

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 28 February 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.34 pm

141 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 31 January 2024 were agreed.

142 Declarations of interest

Min 149. Minutes of Placemaking in Exmouth Town and Seafront Group held on 23 January 2024.

Councillor Nick Hookway, Affects Non-registerable Interest, Is an Exmouth Town Councillor.

Min 149. Minutes of Placemaking in Exmouth Town and Seafront Group held on 23 January 2024.

Councillor Olly Davey, Affects Non-registerable Interest, Is an Exmouth Town Councillor.

143 Public speaking

There were no members of the public wishing to speak.

144 Matters of urgency

There were none.

145 Confidential/exempt item(s)

There were none.

146 Minutes of Strata Joint Scrutiny Committee held on 16 January 2024

Members agreed to note the Minutes of Strata Joint Scrutiny Committee held on 16 January 2024.

147 Minutes of Strata Joint Executive Committee held on 30 January 2024

Members agreed to note the Minutes and recommendation of Strata Joint Executive Committee held on 30 January 2024.

Minute 18 - 2024/25 STRATA BUSINESS PLAN

that the Business Plan be approved by the partner Councils.

148 **Minutes of Overview Committee held on 18 January 2024**

Members agreed to note the Minutes and recommendations of Overview Committee held on 18 January 2024.

Minute 31 Beach Amenity Development Plan

1. That the Beach Amenity Development Plan be approved.
2. That consideration be given to improving the process for applying for concessions and activities on EDDC managed beaches.

149 **Minutes of Placemaking in Exmouth Town and Seafront Group held on 23 January 2024**

Members agreed to note the Minutes and recommendations of Placemaking in Exmouth Town and Seafront Group held on 23 January 2024.

Minute 22 Formation of a Subgroup and amending the Terms of Reference for the Placemaking in Exmouth Town and Seafront Group

1. To adopt the draft Terms of Reference for the formation of the Placemaking in Exmouth Town and Seafront Subgroup with the addition of the Exmouth Town Clerk on the membership as a non-voting member.
2. That the Council write on behalf of the Leader to invite nominees from both Devon County Council and Exmouth Town Council to sit on the subgroup.
3. To adopt the revised Terms of Reference for the Placemaking in Exmouth Town and Seafront Group under the review clause set out in the paper of the 3rd May 2022.

150 **Minutes of Scrutiny Committee held on 24 January 2024**

Members agreed to note the Minutes of Scrutiny Committee held on 24 January 2024.

151 **Minutes of Scrutiny Committee held on 1 February 2024**

Members agreed to note the Minutes of Scrutiny Committee held on 1 February 2024.

152 **Minutes of Recycling and Waste Partnership Board held on 31 January 2024**

Members agreed to note the Minutes of Recycling and Waste Partnership Board held on 31 January 2024.

153 **Minutes of Extraordinary Scrutiny Committee meeting held on 15 February 2024**

Members agreed to note the Minutes and recommendations of Extraordinary Scrutiny Committee meeting held on 15 February 2024.

The Chair wished to thank the Scrutiny Committee for their work with South West Water.

Minute 80: To agree the minutes of the virtual consultative meeting held on 1 February 2024 and to ratify the recommendations contained therein

1. A meeting be arranged between South West Water and EDDC Environmental Health Officers.
2. A meeting be arranged between the relevant officers from South West Water and EDDC Planning Officers, to possibly include the Chair of the Planning Committee, the Chair of the Strategic Planning Committee, the Leader of the Council and Cllr Mike Howe, to discuss planning matters.
3. A Task and Finish Forum be scoped to consider sewerage issues.
4. The Corporate Lead for Communications, Digital Services and Engagement works with South West Water to put in place a communications process to enable EDDC Members to be fully informed and obtain information relating to their wards.
5. South West Water be invited back to a Scrutiny Committee meeting in six months' time, with the relevant technical staff attending who are able to answer the type of questions raised previously and any outstanding questions from the meeting held on 1 February.
6. The Leader of the Council lobbies central Government with regard to sewerage issues.
7. MPs be asked to continue to engage with South West Water to resolve water and sewerage issues.

154 **Minutes of Extraordinary joint meeting of Overview Committee, Scrutiny Committee and Housing Review Board held on 15 February 2024**

Members agreed to note the Minutes of the Extraordinary joint meeting of Overview Committee, Scrutiny Committee and Housing Review Board held on 15 February 2024.

155 **Proposed Devolution Deal for Devon and Torbay**

The Assistant Director Growth, Development & Prosperity updated Members to proposals to negotiate a devolution deal with government for the Devon, Plymouth and Torbay area. This was prompted by the publication of the Levelling Up White Paper, passage of the Levelling Up and Regeneration Act and subsequent potential to progress a Level 2 deal which would result in the establishment of a Combined County Authority without an elected Mayor.

These negotiations had now concluded, and the proposed offer of a deal had been published for a 6-week consultation period running until the 24 March 2024. It was important to note that the geographical scope no longer included the Plymouth administrative area.

Discussions included the following.

- How would a joint scrutiny work?
- Why should we accept a limited influence as a district council. Districts want to be part of the process.

- EDDC should ask to lead on the work concerning the governance arrangements.
- Can we stay as we are?
- There was nothing to lose going ahead with this and could gain more funding.
- EDDC would be the junior partners with the possible opportunity for extra funding and other services/provisions, however this was not for the whole of Devon.
- Concern over accountability and democracy as EDDC would not have any voting strength.
- This felt like a power-grab and cannot understand why Exeter City Council were not included. Devon was too big and economically diverse for not all councils to be included. Why would Torbay get more of the 'slice'?
- Tourism needs to be linked with culture.
- Concern for future of leisure services, adult social care, libraries and health and well-being services.
- This felt like a fundamentally irrational approach.
- The need for evidence of a cost-benefit analysis and business case. £16m sounded a lot but not once it had been distributed between the new Devon & Torbay Combined County Authority.
- Looks good on paper but its needs to be beneficial to East Devon.
- There was a democratic deficit and EDDC were just a consultee.
- The need to approach with caution. Could be taking possible funding by giving up our democratic right – felt very one-sided.
- What were the views of other district councils? There should be one collective response from Team Devon.
- There were still a lot of questions to be answered while having to put much trust into this. Seems like a bit of a promise. What is the long-term benefit.
- We would lose the opportunity to put bids in for further funding for ourselves.
- The challenge was the likelihood of a different Government before this goes live.
- How can we influence the consultation with our concerns?
- This was about devolution, how was Devon going to do this?
- There should be an equitable funding split on population size between the authorities, with the larger proportion going to Devon.
- CCA needs to prioritise business certainty and promote 'green' jobs.

RESOLVED:

That Cabinet;

1. Notes the publication of the proposed offer of a Devolution Deal for Devon and Torbay and the key issues arising from the proposals.
2. Gives delegated authority to the Interim Chief Executives in consultation the Leader and Portfolio Holder for Council and Corporate Co-ordination to agree a consultation response that addresses these key issues and reflects those that have been expressed by Members.
3. Liaise with other Devon District Councils to seek to obtain as much commonality as possible within the responses to the consultation.
4. Request that officers seek further information about proposals relating to the involvement of the Office of the Police and Crime Commissioner (OPCC) and what implications of those proposals might be, and to clarify the intentions for the two unallocated non constitute member seats.

REASON:

To ensure that the key issues for the District were identified and fed in to the consultation exercise for the Devolution Deal and subsequent likely establishment of a Combined County Authority.

156 **Exmouth Emergency Wall Project update**

The Assistant Director StreetScene informed Members that due to just receiving new costings for this project, that this item be deferred to the Council meeting being held on 6 March 2024.

157 **Beach Amenity Development Plan**

The Beach Amenity Development Plan (BADP) was a missing piece in the council's adopted greenspace strategy. East Devon's beaches were a core part of the district's tourism offer and central to the delivery of key parts of the council plan and the climate change strategy. The BADP set out an ambitious yet achievable vision of how this key resource would be managed in the next 5 years.

RESOLVED:

That the Beach Amenity Management Plan be approved.

REASON:

As per the summary work was essential to delivery of the council plan and key policies.

158 **Financial Monitoring Report 2023/24 - Month 9 December**

This report gives a summary of the Council's overall financial position for 2023/24 at the end of month nine (31 December 2023).

Current monitoring indicated that:

- The General Fund Balance was being maintained within the adopted levels. Forecasts indicated a favourable position of £54k was predicted. EDDC continue to see a significant favourable position in treasury management interest; however, this had largely been offset by adverse positions on the Refuse & Recycling contract, Housing Benefit overpayments as well as an overspend on emergency accommodation. These had been monitored closely throughout the year and all were reflected in increased 2024/25 budgets.
- 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 9 be noted.

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.

159 **Armed Forces Covenant**

The Corporate Lead – Human Resources provided information on the legal and other considerations relating to armed forces personnel and the Armed Forces Covenant. It advised on current practice and proposed future actions. The Council Plan work would assist the Council in identifying potential other actions that could be taken to support its

commitment. The Covenant would be kept under regular review. The report had been written in liaison with the Council's Member Champion for the Armed Forces, Councillor Vicky Johns. Cllr Johns wished it stated that it was important that EDDC focus on this matter especially recognising the high numbers of serving or had-served personnel living in the district.

Once the Covenant has been updated and published, it was recommended that the Council sign up to the Defence Employers Recognition Scheme, auditing itself against the Scheme's requirements to determine whether it was at Bronze, Silver or Gold standard (an initial assessment suggested EDDC were already at Bronze level). Once the updated Covenant was published, the Council would actively engage in more events and activities to promote the Covenant and actions to support the armed forces community. If agreed, an official signing ceremony would be held, in liaison with the Ministry of Defence.

RESOLVED:

That Cabinet:

1. Note the actions already in place and being progressed to ensure that the Council meets its legal obligation to have due regard to armed forces personnel when carrying out healthcare, housing and education functions, particularly with regard to the completion of impact assessments.
2. Approve the proposed further actions that EDDC could take.
3. Agree to implement an updated Armed Forces Covenant for EDDC.
4. Agree that the EDDC becomes a member of the discretionary Defence Employer Recognition Scheme.
5. Support the council's active engagement in Armed Forces Covenant activity in Devon.

REASON:

The Council had a legal duty to have due regard to armed forces personnel when carrying out healthcare, housing and education functions. It was also helpful to review the support offered to armed forces personnel, which included reviewing the Armed Forces Covenant and considering membership of the Defence Employer Recognition Scheme.

Attendance List

Present:

Portfolio Holders

M Rixson	Portfolio Holder Climate Action & Emergency Response
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Sustainable Homes & Communities
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:

M Hall	Portfolio Holder Economy
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Also present (for some or all the meeting)

Councillor Brian Bailey
Councillor Ian Barlow
Councillor Kim Bloxham
Councillor Colin Brown
Councillor Jenny Brown
Councillor Roy Collins
Councillor Peter Faithfull
Councillor Mike Goodman
Councillor John Heath
Councillor Richard Jefferies
Councillor Todd Olive

Also present:

Officers:

Peter Blyth, Beach Safety Officer
Tim Child, Assistant Director Place, Assets & Commercialisation
Amanda Coombes, Democratic Services Officer
Simon Davey, Director of Finance
Joanna Fellows, Corporate Lead - HR and Payroll
Andrew Hancock, Assistant Director StreetScene
Tracy Hendren, Director of Housing, Health and Environment
Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement
John Symes, Finance Manager
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Andrew Wood, Assistant Director Growth Development and Prosperity

Chair

Date: