

Agenda for Cabinet

Wednesday, 2 December 2015; 5.30pm

[Member of the Cabinet](#)

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

[View directions](#)

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Issued 23 November 2015



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Members of the public exercising their right to speak during Public Question Time will be recorded.

- 1 [Public speaking](#)
- 2 Minutes of 4 November 2015 (pages 4-11), to be signed as a true record.
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#)
- 6 Confidential/exempt items – there are no items which officers recommend should be dealt with in this way.

- 7 Forward Plan for key decisions for the period 1 January 2016 to 30 April 2016 (pages 12-15)
- 8 Minutes of the Recycling and Refuse Partnership Board held on 23 October 2015 (pages 16-20)
- 9 Minutes of the STRATA Joint Scrutiny Committee held on 22 October 2015 (pages 21-24)
- 10 Minutes of the Housing Review Board held on 5 November 2015 (pages 25-31)
- 11 Minutes of the Scrutiny Committee held on 12 November 2015 (pages 32-36)
- 12 Minutes of the Overview Committee held on 17 November 2015 (pages 37-40)

Part A matters for key decision

- 13 **Heart of the South West Devolution** (pages 41-51)
To report back on discussions to date regarding possible devolution of powers to the Heart of the South West and to seek approval to the next step.
Appendix 1 - Statement of Intent
- 14 **Refresh of the Council Plan** (pages 52-68)
The Council Plan is a pivotal document which sets out the context, direction of travel and key priorities for the council's staff and its Members for the next term.

Part A matters for decision

- 15 **Council Tax Support Scheme 2016/17** (pages 69-75)
It is a legal requirement that every year a new local scheme must be approved by 31 January of the preceding financial year. Any proposed changes to the scheme must be subject to public consultation before the new scheme can be adopted.
Appendix 1 – Vulnerability / Incentivising Work Statement (pages 76-85)
Appendix 2 - Equality Analysis Form (pages 86-104)
- 16 **Treasury Management Performance 2015/16 – 1 April 2015 to 30 September 2015** (pages 105-116)
This report details the overall position and performance of the Council's investment portfolio for the first six months of 2015/16.
- 17 **Sidmouth Mill Street car park** (pages 117-121)
To consider a proposal to manage 36 un-let parking spaces in Sidmouth's Mill Street car park either in-house or in partnership with a private sector operator.
- 18 **Staff engagement survey 2015** (pages 122-127)
This summary report seeks to update Members on staff responses to the 2015 staff engagement survey.
- 19 **Exemption to Contract Standing Orders for Feniton Flood Alleviation Project Phase 1 Tendering** (pages 128-130)
To note the reasons for the approval of an exemption to Contract Standing Orders for the use of contractors on Pro Contract who have expressed an interest in submitting a tender for the Phase 1 works.

20 **Exemption to Contract Standing Orders for Feniton Flood Alleviation Project Phase 3 Network Rail Crossing** (pages 131-134)

To note the reasons for the approval of an exemption to Contract Standing Orders for the use of one contractor, specified by Network Rail (NR), to carry out work on their land to cross the West of England Main Line.

21 **Monthly Performance reports - October 2015** (pages 135-139)

Performance information for the 2015/6 financial year for October 2015 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

Appendix 1 - October Snapshot

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL
Minutes of the meeting of Cabinet held
at Knowle, Sidmouth on 4 November 2015

Attendance list at end of document

The meeting started at 5.32pm and ended at 7.16pm.

***107 Public Speaking**

Richard Gibbs spoke on behalf of the Sidmouth Residents Association concerning item 12 on the agenda; vehicle related anti-social behaviour in car parks. He asked for night closures at the Manor Road car park, Sidmouth from 9pm to prevent 'boy racers', speeding and loud music. Local residents had their sleep interrupted by the noise from these cars. He informed the committee that lawful use of the car park at night was minimal and it was not used by businesses or hotel visitors. He pointed out the speed bumps do not prevent entry into the car park and barriers worked elsewhere in the county. He reminded members that EDDC had a duty to stop nuisance such as this.

Eric Bowman spoke on behalf of the Seaton Residents Association on the same issue. He informed members they now had an opportunity to solve the problem of 'boy racers'. Such aggressive driving late at night was intimidating to members of the public. The Underfleet car park in Seaton was used as a race circuit finishing back at the car park. He recommended the installation of barriers and 30 miles per hour enforcement signs.

Sergeant Andy Squires, Community Policing Officer for Sidmouth and Seaton, spoke from a police perspective stating this was a partnership problem. Catching these drivers was very difficult, as they needed witnesses in order to prosecute. He spoke of the need for education, enforcement and engineering as there would always be 'boy racers', hence the need for a long-term solution. He supported the installation of barriers to stop entry with the facility to exit the car parks.

***108 Minutes**

The minutes of the Cabinet meeting held on 7 October 2015 were confirmed and signed as a true record.

***109 Declarations**

None

***110 Exclusion of the public**

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

***111 Matters referred to the Cabinet**

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

***112 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 December 2015 to 31 March 2016.

***113 Minutes of the Arts and Culture Forum on 18 September 2015**

Members received and noted the minutes of the Arts and Culture Forum on 18 September 2015. Members noted that Councillor John O’Leary had been elected Chairman of the Forum for the ensuing year and that Douglas Hull was appointed Vice Chairman. Particular thanks had been given to the Manor Pavilion Theatre manager and his team for all their hard work.

***114 Notes of the Budget Working Party on 8 October 2015**

Members received and noted the notes of the Budget Working Party held on 8 October 2015.

RESOLVED (1) that the following decision be noted:

Minute 3 – Financial Plan and Transformation – actions update 2014/15

1. that the current budget position be noted and action identified through the Transformation Strategy be supported,
2. that town and parish councils be advised of the anticipated reduction in the Council Tax Support Grant for 2016/17 as 27% maximum – in line with the reduction being made by the Government.

115 Minutes of the Scrutiny Committee held on 15 October 2015

Members received and noted the minutes of the Scrutiny Committee held on 15 October 2015. The Chairman of Scrutiny thanked members of the committee as well as other councillors for their input into the meeting. He especially wanted to thank officers; in particular Debbie Meakin, Democratic Services Officer, for their guidance help and support.

Discussions included:

- representations had been made to the local MPs concerning cuts to the police service
- the formula to which the policing cuts were considered, for example tourism figures were not considered alongside residential numbers
- the operation of the Asset Management Forum should be public, with the need for working bodies operating in private to avoid Part B (confidential) items being on agendas

RESOLVED (1) that the following be noted:

Minute 33 - Scrutiny Forward Plan

RESOLVED (2) that the following decisions be supported:

Minute 31 – Changes to Scrutiny practices based on best practice.

To adopt the practices recommended as follows:

- Sharing of forward plans of the Cabinet, Scrutiny Committee and Overview Committee to raise awareness of issues for each;
- Encourage Single Member Studies for an elected member to research a specific topic to feed back to the committee that include scope and regular update;

- Receive regular updates from Task and Finish Forums prior to the final report;
- Request written submission from external bodies or witnesses if they are not able to attend a meeting of the committee in person.

RECOMMENDED (1) that the following recommendations be referred to Council for determination:

Minute 29 - Crime and Disorder Update

that Council conveys to the Home Secretary that the proposed cuts for the police service would severely impact on Police Community Support Officers and other front line staff and must be resisted; the issue also to be raised with the local Members of Parliament.

Minute 30 – Asset Management Forum

1. that the Asset Management Forum, a forum appointed by Council to advise the Cabinet, be allowed to meet in public, with reports meeting exemptions being heard when public and press are excluded under “Part B”;
2. that questions and statements from the public be permitted on agenda items of Asset Management Forum that are not considered in “Part B” as per the practice adopted by Cabinet, and the Overview and Scrutiny Committees;
3. that agendas and minutes of the Asset Management Forum be published as per the access to information procedure rules.

Minute 31 - Changes to Scrutiny practices based on best practice

1. that Portfolio Holder update reports are provided to the Scrutiny Committee in writing at least once each civic year, thereby giving the committee opportunity to invite the Portfolio Holder back to respond on specific issues of interest to the Scrutiny Committee;
2. that the Council’s constitution be amended to reflect these changes.
3. that a report dealing with the issues raised from Minutes 30 and 31 was sent back to Cabinet.

116 Empty Homes Plan 2015 - 2019

The report was to seek agreement from Cabinet to adopt the Empty Homes Plan 2015 – 2019. The Strategic Lead Housing, Health and Environment spoke of empty homes being a wasted resource, especially when there was pressure for good quality affordable housing in the district. The plan was simple with changes in legislation making the task a little easier. The plan followed good practice but was proportionate and relevant to the local area.

The Portfolio Holder Finance requested the cost figures and potential financial gain be reported to Cabinet.

RECOMMENDED:

1. that the Empty Homes Plan 2015 – 2019 be adopted
2. that the cost figures and potential financial gain be reported to Cabinet.

REASON:

The previous plan expired in 2014; Cabinet was asked to agree formal adoption of this plan.

***117 Vehicle related anti-social behaviour in car parks**

The Service Lead - Environmental Health and Car Parks asked members to consider reports of vehicle related anti-social behaviour in Sidmouth's Manor Road car park and Seaton's Jurassic car park and to propose a solution to the problem.

Discussions included:

- Speed bumps did not deter drivers entering the car parks
- Lockable barriers to prevent entry and 'Dragons teeth' to allow exiting were a reasonable solution
- Visitors needed to use the car parks at night
- A substantial scheme was needed to overcome the problem of 'boy racers'
- Speed bumps were a waste of time
- Investment would also slow down regular traffic entering and exiting the car parks
- The town councils could be responsible for locking any barriers or automated locking devices could be used
- Trial road humps in one car park and barriers in the other
- Closure hours could be flexible if a public event was taking place

RESOLVED:

that lockable entry barriers and appropriate exits be installed in Sidmouth's Manor Road car park and Seaton's Jurassic car park at a cost funded from existing budgets.

REASON:

To discourage vehicle related antisocial behaviour and dangerous driving in two of the Council's public car parks.

***118 Financial Monitoring Report 2015/16 - Month Six September 2015**

The Strategic Lead – Finance summarised the report of the Council's overall financial position for 2015/16 at the end of month six (30 September 2015). Income lost due to the substantial reduction of recycling materials was highlighted.

Current monitoring indicated that:

- The General Fund Balance was being maintained at or above the adopted level.
- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- There was a sufficient Capital Reserve to balance this year's capital programme.

RESOLVED:

The variances identified as part of the Revenue and Capital Monitoring process up to Month Six be acknowledged.

REASON:

The report updates Members on the overall financial position of the Authority following the end of each month and includes recommendations where corrective action is required for the remainder of the financial year.

*119 **Monthly Performance reports – September 2015**

The Strategic Lead – Organisational Development and Transformation presented the report setting out performance information for September 2015. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicators that were showing excellent performance:

1. Percentage of planning appeal decisions where the planning inspector has disagreed with the Council's decision
2. Percentage of non-domestic rates collected
3. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events

There is one performance indicator showing as concern:

1. Working days lost due to sickness absence – the Council's sickness absence was now on a downward trend. This follows a period of increased sickness absence resulting from long term illnesses.

RESOLVED:

that the progress and proposed improvement action for performance measures for September 2015 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 Control, Housing and Revenues and Benefits.

120 **South East Devon Habitat Regulations Joint Committees**

Following the decision of Council on 29 July 2015 to agree to enter into joint arrangements with both Exeter City Council and Teignbridge District Council, it had been necessary to review and alter the governance arrangements to ensure clarity and consistency in terms of its operation going forward.

RECOMMENDED:

that the Council agrees to;

1. establish the South East Devon Habitat Regulations Joint Committees (comprising the Habitats Mitigation Executive Committee and Habitats Mitigation Scrutiny Committee) with Exeter City Council and Teignbridge District Council, for the purpose of delivering habitat mitigation measures to be governed in accordance with the Terms of Reference and Rules of Procedure attached at Appendix 1 to the report.
2. delegate all necessary powers (save for those relating to compulsory purchase) to the Habitats Mitigation Executive Committee to enable delivery of mitigation measures in accordance with the Conservation of Habitats and Species Regulations 2010.

3. the Strategic Development and Partnerships Portfolio Holder being the East Devon District Council member of the Habitats Mitigation Executive Committee.
4. seek nominations for and appoints three members to be the East Devon District Council members on the Habitat Mitigation Scrutiny Committee.
5. delegate authority to the Strategic Lead (Legal, Licensing and Democratic Services) in consultation with the Leader of the Council and Chief Executive to amend the Terms of Reference and Rules of Procedure as necessary to ensure effective working of the South East Devon Habitat Regulations Joint Committees, provided that the Solicitors to the Council of Exeter City and Teignbridge District Councils are in agreement.
6. provide the legal support for governance arrangements for the South East Devon Habitat Regulations Joint Committees.
7. be responsible for holding and administering the finances to support the implementation of the decisions of the Habitats Mitigation Executive Committee (or to any officer taking delegated decisions on its behalf) and to provide financial advice when required.
8. the administration of the South East Devon Habitat Regulations Committees being rotated with the Chair - East Devon District Council shall Chair the Committees during the first year. After the first year the Chairmanship will rotate around the other Councils coming back to East Devon in the fourth year.
9. to transfer all funds held to deliver habitats mitigation obtained through planning agreements and community infrastructure levy receipts (as and when adopted) to the account set up in accordance with Recommendation 7. Funds identified in planning obligations to be spent for specific projects will be ring fenced to be spent for those purposes.

REASON:

To implement the decision of Council of 29 July 2015 (following Cabinet recommendations of 2 July 2014 and 17 June 2015)

*121 **Exemption to contract standing orders - work on the water main at Underleys, Beer**

Members noted the report that an exemption had been given to contract standing orders, for the sum of £5,850 + VAT to be spent on renewing the water main to 33-43 Underleys, Beer. Reasons for the exemption were set out in the report.

RESOLVED:

that the exemption be noted

REASON:

to inform Cabinet of the exemption and the money spent to renew the water main at Underleys, Beer

Attendance list

Present:

Paul Diviani Leader
Andrew Moulding Deputy Leader/Strategic Development and Partnership

Portfolio Holders:

Tom Wright Corporate Business
Iain Chubb Environment
Jill Elson Sustainable Homes and Communities
Phil Twiss Corporate Services
Ian Thomas Portfolio Holder Finance

Cabinet Members without Portfolio

Geoff Pook
Eileen Wragg

Cabinet apologies:

Philip Skinner Portfolio Holder Economy

Non-Cabinet apologies:

Mike Allen
Peter Bowden
Peter Burrows
David Chapman
Maddy Chapman
Graham Godbeer
Ian Hall
Marcus Hartnell
Steve Gazzard
Marianne Rixson
Brenda Taylor
Mark Williamson

Also present:

Councillors:

Brian Bailey
David Barratt
Dean Barrow
Matt Booth
Colin Brown
Paul Carter
Alan Dent
John Dyson
Peter Faithfull
Roger Giles
Simon Grundy
Steve Hall
Geoff Jung
John O'Leary
Pauline Stott

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 – Legal, Licensing and Democratic Services

Karen Jenkins, Strategic Lead – Organisational Development and Transformation

Andrew Ennis, Service Lead - Environmental Health and Car Parks

Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period 1 January 2016 to 30 April 2016

This plan contains all the (i) important decisions that the Council intends to take and (ii) Key Decisions that the Council's Cabinet expects to make during the 4-month period referred to above. The plan is rolled forward every month.

Key Decisions are defined by law as “**an executive decision** which is likely :-

- (a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Council's area

In accordance with section 9Q of the Local Government Act 2000, in determining the meaning of “significant” in (a) and (b) above regard shall be had to any guidance for the time being issued by the Secretary of State.

A public notice period of 28 clear days is required when a Key Decision is to be taken by the Council's Cabinet even if the meeting is wholly or partly to be in private. Key Decisions and the relevant Cabinet meeting are shown in bold.

The Cabinet may only take Key Decisions in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution and the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012. A minute of each key decision is published within 2 days of it having been made. This is available for public inspection on the Council's website <http://www.eastdevon.gov.uk>, and at the Council Offices, Knowle, Sidmouth, Devon. The law and the Council's constitution provide for urgent key decisions to be made without 28 clear days notice of the proposed decisions having been published. A decision notice will be published for these in exactly the same way.

This document includes notice of any matter the Council considers to be Key Decisions which, at this stage, should be considered in the private part of the meeting and the reason why. Any written representations that a particular decision should be moved to the public part of the meeting should be sent to the Democratic Services Team (address as above) as soon as possible. **Members of the public have the opportunity to speak on the relevant decision at meetings (in accordance with public speaking rules) unless shown in *italics*.**

Obtaining documents

Committee reports made available on the Council's website including those in respect of Key Decisions include links to the relevant background documents. If a printed copy of all or part of any report or document included with the report or background document is required please contact Democratic Services (address as above).

Decision		List of documents.	Lead/reporting Officer	Decision maker and proposed date for decision	Other meeting dates where the matter is to be debated / considered	Operative Date for decision (assuming, where applicable, no call-in)	Part A = Public meeting Part B = private meeting [and reasons]
1	ESCO Energy Services		East of Exeter Projects Director	Cabinet 6 January 2016		14 January 2016	Part A
2	LED Annual Service Fee	Leisure East Devon Joint Working Group	Chief Executive	Cabinet 6 January 2016	LED Joint Working Group 26 November 2015	14 January 2016	<u>Part B [if commercially sensitive]</u>
3	Review of the Refuse and Recycling Trial		Strategic Lead - Housing, Health & Environment	Cabinet 6 January 2016	Joint Overview and Scrutiny Committee 10 December 2015	14 January 2016	Part A
4	Scoping report for Sidmouth East End		Deputy Chief Executive	Cabinet 6 January 2016		14 January 2016	Part A
5	Recycling & Waste Collection contract – decision of new contractor		Strategic Lead – Housing, Health & Environment	Cabinet 10 February 2016	Joint Overview and Scrutiny Committee 9 February 2016	17 February 2016	<u>Part B [if commercially sensitive]</u>

Decision		List of documents.	Lead/reporting Officer	Decision maker and proposed date for decision	Other meeting dates where the matter is to be debated / considered	Operative Date for decision (assuming, where applicable, no call-in)	Part A = Public meeting Part B = private meeting [and reasons]
6	Relocation update report		Deputy Chief Executive	Cabinet 10 February 2016		17 February 2016	Part A
7	Revenue and Capital Estimates 2016 / 2017	Capital Strategy & Allocation Group - report of the meeting	Strategic Lead – Finance	Council 24 February 2016	Cabinet 6 January 2016 Joint Overview and Scrutiny Committee 13 January 2016 Cabinet 10 February 2016	25 February 2016	Part A
8	Public Health Plan annual review		Strategic Lead - Housing, Health & Environment	Council 24 February 2016	Cabinet 6 January 2016	25 February 2016	Part A

Table showing potential future key decisions which are yet to be included in the current Forward Plan

Future Decisions		Lead / reporting Officer	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision To be confirmed
1	Specific CIL Governance Issues	Deputy Chief Executive (RC)		
2	Business Support – options for the future	Deputy Chief Executive (RC)		
3	Thelma Hulbert Gallery - progress			

The members of the Cabinet are as follows: Cllr Paul Diviani (Leader of the Council and Chairman of the Cabinet), Cllr Andrew Moulding (Strategic Development and Partnerships Portfolio Holder), Tom Wright (Corporate Business Portfolio Holder) Cllr Phil Twiss (Corporate Services Portfolio Holder) Cllr Philip Skinner (Economy Portfolio Holder), Cllr Iain Chubb (Environment Portfolio Holder) Cllr Ian Thomas (Finance Portfolio Holder), Cllr Jill Elson (Sustainable Homes and Communities Portfolio Holder), and Cabinet Members without Portfolio - Geoff Pook and Eileen Wragg. Members of the public who wish to make any representations or comments concerning any of the key decisions referred to in this Forward Plan may do so by writing to the identified Lead Member of the Cabinet (Leader of the Council) c/o the Democratic Services Team, Council Offices, Knowle, Sidmouth, Devon, EX10 8HL. Telephone 01395 517546.

December 2015

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the East Devon Recycling and Refuse Partnership Board, Council Chamber, Knowle, on 23 October 2015

Present

Councillors:

Ian Chubb – Portfolio Holder, Environment
Simon Grundy
Geoff Jung
Geoff Pook
Susie Bond

Officers:

David Feltham - Senior Waste Management Officer, EDDC
John Golding – Strategic Lead, Housing, Health and Environment, EDDC
Andrew Hancock - Service Lead – StreetScene EDDC
Steve Joyce – Waste Management Officer EDDC
Alison Stoneham – Acting Communications and Public Affairs Manager, EDDC
Alethea Thompson – Democratic Services Officer, EDDC

SITA:

Nick Browning - General manager Municipal SITA
Peta Johnson - Senior Municipal Development Manager SITA
Andy Williams – Senior Contract Manager SITA

Apologies:

Councillor Steve Gazzard
Paul McHenry – Recycling and Waste Contract Manager, EDDC
Cherise Foster – Customer Services Manager EDDC
Dave Swire – Regional Manager SITA

The meeting started at 10.05am and ended at 13:25pm

***24 Minutes**

The minutes of the Recycling and Refuse Partnership Board meeting held on 21 August 2015 were confirmed and signed as a true record.

***25 Declarations of interest**

None

***26 Matters arising**

None

***27 Statistical information**

The Waste Management Officer reported that the statistical information indicated an overall increase in missed refuse and recycling collections, an increase in the number of replacement receptacles delivered and an increase in contractor complaints. This general increase in figures was a seasonal issue which arose annually during the summer months. No parties were complacent about the reduced performance levels being reported and would pursue continuous improvement.

The Senior SITA Contract Manager explained that SITA UK had identified a recurring issue with staffing levels over the summer holiday period July to September. It was believed that this had led to the reduced performance experienced in Septembers' figures. An action plan had been implemented to rectify this poor performance over the longer term. The identified issue related to the taking of holidays, with too many staff being allowed to book leave at the same time, resulting in a negative impact on service provision. Providing cover on rounds with limited route knowledge tended to result in higher incidences of missed collections.

The SITA Contract Manager also reported that there had been a slight issue with the Cloud 9 tablets in that some of the assisted collection data had not been updated for two months. Those present agreed that the Cloud 9 system should be used in conjunction with local knowledge.

The Senior Waste Management Officer highlighted that overall the proportion of missed collections from the total number of properties collected was very small.

On behalf of the Board the Chairman thanked the Senior Waste Management Officer for his report.

RESOLVED: that the report be noted.

***28 SITA Senior Contract Manager update**

The SITA Contract Manager updated the Board on the action plan:

- Bring bank rationalisation was still being considered.
- Following training of existing staff only one driver needed to be recruited.
- Cloud 9 – 100% of the recycling rounds had been validated and were using the on board computing/reporting system, with no issues to report. 95% of the refuse crews were using Cloud 9 tablets, with the remaining to be completed by the end of November 2015.

It was noted that there was a large discrepancy in the number of properties validated by STRATA for the Cloud 9 system and those provided by EDDC via the local land and property gazetteer. The two sets of data would need to be reconciled.

The SITA Contract Manager reported that a team from SITA and EDDC had recently taken part in the Royal Marines Commando Challenge, raising over £2,000 for the Devon Air Ambulance and had won first place overall. They had been awarded a joint cup which would be shared between EDDC and SITA.

The Chairman thanked the SITA Contract Manager for his report.

RESOLVED: that the performance report be noted.

***29 Sustainable waste service trial (Feniton & Exmouth) – update, leaflets and communications plan**

The Waste Management Officer reported that two distinct areas (Feniton and Exmouth colonies) with approximately 800 properties each had been chosen for the enhanced recycling trial (to include cardboard and mixed plastics). Recycling was collected weekly, with a three weekly refuse collection service. It was noted that many councils were considering a similar system but were all waiting for a successful pioneer. At present there were three local authorities within the UK who had rolled out three weekly refuse collection services with improved recycling services.

The Acting Communications and Public Affairs Manager and Waste Management Officer gave the Board a presentation on the success of the trial so far. The presentation included:

- the background to the trial
- the reasons why it was being undertaken
- how it was being undertaken and how it was going
- communications
- weights and statistics for the trial areas
- press coverage

Road shows had been held over the two weekends prior to the start of the trial. These included rebranded waste management vans, banners and display boards. The message being sent out was “we are here to help”. Waste management officers had also been out ‘on the ground’ on the relevant trial collection days. Initial weights and statistics showed an increase in kerbside recycling materials, particularly in food waste. Waste analysis results would provide more information, as well as feedback questionnaires, which would be sent to all residents in the trial areas.

It was noted that the SITA crews had been provided with an FAQ sheet that they could give to the public if necessary. The information sheet created for the Councillors was also given to the SITA workforce. All residents had been provided leaflets, which reinforced materials for recycling and promoted the East Devon app.

Conclusions from the trial so far were that:

- a 180 litre bin was sufficient for most residents
- families with children in nappies could manage with three weekly refuse collections
- a large amount of food waste was being placed in residual waste
- there had been no increase in side waste
- EDDC had only received a few calls via the Customer Service Centre from residents having difficulties
- the media were losing interest through a lack of complaints
- most of the concerns came from outside of the trial area
- so far the indications were that the trial was a success

On behalf of the Board the Chairman thanked all the various teams involved for making the trial such a success. There had been a huge effort from all involved and it was good for the Council’s reputation. The Board acknowledged that it was important not to become complacent and that future roll outs of enhanced services would need to be carefully planned and resourced. It was noted that the success of the trial would be reported to members during November/December 2015 and the Strategic Lead, Housing, Health and Environment requested that the presentation be shown to the Senior Management Team.

RESOLVED:

1. that the sustainable waste service trial update be noted.
2. that thanks be given to all the various teams involved in the success of the trial so far.

***30 Devon County Council textile contract update**

The Senior Waste Management Officer gave the Board a verbal update on the Devon County Council (DCC) textile contract. Due to significant reductions in the textile market nationally the current contractor had struggled with its payments. DCC had issued a termination notice to the contractor and were currently dealing with a £50,000 performance

bond. As a result EDDC had no textile contractor whilst it awaited DCC's disposal decision. SITA were storing 6 tonnes of textiles, with approximately 1.5 tonnes being collected weekly. At present there was no long term disposal outlet for the textiles. It was noted that this had an impact on budget predictions and that the finance team were being kept informed.

RESOLVED: that the report be noted.

***31 Otter Rotters update**

The Senior Waste Management Officer raised concern that he had been unable to contact Otter Rotters, despite numerous attempts. He needed to obtain figures from Otter Rotters for waste data flow and asked if the Board could assist him in contacting the organisation. It was suggested that the Senior Waste Management Officer threaten to withdraw EDDC support to Otter Rotters if contact was not made.

***32 Christmas collections**

The Service Lead – StreetScene explained that Christmas recycling and refuse collections would operate in the same way they had done for the last few years, with SITA crews working on Saturdays, over a three week 'catch up' period.

Sample hangers were circulated at the meeting. As in previous years, the 4 sided A5 'hangers' would be placed on bins by SITA operatives on the last residual waste collection weeks before Christmas and would cover refuse and recycling information for the whole year. The hangers also highlighted and promoted the East Devon App. A separate hanger would be produced for the two trial areas.

RESOLVED: that the Board agree in principle to the Christmas collections and the sample hanger.

***33 Exclusion of contractual partners due to the nature of the items which will include business plans and future contract arrangements**

The Council's contractual partners were asked to leave the meeting at this point as the Board wanted to discuss various commercially sensitive issues including business plans and future contract arrangements.

34 Charging options for replacement refuse and recycling receptacles

The Senior Waste Management Officer reported to the Board on charging options for replacement refuse and recycling receptacles. EDDC were not required by law to provide waste and recycling containers free of charge.

The Chairman reported that Exeter City Council currently provided two resident properties with 140 litre bins and four plus resident properties with 180 litre bins. 240 litre bins would be provided on request. Exeter City Council charged its residents for all their co-mingled alternate weekly collection bins, with recycling bins being subsidised by the price of residual bins. This generated the authority approximately £30-40,000 income per year. Teignbridge and Mid Devon District Council both charged for replacement wheeled bins. Other local authorities in the south west all provided replacement bins and boxes free of charge.

EDDC had been able to levy a charge for the container provision of some new properties at Cranbrook through section 106 contributions. Developers would often purchase receptacles to equip properties on large scale developments. Members discussed whether this would be possible to enforce through the Community Infrastructure Levy (CIL). The

Service Lead – Streetscene advised that he was in discussion with the Service Lead – Planning Strategy and Development Management whether provision of receptacles could be enforced through planning conditions.

The Board agreed that further consideration should be given to charging for all containers, with a policy being developed after implementation of the new contract, taking into consideration the StreetScene budget saving targets, the national trend for charging, the various options for charging and the ownership responsibilities each of these options presented, as well as the legal requirements of any such charging regime. It was also suggested that bin provision be written into the new contract so that the contractor was required to provide all receptacles at an agreed cost price, including a delivery and administration charge.

RECOMMENDED: that the Council look positively at charging for waste and recycling receptacles, with officers further exploring charging options and proposing a policy.

35 Progression of collection contract procurement

Strategic Lead, Housing, Health and Environment circulated a report at the meeting. He updated the Board on progress since the last meeting. It was requested that at Best and Final Offer (BAFO) stage the number of lots bidders were required to provide pricing details for be reduced. This would assist in obtaining a robust and focussed submission at the final stage of the procurement process that would assist tender evaluation. It was noted and explained that EDDC were exploring options for the capital financing and procurement of fleet required for the operation of the contract and this was discussed in further detail.

RECOMMENDED: that the bidding lots be reduced as set out in the report.

***36 Date of next meeting**

RESOLVED: that the next meeting of the Recycling and Refuse Partnership Board be held on Wednesday 16 December 2015 at 2:00pm in the Committee Room, Knowle.

Chairman Date.....

STRATA JOINT SCRUTINY COMMITTEE

Thursday 22 October 2015

Present:-

Councillors Prowse, Dewhurst, Jung, Haines, Bialyk, Nicholas (sub for Chapman) and Dent

Also Present

The Chief Operating Officer Chris Powell, Director Finance Dave Hodgson, Director Neil Aggett, Teignbridge District Council.

23

APOLOGIES

These were received from Councillors Chapman and Raybould, and the Strata Human Resources Lead.

24

MINUTES

The minutes of the meeting held on 23 July 2015 were taken as read and signed by the Chair as correct.

25

DECLARATIONS OF INTEREST

No declarations of interest were made.

26

QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES

None.

27

QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES

None.

28

PROGRESS REPORT ON STRATA IMPLEMENTATION PLAN

The Chief Operating Officer presented the report providing an update on the progress with the Implementation Plan.

- Overall Plan for the infrastructure build was close to original timetable and meeting quality targets. The roll out to users is being re-planned to ensure sufficient time is available to train users; Set up costs are on budget;
- Organisational progress including first end of year accounts completed and audited;
- Infrastructure: data network being supplied by Virgin to connect all sites still has performance issues still under investigation, which has delayed providing faster internet connection for East Devon and Teignbridge.
- Software applications: user acceptance testing of the new Virtual Desktop

applications started in September in Exeter. Roll out of the Virtual Desktop will now be scaled down to cover fewer people being transferred each day so that more attention and time can be given to each user to ensure they can transfer smoothly to the new desktop.

- A new plan is currently being prepared for the roll out of technology across the three councils, to take into account the feedback from the user acceptance testing and fewer people being transferred per day. This approach will impact on current software use, with systems being utilised (and therefore requiring support) for longer than anticipated because of the transfer to a virtual desktop being extended

He responded as follows to Members' queries:-

- It was worth exploring replacing Office 365 with a virtual desktop solution in the future if that better suits the needs of elected members. In the meantime, refresher training and clinics would be helpful for members at Teignbridge and EDDC;
- Virgin data network issue related to transfer capacity varying, with testing to date operating a suboptimal connection. Virgin were testing why there was a difference between data capacity travel to and from the sites;
- IDOX was explained as a proprietary software platform called Uniform, on which a number of applications sat, already in use for a number of applications for Teignbridge and EDDC. Exeter had agreed that Uniform should be implemented as a solution for them instead of an in-house built platform. A business case on that option would go before the respective Councils.

Strata Joint Scrutiny Committee noted the progress of the implementation plan.

29

STRATA PERFORMANCE INDICATORS - MONTH ENDING 30 SEPTEMBER 2015

The Chief Operating Officer presented the updated suite of performance indicators that Strata was using to manage its business and to show stakeholders how Strata is performing. The report covered the month of September.

Although definitions were set out at the end of the report, the Committee felt that it would be more helpful to have explanations throughout the report.

Incidents were explained as an event where a problem had occurred and needed to be fixed; a request was explained as an event where an improvement or change was needed but the software/hardware was still fully operational.

There was a link between the higher level of incidents recorded for Exeter and the desktops used at Exeter – the machines themselves were of a number of variations in build, whereas machines at Teignbridge and EDDC were much more uniform with a small number of models of computers used.

Service end-to-end times were highlighted and investigated to reveal that capacity had diminished as staff were diverted to undertake STRATA projects. System outages for Teignbridge were highlighted, where staff resource was then diverted away from projects to deal with fixing the issues there, the Teignbridge system being described as having a level of fragility. The Board were looking at better management of the infrastructure to help manage the outages level at Teignbridge, looking for a balance to fix issues whilst keeping projects on track.

Strata Joint Scrutiny Committee approved the report.

30

BUDGET MONITORING REPORT TO 30 SEPTEMBER 2015

The Director responsible for Finance presented the Final audited Statement of Accounts for 2014/15 as well as the Strata Budget Monitoring to 30 September 2015 advising Members of the financial progress of Strata during the first six months of 2015/16.

Referring to both the profit and loss and balance sheet statements, he highlighted that:

- The company made a loss in the year of £3.476m, as a result of taking on the pension liabilities for staff that have transferred to the company from the Councils.
- Taking out the pension element, the company broke even during 2014/15
- The three owner Councils have provided a guarantee to the pension fund that they will cover all liabilities on the fund in the event that Strata was unable to fulfil its commitments

The Committee discussed the tax implications for STRATA in relation to the capital invested from the three authorities.

Strata Joint Scrutiny Committee noted the report including the Final Statement of Accounts for 2014/15.

31

SMARTPHONE ISSUES IN EAST DEVON

The Chief Operating Officer updated the Committee on the roll out of smartphones across the Streetscene service at East Devon. This amounted to approximately 80 phones, supplied with applications for reporting on work required. Teams were already working with existing android phones, which will be replaced with iPhones over time. Although there had been some issues with smartphones, the STRATA staff were working closely with the team to help resolve issues.

Councillor Jung illustrated an example of the use of the smartphone app, where a resident of East Devon had reported an incident of fly tipping. The smartphone allowed the Streetscene operative to see the rubbish tipped, locate it and start to clear it away before the individual reporting the problem had left the site.

32

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part I, Schedule 12A of the Act.

33

HUMAN RESOURCES UPDATE REPORT

The Chief Operating Officer presented the report on behalf of the Strata Human Resources Lead. The report outlined the Human Resources advice provided to the

Strata Board in respect of offering staff new Strata terms and conditions and adopting a phased strategy based on affordability and business need. The report also provided an update on recent meetings with the Strata Staff Joint Forum and Employee Representatives as well as agreements made with the Board in relation to annual appraisals, learning and development and staff engagement.

Councillor Bialyk sought assurances that the STRATA employee contracts were not in any way inferior to council staff contracts. The Chief Operating Officer confirmed that he would ask the Strata Human Resources Lead to contact the councillor directly to make clear that no Strata staff were now at a disadvantage in moving from council employment to a new contract.

Scrutiny Committee - Community noted the report and recommended Executive to approve:-

- (1) noted the report and supported the approach proposed in relation to terms and conditions; and
- (2) noted the agreements made at the Staff Joint Forum (point 4) with UNISON.

(The meeting commenced at 5.30 pm and closed at 6.41 pm)

Chair

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 5 November 2015

Attendance list at end of document

The meeting started at 2.30pm and ended at 4.30pm.

***34 Public Speaking**

Councillor Pauline Stott, Chairman of the Board welcomed all those present and invited everyone to introduce themselves.

Mike Berridge reported that the Annual Tenants Conference had gone very well. He thought that it had been the best one so far and that the 'speed dating' was brilliant. He thanked all those involved with the organisation of the Annual Tenants Conference.

Harry Roberts raised the timings of the Housing Review Board meetings. He felt that there had been inadequate consultation prior to changing the start time of the meetings. The Strategic Lead, Housing, Health and Environment advised that the start time of 2:30pm would be trialled until the end of the civic year, when it would be reviewed and all members consulted.

Eric Howard questioned the apparent change of policy with regard to tenants responsibility for repairs/replacing items such as side gates. The Property and Asset Manager advised him that she would look into the particular case outside of the meeting.

Councillor Pauline Stott remarked on the excellent housing tour which had taken place in September. Those who attended had found it very interesting and informative.

***35 Minutes**

The minutes of the Housing Review Board meeting held on 10 September 2015 were confirmed and signed as a true record, subject to Julie Bingham and Christine Drew being added to the list of those present.

***36 Declarations of Interest**

Angela Bea: Personal Interest - Housing tenant

Mike Berridge: Personal Interest - Family member lives in a Council owned property; Housing tenant.

Joyce Ebborn: Personal Interest - Housing tenant

Cllr Ian Hall: Personal Interest – Family member lives in a Council owned property and uses Home Safeguard

Cllr Knight: Personal interest – Family member lives in a Council owned property. He is also a Devon County Council Councillor and a member of the Fire Authority.

Harry Roberts – Housing tenant.

***37 Matters of urgency**

There were no matters of urgency identified.

***38 Forward Plan**

The Strategic Lead, Housing, Health and Environment presented the forward plan and advised Members that the forward plan would act as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing him or the Democratic Services Officer. The Strategic Lead, Housing, Health and Environment advised the Board that the budget and service plan

for 2016/17 would be presented to them at the January meeting. There would also be an update on the progress of the recommendations of the Garage Management and the Car Parking Task and Finish Forums at a future meeting.

RESOLVED: that the forward plan be noted.

39 Tenant Scrutiny Panel report – customer recruitment and involvement

The Chairman welcomed Roger Pell and Sylvia Martin, from the Tenant Scrutiny Panel (TSP), to the meeting. Roger Pell, Chairman of the TSP presented the TSP report on customer recruitment and involvement, undertaken to promote new thinking in order to re-energise tenant/customer involvement. The presentation included who the TSP were, what they did and why they chose to scrutinise East Devon's approach to tenant involvement. It also included considerations on what worked well and what did not work so well.

Although the TSP were independent of the council, they liaised with officers and tenants to gain information. The main findings were that:

- a small number of the same tenants were involved in 17 different groups (many getting involved because of a grievance). This reduced the pool of information and ideas available and the apparent lack of formal links or feedback between the groups resulting in stagnation, producing little in the way of results (with a few exceptions).
- there was a disappointing response to the anonymous housing staff survey. The TSP felt that staff attitude could appear as 'you're just a tenant, you're lucky to have a home'. By considering and referring to tenants as customers, the culture should change to one of increased mutual respect.

The TSP made five main recommendations, each with a number of sub recommendations. These were:

1. Make sure that effective tenant involvement (with a customer-centric approach) is an expected part of everyone's job.
2. Make sure tenant involvement priorities are linked to the organisation's vision and objectives.
3. Make customers central to decision making processes.
4. Review the existing structure to ensure groups' effectiveness, including no duplication of members/activities.
5. Develop an annual programme of ongoing activities to promote positive recruitment.

The main conclusion of the TSP was that they were pleased to find there were positive practices to balance their recommendations. They found the tenant involvement process to be stagnant in places, with a poor attitude and approach whilst growing in others, with a much improved customer-centric attitude and approach. The TSP hoped that the recommendations would ensure that the positive examples the TSP found could be spread to the rest of the organisation.

The Tenant & Communities Section Leader thanked the TSP for the report and recommendations. She felt that it would be useful for officers to analyse the report and bring a response to the report back to a future Board meeting. The Strategic Lead – Housing, Health & Environment thanked the TSP for a helpful, thought provoking report and suggested that a review of current practices prompted by the TSP report could be built into the service plan. On behalf of the Board the Chairman thanked the TSP for all of their work.

RECOMMENDED: that officers review the Tenant Scrutiny Panel report and recommendations on customer recruitment and involvement and respond in a report at a future Housing Review Board meeting.

40 Rent reduction policy

The Strategic Lead – Housing, Health & Environment’s report updated the Board on the government rent reduction and the ministerial response to the Council’s concerns about the impact of the policy on its finances. The Strategic Lead – Housing, Health & Environment explained the damaging effect of a 1% rent reduction on the Housing Revenue Account (HRA) Business Plan. The effect was particularly dramatic as the HRA Business Plan had presumed rent increases, so in real terms the reduction of rental income was far greater than 1%.

The Strategic Lead – Housing, Health & Environment, the Portfolio Holder – Sustainable Homes and Communities, a representative from Mid Devon District Council and the two local MPs had met with the Housing and Planning Minister at Westminster on 15 October 2015. Despite lobbying hard for change it was apparent from this meeting that the Housing and Planning Minister would not reconsider the proposed 1% rent reduction.

The report concluded that the Council’s lobbying would not affect the implementation of the policy and advised that it needed to concentrate on reviewing the HRA Business Plan and ensuring future expenditure was aligned with reduced income expectations. Options of how to plan future income against expenditure would be brought to a future Board meeting.

The Portfolio Holder – Sustainable Homes and Communities outlined her extensive efforts to lobby against the changes. She went on to thank tenants for the excellent rent collection record, which allowed the Council a degree of flexibility when reviewing the HRA Business Plan.

The Chairman thanked the Strategic Lead – Housing, Health & Environment for his report.

RECOMMENDED: that the position with regard to the rent reduction proposals be considered and a review of the Housing Revenue Account Business Plan be initiated.

41 Moving rents to target rents

The Strategic Lead – Housing, Health & Environment presented the Rental Manager’s report which proposed moving rent levels to the formula/target rent, for new tenants, at change of tenancy. By moving rents at tenancy changes to formula/target levels for new tenants it would lessen the severity of the 1%, four year rent reduction, without affecting current tenants.

RECOMMENDED: that rents be moved at a tenancy change to formula/target rent level for new tenants commencing 30 November 2015.

42 ‘Pay to stay’ consultation for social housing tenants

The Landlord Services Manager explained the Government’s pay to stay consultation and asked for the Board’s response on the proposals. It was the Government’s view that tenants in social housing should not always benefit automatically from subsidised rents. The principle was that higher earners, earning over £30,000 per annum (per household) should pay market rents and that the extra income generated by local authorities should be returned to the Exchequer. Housing Associations, under the proposals, would keep the extra income generated to fund their development programmes.

Concern was raised over how this would work in practice, and that it would be complex and expensive for social landlords to administer. At present the income of tenants was not generally known. The report suggested that if housing associations could keep the money generated, then local authorities should be able to do the same. The extra income raised should be retained locally so that it can be reinvested for the benefit of local tenants.

The Portfolio Holder – Sustainable Homes and Communities advised that she would be making the two local MPs aware of this consultation and they would be included in the response.

RECOMMENDED: that the Board's comments and concerns be included in the Council's response to the Government's consultation on pay to stay.

***43 Consultation update on changes to variation of tenancy agreement**

The Strategic Lead – Housing, Health & Environment reported on the outcome of the consultation and that in conjunction with the Portfolio Holder – Sustainable Homes and Communities he had approved proposed changes to the revised draft tenancy agreement. The two changes made to the draft tenancy agreement were:

1. An additional clause is added to Section 4.4 Living in your home which reads:
4.4.5 If you live in sheltered housing where a personal alarm has been installed, you must not remove, disconnect or interfere with the equipment in any way. We will recharge you for any costs involved in repairing or replacing damaged equipment. Removing, disconnecting or interfering with the equipment will mean that the alarm cannot be used in an emergency and so may put your life, or the life of others, in danger.
2. In Clause 7.1.5 we change the abandonment time from 28 days to three months so the clause now reads:
We will remove and store any items left in the premises after the termination date for three months. We will notify you of this at your last known address. If the items are not collected within three months we will dispose of them. You will be liable for our reasonable costs of storage and disposal.

During November all tenants would be sent the final notice of variation letter which would draw attention to the two changes and a copy of the final tenancy agreement. The new tenancy agreement would become effective from 1 January 2016.

RESOLVED: that the outcome of the consultation and further changes made to the tenancy agreement be noted.

44 Provision of free and independent financial advice service for tenants

The Rental Manager's report set out why the Council should continue to provide a free, independent, confidential, and impartial debt advice service that delivered a fair outcome for both debtors and creditors. The Landlord Services Manager explained the history with the current contract and the need to procure a new financial advice service. The Board agreed in principle to providing a free and independent financial advice service to its tenants and that the Council should look at the best way of doing this.

RECOMMENDED: that the Council enter into a new contract for the provision of a free and independent financial advice service for tenants.

45 Completion of asbestos management surveys in housing stock

The Property and Asset Manager's report outlined the progress that had been made in relation to the management of asbestos within the housing stock.

Since November 2014 the Council had had a designated Asbestos Maintenance Surveyor and an asbestos control procedure and management plan for housing. This policy was currently being reviewed and the Property and Asset Manager hoped to report this to the next Board meeting.

Asbestos management surveys provided up to date information on the housing stock. These were carried out as early as possible when properties became void. However there was a large amount of management surveys outstanding (because only a proportion of the stock becomes vacant) and contractors were increasingly requesting more coverage from management surveys. It was intended to place all of the remaining properties that did not have an asbestos management survey in a two-year programme of works.

RECOMMENDED:

1. that the progress in relation to the management of asbestos in council properties be noted
2. that a two year programme of works to ensure asbestos management surveys are carried out across the council housing stock be approved
3. that £100,000 be set aside in the 2016/17 and 2017/18 budgets for the completion of asbestos management surveys, with the Strategic Lead – Housing, Health & Environment and the Portfolio Holder – Sustainable Homes and Communities being given delegated authority to approve additional funding if required to ensure this work is completed.

46 Handy person trial review

The Board received a report from the Property and Asset Manager on the success of the first two months of the trial handy person scheme. The report also set out reasons for potentially extending the trial. The trial scheme was currently open to all tenants in sheltered accommodation, all tenants over 70 years of age or with a disability, and all tenants on the individual garden maintenance scheme. The trial was being run in two areas, with a contractor employed in each area. The east area of the district currently had further capacity and the Property and Asset Manager suggested opening up the service to a wider area.

The pilot scheme was being carefully monitored with tenant feedback and how it was helping people to stay in their homes, as well as being evaluated for financial viability.

RECOMMENDED: that the handy person scheme's success be noted and that the trial be extended to a wider area, at the discretion of the Property and Asset Manager.

47 The tenant's journey – a longitudinal study proposal

Consideration was given to the report of the Information and Analysis Officer. This outlined a new and improved research approach for collecting information on tenant experiences and expectations of their homes and the services the housing service provided. The Council had the opportunity to work in partnership with the University of Birmingham on an innovative research project exploring the impact its housing had on the lives of its tenants. The longitudinal study would provide the housing service with practical insights into the services it provided. It would also be an original and important contribution to the current policy and national research debate.

RECOMMENDED: that the STAR survey be replaced with a longitudinal study to enable better collection of tenant satisfaction and performance data.

48 Housing and Planning Bill briefing

The Strategic Lead - Housing, Health and Environment's report alerted the HRB to the publication of the Housing and Planning Bill, and provided reference to initial briefings on the content of the Bill. He would be keeping the Board updated in the future.

RECOMMENDED: that the Strategic Lead – Housing, Health & Environment and the Portfolio Holder – Sustainable Homes and Communities meet with Planning to discuss the Bill and its implications and report back to the next meeting of the Housing Review Board.

RESOLVED: that the main contents of the Housing and Planning Bill be noted.

Attendance list

Present:

Cllr Pauline Stott (Chairman)
Cllr Megan Armstrong
Cllr Ian Hall
Cllr Jim Knight

Co-opted tenant members:

Pat Rous (Vice Chairman)
Angela Bea
Mike Berridge
Joyce Ebborn
Harry Roberts

Independent community representatives:

Julie Bingham
Christine Drew

Officers:

Sue Bewes, Landlord Services Manager
Natalie Brown, Information & Analysis Officer
Amy Gilbert, Property and Asset Manager
John Golding, Strategic Lead - Housing, Health and Environment
Andrew Mitchell, Housing Needs & Strategy Manager
Jane Reading, Tenant & Communities Section Leader
Kerry Spittle – Right to Buy Officer
Alethea Thompson, Democratic Services Officer
Mandy White, Accountant

Also present:

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities
Cllr David Barratt
Cllr Helen Parr
Eric Howard - tenant
Victor Kemp – tenant

Sylvia Martin - Tenant Scrutiny Panel
Roger Pell – Tenant Scrutiny Panel
John Powley - tenant
Annette Wheeden - tenant
Jenny Vernon - consultant

Apologies:

Cllr Douglas Hull
Cllr Steve Gazzard
Giles Salter - Solicitor

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Scrutiny Committee held at Knowle, Sidmouth on 12 November 2015

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.35pm.

***34 Public speaking**

There were no public speakers at this point of the meeting.

***35 Minute confirmation**

The minutes of the Scrutiny Committee held on the 15 October 2015 were confirmed as a true record.

***36 Declarations of Interest**

No declarations were made.

37 Broadband update

The Chairman welcomed Councillor Phil Twiss, Portfolio Holder for Central Services, who gave a brief update from his perspective in how the District Council could influence the delivery of Broadband to the district. He outlined:

- Continued lobbying by the District Council of Connecting Devon and Somerset
- Pushing for 100% coverage for the district
- Asking for technology to be in place as best suited for rural areas
- Ongoing dialogue with other service providers in order to be prepared with other options should Phase 2 not deliver the aim of 100% coverage.

The Chairman welcomed Phil Roberts from Somerset County Council, who worked as part of the Connecting Devon and Somerset (CDS) team; and Paul Coles, British Telecommunications (BT) South West Regional Partnerships Director. To complete the debate, the Chairman welcomed Graham Long, from Uplyme Parish Council and Chairman of Broadband for Rural Devon and Somerset (B4RDS), a local group.

Devon County Council's Place Scrutiny Committee had recently debated the topic of broadband delivery, and Councillor Andrew Moulding, as Chairman of the Place Scrutiny Committee, was present to highlight the findings of the County's scrutiny work. A number of recommendations were made at County level, and that committee receives a further update at their meeting on 16 September 2015.

Connecting Devon and Somerset (CDS) is a partnership of local authorities that has entered into a contract with BT for the delivery of superfast broadband procured under the national rural broadband framework commissioned by Broadband Delivery UK (BDUK) for Phase 1, to be completed by end 2016. CDS partners have provided capital investment, and secured a £32m grant from the Broadband Delivery UK (BDUK) alongside secured investment from BT giving a contract value of £94m. The technical solutions to deliver the target coverage are Fibre to the Cabinet, with a small percentage of Fibre to the Premise. Phase 2 is the second contemporaneous contract to deliver 95% by 2017 that was not awarded to BT and therefore going to open market tender.

CDS had recently issued a member briefing which outlined progress to date, including:

- Phase 1 (90% coverage) was ahead of schedule and two-thirds complete, with 217,000 premises connected. Take up of the service where the property had been connected for over a year was in excess of 30%;

- Phase 2 (95% coverage) included discussions with potential suppliers over the summer months to help shape the open market tender; and the open market review (OMR) has been launched, with a draft map of areas eligible for public funding in this phase due to be published for public consultation early in the new year.

Graham Long was keen to stress to the committee that:

- The National Audit report outlined the “advanced overage” which permits a claw back of funds from BT if the take-up rate of superfast broadband does not reach the threshold set in the contract. He wanted to check if this had been claimed;
- There was a risk that the Phase 2 contract could fail again if there was not the commitment of funds from the District Councils. He stressed that all District Councils in both Devon and Somerset needed to work together on this to bring about delivery;
- Press statement by Ed Vaizey, Minister of State for Culture, Media & Sport, and Business, Innovation & Skills on providing the final 5% coverage offered a mail out of vouchers for satellite systems. Graham stressed that satellite systems were not suitable for broadband delivery.

Questions from the committee to the invited witnesses and subsequent debate included:

- 4G mobile technology was an option for remote areas but was not a suitable technology for the speed of broadband required in the future;
- stress to the committee that there was still a second audit outstanding on the work of the CDS to be undertaken by Grant Thornton, as agreed and funded by the County Council. The first audit had been undertaken by the Devon Audit Partnership (DAP), a shared service of Devon, Plymouth and Torbay councils;
- National Audit Office report stated that delivery on Phase 1 was 6 months ahead of schedule, under budget and representing value for money;
- In response to BT profit margins, investment by BT nationally was outlined including into technologies for ultrafast broadband. Varying speeds across Europe were acknowledged but there were variances in the type of technology and the level of investment to deliver higher speeds;
- Early market engagement for Phase 2 in October 2014 attracted 26 interested parties but at that time CDS were not looking at an open market tender
- clarification on the timeframe of the open market review and tender process, as there appeared to be discrepancies between published dates in the members briefing provided by the CDS and the update report provided to the County Council. This was clarified as February 2016;
- Technology in place on the moors in Devon was working well and could be an option for some delivery in other remote areas, with good comparison costs to Fibre to the Cabinet (FTTC);
- Options for delivery were explained including the wireless technologies available. Satellite was not an option for long term delivery;
- Any customer could apply to BT as a service provider to request fibre from the cabinet to their premises directly at their own cost;
- Evaluation criteria used in open market procurement to ensure fair process to all tenders. No preference could be given by CDS as to delivery by one or by multiple providers as this would prejudice the tender process;
- Why were the CDS board members not listed in the public domain? This could not be answered as the CDS representative was not aware of where this could be obtained publically;

- Claw back value was clarified as approximately £4.9m by CDS but Graham Long disputed that figure and advised the committee that was half of what could be obtained.

RECOMMENDED

1. Connecting Devon and Somerset (CDS) be encouraged to pursue an open tender exercise for providers for Phase 2 of broadband delivery;
2. CDS be asked to investigate alternative technologies, including cable less technologies for rural areas, and remain technology neutral;
3. CDS be asked to give priority to isolated and rural communities;
4. The District Council continue to investigate additional providers once the Phase 2 tendering process is completed, as necessary.

38 Evaluation and protection of Trees Task and Finish Forum update

The Chairman welcomed Charlie Plowden, Service Lead for Countryside and Leisure; David Coleman, Arboricultural Officer; and John Golding, Strategic Lead Housing, Health and Environment.

The Forum was concluded in March, and reported to the committee in June, with a number of recommendations. Included in the recommendations was recognition of the systems thinking review about to be undertaken. Since the recommendations were agreed by Cabinet, the Arboricultural Team has been undergoing this lengthy process and has completed the “check” stage to identify procedures requiring modification to better meet customer demand.

Refining the processes of the team will enable work to progress on the agreed recommendations, so some of the actions requested by the Forum will not be implemented until the systems thinking review has been completed. What has been clearly identified even at “check” stage is the need for more staff resource within the team, and the draft budget will incorporate a request for resources.

The Forum recommendations would also be set out in the Service Plan for the countryside team, which the committee could monitor through its regular monitoring process.

Debate by the committee covered:

- Disappointment from the Chairman in real progress against the recommendations;
- Unrealistic expectation on timescale for delivery, in the context of lack of resources for current team;
- Enforcement of felling of protected trees needed review in order to be fully effective and act as a deterrent;
- Clear respect for the work undertaken by the team and need for Members to show support, particularly in seeking additional staff resource;
- Reminder of the sheer scale of protected trees in the District and the pressure of statutory work that has to be completed, which impacts on other work of the team including acting on the recommendations;
- Specialised field of work means that the team cannot look to using staff from the wider Countryside Team.

A learning point from this Forum for future work was for the Members to give an indication of the resources required for any recommendations they put forward, as well as a realistic timeframe for implementation, subject to agreement by Cabinet.

RESOLVED

1. That the committee recognise the hard work of the Aboricultural Team and the importance of the service;
2. The intention to embed the recommendations in the service plan is noted and the committee trusts that the recommendations will be implemented in that service plan period

RECOMMENDED

That significant resource allocation takes place to achieve the service requirements of the Aboricultural Team.

39 Performance monitoring report for second quarter 2015/16

The committee received the report highlighting three service objectives showing concern, and three performance indicators showing concern.

Performance relating to the number of random vehicle licence checks was expected to improve following the return to work of an employee on long-term sick leave and barring any further legislative changes by the DVLA.

The Vice Chairman requested the phrase “hoped that” to be removed from any officer comments as that could imply that the work would not be achieved.

Comments on specific indicators that could not be responded to at the meeting will be followed up and reported back to the next meeting.

The committee welcomed the improvements to the officer comments fields in terms of explaining acronyms and giving fuller explanations.

40 Scrutiny forward plan

The committee was informed of an additional meeting, to be held jointly with the Overview Committee, on the 9 February 2016 at 6pm. This meeting was to discuss the refuse and recycling contract prior to Cabinet’s consideration.

An item on the Mill Street press release, as requested by Councillor Gardner, was tabled for the 10 December meeting of the committee.

Attendance list

Committee Members present:

Roger Giles (Chairman)

Alan Dent (Vice Chairman)

Dean Barrow

Simon Grundy

Marcus Hartnell

Brenda Taylor
Cherry Nicholas
Val Ranger
Marianne Rixson

Other Members present:

Phil Twiss
Andrew Moulding
Peter Bowden
Pauline Stott
Jill Elson
Ben Ingham
Dawn Manley
Tom Wright
John Dyson
Peter Faithfull
Geoff Jung
Iain Chubb

Officers present:

Charlie Plowden, Service Lead for Countryside and Leisure
David Coleman, Aboricultural Officer
John Golding, Strategic Lead Housing, Health and Environment
Anita Williams, Principal Solicitor and Deputy Monitoring Officer
Debbie Meakin, Democratic Services Officer

Committee Members apologies:

David Chapman
Cathy Gardner
Alison Greenhalgh
Bill Nash
David Foster

Other Members apologies:

Susie Bond
Mike Howe

Chairman

Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 17 November 2015

Attendance list at end of document

The meeting started at 6.00pm and ended at 9.00pm.

***14 Chairman's introduction**

The Chairman welcomed the committee members to the meeting

***15 Public speaking**

There were no public speakers at this point of the meeting.

***16 Minute confirmation**

The minutes of the Overview Committee held on the 22 September 2015, were confirmed as a true record.

***17 Declarations of Interest**

Cllr Graham Godbeer declared a pecuniary interest in item 22 below as he undertook some veterinary work for the Environmental Health Service.

***18 Draft Council Plan 2016-2020**

Members received the Draft Council Plan 2016-2020 that was presented to members by Councillor Tom Wright and Karen Jenkins – Strategic Lead Organisational Development and Transformation, following work undertaken by the Corporate Business Think Tank. The Draft Council Plan 2016-20 incorporated a new council ambition, 4 key priorities and actions, which were:

- Encouraging communities to be outstanding;
- Developing an outstanding local economy;
- Delivering and promoting our outstanding environment;
- Continuously improving to be an outstanding council.

as well as refreshed council values.

It was recognised that the Council Plan was a pivotal document, which set out the context of travel and key priorities for the council's staff and its members for the next term. It was an important document for informing our residents, visitors, town and parish councils, businesses and other partners about the Council's key priorities and how and where the Council would direct its financial and other resources.

Debate on the issue also included:

- Importance of supporting communities in East Devon;
- Opportunity provided for improved economic performance through the Council Plan
- Endorsement of the primary importance of neighbourhood local plans;
- Need for improved sports and recreation provision in East Devon;
- Speed of action and the need for sense of urgency should be portrayed;
- The Council Plan would be refreshed every 2 years;
- The main aims of the draft Council Plan fitted in well with the Greater Exeter agenda.

Councillor Tom Wright wished to thank members of his Think Tank and Karen Jenkins for the work they had undertaken on preparing the draft Council Plan 2016 – 2020.

RESOLVED that the contents of the report and the comments made at the meeting be noted and incorporated into the draft Council Plan, including endorsement of the importance of neighbourhood local plans.

19 Exmouth Beach Management Plan

The Committee received a report from John Golding, Strategic Lead – Housing, Health and Environment, which invited them to consider and recommend the adoption of the Beach Management Plan for Exmouth.

The Chairman welcomed Alan Frampton from ch2m, who provided a report on the extensive technical work making up the Plan and which underpinned the recommendations made in respect of future management and maintenance of the beach, and hard engineering structures that maintained coastal protection.

The BMP recognised the importance of the Exmouth beach in terms of the amenity and coastal defence properties and outlined the ways in which the Council could manage and protect the beach and coastline. The BMP set out the management regime for Exmouth Beach for the next 5 years. In response to a question, Alan Frampton confirmed that Beach Management Plans (BMP) and Shoreline Management Plans (SMP) were produced for different reasons and the SMP was the more important of the two.

Debate on the issue included:

- Concern expressed over the future flooding of parts of Exmouth and that Pole Sands were being eroded. The sands were considered to protect Exmouth from flooding;
- Lack of local opinion obtained for the BMP;
- Dredging of Pole Sands could have an adverse impact upon Exmouth Beach;
- Concern expressed regarding difficulties in finding suitable funding sources for the work.

RECOMMENDED

that the draft Exmouth Beach Management Plan be adopted and the management, maintenance and monitoring recommendations be implemented, subject to concerns about obtaining funding sources for the work.

***20 Environmental Health Service**

Members noted that the Council's Environmental Health Services regulated a range of environmental and behavioural areas that helped people in East Devon to live in, work in and enjoy this outstanding place. The services underpinned a reasonable standard of wellbeing for all residents of East Devon; much of the day to day work of the service went unseen by the majority. The annual report for the service set out just how much the service did behind the scenes to prevent problems and where problems did arise how hard they worked to overcome these.

A member of the Committee expressed concerns about the lack of visible presence in East Devon of Dog Wardens to deter dog fouling. Andrew Ennis - Environment Health and Car Parks, reported on the success of dog bins in East Devon and that reports of dog fouling had reduced greatly in recent years, due to more responsible dog ownership.

RESOLVED

that it be recognised that the health, safety and wellbeing of our residents, workers and visitors were being safeguarded by the work of our Environmental Health teams. In particular to note that they continued to: inspect food businesses and investigate complaints about the safety of food; resolve complaints about workplace health and safety and promote good practice; investigate infectious diseases and prevent their spread within the community; prevent and control environmental pollution including the control of smoke, odours, flies and noise; promote and enforce public health and pest control legislation; provide advice on the likely impact of new development and on a variety of licensing matters; develop the Council's new permanent in-house pest control and dog warden services alongside a range of other duties including reporting bathing water quality and arranging funerals (where no other arrangements are being made to dispose of the body of a deceased person in the district).

21 Environmental Health Licensing Policy

Members received the report of Andrew Ennis, Service Lead - Environment Health and Car Parks, which sought Members' endorsement of the restrictions placed on residents running a business of home-boarding for other people's dogs and of the proposals for the proper regulations of new businesses providing day-care for other people's dogs.

The Committee noted that there were currently over 30 dog home boarders licensed in East Devon and it was likely that there were more than this unregistered

RECOMMENDED

1. that Cabinet considers and recommends to Council to formally adopt the conditions for home boarding of dogs as set out in Appendix A to the report;
2. that Cabinet considers and recommends to Council for formal adoption the conditions for Dog Day Care facilities set out in Appendix B to the report;.
3. that Cabinet considers and recommends to council the enforcement policy set out in Appendix C to the report.

22 Local Government Boundary Committee for England Electoral Review Update

The Committee considered the report of Mark Williams, Chief Executive, on the results of the member survey that the Committee had agreed should be carried out at its meeting on 22 September 2015 (minute 11 refers). Members noted that the response rate from EDDC Councillors to the survey was only 47%. Mark Williams, Chief Executive, reported that a further report on this issue would be made in February/March 2016.

RESOLVED

that the results of the member survey be noted.

RECOMMENDED

that it be recommended to Cabinet that the Council prepare a draft submission for the LGBCE on the basis of no or minimal change to the existing number of EDDC Councillors (currently 59).

***23 Overview forward plan**

The Committee discussed items for the forward plan, and agreed the following topics to be scoped before further consideration on how to proceed:

RESOLVED

That the forward plan include:

13 January 2016 – Draft service plans and budget 2016/17 jointly with Scrutiny Committee.

26 January 2016 – Discussion on planning policy and how this should be dealt with within the Council, possibly through a separate planning policy committee. Also update from Rob Murray on economic development.

9 February 2016 – additional meeting on the Refuse and Recycling contract award.

22 March 2016 – Sustainability.

Attendance list

Councillors Present:

Peter Bowden (Chairman)

Graham Godbeer (Vice Chairman)

Matthew Booth

Peter Faithfull

Pat Graham

Maria Hale

Ian Hall

Rob Longhurst

Councillors Also Present:

David Barrett

Jill Elson

Roger Giles

Geoff Jung

Marianne Rixson

Philip Skinner

Pauline Stott

Tom Wright

Officers

Mark Williams. Chief Executive

Henry Gordon Lennox, Strategic Lead – Legal, Licensing & Democratic Services

John Golding, Strategic Lead – Housing, Health and Environment

Karen Jenkins, Strategic Lead - Organisational Development and Transformation

Andrew Ennis, Service Lead – Environment Health and Car Parks

Janet Wallace, Principal Environmental Health Officer

Alan Frampton, ch2m Consultants

Chris Lane, Democratic Services Officer

Councillor Apologies:

Mike Allen

Paul Diviani

John Humphreys

Andrew Moulding

Chairman

Date.....

Report to: **Cabinet**
Joint Overview & Scrutiny
Committee



Date of Meeting: 02 December 2015
Public Document: Yes
Exemption: None
Review date for release None

Agenda item: 13

Subject: **The Devolution Debate for the Heart of the South West**

Purpose of report: To report back on discussions to date regarding possible devolution of powers to the Heart of the South West and to seek approval to the next step

Recommendation:

- 1. That members note the progress to date regarding the devolution debate**
- 2. That the Leader have delegated authority to sign the proposed Devolution Bid on behalf of EDDC**

Reason for recommendation: The Leader and CEO, together with the Leaders and CEOs of the various authorities within the Heart of the South West area, have been debating the possible content of a devolution bid to Government. The next stage in the process is to submit the bid by the 18th December. As the final version of the bid has not yet been finalised, delegated authority is required.

Officer: Mark Williams, Chief Executive mwilliams@eastdevon.gov.uk ext: 1695

Financial implications: None at this stage

Legal implications: None at this stage

Equalities impact: Low

Risk: Assuming that a finalised version of a bid can be agreed, failure on the part of EDDC to sign the bid will mean that no bid from the Heart of the South West area can go forward

Links to background information: See previous e-mails to all councillors and also the newsletters issued by the Heart of the South West Devolution Programme Management Office

Link to Council Plan: All aspects

Report in full

1. Members will be aware that the Leaders of the various authorities in the Heart of the South West area have been debating a possible devolution bid to Government following its expression of willingness to enter into a national debate. The geographical template for a devolution discussion has been the relevant Local Enterprise Partnership (LEP) area. This comprises the areas covered by Devon County Council, Somerset County Council, Plymouth City Council and Torbay Council.

2. The essence of the debate is twofold:
 - a) What is important to the area and what powers are sought?
 - b) Is the Government convinced that a local solution will deliver better results than the current 'centralist' approach?
3. A Statement of Intent was issued from the Heart of the South West area in September. A copy was forwarded to all Councillors by e-mail on the 7th September and a further copy is attached as Appendix 1. I further updated all Councillors by e-mail on the 19th October with confirmation that matters would be reported to Cabinet on the 2nd December. Further e-mails have provided appropriate updates and links to newsletters.
4. It is also relevant that Councillors are mindful of the Council's existing Council Plan and the discussions that have led to the proposed new plan which is also on the Cabinet agenda for the 2nd December. The contents of these 2 documents have informed the approach that the Leader and CEO have taken into the discussions with others since they confirm what is important for East Devon.
5. In terms of what has been happening elsewhere in the country, a number 'devolution deals' have been announced. A pattern of what the Government appears prepared to agree to is starting to emerge and the following link from our external auditors, Grant Thornton, provides a useful summary: <http://www.grantthornton.co.uk/en/insights/making-devolution-work/>
6. I would refer in particular to the PDF document and especially pages 13 to 15 which summarise 4 of the announced deals. Although more deals have since been announced, there is a pattern that is emerging with the extent of power and funding that the government is prepared to devolve being linked to the governance model the local area is prepared to entertain. The table on page 14 makes this clear and I would highlight in particular the contrast between the Greater Manchester and the Cornwall deals.
7. In terms of our own local debate we have been very mindful of the adage that 'devolution is a journey, not a destination'. The 'Heart of the South West' is a relatively new construct but already we are starting to see a consensus emerging around the fact that there are three economic power bases for the area. These are (working from south to north):
 - a) Greater Plymouth
 - b) Greater Exeter, and
 - c) Bridgwater/Hinkley Point/Taunton

This consensus has also influenced the debates to date and one of the key issues has been how we ensure all parts of the Heart of the South West can benefit. In addition our own partnership working with Exeter City Council, Teignbridge District Council, Devon County Council, and increasingly, the University of Exeter/Exeter College has been very informative.

8. In terms of the likely detail of a Heart of the South West devolution bid, work is ongoing and a number of discussion/drafting meetings will be taking place after this report is published. However, all the meetings and the various work themes are based around getting potential agreement on the following matters:

Productivity and economic growth

Devolving powers over skills, apprenticeships, and business support, including more flexible, joined up funding and investment

Greater control over the public sector property portfolio

Health, social care and wellbeing

Reducing ill-health and reliance on health and social care services

Support to deliver integration of health and social care

Improved connectivity and resilience

Better coordination of infrastructure and local growth

More housing and economic infrastructure

Improved coordination and delivery of flood and coastal defence, protection and prevention infrastructure

Governance

The expansion of existing arrangements to create a pan-local authority Leaders Group, Committee or Assembly that co-opts other key partners

Supported by a Chief Executives Group developed from existing groups to support the Joint Leaders Group / Committee / Assembly

'Passporting' of powers down to areas or themes using existing formal decision-making structures where possible

9. It is my intention to update members with more details of what has been further debated and/or provisionally agreed in respect of the matters referred to above with a presentation at the Joint Overview/Scrutiny meeting scheduled for the afternoon of the 2nd December, prior to the Cabinet meeting later that day. If any councillors have any queries before then, please do not hesitate to contact me.

① Heart of the South West

Statement of Intent

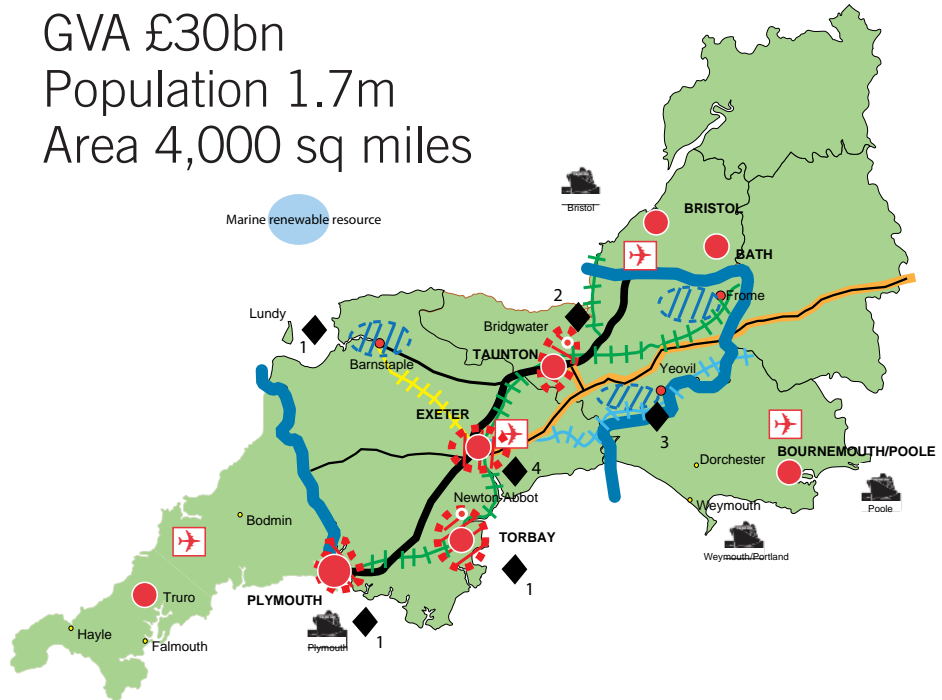
Towards a devolution deal

September 2015



② Heart of the South West...

GVA £30bn
Population 1.7m
Area 4,000 sq miles



- LEP Boundary
- Principal urban areas
- Principal growth areas for employment, housing and infrastructure
- Secondary growth areas for employment, housing and infrastructure
- Ports
- Airports
- A30/A303/A358 corridor improvements package
- Improvements to Waterloo to Exeter railway line
- M5 motorway/trunk road network and junction improvements
- Exeter to North Devon rail improvements
- Great Western rail improvements
- Golden opportunities: 1. Marine: Plymouth, Torbay & Appledore
2. Hinkley 3. Yeovil Aerospace 4. Innovation Exeter and Science Park



Outcomes we want by 2030

£ GVA of £49bn

163,000 new jobs



179,000 new homes

3%+ annual growth



Improved journey times to the South West



Public sector challenges

Over £4bn net local government and health spend

186,620 people provide unpaid care every week



Integration of health and social care

12% of working age people have a long-term health condition



By 2035

31% of residents aged over 65



7% aged over 85

③ We are successful, we are ambitious, we are ready:

...we are the Heart of the South West.

Our ambitions are clear for us and our nation's economy:

- **To unlock productivity:** creating the right conditions for growth, developing our workforce and capitalising on our assets
- **To improve health, care and wellbeing:** we will deliver a world-class integrated health and care system within our communities
- **To improve connectivity and resilience:** we will ensure our businesses are not hampered by poor infrastructure or extreme weather

Our Statement of Intent has these three ambitions at its core, and builds on strong existing relationships and a track record of collaborative working. It is a joint document by all 17 local authorities, our National Parks and our **Heart of the South West** Local Enterprise Partnership.

Why do we need devolution for the Heart of the South West?

The **Heart of the South West** is home to economic opportunities of global significance, including new nuclear, environmental science, marine industry and aerospace. Yet these once-in-generation opportunities may pass us by if we do not deliver what our workforce and businesses need to expand and grow.

We have already achieved much together, and we can do more through greater collaboration, greater efficiency, simplified communications and relationships, greater freedom and flexibility, with decision making controlled and delivered locally.

We are signalling our offer to contribute more to the nation's economic success and become the **Heart of the South West** Powerhouse.

We invite the Government to work with us on a devolution deal to achieve our ambitions.



④ Heart of the South West...

...unlocking productivity

Devolving the powers and resources to those best able to tackle our challenges and maximise our opportunities will release the productivity, competitiveness and growth that we and the nation need.

Successes...

- An acknowledged strong Local Enterprise Partnership (LEP)
- Hinkley New Nuclear
- Exeter and East Devon Growth Point
- Relocation of the Meteorological Office
- Innovation Exeter, the Science Park and university growth
- Plymouth and South West Peninsula City Deal
- Cross-boundary working on tourism and inward investment
- Delivering public sector efficiencies and savings

...and challenges

- Comparative productivity is 29th out of 39 LEP areas
- An aging workforce and major skills shortages reported in every sector of the local economy
- Our performance remains low on key productivity measures: wages, innovation, inward investment exports and global trade.



We will...

- ➔ Develop and deliver a clear business-led strategy for skills and apprenticeships
- ➔ Deliver single, simple and easy to access business support
- ➔ Review how our property portfolios can be used to drive growth more effectively

What we need...

- ➔ Joined-up locally accountable funding for education and skills
- ➔ A flexible single funding pot for investment
- ➔ Discussion with Government on fiscal reforms that incentivise investment
- ➔ A single public estate aligning national and local resources



⑤ Heart of the South West...

...improving health, care and wellbeing

We want to change the system so our priority becomes keeping people as healthy as possible for as long as possible, so we can reduce dependency on the state. This means more prevention and early intervention, person-centred care and outcome-based commissioning. Success means savings to the public purse and greater productivity in our economy. Our work is well under way: devolution will help us finish the job.

Successes...

- A good record of integrating health and social care
- Torbay's Integrated Care Organisation and Pioneer Bid status
- A £426m integrated 'One System One Budget' fund between Plymouth City Council and 'NEW Devon' Clinical Commissioning Group
- NHS Vanguard status for Somerset's 'Symphony' health and social care integration pilot project
- 'Integrated Care for Exeter', an innovative project to bring together health and care services
- Solid progress towards outcomes-based commissioning

...and challenges

- Disproportionate growth in our older population is placing unsustainable burdens on our services
- An increasing proportion of our population have long-term conditions which seriously impacts on the local economy and people's lives.

We will...

- Increase productivity by reducing ill-health and reliance on the state
- Reduce overall need for formal health and social care services
- Reduce the cost of health and social care
- Help more people with long-term illnesses or mental ill-health start or return to work

What we need...

- Freedom to pool budgets and direct resources to local need
- Freedom to develop a commissioning framework that supports local decision-making
- Freedom to establish effective, integrated governance and delivery structures
- Freedom to develop local metrics and incentives

⑥ Heart of the South West...

...improving connectivity and resilience

We will build on our proven track record of growth based on targeted investment and deliver more cost effective, innovative and focused investment. This will increase our contribution to the national economy, accelerate housing delivery and respond to environmental challenges.

Successes...

- Key infrastructure projects including the South Devon Link Road and dualling the A303/A358/A30
- High levels of house building, for example in Exeter, Taunton, Cranbrook and Sherford
- Infrastructure investment agreed as part of the Hinkley Deal
- Somerset Levels and Moors Flood Action Plan
- Connecting Devon and Somerset broadband programme
- Peninsula Rail Task Force working on a 20-year improvement plan
- Balancing protection of our environment with sensitive investment

...and challenges

- Strategic infrastructure has good coverage, but is incomplete
- Insufficient capacity of the road network and motorway junctions
- Uncompetitive travel times to London and the South East
- Incidents and extreme weather threatens transport resilience
- Housing supply not keeping up with demand
- Threats to our National Parks and Areas of Outstanding Natural Beauty.

We will...

- ➔ Improve delivery of infrastructure through better coordination with local growth
- ➔ Deliver a clear and stretching programme of investment, including additional housing and economic infrastructure
- ➔ Improve coordination and delivery of flood and coastal defence, protection and prevention infrastructure

What we need...

- ➔ Exploration of additional powers to support our growing population and economy
- ➔ Locally pooled funding and greater financial independence and certainty
- ➔ Greater local control over infrastructure and resilience budgets and decision-making
- ➔ Extension of the Strategic National Corridor to include Plymouth

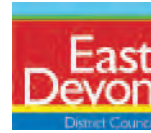
⑦ Our working principles

Devolution to the **Heart of the South West** area must be built on principles that all can sign up to. It is essential that local authority partners, other public sector and commercial stakeholders and Government share a common approach and are clear how to proceed.

To achieve that, we have drafted eight key principles that are central to our approach to devolution:

- **A politically-led process** without local government reorganisation
- Powers devolved to councils collectively working with the **Heart of the South West** Local Enterprise Partnership, then passported to the **appropriate level**
- Space for collaborative propositions with **other authorities within the wider South West**, on issues where it would make sense
- **Equal voice** for all of the local authorities involved
- A pragmatic and flexible, **mutually supportive approach**, ensuring that no authority would be disadvantaged, even if they would not directly benefit
- Arrangements focussed on gaining **new powers** that are currently unavailable to local authorities and will deliver benefits for all.
- Wherever possible, partners will use or adapt existing arrangements to manage and deliver on proposals to **avoid extra layers of bureaucracy**
- Cost-effective solutions, pursuing **fiscal neutrality** in line with Government expectations.

We will use these principles to develop governance arrangements to support our devolution deal.



Working together

South Hams District Council

West Devon Borough Council



Report to: Cabinet
Date of Meeting: 2 December 2015
Public Document: Yes
Exemption: None
Review date for release: None



Agenda item: 14

Subject: Draft Council Plan 2016- 2020

Purpose of report: This report and the attached draft Council Plan V1.14 document is presented to Cabinet incorporating feedback from the Overview Committee of 17 November.

The Council Plan has been drafted following work undertaken by the Corporate Business Think Tank. The draft Council Plan 2016-20 incorporates a new council ambition, 4 key priorities and actions as well as refreshed council values.

The Council Plan is a pivotal document which sets out the context, direction of travel and key priorities for the council's staff and its Members for the next term.

It is an important document for informing our residents, visitors, Town and Parish Councils, business and other partners about the council's key priorities and how and where the Council will direct its financial and other resources.

Recommendation: That the Cabinet reviews the draft Council Plan and makes recommendations for amendment or additions to the document.

Reason for recommendation: The reason for the recommendation as outlined is so that Members of the Cabinet can debate the contents of the draft Council Plan and review this in advance of its publication.

Officer: Karen Jenkins, Strategic Lead Organisational Development and Transformation kjenkins@eastdevon.gov.uk ext:2762

Financial implications: The Council Plan sets out the strategy and priorities of the Council, service plans and the annual budget process will bring the necessary actions together to deliver the Plan in terms of financial resources and these will be considered in the annual budget approval process.

Legal implications: The Council Plan forms part of the policy framework which governs the operation of the Council. The Plan requires full Council approval before implementation but its development is informed following consideration by both Overview Committee and Cabinet prior to being presented to full Council. As this report relates only to seeking the Committee's comments on the Plan, there are no legal implications arising.

Equalities impact: Low Impact

Risk: Low Risk

Links to background information:

- [Summary information from Knowing East Devon](#)

Link to Council Plan: This report replaces the previous Council Plan 2012-16.

Report in full

- 1 This report has been produced through the Corporate Business Think Tank chaired by Cllr Tom Wright. The Think Tank had cross party membership and included the following councillors:

Cllr Tom Wright
Cllr Geoff Jung
Cllr Ian Hall
Cllr Mike Allen
Cllr Peter Bowden
Cllr John Dyson
Cllr Brian Bailey
Cllr Peter Burrows
Cllr Simon Grundy
Cllr Marcus Hartnell

- 2 The Council Plan is a strategic document setting out the council's priorities, direction of travel, values and ambitions. It helps to provide organisational direction – like a business plan – so officers know where to focus their efforts to deliver Members' priorities.
- 3 The Council Plan is structured so that it sets out four key priorities, the desired outcomes for each of these priorities, specific actions which we will take and details of what our day to day services are.
- 4 The draft Council Plan reflects a growing emphasis on the council working with local communities in a way that will help them help themselves in a sustainable way.
- 5 There is also an emphasis on the growing need for the council to operate in a commercial way where it can but recognising that where our assets are concerned, commercial thinking needs to be weighed carefully with community interests and benefits.
- 6 We know that for performance monitoring and reporting purposes, our plans must be Specific, Measureable, Achievable, Realistic, Timely (SMART). Our Service Plans and individual objectives will form the SMART actions that we will take to achieve the priority outcomes set out in the Council Plan.
- 7 It is important to note that the context for the Council Plan is provided by Knowing East Devon which is an economic, social and environmental summary profile of East Devon. This provides vital data and analysis which tell a story of East Devon as a place. Please find attached summary information from Knowing East Devon and our district profile.

Draft Council Plan 2016 – 2020

Executive Summary

The Council Plan sets out our strategic direction for the next four years and beyond – what we plan to do and how we plan to do it so that we can achieve our ambition.

East Devon is independently recognised as an outstanding place and so it follows that its council must also strive to be outstanding. Everything we do is aimed at ensuring that East Devon is a place that people want to live in, work in, visit and enjoy.

Our ambition is to be **an outstanding council which works together with local people to create great value services and an outstanding community, economy and environment for East Devon, now and for future generations.**

The Council Plan is also supported by our [Transformation Strategy](#) which highlights some key principles and actions to make sure that the Council can deliver its priorities whilst remaining financially sound.

In developing this Plan we have identified the following four key priorities:

- **E**ncouraging communities to be outstanding
- **D**eveloping an outstanding local economy
- **D**elivering and promoting our outstanding environment
- **C**ontinuously improving to be an outstanding council

This Council Plan will be refreshed and updated as appropriate during 2018.

Introduction

The next four years will continue to be challenging for public services and local communities.

East Devon is no different from other local authorities and we will continue to face financial pressures with funding from central government reducing and the demands for our services increasing.

For us, the challenge is no longer just about 'doing more for less' but instead its about rethinking our purpose, design and how we deliver our services in new and innovative ways.

Our Council Plan reflects the increasing emphasis on the Council's role evolving from that of direct service provider to 'enabler'. This includes helping to support communities to come together so they can do more for themselves.

In the Plan, you will also see that there is an increasing focus on new technologies which can help us be more accessible and joined up with our communities as well as supporting more innovative ways for us to deliver our services.

These themes are also reflected in the Council's Transformation Strategy which works together with the Council Plan to steer and guide our work and activities. The Transformation Strategy highlights how the Council will transform itself through working with communities, private, public and voluntary sector partners.

As we work towards the priorities set out in this Plan, we will continue to transform service delivery with the benefit of new technologies; continue to make sure our services are always improving through our systems thinking approach and continue to develop and explore innovative ways of service delivery based on a more commercial approach which carefully weighs commercial thinking with community value/benefit.

Through delivery of the actions in our Transformation Strategy and ongoing careful management of the budget, the Council aims to manage the reduction in government grants and funding. Due to these reductions, £2.6m savings are required over the next 4 years whilst we continue to deliver against the priorities in this Plan.

And of course we cannot forget that during the lifetime of this Council Plan, the Council will relocate. Our approach will be to ensure that throughout the process of relocation we will seize every opportunity to improve the delivery of services wherever we can and that our customers can continue to access our services how and when they want them.

Our ambition is to be an outstanding council which works together with local people to create great value services and an outstanding community, economy and environment for East Devon, now and for future generations.

This Council Plan identifies the following **4 priorities** and sets out what we will do so that East Devon continues to be an outstanding place to live, work, visit and enjoy.

- Encouraging communities to be outstanding
- Developing an outstanding local economy
- Delivering and promoting our outstanding environment
- Continuously improving to be an outstanding council

How our plans fit together

Infographic of

- Local Plan
- Council Plan
- Transformation Strategy aligned to the Financial Plan
- Service Plans
- Public Health Plan
- Housing Revenue Account Business Plan
- Performance Excellence Reviews
- Corporate Annual Report and Annual Report to Tenants

Performance monitoring and feedback

[Financial plan](#)

On a monthly, quarterly and annual basis we produce reports which highlight our progress against our priorities and the objectives contained in the Council Plan and our Service Plans.

Our [Monthly Snapshot](#) picks out at a glance key events and key performance information.

Our district – infographic

Our partners

The best councils have strong partnerships arrangements and at East Devon our partners include Devon County Council, Exeter City Council, Teignbridge District Council, Mid Devon District Council, the police and fire authorities, Exeter University, Heart of the South West Local Enterprise Partnership, our local businesses, voluntary and community groups and of course our Town and Parish Councils.

Some of the emerging themes for partners, which will be developed further during the course of this Council Plan are those around ambitions for the Greater Exeter, Greater Devon and the Heart of the South West; the University's Innovation Exeter and the debate around devolution.

Engagement activity

Through our engagement activity we will continue to carry out consultations on major projects or changes to service delivery as well as working with communities to determine how they want to spend funding from development.

We will continue to carry out our [Viewpoint Residents' Survey](#) so that we can receive helpful feedback from our residents on our performance and what they think we can improve.

Context

Our [Knowing East Devon](#) publication outlines key demographic, economic and health information about our district.

The population of East Devon has an older age profile with the average age of its residents being 46.9 years (national average is 39.4 years). The 65+ age range looks set to grow more than any other over the next 10 years growing from 29.9% of the population in 2014 to 33.1% of the population in 2024. An aging population will have an impact on the provision of health care, housing requirements, the labour market and economic growth. The average household size in the district is 2.2 residents. Predominantly East Devon residents are from a white British background, with just 1.59% of the district's population coming from an ethnic background.

It is important to consider what provisions need to be made in order to meet the demand of an ageing population by looking at employment trends. The proportion of the resident working age population who are in employment in East Devon is about average, with the area ranking in the top 40% of districts nationally. In East Devon, 72.6% of the resident

working age population are in employment, compared with 76.1% in Exeter and 70.5% nationally. Currently the main types of employment are in the service industry which accounts for 85.7% of the employment in East Devon with a large section of this being in the retail, hospitality and health sectors all of which are predominantly lower paid sectors.

Continued diverse development in the district is essential in order to attract a labour market which will fulfil the future demands of the district and provide quality job opportunities particularly for the young people of East Devon

In the community of Cranbrook, we can already see the much younger demographic profile. To reflect the higher proportion of the town's population being of working age, the requirement for new jobs which are well paid and less reliant on traditional sectors will be vital to support this thriving community. Elsewhere in the district, we will support opportunities to encourage new and diverse business and jobs growth alongside traditional sectors.

Our current financial position

The overarching impact on the Council's finances, along with all other local authorities, has been the reduction in central Government funding as part of the programme of tackling national debt. From 2010/11 to 2015/16 the Council has had a 55% reduction in general Government funding to support service delivery, from £7.030m down to £3.164m.

The Council has met this financial challenge to date whilst ensuring front line service delivery is not affected, but the challenge continues with the Council finding it difficult to afford its spending plans against stated further Government spending cuts, the added pressure of inflationary increases, continued low investment income, an increasing call on services, members' ambition to enhance and improve services and a wish to keep moderate increases in Council Tax.

The Council's Financial Plan highlights a funding gap of £2.6m by 2020/21; to address this Council has agreed a Transformation Strategy which outlines how we will deliver our purpose despite the budget gap, whilst playing an integral part in meeting this deficit.

What we have already achieved?

Our achievements against the last Council Plan have been noted in our Annual Reports from [2013/14](#) and [2014/15](#).

We are particularly proud of the following achievements:

- ✓ As a shareholder of the Exeter Science Park Company, the Council and its partners have secured over £10m of Growth Deal and Regional Growth Fund monies to invest in the Science Park Centre and infrastructure. This in turn has helped to secure the circa £100m investment from the Met Office in its next super computer which is due for completion in 2016.
- ✓ At Sky Park the third strategic employment site is nearing completion.
- ✓ Leisure, culture and entertainment – Thelma Hulbert received the ‘Winner of Winners’ Award from the Devon Tourism Awards 2014.
- ✓ Sidmouth’s Manor Pavilion Theatre’s Summer Season continues as the last standing repertory season in the UK with huge commercial success following the appointment of West End Director Paul Taylor Mills.
- ✓ Our current recycling rate is 44% and is improving particularly in the areas where we are carrying out extended recycling trials.
- ✓ Our new town of Cranbrook with over 1000 homes already occupied was a finalist in national Royal Town Planning Institute Awards and won two Insider Housing Top 60 awards for best affordable housing project and the top prize and best project overall in the country.
- ✓ We have delivered our highest ever number of new affordable local homes for local people in one year totalling 388. There is also a significant number planned for delivery in 2015/16.
- ✓ Across the district, we are managing record numbers of planning applications totalling 1221 in 2014/15.
- ✓ Our success in collecting Council Tax remains consistently high and last year we collected 98.83% Council Tax.
- ✓ Our rent collection rate is consistently high and we collect 99.7% of rent due. In addition we spend £9m on works to our 4243 council homes each year (that is over £2000 per home) and our tenant satisfaction is consistently high.
- ✓ We have maintained a Local Welfare Support Scheme which provides funding for local food banks and individuals who are vulnerable.

- ✓ Significant reductions in the number of households on the housing register and homeless approaches through expanding housing options and homeless prevention initiatives.
- ✓ Our decision to sell the seafront site and ensure a high quality hotel development is showing results for Exmouth as the new Premier Inn opened its doors and is proving popular and successful creating 44 jobs for local people in Exmouth.
- ✓ Seaton Jurassic construction Phase One was completed in July 2015. Work has now commenced on the internal exhibition materials and an opening of the centre is planned for spring 2016.
- ✓ Big Belly Bins and recycling stations have been rolled out on seafront areas helping to keep the environment clean.
- ✓ We have granted key planning permissions which help support our visitor economy such as the Tramway Infrastructure, improved facilities at the popular Donkey Sanctuary and Sidmouth's Harbour Hotel.
- ✓ We have achieved two Green Flag awards for outstanding parks.
- ✓ In 2014 our Countryside Team helped to deliver a new Country Park in Cranbrook.
- ✓ The Countryside Team attract 2000 school age visitors, arrange 50 public events every year and are working with our most socially deprived wards funded by Natural England through the Naturally Health schools project. The team have also embarked on a new commercial partnership with River Cottage HQ.
- ✓ We have worked with local communities to deliver a significant number of recreational and sports facilities across the district using Section 106 funding.
- ✓ Our Home Safeguard community alarm service achieved accreditation by the Telecare Services Association for a fourth year.
- ✓ Our Council Tax & Business Rates Team and our Housing Benefits Team were both given national awards; "Benefits Team of the Year" and "Revenues Team of the year", winning Silver and Bronze awards respectively. Both teams are maintaining top performance not only compared with other Devon Councils but nationally.
- ✓ Our Licensing Service maintained their Customer Service Excellence accreditation through 2014/15.
- ✓ Established a cost effective in-house pest control service.
- ✓ We gained the South West Charter for Member Development (Charter Plus Standard) in April 2014.
- ✓ We have offered 7 apprenticeships within the council to help provide opportunities to local young people and demonstrate the value of apprentices to other businesses.

Priority one - Encouraging communities to be outstanding

As well as delivering our day to day services, our focus is on achieving the following successful outcomes:

- Balanced communities for a sustainable future.
- Services which are targeted to those who need them most, providing equality of opportunity and access to our services.
- Communities that come together to solve local problems in a sustainable way, by participating, working together and helping themselves for example through Neighbourhood Plans.
- More good quality, local homes for local people.
- Improved health and well being of people living in our communities through sport, exercise and making the most of the outdoors and through a variety of cultural and leisure activities.
- Healthy communities, with reduced preventable ill health through public health interventions.

Over the life of this Council Plan we will take the following actions to deliver these outcomes successfully:

- Deliver the Local Plan to meet the district's aspirations and needs in terms of the different housing people need and land for employment.
- Deliver quality green space and wildlife habitats alongside new development.
- When development happens, ensure that the natural environment and historic buildings are protected from inappropriate development.
- Deliver the right infrastructure through the Community Infrastructure Levy to ensure that new developments and communities have all the facilities they need.
- Ensure that Council homes are well maintained and managed effectively with high tenant satisfaction.
- Review our Business Plan for Council homes to maintain a viable level of income and expenditure following changes in government policy to ensure that we continue to achieve a high level of tenant satisfaction.
- Implement the actions and commitments in our Public Health Plan.
- Extend our range of community development activities to work with people of all ages, focusing particularly on the issues of health and wellbeing, worklessness and financial and digital inclusion.
- Ensure that the activities which require it are appropriate licensed.
- Extending the housing options service and reducing numbers on the housing register.
- Return empty homes to beneficial use.
- Protect and improve the health and wellbeing of our communities through transparent and proportionate enforcement of Environmental Health legislation.

Day to day services which support East Devon's communities include:

- Keeping food hygiene standards high through regular inspections of food businesses.
- Preventing homelessness wherever possible.
- Playing an active role in safeguarding children and vulnerable adults.
- Managing council homes that offer quality and value for money.
- Home Safeguard supporting our out-of- hours response and vulnerable clients connected to our community alarm service.
- Contributing to how safe people feel in their community through the Community Safety Partnership
- Improving the sustainability and energy efficiency of homes and commercial premises.
- Ensuring that minimum standards of safety, comfort and amenity are achieved in private rented homes.
- Looking after the parks, gardens and beaches and funding the countryside rangers and activities.
- Protecting the health and well being of individuals and communities by adopting a broad view of public health – this means delivering our public health priorities of supporting Targeted Families; preventing cardiovascular disease; raising levels of physical activity across the life-course; falls prevention; emotional health and wellbeing; action to address poverty/support those experiencing hardship.
- Funding teams which work in our communities to promote a great range of activities for residents and visitors to enjoy. This includes providing local communities with opportunities to improve their health and wellbeing through the Countryside Team's public events programme including orienteering, Nordic walking, green gym and GP referral scheme.
- Ongoing improvements to Seaton Wetlands to enhance the visitor experience.
- A partnership arrangement with LED charitable trust which we fund by around £1m every year to run our sports centres and swimming pools around the district.
- Supporting an Arts and Culture Forum which promotes the work of the Manor Pavilion Theatre, Thelma Hulbert Gallery, local nature reserves, parks and gardens ensuring all our communities have access to high quality green spaces, theatre productions and nationally acclaimed contemporary art exhibitions.
- Licensing premises appropriately to provide enjoyable and safe places but which don't detrimentally impact neighbouring properties and activities.
- Making sure that the public and participants are safe at major events taking place in the district.
- Ensuring that taxis and taxi drivers are properly licensed so people relying on or using the service are safe.
- Providing Housing Benefits and Council Tax Support (Universal Credit) in a timely and efficient way.
- A Customer Service Centre giving excellent customer service and providing the necessary support at first point of contact.
- Collecting council tax, business rates and other debts owed to the Council efficiently and fairly and in accordance with the Council's debt collection policy.

Priority two - Developing an outstanding local economy

As well as delivering our day to day services, our focus is on achieving the following successful outcomes:

- An economy which attracts inward investment.
- An economy which stimulates start ups and new businesses as well as supports existing businesses to grow to bring better paid jobs and increased wealth into East Devon.
- Generation of new income streams (reducing our dependence on council tax and government funding) adopting an approach which continues to weigh and balance commercial interests with community benefit and value.
- Greater investment and economic growth into East Devon through strategic working with neighbouring authorities and other agencies.
- Promotion of East Devon and the wider region to create value and enjoyment of the area.

Over the life of this Council Plan we will take the following actions to deliver these outcomes successfully:

- Increase income from existing assets either directly or through local partnerships.
- Identify and bring forward a pipeline of regeneration and development projects across the lifetime of the Council Plan to deliver benefits through regeneration and/or capital receipts.
- Actively seek external funding and explore alternative delivery mechanisms for a series of priority regeneration and development projects.
- Create opportunities through partnership and the planning process and by acting as a facilitator to bring about further development on strategic employment sites to attract new jobs into the district.
- Work in partnership with and gain the positive support of Town Councils and local partners to identify and deliver new opportunities for regeneration.
- Implement the serviced workspace study recommendations and initiate site specific detailed reviews and business cases to seek investment and funding.
- Continue to support the growth of the Greater Exeter's economy through promoting employment sites identified in our Local Plan.
- Deliver projects to help create the conditions for local economic growth in partnership with neighbouring authorities where shared objectives exist and improved efficiencies evidenced.
- Work with Exeter and Heart of Devon (EHOD) partner economic development teams to produce a joint economic development strategy which prioritises inward investment.
- Secure new job opportunities in conjunction with development arising from the Local Plan for local residents (both young and disadvantaged in the labour market).
- Deliver our target to pay businesses within 10 working days and through our Procurement Strategy encourage local business to do business with the Council.

- [Work closely with our rural, coastal and market town economies to encourage business resilience and growth.](#)

Day to day services which support East Devon's economy include:

- Promoting and improving our town centres and high streets to encourage community identity, local services, more trade and stronger businesses.
- Managing the successful operation and opportunities provided by the East Devon Business Centre.
- Improved and targeted engagement with our business community.
- Ensuring that economic impacts are considered in responding to and deciding upon the relevant planning decisions.
- Ensuring there is an adequate supply of employment land to facilitate the expansion of businesses and to assist 'start up' companies.
- Working with employers and training providers to give local people a competitive edge to sustain existing employment and encourage new skilled and better paid jobs in new sectors.
- Providing business support, innovation and networking opportunities for small and medium size businesses and lobbying on their behalf.
- Lobbying for better and more comprehensive broadband coverage to support the rural community and businesses.
- Continuing to work with our towns to review and optimise the arrangements of parking and charges for the benefit of East Devon and its communities.
- Progressing partnership arrangements with the Science Park, Local Enterprise Partnership and Exeter University.

Priority three - Delivering and promoting our outstanding environment

As well as delivering our day to day services, our focus is on achieving the following successful outcomes:

- Protection and enhancement of our natural and built environment.
- Abundant leisure opportunities and quality open spaces.
- Controlling pollution of the air, land and water via education and appropriate enforcement of environmental legislation.
- Further reductions in the waste that East Devon produces.

Over the life of this Council Plan we will take the following actions to deliver these outcomes successfully:

- Enter into a new innovative recycling and waste collection contract extending the options for recycling and reducing waste that is incinerated or land filled.
- Use the consultation feedback from the trials to roll out this recycling and waste service across the district.
- Adopt a Green Space Strategy, the purpose of which is to value and help protect our natural environment.
- Progress the actions and priorities set out in the Playing Pitch Strategy to deliver sufficient and flexible, good quality playing pitches.
- Adopt Beach Management Plans for our beaches working closely with Town Councils; manage the risk of coastal erosion and flooding.
- Expand our Countryside offer with a diverse range of events and activities on our green and open spaces.
- Deliver high quality green infrastructure as part of new developments as a minimum in accordance with policy requirements.
- Implement a programme of fuel efficiency measures for Council properties.
- Monitor and where it is possible to do so, improve the quality of private water supplies, bathing water and the air we breathe.
- Explore opportunities for securing a Blue Flag for the beaches in East Devon.

Day to day services which support East Devon's environment include:

- Keeping our streets and countryside clean and attractive by dealing with litter, graffiti, dog fouling and fly tipping and taking action against those who break the rules.
- Collecting your residual waste and recycling and helping you to recycle more.
- Maintain our parks and gardens to a high standard, and ensure that the features and activities encourage users to enjoy the facilities.
- Supporting the Areas of Outstanding Natural Beauty and Jurassic Coast partnerships to realise the environmental assets of our district.
- A Countryside Team that engages volunteers and local communities in managing our local nature reserves to help our wildlife flourish.

- Working to help promote East Devon’s outstanding natural environment as a destination for nature based tourism and providing income for the local economy and local jobs.
- Working with our partners for the Areas of Outstanding Natural Beauty and Jurassic Coast to help promote East Devon’s outstanding natural environment as a destination for nature based tourism and providing income for the local economy and providing local jobs.
- Valuing, protecting and managing our tree stock through education, advice and enforcement.
- Maintaining our wide range of assets (from play areas to bridges and beaches) in good condition.
- Working with our partners to support the management of flood risk and progress identified schemes that reduce the risk.
- Maintaining a programme of inspection of potentially polluting businesses and investigate complaints, concerns and polluting incidents reported to us.
- Providing property search information to ensure potential purchasers have all the necessary environmental and other official details made available to them.

Priority four - Continuously improving to be an outstanding council

As well as delivering our day to day services, our focus is on achieving the following successful outcomes:

- A culture that promotes continuous improvement, innovation, commercial thinking and new ways of working.
- Improved digital services giving customers the opportunity to self serve where they want to.
- Services which are as good as they can be using systems thinking principles.
- Skilled, motivated and engaged workforce.
- Helpful policies and the right technology to support our new ways of working (WorkSmart).
- A Council that prioritises keeping our residents informed.

Over the life of this Council Plan we will take the following actions to deliver these outcomes successfully:

- Implement the approved Strata Business Plan (a wholly owned ICT company by East Devon, Exeter City and Teignbridge Councils) in order to deliver savings, reduce risks and improve capability for IT enabled change.
- Relocate to Honiton and Exmouth Town Hall and establish surgeries where necessary to meet identified demand for particular services.
- Continue to develop self service capability of our website so that customers can access services online if they wish to.
- Implement the technologies needed to support our new ways of working.
- Improve procurement and continue to identify opportunities to save money across Teignbridge, East Devon and Exeter City Council as well as through established frameworks nationally.
- Retain our Investor in People Award following reassessment.
- Increase membership of our corporate digital magazine.

Day to day activities that keep us improving are:

- Asking our residents, stakeholders and partners for their views through our viewpoint surveys and other consultations.
- Encouraging and supporting tenant scrutiny of our Housing Services.
- Undertaking further tenant's satisfaction surveys and benchmarking of performance with peers.
- Providing outstanding Human Resources, Organisational Development, Legal and Democratic Services support so that front facing services can deliver their objectives.
- Working together as one Council team to deliver and support new ways of working.
- Legal department and Democratic Services will act as 'critical friends' in pursuit of the Council's transparency agenda.
- Delivering on the remaining actions identified in the Council's Procurement Strategy.
- Continued implementation of self service functionality for customers to access and update their records on Council Tax, Business Rates, Housing Benefits and Council Tax Support.
- Ensuring the services customers request from our customer service centre can be accessed online as a more convenient option if they wish.
- Delivering of accurate, timely and relevant financial information, monitored by the Council and available to the public.
- We are a Gold Standard Investor in People and we will continue to work to maintain this standard so that we can recruit and retain the best people to deliver Council

How we go about our work

Our **values** influence the way we work and are there to help sum up what we stand for:

- **Great services and great service, first time, every time**
- **Innovative, always improving**
- **Open, clear and transparent**
- **One Council team**

The way we work is also informed by our [Behaviours Framework](#) which sets out the behaviours that we value. Every officer has regular 121 reviews as well as an annual performance review which looks in detail at how well they have delivered against their objectives and how well they have demonstrated the behaviours that we value and which make East Devon District Council a place where people want to work.

These are:

- Simplicity in communication
- Systems thinking and excellence in service delivery
- Trust and respect
- Accountability
- Working together
- Excellence in leadership

Following feedback from our Staff Engagement Surveys, our managers have signed up to our [Managers' Charter](#) and our [Managers' Commitments](#) so that we can help ensure that our managers help continue to live our values and foster a great culture.

Organisational Development has arranged specific training for 'commercial thinking' and 'managing dispersed teams' has been put in place for officers to help deliver this Council Plan.

Report to: Cabinet
Date of Meeting: 02 December 2015
Public Document: Yes
Exemption: None



Agenda item: 15

Subject: 2016/17 Council Tax Support Scheme

Purpose of report:

Council Tax Support (also known as Council Tax Reduction) was introduced on 1 April 2013 replacing Council Tax Benefit, which was previously fully funded by Department for Work and Pensions. Council Tax Support (CTS) is a local reduction scheme. The scheme for working-age customers (those below the age to claim State Pension Credit) is set out in our Council Tax Reduction Scheme Policy. See link under background papers for our draft policy for 2016/17. The scheme for pension-age customers is a separate national scheme and is prescribed within legislation.

It is a legal requirement that every year a new local scheme must be approved by 31 January of the preceding financial year. Any proposed changes to the scheme must be subject to public consultation before the new scheme can be adopted.

This report is seeking Members approval to continue with the current scheme for 2016/17. Our scheme allows for the annual uprating of allowances and income in-line with Housing Benefit Regulations and CTS (pension age) prescribed regulations.

Recommendation:

To recommend that:

- the Council Tax Scheme for working age customers is approved for 2016/17 (unchanged from 2015/16). Delegated authority is included in the Policy to the S151 Officer and the Portfolio Holder for Finance to take into account any typographical issues and any further changes in law, government guidance or policy.
- The Council Tax Support Grant passed to Town and Parish Councils for 2016/17 is reduced by 27% in line with this Council's expected reduction in its Revenue Support Grant from Government in 2016/17.

Reason for recommendation:

Devon Chief Executives and Leaders at the Devon Local Government Steering Group meeting in May 2015 considered whether changes should be made to the 2016/17 or 2017/18 schemes. The consensus was to continue with the current scheme for 2016/17 but that Devon districts would look to make changes to the 2017/18 scheme. The reason for this was that any changes to the scheme would need to be properly consulted and responses evaluated. It was recognised that making changes to the scheme requires a significant amount of work as well as a long lead in period at a time when it was expected the Government would announce further cuts to welfare spending.

All Devon District Authorities are looking to retain their current scheme for 2016/17 and are not proposing to make changes to their scheme until 2017/18. Across Devon we have very similar schemes. By working together we can share the administration burden when implementing changes to scheme, for example cost of consultation, design of literature, communication material, etc.

All Devon District Authorities are currently undertaking work which is being funded by the major precepting authorities on initiatives to grow the tax base. In East Devon we are currently undertaking; a review of Single Person discounts and a targeted review of CTS cases. The aim of these reviews is to identify unreported change in circumstances where customers are no longer entitled to receive the discount or they are being overpaid CTS. The combined income already achieved from these two initiatives has resulted in £321K additional council tax. This increases the collection fund of which East Devon receives approximately 10%. This work is vital to ensure that people are only receiving what they are entitled to and means that these savings being identified will help to mitigate against the level of future cuts that may need to be found from the cost of the scheme. Until this work is completed the outcome of total savings isn't fully known and therefore it would be difficult to determine what level of savings may need to be achieved from further changes to the CTS scheme.

The Government has yet to undertake the national review of CTS scheme, as directed by the Local Government Finance Act 2012. My understanding is that this will take place shortly and the outcome of that review is due to be published in April 2016. The review may result in statutory changes and therefore it would be prudent to await the outcome of that review.

Changes to our scheme will not only impact customers but will also be extremely resourceful in both time and money to implement as they need to be properly evaluated and modelled before determining which options are appropriate. Any proposed changes are then the subject of consultation and results are evaluated to help shape final decisions. Following any changes we must carry out comprehensive communication strategies with customers and stakeholders on these changes. Members need to be fully involved in this process and there needs to be sufficient lead time in order to undertake this work thoroughly to avoid the risk of legal challenge.

The Government announced a further £12billion cuts in welfare spending as part of the Summer 2015 Budget. Many of the measures announced are due to come in from next April but until they become law it is difficult to fully determine what impact they will have as we currently don't have the detail. We will need to understand the administrative mechanics on how they will work to know how best to reflect these in our council tax support scheme. Some of these measures will impact working age customers income and therefore to make cuts to the council tax support scheme for 2016/17 could create significant financial pressures that we currently can't properly evaluate at this stage.

In order to make changes to the working age CTS scheme (not including annual increases to allowances and income or changes to the Scheme to take into account legislative changes) requires consultation with the

residents of East Devon, stakeholders and the major precepting authorities. A Supreme Court decision in 2014 regarding CTS schemes has imposed strict new criteria on the form of consultation. This now means that in addition to consulting on the draft scheme, the Local Authority must also present options on how schemes can be maintained through reductions in other services or increasing other charges, such as increasing council tax charge. Consultation will need to take place for a period of up to 12 weeks.

Officer: Libby Jarrett, Revenues & Benefits Service Lead
ljarrett@eastdevon.gov.uk Direct dial 01395 517450

Financial implications: The financial details are contained in the report

Legal implications: The proposed scheme appears legally compliant.

Section 13A of the Local Government Finance Act 1992, amended by the Local Government Finance Act 2012, requires the Council to approve a council tax reduction scheme by 31 January 2013. Schedule 1A requires that the Council must decide, for each financial year, whether to revise its scheme or to replace it with another scheme. The recommendation of the finance team is to confirm the existing scheme without revision.

If members were to decide they wish to make changes to the council tax reduction scheme, then Schedule 1A requires consulting the major precepting authorities, public consultation and publication. Full Council must approve any revision to its scheme by 31 January 2016.

The public sector equality duty in section 149 of the Equality Act 2010 requires the Council to have due regard to the need to (in relation to nine protected characteristics of age, race/ethnicity, religion/belief and sexual orientation, disability, gender re-assignment, pregnancy/maternity and marriage/civil partnership):

- Eliminate discrimination, victimisation and harassment,
- Advance equality of opportunity and
- Foster good relations between people.

In introducing the scheme in December 2012 the finance team carried out a detailed equality impact assessment and it is understood this exercise has been repeated; members should consider and take into account this updated assessment and officer conclusions before approving the scheme which will operate next year.

Further, as indicated in the report, the officers responsible for implementation are aware of the need to comply with council tax statute, regulations (and, where appropriate, guidance) in implementing the scheme.'

Equalities impact: Low impact - A full Equality Impact Assessment has been undertaken and is attached as appendix 2.

Risk: There is a financial risk to the collection fund if expenditure grows above the amount allowed for in the tax base.

Links to background information: [Council Tax Reduction Scheme Policy 2016/17](#)

https://www.supremecourt.uk/decided-cases/docs/UKSC_2013_0116_Judgment.pdf

Link to Council Plan: Living in this outstanding place

REPORT IN FULL

1.0 Background

- 1.1 Since 1 April 2013 we have been operating the same CTS scheme which is when the Government abolished Council Tax Benefit and replaced it with the requirement for Local Authorities to develop their own council tax reduction schemes for working age but with 10% less funding. For East Devon this represented about a £1million cut. Pensioners are protected and are subject to a national scheme which is prescribed by legislation. This mirrored the Council Tax Benefit scheme.
- 1.2 The scheme adopted by this Council retained the main elements of the former Council Tax Benefit scheme but with the following adjustments:
 - a) Limiting Council Tax Support to a maximum of 80% of Council Tax liability – this means that all customers need to pay the first 20% of their Council Tax bill.
 - b) Having a savings limit of £8,000. If a customer has savings above this limit they will not have an entitlement to Council Tax Support.
 - c) Limiting Council Tax Support to a Band D Council Tax charge. This means that if a customer lives in a Band E, F, G or H property their Council Tax Support will be limited to a Band D charge and then the 20% liability reduction applied.
 - d) An Exceptional Hardship Fund, to help to protect vulnerable customers from the impact of Council Tax Support.
- 1.3 Our 2016/17 draft scheme policy is available under background papers.
- 1.4 When developing Council Tax Support schemes for working age the Government has been clear that vulnerable groups should be protected and that schemes should incentivise those in work. Other than the statutory protection for low income pensioners the Government has not prescribed other groups that Council's should support. Our Vulnerability and Incentivising work statement at appendix 1 sets out East Devon District Council's approach to defining and assisting those deemed as vulnerable.
- 1.5 Every year Members must review and agree a CTS scheme by 31 January of the preceding financial year. The scheme in operation for 2015/16 is unchanged from 2014/15 and 2013/14, except for the annual uprating allowances which mirrors the Housing Benefit and the Council Tax Reduction pension scheme.

2.0 What has been the impact on our scheme for customers?

- 2.1 We have undertaken a significant amount of monitoring of our scheme to try and understand what impact this is having on customers.
- 2.2 The overall Council Tax collection rates for the past 3 years does not reflect an adverse impact on performance despite having to collect more.

Collection rate	
2012/13	98.67%

2013/14	98.56%
2014/15	98.83%

- 2.3 To ensure that the scheme does not have an adverse impact on specific customer groups collection rates are monitored by customer group. The collection rate for Council Tax Support customers increased from 87.1% in 2013/14 to 90.06% in 2015/16.
- 2.4 The Revenues and Benefits Service supports customers by ensuring that payment dates and payment methods are convenient for each customer and individual payment arrangements are set up. If a customer has budgeting or debt advice need they are referred to a money advice charity, Homemaker. Since December 2012 Homemaker have helped 1,390 customers to identify over £5m of financial gains and budgeting uplifts.
- 2.5 See equality impact assessment at appendix 2 for more details.
- 2.6 As part of our local CTS scheme we also have an Exceptional Hardship Fund (EHF), which safeguards our most vulnerable customers who may need additional financial support.
- 2.7 In 2014/15 we made 148 awards totalling £13,258. In this current financial year we have so far made 109 awards with a total value of £7,248. As more applications come in during the first half of the financial year then it is likely that we may see a slight reduction in the amount of financial support being awarded.

3.0 Council Tax Support Scheme Costs for 2016/17

- 3.1 CTS is calculated as part of the Council Tax Base which means that the cost of the scheme is met by the major precepting authorities in proportion to their share of council tax.
- 3.2 For the first year of CTS, the major precepting authorities received a separate amount of funding from Department for Communities & Local Government to cover the cost of CTS but with 10% less funding. The amount of funding received for the East Devon area equated to £7,853,144 (our element which included an amount to be paid to town/parishes was £819,000). From 2014/15 the funding formed part of the Council's financial settlement and there is no ring fenced amount. As you will be aware the level of Government funding has been the subject of cuts.
- 3.3 The following table shows how our caseload and expenditure has been falling since 2013.

	Total caseload	Working age caseload	Pension age caseload	Working age expenditure £	Pension age expenditure £	Total expenditure £
Sept 12	9,790	4,297	5,493	3,639,339	5,244,560	8,883,899
2013/14	8,931	3,812	5,119	2,639,067	5,009,593	7,640,175
2014/15	8,720	4,891	3,829	2,595,781	4,848,092	7,443,873
Sept 15	8,463	3,730	4,733	2,661,787	4,635,789	7,297,576

- 3.4 There are a number of reasons for the reduction in expenditure and caseload:
- changes to our CTS scheme for working age has reduced entitlement
 - improvements in the economic climate (less dependency on means tested benefits)
 - increase in the statutory pension age so people are remaining in work for longer
 - during the last 9 months we have undertaken 1,784 reviews of CTS to identify unreported changes in circumstances (fraud and error) which has identified £204,794.54 in overpayments. This initiative has been jointly funded by the major

precepting authorities and this work will continue throughout the remainder of this financial year so it is likely that expenditure could continue to fall.

3.5 This falling caseload and expenditure is against a backdrop of an increasing tax base due to growth in new properties, rises in council tax and other changes (technical changes and changes in council tax support scheme). Since September 2012 to September 2015 we have seen our net collectible debit rise from £78.7m to £88.5m (12.41% increase) and our properties rise from 64,076 to 66,729 (4.14% increase) but yet our caseload has fallen by 15.68% along with a reduction in expenditure by 21.74%. Our Council Tax Support expenditure represented 10.14% of our debit in September 2012, compared with 7.62% in September 2015.

3.6 The table below shows the estimated forecasted expenditure for 2016/17 against the following percentage rise in council tax:

Council Tax rise	Overall Forecasted expenditure	Cost to East Devon (includes parish precepts) 10%
0%	£7,204,051	£720,405
1%	£7,272,186	£727,219
2%	£7,338,914	£733,891

Based on caseload & other external influences remaining static.

3.7 The estimated expenditure of CTS even with a 2% rise in Council Tax is still expected to be lower than our actual costs in 2013/14.

4.0 Funding implications to Town and Parish Councils

4.1 Since 2014/15 the Council has not received a separate grant from Government for Council Tax Support as the funding was amalgamated into the Council's overall Finance Settlement and not identified separately. The Council's funding from Government was reduced in 2014/15 by 14% when compared with 2013/14. It was resolved that the same percentage reduction was to be applied to the grant paid to the Town and Parish Councils equating to a total reduction in the grant in 2014/15 of £25,760. In 2015/16 the same methodology was applied and resulted a 15% a reduction when compared with 2014/15, a reduction in grant to Town and Parish Council of £23,730 in 2015/16.

4.2 It is recommended the same methodology is applied to the 2016/17 grant payment to the Town and Parish Council's with a 27% reduction, this being in line with the Council's estimated reduction in its Revenue Support Grant for 2016/17 when compared with 2015/16. This will equate to a total reduction in grant to Town and Parish Council of £36,320 in 2016/17, leaving a total grant payment to be made of £98,190.

5.0 Looking ahead to 2017/18

5.1 As part of the Summer Budget the Government have announced a number of welfare changes. Some of these changes affect Housing Benefit and therefore it makes sense to keep our schemes aligned and so the aim would be to mirror these within our CTS scheme from April 2017. These are:

- Removal of family premium
- Reducing backdating of claims to 4 weeks (currently 6 months)
- Removal of work related activity component of Employment Support Allowance

- 5.2 We also need to await the outcome of the changes to tax credits as any cuts to these will have the effect of reducing people's income which means that those claiming CTS could qualify for more if they are not receiving the maximum amount. This could result in our scheme cost rising but until we know in the Autumn statement how these are now going to be brought in we are unable to assess the impact and determine how we may need to mitigate against this.
- 5.3 As part of the Devon framework we will model on any proposals and undertake a full impact assessment on the changes. Options to consider could include:
- Simplifying the personal allowances
 - Modifying the excess income taper for earned and non-earned incomes.
 - Introducing a minimum income floor for self employed customers after an initial 12 months trading. This will be in-line with Universal Credit rules.
 - Introducing a minimum weekly entitlement.
 - Reducing the current working age capital limit to below £8,000.
 - Increasing the current 20% liability restriction on working age CTS eligibility.
- 5.4 If there is a financial need to make further cuts to the scheme (this could come from other major preceptors) then there are a number of options that can be considered. What must be recognised is that in East Devon because we have such a high proportion of claimants of pension age then any cuts to our scheme can only come from working age. Currently only 36% of our expenditure goes to working age.
- 5.5 Whilst we retain Housing Benefit administration the assessment of CTS claims can currently be processed at the same time using the same information. It is therefore important that when considering changing our CTS scheme that we do not increase the administrative burden. However, once Housing Benefit migrates to Universal Credit then it would be advantageous to simplify our scheme.
- 5.6 Work would need to begin on this by Spring 2016 which would need to involve Members. Previously this was done through the Finance Think Tank. We would need to undertake consultation on any proposed changes.



COUNCIL TAX SUPPORT SCHEME

VULNERABILITY / INCENTIVISING WORK STATEMENT

CONTENTS

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10. Work incentives
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VERSION CONTROL

Version	Date	Notes
Draft	12.10.2012	
Final Version	05.12.2012	
Updated Version	23.07.2014	
Updated Version	06.11.2015	

1. Introduction

Section 10 of The Local Government Finance Act 2012 amended s.13A of the Local Government Finance Act 1992 and required all local authorities working within this legislative framework to design their own Council Tax reduction scheme, East Devon District Council's scheme is called the Council Tax Support (CTS) Scheme

With effect from 1 April 2013 a local CTS scheme replaced the national Council Tax Benefit statutory scheme (SI2006/215) as the method of supporting low income households to pay their council tax. In designing this scheme East Devon District Council adopted the core elements of the Council Tax Benefit scheme, which is a proven and robust system of support, which affords financial support to the most vulnerable.

The Government has been clear that, in developing local council tax support schemes, vulnerable groups should be protected. Other than statutory protection for low income pensioners the Government has not prescribed other groups that local Council's should support. Each Council must tailor their schemes to take account of the various statutes that currently protect vulnerable people.

2. Purpose of the vulnerability/incentivising work statement

This statement sets out East Devon District Council's approach to defining and assisting those deemed as vulnerable. In doing so it seeks to:

- Protect those who are state pension credit age
- Help those who are trying to help themselves
- Encourage and support people both into employment and those already employed

3. Accessibility of the Council Tax Support Scheme

In order to ensure that all customers have equal access to CTS, the Council has adopted a communications strategy which aims to reach all vulnerable and hard to reach customers in our communities.

In doing this, we have ensured that:

- All information about our CTS Scheme be available in alternative formats and languages.
- Claims for CTS are available 24/7 on line, by telephone application or by visiting one of our offices or surgeries.
- Customers can contact us by telephone or email or have face-to-face contact at one of our offices
- Additional information about our CTS Scheme is available on our website and is publicised in leaflets

- We work closely with welfare groups and other agencies who support customers to ensure customers can access the CTS they are entitled to.

4. Statutory framework and other considerations

In developing this policy the Council has taken account of the following statutes:

- Local Government Finance Act 2012 (protection for low income pensioners)
- Equality Act 2010 (public sector equality duty)
- Child Poverty Act 2010 (duty to mitigate the effects of child poverty)
- Housing Act 1996 (the duty to prevent homelessness)

It also takes account of:

- Work incentive principles set out in the Welfare Reform Act 2012
- Armed Forces Covenant 2011

As part of the Equality Act 2010 (section 149) the Council has paid due regard to the following in designing its Council Tax Support scheme:

- Eliminate unlawful discrimination (harassment, victimisation and any other prohibited conduct)
- Advance equality of opportunity between those people who share a relevant protected characteristic and people who do not share it
- Foster good relations between those who share a relevant protected characteristic and people who do not share it

The relevant protected characteristics, as defined by the Equality Duty, are:

- Age
- Disability:
- Gender reassignment:
- Pregnancy and maternity:
- Race:
- Religion or belief:
- Sex:
- Sexual orientation:
- Marriage or civil partnership status (in respect of the requirement to have due regard to eliminate discrimination)

In developing the CTS Scheme and this statement East Devon District Council has undertaken an Equality Impact Assessment (EIA) and given 'due regard' to its findings to ensure it does not lead to unlawful discrimination.

5. State Pension Credit Age Applicants (Pensioners)

5.1 Definition

The Local Government Finance Act 2012 sets out the requirement to fully protect the support provided to low income pensioners in the Council Tax Support scheme by using the Prescribed Requirements Regulations when calculating CTS applications from these customers.

5.2 Eligibility under the Local Government Finance Act and Council Tax Reduction Schemes (Prescribed Requirements) Regulations

- Applicants in receipt of guaranteed pension credit and who have income below their applicable amount receive full Council Tax Support subject to non-dependent deductions (Class A)
- Those applicants who have income in excess of their applicable amount have 20% of the excess income deducted from their maximum support and are subject to non-dependent deductions (Class B).
- Someone who has attained the qualifying age for state pension credit and has at least one second adult living with them will qualify for Second Adult Reduction. A second adult is someone who is not the applicant's partner and not someone who pays rent on a commercial basis. Typically a second adult is an adult friend or relative who is on a low wage and/or other welfare benefits (Class C).
- Council Tax Support for state pension credit age applicants and Second Adult Rebate cannot be paid together; it will be the highest entitlement that will determine which support is paid.

6. Disabled and Chronically Sick

6.1 Definition

The following pieces of legislation set out the council position and responsibility for those who are disabled:

- Disabled Persons (Services, consultations and Representation) Act 1986
- Chronically Sick and Disabled Persons Act 1970
- Disabled Persons (Services, consultations and Representation) Act 1986
- Disability Discrimination Act 1995 (s.1 & sch 1)
- Equality Act 2010

6.2 How the Council's statement addresses the issues of disability

East Devon District Council's Council Tax Support Scheme maintains the key elements of the Council Tax Benefit scheme, and as such provides protection in the overall calculation of support for disabled customers.

Our Council Tax Support scheme continues to not include income received specifically relating to disability in the financial assessment as defined in the current Council Tax Benefit statutory scheme. This means that all income received from Disability Living Allowance and Personal Independence Payments are not included.

The effect of this is that these customers retain more of their income before their CTS is reduced

In addition to this, the calculation of support includes additional premiums which increases a disabled persons living allowance which is used in the calculation of their CTS entitlement.

- Disability Premium – awarded when a customer or their partner (if any) is classed as disabled and receives either a qualifying disability benefit or meet defined disability criteria or long-term sick.
- Enhanced Disability Premium – awarded where either the customer or their partner (if any) are in receipt of Higher Rate Disability Living Allowance Care Component, the Enhanced Daily Living Component of Personal Independence Payments (PIP) or where the customer receives the Support Component of Employment and Support Allowance;
- Severe Disability Premium – awarded when both customer or their partner (if any) are both severely disabled and receive either a qualifying disability benefit or meet defined disability criteria;
 - Work related activity component – where this component is awarded to a customer or their partner’s Employment and Support Allowance;
 - Support component – where this component is awarded to the customer or their partner’s Employment and Support Allowance.

In all situations where a customer or their partner (if any) is classed as disabled under the scheme, then no non-dependant deductions will be made where the customer or their partner is registered blind or where they are in receipt of the Care Component of Disability Living Allowance/Personal Independence Payments.

7. Households with children

7.1 Definition

The Child Poverty Act 2010 places the following duties on local authorities and their partners to:

- Co-operate to tackle child poverty in their area
- Prepare and publish a local child poverty needs assessment
- Prepare a joint local child poverty strategy
- Take child poverty into account when preparing or revising their Sustainable Communities Strategy

In partnership, Devon County Council and all the district councils, including East Devon District Council has signed up to the Devon Strategic Partnership's Child Poverty Strategy. In developing the Council Tax Support scheme and this statement East Devon District Council has taken into account the Devon Strategic Partnership's (DSP) Child Poverty Strategy.

Furthermore, East Devon District Council has taken account of the Government's National Strategy for tackling child poverty: *Tackling the causes of disadvantage and transforming families' lives published in April 2011*. The Council Tax support scheme therefore supports the key measures within this strategy to strengthen

families, encourage responsibility, promote work and guarantee fairness and provide support to the most vulnerable.

The Government definition used within this policy is as follows:

- Households with children in which income is less than 60% of the national median

The authority is mindful of the proportion of dependant children within its area who live in households whose equivalised income is below 60% of the national median.

7.2 How the Council's statement addresses the issue of child poverty

East Devon District Council recognises the importance of giving additional protection to families.

The CTS Scheme allows for the following incomes not to be included in the financial assessment of CTS:

- All Child Benefit
- All Child maintenance
- All other income payable to children
- Up to £175.00 per week for one child and £300.00 per week for two or more children towards childcare payments, for working families under defined criteria.

When assessing a claim for Council Tax Support a family's income is compared to their applicable amount (living allowances). The applicable amounts (living allowances) contains the following elements:

- Child Personal Allowance— an allowance for each dependant child in the applicant's household
- Family Premium – where there is at least one child in the household
- Disabled Child Premium – where a child is in receipt of any component of Disability Living Allowance or a component of Personal Independence Payments or is blind or is treated as registered blind.
- Enhanced Disability Premium – where a child is in receipt of the highest rate of the care component of Disability Living Allowance or the equivalent component of Personal Independence Payments. (Personal Independence Payments will not be applicable for children under 16, as they will remain on Disability Living Allowance).

Child care disregards

To support families who are working and going into work allowances can be made from earnings and other benefits in respect of eligible childcare costs when defined criteria (below) are met and childcare is provided by registered childcare providers or after school club.

A weekly childcare disregard will be applied under the following criteria:

- Where a customer is a lone parent and works 16 or more hours each week:
- Where a couple both work 16 hours or more each week:

- Where one partner works 16 or more hours each week and the other partner is incapacitated, a hospital in-patient or is in prison.
- Where a customer is a lone parent or part of a couple and either the lone parent works 16 or more hours; or both members of the couple work 16 hours or more or where one of the couple is incapacitated, a maximum weekly disregard will be set annually.

8. Prevention of Homelessness

8.1 Definition

Under the Housing Act East Devon District Council has a duty to help homeless people defined as priority need within vulnerable groups. Where people apply to East Devon District Council for assistance we will give careful consideration to the circumstances that have led to the homelessness and make our decisions on accommodation provision accordingly. Under the Homelessness Act 2002 East Devon District Council has a duty to prevent homelessness and provide a homelessness advice service and further information on this can be found in East Devon District Council's Homelessness Strategy.

East Devon District Council has given consideration to the threat of homelessness in the development of the local CTS Scheme.

8.2 How the Council's statement addresses the issues within the Housing and Homelessness Acts.

- East Devon District Council will ensure that any applicant who is supported under our Homelessness Policy will also be supported to apply for Council Tax Support once they have secured accommodation
- East Devon District Council will ensure that any applicant at risk of homelessness and who is vulnerable will be assisted to apply for CTS.

9. Armed Forces Covenant

9.1 Definition

In 2011 the Government launched the tri-service armed services covenant which key principles are enshrined in the Armed Forces Act 2011.

A Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement, at local level, the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces.

The aims of the Armed Forces Community Covenant are to:

- encourage local communities to support the Armed Forces community in their areas
- nurture public understanding and awareness amongst the public of issues affecting the Armed Forces community
- recognise and remember the sacrifices faced by the Armed Forces Community

- encourage activities which help to integrate the Armed Forces Community into local life
- to encourage the Armed Forces Community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

(Above extract from Devon Armed Forces Covenant)

East Devon District Council has signed up to the Armed Forces Covenant and has considered this obligation in developing the Council Tax Support scheme

9.2 How the Council's statement meets the Armed Forces Covenant

- East Devon District Council will continue to disregard War Disablement Pensions or War Widows payments from the calculation of Council Tax Support under the provisions of s139 of the Social Security Administration Act 1992 as currently applied under the Council Tax Benefit statutory scheme
- A higher earnings disregard (£20.00 per week) for an applicant or their partner who is an Armed Forces reservist.

10. Work incentives

10.1 Definition

As part of the council tax support scheme East Devon District Council wishes to support and provide incentives for applicants to return to work or to support those already working to increase the hours they work, wherever possible.

The CTS Scheme reflects the following principles:

- People should get more overall income in work than out of work.
- People should get more overall income from working more and earning more.
- People should be confident that support will be provided whether they are in or out of work that it will be timely and correct, and that claiming will not be a complicated and frustrating experience.

10.2 How the Council's statement provides work incentives

East Devon District Council is keen to support applicants back into work. The Council Tax support scheme will achieve this by supporting both customers in receipt of benefits or on a low income.

CTS is reduced based upon a 20% withdrawal rate. This means that where a customer's income exceeds their applicable amount a deduction of 20p for every £1 will be made from CTS.

- When calculating weekly earned income a net figure will be used, this will be gross earnings less all Income Tax, National Insurance contributions (not voluntary contributions) and half of any pension contributions. a further disregard will be applied:
 - £5.00 of weekly earnings for single customers

- £10.00 of weekly earnings for couples
 - £20.00 of weekly earnings for people who are disabled or long term sick, carers or part-time fire fighters, auxiliary coast guards, part-time life boat workers and member of the Territorial Army
 - £25.00 of weekly earnings for lone parents
- Where the applicant or their partner is able to undertake work on or above a defined number of hours then an additional earnings disregard may be applied;
 - A childcare costs disregard of up to £175.00 for one child or up to £300.00 for two or more children can be given where the applicant or their partner is working and meets specified criteria, please see Childcare Disregards above.
 - An additional four weeks extended payment of support can be awarded when the customer moves into work and meets specified conditions. The extended payment will give support at pre work entitlement levels to allow for the additional costs incurred when starting work.

11. Council Tax Discretionary Discount and Reduction Policy

East Devon District Council recognises that there may be exceptional circumstances where customers are unable to meet the shortfall between their Council Tax liability and the Council Tax Support they receive.

East Devon District Council's Exceptional Hardship Fund ensures that those who are most vulnerable and in greatest financial hardship can access additional financial assistance from the Exceptional Hardship Fund.

Equality Analysis Form

Stage 1 Screening for relevance

Name of service, policy or process	Benefits – Council Tax Support scheme for 2016/17
Main purpose of service, policy or process	See summary below
Equality relevance	High
Owner	Revenues & Benefits Service Lead
Date	October 2015

Summary

This Equality Analysis covers the equalities impact of the localisation of Council Tax Support from 1st April 2016.

This scheme was brought into operation in April 2013 by the Welfare Reform Act 2012 and the Local Government Finance Act 2012, and replaced the existing national Council Tax Benefit scheme. The policy was driven by Central Government and brought about national savings of between £480m to £500m, and a reduction in funding of around 10% for each local authority.

For East Devon District Council this equated to a funding reduction of £1m, and did not take into account any future increases in Council Tax (which will increase the shortfall in funding). It sits within the Coalition Government’s agenda of devolving power to a local level by:

- Giving local authorities a greater stake in the economic future of their local area.
- Providing local authorities with the opportunity to reform the system of support for working age claimants.
- Reinforcing control over Council Tax as decisions on Council Tax Support will be taken locally. This is consistent with the localism agenda.
- Giving local authorities a significant degree of control over how a 10% reduction is achieved.
- Giving local authorities a stake in the provision of support for Council Tax and create a stronger incentive for Council’s to get people back into work.

In localising support for Council Tax the Government considered the situation for low income pensioners (these are customers who have reached the age at which they can qualify for State Pension Credit). Unlike most other groups pensioners cannot be expected to seek paid employment to increase their income. The Government has therefore protected this group from any reduction in support.

This means that the scheme disproportionately affects Working Age customers and will also discriminate on grounds of age, because of the requirement to protect pensioners.



An Equality Impact Assessment of the change in 2012/13 to local support for Council Tax at a national level has been undertaken by the Department for Communities and Local Government, and is available at: <http://www.communities.gov.uk/documents/localgovernment/pdf/2063707.pdf>

When developing policy, procedures, practices or services we need to consider any potential impact on affected groups in relation to the responsibilities to, and awareness of, the most vulnerable groups and individuals.

These duties and responsibilities are included in:

- The Child Poverty Act 2010, which imposes a duty on local authorities to have regard to and address child poverty and their partners, to reduce and mitigate effects of child poverty in their local areas;
- The Disabled Persons (Services, Consultation and Representation) Act 1986 and Chronically Sick and Disabled Persons Act 1970, which include a range of duties relating to the welfare needs of disabled people;
- The Housing Act 1996, which gives local authorities a duty to prevent homelessness with special regard to vulnerable groups.

This Equality Impact Assessment is based on East Devon District Council's proposed Local Council Tax Support scheme for 2016/17.

This Equality Impact Assessment considers the impact (as at September 2015) of the current Council Tax Support scheme for 2015/16 on the relevant protected characteristics, as defined by the Equality Duty, which are:

- Age (including children and young people)
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage or civil partnership status (in respect of the requirement to have due regard to eliminate discrimination)
- An additional East Devon District Council local factor of community considerations such as socio-economic factors, criminal convictions, rural living or Human Rights

It is proposed that the Council Tax Support scheme for 2015/16 be retained, with increases for living allowances in line with government figures to be used for the calculation of all Housing Benefit applications and pension-age Council Tax Support applications.

Retaining the current scheme is based upon current experiences of the scheme as there have been no issues, appeals or complaints about the scheme. This Equality Analysis also shows there has been no adverse impact on any one specific group.

In continuing with the existing Council Tax Support scheme for 2016/17 we endeavour to:

- Deliver a cost neutral scheme.
- Retain the existing safety net of the Exceptional Hardship Scheme.
- Retain in-built protections for specific groups, for example, customers who are working, families or disabled.

Timescale

The Council has a legal duty to review their Council Tax Scheme by 31st January each year and to put in place a scheme for the new financial year, otherwise the Authority will be subject to the default scheme.

Stage 2 – Reviewing the evidence

The Equality Analysis for 2013/14 included actions which the Revenues and Benefits Service would implement following the implementation of the Council Tax Support scheme.

These actions included monitoring the protected characteristics of:

- customers claiming Exceptional Hardship Funds
- customers subject to recovery action
- customers appealing or complaining

This Equality Analysis uses this monitoring information to analyse the impact of the Council Tax Support scheme.

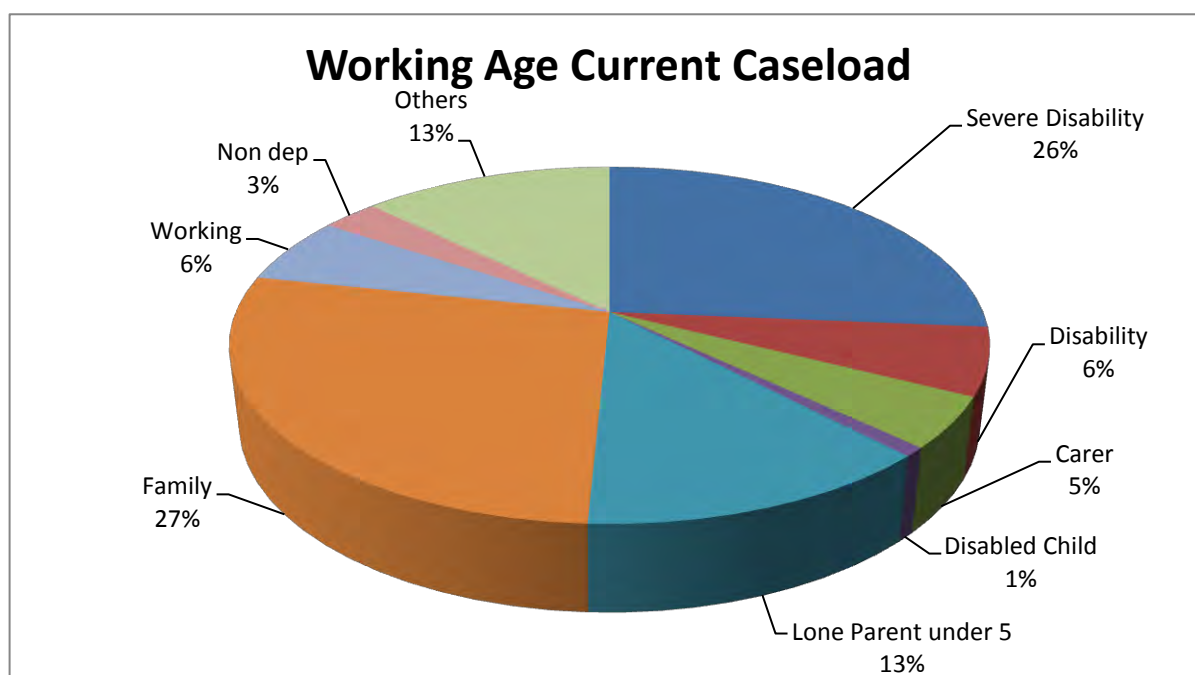
The actions within the 2013/14 Equality Analysis have all been completed and reviewed for adequacy. Some of the actions are also ongoing actions, and these are shown at the end of this analysis.

Stage 3 – Identifying the risks and benefits/opportunities

The Council has 8,513 customers currently claiming Council Tax Support. In total there are 66,661 properties in East Devon, and our Council Tax Support customers represent 12.8% of the total.

The split between working age and customers who have reached the age for State Pension Credit shows that there are 3,761 (44% of the total) working-age customers and 4,752 (56% of the total) of customers have reached the age for State Pension Credit.

A further analysis all of our Working Age customers, shows the following composition:



A significant number of our working-age customers (1,037= 27%) are families. A comparison of the caseload composition in the scheme proposed for 2013/14 showed a similar caseload breakdown. However, the customer groupings have been developed and enhanced since the original analysis in October 2012 was completed. This means that there are now additional groupings; this means that exact comparison of caseload data is not possible.

A customer may fall into more than one customer group for example they could be a severely disabled customer with a family. This analysis is based upon the customer being included only once in the customer analysis in the following order:

1. **Severely Disabled.** This is where the customer meets the following conditions and if they have a partner they must also meet these conditions)
 - They are receiving the middle or highest rate of the care component of Disability Living Allowance or Enhanced rates of Personal Independence Payments;
 - They must not have any non-dependants; and
 - No-one is receiving carers allowance in respect of them.
2. **Disabled.** This is where the customer or their partner is long term sick and:
 - Is blind or recently regained their sight; or
 - Receives Disability Living Allowance or the standard rate of Personal Independence Payments; or
 - Receives War Pensioner's mobility supplement; or
 - Receives the disability element or severe disability element of Working Tax Credit; or
 - Has a vehicle supplied by the NHS or gets DWP payments for car running costs.

3. **Carer.** This is where the customer or their partner is in receipt of Carers Allowance (or has an underlying entitlement to this allowance).
4. **Disabled Child.** This is where a child or young person in the family:
 - Is blind or has recently regained their sight; or
 - Receives Disability Living Allowance at any rate.
5. **Lone Parent Families.** This is where there is a lone parent family with at least one child under the age of 5.
6. **Families.** This group includes customers with children who they still receive Child Benefit for and lone parents where all children are aged 5 or above.
7. **Working.** This is where a customer is employed or self-employed work for 16 hours or more per week.
8. **Non dependant.** Based upon the presence of one or more non dependants in the household. Non dependants are sons, daughters or other relations who are living in the household but are not dependant upon the customer or their partner.
9. **Other.** This is where the customer does not fall into any of the other groups above.

The impact of the scheme on our working age customers

Collection rates and making payment arrangements

We have taken a pro-active approach to setting up payment arrangements with customers, setting up arrangements to tie in with the frequency of their income. We initially had a dedicated officer to specifically engage with customers who are impacted by this change, either by telephone or visit, but this role has now been extended to all recovery officers, therefore extending the support to all customer groups following this change.

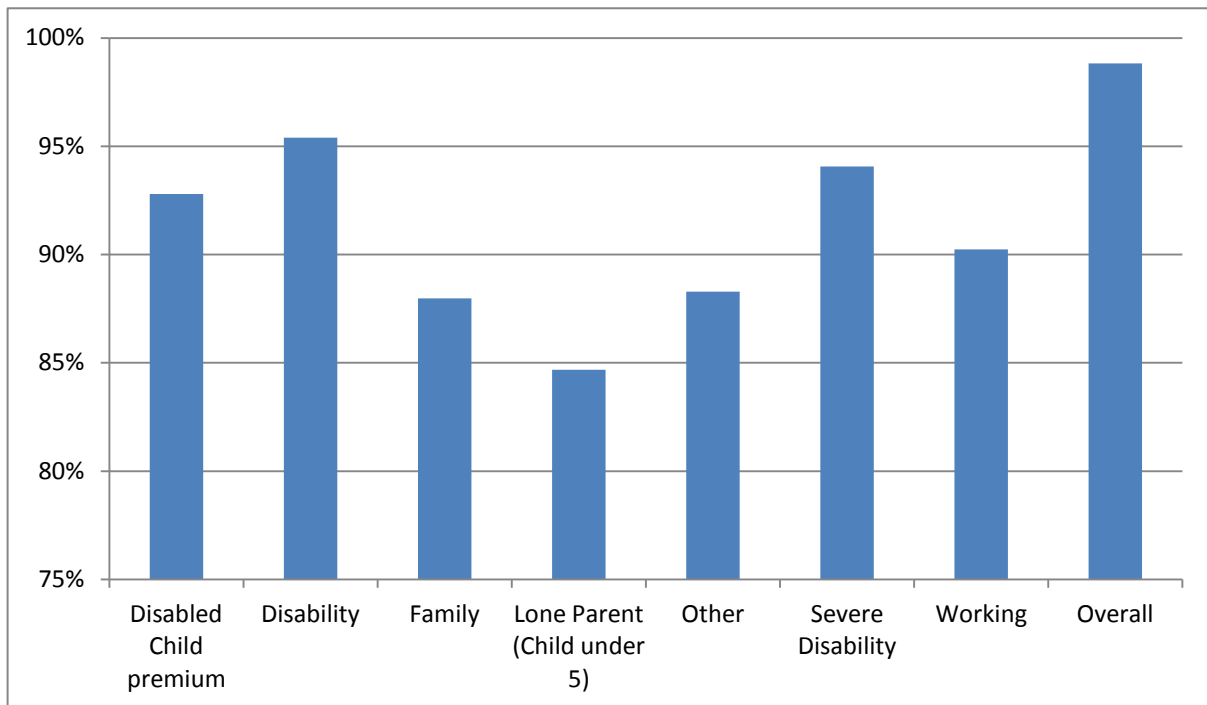
We have also been monitoring collection rates by customer group. At the end of March 2015 the collection rate of all customers in receipt of Council Tax Support was 90.06%

Comparing the collection rate between customers who paid some Council Tax with Council Tax Benefit shows:

Collection rate of 89.40% for 2014/15 (86.30% for 2013/14) for customers who previously paid some council tax when they received Council Tax Benefit.

Collection rate of 90.91% for 2014/15 (88.34% for 2013/14) amongst customers who previously received 100% Council Tax Benefit and did not have to pay any Council Tax.

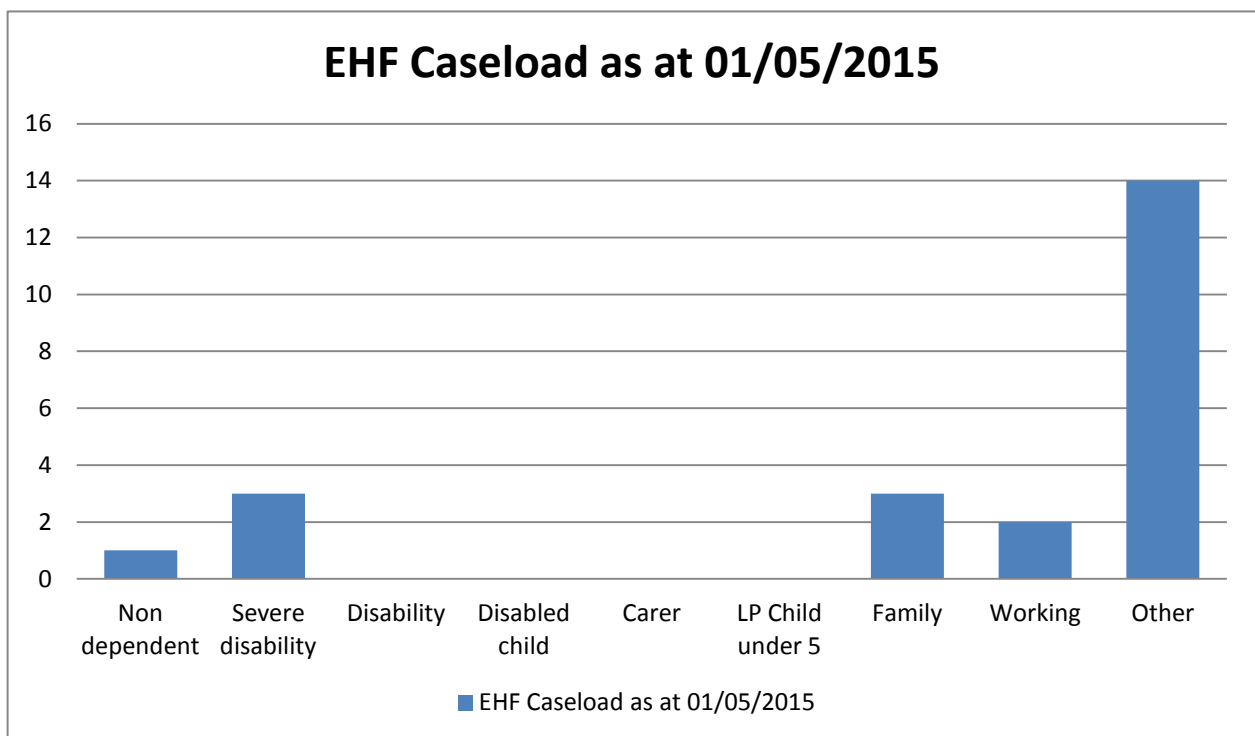
Looking at Council Tax collection rates by customer group shows the highest collection rate is in the disability group at 95.39% (was 91.65% for 2013/14) this compares to the other groups:



Exceptional Hardship Fund Awards

As part of the Council Tax Support scheme an Exceptional Hardship Fund (EHF) was created to support vulnerable customers who could not meet their Council Tax bill.

Our monitoring has included successful applications for EHF awards by customer groups.



The potential impact of our scheme for working age across the protected characteristics is as follows:

Protected Characteristic : Age (18 years and over but not above the age for State Pension Credit)	
Potential Impact	<ul style="list-style-type: none"> • In East Devon: <ul style="list-style-type: none"> ○ All aged 0-15 = 14.29% ○ All over 60 = 31.60%% ○ All others = 54.11% <p><i>(East Devon 2011 ONS.Total Population of 132,457)</i></p> <p>Council Tax Support Working Age Customers:</p> <ul style="list-style-type: none"> ▪ We have approximately 3,761 (44%) working age customers currently claiming Council Tax Support. ▪ Customers who have reached the age to claim State Pension Credit are not affected by Council Tax Support, only working age customers due to Central Government’s requirements to protect this customer group nationally. ▪ The scheme discriminates on grounds of age because of the requirement to protect pensioners. However the national Council Tax Benefit scheme treated pensioners more favourably because allowances were much more generous, and in that sense there is no change. ▪ Working age customers are also being impacted by other welfare reforms and some have been affected by several of these other reforms. ▪ The “Hear Me Too” Survey 2011 findings identified that people aged 20 – 34 show significant dissatisfaction with their job prospects and with quality of life in general. This survey is at www.devon.gov.uk/hearmetoo201203.pdf
Mitigation or remedy against any negative impact regarding scheme	<ul style="list-style-type: none"> ▪ Customers and advisers have access to an on-line calculator on East Devon District Council’s website to calculate the amount of Council Tax Support a customer is entitled to before an application is made. ▪ Customers can complete an application for Council Tax Support on-line or over the telephone, a paper based form is also available. ▪ Our scheme has an Exceptional Hardship Fund policy that provides a safety net so that additional Council Tax Support can be given where there is exceptional need. We continue

	<p>to review and monitor this scheme closely in identifying protected characteristics of all customers applying for awards. We will use this information to design future Council Tax Support schemes.</p> <ul style="list-style-type: none"> ▪ We will continue to offer holistic support to customers in money management and also maximising customer's income. This will be from a money advice charity, funded by the Revenues and Benefits Section. ▪ In addition to this we will be continuing to monitor payment of Council Tax through our recovery processes, and will be identifying and providing additional support. This may include contacting customers by telephone or home visit, reprofiling instalments to make them more manageable and setting up payment arrangements which are tailored to the customer's circumstances. ▪ We will retain our robust monitoring system which will include monitoring applications for Exceptional Hardship Fund awards, collection, recovery, appeals, legal challenges and complaints and also learning from other Council's who are administering their own Council Tax Support schemes. This will form part of subsequent reviews of the scheme, to ensure that the scheme remains fit for purpose and evolves.
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Age – Impact on Families	
Potential Impact	<ul style="list-style-type: none"> ▪ Council Tax Support schemes must have regard to East Devon District Council's duties under the Child Poverty Act 2010. ▪ As at September 2015 there were 1552 (41%) working age customers receiving Council Tax Support who were responsible for one or more children. Of these 484 (12%) were lone parents and had a child under 5 years old.
Mitigation or remedy against any negative impact regarding scheme	<ul style="list-style-type: none"> ▪ Customers and advisers can access an on-line calculator to work on East Devon District Council's website so that they can calculate the amount of Council Tax Support a customer is entitled to before an application is made. ▪ Customers can complete an application for Council Tax Support over the telephone or on-line and a paper based form is also available ▪ Our scheme has an Exceptional Hardship Fund policy that provides a safety net, so that additional Council Tax Support can be given where there is exceptional need. We

	<p>review and monitor this scheme closely in identifying the protected characteristics of the customers applying for awards. We will use this information to design future Council Tax Support schemes.</p> <ul style="list-style-type: none"> ▪ The national Council Tax Benefit scheme had built in additional premiums for households with children, as Child Benefit and child maintenance are not taken into account. Also, income of up to £300 per week can be offset against childcare costs and not taken into account. This means that people with children get to keep more of their income when their entitlement to Council Tax Benefit was worked out. Our Council Tax Support scheme is not changing these protections. ▪ We have a robust monitoring system which includes monitoring applications for Exceptional Hardship Fund awards, collection, recovery, appeals, legal challenges and complaints and also learning from other Council's who are administering their own Council Tax Support schemes. This will form part of subsequent reviews of the scheme to ensure that the scheme remains fit for purpose and evolves. ▪ We are offering holistic support to customers in money management and also maximising customer's income. This is from a dedicated money management advisor from a money advice charity. ▪ In addition to this we are proactively monitoring payment of Council Tax through our recovery processes, and are identifying and providing additional support. This may include reprofiling instalments to make them more manageable and setting up payment arrangements which are tailored to the customer's circumstances.
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Protected Characteristic: Disability	
Potential Impact	<ul style="list-style-type: none"> ▪ Only working age customers (not pensioners) will be affected by this change. ▪ As all working age customers will lose out, this could affect those who have a disability. ▪ The Council Tax Support scheme must have regard to East Devon District Council's statutory duties under the Chronically Sick and Disabled Persons Act 1970 and The Disabled Persons Act 1986. ▪ From our Council Tax Support customers at September

	<p>2015 there were:</p> <ul style="list-style-type: none"> ▪ 991 customers (26%) were severely disabled ▪ 230 customers (6%) were disabled ▪ In East Devon: ▪ Learning Disabilities = 0.5% (676) have learning difficulties <ul style="list-style-type: none"> ○ <i>(Housing Market Assessment)</i> ▪ Mental Health = 1.5% (2,030) <ul style="list-style-type: none"> ○ <i>(Housing Market Assessment)</i> ▪ 16,000 residents seek help for psychological or emotional problems. ▪ 1,370 people are on Incapacity Benefit or Employment and Support Allowance for mental illness. ▪ Mobility difficulties = 14.50% of residents <ul style="list-style-type: none"> ○ <i>(Housing Market Assessment)</i> ▪ Sensory Disabilities = over 6,000 (4.5%) of population. ▪ Physical = 11.30% have health or disability issues <ul style="list-style-type: none"> ○ <i>(Housing Market Assessment)+ (EDDC Corporate EIA)</i>
<p>Mitigation or remedy against any negative impact regarding scheme</p>	<ul style="list-style-type: none"> ▪ Customers and advisers can access an on-line calculator to work on East Devon District Council’s website so that they can calculate the amount of Council Tax Support a customer is entitled to before an application is made. ▪ Customers can complete an application for Council Tax Support over the telephone or on-line, a paper based form is also available ▪ Our scheme has an Exceptional Hardship Fund policy that provides a safety net so that additional Council Tax Support can be given where there is exceptional need. We review and monitor this scheme closely in identifying the protected characteristics of the customers who are applying for awards. We will use this information to design future Council Tax Support schemes. ▪ The scheme has built in additional premiums for those households where there is a disabled member, which means more of their income was not counted when working out entitlement to Council Tax Support. Our Council Tax Support scheme is not changing these protections. We also do not take into account Disability Living Allowance or Personal Independence Payments as income when we calculate a household’s income for Council Tax Support purposes. ▪ We would consider use of disability benefits very carefully when considering an award for Exceptional Hardship and

	<p>use of these funds or not, would be considered on a case by case basis.</p> <ul style="list-style-type: none"> ▪ We have a robust monitoring system which will include monitoring applications for Exceptional Hardship Fund awards, collection, recovery, appeals, legal challenges and complaints and also learning from other Council's who are administering their own Council Tax Support schemes. This will form part of subsequent reviews of the scheme to ensure that the scheme evolves and remains fit for purpose ▪ We are offering holistic support to customers in money management and also maximising customer's income. • In addition to this we are proactively monitoring payment of Council Tax through our recovery processes, and will be identifying and providing additional support. This may include reprofiling instalments to make them more manageable and setting up payment arrangements which are tailored to the customer's circumstances.
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Protected Characteristic: Sex including issues relating to pregnancy and maternity	
Potential Impact	<ul style="list-style-type: none"> ▪ The treatment of income and savings of women expecting children was a feature of the national Council Tax Benefit system and this continues in the local Council Tax Support scheme.
Mitigation or remedy against any negative impact regarding scheme	<ul style="list-style-type: none"> ▪ None needed.

Protected Characteristic: Sexual Orientation	
Potential Impact	<ul style="list-style-type: none"> ▪ We do not keep case level data on person's sexual orientation as it would not be relevant to the calculation of Council Tax Support. In any case it does not impact on the calculation of entitlement in any way.
Mitigation or remedy against any negative impact regarding scheme	<ul style="list-style-type: none"> ▪ None needed

Protected Characteristic: Race



<p>Potential Impact</p>	<ul style="list-style-type: none"> ▪ All Working Age customers are impacted and therefore this will impact on this group. However, the Council Tax Support scheme does not disproportionately disadvantage because of race, as these are not factors within the statutory means test, or form part of our scheme. ▪ Council Tax Support customers: We do not keep case level data on race, as it is not relevant to the calculation of Council Tax Support ▪ In East Devon: White = 98.4% Mixed = 0.7% Asian or Asian British = 0.7% Black or Black British = 0.1% <i>(East Devon ONS 2011, Total population 132,457)</i> ▪ 528 people from the EU accession states are working in East Devon. <i>(Estimated by the Institute of Public Policy and Research)</i>
<p>Mitigation or remedy against any negative impact regarding scheme</p>	<ul style="list-style-type: none"> ▪ None needed

<p>Protected Characteristic: Religion or belief</p>	
<p>Potential Impact</p>	<ul style="list-style-type: none"> ▪ All Working Age groups are impacted so this will impact this group. However, it is not expected that our Council Tax Support scheme will disproportionately disadvantage customers because of their religion or belief as these are not factors within the statutory means test of forms part of the Council Tax Support scheme. ▪ Council Tax Support customers: We do not keep case level data on religion as this is not relevant to the calculation of Council Tax Support ▪ In East Devon: 65.6% of residents are Christian 25% have no religion 0.3% are Buddhist 0.1% people are Jewish 0.2% people are Muslim 0.04% people are Hindu 0.01% people are Sikh <i>(East Devon ONS 2011, Total population 132,457)</i>

Mitigation or remedy against any negative impact regarding scheme	<ul style="list-style-type: none"> ▪ None needed
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Protected Characteristic: Transgender	
Potential Impact	<ul style="list-style-type: none"> ▪ No data is collected on transgender status within the service provision. Gender is not a factor within the statutory means test and it is not expected it will have a negative impact on the Council Tax Support scheme.
Mitigation or remedy against any negative impact regarding scheme	<ul style="list-style-type: none"> ▪ None needed.

Protected Characteristic: Community considerations such as socio-economic factors, criminal convictions, rural living or Human Rights	
Potential Impact	<p>Council Tax Support Customers:</p> <ul style="list-style-type: none"> ▪ 3,473 (38%) of our current Council Tax Support customers live in rural areas. The impact will be the same for all working age customers, regardless of their locality. ▪ Customers living in rented accommodation and claiming Housing Benefit have been affected by other welfare reforms which came into effect from April 2013 and continue. These changes included: <ol style="list-style-type: none"> i. The annual uprating of Local Housing Allowances by the Consumer Price Index ii. The Benefit Cap, where Housing Benefit is restricted so that couples and families who are not working have a maximum income of total benefits (with some exceptions) of £500 per week and single customers a maximum of £350 per week. iii. Increases in non-dependant deductions. iv. Size restrictions for working age customers living in council and social rented sector properties by 14% in eligible rent if they are under occupying a property by 1 bedroom or 25% reduction for 2 or more bedrooms

	<ul style="list-style-type: none"> ▪ As rental prices are high in many parts of East Devon this will make it very difficult for these customers to find cheaper alternative accommodation. ▪ Also due to the current property market customers who own their home may be experiencing difficulty selling/downsizing their properties. ▪ There is a concern amongst some voluntary and support groups that the impact of Welfare Reform may have a detrimental effect on crime and well being for customers and their families. <p>In East Devon:</p> <ul style="list-style-type: none"> ▪ Unemployment = 546 people as at September 2015. This is 0.7% of total population and represents a reduction of 136 since May 2014. Working age population = 63.6% Median full-time salary = £22,700 Earnings are 7% lower compared to the English average. ▪ Average house prices to salary ratio are 11:1, which is the highest in Devon. ▪ East Devon is the 8th least affordable district in England (<i>The Joseph Rowntree Foundation</i>)
<p>Mitigation or remedy against any negative impact regarding scheme</p>	<ul style="list-style-type: none"> ▪ Customers and advisers are able to access an on-line calculator to work on East Devon District Council's website so that they can calculate the amount of Council Tax Support a customer is entitled to before an application is made. ▪ Customers can complete an application for Council Tax Support over the telephone or on-line, a paper based form is also available. ▪ Our scheme has an Exceptional Hardship Fund policy that provides a safety net so that additional Council Tax Support can be given where there is exceptional need. We monitor this scheme closely to identify the protected characteristics of the customers who are applying for awards. We will use this information to design future Council Tax Support schemes. ▪ The scheme has built-in additional premiums for those households where there is a disabled member, child or carer which means more of their income is not counted when working out entitlement to Council Tax Support.

	<ul style="list-style-type: none"> ▪ We have a robust monitoring system which includes monitoring applications for Exceptional Hardship Fund awards, collection, recovery, appeals, legal challenges and complaints and also learning from other Councils who are administering their own Council Tax Support schemes. This will form part of subsequent reviews of the scheme to ensure that the scheme remains fit for purpose and evolves. <p>We are offering holistic support to customers in money management and also maximising customer's income.</p> <ul style="list-style-type: none"> ▪ In addition to this we are proactively monitoring payment of Council Tax through our recovery processes, and will be identifying and providing additional support. This may include reprofiling instalments to make them more manageable and setting up payment arrangements which are tailored to the customer's circumstances.
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Conclusion

It is our view that following this desktop Equality Analysis of our Council Tax Support scheme, based upon current evidence of Year 2 of the scheme (2014/15) and for Quarter 1 of Year 3 (2015/16), that there is no disproportionate impact on any groups within the protected characteristics.

During the development of a local Council Tax Support scheme we have balanced the reality of significant cuts in Central Government funding, whilst at the same time protecting the most vulnerable members of our community, as far as possible.

The mitigations against the impact of these changes has taken account of this fact and also a resulting action is to promote money management and budgeting advice much more within the Revenues and Benefits Section, with the training of staff and also a dedicated resource, which will offer support to affected customers.

Reference Material

This Equality Analysis has been developed in conjunction with the following national Equality Impact Assessments:

- Local Government Finance Bill: Localising support for Council Tax
- Local Government Finance Bill: Technical reforms to Council Tax
- Local Government Finance Bill: Summary impact assessment

Stage 4 – Outcome and identifying actions, where appropriate

The outcomes should be evaluated against the following framework from the Equality and Human Rights Commission's guidance on 'Making fair financial decisions'.

Outcome 1: No major change required. The assessment has not identified any potential for discrimination or adverse impact and all opportunities to advance equality have been taken.

Outcome 2: Adjustments to remove barriers identified by the assessment or to better advance equality.

Outcome 3: Continue despite having identified some potential adverse impacts of missed opportunities to advance equality. In this case, the justification will be included in the assessment and will be in line with the duty to have 'due regard'. This will include sufficient details on how the impacts are being reduced and how this will be monitored.

Outcome 4: Stop and rethink. If you have concluded that there is an adverse impact and discrimination which could be illegal, speak to legal services. You must take action to remedy this immediately. Please outline the action that you will be taking and include it in your improvement plan.

If you have identified that the service/function is having or might have an adverse impact, is it justifiable or legitimate? Please give details of this

I would categorise these changes as falling within **Outcome 2**. Actions taken to remove barriers for customer groups have been identified and are shown below:

	Justifiable/legitimate Yes/No	Comments
Money management and budgeting advice. This will include staff training and access to trained resources.	Yes	Additional funding for money management will continue to be provided by Revenues and Benefits.
Robust monitoring programme	Yes	The ongoing impact of the scheme will be robustly monitored from different angles. Information will be obtained from applications for Exceptional Hardship Awards, Council Tax collection and recovery, appeals and legal challenges and complaints. We will take a holistic view of all of this information to shape

Appendix 2

		future schemes and will bring information back to Members for their consideration.
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If you have concluded that the adverse impact of the discrimination is justifiable or legitimate, you will need to explain your action and reasons to people. This is because we have a statutory duty to promote equality of access, opportunity and treatment of people. You will need to think what action could be taken to mitigate the adverse impact on people and detail this in the Action/Improvement Plan.



Appendix 2

Action/ Improvement Plan	Implementation Details	Owner	Review Date
Ensure publicity on Council Tax Support scheme is accessible to all customer groups.	Ongoing	Customer Services Team Leader Revenues and Benefits Service Lead	July 2016
Ensure the application process is accessible and provide an on-line calculator for customers to check their eligibility before making a claim.	Ongoing	Customer Services Team Leader Revenues and Benefits Service Lead	July 2016
Raise awareness of Council Tax Support scheme in local welfare and debt advice agencies	Ongoing	Customer Services Team Leader Revenues and Benefits Service Lead	July 2016
Provide ongoing money management and budgeting training to Revenues and Benefits staff	July 2014 – Citizens Advice Bureau training has taken place.	Recovery Team Leader Revenues and Benefits Service Lead	April 2016
Provide dedicated money management and budgeting advice within the Revenues and Benefits service.	Ongoing	Recovery Team Leader Revenues and Benefits Service Lead	April 2016
Monitor and evaluate the protected characteristics of customers claiming Exceptional Hardship Fund Payments	Ongoing	Benefits Team Leaders Revenues and Benefits Service Lead	July 2016
Monitor and evaluate the recovery and collection of Council Tax at a customer group level	Ongoing	Recovery Team Leader Revenues and Benefits Service Lead	July 2016
Monitor and evaluate the appeals and complaints from Council Tax Support customers at a customer group level	Ongoing	Recovery Team Leader Revenues and Benefits Service Lead	July 2016

Equality Analysis Form Council Tax Support Scheme 2016/17 – Libby Jarrett
Revenues & Benefits Service Lead

Appendix 2

Work with other Council's who are administering Council Tax Support to learn and share experiences	Ongoing	Revenues and Benefits Service Lead	ongoing
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Assessor	Libby Jarrett	Signature:	Line Manager	Simon Davey	Signature:
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Report to: Cabinet
Date: 2 December 2015
Public Document: Yes
Exemption: None



Review date for release None
Agenda item: 16

Subject: **Treasury Management Performance 2015/16 – 1 April 2015 to 30 September 2015**

Purpose of report: This report details the overall position and performance of the Council's investment portfolio for the first six months of 2015/16.

Recommendation: **Cabinet is requested to review and note the investment values and performance for the period to 30 September 2015.**

Reason for recommendation: The Council is required by regulations issued under the Local Government Act 2003 and the Code of Practice on Treasury Management in Public Services published by the Chartered Institute of Public Finance & Accounting (CIPFA) to produce a half yearly review of its treasury management activities and performance.

Officer: Claire Mitchell – Accountant clmitchell@eastdevon.gov.uk Ext: 2033

Financial implications: Contained within the report.

Legal implications: As is indicated in the report, financial management of this type is subject to a range of controls and accounting conventions, which the finance team manage on a day to day basis. Otherwise the Council has discretion in terms of its financial strategies, acting reasonably.

Equalities impact: Low Impact
The report is for information only.

Risk: Low Risk
Any depositing of surplus funds exposes the Council to a certain degree of risk relating to the security of deposits and investment return. However, through the Council's Treasury Management Strategy, the level of risk is proactively managed to an acceptable level.

Links to background information: .

1. Background

- 1.1 The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.
- 1.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

2. Introduction

- 2.1 This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:
 - A review of the Council's investment portfolio and performance for 2015/16;
 - A review of the Council's borrowing strategy for 2015/16;
 - A review of any debt rescheduling undertaken during 2015/16;
 - A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
 - An economic update for the first part of the 2015/16 financial year.

3. Valuation and Performance

- 3.1 In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. It is currently a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the 0.5% Bank Rate. The continuing potential for a re-emergence of a Eurozone sovereign debt crisis, and its impact on banks, prompts a low risk and short term strategy. Given this risk environment, investment returns are likely to remain low.
- 3.2 For 2015/16, the General Fund was budgeted to generate £420,020 from its investments and pay out a total of £220,430 in relation to borrowings giving a net return of £199,590.
- 3.3 The Housing Revenue Account (HRA) was budgeted to receive £34,000 from investments and pay out £3,584,920 in relation to borrowings, resulting in a net payment of £3,550,860 after receipt of £60 interest on council house sales.
- 3.4 The average 7-day rate used in the report is the London Interbank Bid (LIBID) rate. This rate was 0.36% for the period and is referred to as a benchmark for comparison purposes.

The following table shows the value of investments held.

Fund	30 Sept 2014 £000	30 March 2015 £000	30 Sept 2015 £000
External Investments			
Payden and Rygel	15,459	15,459	15,459
Royal London Asset Management	15,459	15,459	15,459
Internal Investments			
Bank of Scotland	2,000	2,000	2,000
CCLA Money Market Fund	2,100	3,000	125
Goldman Sachs Money Market Fund	0	0	1,300
Fixed Deposits	5,000	2,300	6,000
Total	40,018	38,218	40,343

- 3.5 The internal investments are held to meet internal short term cash flow requirements and therefore fluctuate on that basis. Note the above does not include as investments those loans obtained from PWLB which are recharged to third parties and are reflective of political decisions, as opposed to meeting the treasury management requirements of the Council.

Below is a table of the half yearly net rate of return on investments as at 30 September 2015. The LIBID rates were obtained from Capita Asset Services.

Half Year Rate of Return	2014/15 annualised	2015/16 annualised
External Investment Fund	0.84%*	0.83%
In House Investment	0.37%*	0.40%
7 Day LIBID	0.36%	0.36%
1 Month LIBID	0.38%	0.38%
3 Month LIBID	0.44%	0.46%
6 Month LIBID	0.58%	0.62%
12 Month LIBID	0.93%	0.93%

* Note these have been restated from gross as reported last year to net of fees.

- 3.6 The 2015/16 budget estimated a net return on all investment activities of £199,590 (£177,380 2014/15). The actual return for the first half of 2015/16 is circa £149,000, (£101,820 2014/15).

The table below shows the return breakdown:

General Fund (GF)	Actual 2014/15 Mths 1-6 £000	Budget 2015/16 £000	Budget 2015/16 Mths 1-6 £000	Actual 2015/16 Mths 1-6 £000	Variance 2015/16 Mths 1-6 £000
Internal Investments					
Interest on Market Investments	(22)	(56.5)	(28.25)	(27.25)	1
Other Investment interest	12	(135.5)	(67.75)	(65)	2.75
Return on Internal Investments	(10)	(192)	(96)	(92.25)	3.75
Externally Managed Funds					
Interest Received net of fees	(131)	(229)	(114.5)	(128)	(13.5)
Fair Value (Gains)/Losses*	0	0	0	0	0
Return on External Investments	(131)	(229)	(114.5)	(128)	(13.5)
Return on Investments	(141)	(421)	(210.5)	(220.25)	(9.75)
Borrowing					
Temporary Borrowing	0	1	0.5	0	(0.5)
Long Term borrowing - PWLB	39	220	110	71	(39)
Payable on Borrowings	39	221	110.5	71	(39.5)
Net Return on Treasury Activities	(102)	(200)	(100)	(149.25)	(49.25)

*This is the gain or loss in value from selling an investment before maturity

- 3.7 In terms of key variances, although other investment interest does not vary significantly there are some key differences to budget namely the timing of drawdown and thus associated repayment by LED in relation to its loan. This is offset mainly by income associated with the issue of a financial guarantee.
- 3.8 The externally managed funds have returned approximately £13,500 more than expected in the budget. As can be seen from the previous table, the rate of returns have not varied significantly and this performance is reflective of the budget being reduced compared to the previous year based on expectations of a continued depression in returns. The actual year to date compared between this year and last is not significantly different.
- 3.9 The £39,000 difference between budget and actual on long term PWLB borrowings is mainly due to the timing of the loan tranches to LED. The first two, totalling £1,450,000 were drawn down in April and May respectively. The third tranche for £400,000 as yet has not been drawn down.
- 3.10 Note this table does not include the principal element in relation to the early repayment of the second Beer CLT loan of £755,000. See the Debt Rescheduling paragraph below.

3.11 The 2015/16 budget estimated a net payment of £3,550,860 (£3,107,010 2014) for the HRA. The actual net payment for the first half of 2015/16 is £1,266,229. The table below shows the payment breakdown:

Housing Revenue Account (HRA)	Actual 2014/15 Mths 1-6 £000	Budget 2015/16 £000	Budget 2015/16 Mths 1-6 £000	Actual 2015/16 Mths 1-6 £000	Variance 2015-16 Mths 1-6 £000
Interest Receivable					
Other Investment interest	(17)	(34)	(17)	(16)	1
Return on Investments	(17)	(34)	(17)	(16)	1
Long Term Debt					
PWLB	20	39	20	20	0
PWLB Self Financing Loans	1,263	3,546	1,259	1,262	3
Payable on Borrowings	1,283	3,585	1,279	1,282	3
Net Payment for Treasury Activities					
	1,266	3,551	1,262	1,266	4

3.12 There are no significant variances at month 6. This is in line with expectations given that no new loans were anticipated in relation to the HRA.

4. External Investments

4.1 The amount receivable in relation to external investments with Royal London Asset Management's Cash Plus Fund and the Payden and Rygel Sterling Reserve Fund during the period is £128,031. This is an annualised return on investment of 0.83% after fees have been deducted. At the same point in 2014/15 the net return was £130,631, 0.84%.

4.2 The following performance summaries have been compiled using information from the fund managers' quarterly performance reviews for the period in question.

Royal London Asset Management – Cash Plus Fund

As at 30 September 2015 approximately 51% of the portfolio was held in certificates of deposit, 29% in covered bonds, 16% in corporate bonds, and the remainder was held in supranational bonds.

The portfolio comprises allocations to short-dated corporate and covered bonds, and Floating Rate Notes (FRN's). The portfolio has exposure to some longer-dated supranational bonds offering good rates of interest. The covered and corporate bonds were the main contributors to positive performance during the period, whereas certificates of deposit made only an incremental contribution to performance.

Payden and Rygel Global Ltd – Sterling Reserve Fund

The Fund is invested in a diversified range of sterling-denominated, high credit quality, liquid government, agency and corporate bonds with both fixed- and floating-rate coupons. We maintained duration at around 0.70 years throughout the quarter, marginally lower than in previous quarters. We felt Gilt yields would rise in sympathy with U.S. yields as the Fed grew closer to interest rate lift-off. The yield on 2-year Gilts ended the month unchanged. However, the Fed's inaction prompted markets to push back the timing of interest rate lift-off in the UK from the 1st half of 2016 to late 2016. Duration was therefore a positive contributor to relative returns.

The Fund's sector allocation remained roughly constant over the quarter, with around a one-third exposure to high-quality corporate bonds and another one-quarter split between covered bonds and high quality asset-backed securities. With the remainder, we preferred government agency holdings to UK Gilts for their higher yield and diversity. With heightened uncertainty and risk aversion throughout the quarter, our sector positioning partially offset the positive contribution from duration, although the fund still outperformed 7-day LIBID.

5. Internal Investments

- 5.1 Up to 30 September 2015 internal investments have generated an income of £27,255 compared to £21,878 at the same point in 2014. This is due to a slight increase in the rate of return which is reflective of being able to fix deposits for longer periods.
- 5.2 The repayment terms varied from call (instantly repayable), to fixed periods of up to 147 days (49 days in 2014/15). The net interest rate on internal investments averaged 0.40% compared to 0.37% in 2014/15, with a range of 0.35% to 0.64% this year.
- 5.3 The average rate of return achieved via cash flow management, at 0.40%, is 0.04% above the 7 Day LIBID rate for the half year of 0.36%. This is despite market rates being historically low and the duration and amount of funds available being dependent on the timing of precept payments, receipt of grants and expenditure on the Capital Programme.
- 5.4 No internal investments were held with a maturity date of more than one year, and although the Treasury Management Strategy does permit the external funds to be invested for more than one year the reality is that the Council can access this money with 3 days notice.

6. Borrowing

- 6.1 So far this year EDDC has not had to borrow to cover cash flow, and based on current cash flow forecasts there is no indication that it will need to borrow during the remainder of the current financial year in order to meet its short-term cash requirements.
- 6.2 A summary of the capital programme is included in the regular Financial Monitoring Report. This also includes a detailed breakdown of the capital financing requirements which have therefore not been reiterated here.

7. Debt Rescheduling

- 7.1 Debt rescheduling opportunities have been limited in the current economic climate, due to the consequent structure of interest rates. This has been exacerbated following the increase in the margin added to gilt yields which has impacted PWLB new borrowing rates since October 2010. During the first six months of the year, the only debt restructuring related to the early repayment of the Beer CLT loan of £755,000 at the request of Beer CLT. Due to the nature of this loan there was no direct financial impact in cash terms on EDDC.

8. Treasury Management Strategy Statement and Annual Investment Strategy Update

- 8.1 In line with the CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in Public Services local authorities are required to have a Treasury Management Strategy and they are required to formally review that strategy on an annual basis. The Treasury Management Strategy Statement (TMSS) for 2015/16 was approved by Council during February 2015. There are no policy changes to the TMSS and the details in this report update the position in the light of the updated economic position and the budgetary changes already approved.
- 8.2 The 2016/17 EDDC Strategy is due to be presented to Cabinet in February 2016 at the latest in order to meet this requirement, and research is currently being undertaken to ascertain whether the EDDC Treasury Management Strategy continues to be fit for purpose in the current financial environment.
- 8.3 Initial indications are that there is some opportunity to develop the strategy in order to allow increased operational flexibility in managing the funds without creating a negative impact on the current levels of security, liquidity and yield. The current counter party limits, which underpin the strategy, have been in place for several years and these limits form a fundamental element of the present research. In particular, the treasury management team is investigating the levels of assurance that can be obtained to support an increase in those counter party limits where appropriate and EDDC has been liaising with Capita Asset Services in this respect. The key outcome from those discussions is that the counter party limits need to be sufficiently flexible to adapt to the changing requirements of the Council, as EDDC's financing needs change without significantly increasing risk. This is particularly important as the Council's capital plan develops and the Council looks to fund more schemes internally using its own reserves as opposed to borrowing from the market.
- 8.4 The capital plan and the financing of that plan is currently being developed as part of the 2016/17 budget setting process and further details of the proposed treasury management strategy, reflective of that plan, will be presented to Members within the 2016/17 Treasury Management Strategy.
- 8.5 The EDDC treasury management team is a member of the South West Treasury Management Benchmarking Group hosted by Capita Asset Services. This group currently has members from 15 authorities and provides a forum for interpreting treasury management data across the area and sharing best practice. The group also allows the opportunity to consider any potential forthcoming treasury management risks, the early identification of which can aid proactive investment management.
- 8.6 Capita Asset Services Benchmarking Report for the period to 30 September 2015 indicates that the weighted average rate of return expected for the range of investments which EDDC is party to should be between 0.41% and 0.51%. EDDC's net weighted average return is above this at 0.76% which indicates that EDDC is outperforming market expectations.

- 8.7 As noted at paragraph 5.2 above the treasury management team has been further extending the periods of fixed term deposits placed in order to achieve as much return as possible without compromising fund liquidity.
- 8.8 On the 1 September 2015 a second money market fund was opened to allow the Council more flexibility in managing its short term cash flow requirements and to take advantage of the interest rates being offered. In some cases the overnight rates were more advantageous compared to the monthly rates being offered by some building societies for fixed deposits. As EDDC's Treasury Management Strategy requires all money market funds used to be AAA rated, these also help reduce the credit risk in the Council's portfolio.
- 8.9 It is expected that a third money market fund will be opened early in 2016 to provide even more flexibility and risk diversification. This should also allow the Council to take advantage of longer dated internally managed fixed deposits with the aim of generating greater returns for EDDC in what is likely to continue to be a depressed market.

9. Economic Update

The Council's treasury advisor, Capita Asset Services, has provided the following economic update and interest rate forecasts:

U.K.

UK GDP growth rates in 2013 of 2.2% and 2.9% in 2014 were the strongest growth rates of any G7 country; the 2014 growth rate was also the strongest UK rate since 2006 and the 2015 growth rate is likely to be a leading rate in the G7 again, possibly being equal to that of the US. However, quarter 1 of 2015 was weak at +0.4% though there was a rebound in quarter 2 to +0.7%. The Bank of England's August Inflation Report included a forecast for growth to remain around 2.4 – 2.8% over the next three years. However, the subsequent forward looking Purchasing Manager's Index, (PMI), surveys in both September and early October for the services and manufacturing sectors showed a marked slowdown in the likely future overall rate of GDP growth to about +0.3% in quarter 4 from +0.5% in quarter 3. This is not too surprising given the appreciation of Sterling against the Euro and weak growth in the EU, China and emerging markets creating headwinds for UK exporters. Also, falls in business and consumer confidence in September, due to an increase in concerns for the economic outlook, could also contribute to a dampening of growth through weakening investment and consumer expenditure. For this recovery to become more balanced and sustainable in the longer term, the recovery still needs to move away from dependence on consumer expenditure and the housing market to manufacturing and investment expenditure. The strong growth since 2012 has resulted in unemployment falling quickly over the last few years although it has now ticked up recently after the Chancellor announced in July significant increases planned in the minimum (living) wage over the course of this Parliament.

The MPC has been particularly concerned that the squeeze on the disposable incomes of consumers should be reversed by wage inflation rising back above the level of inflation in order to ensure that the recovery will be sustainable. It has therefore been encouraging in 2015 to see wage inflation rising significantly above CPI inflation which slipped back to zero in June and again in August. However, with the price of oil taking a fresh downward direction and Iran expected to soon rejoin the world oil market after the impending lifting of sanctions, there could be several more months of low inflation still to come, especially as world commodity prices have generally been depressed by the Chinese economic downturn. The August Bank of England Inflation Report forecast was notably subdued with inflation barely getting back up to the 2% target within the 2-3 year time horizon. Despite average weekly earnings ticking up to 2.9% y/y in the three months ending in July, (as announced in mid-September), this was unlikely to provide ammunition for the MPC to take action to raise Bank Rate soon as labour productivity

growth meant that net labour unit costs appeared to be only rising by about 1% y/y. However, at the start of October, statistics came out that annual labour cost growth had actually jumped sharply in quarter 2 from +0.3% to +2.2%: time will tell if this is just a blip or the start of a trend. There are therefore considerable risks around whether inflation will rise in the near future as strongly and as quickly as previously expected; this will make it more difficult for the central banks of both the US and the UK to raise rates as soon as had previously been expected, especially given the recent major concerns around the slowdown in Chinese growth, the knock on impact on the earnings of emerging countries from falling oil and commodity prices, and the volatility we have seen in equity and bond markets in 2015 so far, which could potentially spill over to impact the real economies rather than just financial markets. On the other hand, there are also concerns around the fact that the central banks of the UK and US have few monetary policy options left to them given that central rates are near to zero and huge QE is already in place. There are therefore arguments that they need to raise rates sooner, rather than later, so as to have ammunition to use if there was a sudden second major financial crisis. But it is hardly likely that they would raise rates until they are sure that growth was securely embedded and 'noflation' was not a significant threat.

The forecast for the first increase in Bank Rate has therefore progressively been pushed back during 2015 from Q4 2015 to Q2 2016 and increases after that will be at a much slower pace, and to much lower levels than prevailed before 2008, as increases in Bank Rate will have a much bigger effect on heavily indebted consumers than they did before 2008. The Government's revised Budget in July eased the pace of cut backs from achieving a budget surplus in 2018/19 to achieving that in 2019/20.

U.S.

GDP growth in 2014 of 2.4% was followed by first quarter 2015 growth depressed by exceptionally bad winter weather at only +0.6% (annualised). However, growth rebounded very strongly in Q2 to 3.9% (annualised) and strong growth was initially expected going forward. Until the turmoil in financial markets in August caused by fears about the slowdown in Chinese growth, it had been strongly expected that the Fed. might start to increase rates in September. However, the Fed pulled back from that first increase due to global risks which might depress US growth and put downward pressure on inflation, and due to a 20% appreciation of the dollar which has caused the Fed to lower its growth forecasts. Since then the nonfarm payrolls figures for September and revised August, issued on 2 October, were disappointingly weak and confirmed concerns that US growth is likely to significantly weaken. This has pushed back expectations of the first rate increase from 2015 into 2016.

Eurozone

The ECB fired its big bazooka by announcing a massive €1.1 trillion programme of quantitative easing in January 2015 to buy up high credit quality government debt of selected EZ countries. This programme started in March and will run to September 2016. This seems to have already had a beneficial impact in improving confidence and sentiment. There has also been a continuing trend of marginal increases in the GDP growth rate which hit 0.4% in quarter 1 2015 (1.0% y/y) and +0.4%, (1.5% y/y) in Q2 GDP. The ECB has also stated it would extend its QE programme if inflation failed to return to its target of 2% within this initial time period.

Greece. During July, Greece finally capitulated to EU demands to implement a major programme of austerity and is now cooperating fully with EU demands. An €86bn third bailout package has since been agreed though it did nothing to address the unsupportable size of total debt compared to GDP. However, huge damage has been done to the Greek banking system and economy by the resistance of the Syriza Government, elected in January, to EU demands. The surprise general election in September gave the Syriza government a mandate to stay in power to implement austerity measures. However, there are major doubts as to whether the size of cuts and degree of reforms required can be fully

implemented and so Greek exit from the euro may only have been delayed by this latest bailout.

China and Japan

Japan is causing considerable concern as the increase in sales tax in April 2014 has suppressed consumer expenditure and growth. In Q2 2015 growth was -1.6% (annualised) after a short burst of strong growth of 4.5% in Q1. During 2015, Japan has been hit hard by the downturn in China. This does not bode well for Japan as the Abe government has already fired its first two arrows to try to stimulate recovery and a rise in inflation from near zero, but has dithered about firing the third, deregulation of protected and inefficient areas of the economy, due to political lobbies which have traditionally been supporters of Abe's party.

As for China, the Government has been very active during 2015 in implementing several stimulus measures to try to ensure the economy hits the growth target of 7% for the current year and to bring some stability after the major fall in the onshore Chinese stock market. Many commentators are concerned that recent growth figures around that figure, could have been massaged to hide a downturn to a lower growth figure. There are also major concerns as to the creditworthiness of much bank lending to corporates and local government during the post 2008 credit expansion period and whether the bursting of a bubble in housing prices is drawing nearer. Overall, China is still expected to achieve a growth figure that the EU would be envious of. However, concerns about whether the Chinese cooling of the economy could be heading for a hard landing, and the volatility of the Chinese stock market, have caused major volatility in financial markets in August and September such that confidence is, at best, fragile.

Emerging Countries

There are considerable concerns about the vulnerability of some emerging countries and their corporates which are getting caught in a perfect storm. Having borrowed massively in western currency denominated debt since the financial crisis, caused by western investors searching for yield by channelling investment cash away from western economies with dismal growth, depressed bond yields (due to QE), and near zero interest rates, into emerging countries, there is now a strong current flowing to reverse that flow back to those western economies with strong growth and an imminent rise in interest rates and bond yields. This change in investors' strategy and the massive reverse cash flow, has depressed emerging country currencies and, together with a rise in expectations of a start to central interest rate increases in the US and UK, has helped to cause the dollar and sterling to appreciate. In turn, this has made it much more costly for emerging countries to service their western currency denominated debt at a time when their earnings from commodities are depressed. There are also going to be major issues when previously borrowed debt comes to maturity and requires refinancing at much more expensive rates, if available at all.

Corporates (worldwide) heavily involved in mineral extraction and / or the commodities market may also be at risk and this could also cause volatility in equities and safe haven flows to bonds. Financial markets may also be buffeted by sovereign wealth funds of countries highly exposed to falls in commodity prices which, therefore, may have to liquidate investments in order to cover national budget deficits.

Interest Rate Forecasts

	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18
Bank rate	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.50%	1.50%	1.75%	1.75%
5yr PWLB rate	2.40%	2.50%	2.60%	2.80%	2.90%	3.00%	3.10%	3.20%	3.30%	3.40%	3.50%
10yr PWLB rate	3.00%	3.20%	3.30%	3.40%	3.50%	3.70%	3.80%	3.90%	4.00%	4.10%	4.20%
25yr PWLB rate	3.60%	3.80%	3.90%	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.60%
50yr PWLB rate	3.60%	3.80%	3.90%	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.60%

Capita Asset Services undertook its last review of interest rate forecasts on 11 August shortly after the quarterly Bank of England Inflation Report. Later in August, fears around the slowdown in China and Japan caused major volatility in equities and bonds and sparked a flight from equities into safe havens like gilts and so caused PWLB rates to fall below the above forecasts for quarter 4 2015. However, there is much volatility in rates as news ebbs and flows in negative or positive ways and news in September in respect of Volkswagen, and other corporates, has compounded downward pressure on equity prices. This latest forecast includes a first increase in Bank Rate in quarter 2 of 2016.

Despite market turbulence since late August causing a sharp downturn in PWLB rates, the overall trend in the longer term will be for gilt yields and PWLB rates to rise when economic recovery is firmly established accompanied by rising inflation and consequent increases in Bank Rate, and the eventual unwinding of QE. Increasing investor confidence in eventual world economic recovery is also likely to compound this effect as recovery will encourage investors to switch from bonds to equities.

The overall balance of risks to economic recovery in the UK is currently evenly balanced. Only time will tell just how long this current period of strong economic growth will last; it also remains exposed to vulnerabilities in a number of key areas.

The disappointing US nonfarm payrolls figures and UK PMI services figures at the beginning of October have served to reinforce a trend of increasing concerns that growth is likely to be significantly weaker than had previously been expected. This, therefore, has markedly increased concerns, both in the US and UK, that growth is only being achieved by monetary policy being highly aggressive with central rates at near zero and huge QE in place. In turn, this is also causing an increasing debate as to how realistic it will be for central banks to start on reversing such aggressive monetary policy until such time as strong growth rates are more firmly established and confidence increases that inflation is going to get back to around 2% within a 2-3 year time horizon. Market expectations in October for the first Bank Rate increase have therefore shifted back sharply into the second half of 2016.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- Geopolitical risks in Eastern Europe, the Middle East and Asia, increasing safe haven flows.
- UK economic growth turns significantly weaker than we currently anticipate.
- Weak growth or recession in the UK's main trading partners - the EU, US and China.
- A resurgence of the Eurozone sovereign debt crisis.

- *Recapitalisation of European banks requiring more government financial support.*
- *Emerging country economies, currencies and corporates destabilised by falling commodity prices and / or the start of Fed. rate increases, causing a flight to safe havens*

The potential for upside risks to current forecasts for UK gilt yields and PWLB rates, especially for longer term PWLB rates include: -

- *Uncertainty around the risk of a UK exit from the EU.*
- *The ECB severely disappointing financial markets with a programme of asset purchases which proves insufficient to significantly stimulate growth in the EZ.*
- *The commencement by the US Federal Reserve of increases in the Fed. funds rate causing a fundamental reassessment by investors of the relative risks of holding bonds as opposed to equities and leading to a major flight from bonds to equities.*
- *UK inflation returning to significantly higher levels than in the wider EU and US, causing an increase in the inflation premium inherent to gilt yields.*

Report to: Cabinet
Date of Meeting: 2 December 2015
Public Document: Yes
Exemption: None
Review date for release: None



Agenda item: 17

Subject: Sidmouth Mill Street car park

Purpose of report: To consider a proposal to manage 36 un-let parking spaces in Sidmouth's Mill Street car park for public pay and display car parking and to seek Members' views on the long term future of this site.

Recommendation: **To take the necessary steps to revise the East Devon Parking Places Order and to task the Council's in-house team with managing the remaining car parking spaces as a public pay and display car park.**

Reason for recommendation: To enable the Council to respond quickly to bring the 36 unlet reserved parking spaces in Sidmouth town centre into use for public pay and display car parking.

Officer: Andrew Ennis, Service Lead for Environmental Health and Car Parks
aennis@eastdevon.gov.uk ext: 2382

Financial implications: Financial implications are included within the report. Insurance implications will need to be investigated further for costs etc.

Legal implications: If the decision is to include this car park in the Council's Parking Places Order then it should be noted that there are statutory procedures to be followed to enable this to occur. Given the need to follow these procedures it is unlikely that this can be achieved before Christmas. In addition it should be noted that once the spaces are included within the Order similar procedures are needed to remove the spaces. This may make future use of the land more complicated to deliver as it will involve additional issues to overcome. Otherwise there are no legal implications arising.

Equalities impact: Low Impact

Risk: Low Risk

The proposal is to operate a public pay and display car park at Mill Street and to continue to operate Holmedale on a reserved parking only basis. An option to trial an alternative delivery model has been considered and has been compared to the option of operating a traditional Council pay and display car park. Whilst a private sector partner will bring valuable experience of the use of ANPR technology, there remains a risk to the Council's reputation in so far as the day to day management of the car park will be in the hands of someone else. Contractual safeguards can be in place that would ensure that our partner's enforcement policies and procedures are suitable and sufficient to protect the Council's reputation.

Links to background information:

Link to Council Plan: Living in, working in, enjoying and funding this outstanding place.

Introduction

1. On 12 July 2012 the Council's Asset Management Forum (AMF) considered the revenue being earned by Sidmouth's town centre reserved car parks:

Following the development of Northcotts Garage car park into the Holmedale Housing development and the sale of York Street Car Park, the demand for Sidmouth's town centre reserved parking spaces was far exceeding supply with around 100 people on the waiting lists and all 46 spaces in Mill Street car park having been let. The historic waiting list system that had been in place for many years had become unreliable with some of those spaces being retained by people who should allegedly not have had them and even suggestions that some were being used once per week for shopping and others might even have been traded on unofficially. Although town centre residents had a priority waiting list of their own, a number of non-residents including second home owners had apparently acquired spaces over the years. AMF agreed that because pay and display spaces in our nearby public pay and display car parks at Ham and Roxburgh earned around £1500 each per year each, and the sale of 6 spaces in York Street had recently achieved a sum of £120,000, these spaces ought to be worth at least £1500 per annum each. We had previously let these spaces on licence to residents for £480 +VAT per year and to businesses for £960 + VAT + business rates per year.

2. On 3 October 2012 a report (including a review of Sidmouth's town centre reserved car parks) was presented to Cabinet. Members decided to refer the various car parking matters to Scrutiny Committee for their consideration and then debate the matter fully in January. On 30 January 2013 Cabinet reconsidered the report and resolved to invite tenders for the 46 spaces in Mill Street with the expectation that they would achieve £1500 each per year.
3. The Mill Street tender exercise was begun by our Property team in November 2013 and by then 3 of the spaces had become vacant. The exercise was completed in respect of these 3 vacant spaces only and was designed to "test the market". The advertisement was published in February 2014 and tenders were received in March 2014.
4. There was then a further report to Cabinet in July 2014 when Members resolved to approve a revised rental charge for Sidmouth Town centre reserved parking bays of £1500 + VAT + business rates per year.
5. During the summer and autumn of 2014, following press coverage of the story and considerable pressure from existing customers, the local MP and District Council Members we had several meetings with the then Sidmouth Ward Members to seek a compromise solution. That solution involved a concession allowing a limited number of customers unable or unwilling to pay the new reserved rate and unwilling or unable to use Manor Road long stay car park (or to find other arrangements) to purchase a permit for around £500 per annum that allowed (not reserved) long stay parking in the least busy section of Ham East short stay car park (behind the swimming pool).
6. Unfortunately following consultation, Sidmouth Chamber of Commerce objected to the proposed concession on the basis that it would reduce the availability of town centre

parking for visitors and shoppers and following further consultation with Ward Members and customers, we presented a further Cabinet Report on 11 February 2015. Members agreed to proceed with the agreed pricing policy (£1500 + VAT + business rates per year) with a minor concession allowing any disabled customer displaced from Mill Street because of the price increase to be allowed to purchase a special permit that allowed all-day parking in the Ham. By now, although not originally part of the discussion with AMF in 2012, the above mentioned Holmedale housing development had been completed and 12 more reserved spaces from the original Northcotts Garage car park were added to the 46 spaces in Mill Street, thereby increasing the number of reserved parking spaces available to 58.

7. On 18 February 2015 all existing Sidmouth town centre reserved parking customers were formally offered a 3 year lease of a reserved parking space on the new terms and conditions and at the same time given Notice that they would need to vacate by 31 March if they did not accept the new terms.
8. On 16 April 2015 all remaining spaces were offered to our waiting list customers
9. On 24 July 2015 all remaining spaces were advertised in the Sidmouth Herald and on the Council's website. The news of the availability was also circulated on social media.

Current Situation

10. Today 22 of the 46 spaces in Mill Street have been let on 3-year leases and all 12 spaces in Holmedale remain vacant.
11. We are now taking the view that the remaining 36 spaces do not appear to have attracted customers willing or able to pay the going rate to reserve them for their exclusive use. We are now actively considering the best possible use of these remaining car parking spaces. The land is not currently available for public car parking and is not currently regulated under the Road Traffic Regulation Act 1984 (we already provide around 640 off street public car parking spaces in Sidmouth) but we acknowledge the possibility that offering 36 additional public parking spaces here is clearly an option.
12. The site is however conveniently located for the amenities of Sidmouth town centre. It is also directly across the road from the successful Holmedale housing development that has recently provided twelve families with much needed new affordable homes in Sidmouth. The Council currently has access to substantial section 106 funding that it is minded to invest in further social housing provision within Sidmouth town itself and Officers are talking to possible partners looking into the feasibility of a new social housing scheme on this site. If such a proposal looks likely to be feasible then that would need to go through a comprehensive consultation and planning process before it could be taken any further.
13. In the event that a housing development is a viable option, it would still be our intention to continue to offer sufficient reserved car parking spaces at both Holmedale and Mill Street to meet the needs of our existing customers.

Temporary arrangements

14. Thirty-six unoccupied car parking spaces in Sidmouth town centre are not to anyone's benefit. This report recommends that these car parking spaces should be made available to the public on a pay and display tariff.

15. The Council has an opportunity to task its own in-house car parks team to set out the parking spaces for public use on a traditional pay and display basis and to add the car park to the East Devon Parking Places Order, but this time on a public short stay pay and display tariff.
16. Officers have been approached by (and have been in discussions with) a private sector provider. The private sector can offer an alternative delivery model and an opportunity to trial a joint venture arrangement utilizing automatic number plate recognition camera technology to manage the use of these spaces.
17. The company is successfully operating similar parking management schemes in the area. The installation of the camera and other equipment is likely to amount to development. However, consultation with our Development Management colleagues has confirmed that operationally the Council is able to take advantage of permitted development rights allowing the installation of this equipment on its own land without the need for a planning application.
18. The arrangements for our existing twenty-two reserved parking customers need careful consideration and all of them are being offered the opportunity to retain a reserved parking bay within the public car park or, as an alternative a transfer to one of the vacant spaces in Holmedale. With the private sector partner option, the unlet parking spaces will be made available to customers under the management of an ANPR / pay & display system.
19. Our existing reserved parking customers will continue to have exclusive use of a parking bay but logistically, it may be necessary to offer some of them an alternative bay in order to create a clear distinction between the “public” zone and reserved parking bays.

Business Case for ANPR enforcement with the private sector partner:

20. An agreement with a private sector partner could specify that EDDC retains the ownership of the car park and continues to be the landlord of the reserved parking customers. The Council would pay the business rates for the public area of the car park and we may need to include the car park in our policy of insurance.
21. The private sector partner would supply all the necessary ANPR / pay and display equipment, new signage and lockable collapsible bollards for the reserved parking bays.
22. EDDC would retain all revenue from reserved parking customers and the partner company would retain any parking charge notice income they collect from customers who park without paying (or who otherwise use the car park in contravention of the rules). Under the terms negotiated the pay and display parking revenue would be shared on a 50 /50 split between the parties.

Enforcement Policy

23. The 50/50 split of parking revenue is important because there is a risk that private parking management arrangements that are based solely on the private sector partner earning only parking charge notice income can incentivise over-zealous enforcement and in consequence reputations can be harmed. The policy will be to earn revenue from repeat customers paying to park and that the threat of charge notices is to encourage customers to pay for their parking. It is not intended that this should be a significant source of revenue in itself.

Business case for in-house management by EDDC's Car Parks' team

24. The Council is of the view that, based on our experience in The Ham and Roxburgh car parks, spaces in the town centre should generate around £1500 each per annum.

25. This remains untested for this car park but if we do nothing then it seems unlikely that the remaining reserved parking bays will be let. This is not only undesirable for residents and businesses in Sidmouth town centre; it also means that a substantial part of this asset is failing to earn revenue.

26. The necessary initial investment to manage these spaces for public pay and display parking would comprise a pay and display ticket machine and a new welcome board and tariff sign, lockable bollards and additional line painting (for the reserved bays) along with the costs of legal work, consultation and advertising costs associated with a variation to the East Devon Parking Places Order. We estimate that this is likely to be of the order of £10,000.

27. The inclusion of the car park in the Order would enable the Council to include the car park within its existing portfolio and thereafter to manage it within existing resources. However its inclusion might later present a potential barrier to the housing development currently being contemplated and further consultation would certainly be necessary on any subsequent proposal to vary the Order again by removing the car park at a later date.

28. Our income projection for the first year is:

Reserved Parking Customers	= 22 x £1500	= £33,000
Pay and Display Customers	= 36 x £1500	= £54,000

29. Costs

In partnership with the private sector the initial costs to us would be £0 but there would be potential costs associated with insurance and business rates to be explored. There are also costs associated with reputation management and the cancellation of charge notices at the Council's request along with a liability for repair and maintenance of equipment (other than fair wear and tear). The revenue from pay and display transactions would be shared on a 50:50 basis to cover the partner's management costs so depending on the level of uptake, the cost of this measure could well be £20,000 to £30,000.

Acting alone our up-front costs would be of the order of £10,000 and we have not identified any significant additional day to day running costs that could not be absorbed within existing revenue budgets.

Report to: Cabinet
Date of Meeting: 2 December 2015
Public Document: Yes
Exemption: None
Review date for release: None



Agenda item: 18

Subject: Staff engagement survey 2015

Purpose of report: This summary report seeks to update Members on staff responses to the 2015 staff engagement survey.
 There is an abundance of research which directly links high levels of staff engagement to increased productivity and good customer service.
 This survey will continue to provide us with critical information about staff engagement throughout the moving and improving project and will be submitted in January to the Investor in People assessor who will be reviewing our Gold status.

Recommendation: **That the Cabinet notes the outcomes of the staff engagement survey as an important benchmark and continues to monitor staff engagement throughout the office relocation project.**
That Cabinet are made aware that the next steps will involve drawing up a corporate and service action plans to address points made by respondents in the comments section.

Reason for recommendation: The reason for the recommendation as outlined is so that Members are kept abreast of staff engagement generally and any issues arising.

Officer: Karen Jenkins, Strategic Lead Organisational Development and Transformation kjenkins@eastdevon.gov.uk ext: 2762

Financial implications: The report is for information only at this stage and as such there are no financial implications to note

Legal implications: There are no legal comments required

Equalities impact: Low Impact

Risk: Low Risk

Links to background information: .

Link to Council Plan: Outstanding council

Report in full

- 1 Key messages from the summary report are:
- that there has been an increase in staff who responded saying that they would recommend EDDC as an employer from 90% to 93%
 - respondent levels have increased from 44% to 60% compared with last year

- 88% of staff who responded say 'I am happy with East Devon as my employer' compared to 84% of respondents last year.

East Devon District Council Staff Engagement Survey – November/ December 2015

Contents:

- 1 Methodology
- 2 Summary results
- 3 Comparisons with previous surveys
- 4 Actions

1 Methodology

1.1 The Staff Engagement Survey was designed in-house by the Strategic Lead Organisational Development and Transformation following research into workplace factors that are considered to be the best indicators of staff engagement.

1.2 This survey is sent out annually and questions have largely remained the same except for additions made at the request of our StreetScene colleagues. This survey is a particularly important baseline through the 'moving and improving' and office relocation and continued constraints in the public sector in the coming years.

1.3 People were asked to indicate their agreement or disagreement with 24 statements as well as answer the following questions:

- Would you recommend East Devon District Council as a place to work?
- What two improvements do you think it's most important that East Devon District Council makes?
- People who have regular contact with their line managers manager were asked to indicate their agreement or disagreement with 6 statements about them.

1.4 The survey was placed online and sent out in November by the Chief Executive as a link in an e-mail to all staff. It was an anonymous survey with individuals asked to indicate which service area they work in. Paper copies were also made available in various Council sites for staff without regular internet access and in Novembers paper payslips.

1.5 Results were analysed using excel and SSPS software.

1.6 **291** staff completed the questionnaire - 29 completed it on paper and the rest online. This is an good overall return rate of 60%.

1.7 Responses demonstrate that there has been improvement in responses to all but 4 of the statements.

2 Results

Thinking about your current employment at East Devon District Council, do you agree or disagree with the following statements:		Agree	Neither agree nor disagree	Disagree	No. of respondents
		%	%	%	
A	I know what is expected of me at work	92	4	4	289
	November 2014	92	4	4	208
	November 2013	96	2	2	250
B	I have all the tools and equipment I need to do my job well	75	10	15	288
	November 2014	77	7	16	207
	November 2013	79	9	12	250
C	I understand how my work fits in with the overall work of the Council	94	4	2	288
	November 2014	89	8	3	208
	November 2013	96	4	0	251
D	I get the respect I deserve at work from my colleagues	82	13	5	290
	November 2014	80	12	9	
	November 2013	83	11	6	251
E	I have the opportunity to do my job to the best of my ability	78	11	11	290
	November 2014	76	9	14	208
	November 2013	83	10	7	251
F	I regularly receive supportive feedback and appreciation from my line manager	77	13	11	290
	November 2014	75	11	14	206
	November 2013	76	16	8	250
G	I can rely on my line manager to help me out with a work problem	84	7	8	288
	November 2014	80	10	10	207
	November 2013	86	8	6	251
H	My ideas and suggestions about my work and the work of the Council are listened to	69	21	10	286
	November 2014	62	22	16	205
	November 2013	66	26	8	248
I	My job is important to the Council in meeting its priorities	89	11	1	287
	November 2014	85	12	3	206
	November 2013	92	8	0	247
J	The Council is focused on improving services for its customers	83	11	5	289
	November 2014	82	12	7	208
	November 2013	87	11	3	246

Thinking about your current employment at East Devon District Council, do you agree or disagree with the following statements:		Agree	Neither agree nor disagree	Disagree	No. of respondents
K	The members of my team are committed to working to the best of their ability	84	9	7	289
	November 2014	87	7	6	208
	November 2013	88	9	3	248
L	My line manager champions improvements that benefit our customers	79	15	6	287
	November 2014	76	15	10	205
	November 2013	78	20	2	247
M	Over the past year I have had opportunities to learn and grow within the organisation	64	22	13	278
	November 2014	55	25	20	195
	November 2013	62	28	11	245
N	I am happy with the pay and benefits I receive in my job	58	17	26	290
	November 2014	54	15	31	208
	November 2013	50	22	28	249
O	I know about important developments and corporate communication is good	80	14	6	290
	November 2014	69	17	14	206
	November 2013	82	15	4	248
P	My line manager communicates important information to me	86	7	7	290
	November 2014	76	12	12	205
	November 2013	85	12	3	249
Q	My working time can be flexible	84	7	8	287
	November 2014	86	5	9	199
	November 2013	91	5	4	248
R	When changes are made at work I am clear how they will work in practice	71	20	9	286
	November 2014	61	18	21	202
	November 2013	73	21	6	248
S	I am supported when I have to do emotionally demanding work	69	23	8	264
	November 2014	63	25	12	185
	November 2013	68	26	6	231
T	I can talk to my Manager about something that has upset or annoyed me at work	83	8	9	288
	November 2014	81	10	9	205
	November 2013	85	11	4	251
U	I get the help and support I need from colleagues to do my job	85	10	5	289
	November 2014	83	11	7	208
	November 2013	87	10	3	251
V	I am always consulted about changes at work	59	26	14	285

	November 2014	52	22	27	200
	November 2013	63	25	12	248
W	I have enough opportunities to question my line manager about changes at work	80	12	8	289
	November 2014	73	15	12	204
	November 2013	74	21	6	249
X	I am happy with EDDC as my employer	88	9	3	290
	November 2014	84	12	4	205
	November 2013	89	10	1	251

2. Do you have regular contact with the person who manages your line manager?

63% of the 287 respondents to this question have regular contact with their line managers manager.

3. If you do have regular contact with your line managers manager, please tell us if you agree or disagree with the following statements:		Agree	Neither agree nor disagree	Disagree	No. of respondents
		%	%	%	
A	I regularly receive supportive feedback and appreciation from my line manager's manager	77	14	9	180
	November 2014	71	12	17	115
B	I can rely on my line manager's manager to help me out with a work problem	83	11	6	178
	November 2014	72	17	11	116
C	My line manager's manager champions improvements that benefit our customers	84	12	5	177
	November 2014	77	14	9	113
D	I can talk to my line manager's manager about something that has upset or annoyed me at work	76	16	9	176
	November 2014	68	17	15	118
E	I have enough opportunities to question my line manager's manager about changes at work	76	16	9	173
	November 2014	66	11	23	114
F	My line manager's manager communicates important information to me	87	8	5	178

4. Would you recommend East Devon District Council as a place to work?

93% of respondents would recommend the council as a place to work. This compares to 90% in 2014.

5. What two improvements do you think it's important that East Devon District Council makes?

Respondents' comments will be summarised and SMT/Strata will develop a corporate and service action plan.

Report to: Cabinet
Date of Meeting: 2 December 2015
Public Document: Yes
Exemption: None



Agenda item: 19

Subject: Exemption to Contract Standing Orders for Feniton Flood Alleviation Project Phase 1 Tendering

Purpose of report: To note the reasons for the approval of an exemption to Contract Standing Orders for the use of contractors on Pro Contract who have expressed an interest in submitting a tender for the Phase 1 works.

Recommendation: That Cabinet agree to the exemption in order for this Phase of the scheme to be completed.

Reason for recommendation: The Feniton Flood Drainage Works is part of a project being promoted by EDDC at a total cost of £1.6m to reduce the risk of flooding to residents in Feniton. Phase 1 of the project is to construct the ditch system at Metcombe & Sweethams Cottage and Gosford Farm. We have recently been out to tender for these works to contractors on DCC's Exor list but have received no returns. There is a certain amount of haste required to get this work started as the EA wish to see work started on site in order that they can justify the money that has been allocated for EDDC to draw down from Defra for the scheme. We have therefore been out and received back Tenders from four contractors who are on Pro Contract, who we have spoken to and were willing to submit a price. The successful contractor was Kingcombe Aquacare Ltd for the Tender sum of £158,852.92. This work has started on site in October and the first section of work, the ditch around the back of Metcombe & Sweethams Cottages, is almost complete.

Officer: Keith Steel, Senior Engineer – Technical ksteel@eastdevon.gov.uk
Ext: 2420

Financial implications: The budget for this element of the Capital Programme was £150,000. The main contract will need to be reduced by £ 8,850 to accommodate this contract price.

Legal implications: The contract value falls below the threshold set out in the Public Contracts Regulations 2015 and therefore the EU procurement procedure does not apply and an exemption can be validly given pursuant to the Council's Contract Standing Orders Rule 3.1. The basis for the exemption (as set out in the request and the report) appears sound and as such the exemption has been legitimately secured. Accordingly there are no legal implications arising and Cabinet can note/endorse the exemption.

Equalities impact: Low Impact

Risk: High Risk
There is the risk of losing the Defra FDGiA money allocated to this scheme.

Links to background information:

Link to Council Plan: Living in this outstanding place
Enjoying this outstanding place.



REQUEST FOR EXEMPTION TO CONTRACT STANDING ORDERS

A request for exemption to Contract Standing Orders (CSO) can be made under CSO 3.1 – 3.5. No exemption can be used if the EU Procedure applies.

Name: Keith Steel	Date: 6 August 2015
Service: Street Scene	Team: Engineers
Total contract value: £150k estimate	

Background (including product and supplier details, costs etc):

The Feniton Drainage Works currently being promoted by EDDC is a £1.6m scheme to reduce the risk of flooding to the residents of Feniton. Phase 1 of the scheme is to construct the ditch system at Melcombe & Sweethams Cottage and Gosford Farm. We have recently been out to tender for these works to contractors on DCC's Exor list and have received no returns. There is a certain amount of haste required to get this work started as the EA wish to see work started in order that they can justify the Defra spend. We would therefore like to go out to four contractors who are on ProContract who we have spoken to and are willing to submit a price.

Business Reasons for an Exemption:

Although the following are justifiably accepted as valid reasons for an exemption to Contract Standing Orders, they are closely monitored and should be applied only in cases where a full procurement exercise is not a viable option. (Tick appropriate boxes)

	✓	Which CSO rule?
An Emergency		
Goods or Services to existing systems or kit		
Purchase or repair of patented or proprietary articles sold only at a fixed price		
Effective competition is prevented by government control		
Goods and/or Services recommended by a Central Government Department		
Extension to an existing contract for the purpose of achieving Best Value		
Purchase or Sale by Auction		
Where the Contract is with a Public Utility Company or other organisation which will assume liability for the works on completion e.g. sewer adoption		
Other Reasons (please provide details) Limited Markets	✓	3.2

Business Benefits for an Exemption:

We will have a better chance of receiving a competitive price

What are the implications to the following:

Finance: None

Human Resources: None

ICT: None

Asset Management: In the future this asset will be the responsibility of EDDC.

Strategic and/or Operational Objectives: ~~None~~ *If we don't deliver the 1st phase of construction asap we may put at risk our EA fdgia funding. Attached.*

Risk Assessment:

Detail risks here: The work could be delayed but this would have an effect on the project programme and would mean certain properties suffering the prospect of another winter of flooding..

Or attach print from the RM system

Signature of line manager or service head

[Signature]

Supporting signature of Corporate Procurement Officer

[Signature] 20 August 2015

Supporting signature of Head of Finance

[Signature]

Supporting Signature of Corporate Legal & Democratic Services Manager

[Signature] 28.8.15

PLEASE NOTE:

Rule 3.2 requires you to prepare a report for Cabinet to support the action taken.

Procurement is required to keep a Register of Exemptions. **Please ensure that your report to Cabinet is copied to Procurement.**

Report to: Cabinet
Date of Meeting: 2 December 2015
Public Document: Yes
Exemption: None



Agenda item: 20

Subject: **Exemption to Contract Standing Orders for Feniton Flood Alleviation Project Phase 3 Network Rail Crossing**

Purpose of report: To note the reasons for the approval of an exemption to Contract Standing Orders for the use of one contractor, specified by Network Rail (NR), to carry out work on their land to cross the West of England Main Line.

Recommendation: **That Cabinet agree to the exemption in order for this scheme to be completed.**

Reason for recommendation: In order to complete the Feniton Flood scheme, our pipe has to pass underneath the West of England Main Line, on the route agreed with the Environment Agency, Parish Council and adjacent land owners. NR has a list of contractors who have the experience in carrying out this type of work and in working with NR. The contractor, NR have asked us to work with for this scheme, is Balfour Beatty Rail (BBR).

If we do not use BBR there will be long delays and increased cost in delivering this scheme due to:

- The level of indemnity and insurance required by NR when working close to or underneath an operational rail line
- Negotiation of additional agreements and approvals with NR

It is recommended that only the section of pipe adjacent and beneath an operational rail line are procured through BBR, and the remainder of the pipe is procured in accordance with EDDC standing orders. BBR have sent us a budget cost of £226,759.00 +/- 10%. We have accepted this price in principle and BBR will now firm up the price, sign up and make a formal submission with a definitive price.

Officer: Keith Steel, Senior Engineer – Technical ksteel@eastdevon.gov.uk
Ext: 2420

Financial implications: The Budget for the element of the programme was £114,400 so this price, assume to be £250,000 with plus 10%, now means that the main contract budget will need to be reduced by £135,600. The main contract price will become £ 799,765. Please note the total Expenditure Budget for this project is £1,557,730 (2013 – 2018)

Legal implications: The contract value falls below the threshold set out in the Public Contracts Regulations 2015 and therefore the EU procurement procedure does not apply and an exemption can be validly given pursuant to the Council's Contract Standing Orders Rule 3.1. The basis for the exemption (as set out in the request and the report) appears sound and as such the exemption has been legitimately secured. Accordingly there are no legal implications arising and Cabinet can

note/endorse the exemption.

Equalities impact: Low Impact

Risk: High Risk

If we do not use BBR there will be long delays and increased cost in delivering this scheme due to:

- The level of indemnity and insurance required by NR when working close to or underneath an operational rail line
- Negotiation of additional agreements and approvals with NR

Links to background information:

Link to Council Plan: Living in this outstanding place
Enjoying this outstanding place



REQUEST FOR EXEMPTION TO CONTRACT STANDING ORDERS

A request for exemption to Contract Standing Orders (CSO) can be made under CSO 3.1 – 3.5. No exemption can be used if the EU Procedure applies.

Name: Keith Steel	Date: 17 August 2015
Service: Street Scene	Team: Engineers
Total contract value: £200k estimate	

Background (including product and supplier details, costs etc):
 The Feniton Drainage Works currently being promoted by EDDC is a £1.6m scheme to reduce the risk of flooding to the residents of Feniton. Phase 3 of the scheme is to construct a pipe beneath the main Exeter to Waterloo railway line.
 Following discussions with Network Rail, the owner of the line, the only company they are prepared to have organise, carry out and inspect the works on completion are Balfour Beatty. We would therefore ask for an exemption to contract standing orders in order to open up discussions with Balfour Beatty to carry out these works.

Business Reasons for an Exemption:

Although the following are justifiably accepted as valid reasons for an exemption to Contract Standing Orders, they are closely monitored and should be applied only in cases where a full procurement exercise is not a viable option. (Tick appropriate boxes)

	✓	Which CSO rule?
An Emergency		
Goods or Services to existing systems or kit		
Purchase or repair of patented or proprietary articles sold only at a fixed price		
Effective competition is prevented by government control		
Goods and/or Services recommended by a Central Government Department		
Extension to an existing contract for the purpose of achieving Best Value		
Purchase or Sale by Auction		
Where the Contract is with a Public Utility Company or other organisation which will assume liability for the works on completion e.g. sewer adoption		
Other Reasons (please provide details) Limited Markets	✓	3.2

Business Benefits for an Exemption:
As it is Network rails line, we are governed by them as to who carries out the work beneath their track.

What are the implications to the following:

Finance: No competitive

Human Resources: None

ICT: None

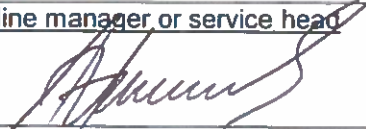
Asset Management: In the future this asset will be the responsibility of EDDC under scrutiny from Network Rail


Strategic and/or Operational Objectives: this is the only way to connect the flood scheme pipe from the northeast to the flood scheme pipe to the southwest.


Risk Assessment:


Detail risks here: The majority of the risk involved in carrying out this work to install a pipe under a main line rail link would be taken on by Balfour Beatty

Or attach print from the RM system

Signature of line manager or service head


Supporting signature of Corporate Procurement Officer
 20 August 2015

Supporting signature of Head of Finance


Supporting Signature of Corporate Legal & Democratic Services Manager
 28.8.15.

PLEASE NOTE:

Rule 3.2 requires you to prepare a report for Cabinet to support the action taken.

Procurement is required to keep a Register of Exemptions. **Please ensure that your report to Cabinet is copied to Procurement.**

Report to: Cabinet
Date of Meeting: 2 December 2015
Public Document: Yes
Exemption: None



Agenda item: 21

Subject: **Monthly Performance Report October 2015**

Purpose of report: Performance information for the 2015/6 financial year for October 2015 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

Recommendation: **That the Cabinet considers the progress and proposed improvement action for performance measures for the 2015/16 financial year for October 2015.**

Reason for recommendation: This performance report highlights progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Development Management, Housing, Revenues and Benefits and StreetScene.

Officer: Karen Jenkins, Strategic Lead – Organisational Development and Transformation

kjenkins@eastdevon.gov.uk ext 2762

Financial implications: There are no direct financial implications.

Legal implications: There are none arising from the recommendations in this report.

Equalities impact: Low Impact

Risk: Low Risk

A failure to monitor performance may result in customer complaints, poor service delivery and may compromise the Council's reputation.

Links to background information:

- [Appendix A – Monthly Performance Snapshot for October 2015](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2015/16 financial year up to October 2015](#)
- [Appendix C – System Thinking Reports for Housing, Development Management, Revenues and Benefits and StreetScene for October 2015](#)

Link to Council Plan: Living, working, enjoying and outstanding Council

Report in full

1. Performance information is provided on a monthly basis. In summary most of the measures are showing acceptable performance.
2. There are two indicators that are showing excellent performance:
 - Percentage of planning appeal decisions where the planning inspector has disagreed with the Council's decision
 - Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
3. There is one performance indicator showing as concern:
 - Working days lost due to sickness absence –
 - Sickness for October 2014 was 5.64 average days per person. This year the figure is 5.78 which represents an increase of 0.14 average days per person compared to last year.
 - The trend in sickness absence shows a higher incidence of sickness against our annual target of 8.5 average days per person. However, if sickness absence continues at the same rate for the remainder of the financial year the final average number of days sick per person will be 9.90 which is lower than last year which was 10.41.
 - The Human Resources team continues to work closely to manage sickness absence with line managers. The trend of new long term sickness cases emerging continues and we have had 18 employees on long term sick (2 months or more) during the year compared to 11 for the same period last year.
4. Monthly Performance Snapshot for October is attached for information in [Appendix A](#).
5. A full report showing more detail for all the performance indicators mentioned above appears in [Appendix B](#).
6. Rolling reports/charts for Housing, Development Management, Revenues and Benefits and StreetScene appear in [Appendix C](#).

Monthly Performance Snapshot – October 2015



This monthly performance snapshot shows our performance over the last month:

- **99.67%** of rent due on council owned homes collected
- **5.36 days** to process your Housing or Council Tax Benefit claims
- **94%** of invoices received by us are paid within 10 days
- Less than **2.5 days** on average to clear fly tipping cases, dealing with **46 cases** in October
- An estimated **45%** of all waste collected was recycled in October
- Compared to October last year, Thelma Hulbert Gallery visitor figures are up **66%**, donations are up **60%** and shop sales are up **49%**
- October saw a record amount of donations and visitor numbers for this financial year at Thelma Hulbert Gallery
- Sum of rental income collected is **99.41%**, sum of rental income excluding debt brought forward is **100.11%**

Latest headlines:

- East Devon District Councils cutting edge website has been rewarded by the latest speed test by Jumoo.uk which in the last month scored East Devon's as the fastest website in the local government category.
- During October the musical Oliver was presented at the Manor Pavilion Theatre Sidmouth and all Six Performances Sold Out.

- Enterprise zone bid covering Skypark, Science Park, Cranbrook and Airport Business Park extension has been submitted by the Local Enterprise Partnership in conjunction with Sedgemoor District Council and a site at j23 of the M5
- Hosted visits from the Secretary of State for Communities and Local Government and the Chief Executive of the Homes and Communities Agency
- First shop opened at Cranbrook as well as the next community space, Hayes Square
- DECC funding for innovative solar thermal and smart systems trials in relation to the district heating network serving Cranbrook and Skypark
- A second district heating to serve the West Clyst, Tithebarn Green and Monkerton areas has been signed up with E.ON following four years of negotiation. This has the potential to serve up to 5,000 homes plus the Science Park.
- The second occupier at Skypark (DPD) has reached practical completion stage – 140+ jobs
- Cranbrook shortlisted in Inside Housing top 60 housing developments
- Estate walkabouts were carried out in Upottery, Yarcombe and Broadclyst
- Tenants and Housing staff attended Devon Communities Together ‘Rural Futures Conference’ to share our views and learn from others
- Senior managers presented at our annual Tenants Conference and had great feedback from customers on the services we provide
- Housing was one of three organizations shortlisted for the ‘most inspiring designated panel – complaints’ at the national CSI Awards (UK award dedicated to scrutiny)

- Thelma Hulbert Gallery's Flock Together exhibition earlier in the month saw 1,223 visitors through the door and more than 200 adults and young people attending our drawing workshops with exhibiting artists Debbie Locke and Sara Dudman. 8 different schools and 2 SWITCH organisations from the East Devon catchment area were invited to work with the Flock Together artists making their own hand made drawing machines.
- Artist Luke Jerram's 1,000 Clock Installation saw a record 733 visitors through the door in a week at Thelma Hulbert Gallery. This amazingly successful exhibition brought with it local and national press, a Spotlight TV appearance, clock experts, artist talks, clock making workshops and the possibility of taking the exhibition on tour.
- Thelma Hulbert Gallery's Halloween Spectacular event on Sat 31st saw 330 visitors in one day – a record breaking number.

Did you know?

- Since the 2001 census the household type that has grown the most is the one person household which has grown by nearly 2000 households to the 2011 Census.