

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 2 May 2018

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.16pm

***208 Public Speaking**

There was one member of the public who wished to speak at Minute 225.

***209 Minutes**

The minutes of the Cabinet meeting held on 4 April 2018 were confirmed and signed as a true record.

***210 Declarations**

Councillor Geoff Pook, Minute 223; personal interest – member of the Beer Neighbourhood Planning team

Councillor Pauline Stott: Minute 220; personal interest – Son member of the lifeboat

Councillor Phil Twiss: Minute 216; personal interest – Member of DCC Health and Adult Care Scrutiny Committee

Mark Williams, Chief Executive, Minute 211; disclosable pecuniary interest.

Simon Davey, Chief Finance Officer, Minute 211; disclosable pecuniary interest.

***211 Matters of urgency** (this item was debated at the end of the meeting; the Chief Executive and Chief Finance Officer left the room before the debate started)

The Chairman agreed to this late item National pay award 2018/19 and 2019/20 requested by the Strategic Lead, Organisational Development and Transformation. The report was a matter of urgency as following the notification of rejection of the employers' side pay offer by ALACE, the deadline for reports to Cabinet on 2 May 2018 had passed.

RESOLVED:

1. that the national pay award for 2018-20, be noted, and
2. that the same rate of 2% per year for two years was applied to the Chief Executive and Chief Officers of the Council, be agreed, and
3. that the recommendation to deal with the slight inequity created in different pay offers for 2015 for NJC staff and Chief Officers, be agreed. This created an anomaly such that the Strategic Lead for Finance was being paid 0.2% less than the Strategic Lead for Housing, Health and Environment.

REASON:

To ensure fair pay across the Council's structure.

***212 Matters referred to the Cabinet**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committees.

***213 Exclusion of the public**

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

***214 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 June 2018 to 30 September 2018.

***215 Minutes of the Scrutiny Committee held on 22 February 2018**

Members received the Minutes of the Scrutiny Committee held on 22 February 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 31 Crime and Disorder Update

the post of Community Safety and Anti-Social Behaviour Officer be retained beyond 2018/19, for reasons of continued support in this key area, particularly in maintaining the successful Local Action Groups in the District.

Minute 32 Quarterly monitoring of performance for third quarter 2017/18

1. the Overview Committee be requested, as part of reviewing the Council Plan, to also review the Council Actions listed under each Council Priority, to ensure that the action was clear in its intention, and was measurable;
2. future reports on Performance Overview, Council Action Plans and Key Performance Indicators contain comments on every item listed, regardless of action status classification, for reason of providing clear information on progress in that quarter.

***216 Minutes of the Scrutiny Committee held on 22 March 2018**

Members received the Minutes of the Scrutiny Committee held on 22 March 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 37 Broadband update

1. Cabinet recommend to Council that a letter be sent to all local MPs seeking their support to help secure superfast broadband provision for all communities despite their rurality;
2. promote to local parish and town councils the options available to them including the CDS voucher scheme once open again, fixed wireless solutions, and the recent success at Talaton;
3. a letter be sent to the Diocese asking for their continued support using church premises in providing the infrastructure necessary for a broadband solution for rural parishes.

Minute 39 Exmouth Pavilion Car Park

1. there must be early consultation with Ward Members for any matter of substance in their local ward;
2. the proposed concession of refunding £2 parking charges for the Exmouth Pavilion car park customers subject to a minimum spend in the Pavilion of £3.50 be a concession, for reason of ensuring existing local people who are regular café customers are not discouraged from continuing to support the Pavilion.

***217 Minutes of the Scrutiny Committee held on 19 April 2018**

Members received the Minutes of the Scrutiny Committee held on 19 April 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 43 Election report

1. the excellent and hard work of the RO, Electoral Services Team, and staff in place for polling stations, verification and counts, be acknowledged;
2. to consider additional budget provision to undertake recruitment of staff for polling stations;
3. to consider the use of a suitable venues that deliver the necessary space for the counts to be conducted;
4. to consider further integration of existing staff from the Council in helping to deliver electoral services during peak periods.

***218 Minutes from the Arts and Culture Forum held on 14 March 2018**

Members received the Minutes from the Arts and Culture Forum held on 14 March 2018.

***219 Minutes of the New Homes Bonus Panel held on 27 March 2018**

Members received the Minutes of the New Homes Bonus Panel held on 27 March 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 17 Application from Newton Poppleford Parish Council, – Bolt on for Defibrillators - £1,876.80

Minute 18 Application from Exmouth Town Council – Publicity - £30,200
on the condition that the EDDC and DCC logos and mention of the Parishes Together Fund is on the leaflets and panels.

Minute 19 Application from Gittisham Parish Council– Defibrillators- £1,586.50

Minute 20 Application from Honiton Town Council - Creative workshops - £3,722

Minute 21 Application from Ottery St Mary Town Council – Young Person’s mental health project - £8,362.40

Minute 22 Plymtree Parish Council - £2,311

Plymtree, Talaton, Broadhembury and Payhembury Parish Council’s request for funding for a heli-pad.

Minute 23 Application from Seaton Town Council – Brown Tourism Signage - £3,500

Minute 24 Application from Shute Parish Council – Asphalt Project - £716

Minute 25 Application from Sidmouth Town Council – Help Scheme - £5,000
funding for the Sid Valley Help Scheme and the grant be increased to £7,155.60, this on the condition that the Sid Valley Help Scheme contact and share best practice with other towns in East Devon, and that publicity is gained for the Panel’s support of this project. .

Minute 26 Application from Buckerell Parish Council – Drainage - £246.40

Minute 27 Clyst St George Parish Council – Drainage - £683

Minute 28 Colyton Parish Council Drainage - £1,292.90

Minute 29 Cotleigh Parish Council- Drainage - £200

Minute 30 Feniton Parish Council - drainage - £1,650

Minute 31 Honiton Town Council - drainage - £7,411.90

Minute 32 Luppitt Parish Council – Drainage -£415.80

Minute 33 Lympstone Parish Council – Drainage - £1,475

Minute 34 Membury Parish Council – drainage - £466.40

Minute 35 Musbury Parish Council – Drainage - £513.70

Minute 36 Offwell Parish Council–Drainage - £387.20

Minute 37 Upton Parish Council - drainage - £669.90

Minute 38 Yarcombe Parish Council – Drainage - £433.30

Minute 39 Seaton Town Council – Natural Seaton Festival Project - £1,550

Seaton Town Council's request (supported by Colyton Parish Council) for funding to organise workshops for the Natural Seaton Festival project.

Minute 40 Seaton Town Council – Walkers leaflet project - £750

to provide a walkers leaflet project providing that the Town Council sent a quotation for the whole project by Friday 6 April. If the quotation did come through the leaflet should feature the EDDC and DCC logos and Parishes Together Fund wording on it.

Minute 41 Broadclyst Parish Council - £4,869.30

Broadclyst Parish Council's request for funding for a befriending project.

***220 Proposed temporary car park, rear of Old Lifeboat Station, Exmouth**

The Service Lead, Environmental Health & Car Parks asked Members to approve the creation of a temporary car park at this location; subject to Officers obtaining the relevant planning consent.

RESOLVED:

1. that the temporary use of land to the rear of the Old Lifeboat Station in Exmouth as a car park and to authorise the statutory advertisement and consultation process for the inclusion of the land in the East Devon (Off Street) Parking Places Order, be agreed,
2. To delegate to the Chief Executive and relevant Portfolio Holders the authority to proceed with the creation of this temporary car park subject to the outcome of the statutory advertising, consultation and the planning application.

REASON:

In order to fast-track the creation of a useful temporary car park (to enable the car park to be open for business during the summer of 2018) a planning application has already been submitted for consideration. Officers proposed to commence the statutory process

for a Parking Places Order to run in parallel because both processes will take 2-3 months to complete.

***221 Monthly Performance reports – March 2018**

The report set out performance information for the 2017/18 financial year for March 2018 was supplied to allow Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicators showing excellent performance:

- Percentage of Non-domestic Rates Collected
- Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
- Percentage of Council Tax collected

There was one performance indicator showing as concern:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse – Two appeal decisions had been received, one dismissed and one allowed. A detailed assessment of the appeal decisions from 1 April 2017 to 31 March 2018 would be reported to the Strategic Planning Committee following receipt of all of decisions.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for March 2018 be noted.

REASON:

the performance reports highlighted progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Development Management, Housing and Revenues and Benefits.

***222 Data Protection Policy**

The Data Protection Officer outlined the forthcoming changes to data protection and sought adoption of an updated policy that took into account the change in legislation.

RESOLVED:

1. that the content of the report and actions being taken to implement the General Data Protection Regulations be noted, and
2. the adoption of the revised Data Protection and Document Retention Policy contained at Appendix A with effect from 25th May 2018 be agreed.

REASON:

To ensure the Council had a robust policy by which to ensure it is compliant with its legal duties.

***223 Response to Beer Neighbourhood Plan Submission**

Members were asked to agree the response by the Council to the current consultation for the Beer Neighbourhood Plan.

RESOLVED:

1. that the formal submission of the Beer Neighbourhood Plan be noted and the producers of the plan be congratulated on the dedicated hard work and commitment in producing the document,

2. that the Council make the proposed representation set out at paragraph 5.2 in this report in response to the consultation.

REASON:

To ensure that the view of the Council was recorded and informed the consideration of the Neighbourhood Plan by the Independent Examiner.

***224 Response to Clyst St George Neighbourhood Plan Submission**

Members were asked to agree the response by the Council to the current consultation for the Clyst St George Neighbourhood Plan.

RESOLVED:

1. that the formal submission of the Clyst St George Neighbourhood Plan be noted and the producers of the plan be congratulated on the dedicated hard work and commitment in producing the document,
2. that the Council make the proposed representation set out at paragraph 5.2 in this report in response to the consultation.

REASON:

To ensure that the view of the Council was recorded and informed the consideration of the Neighbourhood Plan by the Independent Examiner.

***225 Ottery St Mary & West Hill Neighbourhood Plan Examiner's Report**

Jo Talbot, Chair of the Ottery St Mary & West Hill Neighbourhood Plan team wished to thank officers for their patience and assistance in getting the Neighbourhood Plan to this stage. She said the Neighbourhood Planning team were pleased with the inspector's report and that there was great relief after taking three years to get to this position.

Councillor Roger Giles congratulated Jo Talbot and Dr Margaret Hall for getting the Neighbourhood Plan to this stage.

Members were provided feedback and proposed changes following the examination of the Ottery St Mary & West Hill Neighbourhood Plan.

RESOLVED:

1. that the Examiner's recommendations on the Ottery St Mary & West Hill Neighbourhood Plan, and
2. that a 'referendum version' of the Neighbourhood Plan (incorporating the Examiner's modifications) should proceed to referendum and a decision notice to this effect be published, be agreed, and
3. that the Neighbourhood Plan group be congratulated on their hard work.

REASON:

The legislation required a decision notice to be produced at this stage in the process. The Neighbourhood Plan was the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications which, in most part, were accepted by the Parish Councils.

Attendance list

Present:

Portfolio Holders:

Paul Diviani	Leader
Phil Twiss	Deputy Leader/Strategic Planning and Developments (in the Chair)
Tom Wright	Environment
Iain Chubb	Corporate Services
Ian Thomas	Finance
Jill Elson	Sustainable Homes and Communities

Cabinet Members without Portfolio:

Geoff Pook
Eileen Wragg

Cabinet apologies:

Phil Skinner	Economy
Marcus Hartnell	Deputy Portfolio Holder Environment

Non-Cabinet apologies:

Andrew Moulding
Mike Howe
Mark Williamson
Ian Hall
Simon Grundy
Brenda Taylor
Jenny Brown
Darryl Nicholas
Bruce de Saram
Tim Dumper
Geoff Jung

Also present (for some or all of the meeting)

Councillors:

Brian Bailey
Alan Dent
John Dyson
Steve Hall
Pauline Stott
David Barratt
Dean Barrow
Peter Faithfull
Graham Godbeer
Steve Gazzard
Maddy Chapman
Eleanor Rylance
Roger Giles
Val Ranger
Marianne Rixson
Megan Armstrong
Susie Bond
John O'Leary

Colin Brown
Douglas Hull
Rob Longhurst
Bill Nash
Cherry Nicholas

Officer apologies:

Richard Cohen, Deputy Chief Executive

Also present:

Officers:

Mark Williams, Chief Executive
Simon Davey, Strategic Lead – Finance
John Golding, Strategic Lead – Housing, Health and Environment
Karen Jenkins, Strategic Lead – Organisational Development and Transformation
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Andrew Ennis, Service Lead - Environmental Health & Car Parks
Amanda Coombes, Democratic Services Officer

Chairman Date.....