

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 10 July 2024

Attendance list at end of document

The meeting started at 5.00 pm and ended at 6.56 pm

17 Minutes of the previous meeting

The minutes of the previous meeting of Cabinet held on 5 June 2024 were agreed.

18 Declarations of interest

There were none.

19 Public speaking

There were no members of the public wishing to speak.

20 Matters of urgency

There were none.

21 Confidential/exempt item(s)

There was one item dealt with in this way which is recorded at Minute 39.

22 Minutes and recommendations of Overview Committee held on 30 May 2024

Members agreed to note the Minutes and recommendations of the Overview Committee held on 30 May 2024.

Minute 6 An Economic Development Strategy for East Devon

To adopt the Economic Development Strategy (2024-2029) for East Devon

23 Minutes of Scrutiny Committee held on 13 June 2024

Members agreed to note the Minutes and recommendations of the Scrutiny Committee held on 13 June 2024.

Minute 7 Improving green spaces for wildlife

1. Reviews the reasons that the Managing Sites for Wildlife approach was adopted and how this came about.
2. Endorses the approaches and amended process of wildlife improvement practices, and notes the wider Nature Recovery Work being led by Countryside.
3. Approves wider communication to Councillors regarding this approach, with a feature in the Councillor update and reconsiders communication with residents, towns and parishes to increase positive interaction.
4. Provides any further recommendations for supporting the important strategy

of transitioning traditionally maintained green spaces to wildlife improvement areas within climatic (eg. mild winters and wet springs) and budgeting constraints.

5. Agrees that Councillors increase their awareness of the reasoning and history of this approach and how it relates to central and local government legislative and policy frameworks.

6. Agrees that Councillors help disseminate this message to residents / voters in order to bridge the gap between Council strategy and residents' expectations of wildlife improvement areas and the continual transition of EDDC-owned green spaces from traditionally mown grass areas to wildlife havens. This will help StreetScene continue to align its targeted work with the legislative framework and Council-wide agendas, policies, strategies and action plans.

7. Endorses that the Council continues to work with voluntary and community groups across the District.

8. Supports that the Wildlife Improvement Strategy is brought back to the Scrutiny Committee on an annual basis.

Minute 8 Review of Emergency Responses in 2023/4 by EDDC

That the Council should encourage every community in East Devon to have a local emergency plan in place.

24 Minutes of Arts and Culture Forum held on 12 June 2024

Members agreed to note the Minutes of the Arts and Culture Forum held on 12 June 2024.

25 Minutes of Poverty Working Panel held on 24 June 2024

Members agreed to note the Minutes and recommendations of the Poverty Working Panel held on 24 June 2024.

Minute 4 Updated terms of reference for Poverty Working Panel

To approve the updated Terms of Reference for the Poverty Working Panel

26 Minutes of Leisure Strategy Delivery Forum held on 25 June 2024

Members agreed to note the Minutes of the Leisure Strategy Delivery Forum held on 25 June 2024.

27 Economic Development Strategy for East Devon

The Economic Development Manager updated members to the Economic Development Strategy for East Devon. An initial Economic Development Strategy (EDS) document was produced which was subject to an extensive internal/corporate and external district wide review with feedback informing the finalisation of the Strategy. Members of Overview Committee endorsed the Economic Development Strategy document and recommended it to Cabinet for publication.

RESOLVED that Cabinet:

1. Endorse the final draft Economic Development Strategy for East Devon (2024-2029).

2. Delegate to EDDC's Portfolio Holder for Economy and Assets and Interim Director of Place consent to approve final design and content updates in producing a digital version of the Strategy for publication on EDDC's website.

REASON:

To ensure that the Council's resources and those of its partners most effectively engage the core challenges highlighted by the Local Economic Review whilst delivering on the Council Plan (2024-2028) priority for a resilient economy that supported local businesses.

28 **Peer Challenge action plan**

The report provided an overview of the Peer Challenge recommendations and the delivery plan to implement the recommendations.

RESOLVED that Cabinet:

1. Receive the Peer Challenge recommendations and endorse the delivery plan and the actions set out in it.
2. Give delegated authority to the Director of Finance in consultation with the Director of Governance and Licensing and the Portfolio Holder Council and Corporate Co-ordination to purchase and implement a new performance, risk and complaints monitoring software system/s.

RECOMMENDED to Council:

3. That a supplementary budget is granted of up to £250k using monies from the Transformation Fund.

REASON:

To ensure that the recommendations from the Peer Challenge were actioned and delivered appropriately.

29 **Local Electric Vehicle Infrastructure**

The Parking Services Manager updated members that Devon County Council (DCC) had been allocated £7,067,000 funding through the Local Electric Vehicle Infrastructure (LEVI) Capital Fund to facilitate the installation of EV chargers across Devon. DCC have invited EDDC to be part of the project by selecting car park sites to have 22kWh chargers installed. EDDC had already been part of several previous EV charge point projects working with DCC and other local authorities in Devon. The project in particular benefits from the LEVI capital fund which would be used to unlock previously unviable sites.

RESOLVED that Cabinet:

1. Gives authority for EDDC to enter into the collaboration agreement with Devon County Council to commit to the LEVI Project and provides delegated authority to the Director of Finance to agree the terms of the agreement in consultation with the Director of Governance and the Portfolio Holder for Economy & Assets.
2. Approves the minimum list of Car Park sites to be included within the DCC LEVI project and provides delegated authority to the Director of Finance in consultation with the Director of Governance and the Portfolio Holder for Economy & Assets to add to or remove sites from the project.

3. Gives authority for EDDC to enter into lease agreements and any other legal documentation required for the siting of the EV charge points and provides delegated authority to the Director of Finance to agree the terms of the legal documents in consultation with the Director of Governance and the Portfolio Holder for Economy & Assets.

REASON:

The DCC LEVI project represented an opportunity for EDDC to provide additional EV chargers within District owned car parks that did not already contain them, including in some locations that may only be viable because of this funding stream. There would be no capital cost to EDDC and DCC had received funding for project management of the installation programme.

EDDC had worked with DCC on two previous EV installation projects and its collaboration with this project aligned with the principles and approach of the EDDC Parking Strategy, provided economies of scale as well as consistency of charging infrastructure across Devon.

30 **Annual complaint monitoring and service improvement report 2023-24**

The council's annual complaint monitoring and service improvement report for 2023/24 was presented to members.

During discussion it was asked that future reports include information of any progress made.

RESOLVED that Cabinet:

Note the numbers and trends in terms of formal complaints dealt with during the year, the learning points which had been identified and actions taken to address these.

REASON:

The council was required by the Housing Ombudsman to publish its self-assessment against their complaint handling code on an annual basis, as part of the complaint performance and service improvement report. This should be accompanied by Cabinet's response to the report.

The purpose of publishing the governing body's response to the self-assessment and to the report was to provide assurance that it was a true reflection of the council's complaint handling.

31 **Financial Outturn 2023-24**

The Finance Manager presented the report which set out the revenue budget and capital outturn positions at the end of the financial year. The 2023/24 outturn position of the General Fund was a positive one with a surplus balance for reallocation of £0.648m. The Council had again faced a challenging year with significant service demand and inflationary pressures in the supply of goods and services, such as temporary accommodation. Higher interest rates during 2023/24 had had a positive impact on our investment returns which had enabled the Council to mitigate against service pressures during 2023/24, however they would remain challenging for future years given the cost-of-living crisis and the impact this had on levels of demand and cost.

The report outlined the implications of these results on the Council's reserves and made recommendations on reserve transfers. The Council's General Fund balance at the end of the 2023/24 financial year was forecast to remain at £4.3m. In respect of the capital programme, it reported that capital expenditure of £13.973m against the approved budget of £27.198m.

The year end position of the Housing Revenue Account (HRA) was outlined. This included variance analysis of the outturn deficit and the use of earmarked reserves (previous underspends) to fund this position and confirmed the 31 March 2024 reserve balance position.

During discussion a question was asked as to the reason for achieving the budget was the inclusion of the higher interest sum received than expected, however could this influence this year's budget with the potential interest rate reduction expected and had this been taken into account. The Finance Manager confirmed this had been considered and would be monitored within the present financial year.

RESOLVED that Cabinet:

1. Considers and recommends to Council the outturn position for 2023/24 including the implications and proposals relating to the Balances and Reserves held by the Council.

RECOMMENDED to Council:

2. The proposed reserve transfers contained within the report and give delegated authority to the Director Finance in consultation with the Finance Portfolio for any amendments to these transfers as additional year end data becomes available.

REASON:

To accord with the Council's financial regulations, the report presented the outturn position for the Council's approved budgets for the General Fund, Housing Revenue Account and Capital Expenditure. The financial position would align to the Council's Statement of Accounts but the position in the report was presented in a style that accords to the budget setting and monitoring reports that members receive.

Members were asked to note the variations from the budgets identified within the report and consider the final position. It was appropriate at this stage to reflect on the reserves and balances held by the Council and determine if these were the right reserves at the right levels going forward.

32 **HRA 2024-25 Revised Budget**

The Interim Director of Housing and Health presented the report which summarised the current financial pressures facing the HRA. The need for additional new borrowing to meet budget shortfall in 2023/24 and for capital investment in 2024/25 to ensure regulatory compliance was highlighted. It set out plans to improve the short-term sustainability of the HRA and outlined work underway to consider longer term options for the effective management and maintenance of the Council's Housing stock.

Discussions included the following:

- Why was the overspend just being reported now? The Housing Review Board had not presented this financial situation. It needed to probe deeper and ask difficult questions. This needed action.
- EDDC were not the only council in this situation, many councils were having issues with shortfalls over the coming years. EDDC had identified the issue and responded to deliver for its residents.

- There was encouraging information in the report including the KPIs being meticulously monitored and seeing progress with them going in the right direction, with our tenants seeing the benefits.
- Taken aback by the levelling of borrowing being asked to sanction in order to fund a historical spend, which had come as a complete surprise with no indication to the need for this level of borrowing.
- It was difficult to turn off such levels of spending once started especially when we cannot afford such high rates of spend.
- It was important for members and officers to know the strategy and plan going forward. We must make sure we get value for money to avoid additional costs.
- This was a tricky situation as eating into reserved was a major risk, this was a good plan and worked for now. Monitoring the spend was a important.

In response the Director of Finance said the revised budget was brought to Cabinet because of the Housing Team's review of the housing stock and what was needed to be spend in terms of compliance. The Chief Executive stated the council was being open and transparent to the funding required to make the housing stock safe for next year. The council was waiting for reports from national bodies and the results of the housing stock condition survey to be confident in what spend was needed for the medium- and long-term strategy for the council's housing stock.

The Portfolio Holder Sustainable Homes & Communities suggested that as part of his monthly briefings with the Directors of Housing, if any issues were raised as concerns then the Chair of the Housing Review Board would be asked to call an extraordinary meeting to highlight this to the committee.

RECOMMENDED to Council:

1. Approve £2.5m of additional borrowing to balance the HRA budget for the 2023/24 financial year.
2. Approve a revised HRA Budget for 2024/25 as set out in Appendix 3, and a revised Capital Programme Budget as set out in Appendix 4.
The approval to include:
 - a) That up to £1.75m be allocated from the HRA Balance Reserve to fund the 2024/25 forecast revenue budget shortfall.
 - b) That a target annual revenue saving of £250k per annum be sought over 3 years to replenish the HRA Balance Reserve.
 - c) That £4.4m of Voluntary Revenue Provision be used to reduce the level of additional borrowing required within the HRA.
 - d) That £7.3m of new borrowing be agreed to fund the 2024/25 Capital Programme.
3. Note that £2.415m of savings and/or new additional revenue is required in 2025/26. This is needed to achieve a balanced budget, meet the increased cost arising from new borrowing in 2024/25, contribute toward the replenishment of the HRA Balance Reserve and fund additional new borrowing for Capital Programme investment in 2025/26.
4. Note the work currently underway to investigate options and establish a longer-term strategic plan to ensure the sustainable and effective management and maintenance of the Councils Housing stock.
5. Approve a £35k budget within the HRA to increase provision to a Full-Time HRA accountant to support the service.

REASON:

To balance the budget and provide the necessary investment for regulatory compliance and for the provision of good quality safe, affordable and warm homes for residents.

33 **Draft Productivity Plan**

When the Local Government Finance Settlement was published in late 2023 it included a requirement for Councils to publish a Productivity Plan. In April 2024, further guidance was received from Department for Levelling Up, Housing and Communities (DLUHC) setting out the requirements for the plan. The report set out the Productivity Plan for East Devon District Council which must be submitted to Government by 19 July 2024 and published on the Council's website.

RESOLVED that Cabinet:

1. Consider the Productivity Plan at Appendix A and subject to member comment approve the content and publication of the Productivity Plan.
2. Gives delegated authority to the Director of Finance to make any minor amendments to the Productivity Plan arising through the meeting.

REASON:

There was a requirement for all Councils to submit a Productivity Plan to the Government (DLUHC) by 19th July 2024.

34 **Information Security Management System policies update**

In conjunction with Strata, Exeter City Council and Teignbridge District Council a set of new Information Security Management System policies for agreement and sign off by Cabinet had been prepared. The project coincided with EDDC's work towards the Memorandum of Understanding (MoU) with the Department for Work and Pension (DWP) in which EDDC must ensure that its information security and data management related policies were relevant and fit for purpose so that it could continue sharing data with the DWP.

RESOLVED that Cabinet:

1. Review and agree the proposed Information Security Management System specific policies for implementation with the council.
2. Allow for the delegated authority to be given to the Director of Finance in consultation with the Portfolio Holder for Council and Corporate Co-ordination to agree future changes to the Information Security Management System policies. This also includes authority to sign off future new policies that maybe required to support Information Security Management within the council working with Strata.
3. Allow for the delegated authority to be given to the Director of Governance and Licensing in consultation with the Portfolio Holder for Council and Corporate Co-ordination to agree future changes to the Data Protection and Document Retention policies only in relation to supporting the MoU with DWP work.

REASON:

These policies need agreement and sign off for implementation within the council. The delegated authority being required for future changes to the policies was due to the fast pace of change and security detail contained within them. It was also required to support the work towards the Memorandum of Understanding with the Department for Work and pensions as this is time sensitive.

35 **Blackdown Hills National Landscape Management Plan consultation**

Tim Youngs, Manager of Blackdown Hills National Landscape presented the report which outlined that East Devon District Council together with other local authorities has

previously authorised the Blackdown Hills National Landscape Partnership to undertake a review of the AONB Management Plan by 31 March 2025, as required under Section IV of the Countryside and Rights of Way Act 2000.

The review process was well underway with key issues, new challenges and opportunities having been identified, including through stakeholder engagement. Approval was sought for public consultation on a draft of the reviewed Plan to take place during September and October 2024. This would inform any changes to be made and once finalised the revised Management Plan would be recommended by the National Landscape Partnership for adoption by each of the local authorities by the end of March 2025.

RESOLVED that Cabinet:

Agree to the Blackdown Hills National Landscape Partnership undertaking public consultation on the reviewed Blackdown Hills National Landscape Management Plan for 2025-2030.

REASON:

To enable the Blackdown Hills National Landscape Partnership to carry out the consultation on the reviewed Blackdown Hills National Landscape Management Plan. East Devon District Council, with other local authorities, had authorised the Blackdown Hills National Landscape Partnership to review the Management Plan on their behalf. Consultation was a standard component of statutory Plan preparation, involving a consultation period during which consultees including the public, could comment on the draft Plan.

36 **Scrutiny Review recommendations and delivery plan update**

The report provided an overview of the Scrutiny Review recommendations and the delivery plan to implement the recommendations.

RECOMMENDED to Council:

To receive the Scrutiny Review recommendations and endorse the delivery plan and the actions set out in it.

REASON:

To ensure that the recommendations from the Scrutiny Review were actioned and delivered appropriately.

37 **Forward Plan quarterly review**

Members agreed the contents of the forward plan for key decisions for the period 1 August 2024 to 30 November 2024.

The Portfolio Holder Communications and Democracy reported there had been an issue in the Honiton and Sidmouth Constituency at the recent general election, relating to polling cards. The council had received an apology from the printing company who did take remedial action to get the cards out to voters affected. The council upscaled the Communications it issued to remind people to vote and where their polling station was as well as through the Elections and Customer Services teams in picking up an increase in enquiries from voters. She was reassured that the turnout on the day was higher than the national average, but she and the Deputy Leader had requested a report come to Cabinet to look particularly at this issue and how lessons could be learnt, as well as

wider election-based issues and processes to continue to make improvements. She stated there had been issues nationally and that EDDC were not alone with election-based issues. There had been positive feedback locally and she thanked the Elections, Customer Services and Communications team as well as the polling and count staff. She thanked the Royal Mail employees for getting the polling cards out to people before the election day. She requested that this issue be put on the Cabinet Forward Plan.

38 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

RESOLVED that Cabinet:

That under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B).

39 **Land acquisition at Seaton**

Cabinet agreed the recommendations as outlined in the report.

Attendance List

Present:

Portfolio Holders

P Arnott	Leader of the Council
S Hawkins	Portfolio Holder Finance
P Hayward	Deputy Leader and Portfolio Holder Economy and Assets
N Hookway	Portfolio Holder Culture, Leisure, Sport and Tourism
S Jackson	Portfolio Holder Communications and Democracy
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Sustainable Homes & Communities
J Loudoun	Portfolio Holder Council and Corporate Co-ordination
T Olive	Portfolio Holder Strategic Planning
M Rixson	Portfolio Holder Climate Action & Emergency Response

Also present (for some or all the meeting)

Councillor Aurora Bailey
Councillor Brian Bailey
Councillor Ian Barlow
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Colin Brown
Councillor Jenny Brown
Councillor Peter Faithfull
Councillor Charlotte Fitzgerald
Councillor Mike Goodman
Councillor Yehudi Levine
Councillor Roy Collins
Councillor Christopher Burhop

Also present:

Officers:

- Jo Avery, Management Information Officer
- Tim Child, Assistant Director Place, Assets & Commercialisation
- Amanda Coombes, Democratic Services Officer
- Simon Davey, Director of Finance
- Richard Easthope, Parking Services Manager
- Amy Gilbert-Jeans, Assistant Director Housing (Tenancy Services)
- Tracy Hendren, Chief Executive
- Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement
- Andrew King, Tenancy Services Manager
- Robert Murray, Economic Development Manager
- Liam Reading, Housing Strategy, Enabling and Projects Service Manager
- Catrin Stark, Director of Housing and Health (interim)
- John Symes, Finance Manager
- Kate Symington, Information and Complaints Officer
- Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
- Tom Winters, Economic Development Officer
- Tim Youngs, Blackdown Hills National Landscape Manager
- Doug Stanton, Project Manager Estates
- Katie Webb, Property Lawyer
- Andrew Wood, Director of Place (interim)

Chair

Date: