

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Council Chamber, Blackdown House, Honiton on 8 January 2020

Attendance list at end of document

The meeting started at 5.30 pm and ended at 7.56 pm

106 **Public speaking**

There were no members of the public wishing to speak.

107 **Minutes of the previous meeting**

The minutes of Cabinet held on 27 November 2019 were confirmed and signed as a true record.

108 **Declarations of interest**

Minute 117 Draft Revenue and Capital Budgets 2020/21.
Councillor Kevin Blakey, Personal, Member of Cranbrook Town Council

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Geoff Pook, Personal, Member of SAHM steering group.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Ian Hall, Personal, DCC councillor and member of the Triangular Health Care Forum.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Ian Thomas, Personal, Lives in the Triangular Health Care area.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Marcus Hartnell, Personal, Member of SAHM steering group.

Minute 118 Loan to finance purchase of Seaton Hospital.
Councillor Phil Twiss, Personal, Governor of the Royal Devon & Exeter NHS foundation Trust and Devon County Council Adult Health Scrutiny liaison working with the NHS, CCG, RD&E, SWAST, DCC Social care and other health care professionals.

109 **Matters of urgency**

There were no matters of urgency.

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

There were no items that officers recommended should be dealt with in this way.

111 **Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 February to 31 May 2020.

112 **Minutes of South and East Devon Habitat Regulations Executive Committee held on 30 October 2019**

Members received and noted the Minutes of South and East Devon Habitat Regulations Executive Committee held on 30 October 2019.

113 **Minutes of Overview Committee held on 14 November 2019**

Members received and noted the Minutes of Overview Committee held on 14 November 2019.

RESOLVED that the following recommendation be agreed:

Minute 36 Poverty in East Devon

1. Consider funding the creation of an East Devon Poverty Strategy to further develop and target the areas identified within this report that we are able to influence and to support a corporate approach to ensure consistency across Council Services.
2. Carry out a review of the funding and delivery arrangements for Money Advice to ensure that we're focussing on the key issues identified in the report.
3. Recommend that Council protect the existing funding levels contributed for Money Advice to Homemaker South West and Citizens of circa £120,000 for 2020/21 to enable the review (Recommendation 2) to be undertaken.
4. Update Corporate Debt Policy to include; Breathing Space in-line with proposed Government changes & to consider any other supportive measures that may be beneficial.
5. Agree to the Council's frontline services, in collaboration, setting up a series of local events across the District with key stakeholders that focus on Universal Credit, Money/Debt advice (including how to avoid Loan sharks), budgeting, fuel poverty etc. with the over-arching aim of supporting people to become more financially resilient.
6. Consider lobbying central Government directly and/or through our MPs in the following areas;
 - Right to Buy
 - Removing the freeze on Local Housing Allowance Rates in order to be reassessed to reflect market rents.
 - Universal Credit – More financial support to be given to customers to help with the transition. More funding to be given to local Councils to reflect the support that customers need with moving onto this Benefit.
7. Continue to explore opportunities to increase our supply of social housing through either redevelopment of existing stock and/or building new Council Housing, in conjunction with a review of the current Housing Revenue Account business plan.
8. Agree to the Council working alongside East Devon foodbanks to better understand demand and eradicate dependency that could lead to a reduction and possible extinction of the need for foodbanks in the district.
9. Undertake a detailed analysis of fuel poverty in the district with a view to developing a separate action plan.
10. To lobby government re the issues surrounding the need for financial support to claimants while in the transition on to Universal Credit.

114 **Minutes of Scrutiny Committee held on 21 November 2019**

Members received and noted the Minutes of Scrutiny Committee held on 21 November 2019.

115 **Minutes of Capital Strategy and Allocation Group held on 4 December 2019**

Members received and noted the Minutes of Capital Strategy and Allocation Group held on 4 December 2019.

RESOLVED that the following recommendation be agreed:

Minute 15 Capital bids proposed for the 2020-21 Capital Programme:

Minute 15a Axminster leisure centre - replacement sports hall flooring

1. the bid for £56,000 be supported on a 40% contribution basis.
2. delegated authority be given to the Strategic Lead for Finance to review the reporting of the LED Monitoring Group.

Minute 15b Sports halls replacement doors

the bid for £35,000 towards replacement sports hall doors be approved, with high priority due to the current health and safety risk.

Minute 15c Sidmouth swimming pool gym extension

the bid be deferred subject to LED attending a Capital Strategy and Allocations Group meeting and explaining their investment programme and expenditure strategy.

Minute 15d Manstone depot, Sidmouth, perimeter fencing

the bid of £30,000 for replacement perimeter fencing at Manstone depot, Sidmouth be approved.

Minute 15e Purchase of digital telecare equipment to replace non digital stock

the bid of £240,063 be approved and the purchase of replacement telecare equipment be phased over a five year period, if possible.

Minute 15f Self-build project

the bid of £1,000,000 for a self-build pilot study be approved, subject to the Strategic Lead for Finance amending the financial model.

Minute 15g Greenway Lane play area, Budleigh Salterton

the bid for £80,000 for the removal and replacement of play equipment and safety surfacing at Greenway Lane play area, Budleigh Salterton be approved, with a review of funding for play areas being undertaken in the future.

Minute 15h The Crescent play area, Exmouth

the bid for £80,000 for the removal and replacement of play equipment and safety surfacing at the Crescent play area, Exmouth be approved, with a review of funding for play areas being undertaken in the future.

Minute 15i Butts Close play area, Honiton

the bid for £60,000 for the removal and replacement of play equipment and safety surfacing at Butts Close play area, Honiton be approved, with a review of funding for play areas being undertaken in the future.

Minute 15j Axmouth Harbour maintenance

the bid for £20,000 for maintenance works at Axmouth Harbour be approved.

Minute 15k Greenway Lane footbridge repainting, Budleigh Salterton

the bid to repaint the Greenway Lane footbridge in Budleigh Salterton be deferred for a year to enable discussions with the town council over the longer term future of the bridge.

Minute 15l Sidmouth seafront railings repainting

the bid for £20,000 for the repainting of railings on Sidmouth seafront be approved, with the asset being considered for potential transfer to the town council.

Minute 15m Brixington open space enhancements, Exmouth

the bid for £150,000 for Brixington open space enhancements, Exmouth not be approved.

Minute 15n Exmouth Plantation

the bid for £40,000 be approved for inland cliff stabilisation measures at the Plantation, Exmouth.

Minute 15o Low carbon materials trial

the proposal for £20,000 for a low carbon materials trial be approved subject to delegated authority being given to the Service Lead – Street Scene to negotiate and achieve discounted prices with suppliers.

Minute 15p Gunfield Gardens fence refurbishment

the bid for £20,000 for fence refurbishment at Gunfield Gardens, Exmouth be approved.

Minute 15q Jacobs Ladder, Sidmouth, repainting and structural works

the bid for £30,000 for the repainting and structural works at Jacobs Ladder, Sidmouth be approved, with the asset being considered for potential transfer to the town council.

Minute 15r Replacement of lighting stock and LED conversion

the bid for £40,000 for the replacement of unsafe lighting stock and LED conversion be approved.

Minute 15s Capping wall construction, Jacobs Ladder, Sidmouth

the proposal for £40,000 for capping wall construction at Jacobs Ladder, Sidmouth be deferred to allow for consultation with ward members and investigations into necessary planning requirements to be undertaken.

Minute 15t St Swithun's Churchyard wall, Woodbury

the bid for £40,000 for the churchyard wall reconstruction at St Swithun's Woodbury, be approved.

Minute 15u Delivery of Clyst Valley Regional Park

the bid of £2,249,000 for delivery of Clyst Valley Regional Park be approved on the basis that it was a nil cost to the Council's capital budget.

116 **Council Tax Reduction Scheme for Working Age - Income Banded Discount Scheme from 2020/21**

The Service Lead Revenues, Benefits & Customer Services presented the report that sought approval on the new income banded discount scheme to be implemented from 1 April 2020 following public consultation on the draft scheme. Members of Cabinet had approved at the meeting on 4 September 2019 to consult on a new draft scheme that would see an increase in the amount of financial support available as the maximum available would rise from 80% to 85%.

The Portfolio Holders for Finance and Sustainable Homes and Communities congratulated Libby Jarrett and her team for their hard work and professionalism in creating this new scheme.

RECOMMENDED: that Cabinet recommends to Council

1. To consider fully the equality impact assessment in relation the scheme.
2. to adopt the new Council Tax Income banded discount as set out in the report under section 6 from 1 April 2020.
3. to adopt the Council Tax Discretionary & Exceptional Hardship Fund Policy.

REASON:

The report set out the reasons why the need to change the working age scheme. The new scheme being proposed would better align with Universal Credit and simplified the administrative process. Alongside this the new scheme being recommended increased the financial support to claimants as maximum entitlement will raise from 80% to 85%. This measure would provide direct financial support to those on the lowest incomes. The new scheme would mean that approximately 86% of claimants would be better off, 8% would be unaffected and only 6% would lose out. This proposal supported the Council's approach in helping to alleviate poverty.

117 **Draft Revenue and Capital Budgets 2020/21**

The Strategic Lead Finance presented the draft revenue and capital budgets for 2020/21 for adoption by the Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board. Recommendations from these meetings would be presented back to the Cabinet on 5 February 2020 when members finalise budget proposals to be recommended to Council.

RESOLVED:

that the draft revenue and capital estimates before being forwarded for consideration to a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board, be agreed.

REASON:

There was a requirement to set balanced budgets and to levy a Council Tax for 2020/21.

The Portfolio Holder Finance thanked Simon Davey and his team for their efforts in the production of the budget. He reminded members for the need to continue to look at savings initiatives and to think of ways to bridge future funding gaps.

118 **Loan to finance purchase of Seaton Hospital**

The report set out a request from Seaton Area Health Matters (SAHM) for the Council to purchase Seaton Hospital under special arrangements for public bodies direct from NHS Property Services. To be passed directly to SAHM (being set up as Charitable Incorporated Organisation - CIO) in a back to back legal agreement. The funding of the purchase would be met by the CIO through a 40-year loan from the Council with all costs recovered by the Council and with the necessary loan security being put in place. The estimate loan amount will up to £2.1m being the balance required after other funds being applied by CIO to meet the purchase cost.

The Portfolio Holder Asset Management set out the aims of SAHM and how EDDC was the conduit for access to the PWLB funding. He reminded members at this stage an agreement in principal was just being asked for. He suggested amending the recommendation to require a report to come back to the Cabinet supported by a full business case for the Cabinet to take the view as to whether to recommend the loan to Council.

Discussions included the following:

- The hospital had already lost its inpatient beds and was not safe in the hands of NHS Property Services, there was a risk of losing the building if it was not protected. This was matter of principal
- The report at this stage was just asking for an agreement in principal and would come back to Cabinet for further debate once they was a more concise business plan
- This was an excellent opportunity – a trailblazer
- The need to look at the risks when underwriting such a loan
- Why wasn't Devon County Council (DCC) with an established track record as well as the legal expertise with working with the NHS supporting the hospital?
- In the interim period to get the proposed users in the hospital in order to add validity to the business plan
- The need to slow down on such a decision and look at different ways of working with all health provision across the whole area
- This was the whole ethos of what the council was about, engaging and supporting its residents as well as looking after their health and wellbeing
- The Budleigh Salterton Health Hub had not generated as much income as had been expected, caution was needed
- This was a big commitment. A rigorous business plan tested by external bodies for heavy risk analysis was necessary
- More detail was required. There was a duty to the taxpayer for assurance that the loan would be repaid
- Was this robust and sustainable – would the council foreclose if the loan was defaulted?
- DCC was the statutory body to deliver health and social care, why could they not access a PWLB loan?
- The residents of Seaton had already financially contributed to the hospital and would most likely continue to do so
- The arrangement was complimentary to what was trying to be achieved across the Axe Valley area
- If the recommendation was agreed other possible proposals from community hospitals would have to be considered in the same manner. The Town Council could apply for a PWLB loan

- It appeared to be all risk and no reward. Would the NHS guarantee the borrowing?
- Concern in supporting one hospital when there were others in the district
- DCC should be getting more involved
- This was not in the council plan or a council priority however there was a need to find the right route to keep the hospital

The Portfolio Holder Asset Management withdrew from the vote as he had a personal interest in the matter.

The Chairman and Portfolio Holder Environment thanked Councillors Pook and Rowland for their efforts in getting the matter this stage.

RESOLVED:

1. that the significant importance of the future use of Seaton Hospital as a medical facility serving the triangular health hub area of Seaton, Axminster and Lyme Regis be endorsed, and
2. that SAHM make direct contact with DCC councillors responsible for health care to get their expertise and influence and help in obtaining funding.

REASON:

A proposal had been submitted for the Council to facilitate the creation of a community Health Hub in Seaton.

119 **Climate Change - EDDC Local Climate Change Action Plan and carbon footprint**

The Strategic Lead Housing, Health & Environment presented his report which was part of the council's response to the Devon Climate Change Declaration and as such, EDDC committed to producing a local climate change action plan to be informed by a comprehensive carbon footprint assessment. The report presented the results of this work and identified the next stage in the council's carbon neutral journey.

The Council Plan clearly stated that the council was committed to reducing its carbon footprint and overtime become a carbon neutral council. This was a huge challenge, but one that EDDC were working towards through a clear understanding of its carbon and greenhouse gas emissions and what it could do to reduce them.

The report also addressed resourcing of the ambitions and plans in order that EDDC could make meaningful progress towards becoming carbon neutral, and the organisational changes required to put the plan into the action.

The Portfolio Holder Environment thanked John Golding and his team for the hard efforts in producing the report. The Portfolio Holder Asset Management said this was an excellent detailed document and stated the need to see how future collected data evidenced that the council was indeed reducing its carbon footprint.

RESOLVED:

1. that the carbon footprint assessment and endorse the draft Climate Change Action Plan be noted; and
2. that the Climate Change Action Plan being incorporated into a Climate Change Strategy and the intention of this being presented for adoption at the February 2020 Council meeting, be agreed.

RECOMMENDED: that Cabinet recommend to Council

3. both the General Fund and the Housing Revenue Account establish climate change emergency budgets in the sums detailed in the report.

REASON:

This report progresses several of the commitments contained in the Devon Climate Change Emergency Declaration. The carbon footprint analysis informs the Climate Change Action Plan, which aims to reduce the Council's carbon foot print, ultimately achieving a carbon neutral position.

120 **Whimble Neighbourhood Area**

An application had been received to amend the extent of the Whimble Neighbourhood Area so that it followed the Parish boundary and included the (previously excluded) strategic site to the west. The neighbourhood plan would not be able to amend or supercede the strategic policies set out for this area in the Local Plan or Cranbrook Plan (once adopted). Legislation had changed since the original Neighbourhood Area was designated so that Members no longer had the ability to refuse a designation covering the whole Parish (unless exceptional circumstances apply) but the constitution required the application to be brought before them. As a result, the report was brought before Cabinet for information only.

RESOLVED:

1. that Members noted the application to extend the Whimble Neighbourhood Area, and
2. that the date of designation of the revised Whimble Neighbourhood Area was 8 January 2020.

REASON:

Members were required to consider applications for designation of neighbourhood areas containing strategic land allocations. Members were unable to refuse to designate the area unless specified exceptions apply, which they do not in this case.

121 **Seaton Wetlands Link Project**

The report advised of a series of masterplan project interventions that were either in progress, or could be taken forward and that if all completed, would deliver a new circular walking/cycle route from Seaton Jurassic and Seaton Tramway up to Seaton Wetlands.

Seaton Wetlands, Seaton Jurassic and Seaton Tramway were run by different organisations but collectively offer a combined environmental, heritage and educational experience. From the point of view of the visitor, it was one experience that could use up a whole day where people could combine visits to all three attractions from one starting point. It would present an almost unique offer, including transport, education, natural history, wildlife watching and refreshment.

Cllr Marcus Hartnell, Ward Member for Seaton welcomed the report and stated that commercial opportunities needed to be fully investigated to sustain the venture. He requested that Ward Members briefings about this project and masterplan were a matter of course.

RESOLVED: that Cabinet noted;

1. that an Officer Delivery Group was to be established to co-ordinate the masterplan project for the Seaton Wetlands Link project with a focus on delivering a masterplan of project interventions that will create a circular walking/cycling route linking Seaton's key attractions, and
2. that quarterly updates will be provided to the Asset Management and Environment Portfolio Holders and local ward members.

REASON:

To enable a corporate approach to progress the feasibility of delivery of these project interventions working with external partners as required and securing necessary funding.

122 **Devon Wide Housing Assistance Policy 2018 review and additions**

The report identified and included amendments following the 12-month review of the policy by the Devon District Council's Private Sector Housing Managers group and Devon County Council. The policy identified and included the addition of a new Accessible Homes Grant called a Stair lift Grant which had been piloted in Exeter, Mid Devon and Teignbridge.

RESOLVED:

that the minor amendments to the policy including the new Accessible Homes Grant called a Stair lift Grant be offered across East Devon, be agreed.

REASON:

The amendments to the policy provide clarity and seek to make grants more inclusive. The addition of the Stair lift Grant has been successful in the pilot District Councils and would be of benefit to applicable customers in East Devon.

123 **Honiton Dowell Street car park**

The report advised of representations received in response to proposals to manage Honiton's Dowell Street car park on behalf of Honiton Town Council.

RESOLVED:

1. that Honiton Dowell Street Car Park be included in East Devon District Council's Off-street Parking Places Order (subject to there being in place a lease in favour of East Devon District Council),
2. that EDDC enters into a ten-year full repairing and insuring lease of Dowell Street car park, and
3. that delegated authority be granted to the Chief Executive in consultation with the Portfolio Holder Asset Management to enter into a detailed agreement with Honiton Town Council to provide car park management services on terms to be agreed, be agreed.

REASON:

There was demand for additional public car parking in the town and at present the use of the car park was unrestricted. The Town Council had considered the issues raised in the representations and had requested that the Council proceed with putting in place measures to enable EDDC to manage the car park as a public pay and display car park.

Attendance List

Present:

Portfolio Holders

B Ingham	Leader
S Bond	Deputy Leader
M Armstrong	Portfolio Holder for Sustainable Homes and Communities
J Bailey	Portfolio Holder for Corporate Services
K Blakey	Portfolio Holder for Economy
P Faithfull	Deputy Portfolio Holder for Environment
G Jung	Portfolio Holder for Environment
G Pook	Portfolio Holder for Asset Management
I Thomas	Portfolio Holder for Finance

Also present (for some or all the meeting)

Councillor Phil Twiss
Councillor Mike Allen
Councillor Paul Arnott
Councillor Dean Barrow
Councillor Kim Bloxham
Councillor Fred Caygill
Councillor Maddy Chapman
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Cathy Gardner
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Sam Hawkins
Councillor Nick Hookway
Councillor Mike Howe
Councillor Luke Jeffery
Councillor Dan Ledger
Councillor Tony McCollum
Councillor Paul Millar
Councillor Andrew Moulding
Councillor Helen Parr
Councillor Val Ranger
Councillor Marianne Rixson
Councillor Jack Rowland
Councillor Eleanor Rylance
Councillor Philip Skinner
Councillor Tom Wright

Also present:

Officers:

Tim Child, Service Lead - Place, Assets & Commercialisation
Richard Cohen, Deputy Chief Executive
Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
Andrew Ennis, Service Lead Environmental Health and Car Parks
Amy Gilbert-Jeans, Service Lead Housing

John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Alison Hayward, Senior Manager Regeneration & Economic Development
Libby Jarrett, Service Lead Revenues and Benefits
Charles Plowden, Service Lead Countryside and Leisure
John Symes, Finance Manager
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity
Sharon Church, Benefits Manager
George Whitlock, Data Analyst

Chairman

Date: