

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Blackdown House and online via the Zoom app. on 12 May 2021

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.58 pm

401 Public speaking

Ian Barlow spoke on Minute 405 Public Toilet Review and Minute 408 Developing East Devon's creative arts sector & cultural tourism offer. He said Sidmouth relied heavily on tourism and had an elderly population and this report was cutting the number of toilets in the town. There was an expectation that the forthcoming years would bring more visitors to the town, Mr Barlow wished for discussions between EDDC and the Town Council to explore the opportunity of running these facilities themselves. The Town Council had experience of this and it would save resources and costs rather than waste them. More consultation was needed between the two councils.

In response the Chair stated the strategies would allow for towns and parishes to be consulted and get involved in the process. The reports were about starting the process of getting important consultation moving.

402 Declarations of interest

Min 405. Public toilet review - Right Toilet in the Right Place.
Councillor Paul Hayward, Personal, Clerk to Newton Poppleford and Harpford Parish Council which leases a toilet from EDDC.

Min 409. Seaton Jurassic.
Councillor Dan Ledger, Personal, Ward member and town councillor for Seaton.

403 Matters of urgency

None

404 Confidential/exempt item(s)

There were two items which officers recommend should be dealt with in this way. These were minuted at items 412 and 413.

405 Public toilet review - Right Toilet in the Right Place

The Service Lead StreetScene presented this report which looked at East Devon's provision of public toilets, trying to set out some guiding principles to ensure it had the right toilet in the right place, whilst also acknowledging the need to review the level of operation to make it more sustainable in terms of budget, especially given the increased costs of enhanced cleaning and necessary building enhancements for protection from Covid and other future epidemics as well as changed hygiene standards. Consideration was given to the operating model and paid access facilities as well as levels of provision and quality.

Proposals had been made regarding the categorisation of toilets based on suggested Principles of Provision and levels of use, whilst acknowledging that EDDC could not

afford to operate all of its public toilets as before; if providing enhanced facilities and meeting the savings suggestions needed for sustainable budget management.

Discussions included the following:

- Attention required to the equality aspect of the review for people with mobility issues
- Concerns for Colyton; the tram carries 90k tourists a year and stops in the town, this could have an adverse impact on tourism
- Approval of the report and the intention of saving the council money
- Ways of payment could be problematic with contactless or cash payments with people not having one or the other. Perhaps looking into the option of prepaid cards
- The review was not about closing toilets but rather than improving them in whatever way that may be
- The pandemic has shown how important more than ever public toilets are
- Town and Parish Councils were able raise their precepts to cover the running of their public facilities. There should be one free of charge toilet in each town
- Concern that the charging for use of public toilets could have on public health
- Must consult with Town and Parish Councils on a town by town basis. Need to see how the whole of towns were provided for; EDDC could not dictate this
- This was an emotive subject. It was not pleasant having to clean some public toilets which were prone to vandalism and abuse
- Invite all and work collaboratively with Town and Parish Councils to ask if they could run their public toilets more efficiently. Have discussions with the private sector to see if they would take on the running of the toilets.

RESOLVED that Cabinet;

1. Agree the 'Principles of Provision' as the basis for the toilet review to ensure we have 'the right toilet in the right place'.
2. Agree the importance of public conveniences to tourism and the local economy and endorse that the Council;
 - a) focusses on the provision and support for Category A public conveniences at our key locations on the basis of the Principles of Provision, and
 - b) seeks to provide opportunities for others to take on Category B sites, and
 - c) offers Category C sites to Town & Parish councils if they feel continued provision here is necessary.
3. On the basis of Recommendations 1 & 2 agree to a consultation process as detailed in the report (Section 5) to inform decisions on the final category list and the Principles of Provision and ask the Overview Committee to review the consultation responses and equalities assessment and provide its views prior to a final decision being taken.
4. Agree to consult with all stakeholders to obtain their views of these proposals in order to gain understanding/agreement that:
 - a. Our public toilets need investment to modernise them
 - b. Investigate charging for their use to protect future provision
 - c. Provide a concessionary card for those with medical needs.
5. Delegate authority to the Portfolio Holder for Coast, County & Environment in consultation with the Portfolio Holders for Economy & Asset Management and Leisure Sport & Tourism and the Strategic Leads for Finance and Housing, Health

& Environment to decide the final category lists and conclude negotiations with interested parties around Category B & C toilets;

6. Consider further whether to install contactless paid access on the retained toilets to enable a future income (£200k p.a.) to help meet deficits and improve toilet standards.
7. Note that in-house operation is more cost effective than private sector operators and so resolve to continue operation on this basis.
8. Agree that for the toilets the Council maintains for others (Table 4 of Category A, B & C list);
 - a. that the service contract costs be increased to cover expenditure to achieve breakeven, achieving a predicted income of around £16,500.
 - b. should be standardised and full freehold transfer to the town or parish council offered and completed where appropriate.

RECOMMENDED to Council;

9. Agree that a capital budget of £3.15 million be set as part of the 2022/23 budget for the rebuild or refurbishment of all Category A public toilets (subject to the results of the consultation).
10. Authorise the use of the Transformation reserve to support enabling costs for any transfers - contribution towards legal / surveyor fees and the cost of splitting utilities to enable transfers.

REASON:

To review the way we provide public toilets; ensuring we continue to maintain important sites whilst reviewing the provision at other sites and capitalising on opportunities for alternative uses; this will help deliver the savings detailed in our Transformation Strategy and Medium Term Financial Plan whilst protecting and improving a core stock of important public toilet sites. The review also proposes to invest in toilets that are retained to ensure the right toilet in the right place, this is important since no capital investment has been made for a number of years. Many of the sites need updating to meet modern standards and expectations as well as incorporating Covid secure/improved hygiene design features.

406 **Poverty Strategy**

The Strategic Lead Housing, Health and Environment's report presented a Poverty Strategy for adoption following the investigation and research undertaken by the Poverty Working Panel. The series of thematic Panel meetings had allowed a strategy and action plan to be drafted having regard to national good practice, local experiences and the contributions of partners.

The Poverty Strategy was ambitious and directed at alleviating poverty in the district by aligning existing efforts, working in partnership and identifying a range of new interventions aimed at improving the quality of life for residents affected by poverty.

This was the first Poverty Strategy reflecting the priority that Council was giving for poverty prevention, financial resilience, a strong local economy, targeted action and improved health and wellbeing.

The Leader and Chair of the Poverty Working Panel wished to thank all members and officers for their positive contributions, as well as Citizen's Advice and the DWP for their valuable input.

The Portfolio Holder Coast, Country and Environment wished to thank Cllr Megan Armstrong, John Golding and officers for doing a brilliant job in producing this superb report and hoped it would be a success.

RESOLVED that Cabinet;

1. Adopt the Poverty Strategy and Action Plan, and
2. Ask the Head of Paid Service to assign a Strategic or Service Lead to coordinate the activities of Services through an officer project board or steering group to deliver the Poverty Strategy, and
3. Extend the work of the Poverty Working Panel to oversee the monitoring and delivery of the Poverty Strategy and tracking good practice.

RECOMMENDED to Council;

4. To agree a budget of £30,000 to 'pump prime' the delivery of initiatives and projects contained in the Poverty Strategy and Action Plan.

REASON:

To agree a strategic approach towards alleviating poverty in the district and improving the quality of life of those households affected by poverty.

407 **European Regional Development Fund Welcome Back Fund**

The Service Lead Place, Assets & Commercialisation stated that the Welcome Back Fund (WBF) was an extension of Reopening High Streets Safely Fund (RHSSF) and East Devon District Council's funding agreement would be varied to accommodate the additional allocation of £230,991. There was a WBF form for the Council to complete, that builds upon the RHSSF action plan that needed to be submitted by 30 May 2021. Once agreed, the Council could then start to claim for additional allocation and activity.

RESOLVED that Cabinet;

1. Noted the Reopening High Streets Safely Fund deployment to-date and additional Welcome Back Fund allocation,
2. endorsed the broad programme / potential spend set out in the table found at para 3.7 of this report, subject to refinement of service delivery requirements, targeted stakeholder feedback and procurement,
3. delegated to the Service Lead Growth, Development & Prosperity to engage with targeted stakeholder engagement to refine specific projects and proposals,
4. delegated authority to the Service Lead Growth, Development and Prosperity in consultation with the Portfolio Holder for Economy & Assets to deliver the WBF project (including entering into contracts, agreeing specific spends, recruiting temporary posts and adapting the project to reflect changes in funding guidance together with individual Service Leads requirements on delivery of interventions).

RECOMMENDED to Council;

5. To approve and provide the budget (to be met from the WBF) for the appointment of such temporary posts as are required to support the WBF project.

REASON:

The recommendations would enable officers to develop an emerging programme of works, facilitate the processing of financial claims, publicity requirements and record keeping to support towns and parishes where the Council will undertake works. Where parishes or towns ask for assistance, EDDC could work with them to deliver interventions.

Local Authorities in receipt of WBF funding allocation (East Devon District Council) must have financial management and control procedures in place for the WBF activity.

408 **Developing East Devon's creative arts sector & cultural tourism offer**

The Service Lead Growth, Development & Prosperity and Service Lead Countryside & Leisure presented a roadmap for the future development and enhancement of the Council's ambitions for cultural development as articulated in the Statement of Intent. The proposals sought to build on the existing work of the Council focussed mainly around the THG, as a cultural hub and the Arts & Culture Forum through a more cohesive and strategic approach to arts and culture. Adding capacity and resource into meeting these ambitions were also being sought.

It was recognised how an enhanced cultural programme could help to support and link into the District's distinctive cultural tourism offer through better promotion, marketing and scaling up of the Council's work in this area. These were linked directly to the social and economic recovery of the district, connecting to Team Devon's Build Devon Back Better through cultural tourism, green initiatives, educational opportunities and 'Made in Devon' retail.

Discussions included the following:

- Culture and the Arts had fantastic potential for growth and boosting the local economy as well as their positive contribution to improving mental health; especially as we come out of the pandemic
- It was good to have a strategy as this was the hardest hit sector during the pandemic
- Cultural activities were important for improving income and well-being

RESOLVED that Cabinet;

1. Noted the significance of the tourism sector and culture to the District and the importance of supporting recovery from the impact of the pandemic.
2. agreed to progressing a new Tourism Strategy and a revised Cultural Strategy to reflect the new ambitions and opportunities to expand the arts and cultural offer of East Devon with a view to recommending to Council that it supersedes the Culture Strategy 2017-21,
3. receives further reports on the Tourism Strategy and replacement Cultural Strategy as work progresses,
4. endorsed the repurposed role of the THG in leading the development of the Council's arts and cultural development ambitions and acting as the cultural hub supporting cross service cultural activities, and

5. endorsed repurposing the Arts & Culture Forum into Arts Culture East Devon (ACED) which will be supported by the work of the THG as the network for the district's creative arts and culture sector to engage in and also support the bid to Arts Council England to provide funding to manage and fundraise for the network.

RECOMMENDED to Council;

6. That a budget of £50k is made available, to be funded from the Business Rates Retention 100% Pilot Reserve, to develop both a Tourism Strategy and a revised Cultural Strategy.

REASON:

To be able to deliver the corporate ambitions identified within the Council's Statement of Intent to develop and enhance the arts and cultural offer as an essential part of the recovery planning work post COVID-19, that would help both a social and economic "bounce back". The ability of the East Devon's arts and cultural sector to help support the Council's ambitions for a scaling up of its cultural tourism offer, meeting its climate change emergency response targets and providing a district-wide cultural network (ACED) to engage with the district's creative arts sector.

To ensure that the Council's role in supporting the tourism sector, including in relation to recovering from the impacts of the pandemic, was clearly set out.

409 **Seaton Jurassic**

The Strategic Lead Finance explained that the report set out the current position in relation to Seaton Jurassic Visitor Centre and Devon Wildlife Trust's (DWT) proposed exit of the building on 17 September 2021 and the recommended steps EDDC would need to take over the next few months.

During discussion the Portfolio Holder Economy and officers were asked to prioritise this position which needed to operate in the interim as well as the long-term.

RESOLVED:

That the position with Seaton Jurassic Visitor Centre be noted and the next steps outlined in the report, be agreed.

REASON:

The centre would fall back under the direct responsibility of the Council in September 2021, members would need to be able to consider options on future use.

410 **Consideration of public consultation for variance of the Exmouth Anti-Social Behaviour Public Spaces Protection Order 2020 - 2023**

The report sought approval to vary the existing Public Spaces Protection Orders (PSPO) for the control of ASB & consumption of Intoxicating substances in Exmouth, as required by the Anti-Social Behaviour Crime and Policing Act 2014. This order already included a restriction on the consumption of intoxicating substances in certain designated streets of Exmouth and Sidmouth.

The varied order could include addition of beach areas in Exmouth and certain locations identified as anticipated displacement. Exmouth Town Council would be consulted and invited to suggest amendments where they had evidence of an issue not currently

covered by these controls. A public consultation period would be conducted. The council had the ability to further review the order during the next 2 years.

Discussions included the following:

- It was vital to meet the timescales as this was a major issue.
- This was not a blanket ban on drinking alcohol but had been reported as so. This needed to be made clear through any communications coming from EDDC
- Excellent to be stamping out anti-social behaviour
- Support the PSPO if it was managed and implemented properly
- The Order was only as good as its enforcement by the police. Although it was agreed sometimes this meant confiscation and communication rather than fines.

RESOLVED that Cabinet;

agreed to the carrying out public consultation on proposals to vary the Exmouth ASB Public Spaces Protection Order 2020 -2023 as detailed in the report and receive a report with recommendations once the consultation has concluded.

REASON:

The authority to go to public consultation and the urgent implementation of the variance of the change would allow for the order if agreed, to be in place for the summer period 2021. This was a period where an increase in related anti-social behaviour problems could be anticipated due to the staycation.

411 **Exclusion of Press and Public**

that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

412 **Towards Zero Carbon Development in the West End**

The report provided an update on progress towards the delivery of zero carbon development in the West End of the District. The Council had received confirmation of an offer from the Heat Network Investment Programme, following the submission of a funding bid in January 2021. The report detailed the decision making that was required as well as the next steps to be taken.

The Chair and Portfolio Holder Coast, Country and Environment wished to thank Naomi Harnett and Andrew Wood for their incredible work in obtaining this funding which had been a massive undertaking.

The Service Lead Growth, Development and Prosperity personally thanked Naomi for her valuable contribution and workload in this matter.

RESOLVED that Cabinet;

1. Noted the outcome of the funding bid to the Heat Network Investment Programme,
2. approved the principle of the grant and loan terms,
3. delegated authority to the Chief Executive in consultation with the Leader, Deputy Leader and Portfolio Holders for Finance and Coast, Countryside & Environment and Strategic Lead Governance & Licensing to complete the relevant documentation, and
4. established a Project Board comprising of Portfolio Holders for Climate Action & Emergencies; Strategic Planning; Coast, Countryside & Environment; and Ward Members

for Broadclyst and Cranbrook, to review progress with the further technical work prior to bringing a further report to Cabinet.

RECOMMENDED to Council;

5. that the grant and loan terms and funding agreements in relation to the Heat Network Investment programme are agreed.

REASON:

To ensure there was a clear pathway for achieving large scale zero carbon development in the West End of the District.

413 **THG staffing and cultural development**

The report outlined the current position of the Arts Development Manager & THG Curator which was a fixed term appointment and also the increasing of capacity within the team itself to be able to meet the new challenges and demands of the cultural development report.

This was an affordable and modest proposal (increase in budget requested of £12,500) designed to deliver an improved cultural offer in East Devon and build on the exceptional reputation of the THG through an extended outreach programme.

RECOMMENDED to Council;

1. that the extended role of Arts Development Manager and Curator is made a permanent appointment,
2. that the role of the THG Engagement Officer is increased by an additional one day a week (from 2.5 days per week to 3.5 days per week), and
3. that the role of the Gallery Exhibition & Retail Officer is increased by an additional one day a week (from 2.5 days per week to 3.5 days per week).

REASON:

The recommendations would provide the Council with a repurposed and district wide arts and cultural development team that could provide support and expertise to multiple internal teams. This would help to deliver the Council's priorities in climate change, cultural development, cultural and ecotourism and supporting the district's creative arts sector.

Attendance List

Present (at Blackdown House):

Portfolio Holders

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

Also present (for some or all the meeting via Zoom)

Councillor Sarah Jackson
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Susie Bond
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Olly Davey
Councillor Bruce De Saram
Councillor Peter Faithfull
Councillor Cathy Gardner
Councillor Steve Gazzard
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Mike Howe
Councillor Vicky Johns
Councillor Fabian King
Councillor Dawn Manley
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Val Ranger
Councillor Eleanor Rylance
Councillor Brenda Taylor
Councillor Joe Whibley
Councillor Eileen Wragg
Councillor Tom Wright

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Andrew Hancock, Service Lead StreetScene
Naomi Harnett, Principal Projects Manager East Of Exeter
Debbie Meakin, Democratic Services Officer
Charles Plowden, Service Lead Countryside and Leisure
Andrew Wood, Service Lead - Growth Development and Prosperity
David Whelan, Anti-Social Behaviour & Community Safety Co-Ordinator

Chair

Date: