

Agenda for an Extra Ordinary meeting of Council Wednesday, 3 June 2015; 6.30pm



To: [All elected Members of the Council](#); Honorary Aldermen

Venue: Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

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Dear Sir/Madam

Extra Ordinary meeting of the Council of the District of East Devon on Wednesday 3 June 2015 at 6.30 pm

You are called upon to attend the above meeting to be held in the Council Chamber, Knowle, Sidmouth. It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers expedient.

This Extra Ordinary meeting of the Council has been requested by Councillors Cathy Gardner, David Barratt, Matt Booth, Matt Coppell and John Dyson.

Yours faithfully

A handwritten signature in black ink, appearing to read "Mark Williams".

Chief Executive

Note: This meeting is being audio recorded by EDDC for subsequent publication on the Council's website.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Agenda:

- 1 **Public speaking arrangements** – there is a period of 15 minutes at the beginning of this Extra Ordinary meeting to allow the public to speak. This will be limited to the single issue of this agenda, namely, the Office Relocation. Councillors also have the opportunity to ask questions of the Leader and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public.

The Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time. The Chairman is entitled to interrupt the speaker to ask for their question to be put.

All individual contributions will be limited to a maximum period of three minutes. Where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.

- 2 Apologies
- 3 [Declarations of interest](#)
- 4 [Matters of urgency](#) – none identified
- 5 Confidential/exempt items – there are no items which Officers recommend should be dealt with in this way but if Council wish to discuss confidential details as part of their deliberations, the meeting could move into private session.

6 **Office relocation**

Motion to be debated:

“This Council resolved to suspend all processes relating to the sale of the Knowle site for six months so that the following matters can be fully addressed:

1. Development of comprehensive plans to show the distribution of services between the two proposed offices and the impact of this on staff, service users and residents;
2. Comprehensive EDDC staff consultation on the specific details and impact of the proposed office relocation to Honiton and Exmouth;
3. Full public consultation (three month process) on the proposed option;
4. Open invitation for an examination of further options for office refurbishment and location, including those which could be cost neutral, by a sub-committee comprising of at least 12 elected members with cross-group proportional representation;
5. Fully costed proposals for the entire relocation process including the new build, refurbished premises, removal, parking, equipment and facilities. To be prepared, reviewed and approved by full Council;
6. Detailed consideration by full Council of the implications and ramifications of the recent Freedom of Information (FOI) cases.”

As the motion is to rescind a previous decision made at a meeting of Council within the past six months, it is required to be signed by at least 15 members. (Council Constitution 13.1)

Motion proposed by Councillor Cathy Gardiner, seconded by Councillor Matt Booth and supported by Councillors:

Megan Armstrong, David Barratt, Susie Bond, Matt Coppell, John Dyson, Peter Faithfull, Roger Giles, Ben Ingham, Geoff Jung, Rob Longhurst, Dawn Manley, Val Ranger and Marianne Rixson.

Background papers:

[report of the Deputy Chief Executive](#) as referred to Cabinet (11 March 2015) and combined Audit and Governance and Overview and Scrutiny Committee (12 March 2015)

full minutes of the above meetings - [Cabinet](#) and [combined Audit and Governance and Overview and Scrutiny Committee](#)

[Minutes of the Extra Ordinary meeting of the Council held on 25 March 2015.](#)

Resolution of Extra Ordinary meeting of the Council held on 25 March 2015 in full:

RESOLVED:

A) that the following be agreed:

1. the findings of the audit exercises conducted by South West Audit Partnership and Grant Thornton in response to issues raised by December 2014 Full Council and the conclusions set out therein be accepted.
2. the analysis and conclusions on the financial basis for relocating contained within the report be accepted
3. On the basis of the valuation advice and price offered, the Knowle site be disposed of as this would represent 'best value' in accordance with the requirements of Section 123 of the Local Government Act 1972.

B) that the following be approved:

4. the Knowle site (as defined in reports submitted to Cabinet within the red line and excluding land identified at C13 below) is no longer required for the purpose of public walks or as a pleasure ground under the Public Health Act 1875.
5. On the basis that the land is no longer required for those purposes to appropriate the Knowle site to housing purposes pursuant to the powers contained in Section 122 of the Local Government Act 1972.

C) that the following be approved:

6. To dispose of the Knowle site for housing / extra care assisted living pursuant to Section 32 of the Housing Act 1985.
7. The Deputy Chief Executive – Development, Regeneration and Partnership in consultation with the Office Accommodation Executive Group be authorised to agree on behalf of EDDC appropriate Heads of Terms with Pegasus Life Ltd.
8. Subject to agreeing the Heads of Terms the Deputy Chief Executive – Development, Regeneration and Partnership be given delegated authority to enter into contract for sale of the Knowle site conditional upon subsequent satisfactory planning approval and such other matters as the Service Lead (Legal and Democratic Services) may advise.
9. EDDC operations be located to Honiton and Exmouth.

10. The Council to conduct consultation with relevant and interested parties to ensure Best Value outcomes are addressed within the relocation to Honiton and Exmouth.
11. A net project budget of £2,221,445 be noted and agreed, (the target being to achieve a break even position) , this being the estimated cost for a new build office accommodation in Honiton (BREEAM very good option) and for the modernisation of Exmouth Town Hall as identified in the table in paragraph D5.6 (of the Cabinet and combined meeting report) less the Capital Receipt for the Knowle. In addition, a budget of £900,630 is required to meet loan interest costs relating to short term and long term funding. Short term cash flow funding will be required totalling £9.2m to meet design and build costs prior to receiving the sale proceeds of £7-8m from the Knowle (financial risks are mitigated by Gateway 7 process detailed in the report). Once the capital receipt is received, the balance of funding required is £2.1m to be funded from a long-term loan over a 20-year period.
12. Officers investigate and progress the opportunity to bring forward the refurbishment of Exmouth Town Hall and take forward new offices in Honiton.
13. Commence detailed discussions on the Council's intention to transfer the retained 3.5196ha of Knowle parkland and the lower car park to Sidmouth Town Council following disposal of the Knowle site and if the principle is accepted by Sidmouth Town Council to progress such transfer including compliance with the relevant statutory procedures for disposal of open space.
14. As part of the negotiations with Sidmouth Town Council on land transfer, a covenant be proposed to ensure that the land is not built on and remains as public open space.

[Decision making and equalities](#)

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