore issues and set the context and Terms of Reference.

As the Chair she was really pleased that this cross-party group contributed positively, with plenty of suggestions as to what should be included in the Poverty Strategy. Members expressed their commitment to ensuring that as a council everything in its power would be done to relieve poverty, in whatever form that takes, throughout the District.

Covid-19 had inevitably contributed to a worsening of issues related to poverty, including budgeting and high levels of indebtedness, higher levels of unemployment and increasing job losses when the Government's furlough scheme ended.

Poverty, and the reasons for it, was a massive subject and was far-reaching and cross-cutting into other areas of the council. However, any actions undertaken by the council needed to be both evidence based and wherever possible address the root causes of poverty. The Panel was keen to move things forward as swiftly as possible, especially in the current Covid-19 climate, and to focus on the development of the Poverty Strategy, its implementation and subsequent monitoring.

Future possibilities could include briefings to the Panel and possibly to all council members, from such organisations as the Department for Work and Pensions and Citizens Advice, thereby promoting partnership working which would ultimately benefit all those residents who needed help and support.

RESOLVED:

That the update be noted.

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
J Bailey	Portfolio Holder Corporate Services and COVID-19 Response and Recovery
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
P Millar	Portfolio Holder Democracy and Transparency
M Rixson	Portfolio Holder Climate Action
J Rowland	Portfolio Holder Finance

Cabinet apologies:

J Loudoun	Portfolio Holder Policy Co-ordination and Regional Engagement
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Also present (for some or all the meeting)

Councillor Denise Bickley
Councillor Mike Allen
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Susie Bond
Councillor Colin Brown
Councillor Fred Caygill
Councillor Iain Chubb
Councillor Olly Davey
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Nick Hookway
Councillor Sarah Jackson
Councillor Vicky Johns
Councillor Fabian King
Councillor Dawn Manley
Councillor Kathy McLauchlan
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pratt
Councillor Philip Skinner
Councillor Brenda Taylor
Councillor Eileen Wragg
Councillor Tom Wright

Also present:

Officers:

Alison Hayward, Project Manager Place, Assets & Commercialisation
Andrew Wood, Service Lead - Growth Development and Prosperity
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Libby Jarrett, Service Lead Revenues and Benefits
Andrew Mitchell, Housing Solutions Manager
Charles Plowden, Service Lead Countryside and Leisure
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Steve Pratten, Interim Principal Surveyor

Chairman

Date: