

# Agenda for Scrutiny Committee

## Thursday, 7 June 2018, 6.00pm



### [Members of the Scrutiny Committee](#)

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

[View directions](#)

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- 1 [Public speaking](#)
- 2 To confirm the minutes of the meeting held on 19 April 2018 (pages 3 - 6)
- 3 Apologies:
- 4 Declarations of interest  
Guidance is available online to Councillors and co-opted members on making [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 **Tree team update** (pages 7 - 33)  
The Scrutiny committee put forward a number of recommendations following the completion of a Tree Task and Finish Forum on 25 June 2015. Since then the team has seen an increase in staff levels and an update is provided for the committee to consider.
- 9 **Effectiveness of local authority overview and scrutiny committees** (pages 34 - 38)  
The Communities and Local Government Committee issued their first report of session 2017-19, examining the role of scrutiny in local authorities in light of how the role has involved since the introduction of overview and scrutiny committees in the Local Government Act 2000. Since then, the Government has responded in March 2018. This report covers an officer view on the recommendations by the committee, and subsequent Government response, in the context of the current committee arrangements of this Council.

- 10 **Quarterly monitoring of performance – 4<sup>th</sup> quarter 2017/18 January to March 2018** (pages 39 - 79)
- 11 **Scrutiny forward plan** (pages 80 - 81)

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[Decision making and equalities](#)

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 19 April 2018**

#### **Attendance list at end of document**

The meeting started at 6.00pm and ended at 8.04pm.

#### **\*41 Public speaking**

There were two members of the public who spoke prior to minute 43 Election report.

#### **\*42 Minutes**

The minutes of the Scrutiny Committee held on the 22 March 2018 were confirmed and signed as a true record, subject to the addition of Councillor Eleanor Rylance in attendance and with the inclusion of the following wording under minute 39 Exmouth Pavilion Car Park: Mr Salter questioned Councillor Longhurst on his relationship with the Pavilion and after hearing his replies concluded that as Councillor Longhurst had a contract with the Pavilion to rent on certain Sundays that meant he had a pecuniary interest in the car park. Councillor Longhurst left the meeting for the item as requested.

#### **43 Election report**

Prior to the item, the Chairman asked for Members to be respectful in their questioning and debate.

Mr Paul Arnott spoke about the report that the committee had received in July 2015, and the issues highlighted by an Electoral Commission, some of which he listed, issues that he stated were a breach. He felt that those issues were not explained in the July 2015 report and therefore had concerns that that report at this meeting would also have omissions. He was of the opinion that at least two Councillors were not properly elected and he suggested that the committee commission an independent enquiry into the matter.

Jacqueline Green felt that there was a breach of the Council's code of conduct in that section 1.2 of the report attempts to politicise statements and this was not permitted by that code. She made reference to a report by the late Jo Frith, outlining Jo's credentials and she spoke on her behalf to illustrate with an example when Jo Frith was a candidate. She told the committee that Jo's motives were of probity for every voter to be confident that their vote was dealt with correctly.

In response the returning officer highlighted the legal position and the difference between objective and subjective / biased assessments.

In presenting his report, the Returning Officer highlighted three issues:

- Nationally there has been a mixed response in the press on the move from householder to individual registration. He reported that in the District, individual registration had been very successful, with the public taking the opportunity to take personal responsibility for their vote. This did impact on resource, as the move to individual registration had increased the administration of maintaining the register and associated issues.
- Following the resolutions of the committee in July 2015, he had reported back to staff the resolution "that the Scrutiny Committee recognises the hard work of all staff involved in the running of the national and local elections on 7 May 2015" and that was appreciated by the team. That appreciation unfortunately only lasted for a couple of months;

- Seeking the views of Members on a centralised count arrangement. There were advantages to decentralised counts in that candidates would receive the results relatively swiftly after the close of poll, but it might be beneficial to hold a centralised count to address various issues, balanced against a longer wait for the poll result.

Discussion by Members on undertaking the count included:

- Appreciation of the work ethic of the staff involved in a count under difficult conditions;
- Current council chamber had space issues and could easily become crowded, particularly during multiple counts, which could make it difficult for the candidates themselves to easily observe the count taking place;
- Consider if a combination of Blackdown House and the Exmouth Pavilion would deliver the balance between the necessary space and ability to control;
- Comment that Blackdown House would be too small as a count venue
- Ensuring fresh counters, even if that meant the count taking place on subsequent days;
- Comment that observations made by Elizabeth Gorst of the Electoral Commission on providing guidance hadn't been undertaken; and there did not appear to be a consistent approach to undertaking recounts;

In response, the Returning Officer acknowledged that the inadequacies of the current Council Chamber were well known, and so a compromise had to be reached to undertake counts from that location. Using an example from Teignbridge District Council, the RO outlined the importance of ensuring that adequate IT was available in the count venue, which was far less of a risk when held at Council Offices where IT support was on hand. Exmouth Pavilion had been used in the past, but needed to be reviewed again as the internal structure may have changed. He assured the committee that fresh counters are always used the following day; and that there was pressure on the counters switching between two methods for counting – one for a single seat, and another for multiple seats – that can be difficult to adjust between and therefore may initially slow the process down.

The Returning Officer also confirmed that whilst a two or more centre count may be feasible for Town, Parish and District Elections, a centralised venue would have to be deployed for a Parliamentary Election – that election would take precedence. Holding the count in a Council owned venue for a parliamentary or county election permitted the RO to claim for hire of that venue as, effectively, additional income for the Council – hiring another venue would only be claiming for hire to then pay the owner of that venue.

The observations by Elizabeth Gorst of the Electoral Commission were discussed with count supervisors and used for training purposes. Not all the observations were shared by the supervisors.

Discussion by Members on staffing, covering the existing Electoral Registration Team, and staff used at polling stations and count venues, included:

- Concern about recruiting staff to polling stations;
- Considering if an increase in the fee paid to polling staff would help as an incentive to retain existing, and attract new, staff;
- Look to recruit apprentices in the electoral registration team;
- Look to pushing recruitment to bank and retired bank staff, because of their skills as tellers;
- Look to recruit local people to minimise travel time for them and help reduce the cost of covering those claims for travel;

- Remind agents and candidates again of the rules they should follow in dealing with election staff; intimidation is not acceptable;
- Use of the Customer Service Centre (CSC) to assist with workload of the electoral services team;
- Why the employment of casual staff needed review to ensure all legal responsibilities were being met.

In response, the Returning Officer reminded the committee of the extent of preparation for polling station staff before polling day, as well as the long day itself, including training, travel, and dealing with confrontation. That was why a collaborative approach by the political parties and others was essential to help minimise the stress on those staff. Polling staff fees could now be set by the RO (in past years this had been prescribed) and across Devon they had reached a consensus on that fee, balanced against the overall budget. Rates of pay had an effect on recruitment to a degree, but staff also have made clear that they look for an element of enjoyment in being part of the democratic process, which has been impaired in recent elections.

Apprentices had been employed in the electoral services team, but had now moved onto other jobs. Recruitment to the team to bring it to four staff members was underway. The other suggestions for recruitment were noted. Work was already underway in enabling the CSC to assist during busy periods of both canvass and elections. Casual staff employment was under review because of the requirement to include elements such as pension and holiday pay. This was difficult to reconcile for staff employed for one day per year.

In response to questions about printing of ballot papers, the Returning Officer outlined the difficulties in dealing with a parliamentary election where a small number of printers had the capacity to deal with printing high volumes – and therefore all ROs would be competing for those printers. He also outlined the steps taken to have local printer as a failsafe option that the team could call on if a problem arose. He also outlined the tight timescale between the close of nominations and the guidance to send out postal votes ten days before the election, and how changes to the register for postal votes are still ongoing up to the deadline of a final register for the election.

The Returning Officer confirmed that he took personal responsibility for any errors associated with elections consistent with his legal powers and the ability to challenge in the courts his declarations.

### **RECOMMENDED to Cabinet**

1. That the excellent and hard work of the RO, Electoral Services Team, and staff in place for polling stations, verification and counts, be acknowledged;
2. To consider additional budget provision to undertake recruitment of staff for polling stations;
3. To consider the use of a suitable venues that deliver the necessary space for the counts to be conducted;
4. To consider further integration of existing staff from the Council in helping to deliver electoral services during peak periods.

### **RESOLVED that**

1. The Scrutiny Committee endorses the recommendations of the Association of Electoral Administrators in their report of February 2018 and receives an update on progress against those recommendations in October 2018;
2. The Scrutiny Committee endorses the proposed increase in permanent staff in the Electoral Registration Team.

**\*44 Draft Annual Report of the Scrutiny Committee**

The committee considered the draft report. The Chairman thanked the Democratic Services Officer for preparing the draft on behalf of the committee.

**RESOLVED** that final version of the Annual Report be agreed by the Chairman and Vice Chairman before submission to Annual Council.

**\*45 Forward plan**

The forward plan was noted and progress on outstanding items given. Street trading was suggested as a topic, and would be added to the items to be scoped.

**Attendance list (present for all or part of the meeting):**

**Scrutiny Members present:**

Eleanor Rylance  
Cherry Nicholas  
Maddy Chapman  
Roger Giles  
Alan Dent  
Bill Nash  
Marianne Rixson  
Bruce de Saram  
Douglas Hull  
Val Ranger

**Other Members**

Geoff Jung  
Pauline Stott  
Megan Armstrong  
Rob Longhurst  
David Barratt  
Dawn Manley

**Officers present:**

Mark Williams, Returning Officer  
Anita Williams, Principal Solicitor & Deputy Monitoring Officer  
Debbie Meakin, Democratic Services Officer

**Apologies from Scrutiny Members:**

Dean Barrow  
Cathy Gardner  
Darryl Nicholas

**Apologies from Non – Scrutiny Members:**

Ian Thomas  
Jill Elson

Chairman ..... Date.....

**Report to:** **Scrutiny Committee**

**Date of Meeting:** 7 June 2018

**Public Document:** Yes

**Exemption:** None

**Review date for release** None

**Agenda item:** 8

**Subject:** **Tree team update**

**Purpose of report:** To update Scrutiny Committee on progress made through its Systems Thinking Review work

**Recommendation:** **To consider the progress report**

**Reason for recommendation:** To enable Scrutiny Committee the opportunity to consider if the progress made on recommendations within the TAFF report have improved the functionality of the Council's Tree service.

**Officer:** Charlie Plowden, Service Lead – Countryside & Leisure, cplowden@eastdevon.gov.uk

**Financial implications:** Not required

**Legal implications:** Not required

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** Tree Taff Report 2015  
Rushmoor BC Tree Enforcement Policy

**Link to Council Plan:** Delivering and promoting our outstanding environment

## Report in full

The Scrutiny Committee meeting has requested a report on progress made with the Tree TAFF recommendations approved in March 2015. There have been a number of significant changes and improvements made in the last three years all driven through an ongoing systems thinking review process alongside the team continuing to deliver its front line service. The systems thinking process is still ongoing with the team meeting fortnightly to help manage the changes required from the review process and managing a busy daily workload. This approach, though somewhat drawn out, has helped the team to work through the priorities required for improving the efficiency and effectiveness of the way the team works.



## Progress against TAFF report recommendations:

The TAFF recommendations are in bold with updates underneath.

**The Forum recommends the following, based on their interviews, presentations, analysis of publications and practice adopted at other councils:**

- (1) That Tree officers be involved in pre planning application meetings as standard; greater involvement at an early stage would benefit the process and enable any issues to be addressed in a timely way.**

This area has yet to be mainstreamed by Development Management and so Tree Officer engagement in pre-app meetings is still on an ad hoc process rather than standard procedure. We have met with both the DM Manager and the Service Lead – Planning to discuss the need to progress this approach as it has the potential to improve the quality, turnaround of decisions and so help the Tree team be far more proactive in the advice they are able to give to customers. The redesign element of the systems thinking work has identified pre-app as a significant process that could help free up Tree Officer time and redefine the relationship between applicants and the Tree Officers. It is recognised that this approach will ensure that applicants receive advice that will help to process their applications in a much more efficient, smooth and positive way. It can only help to foster a greater understanding, value and appreciation of our tree stock.

- (2) That, as part of the Systems Thinking review of the tree service at East Devon, to look at national guidance and best practice and where appropriate to look to adopt this within new work flow systems,**

There are significant opportunities to make our current systems much more streamlined and efficient so reducing an element of paperwork and bureaucracy without compromising the integrity of the decision making process. This has been already achieved in the following areas:

### **Tree Preservation Orders**

The making of provisional TPO's has now been delegated to Arboricultural Officer level. TPO can now be made, signed and served with minimal delay in an emergency. Historically this could have been delayed (hours or days) whilst trying to obtain delegated signature from Service Lead.

We are currently in discussion with Development Management and Legal to remove waste operations around final processing of uncontested provisional TPO to further stream line these processes.

### **Tree Works Applications**

There is currently a two tier system with the Quality Council scheme (Dunkeswell, Exmouth, Sidmouth and Talaton) determining tree works applications locally. All other areas are determined by EDDC internally under delegated powers. Removing waste from this system has been delayed due to



the historic Quality Council arrangement, internal concerns raised around reputation management, in removing these powers from the Quality Councils as part of system review.

### **Pre-Application Advice**

We provide pre-application advice on tree work and development applications and this improves the quality of applications and anecdotally this reduces determination time.

**(3) That a review be undertaken of information provided on the Council's website relating to arboriculture, and produce new web guidance on the main work areas to reduce service demand.**

There has been significant progress made in this area and Councillors should check to see the new Trees webpage [www.eastdevon.gov.uk/trees](http://www.eastdevon.gov.uk/trees) and the ability for customers to check if their tree has a TPO online. The main changes are:

- Comprehensive tree information on all aspects of tree management and the processes required to seek approval for tree works to protected trees, the law and trees, planning matters (links directly to the planning portal), pests & diseases, now provided under one 'tree site' on the website;
- CSC now have a general tree enquiry process in place, which provides an initial point of contact during business hours for all tree related enquires.
- LAGAN software is now being used within the Tree Service to track all online protected tree enquiries. LAGAN is also being used by the CSC to record first point contacts regarding trees and allocate tasks to the Tree Service. All cases created in LAGAN are time reference and trackable by so the customers can be updated on case progress.

**(4) That the decision on the choice of which TPO system is to be adopted be made by the Arboricultural Service, but for weight to be given to the importance of providing guidance notes with the TPO form to reduce 'preventable demand'.**

The TEMPO tree preservation order evaluation system has been trialled and now in regular use in all matter relating to making and confirming TPO.

**(5) That the Council develops a Tree Enforcement Policy.**

This has been considered and is a top priority for the next stage of the systems thinking work being carried out. We have discussed the need for putting this policy in place with the DM Manager and Service lead – Planning as it is a gap in the Council's wider policy work. The approach set out by Rushmoor Borough Council (see appendices) is one we would like to follow as an example of best practice. It is our intention to get this agreed and adopted this year.

An initial meeting with Development Management and the Enforcement Officer has been arranged for 21 May to discuss current cases.

In August 2017 EDDC successfully prosecuted an individual for cutting down a protected Ash tree. The court awarded a fine of £1,000 for the offence, £2,389 in court costs and £100 victim surcharge

- (6) That guidance be given to community groups working on Neighbourhood Plans to encourage particular consideration to be given to addressing issues in respect of trees and how their value within the community and landscape can be recorded and protected – the guidance to be drawn up by the Arboricultural Service in consultation with the planning policy team.**

The systems thinking review work has identified that greater engagement with our local communities is key to improving the protection, understanding and management of our tree stock as there is not enough Council “resource” available to do it alone.

Assistance have been provided on ad hoc basis through the Neighbourhood Plan process. The nuances of local tree populations are an important part of our work and adopted Neighbourhood Plans have been used in helping to determine tree works application. There is scope to provide more guidance on Neighbourhood Plans and provide standing guidance to Town and Parish Councils on producing local tree strategies and policies.

- (7) That the Development Management and Planning Enforcement team (with technical support from the Arboricultural Service) look for effective ways to monitor the future protection of trees following development of a site – this to include criteria for monitoring and how to involve local councils and ward members in this process so that information is fed back to the Council as quickly and effectively as possible.**

Again this needs to be picked up by Development Management as part of their own systems thinking review of the Enforcement Team as well as another “check” on their own DM processes. This is a significant piece of work to undertake and one that has been identified by the Tree Service as a priority area going forward once the majority of these recommendations are in place and additional capacity is put into the team.

A number of novel ways to secure compliance on development sites is being investigated, these include securing landscape and tree protection bonds. If development deviates from approved plans there would then be scope for retaining part of the bond, for this Council to implement landscaping or mitigate for damage to retained trees.

Tree protection conditions now routinely require the applicant to commission their own site monitoring. A record of the monitoring then needs to be submitted for final discharge of the tree protection condition.

- (8) That the benefits of remote data capture be supported and the Arboricultural Service be encouraged to undertake trials of the system so that it can be used to develop a district-wide on-line database of trees. In addition, to investigate the feasibility and cost of open mapping to plot the district's trees and calculate their ecosystem service benefits in monetary terms.**

**(There is potential for this system, if effective, to be extended for use by community groups and tree wardens to help with logging tree information across the district – this information could also be used to populate Neighbourhood Plans.)**

Significant progress has been made with the upgrading of a more bespoke trees software system called Ezytreev, this has replaced the Down to Earth software that was of little value or use to the tree team. The new software is much more intuitive and enables the Arboricultural Officers to record trees and inspection findings in the field.

Once the system is fully installed Officers will be able to plot trees as part of the TPO work, both in reactive inspections and as part of the planned review of old TPO.

EDDC has been involved in a national trial of new mobile application called Curio, which is an open source mapping application for helping people discover and record new trees and nice places to explore and visit in their communities.

Work has also been undertaken to use the i-Tree Eco software to take Council owned tree data to calculate the ecosystem service value of EDDC own trees.

- (9) That the current arrangement of local councils with Quality Status and dealing with applications for work to trees be reviewed. Although local determination of applications adds value to the customer experience, local councils seek advice from the arboricultural service and so none of the work burden is taken from the arboricultural team. In addition, not all of the decisions taken by the local councils follow advice given by officers; there have been appeals against decisions where a tree of poor quality had been approved for protection, contrary to advice from officers. This has resulted in delays in issuing a decision notice.**

Nothing has progressed in removing the tree elements to the Quality Council process despite the effective dismantling of the status by the Government. It is our belief that by removing the tree consultation elements decisions will be quicker and there will be a substantial reduction in “double handling” of report writing by Tree Officers and the time taken to issue decision notices by those Town or Parish Councils involved. Again our systems thinking review work has identified this issue as a significant contributor of “preventable demand”.

- (10) **That following adoption of the Local Plan, the Planning Team, in round table consultation with the Arboricultural Service and all other services that have tree assets (including Streetscene, Housing and Countryside), develop a Tree Strategy to fit with other guidance, support and policy documents, to be taken into account during development and other related decision making.**

**The Strategy to include:**

- **the Council's aims in respect of urban and rural planting and the green infrastructure,**
- **trees and development, to incorporate a replacement tree strategy**
- **subsidence**
- **public liability, health and safety, duty of care,**
- **determination of tree works applications,**
- **the recognition and analysis of the benefits of urban and rural forests and tree canopies to the environmental, aesthetic, economic and social wellbeing of the area and how these could be maintained and enhanced,**
- **the authority's perception and value of trees within the district,**
- **the importance of succession planting,**
- **tree protection including TPOs, reviewing TPOs, enforcement and supplementary guidance.**
- **the effective capture and monitoring of data relating to canopy cover**
- **efficient management of all trees including council owned trees,**
- **sustainability,**
- **climate change**
- **guidance on species choice and planting,**
- **how to achieve effective partnership working with the district's communities, agencies and organisations,**
- **examples of best practice,**
- **education**

This remains an "outstanding priority task" and it has been delayed through issues around freeing up staff capacity and dealing with the implementation of other more pressing issues such as new trees software, improving the digital experience for customers through the website, sorting out delegation issues and recruiting the new Tree Officer into post in 2016. It is a piece of work that is both necessary and essential to drive forward the recommendations of the Tree TAFF. The process of developing a Tree Strategy will require the freeing up of the Senior Tree Officer's time to lead the development of the Strategy and to oversee the consultation process both internally and externally. We would like to be able to address this piece of work starting in the Autumn 2018, subject to the resource/capacity issue being resolved.

- (11) **That the Arboricultural Service work with other relevant EDDC services and its partners to develop a programme of education to widen the public's knowledge of trees and their value within the environment.**

This work has been progressed even though it is currently a lower priority issue within the overall suite of TAFF recommendations. There has been advice provided by the Tree team on the impacts of Ash dieback with the Senior Tree Officer representing EDDC's interests within the Devon-wide Ash dieback Forum. The Senior Tree Officer has provided input into

the Great Trees of the Clyst Valley project being led by the Council's Green Infrastructure Officer which has a considerable programme of both schools and community engagement built into its funded programme.

### **Tree Contractor Forum**

All tree works contractors were invited and around 20 attended a Tree Contractor Forum. This was used to raise awareness over Ash dieback disease and Sweet chestnut blight, guidance on submitting tree works applications, raise awareness of new online services and the new Customer Service Centre contact point.

#### Performance indicator monitoring:

2017-18 figures:

- TPO applications - 132 in total (88.63% determined within 56 day deadline)
  - 144 in total of those 50 are QC decisions 130 or 90.275 within the 56 day deadline
  - Of the Quality Councils 42 or 80% are within the 56 day deadline
  - Of the Arb team 88 or 86.27% are within the 56 day deadline
  
- Trees in Conservation Area – 87 in total (70.3% determined within 42 deadline)
  - 122 in total of those 38 are QC decisions (70.49% in 42 day deadline)
  - of the 38 by QC only 26 or 68.42% within the 42 day deadline
  - Of the 84 by Officers 59 or 70.23% within the 42 day deadline
  
- 244 planning consultations (deadline 21 days - average 24.9 days to respond)
  
- 200-250 applications for works to trees are made every year
- 229 tree apps for the period

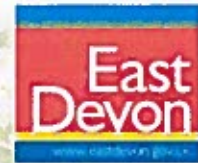
2016-17 figures:

- TPO applications - 170 in total (83% determined within 56 days)
  - Of the Arb team 103 or 93% within 56 day deadline
  - Of the Quality Councils 67 or 73% within 56 days deadline
  
- Trees in Conservation Area -112 in total (57% determined within 42 days)
  - Of the Arb Team only 68 or 72% within 42 days deadline
  - Quality Councils only 44 or 30% within 42 day deadline
  
- 174 planning consultations (deadline 21 days - average 37 days to respond)

### Summary

Scrutiny Members will see that progress has been made in some areas however there are significant areas of work yet to be started especially around the redesign of certain existing functions of the team and also the development of the Tree Strategy. The “check process” has been fully completed within the Systems Thinking review work and the next stage of how we can improve the effectiveness of the Service with changes to certain processes and procedures has

already begun with notable changes/successes with new software, changes to delegation, a new website and online tree reporting procedure showing progress has been made. This will ultimately help improve the speed of the decision making process which Development Management are keen to see and also assist the Tree Service in being much more proactive in the way they work.



# Tree Task and Finish Forum



**Cllr Mike Howe**  
Chairman



**Cllr David Atkins**



**Cllr Roger Giles**



**Cllr Tony Howard**



**Cllr John Humphreys**



**Cllr David Key**



**Cllr Brenda Taylor**



**Cllr Claire Wright**

**Final Report**  
**March 2015**

**Overview and Scrutiny Committee**

# Preface

**Councillor Mike Howe**

**Chairman of the Tree Task and Finish Forum**

**Members: David Atkins, Roger Giles, Tony Howard, John Humphreys, David Key, Brenda Taylor, Claire Wright**

**Meetings also attended by: Iain Chubb (Portfolio Holder – Environment) and Tom Wright (Deputy)**

At the meeting of Council in October 2013, a motion asked the Council to recognise the value of trees to the East Devon landscape and wildlife, to seek greater protection for existing trees and pursue options for woodland creation and tree planting. The meeting referred the amended motion to the Overview and Scrutiny Committee to set up a Task and Finish Forum to examine the issues raised to help protect trees – the remit was widened to examine the main threats to trees and appropriate action that could be taken and robustly defended.

The meetings of this useful Task and Finish forum have greatly benefited from the in-house expertise of Charlie Plowden, Service Lead – Countryside and Leisure, and David Colman and Stuart Baker (Officers from the Council's Arboricultural team). Also special thanks to John Golding, Strategic Lead – Housing, Health and the Environment, Ed Freeman, Service Lead – Planning Strategy and Development Management and Henry Gordon Lennox – Service Lead – Legal and Democratic Services who assisted the Forum in their deliberations.

The Forum has also benefited from useful publications produced by Trees and Design Action Group (TDAG), Communities and Local Government, and the Forestry Commission and from a presentation by Jim Smith of the Forestry Commission.

As a result of the meetings and discussion, Members of the Task and Finish Forum have drawn together some practical and helpful recommendations which we hope gain the support of the Overview and Scrutiny Committee.

**Mike Howe**

**March 2015**



# Recommendations

The Forum recommends the following, based on their interviews, presentations, analysis of publications and practice adopted at other councils:

- (1) That Tree officers be involved in pre planning application meetings as standard; greater involvement at an early stage would benefit the process and enable any issues to be addressed in a timely way.
- (2) That, as part of the Systems Thinking review of the tree service at East Devon, to look at national guidance and best practice and where appropriate to look to adopt this within new work flow systems,
- (3) That a review be undertaken of information provided on the Council's website relating to arboriculture, and produce new web guidance on the main work areas to reduce service demand.
- (4) That the decision on the choice of which TPO system is to be adopted be made by the Arboricultural Service, but for weight to be given to the importance of providing guidance notes with the TPO form to reduce 'preventable demand'.
- (5) That the Council develops a Tree Enforcement Policy.
- (6) That guidance be given to community groups working on Neighbourhood Plans to encourage particular consideration to be given to addressing issues in respect of trees and how their value within the community and landscape can be recorded and protected – the guidance to be drawn up by the Arboricultural Service in consultation with the planning policy team.
- (7) That the Development Management and Planning Enforcement team (with technical support from the Arboricultural Service) look for effective ways to monitor the future protection of trees following development of a site – this to include criteria for monitoring and how to involve local councils and ward members in this process so that information is fed back to the Council as quickly and effectively as possible.
- (8) That the benefits of remote data capture be supported and the Arboricultural Service be encouraged to undertake trials of the system so that it can be used to develop a district-wide on-line database of trees. In addition, to investigate the feasibility and cost of open mapping to plot the district's trees and calculate their ecosystem service benefits in monetary terms.  
(There is potential for this system, if effective, to be extended for use by community groups and tree wardens to help with logging tree information across the district – this information could also be used to populate Neighbourhood Plans.)
- (9) That the current arrangement of local councils with Quality Status and dealing with applications for work to trees be reviewed. Although local determination of applications adds value to the customer experience, local councils seek advice from the arboricultural service and so none of the work burden is taken from the arboricultural team. In addition, not all of the decisions taken by the local councils

follow advice given by officers; there have been appeals against decisions where a tree of poor quality had been approved for protection, contrary to advice from officers. This has resulted in delays in issuing a decision notice.

- (10) That following adoption of the Local Plan, the Planning Team, in round table consultation with the Arboricultural Service and all other services that have tree assets (including Streetscene, Housing and Countryside), develop a Tree Strategy to fit with other guidance, support and policy documents, to be taken into account during development and other related decision making.

The Strategy to include:

- the Council's aims in respect of urban and rural planting and the green infrastructure,
- trees and development, to incorporate a replacement tree strategy
- subsidence
- public liability, health and safety, duty of care,
- determination of tree works applications,
- the recognition and analysis of the benefits of urban and rural forests and tree canopies to the environmental, aesthetic, economic and social well being of the area and how these could be maintained and enhanced,
- the authority's perception and value of trees within the district,
- the importance of succession planting,
- tree protection including TPOs , reviewing TPOs, enforcement and supplementary guidance.
- the effective capture and monitoring of data relating to canopy cover
- efficient management of all trees including council owned trees,
- sustainability,
- climate change
- guidance on species choice and planting,
- how to achieve effective partnership working with the district's communities, agencies and organisations,
- examples of best practice,
- education

- (11) That the Arboricultural Service work with other relevant EDDC services and its partners to develop a programme of education to widen the public's knowledge of trees and their value within the environment.

## Review Approach

### How does the review relate to the Council Plan?

The Council Plan states that the Council will conserve and enhance our finest assets and keep East Devon an outstanding place, increasing people's enjoyment of its wonderful natural assets. The Plan is forward-looking with realistic and resilient priorities arrived at through consultation, listening and drawing on expert advice.

## Scope of the review

The scope of the Forum makes clear what was included and just as crucially, what was not. The agreed scope of the review is set out below:

<b>Broad topic area:</b>	<b>Value and protection of trees</b>
<b>Specific area to explore within topic area:</b>	<ul style="list-style-type: none"> <li>• Criteria for assessment of tree when a TPO application is made</li> <li>• Explore the measures available to protect trees</li> <li>• Consider the local evidence and issues that threaten trees</li> <li>• Review national and local policies designed to protect trees</li> <li>• Practicalities and resource issues of tree assessment of trees currently not covered by a preservation order</li> <li>• Explore other approaches by local authorities</li> <li>• Consider enforcement data, enforcement resources and penalty for felling trees under a Tree Protection Order (TPO) or in a conservation area</li> </ul>
<b>Areas NOT covered by the review:</b>	<p>Specific review of applications to remove, or works to, tree protected by a preservation order ("TRE" applications) is not permitted under the constitution.</p> <p>Local plan housing allocation. The emerging local plan part D3 Trees and Development Sites (6.231) can be considered by the Forum as part of the review of national and local policies designed to protect trees</p>
<b>Desired outcomes of the review:</b>	<p>Clear understanding of the demands on the aboricultural service and the resources available</p> <p>Establish the effectiveness of current local measures to protect trees and recommend any further improvements if felt necessary, to local policy, working practices and resources</p> <p>Understanding of national policy on the protection of trees and recommend, if felt necessary, modifications to national policy to the Department of Environment, Food and Rural Affairs.</p>
<b>Who should be consulted for evidence</b>	<p>Countryside service          Aboricultural officers          Planning officer          Trees &amp; Design Action Group          Ward members for local evidence and issues          Woodland Trust          Forestry Commission</p>
<b>What evidence already exists (consultation, good practice examples)</b>	Epping Forest pilot on fees

What experts are needed to help with the review:	Countryside service Arboricultural officer Planning officer Trees & Design Action Group
What other resources are needed:	Democratic Services to service.
Timescale including start date:	To be considered at the first meeting of Overview and Scrutiny following the May 2015 elections, with that Committee's recommendations being then referred to Cabinet.

## Evidence sources

The Forum took into account contributions from:

- EDDC Officers
- Local members
- Portfolio Holder and Deputy - Environment
- Forestry Commission

Reference material:

- The case for trees – Forestry Commission England
- Urban Tree Strategies – advice to local authorities – Forestry Commission England
- Protected trees – A guide to tree preservation procedures – Communities and Local Government
- An introductory guide to valuing ecosystem services – DEFRA
- Common Sense risk management of trees – National Tree Safety Group
- Trees in the Townscape – a guide for decision makers – Trees and Design Action Group (TDAG)
- Trees in Hard Landscapes – a guide for delivery TDAG
- Trees in Towns Two (Executive Summary) – Communities and Local Government
- Trees in the Townscape (comprehensive overview) – Communities and Local Government
- Dangerous trees advice note – Cornwall Council example
- Hedgerow removal notices – Cornwall Council
- Tree works application submission guide – Cornwall Council

## Findings

### Context for the Task and Finish Forum

- A motion debated by Council in October 2013 calling on the Council to recognise the value of trees and the importance of protecting them was amended and referred to the Overview and Scrutiny Committee, requesting that a Task and Finish Forum be set up.

Resolution in full:

that a Task and Finish Forum be set up and led by the Environment Portfolio Holder to examine the issues raised in the motion to help protect trees, with the remit being widened to examine the main threats to trees and appropriate action that could be taken and robustly defended.

- Throughout its considerations, the Forum never lost sight of the value that trees play in our sense of place in East Devon – they shape our environment and its character – physical, cultural, wellbeing, economic.
- Educating people to value trees was regarded by the Arboricultural Service and highlighted through the Forum’s deliberations as the most effective way of protecting trees.
- The Forum recognised the excellent work carried out by the service and praised the officers for their dedication. Plans to increase the resource within the service were welcomed.
- The Forum referenced relevant published documents (listed above) as a key element of its work.
- Examples of on-line documents used by other authorities were also considered
- Council in-house experts - Charlie Plowden, Service Lead – Countryside and Leisure, and Officers David Colman and Stuart Baker from the Council’s Arboricultural team attended and contributed to every meeting of the Forum.
- John Golding, Strategic Lead – Housing, Health and the Environment, Ed Freeman, Service Lead – Planning Strategy and Development Management and Henry Gordon Lennox – Service Lead – Legal and Democratic Services were called on by the Forum to provide information and answer questions, particularly in respect of:
  - a) how planning applications are dealt with to ensure that all relevant information in respect of trees is captured
  - b) enforcement action
  - c) monitoring and how ward members and local councils could be more involved in this process
  - d) national guidance notes and a review of advice currently provided on the Council’s website in respect of trees
  - e) follow-up action on planting schemes
  - f) the planning service restructure and replacement of the expertise of the landscape architect
- Jim Smith, Forestry Commission attended a meeting of the Forum to give a presentation on ‘the case for trees in development and the urban environment’ to highlight the key messages, practical implementation and answer questions.

### **Tree Preservation Orders (TPO) and processes to protect trees**

Comparatively, East Devon has a high number of TPOs - this reflects the number of valued trees within the district and the drive to protect them. The Council had the ability to protect trees but the service needed sufficient resource to do so and to monitor. The importance of education was emphasised with a TPO being used as a last resort – it was far better for the developer or resident to appreciate the value of the tree and understand the underlying reasoning.

Under the current TPO regulations, all provisional orders must be confirmed within 6 months of the date the order being made. After that time, unless the order has been confirmed the order is no longer valid.

The current Systems Thinking review of the TPO process is dealing with demand, capability, what matters to customers, value and preventable demand, work flow,, legal aspects, government guidance and which process to follow. One of the key issues was the assessment of trees (visual amenity, tree health, value to the locality, special factors and expediency) and deciding if a TPO was relevant. The TPO form currently used by the service was considered by the Forum together with examples of other assessment methods. These would be considered during the current Systems Thinking review.

Options included:

- retaining the current assessment form or
- tree evaluation method for preservation orders (TEMPO) currently used by a number of neighbouring authorities. (The benefit of TEMPO was that it included guidance notes and adopting a system already used by neighbouring authorities would provide more consistency).
- Other systems, including the Cornwall adopted Halliwell system, which included a financial assessment of the trees' value.

**Area preservation orders** are still used. Best practice guidance is to use these orders on a temporary/interim basis as a way of expediting the issue of more specific orders based on specimen trees, groups of trees or woodlands. For a range of reasons, but mainly workload, around 350 area orders are still in existence; there are examples of these covering acres of land. Area orders raise problems of enforcement. Extensive work will be needed to go back over the area orders and work out which trees need to be identified as worthy of an individual or group order. (A tree officer had been appointed in 2003/04 to deal with this work but the volume of day-to-day reactive work has been given priority).

Not all trees can be protected, not all are worthy of protection and some die or become dangerous. There is an argument for protecting young trees so that they can replace the older ones.

It is a clear-cut offence to remove a tree in a Conservation Area (CA), or one with a TPO, without prior notification to or consent from the Local Planning Authority (LPA). Anyone found guilty of an offence in a Magistrates Court for the destruction of a protected tree is liable to a fine of up to £20,000 – the fine is unlimited at Crown Court.

Whilst the presence of regulatory controls (TPO, CA) does in most cases secure the retention of appropriate trees on potential development sites, it is preferable if the retention of such trees occurs by default due to owner's/developer's understanding and recognition of the intrinsic values that tree cover adds to the development.

Making available and publicising appropriate information and guidance as well as engagement with the pre-application planning process will facilitate the enhanced understanding of the value of trees.

Where existing canopy cover is sub-optimal or tree loss does occur, replacement planting is one method, which is effective in compensating for tree loss. A policy and guidance should be developed and adopted to ensure such planting is carried out.

The Council needed to be cautious about over re-acting to information gleaned from pre-application advice. This could easily deter developers from engaging in the process and realising the benefits that this delivers.

Stop notices and temporary stop notices were an effective tool but rarely used when a condition has been breached. The Council has to take into account possible costs associated with the notice if stopping development was found to have been misguided. Officers preferred to negotiate with the developer to correct issues on site. Information needed to be reported to the Council as soon as possible to limit any damage.

Ideally, a review of the entire district should be undertaken to identify which trees need protection within built up areas. However, this would be very staff intensive and unless it could be undertaken in one go, trees could be put in danger in advance of the review.

### **Consideration of trees in planning applications**

The Forum examined planning processes in detail –

Planning applications are initially assessed by the planning team who look at the constraints to the development/issues to be considered. This includes determining, using the mapping system, whether the proposal is in a Conservation Area and if the site includes trees with a Tree Preservation Order or mature trees. The application form includes a section for completion by the applicant, which specifically asks for information on trees within the proposed development site.

The planning team's next step in processing an application is to register it on the planning on-line system. At that point, second checks are made including whether trees within the area are protected. There is opportunity at this stage to contact the developer to find out about their plans on how they proposed to deal with the trees on site.

This detail informs the site visit by the planning officer during which further data on trees can be gathered. The planning officer might think it appropriate to seek professional input from the arboricultural team. It is standard procedure for the planning officer to alert an arboricultural officer when the proposed development site includes TPO protected trees. An arboricultural officer assesses the value of the trees in accordance with the recommendations of British Standard BS 5837:2012, their contribution to the Green infrastructure (GI) and their value to ecosystem services. Where trees have merit but do not have protection and are vulnerable to development, the officer has the opportunity to decide whether it is appropriate to protect the trees.

The consultation period on an application gives further opportunity for issues to be raised including concerns about the potential impact of the development on trees. However, there is often a public assumption that trees are under threat from a proposed development and ask for the tree to be protected. However, a planning application does not necessarily mean that trees are under threat. The arboricultural officers determine whether the tree is under threat, if the tree is a good specimen, of value to the area and is worthy of added protection. The officers try to find out the underlying cause of the public concern on a case-by-case basis.

The planning team encourage developers to seek pre-application advice. Constraints and opportunities to development, including trees on the site, are broadly considered at this stage.

The developer could be advised that they should submit a full tree survey with their application.

In making their recommendations, planning officers always try to accommodate the advice given by the arboricultural officers and use this in their negotiations with the applicant. For example, they might negotiate a reduction in the size of the development or slightly re-site it to protect the trees. An ideal outcome is to allow the development to retain the suitable trees on site, which along with new planting should be appropriately protected. The making of TPOs on existing trees and new planting is an option to augment protection.

However not all trees within a development site are protected as other factors are taken into account. The value of the tree is considered in a wider context - the requirement for the developer to replace the tree with new specimens may have longer-term benefits to the area. Similarly, significant planning gain might outweigh retention and protection of the tree. Replanting specifications are decided on a case-by-case basis depending on the site, appropriateness and current health of the existing tree.

The Forum was regularly reminded of the important emphasis on canopy cover and that areas with the lowest canopy cover should be targeted as a way of expanding existing habitats.

The value of trees within a development was emphasised; the Council strives to include green infrastructure whenever possible as trees help to create a desirable environment. When trees are retained or added to an urban landscape, consideration must include ongoing and future maintenance, where they are to be sited and the choice of species to minimise root systems interfering with pathways, services and drainage. There are good working examples in the Trees in Towns/Townscape documents of good design and how to include trees in urban settings. Appropriate supplementary planning advice will be addressed when the Local Plan has been adopted to avoid the current necessity of planners being obliged to negotiate with developers on a site-by-site basis.

### **Enforcement**

Although successful prosecution could be a useful deterrent, in taking a case, the Council is required to comply with specific codes. It will only prosecute if such action is in the public interest (including cost:benefit analysis) and if there is sufficient evidence that the removal of the tree(s) has caused harm to the amenity – taking into account the value of the trees in a wider context. Successful prosecution requires details of the trees before they were felled. The review of whether or not to prosecute is made in-house. The process should be reviewed in conjunction with that of monitoring and an explicit strategy and guidance produced.

### **Resources within the Arboricultural Team**

The Forum did not in any way criticise the arboricultural team but recognised that they were struggling with workload and capacity. The Systems Thinking work being undertaken within the service should identify what additional resources are needed. It would also help to look for potential timesavings to free up officers.

A special item request has been included for consideration in the draft 2015/16 budget – a Tree Inspections Officer to manage the Council's own responsibilities – trees in Council-owned



parks, nature reserves and housing land. The intention is to recruit for a flexible resource but for the officer to have specialist arboricultural knowledge and experience.

The Landscape Architect who had left the Council in April 2014 had yet to be replaced. Discussions undertaken with a neighbouring authority to share a replacement post had not been successful. The job specification had been reviewed and the post advertised. Although some applications included their own landscape design, a council officer is needed to assess the schemes and negotiate the best solution in terms of the environment and aesthetics. The officer also checks that the schemes have been implemented and offers specialist advice on individual applications and green infrastructure.

### **Greater involvement of ward members and local councils in monitoring process**

Members recognised the importance of local environmental groups and tree wardens. An approach could be to ask communities to produce a local document on worthy trees in their area, which would add to the district's data on trees and log their value in terms of ecosystem services.

Adopted Village Design Statements have been used to give supplementary planning advice – this information is now included within the Neighbourhood Planning process. Neighbourhood plans should take account of the area's tree population and identify local needs and opportunities to maintain and improve the quality and quantity of tree cover.

A number of local councils had achieved Quality Status and therefore dealt with applications for work to trees based on advice from the arboricultural service. This resource-intensive arrangement should be reviewed, as it did not take any of the work burdens from the arboricultural team. In addition, not all of the decisions taken by the local councils followed advice given by officers; there had been appeals against decisions where a tree of poor quality had been approved for protection.

Local councils, ward members and others could help to monitor development and alert the council when action was needed.

The importance of adopting a monitoring policy in relation to tree and landscape conditions was recognised. The updating of tree and landscape related planning conditions should also be undertaken, guided by a review of current best practice.

The Council needed to decide what should be monitored; the resultant Tree Enforcement Policy could then be used by local councils and ward members for their involvement and assistance.

### **Planning on-line guidance**

The Forum considered national guidance notes for applications for tree works (either works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in conservation areas). The Forum felt that the document could be reviewed so that it could be better understood by the public and contractors. It should include information about action take in respect of illegal removal or lopping/topping of trees. Local guidance with examples would be more helpful.

On-line advice could be more 'joined-up' across the Council (Streetscene, Planning and Legal); work was already being progressed to achieve this. The Systems Thinking review would help to identify a better understanding of what the Council was trying to achieve and this in turn would inform what advice needed to be given and the way this was delivered. The on-line advice would be helpful for the public and officers, with potential for self-help and consequent freeing up of arboricultural officer time.

Guidance helped to determine the value of trees and how to retain their aesthetic value in the landscape and if they are to be removed, how they should be replaced. A stronger policy on integrating trees within developments and guidance to show how this can be delivered benefit would be useful.

When the Local Plan had been agreed, the Planning Policy Team would work on delivering guidance and support documents to help in the delivery of strategic policies.

# **RUSHMOOR BOROUGH COUNCIL**

## **TREE ENFORCEMENT POLICY**

### **1. Introduction**

#### **Purpose**

1.1 This document sets out Rushmoor Borough Council's policy for protecting trees and explains how enforcement action against unauthorised works to protected trees will be carried out. This Policy accords with the Council's procedures and standards of service and with current legislation and guidance. As with other enforcement issues, tree enforcement matters are dealt with in accordance with both the Enforcement Concordat and the Council's Planning Enforcement Charter. This policy takes effect subject to the Council's Corporate Enforcement Policy.

#### **Tree enforcement issues**

1.2 This policy explains why and how we will enforce against:

- unauthorised works carried out upon, and damage to or felling of trees that are protected by Tree Preservation Orders;
- unauthorised works carried out upon, and damage to or felling of trees that are situated within Conservation Areas; and,
- any breach of planning conditions relating to tree retention and protection.

### **2. Tree preservation orders and conservation areas**

#### **The legislation**

2.1 Trees are protected when they are made the subject of Tree Preservation Orders or when trees are situated within Conservation Areas (subject to certain exemptions). In general, it is an offence to cut down, uproot, lop, top, wilfully damage or wilfully destroy a protected tree without the consent of the local planning authority. Trees on development sites are protected through the use of planning conditions.

#### **Tree Preservation Orders**

2.2 In the case of trees protected by a Tree Preservation Order, the consent of the Council is generally required for any works on the trees following submission of a formal application. Any consent may be subject to conditions, and there is a right of appeal to the Secretary of State against a refusal of consent or to the terms of a condition.

#### **Conservation Areas**

2.3 Where trees are in a Conservation Area, six weeks' notice must be given to Rushmoor Borough Council (the Council) of any proposal to carry out works on the trees. During this six week period, the Council may either raise no

objection to the works or make a Tree Preservation Order to prevent those works being carried out. If the Council takes no action within six weeks, the works may go ahead as notified.

**Offences:**

2.4 Two offences apply to trees protected by Tree Preservation Orders and those within Conservation Areas.

- Firstly, anyone who cuts down, uproots or wilfully destroys a tree, or who lops, tops or wilfully damages it in such a way that is likely to destroy it, is liable, if convicted in the Magistrates Court, to a fine of up to £20,000 or to an unlimited fine in the Crown Court. The Courts have held that it is not necessary for a tree to be obliterated for it to be "destroyed" for the purposes of the legislation. It is sufficient for the tree to have been rendered useless as an amenity.
- Secondly, anyone who carries out works on a tree which are not likely to destroy it, is liable if convicted in the Magistrates Court to a fine of up to £2,500. Any proceedings for offences in this category must be brought within six months of the date the offence was committed.

2.5 In addition to directly carrying out unauthorised works on protected trees, it is an offence to cause or permit such works.

2.6 In order to bring a successful prosecution, the Council must be able to prove that:

- the defendant has carried out, or caused, or permitted works on the tree;
- the tree was protected;
- the works were carried out without the Council's consent; and
- the works were not exempt works.

2.7 If it is claimed that works are exempt from the usual requirements of the legislation, it is for the defendant to prove that the exemption applies.

2.8 Whenever a tree has been removed in contravention of the legislation, or because it is dead, dying or dangerous, there is an automatic duty on the landowner to plant a replacement tree of a suitable size and species at the same place as soon as reasonably possible (unless that requirement is waived by the Council). The replacement tree is then subject to the same protection as the tree that was lost. If the landowner fails to comply with this requirement, the Council may serve a Tree Replacement Notice within a period of four years to ensure compliance. There are rights of appeal against Tree Replacement Notices.

**Procedures for investigating complaints**

2.9 The Council may become aware of incidents involving contraventions of the tree protection legislation as a result of complaints received or when carrying out routine monitoring of works on development sites.

2.10 When alleged cases of unauthorised works on a tree come to the attention of the Council, an initial investigation will be carried out as soon as possible.

The initial investigation will consist of a check to establish whether the tree is protected, whether any consent has been granted, and a site visit. In cases where it appears that protected trees are being removed and in other instances where there may be a significant impact on public amenity, every effort will be made to undertake a site visit as a matter of urgency. The legislation gives the Council a right to enter land to carry out such investigations.

- 2.11 Where it appears that unauthorised tree works have been undertaken, notes and photographs will be taken during the site visit which may be used as evidence later.
- 2.12 Any suspected offender will be identified and contacted as soon as possible in the process (this may be at the time of the initial site visit). He or she will be asked to give his/her comments or observations on the incident and any relevant background information. If it appears that an offence has been committed, and that answers to preliminary questions on site may be required to be produced as evidence, he may be cautioned. Any such caution will be issued in accordance with the code of practice issued under the Police and Criminal Evidence Act 1984 and the suspected offender will be advised that he/she is not under arrest, is free to leave at any time and is entitled to legal representation. A record of questions put to suspected offenders, and replies given thereto will be kept by interviewing officers.
- 2.13 Where appropriate, the suspected offender will be invited to the Council offices to undertake a tape-recorded interview under caution in accordance with the provisions of the Police and Criminal Evidence Act 1984. The investigating officer will make a judgment during the initial site visit as to whether cautioning and formal questioning is appropriate at that stage. The Council may write to the suspected offender, seeking detailed information regarding the incident. If a satisfactory response is received, the matter may not be pursued to formal interview under caution.
- 2.14 The identity of any complainant will be kept confidential and not disclosed to the alleged offender as far as practicable. However, it will be made clear to the complainant that if the case comes to court he/she will be required to give evidence under oath and in that case would not be entitled to confidentiality.
- 2.15 Complainants will be kept informed of the course of the investigation and its outcome. They and other witnesses will be contacted as appropriate and requested to provide written statements to be used as evidence in court. Witnesses will be informed that they may be required to appear in court to give evidence and be cross-examined as necessary.
- 2.16 Suspected offenders will be given the opportunity to give their version of events during the course of investigations.

### **Options for action**

- 2.17 The Council can pursue a range of actions to deal with cases of unauthorised works on protected trees. These include:
- prosecution,

- administering a formal caution. This is a formal process whereby the offender signs a statement admitting the offence and submitting to the caution. A caution may be referred to at the sentencing stage if the same person is found guilty of a subsequent offence. It may also be taken into consideration when deciding whether or not to prosecute at a later stage for another, similar offence.
- requiring, under section 206 of the Town and Country Planning Act 1990, the planting of a replacement tree for each tree destroyed;
- serving under section 207 of the same Act, a replanting direction. This is a formal procedure to secure replacement planting, which can be invoked if the landowner does not otherwise comply with a duty to carry out replacement planting;
- not taking any formal action. This may be accompanied by informal action, such as advising the alleged offender to ensure that the incident is not repeated.

### **Selection of appropriate action**

- 2.18 Decisions as to what action to take in cases of unauthorised works on trees will be taken in the public interest, with each case being considered on its own merits.
- 2.19 A prosecution will not normally be brought unless the unauthorised works to the tree has resulted in a loss of public amenity.
- 2.20 Nor will a prosecution be brought if consent would have been granted (or no objection raised) for the works undertaken if it had been applied for.
- 2.21 In considering whether to bring a prosecution, regard will be had to the likelihood of the offence being repeated and the degree to which a prosecution would act as an effective deterrent. Regard will also be had to any financial advantage perceived to have been gained by carrying out the unauthorised works and whether the perpetrator has been prosecuted, cautioned or warned for similar offences in the past.
- 2.22 Whilst ignorance of the law is no excuse, the attitude and circumstances of the offender will be taken into account, including any expression of regret, helpfulness and co-operation with the investigation and any indication that the perpetrator was acting in good faith. Individual personal circumstances and any other mitigating factors will be taken into consideration where appropriate.
- 2.23 Two tests will be applied in cases where a prosecution appears likely consideration of which will be undertaken by the Solicitor to the Council:
- The Evidential Test -  
an offender will not be prosecuted unless there is sufficient, admissible and reliable evidence that the offence has been committed and that there is a reasonable prospect of conviction.
  - The Public Interest Test:  
a prosecution will only be brought where it is in the public interest.

- 2.24 Formal cautions may be administered in cases where a prosecution can properly be brought, but where such action is not considered appropriate in the circumstances of the case. However, persons who have previously received a formal caution will normally be prosecuted.
- 2.25 The planting of replacement trees will always be required irrespective of whether the perpetrator has been prosecuted or cautioned.

### **Procedures for taking action**

- 2.26 Tree enforcement issues will be dealt with by the Council's Arboricultural Officer, in consultation with the Head of Planning Services and the Solicitor to the Council.
- 2.27 In cases where it appears that unauthorised works have been carried out on protected trees without consent, a formal Authority to Prosecute will be prepared recommending the action to be taken and giving reasons for the decision to prosecute. In accordance with the Council's Constitution, the decision on whether to prosecute will normally be taken by the Head of Planning Services in conjunction with the Solicitor to the Council.
- 2.28 If a prosecution is undertaken, the outcome of the case will be reported to the next available meeting of the Council's Development Control Committee.
- 2.29 Formal cautions will normally be administered at the Council offices. The offender will be contacted in writing and requested to submit to the caution. Details of the offence will be provided in the letter, along with an explanation of the significance of the caution. Records will be kept of formal cautions issued and these will be referred to in court if the offender commits a further offence.
- 2.30 When a decision has been made to offer a formal caution, but the offender refuses to accept the caution, a prosecution will normally be brought.
- 2.31 Where suspected offenders are invited to the Council offices for a tape recorded interview under caution, the Code of Practice under the Police and Criminal Evidence Act 1984 will be adhered to.
- 2.32 When replacement planting is required, monitoring will be carried out to ensure compliance.

### **3. Planning conditions**

#### **Use of planning conditions relating to trees**

- 3.1 In granting planning consent for sites where trees are to be retained, the Council will typically use conditions relating to tree retention and protection.
- 3.2 The Council will expect all conditions relating to trees to be complied with in full, and will use its enforcement powers to seek compliance where necessary.

- 3.3 Tree-related conditions generally require that the works are formally specified in writing prior to commencement on site (including demolition). These conditions should then be fully adhered to.

### **Dealing with breaches of planning control**

- 3.4 Breaches of planning control occur either where conditions have not been formally specified prior to works commencing, or where the specified conditions are not complied with after works have commenced.
- 3.5 The primary means for dealing with breaches of tree-related conditions is the Temporary Stop Notice. The purpose is to stop further works on site until such time as conditions have been satisfactorily complied with and details for tree protection have been agreed. The Temporary Stop Notice may be served on any of the following, a person carrying out the works on the land, a person who is an occupier of the land and a person with an interest in the land and a copy of the notice must be displayed on the land.
- 3.6 If tree-related conditions are not being complied with, and it is not possible to resolve the outstanding issues on site, a Temporary Stop Notice will be considered. Temporary Stop Notices come into effect immediately for a period of up to 28 days.
- 3.7 Contravention of a Temporary Stop Notice is an offence. A person found guilty is liable, if convicted in a Magistrates Court, to a fine of up to £20,000, or to an unlimited fine in the Crown Court.
- 3.8 Should a breach of planning control lead to damage to, removal of or unauthorised works to protected trees, action may also be taken as detailed in Section 2 of this document.

### **Decisions upon action**

- 3.9 The nature of breaches of tree related conditions is such that a decision often needs to be made quickly on site. Each case will be dealt with on its own merits and the Council's Arboricultural Officer will make a proper assessment of the situation prior to making a decision on how to proceed.
- 3.10 A Temporary Stop Notice will be considered if the following applies:
- a clear and demonstrable breach of planning control relating to trees has occurred
  - trees are being damaged or are likely to be damaged if works continue, and the matter can not be resolved immediately on site.

## **4. Contact details for Rushmoor Borough Council's Arboricultural Officer**

- 4.1 The Arboricultural Officer can be contacted on 01252 398737.

## **5. Guidance/information**

- 5.1 Government guidance on Tree Preservation Orders (including enforcement issues/penalties) is contained the following publications



- Tree Preservation Orders - A Guide to the Law and Good Practice' dated March 2000 (and addendum May 2009). This is available for download from the website of the Department for Communities & Local Government.
- Information on planning enforcement (including circular 02/05 covering the use of Temporary Stop Notices) is also available on the website of the Department for Communities & Local Government.

## **6. Date**

- 6.1 This Policy was agreed by Rushmoor Borough Council on 13th March 2012

**Report to:** **Scrutiny Committee**

**Date of Meeting:** 7 June 2018

**Public Document:** Yes

**Exemption:** None

**Review date for release** None

**Agenda item:** 9

**Subject:** **Effectiveness of local authority overview and scrutiny committees**

**Purpose of report:** The Communities and Local Government Committee issued their first report of session 2017-19, examining the role of scrutiny in local authorities in light of how the role has involved since the introduction of overview and scrutiny committees in the Local Government Act 2000. Since then, the Government has responded in March 2018. This report covers an officer view on the recommendations by the committee, and subsequent Government response, in the context of the current committee arrangements of this Council.

**Recommendation:** **The committee to debate and recommend as they see fit.**

**Reason for recommendation:** The committee need to debate the report and recommendations and reach a consensus on making recommendations to Cabinet and Council for changes in the constitution as and if required. It may be advantageous to wait until the new guidance on overview and scrutiny arrangements is published by the Government later this year.

**Officer:** Henry Gordon Lennox, Strategic Lead (Governance and Licensing) and Monitoring Officer

**Financial implications:** There are no direct financial implications identified in the report.

**Legal implications:** These are contained within the report.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** • [East Devon District Council Constitution](#)

**Link to Council Plan:** Continuously improving to be an outstanding Council.

## Report in full

- 1.1 The Communities and Local Government Committee published their report "[Effectiveness of local authority overview and scrutiny committees](#)" on 15 December 2017. This committee made a submission to the review following their meeting on the 2 March 2017.
- 1.2 The relevant recommendations of the CLG committee report are reproduced below, with [the Government response](#), published in March 2018. Elements that are already undertaken with



the current Scrutiny arrangements of this authority are also highlighted.

## 2 **Recommendation 1: Proposed revisions to Government guidance on scrutiny committees (Page 7 of CLGC report)**

- 2.1 **a)** That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.
- 2.2 **b)** That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.
- 2.3 **c)** That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.
- 2.4 **d)** That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.
- 2.5 **e)** That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.
- 2.6 **Government Response:** The Government acknowledges that the current guidance was issued in 2006 and is happy to ensure it is updated. New guidance will be published later this year.
- 2.6.1 **a)** The Government notes the evidence supplied to the Committee. Updated guidance will recommend that scrutiny committees report to the Full Council.
- 2.6.2 **b)** The Government accepts the need to limit the executive's involvement in the scrutiny meetings. Updated guidance will make clear that members of the executive should not participate in scrutiny other than as witnesses.
- 2.6.3 **c)** Scrutiny committees already have powers to access documents and updated guidance will stress that councils should judge each request to access sensitive documents on its merits and not refuse as a matter of course. We will also have discussions with the sector to get a better understanding of the issues some scrutiny committees appear to have in accessing information and whether there are any steps the Government could take to alleviate this.
- 2.6.4 **d)** Updated guidance will make clear that support officers should be able to operate independently and provide impartial advice. It will also stress the need for councils to recognise and value the scrutiny function and the ways in which it can increase a council's effectiveness. However, the Government believes that each council should decide for itself how to resource scrutiny committees, including how much access to senior officers is appropriate to enable them to function effectively.
- 2.6.5 **e)** The Government fully believes that local authorities should take account of the views of the public and service users in order to shape and improve their services. Scrutiny is a vital part of this, and scrutiny committees should actively encourage public participation. Updated guidance will make this clear.

- 2.7 With a view to the current Scrutiny arrangements, Recommendation 1a) can be used by the committee at any time, as the constitution allows the committee to recommend to Council as well as Cabinet (Article 7.05). With regard to Recommendation 1b), this Council's constitution is clear in that there is a distinction between the Scrutiny committee and the Cabinet. This distinction is carried through to Task and Finish Forums (TaFF), and whilst the view of Portfolio Holders may be sought at both committee and a TaFF, no undue influence on the recommendations from those meetings has been observed.
- 2.8 Recommendation 1c) Whilst there is always a preference for the Scrutiny Committee to conduct its business under Part A conditions (with the public and press present) there is always the opportunity, if such commercially sensitive information needs to form part of the discussion, to debate under Part B. This option has been utilised in the past.
- 2.9 Recommendation 1e) The Scrutiny committee continues to welcome the public to speak at committee on items on their agenda, and evidence exists of that engagement – such as debate on the increase in beach hut rents.
- 3 **Recommendation 2: That DCLG works with the Local Government Association and Centre for Public Scrutiny to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered (Paragraph 35 of CLGC report).**
- 3.1 **Government Response:** The Government will give further consideration to this recommendation. The Government fully accepts that the chair of a scrutiny committee can have a great impact on its effectiveness. As the then Minister told the Select Committee at the oral evidence session on 6 November 2017, a chair needs to have the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve.
- 3.2 The Government also accepts that, in some instances, the election, rather than the appointment, of a chair might help ensure that the right individual is ultimately selected, but feels that this is a decision for every council to make for itself - we note that the Select Committee is "wary of proposing that [election] is imposed upon authorities by Government". A local authority is already free to elect a chair if it wishes, and the updated guidance will recommend that every council bears this in mind when deciding on a method for selecting a chair.
- 3.3 The Government is happy to explore with the sector how best to establish the impact of elected chairs on scrutiny committees' effectiveness, but is not yet convinced that running pilot schemes is the best way to achieve this. The Government will therefore discuss this recommendation with the sector, including the Local Government Association and Centre for Public Scrutiny, and write to the Select Committee on this matter when we publish updated guidance.
- 4 **Recommendation 3: Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator (Paragraph 62 of CLGC report).**
- 4.1 **Government Response:** The Government does not accept this recommendation. Many councils do not have dedicated scrutiny support staff - officers work on issues and engage with committees as part of the flow of business - so this would make quantifying the support that scrutiny committees receive very difficult. In the Government's view, the quality of the support is the more important issue. The Government firmly believes that each individual authority is best-placed to decide for itself how to support scrutiny most effectively.

- 5 **Recommendation 4: That the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them (Paragraph 65 of CLGC report).**
- 5.1 **Government Response:** The Government does not accept this recommendation. As the then Minister outlined during the oral evidence he gave to the Select Committee, decisions about the allocation of resources for the scrutiny function are best made at a local level. Each council is best-placed to know which arrangements will suit its own individual circumstances. It is not a case of one size fits all. The key requirement for effective scrutiny is that the culture of the council is right. Where councils recognise the benefits effective scrutiny can bring, and put in place suitable arrangements, it is working well. Local authorities with a strong culture of scrutiny may invite regular reports to full council on the state of scrutiny in the council and this idea will be reflected in the updated guidance.
- 5.2 There is no requirement for a statutory scrutiny officer for district councils. It is also important that scrutiny work is member led, not set out by a scrutiny officer; and that scrutiny members play an active role in order to deliver effective scrutiny.
- 6 **Recommendation 5: The Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the Local Government Association and on the wider effectiveness of local authority scrutiny committees (Paragraph 76 of CLGC report).**
- 6.1 **Government Response:** The Government does not accept this recommendation. Local authorities are independent bodies and it is for them to ensure that their scrutiny arrangements are effective. The Government firmly believes that every council should be able to access the training it needs to carry out its functions effectively, and recognises that Government itself has a role to play in making this happen. That is why we provide funding to the Local Government Association for sector-led improvement work. It should be noted that this funding is to support local authorities on a wide range of improvement work. It is not purely to assist with overview and scrutiny. The funding is determined annually and for 2017/18 is £21 million. The package of work that is funded from the grant is set out in a jointly agreed Memorandum of Understanding between the Department and the Local Government Association, which is refreshed annually to ensure that it remains relevant to the sector's needs.
- 6.2 The Government is, of course, very keen to ensure that this funding provides value for money and that local authorities feel that the training on offer serves their needs. To this end, the Department has quarterly performance monitoring and review meetings with the Local Government Association, which are chaired by the Director-General for Local Government and Public Services.
- 6.3 The Government notes that not all the councillors who provided evidence to the Select Committee felt that the scrutiny training provided was as effective as they would have liked, and that the Local Government Association wrote to the Committee on 20 December 2017 to provide more information on the feedback it received on its support work.
- 6.4 The Government will ensure that the 2018/19 Memorandum of Understanding with the Local Government Association clearly sets out our expectation that they remain responsive to

feedback they receive to ensure all training, including scrutiny training, remains relevant and effective.

- 7 **Recommendation 6: Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens (Paragraph 90 of CLGC report).**
- 7.1 **Government Response:** Updated guidance will remind councils of the requirements set out in regulations that allow scrutiny members to access exempt or confidential documents in certain circumstances. As mentioned in response to the Select Committee's recommendation on guidance, the Department will also have discussions with the sector to get a better understanding of the issues some scrutiny committees appear to have in accessing information and whether there are any steps the Government could take to alleviate this. In terms of service providers' attendance at meetings, when councils are tendering contracts with external bodies they should carefully consider including requirements to ensure they are as open and transparent as appropriate. Ultimately, however, it is up to each council to decide how best to hold to account those who run its services.
- 7.2 The committee have extensively covered the new model of the CCG and continue to keep a watching brief on it; as well as with other bodies, including the Police Commissioner. It is not easy to secure representatives from external bodies to attend, as is the ongoing case in continuing discussion on mental health provision in the district. The committee were heavily involved with the new Recycling and Waste contract, including debate following the pilot scheme and subsequent meetings as the contract was agreed, and subsequently implemented.

**Report to:** **Scrutiny Committee**  
**Date of Meeting:** 7 June 2018  
**Public Document:** Yes  
**Exemption:** None



**Review date for release** None

**Agenda item:** 10

**Subject:** **Quarterly monitoring of performance – 4<sup>th</sup> quarter 2017/18 January to March 2018**

**Purpose of report:** This report provides performance information and progress against our promises and priorities as outlined in the Council Plan. This cumulative quarterly information will be used to provide an annual review of our performance against the Council Plan in the Annual Report.

**Recommendation:**

**1. It is recommended that Members consider performance against delivery of the actions/priorities in the Council Plan, key service objectives from service plans and performance measures for the 4<sup>th</sup> quarter of 2017/18 so that issues can be addressed in a timely way.**

**Reason for recommendation:** So that Members can gain a clear view of progress against what we said we would deliver in the Council Plan and deal with performance issues arising.

**Officer:** Karen Jenkins, Strategic Lead – Organisational Development and Transformation  
[kjenkins@eastdevon.gov.uk](mailto:kjenkins@eastdevon.gov.uk)  
ext 2762

**Financial implications:** There are no direct financial implications.

**Legal implications:** No legal comments are required

**Equalities impact:** Low Impact  
If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form if necessary.

**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 – Performance against Council Plan and our key performance indicators](#)
- [Appendix B – Performance against Service Plans and their objectives](#)
- [Appendix C - Explanations and definitions.](#)

**Link to Council Plan:** Continuously improving to be an outstanding Council

## Report in full

1. [Appendix A](#) gives an overview of the performance against measures in the form of gauge charts for the following:

- **council actions taken from the Council Plan 2016-20**
- **objectives from the service plans**
- **key performance indicators**

The report also provides detailed information on the status of the council actions and key performance indicators.

Most of the **council actions for 2017/18** from the Council Plan are showing as achieved or on track, with none showing concern but with one variation. This is highlighted in [Appendix A](#) and this relates to our work towards securing a blue flag for our beaches which is now delayed until we recruit a new Beach Safety Officer.

2. [Appendix B](#) shows progress against service plan objectives linked to the council aims in the form of gauge charts (reports from SPAR.net detail the progress of all the service objectives.) There is one service objective showing a status of concern.

- **Feniton flood alleviation scheme** - Form 1 (approval in principle) reviewed by Network Rail delivery team, and verbal approval received. EDDC are currently awaiting the draft Basic Services Agreement from Network Rail, which was expected in March.

Further details of the progress of our service objectives can be found in [appendix B](#).

3. Our performance indicators are showing on track with two showing a status of concern.

- **Percentage of planning appeal decisions allowed against the authority's decision to refuse** – A detailed assessment of the appeal decisions from 1 April 2017 to 31 March 2018 is currently being prepared and will be reported to the Strategic Planning Committee.
- **Number of focused vehicle license checks** - The objective of 120 vehicle checks has not been completed being just 17 short with 103 checks completed across the year. The demand on the licensing team of new work from Street Trading has had an impact on this objective. The team awaits recruitment of one further staff member in the forthcoming months which will address current work v staffing levels.

Further details of the progress of our performance indicators can be found in [Appendix A](#)





## Quarter 4 Performance Report 2017-18

Performance Overview, Council Plan Actions and Key Performance Indicators

May 2018

### Document Key

Action Status classification

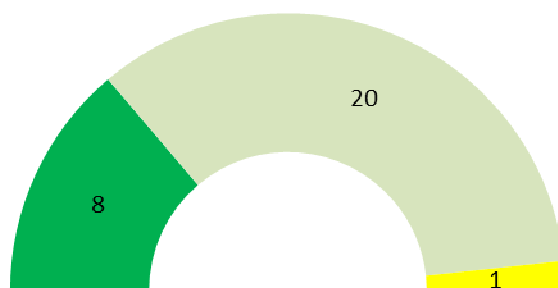
- Red (Concern) highlights targets with serious problems or significant delays.
- Amber (Variation) indicates actions with mild concerns or minor setbacks.
- Green (Achieved) displays special achievements or early completions.

Performance Indicators (PI)

- The 'Previous Year End' column reports performance at the end of 2017/18, if that information is available.
- The 'Current Target' column represents the annual target some measures no longer have targets or are not suitable for targets.
- The columns 'Q1 Act', 'Q2 Act', etc. show the actual year to date situation for each Performance Indicator. The key for the colours is as follows:
  - Red (Concern) – if the PI is 10% or more below the target.
  - Yellow (Variation) – if the PI is between 10% and 0.1% below the target.
  - Green (Achieved) – if the PI and the target match exactly or the PI is above the target.
- The Direction of Travel column shows if the PI has improved since the same period last year. An up arrow showing improvement, a down arrow showing deterioration and a level arrow showing a static trend.

# Overview of our performance – Quarter Four 2017/18

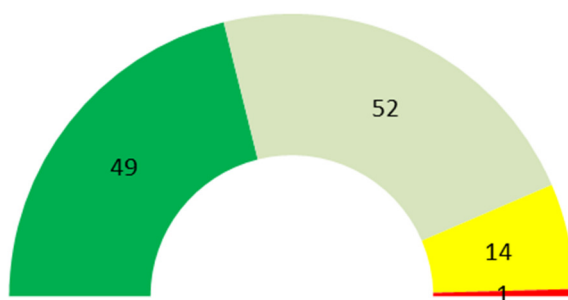
Chart a. Performance against our Council Plan 2017/18 – for more detail please see the following pages



**Number of Measures**  
(Total measures for outcome = 29)

■ Achieved   ■ On track   ■ Variation   ■ Concern

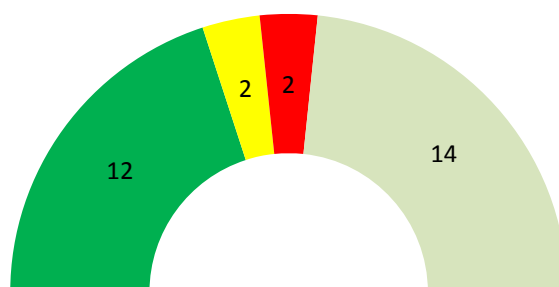
Chart b. Performance against our Service Plan Objectives – for more detail please see appendix B



**Number of Measures**  
(Total measures for outcome = 116)

■ Achieved   ■ On track   ■ Variation   ■ Concern

Chart c. Performance against Key Performance Indicators - for more detail please see the following pages



**Number of Measures**  
(Total measures for outcome = 30)

■ Achieved / Excellent   ■ Variation  
 ■ Concern   ■ Data not yet available  
 ■ No target

## Council Priority 1 – Encouraging communities to be outstanding

Council Action 2016-20	Status	Comments
Deliver quality green space and wildlife habitats alongside new development.	On track	Through negotiation on planning applications we continue to require the delivery of high quality green spaces and the retention and enhancement of wildlife corridors as part of new developments.
Deliver the Local Plan to meet the district's aspirations and needs in terms of the different housing people need and land for employment.	Achieved	Delivered in 2016/17
Deliver the right infrastructure through the Community Infrastructure Levy (CIL) to ensure that new developments and communities have all the facilities they need.	On track	Will be arranging a meeting of the Members CIL Working Group to discuss the way forward for processes to decide the spend of CIL following the Council AGM.
Ensure that council homes are well maintained and managed effectively with high tenant satisfaction.	Achieved	Adequate budgets and processes are in place to ensure that tenant's homes are maintained and managed to a high standard. The HRA Business Plan has been refreshed and adopted in September 2017. We are preparing in the process of procuring a new repairs and works to voids service as our current contract moves towards expiry. The new contract will have the provision for performing planned and cyclical works to our stock.
Ensure that the activities which require it are appropriately licensed.	Achieved	Objective met for 17/18
Extend our range of community development activities to work with people of all ages, focusing particularly on the issues of health and wellbeing, worklessness and financial and digital inclusion.	On track	The community development team has delivered IT workshops to help tenants with digital technology knowledge and skills that will be necessary for Universal Credit. We have also run training in Repairs: Tenant & Landlord Rights & Responsibilities, and held preliminaries for the SW Youth Games in the summer.
Extending the housing options service and meeting the housing needs of our residents	On track	The service is delivered from Exmouth and Sidmouth. Officers will also undertake home visits where clients find it difficult accessing our office locations.
Implement the actions and commitments in our Public Health Plan.	On track	We will continue to work with colleagues and partners to ensure that our services focus on and are recognised for their role in assuring the health and wellbeing of our residents. An end of year review is currently being collated.
Return empty homes to beneficial use.	On track	Private Sector Housing is presently offering a reactive service regarding Long Term Empty properties. This is due to the retirement of the Partnership Officer and the closure of the Exeter City Council Contract. A new Technical Officer Post is being recruited to, which includes specific work on bringing long term empty properties back into use. It is hoped that the successful candidate will be in post by mid to late May. In the meantime Council Tax enforcement have been identifying long term empty properties and carrying out visits this work will help the Private Sector Housing Service to target our work. It is also hoped that there can be a closer working arrangement with Council Tax enforcement.

Review our business plan for council homes to maintain a viable level of income and expenditure following changes in government policy to ensure that we continue to achieve a high level of tenant satisfaction.	Achieved	The HRA Business Plan has been refreshed and was approved at the September meeting of the Housing Review Board. The Plan is kept under review and is a dynamic document reflecting changes in legislation, stock condition and tenant aspirations.
When development happens, ensure that the natural environment and historic buildings are protected from inappropriate development.	Achieved	The assessment of planning applications ensures that the natural environment and heritage assets are protected from inappropriate development indeed special protection is granted to designated habitats and heritage assets.

Performance Indicators	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel
Number of affordable homes delivered	122	100	45	67	123	233	↑
Number of households living in temporary accommodation	3	10 (1/4)	4	10	10	12	↓

## Council Priority 2 – Developing an outstanding local economy

Council Action 2016-20	Status	Comments
Continue to support the growth of the Greater Exeter's economy through promoting employment sites identified in our Local Plan.	On track	<p>With the Local Plan approved this promotes confidence to bring sites forward. Economic Development involvement in planning applications regarding employment sites has significantly increased in 2017/18 to support delivery of economic growth in the district.</p> <p>Multiple applications and development underway e.g. Lidl logistics centre complete and operations with the creation of 250 new jobs, Marks and Spencer Exmouth and Honiton stores now open, new hotel development on the A3052 approved, Seaton Tramway new terminus under construction. Council approved £1.7 million loan towards the Science Park business expansion space.</p> <p>Major Headquarters offices under construction at Skypark and speculative build offers underway. Enterprise zone in place and addressing commercial interests. Greater Exeter Strategic Plan in development. Business rates regime in place and Local Development Orders (LDO) system in preparation.</p>
Deliver our target to pay businesses within ten working days and through our Procurement Strategy encourage local business to do business with the council.	On track	On average through 2017/18 we paid 93% of our invoices in 10 working days.
Deliver projects to help create the conditions for local economic growth in partnership with neighbouring authorities where shared objectives exist and improved efficiencies evidenced.	On track	Through the Enterprise Zone and Greater Exeter area council's partnership we will continue to secure significant central government and private investment. Joint working with the County and neighbouring district councils continues. Joint planning and engagement in Growth and Development Board implementation. Support to major energy, transport and communication infrastructure.
Identify and bring forward a pipeline of regeneration and development projects across the lifetime of the Council Plan to deliver benefits through regeneration and/or capital receipts.	On track	Work continues with seeking funding for the opportunity to provide additional workspace on the East Devon Business Centre site with a European Regional Development Fund (ERDF) bid currently being considered. Other sites that are not within EDDC control are also being actioned through discussions with landowners.
Implement the serviced workspace study recommendations and initiate site specific detailed reviews and business cases to seek investment and funding.	On track	We are working with the private sector to bring forward workspace opportunities in Colyton and Axminster and have undertaken a feasibility study for an extension to workspace provided at the East Devon Business Centre.
Increase income from existing assets either directly or through local partnerships.	On track	New Senior Manager – Property & Estates along with new Principal Building Surveyor now implementing greater commercialism into Team both in respect of income generation and management of costs.

Secure new job opportunities in conjunction with development arising from the Local Plan for local residents (both young and disadvantaged in the labour market).	On track	The Economic Development Team continues to work in partnership with the other Exeter and Heart of Devon (EHOD) authorities as part of the EHOD strategy where one of the common objectives is employment and skills.
Work in partnership with and gain the positive support of town councils and local partners to identify and deliver new opportunities for regeneration.	On track	Award winning Seaton Jurassic continues to operate successfully. Seaton Tramway redevelopment underway. Sidmouth Port Royal scoping study complete and Drill Hall site agreed to be marketed for redevelopment. Exmouth Mamhead slipway fully operational and Queens Drive planning approval secured.
Work with Exeter and Heart of Devon (EHOD) partner economic development teams to produce a joint economic development strategy which prioritises inward investment.	Achieved	The initial work of preparing a Joint Economic Development Strategy was completed in December 2016. We are continuing to work with the EHOD partners on the delivery of that strategy, focussing on skills and employment, inward investment, strategic land opportunities and business support.

Performance Indicators	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel
Creditor days - % of invoices paid within 10 working days	97	95 (3/12)	94%	93%	92%	92%	↓
Creditor days - % of invoices paid within 30 days	97	99 (3/12)	97%	97%	98%	97%	↓

## Council Priority 3 – Delivering and promoting our outstanding environment

Council Action 2016-20	Status	Comments
Adopt a Green Space Strategy, the purpose of which is to value and help protect our natural environment.	Achieved	Green Space Plan adopted by Full Council and actions within it are being taken forward by an service wide implementation group
Adopt Beach Management Plans (BMP) for our beaches working closely with town councils and manage the risk of coastal erosion and flooding.	On track	<p>Sidmouth BMP - BMP adopted, Public exhibition in Sidmouth 19th April to update people on the outline business case progress and proposed options for a beach management scheme. Publicity for this has been sent out and the SG asked to publicise it. The business case is to be submitted to the EA in summer 2018 to apply for funding for the construction phase of the project.</p> <p>Seaton BMP - The final report has now been added to our website at the link below, and will go to the next East Devon cabinet meeting for their consideration and adoption in early March. The BMP was agreed by Cabinet, our priority will now be a coast protection scheme from Seaton Hole to West Walk and the next stage of this is a report known as an Outline Business Case (OBC). The OBC includes the outline design, environmental impact assessment, more detailed economics and costings. Similar work is currently ongoing for a scheme at Sidmouth and as such we asked as part of the cabinet report if we could accelerate the project at Seaton so that the two schemes are run in parallel, with both OBC to be completed at a similar time this summer by our existing consultants Royal HaskoningDHV, this was agreed by Cabinet.</p> <p><a href="http://eastdevon.gov.uk/coastal-protection/beach-management-plans/seaton-beach-management-plan/seaton-beach-management-plan-final-report/">http://eastdevon.gov.uk/coastal-protection/beach-management-plans/seaton-beach-management-plan/seaton-beach-management-plan-final-report/</a> which should lead to the adoption of the BMP in spring 2018.</p> <p>Exmouth BMP - adopted and actions being monitored. 2020s will need to review need for beach recycling/replenishment.</p>
Enter into a new innovative recycling and waste collection contract extending the options for recycling and reducing waste that is incinerated or sent to landfill.	Achieved	<p>The new service is now embedded and working well. The week following Christmas saw over 600 tonnes of recycling collected (usual average is now 400 tonnes), a 60% increase on normal. Our crews had to work exceptionally hard in difficult conditions to make these collections.</p> <p>Work continues on crew monitoring, container return and vehicle littering.</p>
Explore opportunities for securing a Blue Flag for the beaches in East Devon.	Variation	<p>Due to the resignation of the previous Beach Safety Officer and other work demands this project has not been progressed beyond our unsuccessful application for the Seaside Award for Exmouth last year.</p> <p>We will look at this again when we have refilled the beach safety officer post and subject to budget approval we are intending to submit seaside awards for Exmouth and Seaton in 2018, Sidmouth and Budleigh in 2019, and a Blue Flag award for Exmouth in 2020 (the reason for the delay on blue flag is the work needed to get to submission standard)</p>
Implement a programme of fuel	On track	Front door programme almost complete across entire stock. Air

efficiency measures for council properties.		Source heat pump project in Exmouth being progressed, planned for 18/19 budget. This will be a pilot project and depending on its success we will then plan further ahead in terms of rolling this out wider. About to conduct a review of the fuel efficient shared house (passivhaus) in Exmouth
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Performance Indicators	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel
Percentage of Household waste sent for reuse, recycling and composting	47	50 (1/4)	51	57	57	57	↑
Residual household waste in kg per household	73		67	58	58	59	↑
Percentage of Municipal waste for disposal (incineration and landfill)	53		49	43	43	43	↑
Improved street and environmental cleanliness – fly tipping	3	3 (1/4)	4	2	3	3	↑
Management Note:	During the final quarter of this year there were 141 fly-tip incidents recorded (856 weighted), compared to 157 incidents (855 weighted) in the corresponding quarter last year. In total we recorded 532 incidents in 2017/18 (3331 weighted) compared to 494 (2390 weighted) in 2016/17, an increase of 7.7%. We recorded 300 investigations this in 2017/18 compared to 181 in 2016/17, an increase of 65%. These figures give us an overall grade of 3 which is our target level.						



## Council Priority 4 – Continuously improving to be an outstanding council

Council Action 2016-20	Status	Comments
Continue to develop self service capability of our website so that customers can access services online if they wish to.	On track	This project will now move into its second phase. The introduction of Firmstep is planned to commence in March 2019. In preparation for the implementation of this digital platform, key service areas will be capturing demand across all customer access channels. This will help determine the prioritisation of development of on line processes in Firmstep.
Continue to identify opportunities to save money across Teignbridge, East Devon and Exeter City councils as well as through established frameworks nationally.	On track	Details are included in the Council's adopted Transformation Strategy with progress reviewed by the Budget Working Party
Implement the approved Strata Business Plan (a wholly-owned ICT company by East Devon, Exeter City and Teignbridge councils) in order to deliver savings, reduce risks and improve capability for IT-enabled change.	On track	Currently delivering against Business plan with financial savings above target. Full details reported to Joint Scrutiny Committee and Joint Executive Committee
Relocate to Honiton and Exmouth Town Hall and establish surgeries where necessary to meet identified demand for particular services.	On track	Exmouth Town Hall refurbishment completed on time and now operational. Construction of the new HQ Blackdown House Honiton is well underway and on target for the relocation date of December 2018. Developer appeal successful and contract and sale price for Knowle redevelopment site confirmed.

Performance Indicator	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel
Percentage of Council Tax collected	99.01	86.53 (9/12)	30.35	58.15	85.94	98.98	↓
Percentage of Non-domestic rates collected	98.71	33.64 (9/12)	31.47	59.64	84.85	99.20	↑
Working days lost due to sickness absence	8.91	6.38 (3/12)	2.06	4.23	5.66	8.63	↓
Percentage of planning appeal decisions allowed against the authority's decision to refuse	34.4	30 (9/12)	42.9	28.6	34.3	35.7	↓
Management note:	A detailed assessment of the appeal decisions from 1 April 2017 to 31 March 2018 is currently being prepared and will be reported to the Strategic Planning Committee.						
Percentage of Stage 2 complaints responded to within stated timeframes	73	100 (3/4)	100	100	100	92	↑
Percentage of minutes and audio from council meetings uploaded together within 5 working days	100	100 (3/4)	100	100	92	100	↔
Percentage of FOI responded to within the statutory time limits	100	100 (3/4)	100	100	100	100	↔

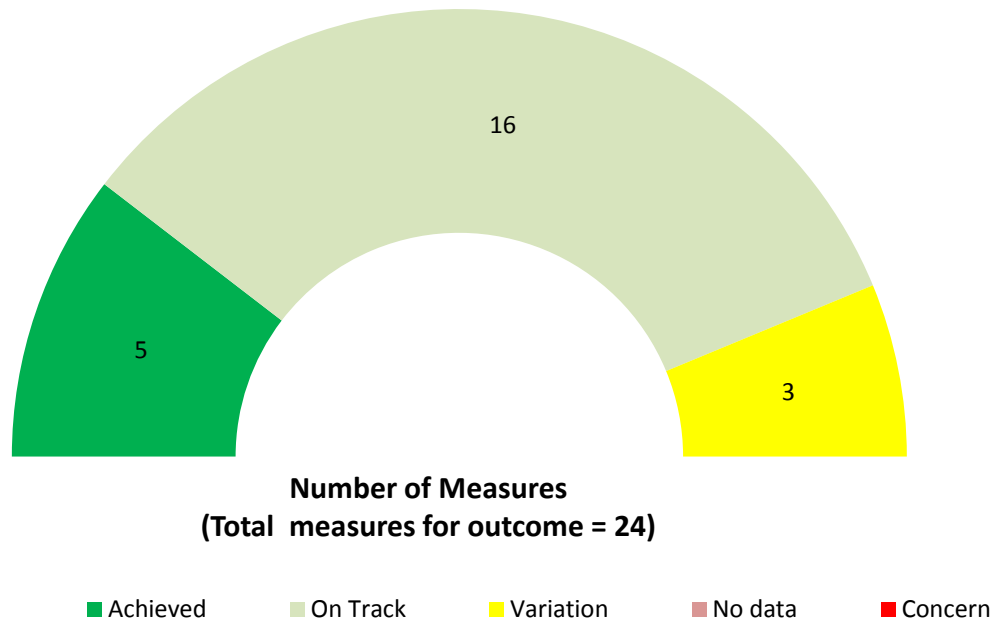
Number of focused Licence checks	150	114 (3/4)	58	103	152	184	↓
Number of focused vehicle license checks	120	90 (3/4)	32	65	80	103	↓
Management Note:	The objective of 120 vehicle checks has not been completed being just 17 short with 103 checks completed across the year. The demand on the licensing team of new work from Street Trading has had an impact on this objective. The team awaits recruitment of one further staff member in the forthcoming months which will address current work v staffing levels.						
Total average headcount (quarterly total)	503		505	505	503	499	↓
Cumulative Staff Turnover as a percentage of all staff (voluntary leavers)	10		2	5	8	10	↑
Capability at point of contact for Benefits	84		59	59	53	84	↑
% of residents who pay their Council Tax by Direct Debit	79		79	79	79	79	↑
Number of Level 2 complaints (year to date)	34		9	18	23	45	↑
Number of Freedom of Information Requests (year to date)	658		174	370	533	772	↑
Missed bin collections per 1000 households	14		Data not available	Data not available	20	20	↑
Days taken to process local land charges property searches	Less than 6	New PI	2	2	2	2	
Percentage of minor planning applications determined within 8 weeks	75.97	65.0 (3/4)	75	74.41	75.59	74.21	↓
Percentage of other planning applications determined within 8 weeks	86.26	80.0 (3/4)	86.03	84.44	83.56	85.53	↓
Days taken to process Housing Benefit/Council Tax Benefit new claims and change events	5.40	5.40 (9/12)	4.63	4.71	4.95	4.72	↑
Proportion of outstanding debt that is more than 90 days old from date of invoice	12		20	42	45	34	↓

Performance Indicator not linked to any aims	Prev Year End	Current Target	Q1 Actual	Q2 Actual	Q3 Actual	Q4 Actual	Direction of travel
Number of redundancies (year to date)	0	-	0	1	2	3	↑

**PRIORITY ONE: Encouraging communities to be outstanding**

**Service Plan Objectives - Quarter Four Results 2017/18**

**Progress towards  
outcome**



# Service Plan Objectives - Priority 1 v2

Annual report for 2017/2018

Arranged by Aims

Filtered by Aim: Priority Encouraging communities to be outstanding

## Key to Performance Status:

Key Strategic Objective:	No Data available	Milestone Missed	On track	Concern	Variation	Achieved
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\* indicates that an entity is linked to the Aim by its parent Service

## Service Plan Objectives - Priority 1 v2

### Priority: Encouraging communities to be outstanding

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
Achieved	LGL-PA-2188	<b><u>Advise on legal strategy / implementation of major projects (including regeneration) and related processes (internal with external resource where required).</u></b>	Governance and Licensing Services	Advice has been given as / when required.
On track	EEP-PA-2272	<b><u>Bring forward an investment proposal to accelerate delivery of key facilities in Cranbrook town centre in conjunction with Enterprise Zone status and to support the creation of a Community Wealth Fund</u></b>	Growth Point Team	Budget agreed to commission specialist retail advice. Project Initiation Document drafted and project team being constituted. Paper will be brought to Cabinet on potential investments.
Achieved	HOU-PA-2292	<b><u>Bring sub-standard housing (of all tenures) up to current standards.</u></b>	Housing	We have enforcement and housing management processes to ensure that housing achieves an acceptable standard. The Housing Strategy and Service Plan have been updated to reflect this as a Service priority. We have adequate budgets to ensure that Council housing is well maintained and improvement programmes alongside work to voids ensures that homes we rent offer good quality accommodation and value for money. Our Empty Homes Plan targets long term empties and bringing them back into use.
Variation	pla-PA-2113	<b><u>Complete the Cranbrook Masterplan and adopt it as a Development Plan Document (DPD) to guide the next phases of development at the new community</u></b>	Planning Strategy and Development Management	Feedback on the preferred approach consultation and a list of actions to move the plan forward were presented to Strategic Planning Committee and agreed in March. Work continues on these actions and it is intended to bring a publication draft back to Strategic Planning Committee in the Autumn as agreed.
On track	pla-PA-2213		Planning Strategy and	

## Service Plan Objectives - Priority 1 v2

### Priority: Encouraging communities to be outstanding

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>Continue to engage and support communities in Neighbourhood Planning activities</u>	Development Management	Support for neighbourhood planning groups is on-going and continues to be popular.
Achieved	LGL-PA-1809	<u>Continue to secure affordable housing (and other planning benefit through planning and property transactions and appropriate advice to council committees)</u>	Governance and Licensing Services	S106s have been completed which secure obligation on developer to provide affordable housing.
Achieved	LGL-PA-1811	<u>Continue to support the development management function in securing the right development in the right place, and taking effective enforcement action against unauthorised and harmful development.</u>	Governance and Licensing Services	Supported committees throughout the quarter / year and provided advice to officers throughout.
Achieved	LGL-PA-2253	<u>Deliver licences and consents in accordance with the revised Licensing and Gambling Policies and enforce where necessary.</u>	Governance and Licensing Services	Objective met in 17/18
On track	str-PA-2165	<u>Develop a range of cultural events and engagement activities such as outdoor theatre, children's education and outbound activities to link with the Countryside events brochure and give our communities varied opportunities to make the most of our outside spaces for culture and leisure, link with the health and wellbeing agenda to maximise opportunities for health in the environment.</u>	StreetScene	As last quarter - Ongoing & on track – we will be planning schools bedding/planting again for the summer along with National Play Day and Love Parks week.  Further development of other cultural events for parks has not progressed due to the responsible officer being on Maternity Leave. She will pick up this work when she is back in June.
On track	HOU-PA-2294	<u>Enable elderly persons, disabled people, and people with special needs to live as independently as possible and remain in their own homes if they so wish.</u>	Housing	All Housing teams worked together to deliver a service to our sheltered tenants over the weekend of severe snow, and to respond quickly to calls for help over the period. This was again achieve a fortnight later when the bad weather was repeated. Staff carried out visits in the villages where they live, helped feed pets that tenants could not get home to, provided bread and other basic provisions in cases of emergency and picked up essential medications where required.
On track	pla-PA-2214	<u>Enable the delivery of affordable housing, gypsy and traveller pitches, homes for life, self build plots etc to enable our diverse range of housing needs to be met.</u>	Planning Strategy and Development Management	We continue to deliver affordable housing through planning permissions for housing and mixed use developments subject to viability. We have been in negotiations on a couple of potential gypsy and traveller sites however it has not been possible to

## Service Plan Objectives - Priority 1 v2

### Priority: Encouraging communities to be outstanding

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
				reach agreement with land owners. The Cranbrook Plan Preferred Approach identifies two potential sites in the town which could help to meet the identified need and formed part of the recent preferred approach. The self build register continues to attract interest and is helping us build up a picture of demand for self build plots in the area that can help to inform a plan for addressing this demand albeit the high number of infill plots and windfall sites coming forward are already helping to meet this need.
On track	pla-PA-2218	<b><u>Ensuring that all new homes inspected by our building control service are built to appropriate standards ensuring that high quality homes are provided.</u></b>	Planning Strategy and Development Management	Plan check and Site inspection teams are in place and are effective.
On track	HOU-PA-2297	<b><u>Have consistently satisfied customers.</u></b>	Housing	We are working towards the improvements set out in our Service Plan that are aimed at improving customer satisfaction.
On track	HOU-PA-2293	<b><u>Improve the use and safety of housing</u></b>	Housing	Ongoing and core to everything we do. Remain compliant in terms of 100% gas safety record. Various policies and procedures are ensuring safety matters are being addressed and managed.
On track	HOU-PA-2291	<b><u>Maintain and manage the council owned housing stock to a high standard, actively involving tenants in all aspects of the service</u></b>	Housing	Across the landlord service we support service review groups where decisions are made jointly with tenants and have tenants on our Housing Review Board, sitting alongside elected members and community representatives. Recently tenants have been involved in tender selection for responsive repairs, and we have a designated tenant complaint group which hears formal complaints which have already been through the corporate complaint system. This group has proved quite effective in helping resolve disputes that would otherwise have moved on to the Ombudsman.
On track	P&E-PA-2279	<b><u>Manage the Beer Parish Council asset devolution pilot scheme proposals</u></b>	Property and Estates	Detailed proposals developed in discussion with EDDC and Beer Parish Council including car parks, engineers, and streetscene to ensure the operational and financial implications of asset transfer are resolved. Temporary local asset management arrangements in place for 2018/19 pending resolution of long term asset transfer details.
On track	HOU-PA-2290	<b><u>Prevent homelessness wherever possible, and otherwise ensure that accommodation is available</u></b>	Housing	We are following the early intervention and homeless prevention approach advocated in our adopted Homelessness

## Service Plan Objectives - Priority 1 v2

### Priority: Encouraging communities to be outstanding

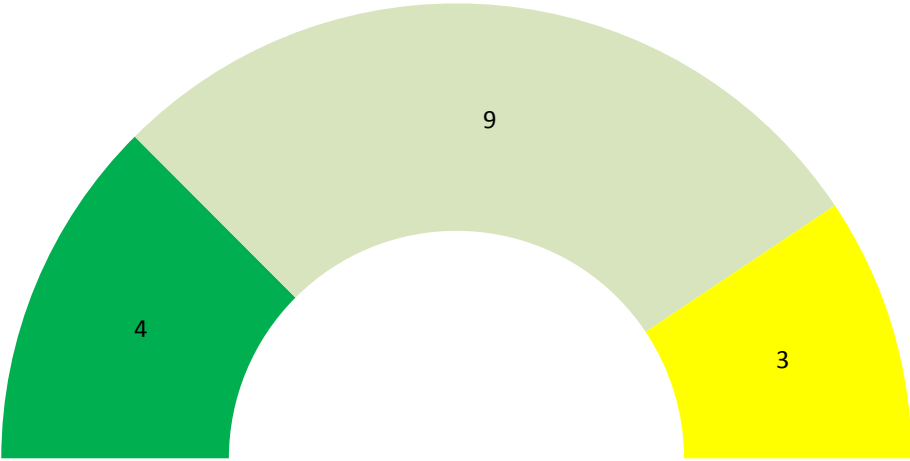
#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>for those who do become homeless</u>		Strategy. This approach has been successful ensuring that we deliver good outcomes for households threatened with homelessness.
On track	HOU-PA-2289	<u>Provide a range of affordable housing to meet housing needs.</u>	Housing	Our development programme is providing new affordable homes with partner housing associations' combined with our own acquisition programme using Right to Buy receipts.
Variation	LGL-PA-2189	<u>Provide governance advice and support for any devolution deals or joint committees that may come forward.</u>	Governance and Licensing Services	No devolution deal came forward in 17/18.
On track	HOU-PA-2296	<u>Support the improvement and regeneration of local communities by encouraging social inclusion, involving children and young people in housing issues, and enabling residents to actively participate in their communities.</u>	Housing	All teams in Landlord Services continue to involve tenants in all areas of their work, through service review groups, joint projects, events for residents locally and training in specific areas. We do this for all ages and abilities.
On track	pla-PA-2217	<u>To produce a Masterplan for the allocated land east of Axminster in partnership with the landowners, developers and local community in association with the Axminster Neighbourhood Plan</u>	Planning Strategy and Development Management	We have been out to tender for consultants to assist in the preparation of the masterplan and are currently considering the submissions with a view to appointing consultants shortly.
Variation	P&E-PA-2278	<u>Transfer of the Younghayes Centre to the Cranbrook Town Council</u>	Property and Estates	Solicitors on both sides instructed and progressing. Remaining issues still need to be addressed.
On track	pla-PA-2215	<u>Use planning policy to promote and encourage new high skilled and well paid employment across the district.</u>	Planning Strategy and Development Management	The policies of the Local Plan seek to promote high skilled and paid employment and the granting of consents with the growth point in particular are helping to deliver on this objective while this aspiration is also being carried forward into the Greater Exeter Strategic Plan.
On track	HOU-PA-2295	<u>Widen the choice of housing, especially for those in priority need.</u>	Housing	Our Devon Home Choice allocation system delivers choice to applicants and we also identify opportunities for renting in the private sector.

**PRIORITY TWO: Developing and outstanding local economy**

**Service Plan Objectives - Quarter Four Results 2017/18**

**Progress towards outcome**



**Number of Measures  
(Total measures for outcome = 16)**

- Achieved
- On Track
- Variation
- Concern



## Service Plan Objectives - Priority 2 v2

Annual report for 2017/2018

Arranged by Aims

Filtered by Aim: Priority Developing an outstanding local economy

### Key to Performance Status:

Key Strategic Objective:	No Data available	Milestone Missed	On track	Concern	Variation	Achieved
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\* indicates that an entity is linked to the Aim by its parent Service

## Service Plan Objectives - Priority 2 v2

### Priority: Developing an outstanding local economy

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
Variation	str-PA-2167	<b><u>Complete a review of district wide public toilet provision and report to the AMF with a range of suggestions to reduce reliance on general fund budget by analysing the possibility of paid access at some key sites, leases to businesses for some toilets and other innovative ways of reducing the costs of providing the service.</u></b>	StreetScene	The consultation document has been completed and agreed by SMT. The consultation is now on hold pending the change of EDDC Leadership. The new Leader will be reviewing options or taking this forward shortly before deciding on the approach.
On track	pla-PA-2219	<b><u>Continue to positively support the build out of infrastructure and commercial projects at the new growth point. Support the introduction of an enterprise zone including bringing forward Local Development Orders</u></b>	Planning Strategy and Development Management	We continue to work pro-actively with developers to enable developments to come through the planning process quickly while maintaining quality.
On track	Eco-PA-2282	<b><u>Continue to progress the Queen's Drive redevelopment opportunity in Exmouth. Undertake a design review and developer selection for phase 3. Identify temporary solutions for the vacant areas of the site for the summer season 2017. Commence delivery of phase 1</u></b>	Regeneration & Economic Development	Phase 1 road and car park starts this summer if Grenadier Estates secure planning permission for the watersports centre (phase 2). The application will be heard at June DMC. Hemingway Design is now appointed to work on the visioning exercise for design and uses for phase 3. Temporary uses will be open on the site from the end of May including a new free play area, food and drink offer and events
On track	Eco-PA-2283	<b><u>Continue to work with Sidmouth Town Council to support the delivery of the scoping exercise for the Port Royal site and take forward the outcomes of that scoping exercise.</u></b>	Regeneration & Economic Development	Currently progressing the selection of an external advisor to assist with the marketing of the Drill Hall site.
On track	P&E-PA-2280	<b><u>Enable the council to take a decision on the construction or otherwise of new workspace units at Seaton.</u></b>	Property and Estates	Expressions of Interest complete, with quite a number of contractors registering an interest to both projects. One being at the Fosseyway and the

## Service Plan Objectives - Priority 2 v2

### Priority: Developing an outstanding local economy

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
				other being at Colyford Road. Process ongoing with shortlisting of candidates and second stage of more detailed submissions. On track to complete process by June / July.
On track	EEP-PA-2273	<b><u>Ensure the Enterprise Zone becomes operational with robust governance arrangements and that critical investments to unlock the delivery of floorspace are brought forward</u></b>	Growth Point Team	A Cabinet Paper has been drafted for the April 2018 meeting that seeks EDDC to borrow up to £8 million to support the delivery of critical investments within the Enterprise Zone. Branding and signage work is progressing well, signs have been finalised and the leaflet is close to completion. The website is close to completion.  Floor space delivery is progressing with buildings completed at SkyPark and new buildings under construction at Science Park.
Achieved	Eco-PA-2284	<b><u>Establish a monitoring system to identify external funding opportunities for appropriate regeneration and economic development projects</u></b>	Regeneration & Economic Development	Monitoring process and funding spread sheet has been established. This has underpinned 2 major funding applications by EDDC (ERDF and CCF) and the information has been disseminated to hundreds of local businesses.
On track	EH-PA-2238	<b><u>Our commercial premises team will explore the feasibility of offering a range of business advice and support services to local businesses. We will offer an enhanced food hygiene registration scheme to those businesses who would like consultancy time specifically dedicated to helping them improve their regulatory compliance generally and their food hygiene rating score in particular. We will market support package options (to include training, coaching and auditing) to newly registered businesses this year</u></b>	Env Health & Car Parks	Presently putting together a training opportunity for businesses to run on the 1st March to gauge interest. Preparing a report for SMT proposing a charging regime for coaching and mentoring work above the usual level of service provided by the team
On track	Eco-PA-2285	<b><u>Project Pipeline Plan to identified funding bids/opportunities - New workspace provision (x3 locations)</u></b>	Regeneration & Economic Development	There has been substantial progress made in both the identification and initial feasibility review of a series of potential workspace developments. A list of these has been developed for review.
On track	EH-PA-2158	<b><u>We will find innovative ways to promote inspection outcomes under the Food Hygiene Rating Scheme (FHRS) and to review the ways in which we draw attention to</u></b>	Env Health & Car Parks	Have developed a report showing the premises inspections for the previous month and how the FHRS has changed. Discussing mechanisms to

## Service Plan Objectives - Priority 2 v2

### Priority: Developing an outstanding local economy

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>those outcomes. This will provide a clear incentive for businesses to improve their compliance with regulatory standards we will clearly and expressly identify businesses who have achieved improved scores and those who have not</u>		get this information on the website in a user friendly manner
Variation	str-PA-2247	<p><u>Review our events booking procedure and agree a protocol to include a streamlined process; cross reference with other departments; local rules for areas and sites such as Exmouth Strand and an improved charging structure.</u></p> <p><u>Develop a package of increased events charges across our assets to generate a better income whilst balancing this with encouraging our communities to be outstanding. Introduce and market charges for events such as weddings, where key sites such as Connaught Gardens would be closed and rented out for a function, charges would be in line with private sector.</u></p>	StreetScene	<p>We submitted a proposal for an Events Officer to better market our open spaces for events, to generate an improved income from our assets at the same time as improving the events offer for residents and visitors. At the January budget Overview &amp; Scrutiny committee the special item was discussed and it was agreed that John Golding would bring a further paper to the March meeting with a more detailed business case (as was planned for the item). The further report looked at how the post might operate, where it would be hosted and how it could pull together the various events staff resources into a mini team for the council, this report also went to Cllr Thomas' think tank and will now be submitted as a budget bid in the 2019 budget round.</p> <p>In the meantime we have continued to work with events providers to host events on our land, but have been unable to progress the review of the process and increased events charges.</p> <p>More recently we have worked closely with Licensing to manage the issues around charging for Street Trading Consent. This process has now been changed to be a free application and we are working with Licensing to streamline applications for customers so that there is one point of contact for EDDC land permission and licensing permission for an event.</p>
Achieved	LGL-PA-2254	<u>Street Trading consultation with a view to developing and bringing in a more flexible policy while also extending the control to the whole district.</u>	Governance and Licensing Services	Objective met with new regime coming into effect 2nd Oct 2017.
On track	pla-PA-2221	<u>Work with the Economic Development team to support the delivery of employment sites across the district and ensure new potential employment sites are fully considered as part of the</u>	Planning Strategy and Development Management	We continue to respond positively wherever possible to proposals to deliver employment sites. We are also working with the Economic Development Team to see how we can work better together to achieve our

## Service Plan Objectives - Priority 2 v2

### Priority: Developing an outstanding local economy

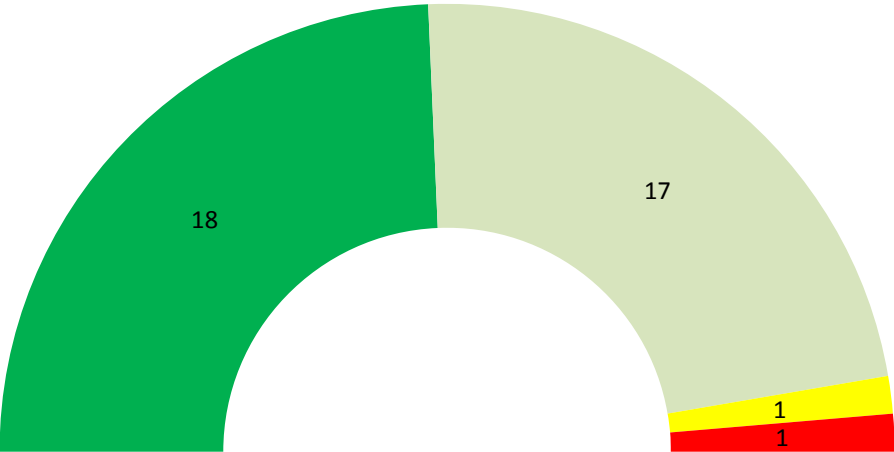
#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<b><u>Housing &amp; Economic Land Availability Assessments (HELAA).</u></b>		common goal of delivering employment spaces to meet the needs of the district.
Achieved	EH-PA-2240	<b><u>We will consult with our customers and stakeholders on a review of the type and charges for parking permits across East Devon. We will also consult on a simplified tariff for cash, card and parkmobile customers across all East Devon pay and display car parks.</u></b>	Env Health & Car Parks	We are currently undertaking a broad public consultation exercise to assist us in reviewing fees and charges. Predictably the exercise is attracting a lot of interest and the outcomes will be reported to Members after the consultation period ends on 1 June 2018.
Achieved	EH-PA-2239	<b><u>We will explore opportunities to offer simplified car parking tariffs (and in consequence simpler signage) in our car parks. Those tariffs must still enable car parking space demand to be effectively managed and represent responsible financial management of the Council's car parking assets</u></b>	Env Health & Car Parks	The possibility of simplifying our tariffs is one of the areas being explored in our current public consultation exercise.
Variation	pla-PA-2220	<b><u>Working in partnership with other authorities in the Greater Exeter area to develop a strategic plan which enables the local economy to grow and develop to provide higher skilled and paid employment within knowledge based economic areas.</u></b>	Planning Strategy and Development Management	The timetable for the GESP has slipped for a variety of reasons as detailed in the report to Strategic Planning Committee on 24th April, however work continues to progress this key piece of work.

**PRIORITY THREE: Delivery and promoting our outstanding environment**

**Service Plan Objectives - Quarter Four Results 2017/18**

**Progress towards  
outcome**



**Number of Measures  
(Total measures for outcome = 37)**

■ Achieved   ■ On Track   ■ Variation   ■ Concern

## Service Plan Objectives - Priority 3 v2

Annual report for 2017/2018

Arranged by Aims

Filtered by Aim: Priority Delivering and promoting our outstanding environment

### Key to Performance Status:

Key Strategic Objective:	No Data available	Milestone Missed	On track	Concern	Variation	Achieved
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## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
On track	P&E-PA-2281	<b><u>Completion of a condition and stock survey programme which will enable the production of more detailed planned maintenance programmes.</u></b>	Property and Estates	A rolling programme of stock condition surveys in accordance with best practice has been established from 2016 where 20% of the stock is surveyed every year. The whole stock being resurveyed every five years. In connection with this year's surveys we aim to complete these by the end of August 2018, along with the annual review of our planned maintenance programme. This is planned to be in time for next year's budget setting process starting in September.
On track	str-PA-2250	<b><u>Continue to work with the Environment Agency (EA) and other partners to deliver the Exmouth Tidal Defence Scheme; providing improved protection to storm surge and coastal flooding for the seafront properties in the Morton Crescent to Camperdown area of the town.</u></b>	StreetScene	Work continues with EA and their supplier TVO to deliver scheme. Topographic and bathymetric surveys majority complete, with intrusive surveys to follow later in Spring.
On track	Cou-PA-2230	<b><u>Cranbrook Healthy New Town outreach – social prescribing / referrals, health walks (LED), cycle route developments (Active Devon)</u></b>	Countryside, Arts and Leisure	Continued work has been undertaken with Cranbrook schools, Active Devon and Sustrans on activity projects and outdoor learning. This has included move a mile walks, regular country park sessions with education campus and free wildlife trails for school holidays.
On track	Cou-PA-2143	<b><u>Deliver countryside outreach work programme within targeted communities across East Devon collaborating with Housing</u></b>	Countryside, Arts and Leisure	A successful year has been completed with 48 outreach sessions delivered to targeted communities through Switch Groups, community fun days and children's centres across the district. This cross working with housing has been working very effectively.
On track	pla-PA-2222	<b><u>Delivering and promoting green infrastructure including Suitable Accessible Natural</u></b>	Planning Strategy and	The provision of SANGS continues to be pursued through the joint habitat mitigation

## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>Green Space (SANGS) across the district. Support the new joint committee with Exeter City Council and Teignbridge District Council</u>	Development Management	board in partnership with Exeter CC and Teignbridge DC.
On track	EEP-PA-2274	<u>Delivery of habitat mitigation measures, both on-site and off-site, through the Habitat Regulations Executive Committee</u>	Growth Point Team	Dawlish Country Park now open and Habitat Mitigation Officers in post. Wildlife Refuges in the process of being implemented and new Codes of Conduct agreed. Bid to the Housing Infrastructure Fund to support SANG delivery successful.
Achieved	Cou-PA-2233	<u>Delivery of the recently awarded Tesco's bags for life grant award on supporting workshops and enhancing the garden</u>	Countryside, Arts and Leisure	The grant awarded by this scheme has been fully spent on improving the wildlife garden in front of the Thelma Hulbert Gallery (THG) involving local school children from Honiton.
Achieved	Cou-PA-2144	<u>Develop a programme of health walks, green gym project and GP referral scheme that helps to deliver the East Devon Public Health Plan</u>	Countryside, Arts and Leisure	A key programme of health walks are being delivered by partner LED. Covering all major towns and valleys within in East Devon. Including Exmouth, Honiton, Sidmouth, Seaton and the river valleys of Axe, Sid and Otter. Volunteering opportunities in the countryside team have been growing in levels. We now offer 3 opportunities each week for outdoor volunteering. There are no GP referral schemes running but we are working closely with Public Health officer to make better links with GP's across the district.
Achieved	Cou-PA-2227	<u>Develop maths curriculum pack and assessment CPD working with Devon Schools curriculum adviser – roll out to all secondary schools in district</u>	Countryside, Arts and Leisure	Summary Statement: This has been completed and training course will be delivered again in Summer 2018.
On track	Cou-PA-2231	<u>Develop new community reserve Hillcrest forward as Exmouth Green Infrastructure proposals – and enhance the access and enjoyment of the Valley Parks</u>	Countryside, Arts and Leisure	Severe delays in the acquisition of the Hillside site means that we are behind schedule with community engagement with this site - however now the site has been handed over we can establish the local working group
Achieved	Cou-PA-2147	<u>Develop new income streams around woodland products, facilities hire, corporate away days and review events to drive up income potential. Investigate opportunities for creating franchised out operations on selected Local Nature Reserves (LNR) eg bike hire, café</u>	Countryside, Arts and Leisure	Delivered for the year.
Achieved	Cou-PA-2146	<u>Develop phase 2 of the Community Orchard project collaborating with Housing &amp; Streetscene services that links</u>	Countryside, Arts and Leisure	Series of events have been undertaken over the winter to celebrate and look after the 3 new orchards. This has included harvest and blossom events. Survey work

## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>to East Devon's Public Health Plan</u>		is underway to identify a 4th site in Sidmouth for a Orchard or Fruit route to be planted for winter 2018.
Achieved	Cou-PA-2234	<u>Enter the Family Arts Festival award and Devon Tourism award 2017.</u>	Countryside, Arts and Leisure	The THG entered this award for 2017 however though nominated did not pick up an award thus year despite the success of the last 3 years picking up Gold and Silver.
Concern	str-PA-2170	<u>Feniton flood alleviation scheme – Phase 1 &amp; 2 works were completed as planned. Phase 3 tendered for. Review risks of under track crossing – Phase 3 and find a way to deliver this with an acceptable level of financial risk. Possible re-tender of a larger package of works directly with Network Rail. Tender phase 4 works in early 2017 for completion by the end of 2018 to provide a completed flood alleviation scheme for Feniton.</u>	StreetScene	Form 1 (approval in principle) reviewed by Network Rail delivery team, and verbal approval received. EDDC are currently awaiting the draft Basic Services Agreement from Network Rail, which was expected in March.
On track	str-PA-2249	<u>Future district wide provision of Garden Waste Collection Service - Support Otter Rotters to get to a position where they can offer a service to the whole district and sign a Service Level Agreement with the council, or investigate other ways of providing the service.</u>	StreetScene	Otter Rotters were unable to provide evidence of the provision of a viable service. The EDDC/SUEZ partnership has investigated an alternative means of delivering a district wide green waste collection service which is due to go-live in May 2018.
On track	str-PA-2251	<u>Green space Plan - Continue to review our green and open spaces through completion and implementation of our Green Space Plan.</u> <u>- Assist Countryside in getting the policy adopted and then implement its management policies.</u> <u>- Review our green spaces and categorise our sites, rationalise spend on prime sites in line with GSS.</u>	StreetScene	Work has been taking place on the categorisation of our green spaces. Most StreetScene green spaces have been completed, with Housing and some Countryside sites still to do. We are going to begin reviewing the scoring of sites at our next GSP implementation group meeting on 17 April. The scoring will allow us to start thinking about which lower scoring sites we might recommend for reviewing. Before we can complete tis we are investigating the use of s106 funding to complete a categorisation review of all green space with East Devon (not only EDDC owned sites). This would update our strategic planning documents - Green Space Strategy, which would allow us to see how much of any particular green space typology there was in a given area. This would then allow us to make informed decisions about which sites might be recommended for review.  Other GSP policy actions:



## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
				<p>• CGS2 – Minerva Country Park – Countyside had early involvement via planning policy. GSP group to brief Planning DM meeting so that there can continue to be early involvement of land managing departments (StreetScene, Countryside) in strategic planning decisions where we might become responsible for maintaining an area.</p> <p>FS Policy 1 – Countryside have refreshed their entry point signs. Next priority will be Phear Park. StreetScene Area Managers will then prioritise other key park sites to start updating entry point signage.</p> <p>• Wild Exmouth Plan for lottery funding FS Policy 1, 2 &amp; 3 - Update / plan going to next implementation group. Streetscene will be reporting back on meadow and wildflower trials across district for Summer 2018.</p> <p>- Visitor survey to be refreshed and results published for Autumn 2018.</p>
Achieved	Cou-PA-2226	<b><u>Habitat and species recording programme to be set by the Trainee Countryside Ranger</u></b>	Countryside, Arts and Leisure	Trainee role has been removed from budget, but 2018/19 will see the framework of survey and monitoring established by the role, continued by the Countryside Team staff.
Achieved	Cou-PA-2229	<b><u>Implement new tree software (Ezytreev) for Tree team to enable better data capture</u></b>	Countryside, Arts and Leisure	Software installed
Achieved	Cou-PA-2235	<b><u>Manor Pavilion theatre car park to be changed into a pay and display car park.</u></b>	Countryside, Arts and Leisure	The pay and display arrangements are now fully functional and have been bringing in income to the theatre's cost centre. The 4 months trading period in 2017/18 has helped offset the costs of creating the car park and the purchase of the machines.
On track	str-PA-2169	<b><u>Asset mapping &amp; condition survey. Following the completion of the digital mapping of our assets (Street furniture, signs, bridges, flood defence schemes) plan and implement a programme of scheduled asset inspections and produce a written procedure (as detailed in Asset Audit)to help us better protect the public and plan a proactive maintenance budget. Procedure to include method for keeping the mapping data current and also how it will link</u></b>	StreetScene	Property and estates have reviewed the prioritised sites given by StreetScene Ops. Comments received on asset inspection protocol from StreetScene West, comments form East team awaited. Draft protocol to be sent to SMT following StreetScene East comments.

## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>to a software system to track condition and maintenance (such as Uniform).</u> <u>Agree an Asset inspection protocol and service asset management plan in conjunction with Estates and inspect assets accordingly.</u>		
On track	CS1-PA-2260	<u>Monitoring of customer feedback as the waste &amp; recycling scheme is rolled out will require quick responses and close working with Streetscene and the Contractor to correct any problems identified immediately.</u>	Customer Service	comments and feedback from customers is being forwarded to the Recycling and Waste team. Regular meetings are being held to discuss any relevant points and progress this project. The scheme has been released for subscription and the collection of green waste will commence in May
On track	str-PA-2172	<u>Seaton Beach Management Plan (BMP) to produce a beach management plan for Seaton beaches from Seaton Hole to Axmouth Harbour which will produce options and costs to manage the beaches over the next 10 years.</u> <u>• Working with all stakeholders through a steering group, develop a Beach Management Plan to ensure the existing standard of protection from flooding is maintained or improved and that erosion is managed in line with the shoreline management plan.</u> <u>• BMP to tender &amp; completion</u> <u>• Use BMP to design a scheme of works to help protect Seaton beaches &amp; apply for DEFRA funding if appropriate.</u>	StreetScene	Beach Management Plan completed adopted by EDDC cabinet in March. Options appraisal of dredging options remains under consideration, and enquires continuing via the Marine Management Organisation.
On track	Eco-PA-2286	<u>Similar to Seaton Jurassic and Mamhead Slipway, prepare practical business support and regeneration developments that visibly deliver the Council's environmental, cultural and countryside/coastal commitments eg:</u> <u>• Watersports Centre</u> <u>• Street trading in local craft and produce</u> <u>• Sidmouth seafront/Port Royal renewal</u>	Regeneration & Economic Development	Street Trading is progressing with a large market event being organised by the ED team for Honiton in July. Street Trading is also a key feature of the temp. uses at Queens Drive, Exmouth. The Water sports application has been submitted for Queen's Drive.
Achieved	Cou-PA-2228	<u>Submit a Green Flag application for Seaton Wetlands</u>	Countryside, Arts and Leisure	Application has been submitted and site will be judged in the coming months via a mystery judging visit.
Achieved	Cou-PA-2154			

## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<b><u>Support the work of the East Devon Area of Outstanding Natural Beauty (AONB) &amp; Blackdown Hills AONB Partnerships to deliver their annual business plan outputs – promoting the value of the landscape and wildlife of these nationally important landscapes</u></b>	Countryside, Arts and Leisure	EDDC has helped through its grants towards both AONBs deliver a comprehensive programme of activities and projects (details of which can be found on the Annual Review document available on their websites) the funding from EDDC supports both the core team costs as well as match funding for a variety of projects and matches the 75% funding from Defra.
Achieved	Cou-PA-2237	<b><u>Support work of the Arts &amp; Culture Forum to scrutinise and implement the adopted EDDC Cultural Plan 2017-2022</u></b>	Countryside, Arts and Leisure	2017/18 has seen the Forum scrutinise the work of all its cultural services - Countryside, AOMNB Partnerships, THG and the Manor Pavilion Theatre within its biennial meetings. The FORum has approved the new Villages in Action programme for 2018 with a new delivery body - Carn to Cove, it has agreed to continue its support for its local museums through the SW Museums partnership and is overseeing the development of a new web presence. All these areas are within the 5 year Cultural Plan
On track	str-PA-2174	<b><u>Following the creation of a small in-house operational trees team (from re-allocation of contractor budgets): Progress work on a business case to grow the team allowing us to take more work in-house, do more proactive management of our tree stock, generate an income from timber arising and outside work and put in place a forward plan for tree planting. Produce Trees policy for management of council owned stock to fulfil Green Space Plan (GSP) Objective 7 (see GSP for further details). Work with Housing &amp; Countryside to better manage our entire tree stock.</u></b>	StreetScene	Update, we have an ATR in for a team leader to start moving the objectives forward once approved. We will then work with the team leader to appoint two operatives to work with the team leader after both of our operatives left their posts. We hope to have this completed for the end of June.
Achieved	CS1-PA-2259	<b><u>The Customer Service Centre (CSC) will be responsible for defined deliverables within the implementation the new recycling scheme. Changes will need to be implemented to the CSC processes and systems and staff training provided and appointment of temporary staff.</u></b>	Customer Service	A number of new and amended processes have been delivered to the CSC to ensure that a smooth service is offered to our customers. There has been a huge amount of work completed with education of our team to skill for this important scheme. No temporary staff were approved for this project and therefore this did have an impact on both performance and staff morale. Wait times for customers to be answered increased.
Achieved	Cou-PA-2148	<b><u>The further development of the THG's outreach programme</u></b>		This has been delivered - with a programme of self supporting adult

## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>with funding bids to Arts Council England, Non Profit Organisations and Heritage Lottery Fund.</u>	Countryside, Arts and Leisure	workshops, Arts Council supported exhibitions, workshops with Memory Café groups, learning difficulty workshops led by Arts Council funded artists in residence scheme, THG takeover project in Exmouth are some of the highlights. Further detailed information can be provided on request
Achieved	Cou-PA-2236	<u>Theatre to set up arrangements for the bar to be able to take chip and pin sales.</u>	Countryside, Arts and Leisure	In place and achieving increased bar sales
Achieved	Cou-PA-2232	<u>Thelma Hulbert Gallery (THG) to work with EDDC's Housing tenants to run an exhibition</u>	Countryside, Arts and Leisure	This exhibition was successfully delivered with the highest quality collection of Housing Tenant's work the THG has exhibited so far. It is due to run again in 2018.
On track	pla-PA-2223	<u>To continue to enforce against unauthorised and harmful developments quickly and effectively</u>	Planning Strategy and Development Management	We continue to respond quickly to complaints about unauthorised developments and take formal action where these are harmful and cannot be resolved through negotiation with the developer.
On track	pla-PA-2117	<u>To produce a District Design Guide and Householder Design Guide to improve the quality of new buildings and places to enable the development of places that work.</u>	Planning Strategy and Development Management	It remains an objective to produce further design guidance to improve the quality of new building in the district, however on-going work on the Cranbrook DPD and villages plan as well as the secondment of staff to the Greater Exeter Strategic Plan team have limited our ability to progress this work. Once replacement staff have been appointed and other work further progressed then resources will be committed to this work.
Achieved	pla-PA-2118	<u>To provide a responsive and pro-active dangerous structures service to ensure that action is taken against any dangerous structures in a timely manner</u>	Planning Strategy and Development Management	A number of recent, successfully completed, high profile and significant cases has demonstrated the effectiveness of the DS service.
Variation	str-PA-2175	<u>Update our Play Strategy to improve outdated sites, ensure appropriate provision, introduce play space and 'play along the way' micro parks. Include in the strategy a rolling maintenance and refurbishment programme for our existing sites and plan in the use of s106 funds for these and ongoing maintenance where possible. Relate the Play Strategy to the Green Space Plan (GSP) so the two work in harmony. Implement GSP Children &amp; Young People's space objectives 1-4 once GSP is</u>	StreetScene	We've had additional high priority schemes to complete such as Queen's Drive, Exmouth, and staff absences. The timetable for the play strategy has been revised with draft report to go to SMT in June.

## Service Plan Objectives - Priority 3 v2

### Priority: Delivering and promoting our outstanding environment

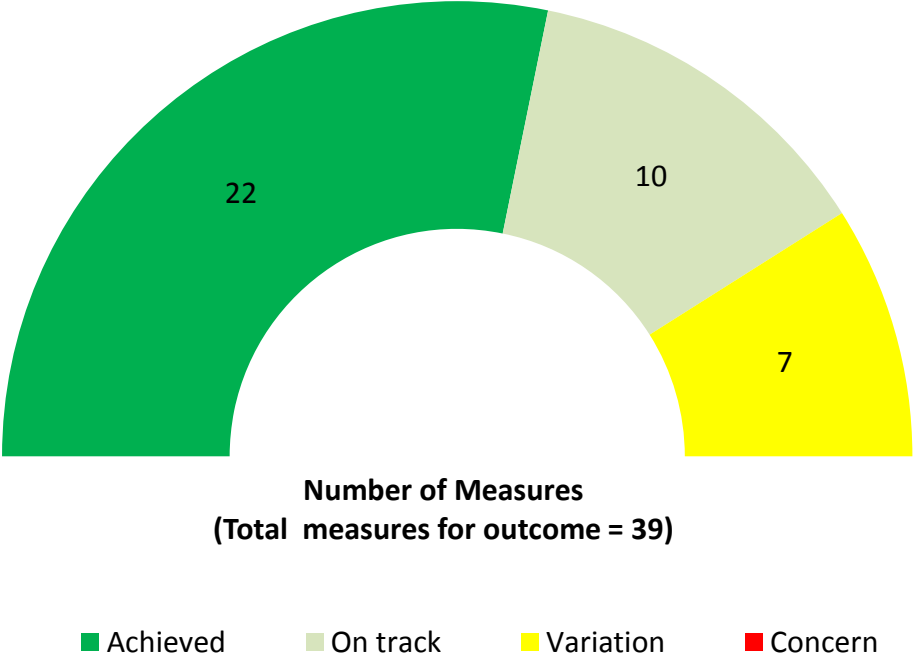
#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>adopted.</u>		
On track	EH-PA-2241	<u>We will monitor and report on levels of air pollution at relevant locations around East Devon. The recorded and predicted pollution levels will be compared to nationally accepted levels and if it is appropriate to do so, we will take further steps to secure air quality improvements via an action plan</u>	Env Health & Car Parks	The results obtained for 2017 have not yet been validated by DEFRA but there are no indications in the raw data that any further steps are needed, although we are concerned about levels at Clyst St Mary and have therefore taken steps to erect some continuous monitoring equipment there which will be in place for the next two to three years.
Achieved	EH-PA-2243	<u>We will review the Honiton Air Quality Management Area. Air quality Monitoring continues to take place in Honiton but our detailed assessment results this year mean that we can now review the Honiton Air Quality Management Area (AQMA). Our data suggests that it may be possible to revoke to Order designating the AQMA but this must now be subject to critical examination by DEFRA.</u>	Env Health & Car Parks	Revocation of the order has been agreed by DEFRA and Cabinet and the legal process to conclude this will soon be completed.

**PRIORITY FOUR: Continuously improving to be an outstanding council**

**Service Plan Objectives - Quarter Four Results 2017/18**

Progress towards  
outcome





## Service Plan Objectives - Priority 4 v2

Annual report for 2017/2018

Arranged by Aims

Filtered by Aim: Priority Continuously improving to be an outstanding council

### Key to Performance Status:

Key Strategic Objective:	No Data available	Milestone Missed	On track	Concern	Variation	Achieved
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\* indicates that an entity is linked to the Aim by its parent Service

## Service Plan Objectives - Priority 4 v2

### Priority: Continuously improving to be an outstanding council

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
Achieved	OD-PA-2201	<u>Agree new policies with UNISON in relation to travel and home working.</u>	Organisational Development	All policies have now been agreed with UNISON. Management briefings have taken place and the policies will now be communicated to staff via meta-compliance.
Achieved	OD-PA-2266	<u>Complete and fundamental review of Workforce Plan and produce a People Strategy</u>	Organisational Development	This has been achieved. Additionally, the People Strategy was given a 'substantial' rating by our internal audit team.
Achieved	OD-PA-2206	<u>Consult UNISON and staff individually and collectively with regard to office move where staff move to Exmouth ahead of October 2017</u>	Organisational Development	This was achieved for all those moving to Exmouth Town Hall - the next phase will be to consult with those moving to Blackdown House.
Achieved	LGL-PA-2197	<u>Continue to develop and progress Member development programme</u>	Governance and Licensing Services	Member Development working party considering a rolling programme of development needs/issues and we have sought to maximise opportunities within budget available. Data protection and planning training programmed in.
On track	Eco-PA-2288	<u>Continue to identify ways in which we can encourage businesses to establish and grow within the District and thereby increase the business rate income to the Council.</u>	Regeneration & Economic Development	Our capacity to proactively respond to commercial land and premises requests has been augmented by our use of CoStar to help facilitate indigenous business growth and inward investment.
Variation	LGL-PA-2255	<u>Continue to progress the Council's transformation &amp; mobile working strategies across the service (including use of mobile devices where appropriate).</u>	Governance and Licensing Services	Positive approach to mobile / flexible working but systems thinking, while commenced, has not completed in 17/18.
Achieved	LGL-PA-1291	<u>Continue to provide integrated interdisciplinary legal service for major projects such as office relocation, Seaton and Exmouth Projects</u>	Governance and Licensing Services	Legal Services have continued to work with major project groups to advise and assist.
Achieved	fin-PA-2264		Finance	



## Service Plan Objectives - Priority 4 v2

### Priority: Continuously improving to be an outstanding council

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<b><u>Corporate Fraud &amp; Compliance – Prepare strategy to take this function forward with details of approach on how to tackle all areas of Fraud &amp; Compliance across the Council with possibilities of offering services to other organisations in the future.</u></b>		Completed. This was approved by Cabinet on 13 July 2017
Variation	LGL-PA-2005	<b><u>Deliver service efficiencies and improvements through the application of Systems Thinking principles and ensure that we do ‘what matters’ for our customers including engaging with other services who are carrying out reviews to enable holistic approach.</u></b>	Governance and Licensing Services	Due to competing pressures, systems thinking has not been completed within the service in 17/18.
On track	OD-PA-2268	<b><u>Develop and implement communication and consultation strategies for key regeneration projects in Exmouth and elsewhere in the district. Specific use of ‘infographics’ to help get the message out there using social media</u></b>	Organisational Development	We continue to work closely with the regeneration team to ensure that communication around key projects is prioritised.
On track	CS1-PA-2265	<b><u>Encourage customers contacting the CSC to use self service – measurers do not currently exist but will implement baseline date in 2017/18.</u></b>	Customer Service	Awaiting details from Strata to establish the current self service position
On track	str-PA-2252	<b><u>Health &amp; Safety – re-focus and refresh our approach.</u></b> <b><u>- Once the review of our Risk Assessments is completed (Dec 2016), cross reference this with our Risk Mapping to identify any additional risk assessments which may be required.</u></b> <b><u>- Use the risk assessments to update our codes of practice so they are modern and fit for practice; change them to be ‘Safe Systems of Work’ Ensure HAVs, Slopes and working near water are included.</u></b> <b><u>- Produce a safety handbook/summary book for operations team.</u></b> <b><u>- Produce a schedule of refresher training and toolbox talks.</u></b> <b><u>- Record all training on I Trent with refresher dates so that moving forward we have an</u></b>	StreetScene	The recruitment process for the new post of Operational Health & Safety Officer has begun and interviews will take place in early May. Once the post holder is in place their first priority will be completing the 'red route' risk assessment work that will help us continue with high speed road litter picking. Currently litter picking in high risk roadside areas has been paused following the implementation of new guidance from the HSE called WISH 24. We've now completed generic risk assessments for wide verge areas (1.2m sideways clearance to live traffic) and laybys, this has allowed the teams to start clearing litter from these sites. The 'red route' site specific risk assessments will need to be completed for all other areas by the Operational Health and Safety Officer, this work will lead to the creation of safe systems of work for clearing other fast road areas,

## Service Plan Objectives - Priority 4 v2

### Priority: Continuously improving to be an outstanding council

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>accurate record.</u>		new working practices might include road closures or vehicles with crash cushions. Our District Wide Technical Officer was made redundant in relation to the creation of the new Operational H&S Officer post.
Achieved	LGL-PA-2257	<u>Implement a virtual Deed Room to improve efficiency within the Service and across the Council</u>	Governance and Licensing Services	It has been implemented and the back scanning continues to ensure it becomes available for use as soon as possible.
Variation	LGL-PA-2258	<u>Implement Public Access for Lalpac to ensure more accessible process for applying for various licences</u>	Governance and Licensing Services	This Objective will cease. The Lalpac database will no longer be the preferred ICT database for licensing in 2018/19 and Strata have commenced the phased introduction of another database rolling out in order of Teignbridge, Exeter then East Devon
Variation	OD-PA-2269	<u>Implementing changes to legislation in relation to exit payments and contractors in the public sector</u>	Organisational Development	This has not been progressed at a national level but EDDC will implement once it is agreed.
Achieved	OD-PA-2270	<u>Implementing training specifically for managers and staff to support change to office accommodation including coaching as a core management skill</u>	Organisational Development	Training in place
Achieved	OD-PA-2208	<u>Lead implementation of communications strategy in relation to full roll out of new recycling and waste contract across the district</u>	Organisational Development	This has been achieved and now work has moved on to supporting the roll out of our green waste service. This work represents a very successful collaboration with Suez and Strata.
Achieved	LGL-PA-2195	<u>Maintaining recoverable legal fee income</u>	Governance and Licensing Services	Legal services continues to keep fee income under review and wherever possible seeks to increase fees recovered.
Achieved	LGL-PA-2194	<u>Minimise the amount of paper used by the Service including through continuing the 'Paper light' committee agenda policy but also including reducing officer reliance on paper copies and general file management</u>	Governance and Licensing Services	All teams working to minimise the amount of paper. Although not specifically measured, there is less paper being used now than at the beginning of the year - particularly in legal.
Variation	LGL-PA-2199	<u>New combined Cemeteries Regulations preparation, consultation and approval by Council (for all 3 council cemeteries)</u>	Governance and Licensing Services	As reported in the last review, the need to consider certain implications (Health and Safety / budget issues) has delayed this objective and funding has been included in the finance year for 201/19 now. The need to carry out further consultation exists for the forthcoming quarter and period
On track	fin-PA-2261	<u>Prepare 2017/18 Accounts to an appropriate standard that</u>	Finance	Currently in line with year end timetable and due to have Accounts published in

## Service Plan Objectives - Priority 4 v2

### Priority: Continuously improving to be an outstanding council

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>requires no additional audit days to be purchased from external auditor. Accounts to be completed a month earlier than the existing statutory deadline in preparation for earlier requirements for the following year.</u>		accordance with new requirement of 31st May 2018.
Achieved	LGL-PA-2006	<u>Provide legal advice to enable informed and appropriate strategy to be adopted for maximising value of Council's property assets.</u>	Governance and Licensing Services	Legal Services have worked with services to provide high quality advice and to advise on strategies to assist with maximising value
Achieved	LGL-PA-2009	<u>Provision of strategic legal advice on policy implementation at senior officer / Cabinet briefing level including inputting into and commenting on reports as appropriate</u>	Governance and Licensing Services	Advice has been given at relevant meetings.
Achieved	LGL-PA-2256	<u>Provision of strategic legal advice on policy implementation at senior officer / Cabinet briefing level including inputting into and commenting on reports as appropriate</u>	Governance and Licensing Services	Advice has been given as and when required.
Achieved	fin-PA-2262	<u>Review of financial policies and guidance to ensure up to date and following best practice picking up SWAP recommendations. Provide 'refresher' training to managers to ensure understanding and following the financial framework of the Council. This is to link in with project management requirements.</u>	Finance	Both Financial Regulations and Contract Standing Orders have been updated and improved substantially. Contact standing Orders have been adopted by Council in Year and Financial Regulations are to be presented to Council in May 2018.
On track	EEL-PA-2275	<u>Support the introduction of the Greater Exeter Growth and Development Board, critically reviewing existing partnership arrangements/groups</u>	Growth Point Team	March Board meeting considered initial Terms of Reference. These will come back to the June Board meeting.
Variation	EEL-PA-2276	<u>Support the production of the Greater Exeter Strategic Plan, ensuring robust project management and a clear focus on addressing delivery challenges</u>	Growth Point Team	Timetable for the production of the GESP delayed to allow additional consideration of key strategic issues.
Achieved	LGL-PA-2200	<u>Taxi Licensing Policy development, consultation and approval</u>	Governance and Licensing Services	Objective met in Q1.
Achieved	LGL-PA-2196	<u>To continue to promote local democracy through engagement with local councils and schools</u>	Governance and Licensing Services	Speed dating with King's School was successful.
On track	pla-PA-2225			

## Service Plan Objectives - Priority 4 v2

### Priority: Continuously improving to be an outstanding council

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<u>To continue to work to increase the Council's market share in building control plan checking and inspections.</u>	Planning Strategy and Development Management	New SBCO post is assisting us keeping this objective on track.
On track	fin-PA-2183	<u>To ensure the Council has appropriate plans in place that will deliver a balanced Council budget up to 2020/21.</u>	Finance	The Council has approved a Financial Plan and Transformation Strategy which are regularly monitored to ensure this objective is on track.
Achieved	fin-PA-2263	<u>To have more customers transact with Revenues &amp; Benefits on line and using automated services (where appropriate) to create efficiencies within the service. Through service planning the team came up with really good initiatives to push this objective forward as targets were not reached in 2016/17</u> <u>Specific targets set to achieve by 31/3/18 are:</u> <u>- For Council Tax 'moves' a 10% shift in demand from telephone to online.</u> <u>- For payments made a 10% shift in demand from telephone to online/automated system.</u>	Finance	During 2017/18 1,651 customers used the online council tax move form which was a 22% increase on 2016/17 (1,349). Based on our phone demand capture over a 2 month period approximately 30%-34% of all our council tax moves are now done using our online council tax move form. This is a significant shift to online rather than having this come over the telephone. This is a much more efficient way to handle this work. Customers using the online form means that the data doesn't need to be re-entered by staff. Alongside other efficiency measures is how we've been able to reduce our FTE by 2 staff.  This measure does not include moves that come in via email as our preference is for customers to use the dedicated online form to ensure that we capture the correct information at first point of contact.
On track	pla-PA-2224	<u>To maintain high levels of customer satisfaction and monitor through regular surveys</u>	Planning Strategy and Development Management	A customer satisfaction survey is currently underway in Development Management and should be completed by the end of May.
Achieved	LGL-PA-2198	<u>To service any changes to the committee structure including joint meetings with other authorities as agreed by Council from both legal and democratic services perspectives</u>	Governance and Licensing Services	Implemented and serviced the revised committee structure throughout 17/18
Achieved	OD-PA-2267	<u>Trial new flexi time policy in Legal and Democratic Services and Revenues and Benefits with a view to implementing across the council in 2017</u>	Organisational Development	Successful trial concluded with the policy being rolled out across the organisation.
Achieved	EH-PA-2245	<u>We will carry out a comprehensive review of our corporate health and safety function in the light of recommendations of an audit by South West Audit Partnership. We will seek SMT authority to implement a range of charges to ensure that our service evolves</u>	Env Health & Car Parks	The review has now been completed and changes implemented. Our corporate safety team has now completed a comprehensive health and safety training matrix to assist managers in addressing training needs with their staff. Our team will be fully up to strength following the successful recruitment of an Operational health

## Service Plan Objectives - Priority 4 v2

### Priority: Continuously improving to be an outstanding council

#### Key Strategic Objective

Objective Status	Code	Objective	Service	Comments
		<p><u>to meet the needs of the authority.</u></p> <p><u>We will also work with colleagues in Exeter City Council and Teignbridge District Council to explore the possibility and feasibility of achieving efficiency savings and quality benefits by delivering some of these services on a shared basis across the three authorities.</u></p>		and safety specialist to work closely with our highest risk front line services.
On track	EH-PA-2246	<p><u>We will continue to explore opportunities to develop a car park portfolio and actively seek to acquire additional sites in Sidmouth and Exmouth to better support the needs of those towns.</u></p>	Env Health & Car Parks	This is an on-going commitment and negotiations are continuing for several sites at present.
Achieved	EH-PA-2244	<p><u>We will review our out-of-hours services with an emphasis on the one-Council-team principle to establish whether opportunities for improved services or efficiency savings exist.</u></p>	Env Health & Car Parks	A review has been carried out and we are currently awaiting the results of a customer satisfaction survey to assist us in making decisions on any changes. The service is continuing unchanged for the time being.
Variation	pla-PA-2123	<p><u>Working proactively with developers to enable the release of development sites that are currently locked or not coming forward as quickly as they could and work to aid the delivery of local plan allocations</u></p>	Planning Strategy and Development Management	We hope to advertise the post of Development Delivery Project Manager who will pick up this area of work with particular emphasis on delivering key projects such as the Axminster Masterplan in the coming year.

## **Appendix C - Explanations and definitions**

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### Key Strategic Objectives

1. The Key Strategic Objectives and Service Projects from our Service Plans have been classified by status in the 'Objective Status' column:
  - Red (Concern) highlights targets with serious problems or significant delays.
  - Amber (Variation) indicates actions with mild concerns or minor setbacks.
  - Green (Achieved) displays special achievements or early completions.
2. Officers' updates on progress are set out in the 'Comments' column. The purpose of the 'Comments' column is to allow officers to explain anything, particularly when start/completion dates are slipping. For example, the reasons for the delay or slippage, the action being taken to rectify matters and when things are expected to be back on track.
3. Financial information is included in the columns marked 'Officer Notes', which shows the resources involved in each objective, and 'Budget', which provides an update, for instance whether the budget is on target.

### Performance Indicators

4. The '+/-' column indicates whether a positive or negative result is preferable. For example, with a PI such as the time taken to process benefit claims or sickness absence, a lower result is better. However with a PI like Council Tax collection, the higher the result the better. A "+" indicates where a higher result and corresponding upward trend is desirable, whereas a "-" indicates that the lower the result, the better.
5. The 'Previous Year End' column reports performance at the end of 2009/2010, if that information is available.
6. The 'Current Target' column represents the annual target in most cases except for BV9 and BV10 where the target increases as more Non-domestic rates and Council Tax are collected and for BV12 where the target increases as working days lost increase as the year progresses. Some measures no longer have targets or are not suitable for targets. Many of these are linked to Systems Thinking principles.
7. The columns 'Q1 Act', 'Q2 Act', etc. show the actual year to date situation for each Performance Indicator. The coloured quarterly columns show year-to-date progress throughout the year in relation to the target. The key for the colours is as follows:
  - Red (Concern) – if the PI is 10% or more below the target.

- Yellow (Variation) – if the PI is between 10% and 0.1% below the target.
- Green (Achieved) – if the PI and the target match exactly or the PI is above the target.

8. The purpose of the ‘Management Notes’ row is to allow officers to explain anything, particularly when performance is declining. For example, the reasons for the decline or slippage, the action being taken to rectify matters and when performance is expected to be back on target.
9. NI 196 Improved street and environmental cleanliness – fly tipping

This indicator measures a local authority’s performance based on a combination of calculating its year on year change in total incidents of fly-tipping dealt with, compared with its year on year change in enforcement actions taken against fly-tipping (both fly-tipping incidents and enforcement actions are weighted to recognise the effort involved in different activities).

Good performance is indicated by a decrease in incident numbers and an increase in enforcement action. A better score will be achieved if incident numbers only are reduced as opposed to enforcement numbers only are increased.

The table below illustrates the marking awarded to the various combinations:

		<b><i>Number of Enforcement Action</i></b>		
		<b>Increasing actions</b>	<b>Same level of actions</b>	<b>Decreasing actions</b>
<b>Number of Incidents of Fly Tipping</b>	<b>Decrease</b>	Grading 1 Very Effective	Grading 2 Effective	Grading 2 Effective
	<b>Same</b>	Grading 3 Not Effective	Grading 3 Not Effective	Grading 3 Not Effective
	<b>Increase</b>	Grading 3 Not Effective	Grading 3 Not Effective	Grading 4 Poor

**Agenda Item 11****Scrutiny Committee****Scrutiny Committee Forward Plan 2018/19**

<b>Date of Committee</b>	<b>Report</b>	<b>Lead</b>
5 July 2018	Food Safety & Hygiene	
6 Sept 2018		
4 Oct 2018		
22 Nov 2018		
16 Jan 2019	Service Plans and Budgets jointly with Overview Committee	
7 Feb 2019		
7 Mar 2019		
4 Apr 2019		

**Work for allocation to the Forward Plan as appropriate:**

<b>Proposed date</b>	<b>Topic</b>
tbc	Portfolio Holder update reports being sought; committee can then subsequently ask the PH to attend committee on specific aspects of their portfolio.
July or Sept	Engagement guide comparisons report.
tbc	Mental health services in East Devon – responses still awaited from Chairman of the DCC Health and Adult Care Scrutiny Committee, and the Cabinet Member for Adult Social Care and Health Services. The intention is for the Cabinet Member to attend a meeting, to which Heather Penwarden, Honiton Dementia Action Group will also be invited.
Update report to be provided to committee for information	Update from Estates Team one year after recruitment of Property Records Officer and Business apprentice (from approved 2017/18 budget)



Topics put forward for further information or for scoping that remain outstanding are:

- The role of the District Councillor in communication with local Town or Parish Councillor in dissemination of information from a district level (as linked to consultation on changes in service provision or charges that impact at a local level);
- Playing pitch strategy (Cllr D Nicholas);
- How the council undertakes food safety and hygiene
- Complaints surrounding development works impact on neighbouring area (Cllr B de Saram)
- Implications for the council following publication of the council guide on modern slavery by the LGA