

Agenda for Cabinet

Wednesday, 7 October 2015; 5.30pm

[Member of the Cabinet](#)

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

[View directions](#)

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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 9 September 2015 (pages 3-11), 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 October 2015 to 31 January 2016 (pages 12-17)
- 8 Minutes of the Joint Strata Executive Committee 1 September 2015 (pages 18-31)
- 9 Minutes of the Housing Review Board held on 10 September 2015 (pages 32-37)
- 10 Minutes of the Scrutiny Committee held on 17 September 2015 (pages 38-43)
- 11 Minutes of the Overview Committee held on 22 September 2015 (pages 44-47)
- 12 Notes of the Seaton Regeneration Programme Board 10 September 2015 (pages 48-52)
- 13 Notes of the Exmouth Regeneration Programme Board 15 September 2015 (pages 53-56)

Part A matters for decision

- 14 **Addressing Anti-social Behaviour linked with Personal Water Craft (PWC) in the Exe estuary** (pages 57-60)
The report seeks Cabinet approval to identify monies and match fund a contribution of up to £15,000 towards a new fit for purpose Harbour Patrol Boat on the river Exe.
- 15 **Branscombe Public Conveniences** (pages 61-62)
This report seeks approval to surrender the lease of land from which the council currently provides public toilet provision in lieu of a dowry of £25,000 to ensure future ongoing provision of the service by a third party.
- 16 **Shelter adjacent the Longboat cafe, Budleigh Salterton** (pages 63-64)
This report seeks authority to vary the resolutions made by Cabinet on 2 May 2012.
- 17 **Monthly Performance reports - August 2015** (pages 65-68)
Performance information for the 2015/6 financial year for August 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 - August 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 9 September 2015

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.27pm

***74 Public Speaking**

There was no public speaking.

The Portfolio Holder Sustainable Homes and Communities read out a statement regarding the Syrian refugee crisis to highlight the Council willingness to play its part in the national programme to relocate refugees. The process of assisting refugees was led by Governmental policy, and, in the case of Devon, normally co-ordinated locally by the County Council. Devon County Council was the relevant social services authority and it was anticipated that they would play a key part in any local offer of support. As a housing authority the Council would expect to work with the County Council and assist in placing such numbers of refugees as may be allocated to the district. In the past, most refugees had tended to be placed in urban areas where there was easier access to the many support services that were required.

***75 Minutes**

The minutes of the Cabinet meeting held on 12 August 2015 were confirmed and signed as a true record.

***76 Declarations**

Cllr John O’Leary– Min no. 15

Type of interest - Personal

Reason: Member of the Manor Pavilion Steering Committee

***77 Exclusion of the public**

There was one confidential item which officers recommended should be dealt with in this way.

***78 Matters of urgency**

None

***79 Matters referred to the Cabinet**

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

***80 Forward Plan**

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

***81 Joint Overview and Scrutiny Committees minutes held on 11 August 2015**

Members received and noted the minutes of the meeting of the joint Overview and Scrutiny Committees held on 11 August 2015.

RESOLVED (1) that the following decision be noted:

Minute 8 - Moving and improving consultation

1. that the Committees noted and understood the methodology to be used for the consultation process.

RESOLVED (2) that the following recommendations be agreed:

Minute 8 - Moving and improving consultation

1. that the introduction to the survey be reviewed and edited in line with comments raised by the Committees during the debate.
2. that the questions within the questionnaire be reviewed and re-ordered in line with comments raised by the Committees during the debate.

***82 Recycling and Refuse Partnership Board minutes of a meeting held on 21 August 2015**

Members received and noted the minutes of the meeting of the Recycling and Refuse Partnership Board minutes of a meeting held on 21 August 2015.

RESOLVED (1) that the following be noted:

Minute 16 – Statistical information

1. The update report.

Minute 17 - SITA Senior Contract Manager update

The performance report.

Minute 18 - Cloud Nine/in-cab technology and citizen app progress report and new systems review

The progress report.

Minute 19 – Sustainable waste service trial (Feniton & Exmouth) – update, leaflets and communications plan

The trial update.

Minute 22 – Progression of collection contract procurement

The procurement contract update.

RESOLVED (2) that the following decisions be supported:

Minute 16 – Statistical information

2. that the Recycling and Waste Contract Manager send the amended statistical information for July to the Board members.
3. that the Recycling and Waste Contract Manager bring a report to a future meeting on charging options for replacement refuse and recycling receptacles.

***83 Office re-location update – key decision**

The Deputy Chief Executive updated Cabinet on the progress of relocation plans including the signing of the conditional contract on the Knowle site with Pegasus Life Limited. This had opened the way for Pegasus to commence their planning process and EDDC had moved to secure design and construction services.

EDDC had now completed a detailed selection process overseen by the South West Construction Framework to secure a design contractor. Following the interviews, the

Executive Members agreed to select the AECOM Design Team. Following clarification on a few issues, the Relocation Project Executive Group confirmed this decision.

The tender procedures also using the South West Construction Framework were underway to select the construction contractor to deliver both the new build HQ at Honiton and the refurbishment of Exmouth Town Hall.

With regard to Knowle Park, the Deputy Chief Executive had proposed key terms to Sidmouth Town Council regarding the transfer of the remaining parklands and lower car park area into the ownership of Sidmouth. Detailed negotiation was expected to follow that would include more specific detail on conditions, timing and the financial considerations.

An inquiry would be held on 15 September 2015 following an objection by EDDC, to the proposed registration of Rights of Way across parts of the Knowle site. The outcome of the appeal would not affect the ability of the project to move forward but was a matter to be considered within the planning process if rights of way were registered.

The report detailed a threat of challenge to the Council's decision to reject an application to register the Knowle as an Asset of Community Value. Legal correspondence had been exchanged and the Council had not heard further on the matter.

Officers had looked into the opportunity to accelerate the refurbishment of Exmouth Town Hall with a view to completing the works and occupation six months before the Honiton HQ. The advantages of staggered relocation were detailed in the report together with how this could be achieved including cashflow. The meeting also discussed risk and audit considerations.

In respect of Honiton Heathpark the design team would investigate whether it was possible to combine elements of the existing business centre, particularly including the atrium space, reception and meeting space (while retaining the serviced office space function) with the new EDDC HQ.

A Project and Facilities Manager would be recruited to oversee the internal aspects of the move working alongside the Relocation Manager. The physical move of staff, functions and services was a very detailed and complex process with many aspects dependent on each other. To minimise risk, the planning needed to start early. It was seen that this would be a fixed term post for three years working with the existing facilities team.

Further reports would be brought to Cabinet advising of progress and seeking decisions as required. Future steps to be reported on would include:

- Development and agreement on detailed design matters
- Commissioning of construction contractors
- Planning processes by Pegasus and EDDC for respective sites

Discussions included:

- was their additional spend on Exmouth Town Hall (ETH) because of an earlier start time to the refurbishment?
- The Knowle Park transfer to Sidmouth Town Council to be informed to the Asset Management Forum as this was a community asset
- Had audit advice been given to the early start on ETH?
- The need to support staff already working in ETH and to find suitable alternative accommodation for them during the refurbishment.

- What would the rental costs be to tenants of ETH after the refurbishment? Would the extra costs incurred due to having to move out while these were underway, be met by the Council.
- The Worksmart project presently underway could help ETH staff by sharing ideas and best practice.
- ETH staff needed to be located within the town centre to service the needs of the public.

RESOLVED:

Knowle Site

1. Note that EDDC is now in conditional contract with Pegasus Life Ltd for sale of part of the Knowle site
2. Note that the Deputy Chief Executive has formally proposed key terms to Sidmouth Town Council with the offer to transfer the remaining Knowle Park together with a commuted sum for the benefit of the town
3. Note that the inquiry regarding Rights of Way at the Knowle will be heard on 15 September 2015
4. Note that EDDC is opposing a potential Judicial Review claim of the Council's decision to reject the application to register part of the Knowle site as an Asset of Community Value

Honiton Heathpark

5. Note that further consultation will be carried out with Business Centre licensees by the design team and by officers as the design process progresses

Exmouth Town Hall

6. Note the tasks and procedures required to deliver refurbishment of ETH and agree to bring forward refurbishment works at Exmouth Town Hall (ETH)
7. Confirm that it is EDDC's clear desire to retain the existing tenants within a newly refurbished town hall
8. That the risk element associated with the early refurbishment of ETH be looked into to, and this then to be considered by internal audit.

Other

9. Note the detailed framework procedure used to select the design team to take forward detailed design work for Heathpark and Exmouth and manage planning processes as required
10. Note the ongoing framework driven selection procedure for the construction contractors to carry out new build and refurbishment work
11. Note the ongoing detailed engagement with staff and tenants through Worksmart workshops to gain their views on internal design, fit out and operational requirements so that we create the right environment and provide the right tools for working smarter
12. Note the ongoing consultation with our residents and equalities partners to ensure that our future service provision is accessible and meeting demand through an equalities and best value consultation exercise

REASON:

The above recommendations were to advise Cabinet on project progress and seek agreement to take forward the previous commitment of Council to deliver relocation from Knowle to Honiton and Exmouth offices.

***84 Procurement of new recycling waste collection and associated services contract**

The Strategic Lead, Housing, Health & Environment gave an update on the procurement of a new contract for recycling, waste collection, and associated services, and the trial of a new service model in Feniton and Exmouth (the Colony). The report gave the background to the trials and how these were being carried out.

The three bidding companies who had passed the evaluation process had been asked to submit outline solutions to the six service delivery options (Lots) provided within the bidders document.

Each of the companies provided high quality submissions and presentations and performed well at interview. Following evaluation and scoring, it was decided by the evaluation panel to allow each company to progress to the next stage of the process, the ISDS stage [invitation to submit detailed solutions].

The suggested new timetable was detailed in the report as:

- Invitation to submit detailed solution [ISDS] – Thursday 11 August 2015.
- Due date for return of written detailed solutions – Monday 14 September 2015.
- ISDS Dialogue Phase – from Monday 5 October 2015.
- Invitation to submit final tender [Best and Final Offer] – Monday 2 November 2015.
- Due date for return of final tender [Best and Final Offer] – 12 noon, Monday 30 November 2015.
- Evaluation process – from Monday, 30 November to Friday, 18 December 2015.
- Report to Cabinet – Wednesday 10 February 2016
- Intention to Award Notice – Thursday 11 February 2016.
- Alcatel standstill period – until Thursday 25 February 2016
- Contract Award Notice – Friday 26 February 2016.

The Contractor would have three months from contract award to prepare and mobilise the contract for commencement on 23/05/2016.

Members noted that the renewal of the refuse contract had important financial implications for the Council in terms of both the nature of the service delivered and the capital assets used to deliver that service. The Council has already engaged Capita Asset Services to provide treasury consultancy services.

An improved recycling service, together with less frequent refuse collection, is one of the options being explored that would enable the Council to increase its recycling rate and reduce the tonnage of waste sent for disposal.

Discussions included:

- Clarification of the benefits to the leasing or buying of waste collection vehicles

The Portfolio Holder, Environment asked all members, as ambassadors for waste and recycling, to get 'on board' to promote the importance of recycling in their wards and wider public, in order to increase the uptake of recycling to preserve East Devon.

RESOLVED:

1. that the progress so far on the procurement of the new recycling and waste collection contract, and of the recycling and waste collection trial be noted.
2. that the amendment to the initial procurement timetable to allow more time for completion of the procurement be agreed.
3. to extend the length of the existing collection contract, subject to agreement being reached with SITA and delegated authority be given to:
 - a) the Strategic Lead, Housing, Health and Environment, the Strategic Lead Finance and the Portfolio Holders for Finance and Environment to agree terms with SITA.
 - b) the Strategic Lead, Legal, Licensing and Democratic Services to take such steps as were necessary to progress and secure the 2-month contract extension, be agreed.
4. the engagement of Capita to provide specialist financial support in relation to the refuse contract and the associated exemption to Contract Standing Orders be agreed.
5. a further more detailed report was brought to Cabinet showing accurate costing, tender evaluation and implementation timescales prior to the award of the new contract.

REASON:

By extending the procurement timetable, sufficient time would be available to carry out the procurement of the new contract. This included full examination of the potential to purchase contract fleet by the council via use of capital monies to provide a better and economic service for its residents. This extension also allowed further time for a detailed analysis of the trial of a new service model in Feniton and Exmouth (The Colony) of the benefits and cost implications of an improved recycling service with a three-weekly refuse collection.

***85 Exemption from Standing Orders – Handy Persons’ scheme**

The Portfolio Holder, Sustainable Homes and Communities, explained the exemption request for the handy person scheme.

Following a Task and Finish Forum, the Housing Review Board agreed to a six-month trial of a handy person scheme for tenants of East Devon.

Using the scheme to undertake these small-scale repair works should bring about savings of at least £14 per repair. The scheme had been widely advertised and already had a register of over 100 tenants interested in using it. For the six-month trial, it seemed sensible to use the two current contractors who knew the trial areas.

An exemption report had been written and signed off as required, requesting that the council proceed with the trial scheme without the need for obtaining additional quotations.

RESOLVED:

that the exemption to procurement requirements for the trial handy person scheme be agreed.

REASON:

To allow the scheme to proceed in September 2015

***86 Monthly Performance reports – July 2015**

The Chief Executive gave an update report setting out performance information for the July 2015. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were four indicators that showed excellent performance, namely,

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. Creditor days – percentage of invoices paid in 10 working days
4. Creditor days – percentage of invoices paid within 30 days

There was one performance indicator showing as concern, namely

1. Working days lost due to sickness absence – sickness absence would continue to be monitor closely and a reduction to these figures in the next few months was expected as sadly those with long illnesses would be ill health retired.

Discussions around fly tipping included the need for the number of cases not to increase and just how difficult it was to prosecute offenders as they were rarely caught in the act. Materials such as asbestos that could not be taken to recycling centres were also a concern.

RESOLVED:

that the progress and proposed improvement action for performance measures for July 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.

***87 Exclusion of the public**

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

***89 Manor Pavilion – renewal of the summer season licence**

The Service Lead, Countryside & Leisure, presented this report, which highlighted the current three year licence arrangement for Paul Taylor Mills Productions finished on 31 October 2015. Following negotiations between both Paul Taylor Mills Production Company and the Strategic Lead, Housing, Health & Environment, the Service Lead, Countryside & Leisure and the Theatre Manager the renewal of the licence agreement for a further three years was recommended.

RESOLVED:

That the renewal of the three year licence agreement with Paul Taylor Mills Productions for the Manor Pavilion Theatre summer season for a further three year term be agreed.

REASON:

The current licence agreement finished on 31 October 2015 and due to the commercial success of the current Summer Season programme over the last three years, the Manor Pavilion Theatre wished to extend the current licence agreement for a further three years.

Attendance list

Present:

Andrew Moulding Deputy Leader/Strategic Development and Partnership
(Vice chairman in the chair)

Portfolio Holders:

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

Cabinet Members without Portfolio

Geoff Pook
Eileen Wragg

Cabinet apologies:

Paul Diviani Leader/Chairman

Also present:

Councillors:

Megan Armstrong
Brian Bailey
David Barratt
Peter Bowden
Colin Brown
Peter Burrows
Paul Carter
Maddy Chapman
Alan Dent
Peter Faithfull
Roger Giles
Graham Godbeer
Alison Greenhalgh
Simon Grundy
Ian Hall
Marcus Hartnell
John Humphreys
Geoff Jung
Dawn Manley
Bill Nash
Cherry Nicholas
John O'Leary
Helen Parr
Pauline Stott
Mark Williamson

Honorary Aldermen:

Stephanie Jones

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead - Finance
Henry Gordon Lennox, Strategic Lead – Legal, Licensing and Democratic Services
John Golding, Strategic Lead – Housing, Health & Environment
Charlie Plowden, Service Lead – Countryside & Leisure,
Steve Pratten, Relocation Manager
Amanda Coombes, Democratic Services Officer

Councillor apologies

Non Cabinet:

Mike Allen
Matt Booth
David Chapman
Steve Hall

Officer apologies

None

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period 1 October 2015 to 31 January 2016

[In addition Key Decisions and other decisions which are proposed to be taken in a private meeting are identified to comply with the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012).

A public notice period of 28 clear days is required when a decision making body is to hold a meeting wholly or partly in private

This document includes notice of those matters the Council intends, 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 at the end] as soon as possible.

Key Decision		List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
1	TNRP Review; Beech huts & chalets		Portfolio Holder – Finance	Principal Estates Surveyor	Cabinet 4 November 2015 Council 16 December 2015	17 December 2015	Part A
2	ESCO Energy Services		Portfolio Holder Strategic Development and Partnership	East of Exeter Projects Director	Cabinet 4 November 2015 Council 16 December 2015	17 December 2015	Part A
3	Public Health Plan annual review		Sustainable Homes and Communities Portfolio Holder	Strategic Lead -	Cabinet 4 November 2015 Council 16 December 2015	17 December 2015	Part A

Key Decision		List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
4	Empty Homes Strategy (Private Sector)		Portfolio Holder – Sustainable Homes and Communities	Strategic Lead – Housing, Health & Environment	Cabinet 4 November 2015 Council 16 December 2015	17 December 2015	Part A
5	Refresh of the Council Plan		Portfolio Holder - Corporate Services	Service Lead - Organisational Development & Transformation	Cabinet 4 November 2015	12 November 2015	Part A
6	Annual Car Parks Review		Economy Portfolio Holder	Strategic Lead - - Housing & Environment	Cabinet 4 November 2015	12 November 2015	Part A
7	Review of the Refuse and Recycling Trial		Environment Portfolio Holder	Strategic Lead - - Housing & Environment	Cabinet 2 December 2015	10 December 2015	Part A
8	Green space Strategy		Environment Portfolio Holder	Service Lead - Countryside & Leisure	Cabinet 2 December 2015 Council 16 December 2015	17 December 2015	Part A

Key Decision		List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
9	Recycling & Waste Collection contract – decision of new contractor		Environment Portfolio Holder	Strategic Lead - - Housing & Environment	Cabinet 2 December 2015	10 December 2015	Part A
	Other decisions to be taken in Part B	Exmouth Regeneration Action Notes following regular meetings	Portfolio Holder Strategic Development and Partnership	Deputy Chief Executive (RC)	Cabinet meetings following production of Action Notes		Part B [only if commercially sensitive]
		Seaton Regeneration Action Notes following regular meetings	Portfolio Holder Economy	Deputy Chief Executive (RC)	Cabinet meetings following production of Action Notes		Part B [only if commercially sensitive]

Key Decision	List of documents to be submitted to Cabinet [so far as known at present]. Other documents may be submitted to the Cabinet in addition.	Lead Member	Lead/reporting Officer	Proposed Consultation and meeting dates (Committees, principal groups and organisations) Members of the public are given the opportunity to speak at meetings unless shown in italics.	Operative Date for decision (if no call-in)	Part A = Public meeting Part B [private meeting] (and reasons)
	Leisure East Devon Joint Working Group		Chief Executive	Cabinet meetings following production of Action Notes		Part B [if commercially sensitive]
	Capital Strategy & Allocation Group – report of a meeting		Strategic Lead – Finance	Cabinet meeting following production of notes which will be taken into account when setting the budget.		Part B

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

Future Key Decision	Lead Member	Lead Officer	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision To be confirmed

Future Key Decision		Lead Member	Lead 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	Strategic Development and Partnership PH	Deputy Chief Executive (RC)		
2	Business Support – options for the future	Portfolio Holder – Economy	Deputy Chief Executive (RC)		
3	Thelma Hulbert Gallery - progress	Portfolio Holder - Environment			

This plan contains all the 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 38 of the Local Government Act 2000, up-dated by the Local Authorities (Executive Arrangements)(Meetings and access to Information)(England) Regulations 2012 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 in accordance with Section 9Q of the 2000 Act (guidance).. The Cabinet may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution and the Regulations. 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.

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.

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.

September 2015

STRATA - JOINT EXECUTIVE COMMITTEE

Tuesday 1 September 2015

Present:-

Councillor Christophers, Diviani and Edwards (Chair)

Non-Voting Members – N Bulbeck, K Hassan and M Williams

Also Present

The Chief Operating Officer Director (DH), Document Processing Manager, Programme & Resources Manager, Compliance and Security Manager, Business Systems Manager, Support & Infrastructure Manager and Democratic Services Manager (Committees)

14

DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interest were made.

15

MINUTES

The minutes of the meeting held on 10 June 2015 were taken as read and signed by the Chair as correct.

In response to queries raised on the minutes, Strata Officers clarified the following:-

- Teignbridge District Council are keen to move from their current Blackberry to the i Phone; the licence for the security products have been secured and implementation of the products is being planned with the supplier; a meeting was due to take place on Friday 4 September with the providers
- There would be an update on the five year systems convergence plan at the November meeting
- The HR/Systems shared project had been delayed because of difficulty getting the relevant people together; it was hoped that a meeting would take place in September and an IT Business case would be presented to the next meeting; this review whilst being 'light touch' would need to ensure that the right system was in place to meet the requirements of the 3 Authorities.
-

16

PROGRESS REPORT ON STRATA IMPLEMENTATION PLAN

The report and presentation of the Chief Operating Officer was submitted to inform Members of the progress of the implementation of Strata.

Presentation - attached to minutes.

Members were updated on the IDOX Business case and integration of the 'uniform' software across the three Councils. The savings were anticipated to be approximately £600k there would also be the benefit of unlimited licences and would provide a common platform which could enable more partnership working.

The Director (DH) updated Members on the Annual Report and Financial Statements from 15 May 2014 to 31 March 2015. He advised that the Auditors had determined that the capital invested by the three authorities of £1.7m should be treated as a capital grant in advance and only released to the Profit & Loss Account in line with the depreciation on the purchased assets over the next five years. He advised of the position with regards to the net pension liability and the impact this had on the balance sheet. The Board was investigating a proposal to request a fuller guarantee from the Councils which would remove the pension deficit from the Company's accounts.

In response to the Chief Operating Officers update and the tabling of the accounts the East Devon District Council Chief Executive Officer sought reassurance that the Board was fully aware of the financial implications of the proposed new terms and conditions for employees and their potential implications in relation to the Strata Business Case. It was important that Human Resources advice was followed and the implications of Job Evaluation were fully assessed.

The Chief Operating Officer clarified that any contracts would be new contracts and that he was not anticipating any back pay liability. The financial implications of any new contracts would be fully costed and brought back to the Board before implementation. It was noted that the Board would need to keep the Joint Executive Committee fully apprised of this issue.

RESOLVED that the report be noted.

17

INTERNET SPEED DELAY

The Chief Executive Teignbridge District Council raised concerns regarding the delay in the installation of the internet connection to Teignbridge and asked when this matter would be resolved.

The Chief Operating Officer clarified that there had been three week delay that had been caused by some issues with Virgin these had now been resolved. Strata officers were now working on the connectivity with installation by mid September.

It was **noted** that Strata would endeavour to install the new broadband connection to Teignbridge District Council Offices by 11 September 2015.

(The meeting commenced at 5.30 pm and closed at 6.40 pm)

Chair

Strata Service Solutions Ltd Joint Executive Committee (JEC)

Progress Briefing 1 September 2015

Chris Powell
Chief Operating Officer

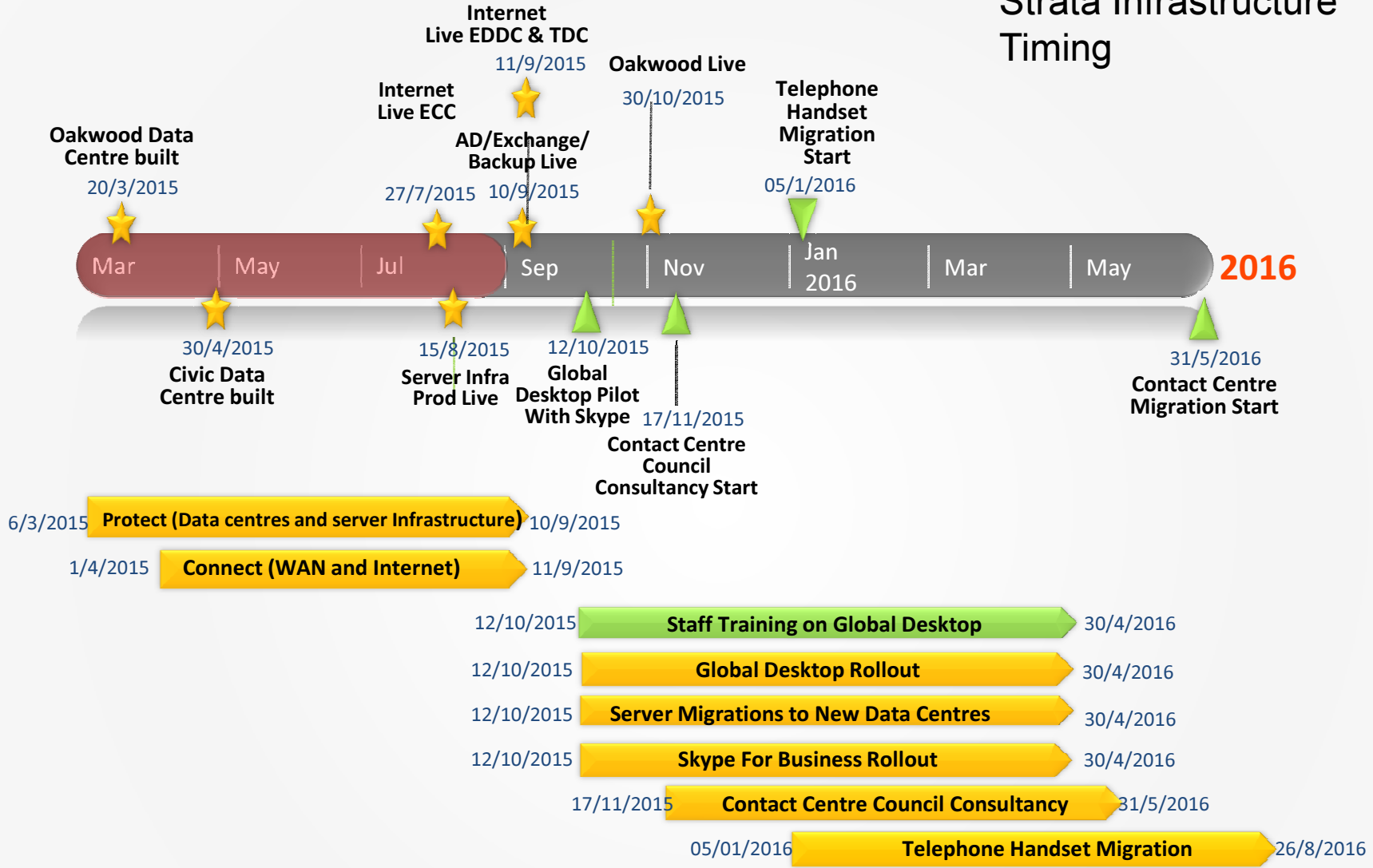
Overview ...

Largely on plan...time, spend, actions

Nasty surprises so far...

- Civic Centre data centre power supply not available
- Oakwood data centre noise, power, floor strength...
- Resignation of Teignbridge Street name and numbering person
- Virgin Networks delays in connecting sites
- Microsoft licence complexity results in extra costs
- Effort required to keep existing systems going
- Changes to accounting rules
- Old 16 bit software holding back new technology

Strata Infrastructure Timing



New IT infrastructure..

- New interactive voice system installed for Exeter
- Teignbridge infrastructure improved - backup, file storage
- Two data centres built and working in synch across Exeter underground fibre net
- New virtual desktops tested and working – looks good
- Skype, email and file services built and are in test
- Virgin data network now connected but three week delay to internet access to EDDC and TDC
- New combined telephony contract started
- Mobile security licences procured...needs installing to enable iphones

Organisational progress

- Management redundancy process complete
- Service Desk in place – common processes and measures
- Project engagement and reporting in place
- 1 resignation – Street name and Numbering person at Teignbridge...reorganisation in process to reduce risk
- 3 apprentices started in August, one at each main site
- Staff requesting to see Strata contracts for all levels – aiming to complete end Oct/early Nov.

Engagement

- Service Reviews with all service managers in progress
- Project management process and resource prioritisation process initiated across partnership
- Standard performance pack produced each month
- Joint project process...HR/payroll offered as pilot and has been difficult to get all players together
- Testing of new technology starting in September for Exeter staff

Working together...

- Council websites – Exeter website in progress (similar design to EDDC); Teignbridge to consider options
- Common mobile technology being developed – Surface, laptops, ipads and iphones
- Member IT – Teignbridge have moved to O365 system, same as EDDC. Offer being created for Exeter.
- In-cab technology for Refuse vehicles – Exeter system used; Teignbridge on schedule for Sept; East Devon considering options
- Agile working programmes being developed for each of three partners

Working together...

- Digital Delivery Framework...investigating common IT strategy for the three partners – report in September
- Co-locate Street Name and Numbering team as far as possible – to reduce risks and create capacity
- Exeter have agreed in principle to use IDOX system (same as East Devon and Teignbridge) across several services – business case to be presented to Councils asap to start this major partnership project.
- Headlines of the business case are (David Sercombe)...

Cost/benefits of a common IDOX system

- Costs saving approx £1m revenue over next 10 years (will require £185K capital investment)
- Deal includes a complete suite of integration tools - vital for channel shift agendas
- Unlimited licence across the partnership for all modules – licensing, environmental health, estates...
- IDOX expertise exists within Strata and the wider councils – reduces risk, increases capacity
- Facilitates wider partnership if desired

Financial Headlines

- Year end accounts (Dave Hodgson)

And finally , key risks...

- Keeping-the-lights-on activity and Strata projects clash for resources
- Services signing off IT invoices without discussion – missed opportunities for negotiation
- Level of change too great for eg new email, MS Office upgrade, Skype, VDI desktops
- New Strata staff contracts cost too much
- Risks are reducing on the new infrastructure as each piece of the jigsaw falls into place – but is still a HUGE project.

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 10 September 2015

Attendance list at end of document

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

Before the meeting began Councillor Pauline Stott, Chairman of the Board welcomed all those present and invited everyone to introduce themselves. She particularly welcomed the two new independent community representatives and the new tenant/leaseholder representative to their first Board meeting.

***17 Public Speaking**

There were no questions raised by members of the public.

***18 Minutes**

The minutes of the Housing Review Board meeting held on 18 June 2015 were confirmed and signed as a true record.

***19 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 Douglas Hull: Personal interest – Family member lives in a Council owned property.

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

***20 Matters of urgency**

There were no matters of urgency identified.

***21 Exclusion of the Public**

RESOLVED:

To agree any items to be dealt with after the public (including press) have been excluded. There was one item that officers recommended should be dealt with in Part B.

***22 Forward Plan**

The Strategic Lead, Housing, Health and Environment presented the forward plan and advised Members that the forward plan would help 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.

RESOLVED: that the forward plan be noted.

23 Summer budget – rent reduction implications

The Strategic Lead – Housing, Health & Environment's report explained the impact of one of the announcements contained in the Summer Budget on the Council's Housing Revenue Account (HRA) Business Plan, as well as the financial implications nationally. Government announced a 1% reduction in rents per annum for four years as part of the budget to assist

towards achieving the savings required on the welfare budget. The Strategic Lead – Housing, Health & Environment reported that he would be objecting to the proposal. The detrimental impact on the HRA Business Plan was outlined in the report. If the proposals are taken forward by Government, the Business Plan needed to be reviewed over the coming months and proposals would be brought forward to bring it back into balance throughout the 30 year period.

The Portfolio Holder – Sustainable Homes and Communities outlined her efforts to lobby against the changes. She had met with two local MPs who were seeking a meeting with the Housing Minister to explain the implications. The Board suggested that the Strategic Lead, Housing, Health and Environment be invited to attend any meeting that was arranged with Government ministers.

The Board agreed that it was important that the differences between a local authority HRA business plan and a typical housing association business plan were understood. They felt that the Government should be lobbied hard and agreed to send a letter from the HRB to the Housing Minister, as well as the Chancellor.

RECOMMENDED:

1. that consideration be given to the implications of the Summer Budget on the Council's Housing Revenue Account Business Plan and initial responses to the proposals be endorsed.
2. that a letter be sent to the Housing Minister and the Chancellor from the Housing Review Board strongly objecting to the rent reduction proposals.
3. that the Strategic Lead, Housing, Health and Environment be invited to attend any meetings arranged with Government ministers.

24 Gas servicing contract extension

The Property and Asset Manager's report requested approval to extend the existing gas servicing contract for a further six months until 31 March 2016. Officers and tenants were happy with the performance and service provision of the current contractor. The current contract term was from 1 October 2010 for a four year period with the option to extend by up to two years on an annual basis. Officers were currently in discussion with Mid Devon District Council with the intention of pursuing a joint tender approach to the contract when it comes up for renewal in 2016.

RECOMMENDED: that the existing gas-servicing contract be extended until 31 March 2016.

25 Fire safety update

The Property and Asset Manager's report updated the Board on how the Council was meeting current fire regulations in tenants' homes and communal areas. This generally focused around the outcomes of the Fire Risk Assessments that were undertaken on all blocks of flats and community centres. The report also proposed a more structured approach for the future to ensure a target timeframe when it was expected works would be completed on sites requiring additional fire protection measures.

It was noted that some garages were being used to store large amounts of paint and possible inflammables and these posed a potential fire hazard. Estate management teams would be made aware of this and members were asked to notify the Strategic Lead, Housing, Health and Environment of any specific examples.

RECOMMENDED:

1. that the ongoing progress in relation to fire safety measures and improvement works that were taking place across the housing stock be noted.
2. that a 5 year programme of works in relation to fire safety with an agreed annual budget of £250,000 be approved.
3. that fire stopping works on all void properties (where appropriate) be approved.

26 Shared house, Exmouth

The Board received an update report from the Property and Asset Manager on the current position and progress being made for the delivery of a shared house in Exmouth. The Board had previously received a report in June 2013 outlining the proposal and business case to purchase the property. The current completion date for necessary works was the end of December 2015, with tenants being in place in January 2016. Officers explained the licence agreements that would be in place and that allocations would be made through Devon Home Choice. A request was made for extra Right to Buy funding to go forward on this project.

RECOMMENDED: that additional Right to Buy receipts be used to fund the project if required.

RESOLVED: that the information report be noted.

***27 Draft annual report to tenants 2014/15**

Consideration was given to the draft of the annual report to tenants. The Portfolio Holder – Sustainable Homes and Communities commented on the excellent report, which demonstrated how much work was undertaken on tenants' homes and how this money contributed to the local economy. She also congratulated the community development workers for all their excellent work on the estates.

The report would be sent to all tenants with the December copy of Housing Matters magazine, be available on the Council's website from late October and it would also be emailed to all staff and councillors.

RESOLVED: that the draft annual report to tenants 2014/15 be noted.

***28 Homes and Communities Agency Regulatory Standards**

The Strategic Lead - Housing, Health and Environment's report set out the latest advice on regulatory standards issued by the Homes and Communities Agency. This allowed the Board to have an understanding of the regulators' advice on standards expected in social housing, and the approach taken by the Homes and Communities Agency when regulating the sector.

RESOLVED: that the contents of the advice on regulating standards in social housing be noted.

***29 Financial monitoring report**

The Board was presented with a summary of the overall financial position on the Housing Revenue Account, HRA Capital Programme and the Business Plan for 2014/16 at the end of month four (July 2015).

Regular monitoring was intended to highlight any areas of concern or unforeseen expenditure in the HRA and associated capital programme, enabling corrective action to be taken as required. Any variances would be reflected in the Business Plan.

Current monitoring indicated that:

- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- The position on the HRA Business Plan remained healthy.

RESOLVED: that the variances identified as part of the HRA revenue and capital monitoring process up to month four be noted.

***30 Performance digest**

The Housing Review Board noted and discussed the performance indicator report for the first quarter of 2015/16. This also included a report from the SPAR reporting system, which the Strategic Lead - Housing, Health and Environment explained to the Board.

RESOLVED: that the performance indicator report for the first quarter of 2015/16 be noted.

31 Grounds maintenance task and finish forum final report

The Chairman presented the final report of the grounds maintenance task and finish forum. She thanked all the officers and members involved with the TaFF and gave particular thanks the Housing Land Surveyor.

RECOMMENDED:

1. that the grounds maintenance service provided by Streetscene be recognised as good value for money
2. that the amount paid to Streetscene Services from the Housing Revenue Account for grounds maintenance remain unchanged
3. that the Estate Management Service Review Group remit be extended to ensure tenant involvement in the grounds maintenance service
4. that the current system should continue with regards to not charging future freeholders/leaseholders of right to buy properties for a grounds maintenance services.
5. that an update report on garden licences be brought to a future meeting of the Housing Review Board.

***32 Exclusion of the public**

RESOLVED:

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

33 Extension request, Exmouth

The Strategic Lead - Housing, Health and Environment's report asked the Board to consider issues in relation to the tenants in Pound Lane, Exmouth. Throughout the discussion the importance of receiving a statement of need from a Devon County Council (DCC) Occupation Therapist and a DCC commitment to provide additional funding if required was regarded as critical. DCC were also urged to ensure that a full time care worker would be covered during holiday and sickness absence. Officers agreed to investigate the suggestion that a business was being operated from an adjacent property.

RECOMMENDED:

1. that it be agreed that the household detailed in the report are suitably housed.
2. that, in accordance with our Adaptations Policy, a statement of need be requested and obtained from a Devon County Council Occupational Therapist in order to consider the provision of any alterations that are needed, and a financial contribution if the work required exceeded £30,000,
3. that the offer of sound proofing to the relevant area of the property be endorsed.

Attendance list

Present:

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

Co-opted tenant members:

Angela Bea
Mike Berridge
Joyce Ebborn

Officers:

Sue Bewes, Landlord Services Manager
Natalie Brown, Information & Analysis Officer
Emma Charlton, Housing Projects Officer
Amy Gilbert, Property and Asset Manager
John Golding, Strategic Lead - Housing, Health and Environment
Marian Hitchcock, PA to Strategic Lead Housing, Health & Environment and Housing
Andrew Mitchell, Housing Needs & Strategy Manager
Paul Lowe, Housing Enabling Officer
Giles Salter, Solicitor
Alethea Thompson, Democratic Services Officer
Melissa Wall, Housing Projects Officer
Mandy White, Accountant

Also present:

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities
Cllr Peter Faithfull
Cllr Eileen Wragg

Apologies:

Harry Roberts – tenant
Pat Rous – tenant (Vice Chairman)
Cllr Brenda Taylor

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Scrutiny Committee held at Knowle, Sidmouth on 17 September 2015

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.53pm.

***17 Public speaking**

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

***18 Minute confirmation**

The minutes of the Scrutiny Committee held on the 30 July 2015, and of the joint meeting with the Overview Committee on 11 August 2015, were confirmed as a true record.

***19 Apologies**

In receiving the apologies for the meeting, the Chairman, on behalf of the committee, wished a speedy recovery to Committee member Councillor David Chapman, following recent surgery.

***20 Declarations of Interest**

No declarations were made.

21 Beach Huts

On 7 January 2015 Cabinet made a number of resolutions in relation to beach huts. The public were invited to give their views on the proposals by means of an online questionnaire. The Committee considered the Cabinet report and consultation responses. The Chairman and Vice Chairman had also attended a meeting of the Asset Management Forum on the issue prior to this meeting.

Mr Lacey from Seaton, who used a beach hut on the West Walk at Seaton, asked the committee to consider:

- Scope for more beach hut sites, which would help reduce the waiting list and increase income
- Look to a site only option for lease, with the option for individuals to purchase the hut and maintain it
- That it was inefficient and costly to offer up 5 year leases
- Different approach on consultation as the current process had been unsatisfactory

Mr Smith, a Seaton resident, advised the committee that:

- The decision to include NNDR rates was already in place
- A 25 year lease option was not popular, nor was open bidding
- The current arrangement should continue

Mr Hunt, representing a beach hut user group at Budleigh Salterton, asked the Committee to examine the waiting lists as there were individuals signing up for multiple lists.

Mr Taylor, a resident of Axminster who rents a hut at Seaton, asked the Committee to be mindful of:

- Pensioners on a limited budget and the importance of the social element of beach hut use to their lives
- Terms of lease need to be clear
- Sealed bids were not popular

Tom Griffiths, former operator of a beach hut and deck chair concession in Sidmouth, asked the Committee to consider:

- Separate consideration of locations, as each was different
- Sharing of huts amongst families
- Not to use Clifton Beach for additional sites as it was unsuitable due to the nature of the site
- Second storey beach huts to maximise availability in site

The Portfolio Holder for Economy made clear to the committee the role of the Asset Management Forum in considering both the best use of council assets and the social benefit for local communities and visiting tourists. He passed on the apologies from the Chairman of Asset Management Forum, Councillor Geoff Pook, who could not be present for the discussion due to a previous engagement.

Coastal Ward Members shared with the Committee their experiences in their Ward in respect of the demand for beach huts and the responses to the proposals and consultation. Local meetings had taken place, where the Chairman of Asset Management Forum had attended. Many alternative proposals had been brought forward by local residents.

Common issues raised by Ward Members and the committee included:

- Balancing the raising income against pricing people out of renting a site
- Welcoming the time and trouble taken by the Asset Management Forum in attending local public meetings and listening to local views
- Need to consider the complexities of offering the management of beach huts and sites to a town or parish level, including the administrative burden both in time and cost
- Need to listen to town and parish councils on what they would like to achieve or take on, with some towns feeling that not enough discussion on the proposals took place at that level before the consultation began
- Look at increasing sites where local conditions allowed it and where there was clear market demand
- Look at concession options to allow family sharing, and variation in letting terms to permit options for visitors, such as weekly or daily letting for a percentage of sites
- Site only removed a large cost to the Council in erecting, maintenance and dismantling of huts
- Modest increases in charges could bring about sensible returns

The Committee also considered previously circulated research undertaken by Councillor Marianne Rixson, which covered beach huts in neighbouring seaside areas. Although some comparisons could be drawn, the offer in other areas had been maximised to the luxury end of the market in terms of providing electricity and water to the huts. The research did demonstrate that other authorities had maximised their assets for a particular market.

The Chairman raised concern at the level of research undertaken in the original review by CIPFA in that environmental impact had not been taken into consideration, or stakeholders such as Natural England approached at that stage of the asset review. In response, the Deputy Chief Executive explained that CIPFA had not been charged with research in those aspects as this would form part of the process in later formulation of proposals.

Development Management officers are involved with the Asset Management Forum on a regular basis as asset proposals are drafted.

The Committee were keen for consideration to be taken into account in the proposals in key areas such as:

- That moving to site only leases did not disadvantage any section of the community in dealing with their own maintenance of a hut, such as the elderly or disabled
- That ways of managing the lettings should permit the maximum use of the huts throughout the season, which in turn would bring increased social and economic benefits to each location
- Economy of scale needed to be taken into account if offering the service to a town or parish level – at present the Council services covered all aspects of it, from administration to the Streetscene involvement in erection and dismantling of huts
- If moving to a site only proposal, the existing huts should still be viewed as an asset and offered for sale as an income opportunity.

RECOMMENDED

that CABINET

1. consider the requirements of all the community in line with equalities legislation in considering any proposals relating to beach huts;
2. check the validity of waiting lists for beach huts and sites, and that their management be reviewed;
3. confirm to tenants of beach huts and sites that the current arrangements remain in place for 2016;
4. review the hire charges for beach huts and sites on an annual basis;
5. review the decision to establish the £19k sinking fund per annum;
6. consider the difference between town and parish locations be given bearing in mind equality and best value requirements;
7. consider further discussions with town and parish councils on the options of undertaking the management of beach huts;
8. consider increasing the number of sites available and review more diverse letting arrangements;
9. In bringing forward any proposals, consider the wider environment and economic issues.

RESOLVED

1. That the Scrutiny Committee endorses the decision by Cabinet that all beach hut tenants be responsible for their own National Non Domestic Rates payments where applicable;
2. That the Committee receive a progress report on the beach huts and sites proposals by March 2016.

***22 Performance Monitoring for first quarter 2015/16**

The Chairman outlined continued efforts to remove unexplained acronyms and have relevant comments, with work by the Democratic Services Officer in discussing the comments with the Strategic Management Team.

The Committee considered the quarterly report, highlighting the following:

- Positive start to the number of affordable dwellings being provided;
- Looking to continued improvement in design of homes in line with guidance from the Commission for Architecture and Built Environment (CABE);
- Establish if the Engineering Projects Manager role has been filled;
- With a variation showing on the indicator for the Thelma Hulbert Gallery, establish what suggestions came out of a recent Think Tank on the topic;
- Comparison data with neighbouring authorities showed a similar level in number of days lost due to sickness absence to this authority;
- Number of random licence checks had been identified as an indicator that needed adjustment to take into account regular high workload in the first quarter;
- Concern showing on the roll out of smartphone and mobile working for Streetscene already had action in place to resolve but would be taken to the STRATA Joint Scrutiny Committee to help pursue the issue further.

23 Election funding financial statement

The Committee had previously received a financial statement as requested, following a report by the Chief Executive to the July meeting on the local elections in May.

Councillor Ranger re-iterated her point that when election scenarios are rare, in this case with all three elections, it was important to fully review the process, which included the costs.

The Democratic Services Officer advised the committee of the continued work on the preparation of the detailed accounts. She recommended that, once complete, the accounts could be viewed by any Member and, if there was still concern, explore further through the scrutiny channels if the Committee agree to pursue this.

Councillor Ranger asked if the prepared accounts could show the cost of reprinting the postal ballot issue and report this figure back to the Committee.

24 Scrutiny Forward Plan

The Scrutiny Committee's forward plan was updated to include an additional report on proposals for changes to how the Committee undertake work, on the back of recent training provided by Westminster City Council received by the Chairman and Vice Chairman. This would go to the October meeting.

In addition, updates on the Tree Task and Finish Forum, and beach hut proposals, would be added to the plan.

Attendance list

Committee Members present:

Roger Giles (Chairman)

Alan Dent (Vice Chairman)

Maddy Chapman

Simon Grundy

Marcus Hartnell

Bill Nash

Cherry Nicholas

Val Ranger

Marianne Rixson

Other Members present:

Phillip Skinner

Pauline Stott

Jill Elson

Peter Bowden

Ben Ingham

John Dyson

David Barratt

Brian Bailey

Dawn Manley

Geoff Jung

John Humphreys

Steve Hall

Tom Wright

Andrew Moulding

Mathew Booth

Peter Faithfull

Officers present:

Donna Best, Principal Estates Surveyor

Richard Cohen, Deputy Chief Executive

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

Debbie Meakin, Democratic Services Officer

Committee Members apologies:

Dean Barrow

David Chapman

Cathy Gardner

Brenda Taylor

Other Members apologies:

Geoff Pook

Iain Chubb
Paul Diviani
Eileen Wragg

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 22 September 2015

Attendance list at end of document

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

***6 Chairman's introduction**

The Chairman welcomed the committee members to the meeting and asked for nominations for Vice Chairman, as, for personal reasons, Councillor Mike Allen wished to retire as Vice Chairman. Councillor Graham Godbeer was nominated as Vice Chairman for the meeting.

***7 Public speaking**

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

***8 Minute confirmation**

The minutes of the Overview Committee held on the 30 June 2015, and of the joint meeting with the Scrutiny Committee on 11 August 2015, were confirmed as a true record.

***9 Declarations of Interest**

No declarations were made.

***10 Urgent item**

The Chairman agreed that a presentation from Andy Wood, East of Exeter Project Director on What an Enterprise Zone was and what the application for the Exeter and East Devon Enterprise Zone was all about would be discussed as an urgent under minute 13 below.

***11 Local Government Boundary Committee for England Electoral Review Programme (LGBCE) 2015-2019**

Members noted that at its meeting on 15 July 2015 Cabinet requested that the Committee undertake the initial investigation and scoping work to ensure that the Council had assessed possible options prior to the LGBCE electoral review commencing in September 2016. The report presented by Chief Executive highlighted the key issues that would arise and sought approval to the proposed online survey.

The Chief Executive confirmed that the Boundary Commission would expect a reasoned argument and analysis for any proposals made by the District Council. The view of Cabinet was that they wanted the Overview Committee to lead on this process.

Debate on the issue also included:

- Boundary Commission had extensive powers to decide on a Council's size;
- What was the most appropriate size for the Council going forward;
- This was a separate process from that being undertaken for Devon County Council, to which EDDC had commented upon;
- Housing developments in the district, particularly at Cranbrook and elsewhere would affect the Electoral Review;
- The workload for each councillor had increased in line with elector expectations, especially with regard to planning, and this was difficult to manage;
- Council Plan would be an important piece of evidence for the Boundary Commission;
- If time allowed, perhaps two surveys could be carried out.

- RESOLVED 1.** that the contents of the report and the comments made at the meeting be noted and incorporated into the survey;
- 2.** that a survey be undertaken of members' views and the results be reported together with an initial discussion proposal relating to Council size.

***12 Economic Development**

The Committee received a presentation from Andy Wood, East of Exeter Projects Director on the proposal for an Exeter and East Devon Enterprise Zone. There were currently 25 Enterprise Zones nationally which supported 540 businesses and had attracted 19,000 jobs and £2.2bn of private investment.

There were benefits to both business and the community from a successful Enterprise Zone application. The government had recently called for further zones, there were five proposals in the Heart of the South West area which were being assessed by the LEP Panel; the Growth Point proposal was in second place to Huntspill Energy Park. Members noted that the East of Exeter Growth Point was not experiencing the same level of delivery of jobs compared with the large number of new homes being delivered. The Enterprise Zone application was in response to this imbalance. The application also had the benefit of keeping the profile of the Growth Point high.

Debate on the issue also included:

- Concern was expressed on the affect on business opportunities in other parts of East Devon due to lower business rates in the Enterprise Zone;
- The affect a successful bid could have on the Local Plan;
- Concern about possible distortion of economic policy in the district and that the application had not yet been discussed at Council.

Andy Wood, East of Exeter Project Director was thanked for his report.

The Committee received the report of Rob Murray, Economic Development Manager. This set out the background to his work since his appointment to the post in May 2015. His work so far included providing economic input to the council's departments, developing projects to meet the needs of local business and developing joint work programmes with the Economic Development teams of neighbouring authorities (Exeter and Heart of Devon/EHOD).

The programme of work presented was very substantial for a small economic development team and it had only been possible for a small part of the programme to be implemented so far. It was noted that a full report on economic issues would be prepared by Rob Murray, Alison Hayward and Richard Cohen towards the end of the year.

Debate on the issue also included:

- addressing member wish for greater involvement in economic issues in the district should be addresses;
- importance of resourcing economic development in East Devon properly and including this in discussions on the budget, which would start in October;
- realistic goals and time frames need to be given to the economic development service;
- Business Taff was no longer considered to be required or the best way to improve communication with business in East Devon.

It was requested that Rob Murray circulate his presentation to members.

RECOMMENDED

1. that the top three agreed aims and outcomes for economic development in East Devon be:
 - a) To establish a robust, representative and transparent process of business engagement.
 - b) To improve the Council's knowledge of local business needs across all sectors and provide a clear process for businesses to feedback into EDDC.
 - c) To consider rural economic issues as a counterbalance to the Growth Point and urban related initiatives.
2. that a report be prepared to assess an effective and transparent engagement strategy with the EDDC business community.

***10 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:

17 November 2015 – Council Plan and Economic Development.

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 Coastal Flooding and the Exmouth Beach Management Plan.

22 March 2016 – Sustainability.

Attendance list

Councillors Present:

Peter Bowden (Chairman)

Mike Allen
Matthew Booth
Peter Faithfull
Graham Godbeer
Pat Graham
Ian Hall
Rob Longhurst
Christopher Pepper

Councillors Also Present:

David Barrett
John Dyson
Jill Elson
Marcus Hartnell
Ben Ingham
Geoff Jung

Marianne Rixson
Philip Skinner
Pauline Stott
Tom Wright

Officers

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Andrew Wood, East of Exeter Project Director
Rob Murray, Economic Development Manager
Chris Lane, Democratic Services Officer

Councillor Apologies:

Maria Hale
John Humphreys

Chairman Date.....

**SEATON REGENERATION PROGRAMME BOARD
ACTION POINTS FROM A MEETING
HELD AT SEATON TOWN HALL, SEATON ON THURSDAY 10 SEPTEMBER 2015**

Present:

Councillor Philip Skinner	PS	EDDC
Councillor Heather Sanham	HS	Seaton Town Council
Councillor Graham Godbeer	GG	EDDC
Councillor Peter Burrows	PB	EDDC
Richard Cohen	RC	Deputy Chief Executive, EDDC
Alison Hayward	AH	Regeneration & Economy Manager, EDDC
Jenny Nunn	JN	Seaton Tramway
Lesley Garlick	LG	DCC
Chris Lane	CL	EDDC
James Sedgwick	JS	Tesco
Edward Willis Fleming	EWf	The Sidmouth Design Company
Mike Ruitter	MR	Seaton Jurassic
Charlie Plowden	CP	Countryside Manager
Councillor Ken Stevens	KS	Axmouth Parish Council

Apologies:

Councillor Marcus Hartnell	MH	EDDC
Councillor Ian Thomas	IT	EDDC
Councillor Iain Chubb	IC	EDDC
Councillor Andrew Moulding	ATM	DCC
Chris Drake	CD	Seaton Town Clerk
Ian Carvell	IC	Tesco
Gavin Spiller	GS	Principal Planning Officer
Anya Oliver	AO	DWT
Karin Frewin	KF	Marketing & Events Coordinator
Councillor Tony Woodman	TW	Seaton Town Council

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The meeting started at 9.20am and finished at 11.25am.

Item	Notes/Decisions	Action
1.Introduction	Welcome and introductions.	
2.Notes of meeting held on 11 June 2015	The notes of the meeting held on 11 June 2015 were agreed as a true record.	Noted
3.. Seaton Jurassic Update	<p>AH reported that the building had now been completed and the builders were off site. The Interpretation Centre contractors were in the building and it was being fitted out.</p> <p>MR reported that coordination of volunteers for Seaton Jurassic was being done by a local resident in the town and was proving successful. Diversity groups had also started. A new website had been launched and a number of very positive messages had been fed down using social media.</p> <p>A further Information Event about the Discovery Points had been held in July. It was anticipated that Seaton Jurassic would open in March 2016.</p>	Noted
4. Progress on delivery of Stop Line Way	LG reported that work had started on the section of the Stop Line Way between Marsh Lane and Colyford. The work should be completed at the end of September. DCC were undertaking work on road signing.	Noted
5. Fosseway Court, Seaton	<p>In GS's absence members noted that planning permission had been achieved and the freeholder was in negotiations with tenants. There was no further update available regarding Seaton Moridunum.</p> <p>The Board noted that Seaton Town Council was still keen on preparing a Neighbourhood Plan, but the election of a number of new Councillors in May 2015 had delayed the process.</p> <p>ACTION that Gavin Spiller and Sulina Tallack be informed that they are required to attend the next meeting of the Board on 3 December 2015 to discuss Fosseway Court and S106 issues for Seaton respectively.</p>	<p>Noted</p> <p>CL/RC</p>
6. Seaton Wetlands	CP reported on recent progress on Seaton Wetlands. There was a programme of improvements to complete works around Blackhole Marsh. The path from the Cemetery car park to the majority of	

	<p>the buildings had been tarmaced and a bridge had been put over Stafford Brook.</p> <p>Negotiations are on-going in respect of some of the area of land required for the route. Once the full route was in place then this would have a positive effect on tourism and trade for the town.</p> <p>An information point had been created along the route near to the Cemetery car park to give out information and it was hoped that the whole site would be wifi enabled. A further improvement to visitor infrastructure with an extension to the car park was also proposed.</p> <p>There are plans to develop the Sheep's Marsh land as a new wetlands site with an access point through to the car park to the north of Seaton Jurassic. Discussions are on-going with neighbouring landowners.</p> <p>PS raised the issue of what was being done to engage the private sector with Seaton Jurassic and Seaton Wetlands. There was the potential for the relationship between the two to be of mutual benefit. This was particularly important with District Council budgets becoming ever more tightly controlled. CP reported that he already engaged with River Cottage on this issue. He would arrange a meeting with appropriate district council and private sector partners to discuss this issue.</p> <p>EWf raised the issue of the provision of field study centre accommodation in Seaton, which would be basic accommodation, but provided to a good standard. MR reported that if a location for such accommodation could be identified then he could ask contacts he had in the YHA to come to Seaton to see if they could provide suitable accommodation. A meeting to discuss the matter of accommodation for Seaton would be useful and include Sam Rose from the Jurassic Coast Team.</p> <p>JN reported on the Lyme Bay passport which was a cooperative venture between the Tramway, Donkey Sanctuary and Pecorama.</p>	
<p>7. Seaton Tramway Update</p>	<p>JN gave an update on Seaton Tramway. The recent planning application for a new terminus had received unanimous support at Development Management Committee. Construction would begin on the £2.2M project as soon as a new lease had been issued. The Board noted the importance of managing the</p>	

	<p>disruption of the work once it started and also communication of the message to the public.</p> <p>On a related tourism issue, members of the Board discussed the issue of a hotel for Seaton and progress made to date on this issue.</p>	
8. Work of Town Development Team	<p>In KF's absence, HS reported that the town had been noticeably busier this year. JS reported that there had been sales growth this summer for several of Tesco's stores in East Devon, including Seaton. A new range of seaside items had been launched in its seaside stores, which had proved to be successful sellers.</p> <p>HS circulated the new Seaton Town Guide to members. There had also been a shopper's map for Seaton issued. The first great outdoors festival had proved successful and well supported by Tesco. It was part of a drive to develop Seaton as a destination for green tourism. It was noted that KF was working on bringing a major cycling event to Seaton for 2016.</p>	Noted
9. Town Signage	HS reported that the work of the Seaton Town Council Signage Group to provide a co-ordinated approach to signage in the town was on going.	Noted
10. Seaton Seafront Enhancement and Consultation	HS reported that since the model had been produced for the seafront enhancement which would be used for public consultation, no further progress had been made. This model would be displayed in a town centre shop in due course.	Noted
11. Communications	Members were reminded of the confidential nature of some of the items discussed at the meeting. There was now a presumption in favour of publishing minutes of the meeting and they would appear on the Council's website once agreed at the following meeting. Although there was no specific communication support for Regeneration, a press release would be prepared on the subjects discussed at the meeting.	Noted
12. Any other business	<p><u>Beach Huts</u></p> <p>RC reported that there had been significant response to public consultation on beach huts. The results of the public consultation had been discussed at Asset Management Forum and would also be considered at Scrutiny Committee on 17 September. A decision would be taken at Cabinet on 7 October 2015.</p>	Noted

	<p><u>Street Trading</u> RC reported that there would be 8 weeks of widespread consultation on proposals to relax street trading regulations throughout the district.</p> <p><u>Small Workshop Units</u> PS reported that he hoped that progress could be made on a scheme to provide small workshop units at Colyford Road in Seaton. This land already had outline planning permission for small industrial units.</p> <p><u>Seaton Quay</u> EWF reported that he anticipated funding was available to progress the Seaton Quay scheme for 90 2 bed units. Architects had been instructed and he was waiting for further information from the legal section at EDDC and requested that this matter be progressed more speedily. An application for variations of conditions had been made and there was the need to change the S106 conditions.</p> <p><u>Playing pitches in Seaton</u> CP reported that a site assessment had been prepared to assess all potential sites for new football pitches in Seaton.</p> <p><u>Chine Cafe</u> There was no further progress to report on the Chine Cafe.</p> <p><u>TIC</u> MR reported that it was anticipated that the TIC would be moving into Seaton Jurassic in March 2016, but no SLA had been agreed as yet.</p> <p><u>Fun Fair</u> The Board noted that there was no long term plan for the funfair to be in the Underfleet car park and EDDC needed to have a discussion on this issue for future years.</p>	
<p>13. Date and time of next meetings</p>	<p>It was noted that the next meeting would be held on, Thursday, 3 December at 9.15am in the Enterprise Suite at Seaton Town Hall.</p>	<p>All</p>

**EXMOUTH REGENERATION PROGRAMME BOARD
ACTION POINTS FROM A MEETING
HELD AT EXMOUTH TOWN HALL, EXMOUTH ON TUESDAY 15 SEPTEMBER 2015**

Present:

Councillor Andrew Moulding	ATM	EDDC
Jill Elson	JME	EDDC
Pauline Stott	PS	Exmouth Town Council
Deborah Hallett	DH	Chairman, Rolle Exmouth Ltd
Bernard Hughes	BH	Devon County Council
Tom Vaughan	TV	DCC
Chris Lane	CL	EDDC
Eileen Wragg	EW	Devon County Council
Neil Downes	ND	Exe Estuary Partnership
Alison Hayward	AH	EDDC
Lisa Bowman	LB	Exmouth Town Council
Andrew Ardley	AA	Devon County Council
Linda Perry	LP	EDDC

Apologies:

Richard Cohen	RC	Deputy Chief Executive, EDDC
Andrew Leadbetter	AL	Devon County Council
Ian MacQueen	NM	Exmouth Chamber of Commerce
Ian Harrison	IH	Consultant
Mark Williamson	MW	Exmouth Town Council

The meeting started at 9.15am and finished at 11.30am.

Item	Notes/Decisions	Action
1.Introduction	Councillor Andrew Moulding welcomed all those present to the meeting.	
2. Report of meeting held on 28 May 2015	The report of the meeting held on 28 May 2015, was confirmed as a true record.	To note
3. Matters Arising	<u>Estuaryside</u> AH advised Members that progress on this was closely related to the playing pitch strategy and sports	

	pitch provision in Exmouth. .	
4.Update on Mamhead Slipway	AH reported on progress made on the Mamhead Slipway. There were 5 contractors that had expressed an interest in tendering for the contract and it was anticipated that work would start early in 2016, due to environmental restrictions. It was noted that piling work had been carried out this summer next to the pier by private contractors, but this had been subject to the same environmental restrictions as the Mamhead Slipway works.	Noted
5.Exmouth Tidal Defence Study	<p>AH gave an update on the Exmouth Tidal Defence Study. Site investigation works had started on 7 September to obtain an idea of the ground conditions; desk based assessments were also being undertaken.</p> <p>The Study was proceeding as planned and there were no significant hurdles. The Study would affect an area from the Estuaryside site to the docks, Mamhead Slipway and Alexander Terrace.</p> <p>(EEW declared a personal interest as a member of the South West Regional Flood & Coastal Committee).</p>	Noted
6. Coastal Community Team/Exmouth Master Plan – Refresh	<p>AH reported that EDDC had been awarded £10,000 to form a Coastal Community Team for Exmouth. The remit of the Team would be to lead on the development of an economic plan with an emphasis on the town centre and surrounding development and investment opportunities. It was proposed that the team would be a subgroup of the Exmouth Regeneration Programme Board and it should be made up of representatives from local groups and organisations.</p> <p>This proposal would tie in with the revision of the Exmouth Master Plan It was anticipated that the Plan would focus on 3 sites in town in particular: London Inn, Magnolia Centre and Estuaryside. But the group would consider the deliverability of different sites and their relevant uses including reflecting the change in the retail and supermarket sectors.</p> <p>The £10,000 provided by the government would need to be matched by £10,000 from EDDC This would be to pay for external consultants to assist with the work. There was the need to create a commercial environment in the town centre to encourage Exmouth residents to do more local shopping in Exmouth.</p> <p>RESOLVED 1. that the proposal to create the</p>	

	<p>Coastal Communities Team as a sub group of the Exmouth Regeneration Board be endorsed;</p> <p>2. that the group consist of the following: Councillors Philip Skinner, Jill Elson, Pauline Stott, Eileen Wragg and John Humphreys, with Richard Jacobs, Deborah Hallett, Roy Pryke and Ian MacQueen;</p> <p>3. that the group should have power to co-opt members as required.</p>	
<p>7. REL</p>	<p>DH reported that there would be a Plymouth University press release issued about public consultation on an outline planning application for the Rolle site scheme, the planning application included very little proposals for educational or economic opportunities. REL would also be preparing a press release on Plymouth University's proposals as part of a strong campaign for more of the site to be allocated for economic and educational uses.</p> <p>The Board wished to thank DH for the work she had carried out on behalf of REL and the Exmouth community so far.</p>	<p>Noted</p>
<p>8. Transport Hub</p>	<p>AA reported that a developer had put forward a proposal for a retail store on the bus station site and DCC had agreed to sell the site for development. The developers would go out to public consultation at the end of the month, it was noted that any developer contributions would be subject to negotiation. DCC were trying to ensure that the Transport Hub that would replace the bus station would be successful and contribute positively to Exmouth transport needs. These proposals would include a number of improvements to the station building and access in conjunction with First Great Western.</p> <p>There were currently only three bus services that served Exmouth and two new bus stops would be relocated on the road outside the Leisure Centre; DCC were also looking to install a real-time display for bus times outside the railway station and improve connections to the station, including cycle routes.</p> <p>Members of the Board expressed a concern that the original aspiration for a Transport Hub for Exmouth was not being met by the current proposals. The DDC proposals for a Transport Hub for Exmouth would be considered by the EDDC Advisory Panel for Planning at a meeting on 29 September.</p> <p>ACTION AA to email the presentation to members.</p>	<p>AA</p>

<p>9. Dinan Way</p>	<p>AA reported that the alignment of the Dinan Way expansion scheme had been put out to public consultation in August and DCC were currently looking at a revised scheme based on consultation feedback received. It was proposed to come back with a revised scheme and submit a planning application next year.</p> <p>Members acknowledged the complexities of the scheme and AA confirmed that there was no funding in place at present to build the road.</p> <p>BH expressed his disappointment at the lack of progress on the Dinan Way expansion scheme. It was noted that the National Trust were concerned about the landscaping and setting for the scheme.</p>	<p>Noted</p>
<p>10. Queens Drive update</p>	<p>AH gave an update on the Queens Drive development.</p> <p>Grenadier Estates will be investing £4M for development of the Watersports Centre, which will include training area, retail, restaurant/cafe, , public realm and outdoor theatre space. A cycle hub is proposed for part of the site.</p> <p>Public consultation on the proposals would be forthcoming in October. The proposals for the road realignment have been discussed with DCC and the necessary application will be submitted shortly. (BJCH declared a pecuniary interest as a Queens Drive lease holder).</p>	<p>Noted</p>
<p>11. Camperdown Creek</p>	<p>AH reported that the Council were very close to being able to offer a lease to the Sea Cadets for them to take occupation of the former boat yard site. Whilst they did not as yet have all their funding in place, the Council has agreed to proceed with granting the lease.</p> <p>AH was also in the process of setting up a meeting with the Sea Scouts to discuss progress on their scheme. RJ suggested that there was potential to regenerate the Camperdown Creek area and generate more jobs for the town.</p>	<p>Noted</p>
<p>12. The Strand</p>	<p>TV reported that the landscaping works for the Strand had been largely completed and the bus shelter was due to be erected in the next couple of months. Negotiations were still proceeding regarding maintenance responsibilities.</p>	<p>Noted</p>
<p>13. Communication Update</p>	<p>AH would pick up all the relevant items for a press release.</p>	<p>AH</p>
<p>14. Dates and times of future meetings</p>	<p>The next calendared meeting to be held on Tuesday 24 November 2015.</p>	<p>CL/All</p>

Report to: Cabinet
Date of Meeting: 7 October 2015
Public Document: Yes
Exemption: None



Review date for release None

Agenda item: 14

Subject: **Addressing Anti-social Behaviour linked with Personal Water Craft (PWC) in the Exe estuary**

Purpose of report: To seek Cabinet approval to identify monies and match fund a contribution of up to £15,000 towards a new fit for purpose Harbour Patrol Boat on the river Exe. Contributions of similar monies would be made by Teignbridge District Council and Exeter City Council and with potential to be combined with funding from monies collected from developer contributions in proving mitigation under the Habitat Regulations to procure a suitable craft.

Recommendation: **That a Supplementary estimate of between and £10,000 and £15,000 is approved to contribute to the purchase of a suitable craft to carry out enforcement of byelaws on the water in the Exe estuary. This will deal with issues of nuisance, annoyance and safety linked to the use of powered water craft on the estuary so that estuary byelaws can be properly monitored and enforced. Annual running costs to be identified separately and incorporated into the annual budget setting process.**

Reason for recommendation: To better resource and enforce the estuary byelaws and ensure that water users are safe and protected from inconsiderate use of powered craft within the estuary and the 10 knot speed limit is properly enforced.
To benefit the Exe Estuary as an area that is safe to use as an important leisure resource within the District and to encourage water users to come to Exmouth which is a safe leisure environment. To maintain the estuary as an important international wildlife site.

Officer: Giles Salter, Solicitor gsalter@eastdevon.gov.uk ext: 1677

Financial implications: There is no budget for this water safety proposal. Therefore a Supplementary estimate is required. Practically, one of the three contributing authorities would own and run the boat, with the other two contributing to the costs in the form of an initial grant for purchase. Ongoing costs including a pilot, maintenance and insurance will need to be identified and incorporated into the annual budget setting process.

Legal implications: The legal implications are set out within the report.

Equalities impact: Low Impact

Risk: Medium Risk

The reputation of the Council could be enhanced or reduced. The use of a suitable and resourced harbour patrol boat will enable this Council to

carry out proper enforcement on the water in partnership with the Harbour Authority (Exeter City Council) and Teignbridge District Council to ensure that those using the water are safe and considerate to other users.

Links to background information: [EDDC Estuary Byelaws](#)

Link to Council Plan: Working, Living and enjoying this outstanding place, an outstanding council.

Report in full

1. The Council has been involved in tri-partite meetings with Exeter City Council and Teignbridge District Council for the past 18 months to discuss a strategy for introducing a management plan for the whole of the Exe Estuary. The strategy has identified mid-term and long term solutions. Ultimately there being a joined up, well resourced Harbour Authority that can patrol and manage the various and often contradictory uses within the estuary that provide an excellent leisure resource for the whole of the eastern end of Devon.
2. One of the mid-term key issues is the provision of a suitable patrol boat to control powered craft users on the water (in particular users of jet skis who it is alleged break the 10 knot speed limit in the estuary). Issues which appear to require some enforcement are jet ski users weaving at speed within the moorings, being inconsiderate to other users on the water and concerns about bathers in the same area which are seen as a huge risk. There is in place a voluntary PWC code of conduct but it is considered that this has failed to control a number of inconsiderate pwc (jet ski) users who continue to break the byelaws and cause nuisance and annoyance and a potential danger to waterside users.
3. The lack of a suitable, regularly serviced patrol boat enables those undertaking anti social behaviour on the water and at the waterside to currently escape warning and caution. The current craft is inadequate in that it is an ex-police launch, very old and underpowered and therefore it is not fast enough or safe enough to apprehend jet ski/pwc users who break the speed limit within the byelaw areas.
4. At a meeting of the joint Exe Estuary Working Officer Party in June, with officers from Exeter City Council and Teignbridge DC and the joint authorities Habitat Regulation Delivery Officer the benefits of a joint patrol boat were discussed. It was agreed that each Council would seek to identify and match fund between £10,000 to £15,000 each to pool together with a potential sum that may be in the region of £20,000 to £30,000 which it might be reasonable to secure from Habitat Regulation mitigations monies. Approximately £50-60,000 in total. This amount would provide a state of the art craft which could carry out enforcement and monitor the Exe Estuary habitat throughout the year. Exeter has also stated that they could provide suitable mooring and wintering for the craft. This Council's Beach Safety Officer has been tasked with identifying and costing a boat fit for purpose.
5. It is estimated that the ongoing running costs of a patrol boat for 130 days of the year (18 weeks peak season) would be approximately £15,000. This estimate could be reviewed after the first season. It is estimated the boat would cost £100 per day for fuel and oil (dependant on duration of service). This would equate to £13,000 Coding and maintenance of coded equipment, boat servicing and maintenance would make up the remainder, along with personal protective equipment and staff safety gear / training. running the boat for longer or over a year would see minimal increase in costs with the exception of fuel and depreciation. This does not include recruitment and staffing.

6. The byelaws, confirmed in 1964 by Exmouth UDC, refer to an area within and delineated as:
- (i) An imaginary line extending due west from the most north easterly point on the Imperial Recreation Ground for a distance of 1000yards from high water mark of ordinary spring tides;
 - (ii) An imaginary line extending then in a south westerly direction to a point 600 yards south west of high water mark of ordinary spring tides at The Point
 - (iii) An imaginary line extending then to high water mark or ordinary spring tides at The Point, and
 - (iv) Then along high water mark or ordinary spring tides to its junction with the imaginary line described in (i) above

And

- (b) within 600 yards of high water mark of ordinary spring tides between
 - (i) the line described in (a) (iii) and
 - (ii) an imaginary line extending due south of Straight Point
- (2) In these byelaws, “navigator” means the person who, whether as owner or otherwise, has the charge or control of a pleasure boat and includes a person, being present, is entitled to give orders to the person having charge or control.
- (3) No person being the navigator of a pleasure boat shall cause or suffer such vessel:-
 - (a) within a distance of 100 yards from high water mark or ordinary spring tides to exceed a speed of 10 nautical miles per hour through the water
 - (b) within the remaining area to which these byelaws apply to exceed a speed of 10 nautical miles per hour through the water between the hours of 12 midnight and 6.30 pm and between 9.00 pm and 12 midnightProvided that this byelaw shall not apply to the navigator of a pleasure boat when taking part in an event which is organised by the Council or by any other person with the approval of the Council in writing.
- (4) No person being the navigator of a pleasure boat shall cause or suffer such a vessel to be driven or sailed in a dangerous manner or without due care and attention or without reasonable consideration for other persons
- (5) No person being the navigator of a pleasure boat propelled by an internal combustion engine shall use the pleasure boat unless the engine is fitted with a silencer suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of the exhaust gases from the engine.
- (6) Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding (£5) the maximum of Scale 1 (currently £200)

The full byelaw and coloured plan is set out in the link above

7. Members are reminded that the Harbour Authority (Exeter City) is the primary authority within the estuary and has the powers to fully enforce byelaws within the extent of the whole of the estuary. This Council has not brought any prosecutions under this byelaw in the past 12 years.
8. Members will be aware of the recent consultation on the PSPO carried out as requested by the residents of the flats adjacent to the harbour wall. The residents have identified a number of concerns about the Council’s management of watercraft within the estuary. The

results of the consultation are currently being analysed. The consultation has identified a degree of tension between residents who have to live with the noise of pwcs allegedly breaching the harbour speed limit and resulting noise nuisance and asb, and water users who see the estuary as a valued leisure resource the access to which should not be interfered with. If the final outcome of that consultation is opposition to a PSPO and the Council decides that the status quo remains at Belsher's Slipway and on Shelly Beach, then the Council will have to adopt an alternative strategy and look at its responsibilities directly on the water. The provision of a patrol boat is at the centre of that strategy.

9. Provision of a craft on the water from next spring will give this Council a higher profile on the water, and this will, it is hoped, encourage responsible craft management on the estuary. It will also give a suitable resource to carry out enforcement on the water for the first time in a number of years. It is hoped that some resources can be redirected to training an officer to carry out patrols on the water, perhaps the resource currently used to provide a CEO at Belsher's Slipway. Residents will also be reassured that the Council is committed to resolving the management of water based activity and monitoring responsible use.
10. The three local authorities are currently, and will continue, to collect developer contributions under the Habitat Regulations to mitigate adverse impacts at the Exe Estuary that would otherwise result from development. A Habitat Regulation Delivery Officer is working up a proposed programme of detailed measures, drawing on proposals set out in an overarching mitigation strategy. Approval for expenditure will need to go before a joint Committee of the three authorities. The mitigation strategy identifies provision of a patrol boat on the estuary to enforce regulations and in other ways help protect the wildlife and habitats that justify the highest tier wildlife designation of the Exe Estuary.
11. Use of the boat and crew for enforcement against anti-social behaviour should generally be looked upon as a separate function from habitat mitigation related work that the boat and crew could also be involved in. Though potential overlap could exist where anti-social behaviour is also adversely impacting on the wildlife justifying site designation and in cases where it can be shown, or reasonably expected, that joint positive outcomes can be achieved. Of greater potential benefit is the fact that most of the boat and crew work in respect of anti-social behaviour will be in the summer months when most recreational boating and activity takes place and therefore the patrol boat is most needed. In contrast and in respect of the habitat mitigation much of the wildlife importance (notably feeding and roosting birds), and therefore the potential greatest need for an on-water presence, is in the winter months, although important numbers of waders and wildfowl build from August each year.
12. Potential for securing joint funding will need careful consideration to ensure that Habitat Mitigation that is expected/delivered is commensurate with any monies coming from the mitigation funding sources and that any joint agreement for boat and crew use is drawn up in a legally legitimate manner.

Conclusion

A commitment to the financial resource outlined in the report will provide a mid-term strategy of dealing with the current conflicts that are associated with craft on the Exe Estuary. It will also help to support the joint management partnership moving forwards between the three Councils and provide a key resource to sustaining the safe leisure environment on the water. This will also enable discussions to there being a long-term strategy of a joined up, well resourced Harbour Authority that can patrol and manage the various and often contradictory uses within the estuary that provide an excellent leisure resource for the whole of the eastern end of Devon as well as protecting its international importance as a wildlife site.

Report to: **Cabinet**
Date of Meeting: 7 October 2015
Public Document: Yes
Exemption: None
Review date for release 7 September 2016



Agenda item: **15**

Subject: **Branscombe Public Conveniences**

Purpose of report: To seek Member approval to surrender the lease of land from which the council currently provides public toilet provision in lieu of a dowry of £25,000 to ensure future ongoing provision of the service by a third party.

Recommendation:

- 1) To endorse the surrender of the lease on land at Branscombe beach car park on which the council built public conveniences.**
- 2) To approve the payment of a £25,000 dowry on surrender of the council's lease to ensure public toilet provision into the future.**
- 3) To note that the toilets will be refurbished and provided in the current building for the next six years. After that they will be provided from other suitable locations on the Branscombe car park site.**

Reason for recommendation: To alleviate the impact on the local community and visitors of the council's decision to close the facilities.

Officer: Donna Best dbest@eastdevon.gov.uk Tel: 01395 571584

Financial implications: The £25,000 dowry is held in reserves and available to be paid out on the surrender of the lease

Legal implications: Documentation to be agreed between the legal and property services departments. An obligation is to be noted on the title to the car park ensuring toilet facility provision in perpetuity and refurbishment of the toilet block.

Equalities impact: Low Impact

Under the terms agreed, public toilet provision will remain at Branscombe beach and there should therefore be little or no adverse impact on people with protected characteristics

Risk: Low Risk

The provision of public toilets is not a statutory requirement of the council and a decision had been taken to close these public conveniences. The proposal put forward, enables the authority to discontinue direct service in Branscombe while putting in place arrangements for ongoing provision through an alternative provider.

Links to background information: .

Link to Council Plan: Living in this outstanding place and funding this outstanding place

Background

- 1.1 In year 1990 the council acquired a lease for some land in Branscombe beach car park to build public conveniences. The lease term is 42 years from 1 October 1988 and the rent, a peppercorn. It is proposed that this lease is now surrendered back to the landowner who will continue to provide public toilet facilities going forward.

2.0 Proposal

- 2.1 As part of the terms of the lease surrender, the owner will continue to provide public toilets in some form or another in the vicinity of the beach car park in exchange for a one-off dowry payment of £25,000 (twenty five thousand pounds). This payment was previously agreed through the budget process when submitted as a special item. The owner will continue to provide the toilets in the current building for the next six years and refurbish the toilets in the meantime. After that, he can choose to provide them from other suitable locations on the Branscombe car park site, as long as there is provision for ladies, gents and disabled toilet facilities.
- 2.2 The owner will be responsible for future toilet provision but it is not proposed to dictate how the facilities are delivered and it will be down to the owner to decide the appropriate level of provision. He will not have to keep all of the existing toilets open at once: for example he may choose to only open the disabled toilets during the winter. The current opening hours are from 7.30am to 10pm in the summer and 8am to 7pm in the winter. The council will not be prescriptive about opening hours as it is withdrawing from the provision at Branscombe and the underlying principle is that the council would be closing them.
- 2.3 The annual revenue saving to the council in no longer continuing the provision of the public toilets will be in the region of £12,000 per annum.

Report to: Cabinet
Date of Meeting: 7 October 2015
Public Document: Yes
Exemption: None
Review date for release: None



Agenda item: 16

Subject: Shelter adjacent the Longboat cafe, Budleigh Salterton

Purpose of report: This report seeks authority to vary the resolutions made by Cabinet Report 2 May 2012 Ref. 11/1115.

Recommendation:

1. To grant a six year sub-lease for the store behind the shelter adjacent to the Longboat Cafe for an annual rent of £750 pa, on such terms as may be agreed by the DCEO.
2. Continue to grant a sub-lease for the remainder of the public shelter to Budleigh Salterton Town Council for a term of 125 years at a peppercorn rent as resolved on the 2nd May 2012. see minutes below.

Reason for recommendation: The Council will retain its current interest in the Lease to the cafe and discharge the ownership and maintenance of the Shelter to the Town Council.

Officer: Simon Yates, Estates Surveyor syates@eastdevon.gov.uk ext: 2676

Financial implications: The financial implications are as indicated within the report

Legal implications: There is no issue with revising terms of a deal or a previous decision of Cabinet. Accordingly the recommendations are acceptable. It should be noted that Recommendation 1 relates to us granting a sublease (i.e we are ourselves a tenant) and so there may be provisions in our lease that relate to the granting of a sublease. Legal services will check and advise on such requirements as appropriate and then assist with the preparation and completion of appropriate documentation.

Equalities impact: Low Impact
This will not affect equality considerations in any way.

Risk: Low Risk
There are no risk implications to the Council

Links to background information: • <http://eastdevon.gov.uk/media/1184294/cabinet-mins-020512.pdf>

Link to Council Plan: Enjoying this outstanding place

Report in full

1.1 Budleigh Salterton beach and buildings are owned by Clinton Devon Estates and sub-let to East Devon District Council. The Public Shelter adjacent to the Longboat cafe is one of the

structures within the demise of the council's lease. The Longboat Cafe is held Freehold by the owner.

1.2 In 2012, Budleigh Town Council asked to take a 125 year lease on the shelter so they could enhance it for the Queens Diamond Jubilee this was resolved, along with the grant of a 99 year sub-lease to the Longboat cafe for the store element at the rear of the structure.

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Cabinet held in the Council Chamber, Knowle, Sidmouth on Wednesday, 2 May 2012

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Budleigh Salterton Long Boat Cafe

Members considered the report of the Head of Economy seeking authority to grant a 99 year sub-lease on the store behind the public shelter adjacent to the Longboat Cafe to the cafe owners. Once in place, authority was then sought to grant a 125 year lease to Budleigh Salterton Town Council on the public shelter.

Budleigh Salterton Ward Members spoke on the report and added that the Town Council's intention was to refurbish the shelter in celebration of the Queen's Diamond Jubilee. They also asked for the conditions in respect of the sub-lease of the rear store to include the need to allow unrestricted access to the viewing platform on the roof of the store.

1.3 The owner of the cafe has asked for a short 6 year lease rather than a 99 year lease. This report seeks to amend the previous Cabinet decision to enable a 6 year lease to be granted.

1.4 The premium for the 99 year lease for the store was agreed at £30,000 for a peppercorn rent. Based on a current rent £250 x 99 = £24,750 + an amount for inflation.

The rent for the proposed 6 year lease is agreed at £750 pa subject to approval.

Report to: Cabinet
Date of Meeting: 7 October 2015
Public Document: Yes
Exemption: None



Agenda item: 17

Subject: Monthly Performance Report August 2015

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

Recommendation: 1. That the Cabinet considers the progress and proposed improvement action for performance measures for the 2015/16 financial year for August 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 Streetscene, Development Management, Housing and Revenues and Benefits.

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 August 2015](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2015/16 financial year up to August 2015](#)
- [Appendix C – System Thinking Reports for Housing, Development Management, Streetscene and Revenues and Benefits for August 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 four indicators that are showing excellent performance:
 - Percentage of planning appeal decisions where the planning inspector has disagreed with the Council's decision
 - Percentage of non-domestic rates collected
 - Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
 - Creditor days – percentage of invoices paid in 10 working days
3. There is one performance indicator showing as concern:
 - Working days lost due to sickness absence – We are monitoring our absence carefully.
4. Monthly Performance Snapshot for August 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, Streetscene, Development Management and Revenues and Benefits appear in [Appendix C](#).

Monthly Performance Snapshot – August 2015



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

- **99.48%** of rent due on council owned homes collected
- **5.53 days** to process your Housing or Council Tax Benefit claims
- **95%** of invoices received by us are paid within 10 days
- Less than **2.5 days** on average to clear fly tipping cases, dealing with **53 cases** in August
- **45%** of all waste collected was recycled in August
- Current responses from the Annual Canvass are **52.06%** forms back, **6.01%** by telephone, **8.4%** online and **3.24%** by text

Latest headlines:

- We held our first Tenant Involvement Forum where tenants from a variety of service review groups came together to share information and ideas for service improvements
- Undertook an estate walkabout with tenants and councillors in Beer to improve the environment on our housing estates
- The Annual canvass is due to start the third stage. We will shortly be sending out 20,400 2nd reminders to non-responding homes. We will be sending out house to house canvassers in October to hand deliver 3rd reminders and will also be increasing publicity in order to reach non-responding areas.

- It was found that in the past year, 49% (£11.6 million) of EDDC's spending on goods, services and works was with small and medium-sized companies (SMEs), exceeding the government target of 25%. This included £4.3 million spent with SMEs based in East Devon.
- The Evolver Prize Exhibition at Thelma Hulbert Gallery saw 815 visitors through the door, £4217 in sales and £449 in donations.
- Thelma Hulbert Gallery launches campaign to get 1000 clocks donated by the local community for our Museum's at Night event in October; the clocks will feature as part of an installation curated by well known contemporary artist Luke Jerram.
- Thelma Hulbert Gallery has been working with the local community to make Forget-Me-Not themed bunting that will be used to decorate the town in celebration of Honiton becoming a Dementia Friendly Town.
- Thelma Hulbert Gallery has been awarded £2500 from Cllr Paul Diviani's Locality Budget towards the cost of regenerating the gallery's gardens and creating an exciting and engaging garden for the wider community
- Compared to August last year Thelma Hulbert Gallery saw the gallery up 31% on sales, up 32% on donations and up 13% on visitor figures
- The Summer Play Festival at the Manor Pavilion Theatre, Sidmouth is breaking all box office records with a huge increase in ticket sales. The season is produced by top west end producer Paul Taylor -Mills and runs until the end of Sept.
- Our volunteers gave the Countryside team 318 hours of their time in August helping out at the nature reserves across East Devon – we are very grateful to them for their time and support.
- Despite some incredibly wet weather in August, Countryside events were well attended with 140 people coming to Natural Crafts, Stream dipping and a Bug hunt at Cranbrook, 45 participants learning the art of campfire cooking at Seaton Wetlands and another fully booked Canoe safari.

Did you know?

- The top three industries employing the highest proportion of the population in East Devon is Wholesale and retail at 16.3% (9,766), health and social work at 13.7% (8,228) and education at 9.4% (5,613). (Census 2011)

Report to: Cabinet
Date of Meeting: 7 October 2015
Public Document: Yes
Exemption: None
Review date for release: None



Agenda item: 5

Subject: **Asset Management – Tenanted Non-Residential Property Review: Beach Huts & Chalets**

Purpose of report: At the 7 January 2015 Cabinet meeting it was agreed that proposals in relation to the beach huts at Seaton and Budleigh Salterton should be referred back to the Asset Management Forum (AMF) for further consideration and consultation. The consultation was subsequently opened to the public. Following discussion and in light of the feedback from the public consultation, the original recommendation has now been amended as seen at recommendation 2.

Further work since January, along with the public consultation and recommendations by the Scrutiny Committee, has brought forward several additional suggestions and, following discussion at AMF, further proposals are made as seen at recommendations 3 to 8 below.

Recommendation:

- 1. To note the report on the beach huts service consultation.**
- 2. To achieve market rents by means other than auction or sealed bids as a mechanism to establish open market charges on existing beach huts.**
- 3. Agree to significantly increase the standard hire charges for 2016/17 with the aim of achieving open market rates in the future.**
- 4. Invite the relevant Town and Parish Councils to a series of consultation meetings to establish how the service can best be managed for the benefit of all local communities.**
- 5. To offer the Searchlight Enplacement structure at Seaton for sale on a freehold only basis.**
- 6. To reverse the previous resolutions made by Cabinet at its meeting of 7 January 2015 as minuted at 2 and 3 in relation to the service provided at Sidmouth.**

7. To make the necessary arrangements to publish the Beach Huts Service waiting lists and list of current licensees.
8. To offer sites only at Budleigh and Seaton from 1st April 2016 on a year to year licence.

Reason for recommendation:

These recommendations have been made by the AMF following discussion in the light of the 'TNRP Review of the Chalets and Beach Huts Cluster' and the report on the findings of the beach huts service consultation

Officer:

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Financial implications:

Members are reminded that the Council has agreed in its Transformation Strategy to maximise the value of our assets through commercial thinking with a focus on best value for money and community benefit; income generation, sustainability and developing local economies. There are key actions within the Strategy put forward to reduce costs or increase income in order to allow the Council to afford to meet its priorities and continue to delivery front line services within the constraints of reduced funding. An action identified is the maximising of income from assets and beach huts are specified, being an asset held purely on a discretionary basis and where rents are charged below market value.

Legal implications:

The proposals set out in the report are in line with the Transformation Strategy, however until the rent levels are set the financial implications cannot be assessed fully.

The Council is under a duty to secure best value when selling or letting land or buildings, although the strict legal requirements do not apply to leases of less than 7 years. So while the Council doesn't necessarily have to secure 'best value' for leases of 7 years or less, nonetheless the Council's stated intention maximizing the profitability of its assets is sound. Clearly any consultation exercise needs to be run in accordance with identified legal principles and the legal team can assist further with ensuring that this is the case. Any formative proposals in terms of strategies for letting going forward need to have regard to the equalities duties that the Council is subject to and again advice can be given to ensure that these duties are met. The issues regarding data protection issues and publication of the names of those on the waiting list and existing licensees are addressed and set out in the report. The Council will need to ensure it complies with data protection requirements. Scrutiny Committee made recommendations to Cabinet in respect of beach huts at its meeting of 17th September 2015 and Cabinet will need to consider these recommendations as part of their consideration of the matter.

Equalities impact:

Medium Impact

26% of those that responded to the consultation and have a beach hut, site or chalet, have a long standing illness, disability or infirmity. Some are also on a fixed income. 17% of those that don't have a beach hut/site

but would like one have a long standing illness, disability or infirmity.

83% of those who responded that have a beach hut, site or chalet are aged 50 and over (30% being over the age of 70).

Equalities should also be considered in terms of equality of opportunity to rent a beach hut/beach hut site. The waiting lists are evidence that there is unmet demand for the opportunity to rent whilst current license holders can retain their existing licenses year after year. There may be existing licensees which do not choose to renew their licence owing to an increase in fees and this can free up a hut or site for someone on the waiting list – someone likely to have been waiting a long time.

Low Risk

Risk:

The risks and reasoning behind the recommendations are set out in the main body of the report.

Links to background information:

- [Beach Hut Service Consultation Results](#)
- [Notes of the Asset Management Forum meeting 3 September 2015](#)
- [Minutes of the Scrutiny Committee 17 September 2015](#)
- [Cabinet Report 7th January 2015: Tenanted non residential review: Beach Huts & Chalets](#)

Link to Council Plan:

Enjoying this outstanding place
Funding this outstanding place

Expansion on reasons for recommendations:

1.0 To note the report on the beach huts service consultation.

1.1 At the January Cabinet meeting, Cabinet resolved that the proposals in relation to offering the managed hut sites at Seaton and Budleigh Salterton on a site only open market basis, be referred back to the Asset Management Forum with the Forum being made fully aware of the importance of undertaking consultation. A consultation exercise was subsequently undertaken in May this year, the consultation being public and seeking views on the proposals. The feedback report is available in the background papers.

2.0 To no longer test the market via auction or sealed bids for existing beach huts as a mechanism to establish open market charges.

2.1 The proposals to go down an open market route to establish market charges on the existing sites have not been received well, particularly by existing licensees. This is largely owing to fears that they might be taken by other people and become unaffordable to local residents. The consensus is that people would prefer the council to just increase the hire charges to a fixed price.

2.2 Some members of AMF remain committed to the principal of seeking to obtain market rates through the open market to reflect the council's desire to operate commercially, demonstrate best value, increase the council's income revenue and more effectively

address the demand and supply issues. However, following the consultation it is clear that this remains an area of significant contention to existing licence holders and it was agreed on a majority basis to increase the fixed charge.

- 2.3 The idea of moving from annually renewable licences to 5 year (and a possible additional option of 10 year) leases has been met with a mixed response and will be explored further in discussions with the relevant town and parish councils.

3.0 Seek to significantly increase the standard hire charges for 2016/17.

- 3.1 In the absence of testing the market to establish open market fees, the Asset Management Forum recommends that the existing fees be increased significantly. A review of the charges is undertaken annually by the Portfolio Holder for Environment.

4.0 Invite the relevant Town and Parish Councils to a series of consultation meetings to establish how the service can best be managed for the benefit of all local communities.

- 4.1 Sidmouth and Budleigh Town Council, and Beer Parish Council have expressed an interest in taking over the running of the beach hut service. Exmouth and Seaton Town Councils have not formally expressed an interest. AMF is minded to recommend that discussions be opened with the relevant town and parish councils to discuss future management and charging arrangements. Lack of supply versus demand is recognised as a problem by many of the existing hirers, those on the waiting lists and by members. Relevant town and parish councils will also be invited to propose potential new locations for expansion of the service.

5.0 To offer the Searchlight Enplacement structure at Seaton for sale on a freehold only basis.

- 5.1 In the report to Cabinet in January it was recommended that the Seaton Searchlight Enplacement be offered for sale by way of the freehold interest or on a leasehold basis. However, the resolution was minuted that it would be offered on both basis rather one or the other. The Property Services team has looked into both and recommends that a freehold sale would be most attractive to potential interested parties.

6.0 To reverse the previous resolutions made by Cabinet at its meeting of 7 January 2015 as minuted at 2 and 3 in relation to the service provided at Sidmouth.

- 6.1 In January, Members were advised that the beach huts at Jacobs Ladder were reaching the end of their economic life and that the site was considered ideal for the provision of huts of a better style and design for the location. It was therefore recommended that a planning application be submitted for the enhanced provision of huts. With no means by which to create capital receipts through the selling of premiums for leases via the open market, it is now recommended that the existing beach huts are maintained as part of the councils on-going planned maintenance programme.

- 6.2 It was also proposed that an additional site on the beach at Sidmouth, between the end of the Esplanade and Chit rocks, be established for the provision of 10 sites for beach huts. This was to be subject to a viability assessment and planning permission.

Sidmouth Town Council have objected to this proposal, along with a number of local residents. It is therefore no longer proposed that the assessment be taken forward.

7.0 To make the necessary arrangements to publish the beach huts service waiting lists and current licensees.

- 7.1 Concerns have been raised about the various waiting lists held for the different sites including their accuracy, consistency and management. All are now closed bar the Exmouth beach huts waiting list. It is therefore recommended that arrangements are put in place to publish the waiting lists. Further, it is recommended that the names of existing licensees are published to ensure further transparency.
- 7.2 There are data protection issues here: While going forward it would be possible to let people know that their name will be published when they register to go on a waiting list, with regards the existing waiting lists, people will need to be informed of the council's intention to publish and be provided with an option to 'opt out' if for any reason they don't want their name on the public register. The same proviso will apply to existing licensees, and indeed, new licensees.

8.0 To offer sites only at Budleigh and Seaton from 1st April 2016 on a year to year licence.

- 8.1 As recommended by AMF in January, it remains a recommendation that the council moves to offer a site only service at Budleigh Salterton and Seaton West from 1st April 2016. It is proposed that existing licensees will be offered the opportunity to not only take a new licence on a site only basis, but also the option to purchase the existing hut on the site at a one off cost of £250.
- 8.2 If resolved, existing licensees will be advised as soon as possible and guidance provided in respect of private contractors with whom they can make arrangements for the annual erection and dismantling of huts and storage over the winter. The council will erect the huts after the winter (2015/16) and so licensees will have adequate time to make arrangements for the end of the summer 2016.
- 8.3 Alternative uses for the store currently used by the council for winter storage of huts will be explored. This will include the council's own operational requirements but could also include the sale of the property to provide a capital receipt or the letting of the store to provide a revenue income.