

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 11 July 2018**

#### **Attendance list at end of document**

The meeting started at 5.31pm and ended at 6.19pm

#### **\*21 Public Speaking**

Mr David Strange, Chairman of the Norman Lockyer Observatory spoke on Minute 24 - Request of up to a £50,000 loan to the Norman Lockyer Observatory Society. Mr Strange stated the public works loan would assist with starting the build of the classroom particularly having the roof on before winter.

Councillor Douglas Hull asked for an update on the issue of National House Builders standards. He also inquired to the website advertising of East Devon as a tourist attraction.

#### **\*22 Minutes**

The minutes of the Cabinet meeting held on 6 June 2018 were confirmed and signed as a true record.

#### **\*23 Declarations**

Cllr Paul Diviani, Minute 34: personal interest – Chairman of Blackdown Hills Area of Outstanding Natural Beauty joint advisory committee

Cllr Iain Chubb, Minute 34: personal interest – County Councillor for Whimble and Blackdown

Cllr Graham Godbeer, Minute 34: personal interest – Member of East Devon Area of Outstanding Natural Beauty partnership

#### **24 Matters of urgency**

The Chairman agreed to this late item for the request of up to a £50,000 loan to the Norman Lockyer Observatory Society, requested by the Strategic Lead Finance. The report was a matter of urgency as it needed Council approval.

#### **RECOMMENDED:**

That making the loan of up to £50,000 to the Norman Lockyer Observatory Society, be agreed and recommended to Council. To delegate authority to the Strategic Lead Housing, Health and Environment to ensure legal compliance and to complete contractual arrangements in consultation with the Strategic Lead Governance and Licensing.

#### **\*25 Matters referred to the Cabinet**

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

#### **\*26 Exclusion of the public**

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

#### **\*27 Forward Plan**

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

**\*28 Minutes of the Overview Committee held on 31 May 2018**

Members received the Minutes of the Overview Committee held on 31 May 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 3 Business Development and Events planning on Council Land**

1. the outline Events Strategy, and the recruitment of a Business Development & Events Officer to deliver the ambitions contained in the strategy;
2. the proposal go back to SMT to discuss where the Business Development & Events Officer would sit within the Council and the duration of Events and report back to a future meeting of the committee.

**\*29 Minutes of the Scrutiny Committee held on 7 June 2018**

Members received the Minutes of the Scrutiny Committee held on 7 June 2018.

**RESOLVED (1) that the following recommendations be referred back to Scrutiny Committee:**

**Minute 49 Tree Team Update**

1. greater liaison was encouraged between the Development Management Team, Legal Team and the Tree Team in order to implement improvements through the systems thinking process, including pre application processes and enforcement actions,
2. the Development Management and Legal Teams (with technical support from the Tree Team) investigate effective ways to monitor the future protection of trees when sites were developed, including the securing of landscape and tree protection bonds, to secure compliance and ensure enforcement actions were implemented.

**Minute 50 Effectiveness of local authority overview and scrutiny committees**

1. the constitution should be amended to the effect that recommendations would be referred from Scrutiny Committee to Full Council unless there was a matter of such urgency that the Scrutiny Committee decides that the next meeting of Cabinet was more appropriate,
2. the constitution be amended to the effect that members of Cabinet should only participate by invitation of the committee, making the distinction between participation and attendance.

Cabinet considered that the quality of reports to Scrutiny would need to follow the same rigour as those to Cabinet and other committees as it was important that if recommendations were to go direct to Council, Cabinet would need to assess the considerations Scrutiny had had regard to, and whether it had been advised about all the relevant legal, financial and other organisational implications.

The recommendations were therefore sent back to Scrutiny to further consider the implications of recommending to Full Council, specifically in terms of ensuring that they have full and objective reports with input from relevant officers including legal and finance. They used the example of the tree recommendations in terms of only hearing

Countryside's view and not having the view of planning but also not having a full report on the implications of increasing staff complement in budget terms etc.

**\*30 Minutes of the Recycling and Waste Partnership Board held on 13 June 2018**

Members received the Minutes of the Recycling and Waste Partnership Board held on 13 June 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 9 Improvement projects/working groups: Bring banks removal project**

1. the in principle introduction of an additional recycling container for cardboard, to be trialled during autumn 2018, with delegated authority being given to the Strategic Lead Housing, Health and Environment and the Environment Portfolio Holder to agree the final details of the trial.
2. the permanent removal of all of the EDDC bring banks,
3. EDDC/SUEZ partnership team to plan a programme of removals with the aim of removing all of the EDDC banks by the end of October 2018, with priority being given to the removal of the skip type banks, and a communications process being put in place.

**\*31 Minutes of the Asset Management Forum held on 14 June 2018**

Members received the Minutes of the Asset Management Forum held on 14 June 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 11 Newton Poppleford Public Conveniences**

a long term lease of Newton Poppleford Public Conveniences be granted to Newton Poppleford Parish Council and this matter be dealt with as quickly as possible. This would then provide sufficient security for the Parish Council to invest.

**\*32 Minutes of the Housing Review Board held on 21 June 2018**

Members received the Minutes of the Housing Review Board held on 21 June 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 9 Rental exchange scheme**

no further (previously agreed) action be taken towards implementation of the Rental Exchange Scheme.

**Minute 11 Void property – 4 Camperdown Terrace, Exmouth**

the progression of option 5 – to agree an appropriate level of funding from the HRA to complete necessary works to make the void property habitable, whilst taking into consideration the potential regeneration plans for Exmouth.

**Minute 12 Financial monitoring report – HRA draft accounts 2017/18**

the narrative report from the Strategic Lead Finance to add the £0.8m in year surplus to the New Housing Development Fund.

**Minute 15 Request for exemption to contract standing orders – extension to Homemaker contract**

to extend the Homemaker contract, which ended in 2018.

**\*33 Minutes of the Exmouth Regeneration Board held on 21 June 2018**

Members received the Minutes of the Exmouth Regeneration Board held on 21 June 2018.

**\*34 Public Consultation – Review of the East Devon and Blackdown Hills AONB Management Plans**

East Devon District Council together with other local authorities had authorised the East Devon and Blackdown Hills AONB Partnerships to undertake reviews of the Management Plans for both AONBs by April 2019, as required under Section IV of the Countryside and Rights of Way Act 2000. Public consultation on the reviews was scheduled to take place across the summer/autumn 2018 with endorsement by the AONB Partnership's respectively and final approval from the statutory consultees, Natural England before adoption by East Devon District Council and confirmation with Defra.

There was a discussion concerning the public consultation reaching residents in rural areas who did not have access to the places this would be usually advertised, in order to gain greater public engagement.

**RESOLVED:**

that the public consultation on the review of the East Devon and Blackdown Hills AONB Management Plans be agreed.

**REASON:**

Under Part IV of the Countryside and Rights of Way (CROW) Act 2000 the relevant local authorities were required to review the AONB Management Plans (sometimes referred to as a Management Strategy) for the East Devon and Blackdown Hills AONBs, at intervals of not more than 5 years. The review for the 2014 - 19 Plans need to be completed by April 2019. The Council with other local authorities had authorised East Devon and the Blackdown Hills AONB Partnerships to review the AONB Management Plans on their behalf.

**\*35 Monthly Performance reports – May 2018**

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

There were two indicators showing excellent performance:

- Days taken to process changes to Housing Benefit claims
- Percentage of Non-domestic Rates collected

There were three performance indicator showing as concern for the month of May.

1. Percentage of planning appeal decisions allowed against the authority's decision to refuse - five appeal decisions received this month and four of those appeals were dismissed.
2. Days taken to process new Housing Benefit claims - Performance always dips around annual billing due to the increased volume of work.
3. Working days lost due to sickness absence – there had been an increase in absence in the first quarter primarily due to ill health related to operations and surgery. Given the age profile of the organisation this was to be expected; however,

absence would be continually monitored proactively to ensure that all absences were managed carefully by the line manager with support from HR.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for May 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.

**\*36 Feniton Neighbourhood Plan to be formally 'made'**

The Feniton Neighbourhood Plan had passed referendum and must be formally 'made' in order to form part of the development plan.

**RESOLVED:**

1. that the Feniton Neighbourhood Plan is 'made' so it forms part of the development plan,
2. that the Neighbourhood Plan group be congratulated on their hard work and advised that once 'made' the Neighbourhood Plan would carry full weight in the planning decision making process.

**REASON:**

The Feniton Neighbourhood Plan received a majority 'yes' vote in their referendum as required by the regulations and there was no substantive reason not to 'make' the Plan.

**\*37 Rockbeare Neighbourhood Plan Examiner's Report**

The report provided feedback and set out proposed changes following the examination of the Rockbeare Neighbourhood Plan.

**RESOLVED:**

1. that the Examiner's recommendations on the Rockbeare Neighbourhood Plan, be endorsed,
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, 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 Council.

**\*38 The Ottery St Mary & West Hill Neighbourhood Plan to be formally 'made'**

The Ottery St Mary & West Hill Neighbourhood Plan had passed referendum and must be formally 'made' in order to form part of the development plan.

**RESOLVED:**

1. that the Ottery St Mary & West Hill Neighbourhood Plan was 'made' so it formed part of the development plan,
2. that the Neighbourhood Plan group be congratulated on their hard work and advised that once 'made' the Neighbourhood Plan would carry full weight in the planning decision making process.

**REASON:**

The Ottery St Mary & West Hill Neighbourhood Plan received a majority 'yes' vote in their referendum as required by the regulations and there was no substantive reason not to 'make' the Plan.

**Attendance list**

**Present:**

**Portfolio Holders:**

Ian Thomas	Leader
Phil Skinner	Deputy Leader / Economy
Iain Chubb	Transformation
Paul Diviani	Strategic Development
Jill Elson	Sustainable Homes and Communities
Marcus Hartnell	Deputy Portfolio Holder Environment
Geoff Pook	Asset Management
Tom Wright	Environment

**Cabinet apologies:**

Dean Barrow	Finance
Alan Dent	Corporate Services

**Non-Cabinet apologies:**

Pauline Stott  
Peter Burrows  
Mark Williamson  
Mike Allen  
Tim Dumper  
Ian Hall  
Steve Hall  
David Barratt  
Mike Howe  
Matt Booth  
Cherry Nicholas  
Steve Gazzard  
Roger Giles  
Colin Brown  
John O'Leary  
Helen Parr  
Paul Carter

**Also present (for some or all of the meeting)**

**Councillors:**

Brian Bailey  
Bruce de Saram  
Geoff Jung  
Graham Godbeer

Maddy Chapman  
Douglas Hull  
Susie Bond  
Cathy Gardner  
Marianne Rixson  
John Dyson  
John Humphreys

**Also present:**

**Officers:**

Mark Williams, Chief Executive  
John Golding, Strategic Lead – Housing, Health and Environment  
Karen Jenkins, Strategic Lead – Organisational Development and Transformation  
Henry Gordon Lennox, Strategic Lead Governance and Licensing  
Chris Woodruff, Manager, East Devon AONB Partnership  
Tim Youngs, Manager, Blackdown Hills AONB Partnership  
Amanda Coombes, Democratic Services Officer

Chairman ..... Date.....