

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 30 November 2022**

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

The meeting started at 6.00 pm and ended at 8.22 pm

#### **99 Public speaking**

Liza McLean spoke on Minute 110 Review of free car parks and charging hours. She was a Temple Street business owner and resident. She stated the free spaces in the car park served a few of the out of town businesses adjacent to the car park whom do not benefit from an in town location. She felt the current resident car parking spaces worked well.

Sally Mynard, Chair of the Sidmouth Chamber of Commerce spoke on Minute 109 Car Parks Review. She said the car parking price increases had gone through with no consultation and little concern for the economic health of her community and businesses they support. She asked the car parking charges be lowered due to many businesses facing a challenging time as well as residents. She reported the Chamber of Commerce had received complaints from residents and visitors and a survey showed the detrimental impact this was having on them. Visitors were not spending much time in Sidmouth and trade from May to September was lower than expected.

Ian Priestley, Chair of Colyford Residents Association spoke on Minute 111 Colyford Community Governance Review. He stated Colyford had a long and rich history with strong traditions. The last 30 years had seen development increase by approximately 20% and the population was now about 800. S106 funding from these developments had helped growth and the community's amenities. He stated this was once in a generation opportunity, the Community Governance Review would restore democracy and benefits to provide services for the village. He thanked Henry Gordon Lennox and all staff for their continued hard work on this Community Governance Review.

Andrew Parr, Chair of Colyton Parish Council spoke on Minute 111 Colyford Community Governance Review. He said that Colyford had never been a parish therefore there was no traditional parish boundary. He asked the Parish Council's proposed parish boundary be followed. He said Colyford had said they had had under investment in their village; roads, signage and bridges were not the responsibility of the Parish Council but the County Council's. When they had wanted financial help on issues like resurfacing their car park, repairs to their village hall and play park the Parish Council had always assisted. He was concerned that the split of the community's assets did not reflect in the distribution of finances to support their upkeep. He asked that they be no transfer of assets and that Colyton maintain their assets.

Colin Pady, Colyton Parish Councillor spoke on Minute 111 Colyford Community Governance Review. He rejected the proposal to split Colyford from the parish of Colyton. He said Colyton was an example of a well-run parish council and to dismantle this and diminish its assets was senseless.

Councillor Paul Hayward made a statement on his EDDC's register of interests. For a short period of time he had carried out internal auditor work for a local Parish Council after they had approached him and asked to assist following the untimely

departure of their former auditor. As it was only an annual requirement he only carried out three audits for the Parish Council whilst being an elected member of this authority. Despite the fact that he didn't want to charge anything for carrying out the work the Parish Council insisted in paying him for the audit service; between £50 and £100 for each audit. Upon receipt of those payments he subsequently paid that same amount to a local foodbank, sometimes as a cash donation and on other occasions as a donation of goods to the same value. To that end he wanted to reassure everyone and any members of the public that he did not therefore personally financially benefit in any way, and thus at the time did not consider it as a pecuniary interest requiring registration. Not including it on his published register of interests at the time of the audit Cllr Hayward said was simply an oversight. Having now taken further advice he accepted that it should have been included and on that basis he apologised unreservedly for that omission as it should have been declared on the online form available for public scrutiny.

100 **Minutes of the previous meeting**

The minutes of the meeting of Cabinet held on 2 November 2022 were agreed.

101 **Declarations of interest**

Min 102. Matters of urgency - Colyford Community Governance Review.  
Councillor Paul Arnott, Other Registerable Interest, Is a Colyton Parish Councillor - (Cllr Arnott left the room during the debate).

Min 109. Car Parking permit and tariff increase review - Summer 2022.  
Councillor Paul Hayward, Affects Non-registerable Interest, Has purchased an EDDC parking permit.

Min 109. Car Parking permit and tariff increase review - Summer 2022.  
Councillor Sarah Jackson, Affects Non-registerable Interest, Has purchased an EDDC parking permit.

Min 110. Review of free car parks and charging hours.  
Councillor Sarah Jackson, Affects Non-registerable Interest, Has purchased an EDDC parking permit.

Min 110. Review of free car parks and charging hours.  
Councillor Tom Wright, Affects Non-registerable Interest, Chair of Liaison Group involved in the Lower Otter Restoration Scheme.

102 **Matters of urgency - Colyford Community Governance Review**

There was one late item that officers recommended were dealt with in this way that of the Colyford Community Governance Review.

The Chair left the room during the debate due to a declaration of interest.

The Strategic Lead Governance & Licensing explained that in late 2021, Cabinet and Council agreed that a Community Governance Review be undertaken following a request from the Colyford Village Residents' Association. In July 2022 Cabinet agreed to the principle of a new parish being created and draft proposals were formally published. The second statutory period of consultation expired on the 22nd November 2022 and the report now recommended alternative decisions for the Cabinet and Council to consider.

Discussions included the following:

- It was difficult to thoroughly read the report with only 2 days' notice with little time for people to prepare statements
- Concerns over the parish boundary, it was difficult to follow
- The financial demands from Colyford Village Residents' Association were out of proportion
- Both villages had happily shared their facilities which had benefitted all
- 2 communities were stronger together and should remain the parish of Colyton
- Not enough information to make an informed decision
- Short notice meant members were incapable of making sound decisions and had not had time to decipher the information
- This should not be entered into lightly
- The whole process must be completed within 12 months from the Terms of reference (December 2022)
- The need to come to a conclusion in order to avoid a fresh start

Cabinet voted in favour for this item to be deferred to an Extraordinary meeting of Cabinet on Monday 5 December at 5.30pm.

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

None

104 **Minutes of Arts and Culture Forum held on 12 October 2022**

Members agreed to note the minutes of Arts and Culture Forum held on 12 October 2022.

105 **Minutes of Scrutiny Committee held on 3 November 2022**

Members agreed to note the minutes of Scrutiny Committee held on 3 November 2022.

106 **Minutes of Asset Management Forum held on 4 November 2022**

Members agreed to note the minutes of Asset Management Forum held on 4 November 2022.

107 **Complaints decided by the Local Government and Social Care Ombudsman and by the Housing Ombudsman 2021/22**

The report provides information on complaints referred to and decided by the Local Government and Housing Ombudsmen during 2021/22. The Chief Executive stated that the sad case of the death of the little boy in Rochdale, would have a fundamental change in the way the council was expected to manage the council's housing stock. There would also be the expectation to inspect the private sector housing within the district, which would provide a lot of extra work coming through to the council.

**RESOLVED:**

That the report and learning points arising from complaints decided during the year and the steps being taken to address certain areas to improve dealing with complaints be noted.

**REASON:**

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

108 **Review of the Local Code of Corporate Governance**

The Strategic Lead Governance and Licensing & Monitoring Officer presented his report on the Council's Code of Corporate Governance, which sets out the overarching approach to the council's corporate governance arrangements and was now due for review.

It was a requirement of the Constitution that Cabinet consult with Audit & Governance in relation to the approval, implementation and monitoring of the Code of Corporate Governance. Audit & Governance Committee received the report at its meeting on 17th November 2022 and supported the recommendation. It was therefore recommended that Cabinet continue to use the current Code unchanged with a further review in two years' time.

**RESOLVED:**

that the Local Code of Corporate Governance should continue without amendment and be reviewed again in two years' time, unless circumstances require an earlier review, be agreed.

**REASON:**

The Council regularly reviewed the policies, codes and procedures that govern the way it operates. The Code of Corporate Governance provided the overarching framework for the Council's Corporate Governance. It was last updated in December 2016 following revised guidance from CIPFA/SOLACE and reviewed in January / February 2019. It was not a standalone document but rather identified the key principles that the Council agreed to follow in establishing its governance framework. It was supported by a number of other documents, being the Council's key policies, which in combination seek to ensure that the Council has systems, processes, culture and values that the council engages with and acted by and were accountable in respect of. Ultimately the Code was about ensuring that the Council does the right things, in the right way for the right people in a timely, inclusive, open, honest and accountable manner.

109 **Car Parking permit and tariff increase review - Summer 2022**

A review of the current car parking fees that were increased in April 2022.

Discussion included the following:

- Parking permits were good value and these should be promoted more
- The need to promote the permits especially as there was a monthly payment option
- Economic challenges meant people were using hospitality less, with a general increase to online shopping leading to reduced footfall. However this was not reflected on the districts car parks which appear to be well used
- The council was not looking to increase car parking charges next April, as was the case in other areas outside the district

**RESOLVED:**

that the summer review of the car parking tariff and permit increase be continued with the current fees and tariffs into the next financial year, be agreed. A directly comparable report on summer income to be brought to Cabinet in 12 months.

**REASON:**

Car parking charges were increased for the first time in 10 years in April 2022. The increased charges reflected the fact that no increases had been applied for a significant period of time and certain tariffs had fallen below what was deemed appropriate; high demand prime tourist car parks where the revised charges were applied. This also reflected the rise in VAT from 17.5% to 20% in 2011 and to bring East Devon Coastal town tariffs in line with similar tourist destinations across the County. Having made the decision to revise charges it is acknowledged the income supports the delivery of other services particular additional costs in tourist areas and will also help the Council achieve its ambition of becoming carbon neutral by 2040 through the growth of green infrastructure across the district.

110 **Review of free car parks and charging hours**

The Car Parking Services Manager outlined the details of a proposal to take on management of a new car park as part of the Lower Otter Restoration project, as well as a review of the 6 free car parks that were currently managed by EDDC. As well as options for extended evening charging in the coastal locations and free Sunday charging in the inland towns and villages.

**RESOLVED:**

1. That the portfolio of free car parks be agreed. The Manor Farm Estate car park, Sidbury option B (make no changes) was agreed. In all other cases, option A was agreed for each site. With an expectation that the 20 reserved spaces in Temple Street will remain as such and The Green – Broadclyst being deferred at this time for updated costs to be provided.
2. That the proposed management arrangement for the new car park on South Farm Road, Budleigh Salterton be approved. Terms to be agreed with Clinton Devon Estates through delegated authority to the Strategic Lead for Governance and Licensing in conjunction with the Strategic Lead for Finance.
3. That extending the charging hours in our short stay car parks, and to maintain the current charging structure be agreed.
4. That free Sunday car parking charges across the District and to continue with the current arrangements be agreed.
5. That the current process for assessing and determining concessionary parking requests be agreed.

**REASON:**

1. These car parks were important assets in their respective areas, but other options for their maintenance and long term use should be assessed to ensure they continue to be the best use of land in consideration of other Council priorities.
2. The management of this new car park was mutually beneficial in as much as it offers effective management of the site by EDDC who share the landowner's aspirations for the site to be a popular visitor destination. Alternative management by a third party would not achieve this, and EDDC would not benefit from any additional income from this site.
3. Extended charging is an option of managing evening parking demand, however this would have an impact on the evening economy as well as being ineffective due to alternative free parking options at this site.
4. There were other options that could be considered in relation to free Sunday parking however the current arrangements were well established and consistent with the current approach to parking charges across the District. Changes made in isolation run the risk of

artificially increasing demand on some days and unintended consequences in regards to traffic management and demand on services.

5. It was important that EDDC operate a fair and transparent process for considering concessionary parking requests and that this process was consistent in all circumstances.

**Attendance List**

**Councillors present:**

P Arnott (Chair)  
P Hayward (Vice-Chair)  
D Ledger  
M Rixson  
J Rowland  
J Loudoun  
S Jackson  
N Hookway

**Councillors also present (for some or all the meeting)**

A Dent  
C Gardner  
S Gazzard  
A Moulding  
H Parr  
P Skinner  
T Wright

**Officers in attendance:**

Richard Easthope, Parking Services Manager  
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 (and Monitoring Officer)  
Mark Williams, Chief Executive

**Councillor apologies:**

G Jung

Chair .....

Date: .....