

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 6 September 2023

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.45 pm

31 Public speaking

Cllr Steve Gazzard spoke about the Community Safety Partnership meetings. He was concerned that the meetings had not reconvened since the end of the pandemic. At a recent Police Advocates meeting he asked the Police Inspector when these meeting were due to restart. She said that the meetings were led by EDDC and supported the idea of them restarting. Cllr Gazzard said that the appropriate officer at the council response when questioned, was that they were looking at other ways of dealing with the issue. Cllr Gazzard stated he and fellow Exmouth councillors were concerned that anti-social behaviour had increased and that this was a serious matter.

The Chair assured Cllr Gazzard that he would receive a written response from the appropriate officer.

32 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 12 July 2023 were agreed.

33 Declarations of interest

Min 50. Strategic Land Acquisition.
Councillor Eleanor Rylance, Affects Non-registerable Interest, Ward Member.

Min 50. Strategic Land Acquisition.
Councillor Paul Arnott, Affects Non-registerable Interest, Chair of the Enterprise Zone Board.

Min 51. Seaton Jurassic.
Councillor Olly Davey, Affects Non-registerable Interest, Member of Devon Wildlife Trust.

34 Matters of urgency

There were no matters of urgency.

The Chair announced he had appointed Cllr Todd Olive as the Assistant Portfolio Holder for Coast, Country and Environment.

35 Confidential/exempt item(s)

There were 2 items which officers recommend should be dealt with in this way recorded at Minutes 50 and 51.

36 Minutes of LED Monitoring Forum held on 27 June 2023

Members agreed to note the Minutes of LED Monitoring Forum held on 27 June 2023.

37 **Minutes of Recycling and Waste Partnership Board held on 12 July 2023**

Members agreed to note the Minutes of Recycling and Waste Partnership Board held on 12 July 2023.

38 **Minutes of Scrutiny Committee held on 6 July 2023**

Members agreed to note the Minutes of Scrutiny Committee held on 6 July 2023.

39 **Minutes of Overview Committee held on 20 July 2023**

This item was discussed in more detail at Minute 44 where Members agreed to note the Minutes and recommendations of Overview Committee held on 20 July 2023.

Minute 6 Proposals for a Place and Prosperity Framework for East Devon District Council

The Committee recommended the amendment of the Place and Prosperity Framework to reflect the addition of an additional non-executive member and recommended that the Framework proceeds to Council.

40 **Minutes of Placemaking in Exmouth Town and Seafront Group held on 25 July 2023**

Members agreed to note the Minutes of Placemaking in Exmouth Town and Seafront Group held on 25 July 2023.

41 **Nature Recovery Declaration for East Devon**

The Assistant Director Countryside & Leisure, and District Ecologist's report stated that EDDC was required to have input into the Local Nature Recovery Strategy (LNRS) process under the Environment Act 2021. DCC as the identified 'Responsible Authority' has requested that all District Authorities who were identified as 'Supporting Authorities' contribute to the consultation and preparation of the Local Nature Recovery Strategy.

The Nature Recovery Declaration for East Devon recognised the crisis being faced ecologically alongside climate change and sets out how the Council would respond to this emergency at a high level.

During debate the question was asked if the 6 Town Councils could be included in discussion and how important it was to keep residents informed to aid engagement. The Assistant Director Countryside and Leisure stated the method of this engagement from the Town Councils would be looked into as he acknowledged this was of key importance for the success of the Strategy.

Members wished to thank Charlie Plowden and the team for their hard work in getting this Strategy established.

RECOMMENDED to Council;

1. To adopt the Nature Recovery Declaration for East Devon;
2. To support DCC as the 'Responsible Authority' in developing a Devon Local Nature Recovery Strategy in our role as a 'Supporting Authority' as defined by the Environment Act 2021;
3. To develop a Local Nature Recovery Plan and Local Habitat Map for East Devon as a 'Supporting Authority' as defined by the Environment Act 2021.

REASON:

This would enable East Devon DC to fulfil its role as a Supporting Authority as defined in the Environment Act 2021 and support Devon CC in developing a Devon Local Nature Recovery Strategy (LNRS). It would also enable EDDC to prepare a Local Nature Recovery Plan and Local Habitats Map that would develop the district's Nature Recovery Network and improve those habitats and species most under threat.

42 **Application for Local Authority Housing Fund for Afghan Refugee resettlement**

The Housing Projects Officer presented the report that stated that the Department for Levelling up, Homes and Communities (DLUHC) had issued grant funding primarily to assist Local Authorities in providing temporary accommodation for Afghan Refugees currently housed in bridging hotels across the country. It also provided limited funding for the provision of housing for general temporary accommodation.

There was the understanding that once the properties were no longer required for the primary focus, they could revert to be used for anyone seeking temporary accommodation. There was a specific requirement that out of the 5 units, 4 would be used in the first instance for people arriving under the two specific Afghan relocations Schemes with the remaining unit to be allocated as general temporary accommodation. Due to the make-up of the cohort, there was an expectation that the units would be large family sized properties.

Discussions included buying new properties where repair costs would not be an issue.

RESOLVED:

1. That delegated authority be granted to the Assistant Director of Housing in consultation with the S151 Officer, Monitoring Officer and Portfolio Holder for Sustainable Homes and Communities to provide including the possibility of purchasing, four units of accommodation for refugees and one unit for general temporary accommodation.

RECOMMENDED to Council;

2. The Approval of £750K from the Local Authority Housing Fund to enable the provision of temporary accommodation for Afghan Refugees and others in need of temporary accommodation;
3. The Approval of a Housing Revenue Account capital budget of £975,000 as match funding for the project if required.

REASON:

The LAHF round 2 had been specifically designed to help those Afghani citizens who assisted us during the conflict in their country. All local authorities had been encouraged to participate in this national effort to ensure that accommodation and support to those individuals be provided.

EDDC did not have sufficient appropriate accommodation for large families. Whilst this funding would initially only provide one property for general needs temporary

accommodation, the properties originally allocated to assist with Afghan resettlement can revert to general needs housing once the need for refugee resettlement had been satisfied. This fund would therefore enable the council to either bring back into use or purchase family-sized accommodation that would assist local families in need both in the short and long term.

43 **Decarbonisation of EDDC Swimming Pools - Consultant Appointment**

The Assistant Director Environmental Health presented his report that outlined a request for a key decision to be made regarding the allocation of up to £333,000 from the Climate Change budget towards the production of Heat Decarbonisation plans for three swimming pools.

In response to the question on the £333,000 fee proposal 'not' including specialist work and surveys, the Assistant Director Place, Assets and Commercialisation responded that he would seek clarification and provide a written response. He clarified that this was the full budget amount being requested.

RESOLVED:

That the allocation of £333,000 from the Climate Change budget for the production of RIBA Plan of Works Stage 3 decarbonisation plans for Exmouth and Honiton Leisure Centres, including swimming pools, and Sidmouth Swimming Pool be agreed.

REASON:

To support the council's journey towards its net-zero target by 2040.

44 **Proposals for a Place and Prosperity Framework for EDDC**

The Project Manager Place and Prosperity (Exmouth) provided Members with the proposed new Place & Prosperity Framework for consideration.

In addition to the adoption of the Framework itself, the Council would need to agree a sum to borrow from the Public Works Loan Board (PWLB) to enable the Framework to deliver investment opportunities in the district – the Framework recommends £20m in the first tranche.

RESOLVED:

1. That the recommendation from Overview Committee held on the 20 July 2023 that the Place and Prosperity Framework be amended to include an additional non-executive Board member be incorporated. Cabinet agreed for this to be the Chair of Overview Committee at Stage 1 of the framework process.
2. Mend the Place and Prosperity Framework to specify that the Chair of Overview Committee Board member should be able to enter into debate as part of the decision-making process at Stage 1 but should not have voting rights.

RECOMMENDED to Council;

3. The adoption of the Place and Prosperity Framework as amended to include the Chair of Overview as an additional non-executive member at Stage 1 of the Framework process.
4. The borrowing of up to £20,000,000 as a first tranche from Public Works Loan Board to deliver investments in accordance with the adopted Framework.

REASON:

To allow the Framework to move forward for consideration through the democratic process and, subject to agreement, onwards to the implementation phase.

45 **Assistant Payroll Officer funding request**

The HR Manager sought approval for funding for a new Assistant Payroll Officer post to support the effective operation of the Council's payroll.

RECOMMENDED to Council;

1. That approval is given to increase the Human Resources Service team budget by £34,344 per annum to facilitate a new post of Assistant Payroll Officer to support the existing payroll resource provision.
2. That the HR Manager reviews the arrangements for the provision of payroll to external organisations to assess whether further costs can be recouped.

REASON:

To ensure there was sufficient resource to operate an effective payroll.

46 **Annual Treasury Management Review 2022/23 - 1 April 2022 to 31 March 2023**

The report detailed the overall position and performance of the Council's Treasury Management Strategy during 2022/23.

RECOMMENDED to Council:

That the investment values and performance for the year to 31 March 2023 be noted.

REASON:

The Council was required by regulations issued under the Local Government Act 2003 and the Code of Practice on Treasury Management in Public Services published by the Chartered Institute of Public Finance & Accounting (CIPFA) to produce an annual review of its treasury management activities and performance.

47 **Financial Monitoring Report 2023/24 - Month 4 July 2023**

The Finance Manager's report gave a summary of the council's overall financial position for 2023/24 at the end of month four (31 July 2023).

Current monitoring indicates that:

- The General Fund Balance is being maintained within the adopted levels. Early forecasts indicated a favourable position of £150k was predicted. The council continued to see a short-term favourable position in treasury management interest, offset with Housing Benefit subsidy costs and increased Refuse and Recycling contract costs. The council was still awaiting any pay award outcome that remains to be accounted for.
- The Housing Revenue Account Balance was being maintained at or above the adopted level.

RESOLVED:

That the variances identified as part of the Revenue and Capital Monitoring process up to Month 4 be acknowledged.

REASON:

The report updated Members on the overall financial position of the Authority at set periods and included recommendations where corrective action was required for the remainder of the financial year.

48 **Corporate Peer Challenge**

Council agreed at its meeting on 19 July 2023 a Motion on actions to provide a strong, united and informed managerial and political leadership.

This comprised 5 key actions summarised as:

- A skills and knowledge audit of members in order to provide necessary support where required.
- Bring together Cabinet and Senior Management Team to become a unified team working together to meet challenges faced by the Council.
- Request the Local Government Association (LGA) to undertake a Corporate Peer Challenge.
- Ask the Centre for Governance and Scrutiny to conduct a review of the Council's scrutiny process.
- For South West Employers to undertake a training and support review of the Senior Management Team and how it functions as a coherent team.

The Chair wished to thank Paul Clark from the LGA and Richard Kemp, Deputy Lord Mayor of Liverpool for their support on this matter.

RECOMMENDED to Council;

1. That a budget of £25k be met from the Transformation Reserve to meet actions already adopted by Council.

RESOLVED:

2. That Cabinet note and agree the timeline for delivery of identified actions from the Council's adopted motion.

REASON:

To meet the adopted Motion of Council as outlined in the report.

49 **Local Government (Access to Information) Act 1985 - 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).

50 **Strategic Land Acquisition**

Cabinet were advised of a strategic land acquisition opportunity in the west end of the District that could provide a site for the council's operations as well as offer employment sites for investment by the private sector in the future. The acquisition would be in partnership with Devon County Council where they would own and develop part of the site.

RESOLVED:

1. that the content of the report be noted and supports the council's actions in seeking to negotiate an acquisition price with the landowner be noted;
2. to agree to receive a further report detailing a negotiated purchase price and seeking approval to make a formal offer for the land in conjunction with Devon County Council, and subject to Enterprise Zone Board funding approval (including DCC) and full Council approval.

REASON:

To ensure that Cabinet was informed of the council's actions in negotiating to acquire a strategic site which could offer new operational accommodation, as well as sites for commercial investment by the private sector enabling further growth and business development opportunities in the west end of the District.

51 **Seaton Jurassic**

Seaton Jurassic Interpretation Centre was passed back to EDDC on 17 September 2021. There had been reports to Cabinet and Council at regular stages since, with the most recent report being to Cabinet on 5 October 2022 and then recommendation to Council on 19 October 2022. At that stage and following marketing of the opportunity to operate the interpretation centre by way of a lease there was a recommendation to progress heads of terms with Seaton Tramway for a 20-year lease. The complexities of this arrangement and the interrelationship with the different live funding agreements had made a freehold sale more appropriate.

Members wished to express their sincere thanks to Tim Child and officers for their tenacity in getting this to this stage. Cllr Marcus Hartnell expressed his thanks and the thanks from the residents of Seaton. He said their tremendous efforts and hard work could not be underestimated and that this was a huge asset for Seaton.

RESOLVED:

That Cabinet agree:

1. The freehold disposal of the Jurassic Centre (to also include adjoining ancillary area) to Seaton Tramway on those terms as outlined in report.
2. The novation of the funding agreement with one funder as outlined in report.
3. The surrender of the funding agreement with another funder as outlined in report.
4. The Memorandum of Understanding being entered into as outlined in the report.
5. Utilising the existing agreed revenue budget of £30,000 agreed in October by Council for costs in completing the lease, now to be utilised for completing the freehold transfer.
6. To delegate to Assistant Director Place, Assets & Commercialisation in consultation with Director Finance, Director Governance & Licencing, and Portfolio Holder for Finance & Assets to agree detailed terms in accordance with those principles set out in the report and to enter into all relevant documentation including legal documentation associated with the freehold transfer of the asset, the novation of the funding agreement, the surrender of the other funding agreement and the entering into of a memorandum of understanding as all detailed within the report.

RECOMMENDED to Council;

7. The capital receipt being ring fenced for delivery of those types of projects outlined in the report.

REASON:

To progress a way forward to ensure occupation of the site and its continued use as an Interpretation Centre linked to the broad requirements and expectations of the funding agreements and original intentions of the Centre.

Attendance List

Present:

Portfolio Holders

M Rixson	Portfolio Holder Climate Action & Emergency Response
G Jung	Portfolio Holder Coast, Country and Environment
M Hall	Portfolio Holder Economy
O Davey	Portfolio Holder Strategic Planning
S Jackson	Portfolio Holder Communications and Democracy
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
P Arnott	Leader of the Council
P Hayward	Deputy Leader and Portfolio Holder Finance (Assets)

Cabinet apologies:

D Ledger Portfolio Holder Sustainable Homes & Communities

Also present (for some or all the meeting)

Councillor Brian Bailey
Councillor Ian Barlow
Councillor Roy Collins
Councillor Peter Faithfull
Councillor Steve Gazzard
Councillor Mike Goodman
Councillor Marcus Hartnell
Councillor Todd Olive
Councillor Eleanor Rylance

Also present:

Officers:

Matthew Blythe, Assistant Director Environmental Health
Tim Child, Assistant Director Place, Assets & Commercialisation
Joanna Fellows, Corporate HR Manager
Amy Gilbert-Jeans, Assistant Director Housing
Alison Hayward, Project Manager Place & Prosperity
Gerry Mills, Project Manager Place & Prosperity (Exmouth)
John Symes, Finance Manager
Amanda Coombes, Democratic Services Officer
Simon Davey, Director of Finance
Andrew Hopkins, Communications, Digital Services and Engagement Manager
Tim Laurence-Othen, Housing Projects Officer
Charles Plowden, Assistant Director Countryside and Leisure
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Chair

Date: