

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 3 October 2018

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.30pm

***59 Public Speaking**

There were no members of the public who wished to speak.

***60 Minutes**

The minutes of the Cabinet meeting held on 5 September 2018 were confirmed and signed as a true record.

***61 Declarations**

Cllr Philip Skinner, Minute 76: personal interest – Exeter Science Park Board of Directors
Cllr Pauline Stott, Minute 74; personal interest – Director of Water Sports Centre
Cllr Cherry Nicholas, Minute 68; personal interest – Member of Neighbourhood Plan Group.

***62 Matters of urgency**

Two items were submitted and listed on the agenda; considered under Minute 74 and 76 respectively.

***63 Matters referred to the Cabinet**

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

***64 Exclusion of the public**

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

***65 Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 November 2018 to 28 February 2019.

***66 Minutes of the Overview Committee held on 30 August 2018**

Members received the Minutes of the Overview Committee held on 30 August 2018.

***67 Minutes of the Scrutiny Committee held on 6 September 2018**

Members received the Minutes of the Scrutiny Committee held on 6 September 2018.

RESOLVED

that no further action required as the advice was that this was the position already.

***68 Response to Exmouth Neighbourhood Plan Submission**

The report set out to agree the response by the Council to the current Regulation 16 submission consultation for the Exmouth Neighbourhood Plan.

The Service Lead for Planning updated the report to include the following:

“EN3 is considered overly restrictive, limiting potential development inside the Built-up Area Boundary (BUAB), contrary to Strategy 6 of the Local Plan. The ‘non-prescriptive

boundary' shown in figure 8 crosses the BUAB and includes the Maer road car park, cricket ground, the Maer, tennis courts and play area. We suggest that the boundary is limited to those areas outside of the BUAB, retaining the potential to provide a green corridor connected to the sea front in line with community aspirations, supported by Strategy 5 of the Local Plan. We suggest that those valuable areas identified (the Maer, cricket ground, tennis courts and play area) are considered for alternative designation (ie. Local Green Space) if the group feels that extra protection for these areas is warranted."

Comments made from Councillor Tim Dumper, who was unable to attend the meeting, were read out. These covered EN1; EE2; EE5; H2; GAA4; CF1; and P92. The comments were noted and can be referred to the Independent Examiner.

Councillor Bruce De Saram endorsed the submission and thanked those parties involved in its production.

RESOLVED:

1. that Members note the formal submission of the Exmouth Neighbourhood Plan and the producers of the plan be congratulated on their dedicated hard work and commitment in producing the document, and
2. that this council make the proposed representation set out at paragraph 5.2 in the report, together with the additional comment on EN3, in response to the consultation.

REASON:

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

***69 The Rockbeare Neighbourhood Plan to be formally 'made'**

The Rockbeare Neighbourhood Plan had now passed referendum and must be formally 'made' by East Devon District Council in order to form part of the development plan.

RESOLVED:

1. that the Rockbeare Neighbourhood Plan is 'made' so it forms part of the development plan, and
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 Rockbeare 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.

***70 Monthly Performance reports – August 2018**

The report set out performance information for the 2017/18 financial year for August 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:

1. Days taken to process changes to Housing Benefit claims

2. Percentage of planning appeal decisions allowed against the authority's decision to refuse
3. Percentage of Non-domestic Rates Collected

There were two performance indicators showing as concern:

1. Days taken to process new Housing Benefit claims - Current working through a transition period to Universal Credit was impacting on performance indicators.
2. Working days lost due to sickness absence - There had been a significant increase this year in employees who had been absent for two months or more as a result of surgery and serious health issues for 2 or months – these cases were all being proactively managed through HR and reference to Occupational Health advice to facilitate a return to work as soon as possible.

RESOLVED:

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

***71 Formal and Ombudsman complaints 2017/18**

The report provided information on complaints received during 2017/18. Fewer complaints had been received at “stage 1” of the complaints process compared to the previous year. Of the 23 complaints closed by the Local Government Ombudsman during the year, 5 were upheld.

A trend identified from complaints submitted related to keeping customers informed. The Strategic Management Team has picked this up for action.

RESOLVED:

that Cabinet noted the report and continued to encourage the local resolution of complaints.

REASON:

To continue to improve the way the Council handled; and learned from, complaints.

***72 Exemption to Standing Orders for Audio Visual equipment at Blackdown House**

To note an Exemption to Contract Standing Orders had been approved to enter into a contract with Public-i for the supply, installation, commissioning and satisfactory completion of the Audio Visual equipment and to seek Cabinet support for the action taken.

Councillor Steve Gazzard was given confirmation that provision for those with visual impairment had been made.

RESOLVED:

that the action taken of an Exemption from Contract Standing Orders for Audio Visual Installation at Blackdown House, be supported.

REASON:

Exemption from Contract Standing Orders had been sought and approved.

73 **Modern.gov software and extending functions to existing conference system**

The report outlined a business case for the purchase and implementation of Modern.gov and its associated tablet app for accessing meeting documentation. This dovetails with the Council's Transformation Strategy to improve efficiency, as well as continue to further improve the agreed position of operating "paper light" meetings for both Members and Officers. The report also covered enhancing the current conference system for committee meetings to enable voting functionality and queuing of speakers.

The Leader commented on the advantage of the software and welcomed the benefits, including standardising calendar appointments. The Portfolio Holder for Corporate Services had received unprompted comments from Exeter City Council Members on the ease of use of the app in accessing agendas.

RESOLVED:

that the adoption of Modern.gov software to deliver the improved functionality around the governance arrangements (meeting documentation, timetables, register of interests and the gift and hospitality register) and the extension of functions to the existing Chamber conference system, be agreed.

RECOMMENDED:

That monies be allocated to implement the adoption of Modern.gov software, and the extension of functions to the existing conference system from the Transformation Budget, and to agree to the annual licence costs on an ongoing basis.

REASON:

1. There are clear efficiencies that can be delivered in utilising the software, as well as reaching the target for paper light meetings;
2. Extending the functionality will enable improved management of meetings and therefore a more positive meeting experience for both Members and the public.

*74 **House of Lords Select Committee on Regenerating Seaside Towns and Communities – call for evidence**

The House of Lords Select Committee on Regenerating Seaside Towns and Communities was appointed by the House on 17 May 2018. The remit of the Committee is "to consider the regeneration of seaside towns and communities". The Committee will explore a number of key issues in detail and has issued a public call for written evidence to a list of questions. Overview Committee considered and debated a draft submission on the 27 September 2018 and asked the Deputy Chief Executive to bring forward a further draft to Cabinet. The final document will be submitted to both the House of Lords Select Committee before the 9 October 2018, and to the Local Government Association Coastal Special Interest Group workshop on 31 October 2018.

RESOLVED:

that the agreed response is submitted to both The House of Lords Select Committee before the 9 October 2018 and to the Local Government Association Coastal Special Interest Group workshop on the 31 October 2018.

REASON:

The Council has a wealth of information and experience to offer The House of Lords Select Committee on Regenerating Seaside Towns and Communities.

***75 Exclusion of the public**

that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against each Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

76 Commercial Property Investment: V-Sim Building, Science Park

The Cabinet explored an opportunity to fund the construction of a purpose built facility on Exeter Science Park.

RECOMMENDED:

That a sum up to £5,815,000 be made available for investment in the V-Sim Building at Exeter Science Park.

RESOLVED:

That authority be delegated to the Deputy Chief Executive, in consultation with Strategic Lead for Finance and Strategic Lead for Governance and Licensing, to undertake due diligence, negotiate, and agree detailed terms and conditions and complete related documentation to enable the investment to proceed.

REASON:

1. To provide funding for investment;
2. To support the Council in generating the £450,000 additional net income from property investment as per the Medium Term Financial Plan and Transformation Strategy;
3. To enable the Council to act in a commercial and agile manner to ensure this investment is deliverable within the required timeframe and to the required investment objectives.

Attendance list

Present:

Portfolio Holders:

Ian Thomas	Leader
Phil Skinner	Deputy Leader / Economy
Dean Barrow	Finance
Alan Dent	Corporate Services
Paul Diviani	Strategic Development
Jill Elson	Sustainable Homes and Communities
Tom Wright	Environment

Cabinet apologies:

Geoff Pook	Asset Management
Marcus Hartnell	Deputy Portfolio Holder Environment

Non-Cabinet apologies:

Mark Williamson
Tim Dumper
Ian Hall
Eileen Wragg
Roger Giles
Simon Grundy
John O’Leary
Brenda Taylor

Also present (for some or all of the meeting)

Councillors:

Brian Bailey
Bruce de Saram
Pauline Stott
Cherry Nicholas
Eleanor Rylance
Peter Faithfull
Ben Ingham
Megan Armstrong
Andrew Moulding
Graham Godbeer
Maddy Chapman
Marianne Rixson
Steve Gazzard
Geoff Jung
Colin Brown
Mike Howe
Helen Parr
John Dyson
Steve Hall

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Ed Freeman, Service Lead Planning
Tim Child, Property and Estates Manager
Anita Williams, Principal Solicitor and Deputy Monitoring Officer
Debbie Meakin, Democratic Services Officer

Officer apologies:

Karen Jenkins, Strategic Lead Organisational Development and Transformation

Chairman Date.....