

Agenda for Scrutiny Committee

Thursday, 17 March 2016, 6.00pm



[Members of the Scrutiny Committee](#)

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

[View directions](#)

Contact: Debbie Meakin, 01395 517540 (or group number 01395 517546): Issued 7 March 2016

East Devon District Council

Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

www.eastdevon.gov.uk

- 1 [Public speaking](#)
- 2 To confirm the minutes of the meeting held on 18 February 2016 (pages 3 - 8)
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#) – none identified
- 6 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.
- 7 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules. There are no items identified.

Matters for Debate

- 8 **Beach Hut update** (pages 9 - 15)

Update report on actions taken since last agreed recommendations at Cabinet. Portfolio Holder for Environment, Councillor Iain Chubb; Portfolio Holder for Finance, Councillor Ian Thomas; and Asset Management Forum Chairman Councillor Geoff Pook are invited to attend.

- 9 **Dunkeswell and Chardstock BUAB inclusion decision 26 March 2015** (pages 16 - 21)

The committee to discuss the events around how decision was reached, and what learning points can be taken from the process. Councillor Andrew Moulding has given his apologies for the meeting but has provided a written statement on page 21. Former councillor Bob Buxton has been invited to attend. Parish representatives from Dunkeswell and Chardstock have been invited to attend.

- 10 **Scrutiny forward plan** (page 22)

Also included for information are the Overview Committee forward plan (page 23), and the [current forward plan of the Cabinet](#).

record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

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

[Decision making and equalities](#)

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

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 18 February 2016

Attendance list at end of document

The meeting started at 6pm and ended at 7.55pm.

***45 Public speaking**

Bob Spencer, who would be standing in the Police Crime Commissioner elections in May spoke of the inadequacy of the 101 service provided. He said that the system was failing year on year. Although there was a reduction in calls using 101, answering times had not improved. The issue had been reviewed by the Police Crime Panel (of which Bob Spencer and Councillor Tom Wright were members) over the last three years. Increased funding had not resolved the underlying failure of the service.

In response, the Chairman said that challenging spend of public money was a key role of the Scrutiny Committee and referred to a report from Councillor Tom Wright which drew attention to the Police Crime Panel's concerns regarding the 101 service – it had been discussed at the Committee's October meeting. The Committee would be asked to consider whether to add this issue to its forward plan and invite the Police Crime Commissioner or representative to address the Committee.

Councillor Tom Wright supported the comments made by Mr Spencer. He advised that the Forum had provided anecdotal evidence to support its concerns. A Member of the Committee said that when the Police Crime Commissioner had attended a recent meeting in Exmouth, where he had acknowledged the problem which he said would be addressed.

Condolences

The Chairman extended sincere condolences to Cherry Nicholas and Paul Diviani on their recent loss.

***46 Minutes**

The minutes of the Scrutiny Committee held on the 10 December 2015 were confirmed as a true record.

***47 Declarations of Interest**

There were no declarations of interest.

***48 Exclusion of the public**

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

***49 Matters called in**

There were no decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview Procedure Rules.

***50 Portfolio Holder up-date – Sustainable Homes and Communities**

The Chairman welcomed Councillor Jill Elson to the meeting and thanked her for the full and comprehensive report on her portfolio which had been included with the agenda papers. He said that the service had much to be proud of and invited Councillor Elson to address the Committee in respect of any issues that she would like to underline or add.

Councillor Elson emphasised that the achievements of the service were a team effort. The Councillor team included Pauline Stott (Chairman of the Housing Review Board), Maria Hale (Youth Champion) and David Foster (Health and Wellbeing Champion).

Councillor Elson gave a recent example of how the Councillor team had supported the Shout Event at the Beehive, which had been organised by the Community Development team. She listed other proactive activities and services, which benefited the diverse community.

During discussion and questioning, the following was raised:

- The Housing Officers who provided support in the community were dedicated staff with the skills to deal with people in difficult circumstances.
- The impact of the 1% Government imposed reduction in Council rent was explained and actions taken (lobbying the Housing Minister and securing the support of the local MPs) were outlined. The resultant loss to the Council's Business Plan meant that the Council was unable to add as many houses to its stock as it would like. The actions taken had achieved some amendment in respect of supported housing but the rent reduction remained for other Council housing tenants and those of housing associations. The campaign to influence the Government position continued.
- The average price of property in the area was too high for many to afford. Although affordable houses were being built and the Help to Buy Scheme in Cranbrook was effective, there was still a need for social housing. Sufficient permissions had been given to developers to meet housing need in the area, but they appeared to be pacing development to keep prices up for their own commercial reasons. The definition of affordable housing was a debate that often surfaced and was different across the country. A real difficulty was that the banks were asking for a high deposit, which was often outside the reach of people trying to get onto the housing ladder.
- Members acknowledged the pressure on developers for their contribution to the community infrastructure, which reduced the viability of their development.
- New housing – including in Cranbrook and Colyton – had a high insulation specification, which significantly reduced running costs.
- The report referred to the reduction in the waiting list for housing which was now below 2,900. This was monitored by the Housing Review Board.
- The Council also worked well with private landlords – the Council's Private Sector housing team was proactive in helping to make sure that accommodation was of an acceptable standard.
- There was a growing trend of converting bed and breakfast, and similar accommodation to houses in multiple-occupation. Planning permission was required for 6 individual units or more – such properties would then require inspection by the housing team to ensure that standards were maintained. The Council was in the process of converting a property to 6 individual units for people between 21 and 55 years. The work had included a high level of insulation. Each unit has en-suite facilities with a shared kitchen, laundry and lounge. This was the standard that the Council wanted all properties in multiple-occupation to achieve.
- Rough sleeping – the Council was working closely with Exeter where the problem was more acute. Councillor Elson referred to the excellent Night Stop service and efforts made to help rough sleepers.

The Strategic Lead - Housing and Environment said that although discussion had focused on housing problems, the service was highly regarded by other authorities who acknowledged the Council's housing delivery rate and its proactive work in preventing

homelessness. The increase in affordable homes had reduced the numbers on the housing waiting list. 99.8% of Council rent was collected and the tenant satisfaction record was over 90%

RESOLVED:

1. that the report be noted;
2. that the housing team be congratulated on its significant achievements;
3. that the Committee express its concerns at the failure of the Housing Minister to recognise and address the housing problems faced by EDDC as a result of the imposed reduction in housing rent.

***51 Scope for Dunkeswell and Chardstock Built-up Area Boundary (BUAB)**

Representatives of Chardstock Parish Council had previously asked members to undertake a review of the decision to include Chardstock and Dunkeswell in the list of settlements (within the Local Plan) with a BUAB. The Committee had agreed that this review would take place when the Local Plan had been adopted. The matter was now brought back for the Committee to consider the scope of the proposed review.

The Chairman and Principal Solicitor reminded Members that the review was about the process and not the decision itself or the content of the Local Plan. A draft scope had been included within the agenda papers, together with relevant support details as background, for consideration by the Committee.

Councillor Dean Barrow, Vice Chairman of the Audit and Governance Committee advised that SWAP (internal audit – South West Audit Partnership) was to undertake a 20-day review of the Local Plan process – its report would include lessons learnt. He wondered if the Scrutiny Committee’s review of the decision process in respect of Dunkeswell and Chardstock would be a duplication and suggested the Committee delay the review until the SWAP report was made available. However, the Committee felt that they were committed to undertaking the review without further delay. The scope of the review would help to ensure that mistakes were not repeated in the future; this was an important role of the Scrutiny Committee.

RESOLVED:

that the proposed review scope be agreed subject to:

- the background paper timeline including the date of the public hearing when the Inspector heard the contributions from Chardstock and Councillor Ben Ingham,
- the consultees be increased to include the former Dunkeswell ward member, Bob Buxton, Councillor Andrew Moulding (who addressed Council on the issue).

***52 Quarterly monitoring of performance – 3rd quarter 2015/16 Oct – Dec 2015**

The Committee considered the quarterly report, highlighting the following:

- a. Number of households living in temporary accommodation – the Council had access to sufficient levels of temporary accommodation that could be used in an emergency.
- b. Broadband provision needed to comply with the Council’s Community Engagement Policy. Discussions at previous meetings had emphasised the importance of recognising the needs of isolated and rural communities and of partnership working.
- c. The Asset Management Forum was currently looking at how workshop unit provision could be increased.
- d. Regeneration in priority towns had not been progressed due to team resources being used on other key projects. What was being done to address this problem? The

Vice Chairman advised that Cabinet, at its February meeting, had supported the recommendation of the Overview Committee to appoint a Research and Funding Officer in the Regeneration and Economic Development team. This recommendation would be determined by Council at its meeting on 24 February 2016 when the annual budget was agreed.

- e. Thelma Hulbert Gallery – Leisure East Devon had decided not to proceed with the Trust proposal. Cabinet had considered a presentation and report on the Gallery at its last meeting. This reflected the new approach which was to increase the commercial viability of the Gallery.
- f. New policy relating to motor homes – a copy of this policy would be forwarded to Committee members for information.
- g. Working days lost due to sickness absence – marked as concern. The Committee asked for comparative data from other authorities to be made available at a future meeting and that the Strategic Lead – Organisational Development and Transformation be invited to the meeting to present the data and answer any questions.
- h. Number of random vehicle licence checks – marked as concern. Councillor Brian Bailey, a member of the Licensing and Enforcement Committee and a hackney carriage licence holder, advised that the delays in vehicle checks were due to changes in DVLA processes and were therefore not within the control of the licensing team. The performance would continue to be monitored.
- i. Percentage of other planning applications determined within 8 weeks – marked as concern although the trend was one of improvement. The problem could be failure in the applicant not negotiating with, or seeking advice, from planning officers. It was suggested that the target for larger applications could be extended to 12 weeks. Now that the Local Plan had been adopted, it should help to accelerate the process but would need time to ‘bed in’. The Development Manager to be asked about temporary staff within his service – had this increased or reduced and what were the future staffing plans.
- j. In-cab solution for the refuse and recycling fleet – achieved – Councillor Tom Wright confirmed that this portable solution was transferrable to the new contractor.
- k. Resolve penetrating dampness issues – housing – marked as concern. The Portfolio Holder - Sustainable Homes and Communities advised that most of the programme of works had been carried out but some major works were still outstanding and being progressed. The 2015/16 winter had been particularly wet resulting in problems of damp and condensation.
- l. To produce town centre and high street resilience strategies – a consultation would be carried out in the Spring in respect of a potential increase in street trading. The wording on the questionnaire needed to be well considered to avoid creating local antagonism.
- m. Undertake fire risk assessments in flats – concern. The Chairman of Housing Review Board explained that the problem was being addressed. Inspectors of the Fire Service had been unable to access some properties due to a proliferation of pot plants and mobility scooters. This problem was being addressed and monitored. The Committee felt that the officer explanation could have been clearer about the problem and the action being taken.
- n. Beach Management Plans – need a progress report.
- o. Seaton Jurassic – to be opened in Spring 2016. Need to monitor visitor numbers against projections.
- p. On-line planning. The public need good quality documents and easy access. What improvements were being made to the on-line planning service (including the search facility)? The Committee understood that town and parish councils were to be given an on-line only service – was this change to be trialled initially and, if so, when was

this going to happen?

RESOLVED:

1. that the provision of Broadband and the importance of engaging with communities be included in the Scrutiny forward plan,
2. that the new policy relating to motor homes to welcome day visitors to East Devon's towns be circulated to the Committee for their information,
3. that the Strategic Lead – Organisational Development and Transformation be invited to a future meeting of the Committee with comparative data from other authorities to outline the current position relating to working days lost due to sickness absence and actions being taken,
4. that the Development Manager be asked to advise on the number of temporary staff now within the service (whether this has increased or decreased) and future plans to improve performance in respect of determining planning applications,
5. that officers take care in preparing the wording of the questionnaire in respect of a potential increase in street trading as this was already causing local concern,
6. that officers provide the Committee with an update on the Management Plans for Seaton, Sidmouth, Exmouth and Budleigh beaches,
7. Seaton Jurassic – the Committee to monitor visitor numbers against projections,
8. Planning on-line – to invite the Economy Practice Manager to a future meeting of the Committee to address concerns raised about the service currently provided, issues around the search facility and plans to only provide town and parish councils with on-line documents on which to submit their comments.

***53 Scrutiny Forward Plan**

The proposed forward plan for Scrutiny was considered – the Overview forward plan had also been included with the agenda papers, for information.

Items were agreed for inclusion:

17 March 2016

Beach Hut update

Chardstock and Dunkeswell Strategy 27 decision debate

14 April 2016

Draft Scrutiny annual report.

Broadband provision. Consider inviting Councillor Ian Thomas (former Portfolio Holder relevant for Broadband) and Phil Twiss (current Portfolio Holder relevant for Broadband).

How we consult and engage with the public – implementation of policy

Future meetings

- Portfolio Holder updates as required
- Review of the production process of the Local Plan.
- Exmouth Sea Scouts hut – update on progress.
- Review of EDDC website – including search engine, comparison with other authorities, and how this reflects the image of the Council.
- Planning on-line – to invite the Economy Practice Manager to a future meeting of the Committee to address concerns raised about the service currently provided, issues around the search facility and plans to only provide town and parish councils with on-line documents on which to submit their comments.
- The Strategic Lead – Organisational Development and Transformation be invited to a future meeting of the Committee with comparative data from other authorities to outline the current position relating to working days lost due to sickness absence and

- actions being taken,
- Seaton Jurassic – the Committee to monitor visitor numbers against projections,
 - Police 101 service – the new Police Crime Commissioner to be invited (after May elections). To include what is expected from the service, and how it needs to be improved to gain the support and faith of the public providing information and needing help.

Attendance list

Scrutiny Members present:

Roger Giles
Alan Dent
Dean Barrow
David Chapman
Maddy Chapman
Cathy Gardner
Alison Greenhalgh
Simon Grundy
Bill Nash
Val Ranger
Marianne Rixson
Brenda Taylor

Other Members present:

Megan Armstrong
Brian Bailey
David Barratt
Jill Elson
Peter Faithfull
Ben Ingham
Geoff Jung
Pauline Stott
Tom Wright

Officers present:

Anita Williams, Principal Solicitor and Deputy Monitoring Officer
John Golding, Strategic Lead Housing and Environment
Diana Vernon, Democratic Services Manager

Scrutiny Member apologies:

Marcus Hartnell
Cherry Nicholas

Other Member apologies:

Graham Godbeer

Chairman

Date.....

Report to: **Scrutiny Committee**

Date of Meeting: 17 March 2016

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: 9

Subject: **Beach Hut Service Review – Progress Report**

Purpose of report: At its meeting of 17 September 2015 it was resolved that the Committee receive a progress report on the beach huts and sites proposal by March 2016.

Recommendation: **To note the progress in relation to the beach huts service review**

Reason for recommendation: The progress report is provided at the request of the Scrutiny Committee

Officer: Donna Best

Principal Estates Surveyor

Financial implications: The standard hire charges have been increased for 16/17 but further work is required to check that the price increase does deliver the gross income target of £256,510 set in the budget. The issue of NNDR is not addressed in this report as it was discussed in earlier progress reports however the mechanism for recovering NNDR from lease holders still needs further clarification. There is £33,000 currently in the Capital Programme for Jacobs Ladder. In response to this report, this will now be removed.

Legal implications: Legal have no specific comment on this progress report.

Equalities impact: Low Impact

Any decisions made in relation to changes in the service have been considered by Cabinet and the Portfolio Holder for Environment

Risk: Low Risk

The risk considerations in relation to changes in the service have been considered by Cabinet and the Portfolio Holder for Environment

Links to background information:

- [Price increases for beach huts and beach hut sites 2016/17](#)
- [Council 24 February 2016 questions and answers on beach huts](#)
- [Scrutiny Committee agenda 17 September 2015 which includes CIPFA TNRP Review of 2014](#)
- [Scrutiny Committee minutes 17 September 2015](#)
- [Cabinet minutes 7 October 2015 which includes resolution on beach huts and sites](#)

Link to Council Plan: Delivering and promoting our outstanding environment
Continuously improving to be an outstanding council



Report in full

1.0 At its meeting of 17 September 2015 it was resolved that the Committee receive a progress report on the beach huts and sites proposal by March 2016. The service review has since been the subject of a report to Cabinet on (7 October 2015) where the following resolutions were made:-

1. That the report on the beach huts service consultation be noted;
2. That market rents be achieved by means other than auction or sealed bids as a mechanism to establish open market charges on existing beach huts;
3. That the standard hire charges be increased for 2016/17 with the aim of achieving open market rates in the future;
4. That the relevant Town and Parish Councils be invited to a series of consultation meetings, to establish how the service can best be managed for the benefit of all local communities;
5. That the Searchlight Emplacement structure at Seaton be offered for sale on a freehold only basis;
6. That the previous resolutions (2 & 3 to replace the existing huts at Sidmouth Jacobs Ladder and assess an additional site) made by Cabinet on 7 January 2015 in relation to the service provided at Sidmouth be reversed (so that the existing huts are maintained as part of the Council's on-going maintenance programme with no assessment being made in respect of a potential additional site between the Esplanade and Chit Rocks);
7. That the necessary arrangements be made to publish the Beach Huts Service waiting lists and list of current licensees;
8. That sites only be offered at Budleigh Salterton and Seaton from 1 April 2016 on a year-to-year licence, but should EDDC retain the individual management of these beach huts and chalets in 2016, they would be offered to beach hut/site holders on a 5-year lease;
9. That the Council communicate with all beach hut holders as soon as the position going forward has been agreed.

2.0 Following the resolutions of Cabinet, the following actions have been concluded:-

1. The standard hire charges have been increased for 2016/17 with the aim of achieving open-market rates in the future. The changes will be monitored by the number of licences that are renewed this year. Where licences are not renewed, the site will be offered to the next person on the relevant waiting list;
2. An initial meeting has been held with the relevant town and parish councils to identify whether or not there's an appetite for involvement in the management of the service, to discuss some of the benefits and issues. Before taking it further, Councillor Pook wants to see how the council responds to the idea of accelerating devolution of other assets and related services. This will be discussed at the next meeting of the Asset Management Forum on 10th March;
3. Preparations have been made to commence marketing of the Searchlight Emplacement structure at Seaton for sale in the spring;
4. An attempt has been made to publish the Beach Hut Service Waiting Lists and lists of current licensees. This ambition has however been thwarted by the Data Protection Act Regulations;
5. Letters to all existing beach hut and site hirers were sent on 12 February 2016 advising on the changes to the service, including the hire charges. An example of the letter sent to hirers in Exmouth is attached as appendix A.

Date: 2016
Contact number: 01395 516551
Email: csc@eastdevon.gov.uk
Direct Fax:
Reference: BH/x



Name
Address

East Devon District Council
Knowle, Sidmouth, EX10 8HL
DX 48705 Sidmouth
Tel: 01395 516551
Email: csc@eastdevon.gov.uk
www.facebook.com/eastdevon
www.twitter.com/eastdevon

Dear Name,

Exmouth Beach Hut Prices – 2016/17

Following a wide-ranging consultation we held last summer on proposals to change our beach huts, beach hut sites and beach chalets service, East Devon District Council has decided to increase the rental charges on a staggered basis over the next two years (2016/2017 & 2017/2018).

The consultation told us a great deal about the current service and we have listened carefully to what users and residents have told us. For example, we asked people what they thought of a proposal to establish full market rents by putting **all** beach huts on the open market. Of the 700 plus responses we received, the majority were opposed to this proposal. Many suggested that we simply increase the charges instead which is what the Council has decided to do. We have benchmarked our current rents with other councils and found that we have been undercharging – in some cases, quite significantly. We believe our charging structure is now fair and other council tax payers, who do not own a beach hut, are no longer subsidising the service.

There are a number of other changes we are making to the service as well as the price increase. We will no longer be providing any huts at Budleigh Salterton and Seaton and it will now be the responsibility of the hirer to provide and look after their own huts. For more information on these changes please see the enclosed information sheet 'Beach huts, sites and chalets changes'.

Following the review of our charges, the rental for a beach hut in Exmouth has been increased to £768.00 for 2016 and to £983.00 for 2017. Please see the enclosed document which tells you how we came to these figures. You will also be responsible for paying your own National Non Domestic Rates. This is approx £164.56 and will be invoiced separately. You may be able to reclaim the cost of your NNDR by visiting <http://eastdevon.gov.uk/business-and-investment/business-rates/business-rates-reliefs-and-reductions/apply-for-small-business-rate-relief/>

Under the terms of your contract with East Devon District Council, in the event of an increase in the hire charge, you are given the option of terminating your agreement should you wish to do so as long as you advise us in writing within 14 days of the date of this letter. If we do not hear from you, we will assume that you still require the site for the forthcoming season. Please also be aware that as the increases have been agreed by the Council, we are unable to negotiate on them.

East Devon – an outstanding place

Chief Executive: Mark R Williams Deputy Chief Executive: Richard Cohen



If you don't wish to continue with your hire you can send your notice to quit by **email** to streetsceneadmin@eastdevon.gov.uk, by **post** to East Devon District Council, Knowle, Sidmouth EX10 8HL or by visiting the Council's **website** page: <http://eastdevon.gov.uk/seaside/beach-huts/beach-hut-contract-termination/>

Yours sincerely

A handwritten signature in black ink that reads "Jamie Murrell". The signature is written in a cursive style with a small dot at the end.

Jamie Murrell
StreetScene Finance Officer

Beach huts, sites and chalets changes

We currently rent out more than 480 beach huts, beach hut sites and beach chalets at five different beaches. There will be three main changes to this service:

- 1.** Following consultation, East Devon District Council will increase the rental charges for beach huts, beach hut sites and chalets for 2016/2017 and 2017/2018.
- 2.** Hirers of all beach huts and beach hut sites will now be charged a fee in addition to their rental charge to cover their national non-domestic rates. Previously this was included as part of the hire charge. This will vary from year to year but in 2014/ 2015 was between £21 and £90 for a year. Hirers of Exmouth chalets already pay this themselves.
- 3.** Previously, there has been a mixture of council provided huts and sites for beach hut provision at both Budleigh Salterton and Seaton. In the future, the council will not be providing any huts at Budleigh Salterton and Seaton. Instead, it will be the responsibility of the hirer to provide and look after their own huts. The existing tenant of a beach hut rental which is changing to site only rental will have the opportunity to buy the hut currently provided by EDDC.

Why are we making these changes?

There are three key reasons for these changes:

- Beach huts, beach hut sites and beach chalets are really popular and there are currently more than 700 people on waiting lists to rent one. All of the waiting lists have been closed for many years, apart from Exmouth, so people who would like a beach hut, beach hut site or chalet outside of Exmouth are unable to. Once someone has a beach hut, site or chalet they do tend to hold onto them for a long time.
- At the same time, we want to encourage people who have beach huts, sites and chalets to value them more and make more use of them or let others have the opportunity to rent one. This was a clear issue that people expressed in the Beach Huts Service Consultation that was sent out to you in May 2015.
- The funding that we receive from Government to run all our services continues to reduce and so we need to find better, more commercial ways to use the assets that we have. Given that this service is greatly valued by our residents and visitors alike we want to make it possible and financially viable for us to continue to provide beach huts, sites and chalets.

Consultation and our initial proposals

We sent out a Beach Huts Service Consultation to you all in May 2015 and we asked you to tell us what you thought about our initial ideas. This consultation was sent out to all beach hut, beach hut site and beach chalet hirers as well as all those on waiting lists, Town and Parish Councils and anyone else who was interested could also complete a questionnaire.

The basic principles of these initial ideas for change were:

- We would have terminated all existing hire agreements and five year leases would go to auction on the open market. This would have established the full market rent from providing this service.
- We would have leased out the sites for beach huts but all the beach huts themselves would become the sole responsibility of the people leasing the site. The exception to this would have been Sidmouth where we would have kept responsibility for the huts.
- Everyone leasing a beach hut site would have been responsible for paying their own non-domestic rates (or paying a fee to cover this).

More detail on change 1, beach huts, sites and chalets rental increases

In the consultation you told us that you were strongly against the idea of establishing the full market rent by terminating all leases and putting the beach huts, beach hut sites and chalets up for auction.

We have listened carefully to what you have told us and your views are very helpful for us to shape the future of the service. However, for the reasons explained earlier the alternative to the proposals is that charges are simply increased instead. This was a very common suggestion from those of you who took the time to complete the questionnaire.

How have we decided what the charges should go up to?

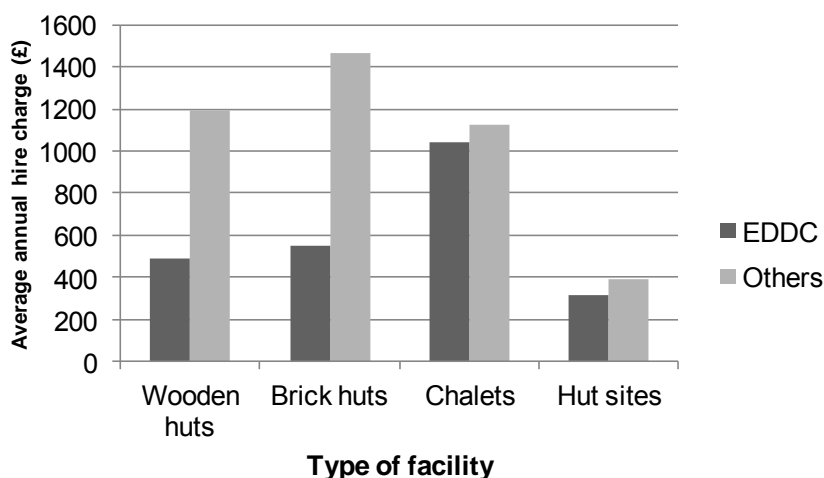
Since we are not going to establish what the full market rent would be by going to auction on the open market, we had to consider how much rents should increase by. We have based our new charging structure on:

- Comparing our charges with those made by other local authorities for their beach huts, beach hut sites and chalets
- Looking at the demand and turnover for each location

Comparing our rents with other organisations

This is not straightforward, as the size, type and location of beach huts, beach hut sites and chalets available from other local authorities do vary, as does beach hut provision within East Devon itself. This is why, when deciding the charges, we have also looked at the demand for each site.

We compared our hire charges with those made by other local authorities - specifically Teignbridge, Torbay, Torridge, Brighton and Hove, Adur and Worthing, and Poole Councils). This information shows that rents are lower in East Devon, in some cases quite significantly, see graph below:



We found that on average, the other local authorities charge £1,040 a year, and East Devon only charges an average rent of £414 a year. On average the other local authorities charge more than double what we charge.

We are therefore going to increase our charges to bring them more in line with charges made by other local authorities, whilst also taking into account the demand for each of our sites based on how many new hirers each area has each year.

Looking at the demand and turnover for each location

There are 11 different area sites at five different beaches in East Devon. The 11 area sites are; Exmouth brick huts, Exmouth chalets, Budleigh West, Budleigh East, Budleigh Police Sites, Sidmouth, Seaton East, Seaton West, Beer East, Beer West, Beer East Shelf. It is important that we take into account the demand for each of these sites when setting the new charges. Variations in charges due to size, type, build, location, other costs involved etc are already taken into account in the existing charges and therefore are already part of the pricing structure.

The number of new hirers per year (turnover) for each of the area sites mentioned above is an average of 1 to 19 new hirers per year. This means that only between 4% to 11% of people are giving up their beach hut, beach hut site or chalet per year and giving new hirers the opportunity to have one.

Many respondents to our consultation told us that it seemed almost impossible to have the opportunity to rent a beach hut, beach hut site or beach chalet. As well as this, many respondents were concerned that people who have beach huts don't all use them and some remained closed up even in the best of summer weather.

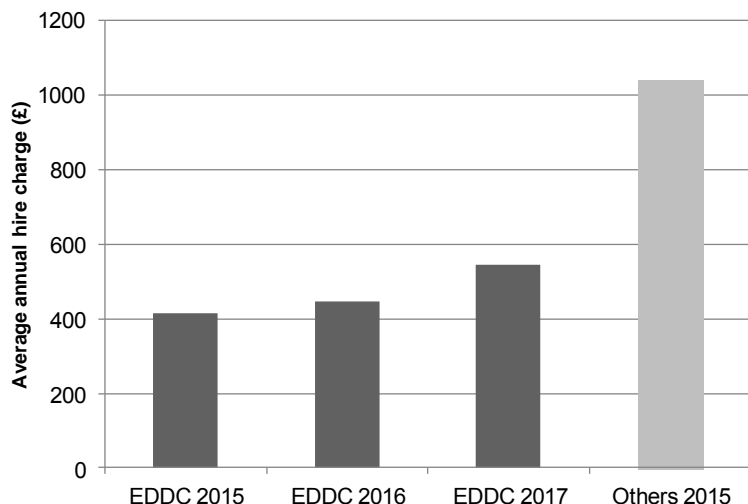
In conclusion, we have doubled the hire charges and a discount has been applied in all cases based on the turnover of the area sites. The increase in charges has been staggered over a two year period. Those area sites that have a higher turnover already (more new hirers per year) will have more of a discount applied.

An area site with an average annual turnover of 11% will receive an 11% discount in both 2016/2017 and 2017/2018 meaning an overall reduction of 22% in this two year period.

What will the increased charges mean?

The amount that you will be required to pay if you wish to keep renting your beach hut, beach hut site or beach chalet for the next two years varies from area to area and is contained within your letter.

By increasing hire charges, the average annual rent for East Devon beach huts, beach hut sites and beach chalets will increase to £546 in 2017 from the current average charge of £414. This brings charges closer to the average 2015 annual rent of £1,040 charged by the other local authorities we looked at, see graph below:



Scrutiny Committee

Scope of work for scrutiny:

Broad topic area:	<p>Decision on including Chardstock and Dunkeswell in the list of settlements to receive a Built Up Area Boundary (BUAB) in the emerging Local Plan:</p> <ul style="list-style-type: none"> • Development Management Team 23 March 2015 recommending inclusion of Dunkeswell • Council 26 March 2015 resolving inclusion of Dunkeswell and Chardstock
Specific areas to explore within topic area:	<p>Should Members have been debating and making a major change to the Local Plan at such a late stage?</p> <p>Did the Council have enough information to include a major change to the local plan at the time the decision was taken?</p> <p>Should the Members have asked officers for further comment or review of the suggestion prior to inclusion in the Local Plan?</p> <p>Should Member comment be taken at face value?</p> <p>How far should this be explored in light of the fact that this was a decision by Full Council and the Inspector's decision not to include Chardstock and Dunkeswell in the list of villages under Strategy 27?</p>
Areas NOT covered by the review:	Content of local plan.
Desired outcomes of the review:	Affirmation of clear informed decision making by Members, taking account of the evidence provided to them by both officers and colleagues
Who should be consulted to obtain evidence (e.g. Ward Member, officers, stakeholders)	<p>Ward Members</p> <p>Officers</p> <p>Councillor Andrew Moulding</p> <p>Former councillor Bob Buxton</p>
What experts are needed to help with the review:	Legal
Undertaken by the Committee or is a TAFF required:	Scrutiny Committee
Timescale including start date:	Debate 17 March 2016
Who are the recommendations being reported to:	Cabinet

Decision on including Chardstock & Dunkeswell in list of settlements to receive a Built-Up Area Boundary

Timeline

Think Tank	2 Feb 2015 chaired by Cllr R Bloxham on rural sustainability. No notes on record.
Development Management Committee	<p>3 March 2015 Report on Rural Sustainability by Ed Freeman</p> <ul style="list-style-type: none"> • Assessment of sustainability against criteria of core services • Inspector decision at Offwell (not sustainable despite having primary school, church, community shop, community facility) • Reference to other decisions at Clyst Hydon, Newton Poppleford, Talaton, West Hill and on conversions of barns to dwellings • Para 34 of NPPF intention to reduce need to travel by private car <p>Overall, report sets out what impacts on the consideration of a development in detail but that transport is only one factor in the determination of an application. The report doesn't contain the specific criteria formula, but sets out the factors to consider for a settlement, including:</p> <ul style="list-style-type: none"> • Core services and facilities • Public transport • Primary school capacity • Scale of development proposed • Access to employment opportunities • AONB, SSSI or SAC considerations <p>The DMC noted the report.</p>
Development Management Committee	<p>23 March 2015 Recommendation before the Committee in relation to villages in East Devon was:</p> <p>4a) Villages where the full range of housing needs can be accommodated – in the key villages of the District and the town of Colyton, those villages with the greatest range of facilities and hence most suited in sustainability terms to accommodate new housing, it is recommended that policy will provide for the defining of Built-up Area Boundaries through a separate Villages Development Plan Document. Any actual allocation of housing sites and determination of appropriate levels of development will be deferred to this plan or Neighbourhood Plans. In total it is recommended that 14 villages and Colyton will have this status</p> <p>4b) Villages where developments focused on meeting identified local affordable housing needs will be permitted – All other villages are recommended to not have a Built-up Area Boundary (in overarching plan terms they will come under countryside classification). However within this policy context they will still potentially be suitable for some development where compatible with the built form of the village and will add to the range of services and facilities at a village. New mixed-use market and affordable housing development will be allowed at villages with a good range of services and facilities and where it provides higher (66% plus) affordable housing on exception sites and where there is a proven local need for affordable housing provision. Policy also identifies scope for Neighbourhood Plans to provide for greater levels of development.</p> <p>Councillor B Buxton asked for inclusion of Dunkeswell on the BUAB list, on grounds of size of settlements, 160 firms many on industrial site and felt that the village met most of the criteria. In response, the committee were informed there was no school - Cllr Buxton responded that a school was expected as consultation was underway with the County Council and a site had been designated.</p>

	<p>Recommendation from DMC to add Dunkeswell to the list with build up area boundary</p> <p>What evidence supported that statement by Cllr Buxton? Follow up by officers and Clerk of Dunkeswell confirmed that no plans by Devon County Council for a school. Clerk also checked if any plans for a free school, again no plans.</p> <p>When produced the sustainability assessment was undertaken (which determines which villages should retain BUABs) DCC confirmed no plans for a school.</p>
<p>Council</p>	<p>26 March 2015 David Mortimer (public) spoke to ask to add Chardstock to list of sustainable villages on the Local Plan having build up boundary, in light of DMC recommendation to include Dunkeswell. He stated that he agreed with the DMC recommendation to add Dunkeswell; transport as a measure of sustainability is too simplistic. Why not add other villages with similar; in terms of Chardstock, stated that it had an undersubscribed new primary school with 66% of pupils coming from outside the parish village school, and a number of other facilities and services available in the village.</p> <p>Councillor Andrew Moulding proposed to add Chardstock; Including stating reasons of school of 150 pupils in place, community services and transport available at one end of location which could be reached by the community. The proposal was debated with councillors speaking both for and against inclusion; in response on request of the Chairman, the CX reminded the Council of the officer advice that the village did not meet the criteria but there were clearly opposing views and the proposal should be voted on.</p> <p>Carried on vote to include Chardstock in the BUAB list. DMC recommendations agreed, therefore also including Dunkeswell.</p>
	<p>Email from Cllr Giles to Chief Executive 27 March 2015</p> <p>“I am writing to express my great unease about the way a decision was made about Chardstock at yesterday’s Extra Ordinary meeting of EDDC to make submissions to the Local Plan Inspector. I was unaware, and I suspect the vast majority of councillors were unaware, that a decision about the status of Chardstock was to be made at the meeting. Certainly there was no specific documentation supplied for the meeting to suggest this. At the beginning of the meeting, under the public speaking arrangements, a Mr David Mortimer spoke in support of Chardstock being a sustainable community and seeking its designation to be changed. As I recall Mr Mortimer gave no details of himself, of where he lived, of whether he was a landowner in Chardstock, or whether he was acting for a landowner in Chardstock. Of course if he fitted into either of the last two categories that would not have stopped him speaking – but it would have been relevant to know. There was no further mention of Chardstock until much later in the meeting when the Council Deputy Leader, Councillor Andrew Moulding (who is not the ward member) spoke in favour of Chardstock’s status being changed because it is a sustainable location. As I recall (but I apologise if I am wrong), Councillor Moulding said that Mr Mortimer was speaking on behalf of Chardstock Parish Council. There seemed to be considerable doubt about whether Mr Mortimer was actually speaking on behalf of Chardstock Parish Council. My recollection is that he did not say he was. My particular concerns are that a decision was taken without any information to justify it, in spite of the Inspector making very clear that he wanted an evidence-based Local Plan submission from EDDC. Specific questions that I would like answered please are: What is the Chardstock Parish Council view on the redesignation of Chardstock, as far as we are aware? Did Chardstock Parish Council make a recent submission to EDDC relevant to the Extra</p>

	<p>Ordinary meeting of yesterday? When and what was the nature of the most recent Chardstock PC submission to EDDC about its situation in the EDLP? What evidence does EDDC have of consultation exercises undertaken within the Parish of Chardstock about the EDLP? If EDDC has such evidence, what does it show of the view of chardstock residents? What discussions specifically about Chardstock took place at or following the EDDC LDF/LP Panel hearings? I look forward to early answers to the above questions. Meanwhile I am greatly concerned that a fundamental change of policy was agreed at a meeting yesterday without any supporting documentation, purely on the basis of arguments made at the meeting by just two people – one a councillor and the other a member of the public, on a matter that (unlike the Sidford 5ha of employment land) had not previously been discussed, and on which the view of the Parish Council was uncertain.”</p>
Development Management Committee	<p>21 April 2015 Approved 15/0217/FUL in YARTY ward (Chardstock) for five dwellings against officer advice on unsustainable location.</p>
Cabinet	<p>17 June 2015 Representation from one Chardstock Parish Councillor that decision taken by Council was not evidence based</p>
Scrutiny Committee	<p>25 June 2015 Representations from two Chardstock Parish Councillors that the decision taken by Council to include Chardstock was not evidence based</p>
Examination of the new East Devon Local Plan Additional Hearing 3	<p>8 July 2015 Included considering evidence by addressing question: “As proposed to be changed Strategy 27 would no longer assign housing numbers to small towns and larger villages nor would sites be designated through a Villages Development Plan Document. The provision of new housing in the settlements listed in the revised Strategy 27 would be left to Neighbourhood Plans. a) If the plan does not assign numbers or allocate sites in these settlements (informed by The Small Towns and Villages Development Suitability Assessment 20144) how will the 1,123 dwellings identified for villages and rural areas in Strategy 2 be delivered? b) Without strategic guidance with regard to numbers and distribution from the Local Plan, how will the Council ensure that new housing in small towns and villages meets objectively assessed needs?” Present included parish council representatives from Chardstock and Dunkeswell; and Councillor Ingham. Full document available at: http://eastdevon.gov.uk/media/1208511/2015-ad-hearing-3-housing-080715.pdf</p>
DMC	<p>14 July 2015 Application 15/1007 South View, Chardstock decision was refused: Extract from recommendation (which was adopted as reasons for refusal) “Whilst in other respects the application is considered to be acceptable and despite the site's location within the village and the built-up area boundary, defined under the Adopted East Devon Local Plan, this is not considered to be a sustainable site to accommodate new development. Chardstock has only a limited range of services and access to a wider range of services and employment opportunities, necessary for day to day living, is only available via private transport due</p>

	<p>to the lack of public transport service to the village. Despite the site being included with the draft New Local Plan Strategy 27 as a sustainable village, this policy can only be afforded limited weight as the Strategy has been out to public consultation and has not been endorsed by the Local Plan Inspector and as such the application falls to be considered on the basis of its sustainability. As such, the limited social and economic benefits that would arise from the delivery of a single dwelling are considered to be outweighed by the environmental impact of the development resulting from its unsustainable location served by a limited range of services and lack of public transport. The application is therefore recommended for refusal on this basis”.</p>
<p>January 2016</p>	<p>Inspector report on Local Plan</p> <p>Paragraph 31 – “Chardstock and Dunkeswell have limited facilities and do not benefit from access to public transport. Their addition to Strategy 27 is not supported by the Council’s Small Towns and Villages Development Suitability Assessment 2014 and I have removed them from Strategy 27”</p>

Scrutiny – Chardstock & Dunkeswell & Strategy 27

Report from Councillor Andrew Moulding

During the period leading up to the Council meeting on 26th March 2015, there was much debate about the meaning of sustainability, particularly with regard to rural communities. I attended a meeting of Councillor Bloxham's Think Tank on 2nd February 2015 and the Development Management Committee meeting of 3rd March 2015. Following these meetings there still appeared to be some unrest about the implications of rural sustainability.

With regard to Chardstock (and other communities involved in planning considerations), it appeared that the availability of public transport was a key factor in determining the sustainability of the village. There also seemed to be some doubt amongst inspectors whilst determining planning appeals, where some inspectors appeared to be giving more weight to public transport than others.

Prior to the Full Council meeting of 26th March 2015, the Leader of the Council and I had several discussions regarding rural sustainability, particularly with regard to Chardstock, where Councillor Diviani represents Chardstock within the Yarty Ward on East Devon District Council, whilst I represent Chardstock within the Axminster Division on Devon County Council.

At the Full Council meeting on 26th March 2015, during the public part of the meeting, I listened to Mr Mortimer, who spoke to ask for Chardstock to be added to the list of sustainable villages within the Local Plan. His arguments coincided with my views, particularly with regard to St Andrews Primary School, where 66% of students come from outside the parish. Chardstock also has an excellent Community Hall, a Village Shop, a Public House and small business enterprises. Chardstock doesn't have a regular bus service, but that obviously doesn't prevent large numbers of parents, from outside the village, who transport their children to the Primary School.

Councillor Diviani had left the meeting early as he had felt unwell. The matter of BUAB's and village sustainability was subsequently debated. I saw no reason why I should not put my point of view to the full council meeting with regard to Chardstock. Indeed, the Full Council meeting of 26th March 2015 was the only opportunity for this matter to be considered by ALL members of the Council. I had not prepared a speech but felt that this was an appropriate opportunity to air my views. Several members of the council appeared to agree with my thoughts, but others did not. The matter then went to the vote and it was agreed by Full Council that Chardstock and Dunkeswell should be included in the BUAB list. It would then be up to the Government Inspector to make a decision.

At no time during the meeting, did I indicate that I was speaking on behalf of Chardstock Parish Council. Similarly, I was of the opinion that Mr Mortimer was also not speaking on behalf of Chardstock Parish Council.

Subsequent events have transpired and the Government Inspector has now made his decision regarding BUAB's, which I totally respect.

Andrew Moulding

6th March 2016

Agenda Item 10**Scrutiny Committee****Scrutiny Committee Forward Plan 2015/16**

Date of Committee	Report	Lead
14 Apr 2016	Broadband provision – Cllrs Twiss and Thomas Portfolio Holder update – Economy tbc Draft scope for consultation and community engagement Draft Scrutiny Annual Report	Cllr P Skinner Debbie Meakin

Work for scoping and allocation to the Forward Plan as appropriate:

Proposed date	Topic
	Portfolio Holder updates as required
tbc	Police Crime Commissioner to attend specifically on the 101 service after election
tbc	Review of the production process of the Local Plan
tbc	Review of website including search engine, comparison with other authorities, and how reflects image of the council
tbc	Planning online service including search facility and consultation with town and parish councils submitting comments online
tbc	Update on all beach management plans
tbc	Update on progress of Exmouth Sea Scouts hut
tbc	Comparison data on working days lost due to sickness absence
tbc	Seaton Jurassic visitor numbers

Agenda item

Overview Committee



Overview Committee Forward Plan 2015/16		
Date of Committee	Report	Lead
22 Mar 2016	Update on Flood Risk Management and Shoreline Management Plan Update on Economic Development Update on Electoral Reform Draft Annual Report	Devon County Council Rob Murray Chief Executive

Work for scoping and allocation to the Forward Plan:

Proposed date	Topic