

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Online via the Zoom app. on 5 May 2021**

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

The meeting started at 6.45 pm and ended at 8.05 pm

#### **382 Public speaking**

There were no members of the public registered to speak.

#### **383 Minutes of the previous meeting**

The minutes of Cabinet held on 31 March 2021 were confirmed as a true record.

#### **384 Declarations of interest**

Min 394. Cranbrook Strategic Delivery Board.

Councillor Kevin Blakey, Personal, was a Cranbrook board member and is a town councillor.

Min 395. Additional Restrictions Grant.

Councillor Paul Arnott, Personal, Wife's business has been in receipt of previous ARG grants.

Min 396. LED financial settlement 2021/22.

Councillor Paul Arnott, Personal, a member of LED.

Min 400. Exemption to Contract Standing Orders - Queen's Drive, Exmouth Former Overflow Car Park Restoration.

Councillor Nick Hookway, Personal, Chair of Queen's Drive Delivery Group and Exmouth ward member.

#### **385 Matters of urgency**

None

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

None

#### **387 Forward Plan**

Members agreed the contents of the Forward Plan for key decisions for the period 1 May to 30 August 2021.

#### **388 Minutes of Exmouth Queen's Drive Delivery Group held on 11 March 2021**

Members received and noted the Minutes of Exmouth Queen's Drive Delivery Group held on 11 March 2021.

**RESOLVED (1) that the following recommendation be agreed:**

**Minute 31 Car park site to rear of former lifeboat station - verbal update that Cabinet**

approve to continue with the use of the land as car parking, with delegated authority being given to the Service Lead – Place, Asset and Commercialisation in consultation with the Portfolio Holder for Economy and Assets and the Chair of the Exmouth Queens Drive Delivery Group to submit an appropriate planning application in this regard.

**389 Minutes of Poverty Working Panel held on 15 March 2021**

Members received and noted the Minutes of Poverty Working Panel held on 15 March 2021.

**390 Minutes of LED Monitoring Forum held on 30 March 2021**

Members received and noted the Minutes of LED Monitoring Forum held on 30 March 2021.

**391 Minutes of Strategic Planning Committee held on 30 March 2021**

Members received and noted the Minutes of Strategic Planning Committee held on 30 March 2021.

**RESOLVED (1) that the following recommendation be agreed:**

**Minute 121: The Future of New Homes Bonus Consultation**

That the proposed responses to the consultation questions form the Council's formal response to be submitted to the government be agreed.

**392 Minutes of Housing Task and Finish Forum held on 31 March 2021**

Members received and noted the Minutes of Housing Task and Finish Forum held on 31 March 2021.

**RESOLVED (1) that the following recommendation be agreed:**

**Minute 20 Feedback from Member Working Group meeting with Torbay Council's Housing Company representatives**

That Cabinet approve that the Portfolio Holder for Sustainable Homes and Communities be included in the membership of the Member Working Group of the Housing Task and Finish Forum.

**393 Minutes of Scrutiny Committee held on 8 April 2021**

Members received and noted the Minutes of Scrutiny Committee held on 8 April 2021.

### 394 **Cranbrook Strategic Delivery Board**

The report put forward updated terms of reference for the Cranbrook Strategic Delivery Board including with regard to member representation.

Discussions included the following:

- The need to agree and move forward, put past differences aside
- Why were the meetings to be held in private?
- As an open administration meetings should be held in public for transparency
- EDDC had many panels and forums which could possibly be merged. These put huge strain on the workload for Democratic Services
- The Board consists of three different authorities as well as conversations with the consortium, all would need to agree for meetings to be held in public.

The Chair thanked the authors of the report and requested that future reports take care not to make comments that risked harmony between members and officers.

#### **RESOLVED:**

1. that the updated terms of reference for the Cranbrook Strategic Delivery Board, and
2. that the three Cranbrook ward members and the Portfolio Holder for Strategic Planning being appointed to the Board from Annual Council, and
3. that the three member bodies review whether future Board meetings be conducted in public (with Part B used when necessary); all be agreed.

#### **REASON:**

To ensure that the Board can continue to play a leading role in supporting the delivery of a sustainable community at Cranbrook.

### 395 **Additional Restrictions Grant**

Members considered the implications of the updated April 15th BEIS guidance on the existing Cabinet commitment of £1m of ARG funds towards our AIR Fund and reviewed the options for the deployment of ARG funds to try and meet the deadline for spend of our existing ARG funds before the 30th June 2021.

The Chair and members wished to thank Rob Murray, Andy Wood, officers and the cross-party member panel for their diligence and amount of work that had gone into getting these grants out to businesses.

The Chair of the Additional Restrictions Grant Panel wished to sincerely thank the member panel stating there had been great unity across all political parties, resulting in providing officers guidance in order to allocate this vital support to businesses.

#### **RESOLVED:**

1. Endorsed moving forward with Options C, E and F in line with the advice of the ARG Panel.
2. Endorsed the proposed policy for ARG3 as set out in Appendix A.
3. Agreed that, if successful in completing spend by the 30th June, the £1.14m of ARG top up funds will be dedicated to the AIR Fund.

**REASON:**

To maximise delivery of Additional Restrictions Grant funding to businesses and organisations across East Devon.

396 **LED financial settlement 2021/22**

The Strategic Lead Finance and Service Lead Countryside and Leisure's report outlined LED had been severely impacted by the Covid-19 pandemic with interruptions to its business since the introduction of lockdown restrictions in April 2020. This as a consequence had had a significant impact on income generation and the Council agreed in 2020/21 to a support package of £1,339,000 to ensure LED remained financially solvent. The report outlined further measures required for 2021/22 as the leisure industry emerges from lockdown restrictions to ensure that was able to "bounce back" and recover lost income and membership numbers.

The additional financial support would be subject to the external auditing process put in place in 2020. The report made a separate request for financial support for its outreach work which provides a hugely important role in delivering health and wellbeing directly into local communities. The report dealt with the additional financial support for LED in 2021/22. Work was underway under the guidance of the LED Forum on the preparation of the Leisure Strategy, this was seen as a key piece of work to help shape the Council's future delivery of this important function and to help steer the direction of LED's future offering to the Council.

During discussions it was highlighted for the need to push harder with Government for the injustice and unfairness of in-house leisure facilities being able to claim 75% of lost income, compared to just 30% for local authorities who had outsourced provision; as was the case for EDDC.

**RECOMMENDED to Council that;**

1. additional financial support to LED of up to £535,000 for 2021/22 (above the existing budgeted sum of £894k) to meet expected net losses as result of reduced income through the implications of Covid,
2. a sum is made available up to £50,000 to LED to support an Outreach Programme for 2021/22, and

**RESOLVED:**

3. to write to our MPs to lobby them to continue to support pursuing funding for loss of income.

**REASON:**

To ensure that LED remained a viable leisure provider for EDDC and were able to manage the ongoing financial impacts of COVID-19 and the restrictions into the 2021/22 financial year. The request for additional support for lost income would ensure that LED were able to reopen their facilities as lockdown restrictions eased in May and June, enabling recovery of membership numbers and income as expeditiously as possible.

397 **Exemption to Contract Standing Orders - One Public Estate, Stage One study, Thriving Towns - East Devon Mini Programme**

The Council had the opportunity to access central government funding in order to progress the One Public Estate (OPE) initiative for East Devon. The Thriving Towns East

Devon Study would represent a pilot project under a Devon & Torbay OPE Partnership. The theme being one of “promoting economic growth in a post Covid-19 environment” and “regeneration of market and coastal towns across the County” which was an emerging theme in the OPE Partnership’s Programme Refresh.

EDDC had appointed Avison Young to undertake the Stage One study. Senior Officers had made the decision to grant Exemption from Standing Orders for the contract.

**RESOLVED:**

that the exemption from Contract Standing Orders in accordance with para 3.2 of the Council’s Contract Standing Orders, be noted.

**REASON:**

In order to take the initiative forward in a timely manner and with the appropriate expertise, it was considered beneficial to make a direct appointment of Avison Young for this first stage of work.

As a project funded by One Public Estate (Cabinet Office) monies (that are already secured), it was essential that the external advisors understand One Public Estate and the core objectives; had experience of working across the public sector (health, blue light, central government, local government and education); understand the individual challenges faced by different organisations (and factors influencing collaboration) and experience of public estate focussed studies and projects.

Avison Young were property consultants working with public and private sector clients across the UK. They were recognised as a leading OPE advisor from their work with many local authority led partnerships across the country. In January 2019, they were appointed as overall Programme Managers (PMO) for the Devon & Torbay OPE Partnership and had been working with the various public sector partners, including East Devon District Council ever since.

398 **Exemption to Contract Standing Orders - Levelling Up Fund**

The purpose of the report was to notify Cabinet of the use of an Exemption from Contract Standing Orders to enable the appointment of consultants Avison Young to support the development of an application to the Levelling Up Fund.

Councillor Eileen Wragg on behalf of Exmouth, thanked Andy Wood and fellow officers for their concentrated efforts in what was a short timescale, in getting this appointment.

**RESOLVED:**

that the use of an Exemption from Standing Orders to enable the appointment of Avison Young, be noted.

**REASON:**

To maximise the chances of the Council submitting a successful bid to the Levelling Up Fund.

399 **Exemption to Contract Standing Orders - Place & Prosperity Surveyor**

Members were notified of the use of an Exemption from Standing Orders to enable the appointment of an interim Place & Prosperity Surveyor through the recruitment company

Macdonald & Company, to support delivery of key projects within the Place & Prosperity Team. Workload had increased significantly in the past 6-12 months, compounded in recent months by the absence of a key officer. The Team's work was increasingly linked to economic recovery projects.

**RESOLVED:**

that the exemption from Contract Standing Orders, be noted.

**REASON:**

To enable the appointment of this Interim Place & Prosperity Surveyor pursuant to the Council's Contract Standing Orders Rule 3.2.

400

### **Exemption to Contract Standing Orders - Queen's Drive, Exmouth Former Overflow Car Park Restoration**

Members were notified of the use of an Exemption to Contract Standing Orders for the procurement of Works to restore the former overflow car park at Queen's Drive, Exmouth, to a grassed open space in order to reduce the project timeframe and allow the potential opening of the site to the public for the summer 2021 season.

**RESOLVED:**

that the use of an Exemption to Contract Standing Orders for the procurement of Works to restore the former overflow car park at Queen's Drive, Exmouth to a grassed open space in order to reduce the project timeframe and allow the potential opening of the site to the public for the summer 2021 season, be noted.

**REASON:**

To enable the direct award of the works contract to John Luffman Trading to the value of £40,000 based on this being the best value quotation that delivers the works within the required timeframe. This would ensure that grassing of the site takes place at the most suitable time of year, increasing its likelihood of successfully establishing before the site opens and would allow the site to open for summer 2021; as per the desire of the Queen's Drive Delivery Group and EDDC members.

**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
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action and Emergencies
J Rowland	Portfolio Holder Finance
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Tourism, Leisure and Sport

**Cabinet apologies:**

S Jackson	Portfolio Holder Democracy and Transparency
-----------	---

**Also present (for some or all the meeting)**

Councillor Denise Bickley  
Councillor Kevin Blakey  
Councillor Colin Brown  
Councillor Sarah Chamberlain  
Councillor Maddy Chapman  
Councillor Steve Gazzard  
Councillor Sam Hawkins  
Councillor Paul Millar  
Councillor Andrew Moulding  
Councillor Helen Parr  
Councillor Val Ranger  
Councillor Eleanor Rylance  
Councillor Joe Whibley  
Councillor Eileen Wragg  
Councillor Chris Wright  
Councillor Tom Wright

**Also present:**

**Officers:**

Tim Child, Service Lead - Place, Assets & Commercialisation  
Simon Davey, Strategic Lead Finance  
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)  
Charles Plowden, Service Lead Countryside and Leisure  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)  
Andrew Wood, Service Lead - Growth Development and Prosperity  
Amanda Coombes, Democratic Services Officer  
Debbie Meakin, Democratic Services Officer  
Peter Gilpin, CEO LED  
Bridgette Jones, LED

Chair .....

Date: .....