

## Agenda for Cabinet

Wednesday 4 October 2017; 5.30pm

### [Members of Cabinet](#)

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

[View directions](#)

**Contact:** [Debbie Meakin](#), 01395 517540

(or group number 01395 517546)

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East Devon District Council  
Knowle  
Sidmouth  
Devon  
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)

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

- 1 [Public speaking](#)
- 2 Minutes of 6 September 2017 (pages 4 - 12), to be signed as a true record
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#)
- 6 Confidential/exempt items – there are no items which officers recommend should be dealt with in this way.
- 7 Forward Plan for key decisions for the period 1 November 2017 to 28 February 2018 (pages 13 - 15)

- 8 Minutes from the Recycling and Waste Partnership Board held on 23 August 2017 (pages 17 - 24)  
**Recommendations for Cabinet consideration can be found on page 16**
- 9 Minutes of the STRATA Joint Scrutiny Committee held on 6 September 2017 (pages 25 - 29)
- 10 Minutes of the Housing Review Board held on 7 September 2017 (pages 32 - 37)  
**Recommendations for Cabinet consideration can be found on pages 30 - 31**
- 11 Notes of the Sidmouth Beach Management Plan Steering Group held on 13 September 2017 (pages 38 - 41)
- 12 Minutes of the Budget Working Party held on 13 September 2017 (pages 42 - 44)
- 13 Minutes of the Capital Strategy and Allocation Group held on 13 September 2017 (pages 45 - 47)
- 14 Minutes of the Scrutiny Committee held on 21 September 2017 (pages 48 - 51)

#### **Part A matters for key decision**

- 15 **Discretionary Rate Relief Scheme** (pages 52 - 56)  
To agree a rate relief scheme for supporting businesses who have been impacted from the 2017 revaluation. The Government are providing funding to enable local authorities to help individual businesses.

#### **Part A matters for decision**

- 16 **Financial Plan and Transformation Strategy** (pages 57 - 60)  
To consider the implications of spending plans and the level resources likely to be available.
- 17 **Homelessness Reduction Act 2017** (pages 61 - 68)  
To identify and comment on the challenges and implications of new homelessness legislation.
- 18 **Monthly Performance reports – August 2017** (pages 69 - 72)  
Performance information for the 2017/18 financial year for August 2017 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.  
**Appendix 1 - August 2017 snapshot pages 71 - 72**
- 19 **Project Management Guidelines** (pages 73 - 75)  
To consider and approve a set of guidelines to ensure minimum standards and processes are consistently applied across the Council for the management of projects.
- 20 **Budleigh Salterton Neighbourhood Plan to be formally ‘made’** (pages 76 - 78)  
The Budleigh Salterton Neighbourhood Plan has now passed referendum and must be formally ‘made’ by East Devon District Council in order to form part of the development plan.

21 **Safety Advisory Group** (pages 79 - 82)

To consider the public safety risks from organisers holding large public events without consultation with public safety authorities; and recommend adoption of a Safety Advisory Group.

22 **Seaton Tramway new Terminus** (pages 83 - 85)

To advise members that the new lease agreement with Seaton Tramway has now been entered into.

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 6 September 2017**

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

The meeting started at 5.30pm and ended at 7.21pm

#### **\*42 Public Speaking**

Nick Hookway spoke on agenda item 5, Queen's Drive, Exmouth Update and Action. Mr Hookway felt that there was no strategy vision for Exmouth. He stated that Exmouth thrives because of its seafront and that nowhere else compared to it. He thought that the facilities on the seafront were inappropriate and felt the Council was not considering the needs and wishes of the residents; whom he said did not support the Council's plans.

Mrs Daphne Currier spoke on agenda item 5, Queen's Drive, Exmouth Update and Action. Mrs Currier asked if the funding for moving the road was being paid for through the selling of the Parkland site. She had concerns over the development plans to include the height of buildings and overdevelopment. She felt residents' concerns had been dismissed and that the Council had not been democratic in its engagement with the public; to whom she stated had tried very hard to get their points of views across.

Lyn Alexander spoke on agenda item 5, Queen's Drive, Exmouth Update and Action. Ms Alexander said that Exmouth would benefit from town centre regeneration rather than a watersports centre. She asked if LED was meeting all the residents' needs and was concerned that once tourism was lost it may never be regained. She claimed Exeter University were looking at the effect that natural spaces had in connection with good health. She questioned whether coastal erosion might affect developments on the seafront.

#### **\*43 Minutes**

The minutes of the Cabinet meeting held on 13 July 2017 were confirmed and signed as a true record.

#### **\*44 Declarations**

Cllr Roger Giles, Minute 71. Personal interest – knows the father of the leaseholder

#### **\*45 Matters of urgency**

A confidential report on Queen's Drive, Exmouth advised members on progress regarding Queen's Drive regeneration and sought urgent approval for a change to terms offered on a site tenancy.

#### **\*46 Matters referred to the Cabinet**

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

#### **\*47 Exclusion of the public**

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

#### **\*48 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 October 2017 to 31 January 2018.

\*49 **Notes from the Exmouth Regeneration Board held on 13 July 2017**  
Members received the Notes from the Exmouth Regeneration Board held on 13 July 2017.

\*50 **Notes of the New Homes Bonus Panel held on 19 July 2017**  
Members received the Minutes of the New Homes Bonus Panel held on 19 July 2017.

**RESOLVED (1) that the following recommendations be approved:**  
**Minute 5 Kilmington Parish Council Drainage project £766.70**

\*53 **Minutes of the Scrutiny Committee held on 20 July 2017**  
Members received the Minutes of the Scrutiny Committee held on 20 July 2017.

**RESOLVED (1) that the following recommendation approved:**  
**Minute 11 Citizens Advice East Devon**

1. Cabinet request an investigation into a longer term arrangement for grant funding, in order to give more security to the CAED, such as a three year agreement with the inflation increase as per previous grant awards; and
2. the Council was kept informed of the progress of review of the CAED, and actively involved as a stakeholder.

\*54 **Minutes of the Overview committee held on 25 July 2017**  
Members received the Minutes of the Overview committee held on 25 July 2017.

**RESOLVED (1) that the following recommendation be agreed:**  
**Minute 24 Local Government Boundary Committee for England Electoral Review**

1. A clear map showing boundary overlays be accessible from the Council's website;
2. The Council will endeavour to provide an application on the East Devon App that showed information on address entry on the change of boundary;
3. There should be a press release to town and parish clerks on the boundaries for both County and District in early 2019; and
4. The Council will endeavor to ensure information on the responsibilities of each level of local government is provided in a clear and easily accessible format on the Council website.

\*55 **Minutes of the South East Devon Habitat Regulations Executive Committee held on 27 July 2017**  
Members received and noted the Minutes of the South East Devon Habitat Regulations Executive Committee held on 27 July 2017.

\*56 **Notes of the Community Fund Panel held on 8 August 2017**  
Members received the Notes of the Community Fund Panel held on 8 August 2017.

**RESOLVED (1) that the following recommendation approved:**  
**Minute 5 Consideration of applications received**

1. Brampford Speke Village Hall – new entrance gates to the village hall grounds, new fencing and a handrail. £1,772
2. Newton Poppleford Pavilion – replace kitchen and make bigger. £5,000.  
The Panel were concerned that the application was incomplete and further information was required. They deferred the application for demonstration of match funding, receipt of the correct number of quotes and demonstration that the scheme met the correct criteria for the scheme and gave delegated authority to the Chairman in consultation with the Engagement and Funding Officer to approve, subject to other members being notified by email.

**\*57 Notes of the Asset Management Forum held on 10 August 2017**

Members received the Notes of the Asset Management Forum held on 10 August 2017.

**\*58 Monthly Performance reports – June and July 2017**

The report set out performance information for the 2017/18 financial year for June and July 2017. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

**June**

There were three indicators that showed excellent performance:

- Percentage of Non-domestic Rates Collected
- Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
- Working days lost due to sickness absence

There was one performance indicator showing as concern:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse - Seven appeal decisions were received during June, five of which were dismissed. This equates to 28.6% appeals allowed over the month which has resulted in an improvement to the cumulative figure for the year.

**July**

There was one indicator showing excellent performance:

- Percentage of Non-domestic Rates Collected

There was one performance indicator showing as concern.

- Percentage of planning appeal decisions allowed against the authority's decision to refuse - One appeal decision received this month, which was dismissed.

The Portfolio Holder Finance congratulated Simon Davey and his team for being the top authority in Devon, Somerset and Cornwall for council tax collection and low arrears.

The Portfolio Holder Environment highlighted the hard work of the CSC team during the new recycling scheme across the District.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for June and July 2017 be noted.

**REASON:**

the performance reports highlighted progress using a monthly snapshot report; SPAR report on monthly performance indicators and system thinking measures in key service areas including Development Management, Housing and Revenues and Benefits.

**\*59 Chardstock and Yarcombe and Marsh Neighbourhood Plans to be 'made'**

The Chardstock Neighbourhood Plan and the Yarcombe and Marsh Neighbourhood Plan had now passed referendum and must be formally 'made' by East Devon District Council in order to form part of the development plan.

**RESOLVED:**

1. that the Chardstock Neighbourhood Plan was 'made' so it formed part of the development plan,
2. that the Yarcombe and Marsh Neighbourhood Plan was 'made' so it formed part of the development plan; and
3. that the Neighbourhood Plan groups be congratulated for their hard work and advised that once 'made' the Neighbourhood Plans would carry full weight in the planning decision making process.

**REASON:**

the Chardstock Neighbourhood Plan and the Yarcombe and Marsh Neighbourhood Plan received a majority 'yes' vote in their respective referendums as required by the regulations and there was no substantive reason not to 'make' the two Plans.

**\*60 Dunkeswell Neighbourhood Plan Examiners Report**

The report provided feedback and set out proposed changes following the examination of the Dunkeswell Neighbourhood Plan.

**RESOLVED:**

1. that the examiners recommendations on the Dunkeswell Neighbourhood Plan be endorsed,
2. that a 'referendum version' of the Neighbourhood Plan (incorporating the examiners modifications) should proceed to referendum and a decision notice to this effect be published, be agreed; and
3. that the Neighbourhood Plan group be congratulated on their hard work.

**REASON:**

the legislation required a decision notice to be produced at this stage in the process. The Neighbourhood Plan was the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications, which, in most part, were accepted by the Parish Council.

**\*61 Uplyme Neighbourhood Plan Examiners Report**

The report provided feedback and set out proposed changes following the examination of the Uplyme Neighbourhood Plan.

**RESOLVED:**

1. that the examiners recommendations on the Uplyme Neighbourhood Plan be endorsed,

2. that a 'referendum version' of the Neighbourhood Plan (incorporating the examiners modifications) should proceed to referendum and a decision notice to this effect be published, be agreed; and
3. that the Neighbourhood Plan group be congratulated on their hard work.

**REASON:**

the legislation required a decision notice to be produced at this stage in the process. The Neighbourhood Plan was the product of extensive local consultation and had been recommended to proceed to referendum by the Examiner subject to modifications, which, in most part, were accepted by the Parish Council.

**\*62 Acquisition of former Reservoir, Holyford Woods, Colyton**

The Service Lead, Countryside and Leisure stated that the report set out whether to accept the offer of a reservoir known locally as 'Top Pool' or 'Lambs Pool' as part of the Holyford Wood Local Nature Reserve. He reiterated that the uncertainties and expense made this acquisition high risk.

**RESOLVED:**

that the offer of the reservoir be declined.

**REASON:**

the recommendation to decline the offer was due to the ongoing management and maintenance liabilities of the reservoir.

**\*63 Disclosure and Barring Service Checks**

The Strategic Lead, Governance and Licensing and Monitoring Officer presented this report informing Members to consider whether it was necessary and appropriate for all Councillors to be subject to a Disclosure and Barring Service check in respect of the performance of their duties.

Discussions included the following:

- CBS checks did not necessarily protect individuals – training in safeguarding issues was more important
- It was most likely a public expectation and/or perception that councillors would be CBS checked
- Councillors should volunteer for scrutiny and safeguarding purposes
- The Council should lead by example
- This would give the public confidence in their elected Members
- The Council owed it to the public

**RESOLVED:**

1. that the Council does not require councillors to have a basic criminal records check for the reasons detailed in the report but encourages them to do so voluntarily in the context of safeguarding vulnerable adults and children,
2. that all Council Members receive or attend appropriate training in respect of our responsibilities in relation to protecting and safeguarding as detailed in related policies, and
3. that delegated authority to implement a mandatory approach to checking newly elected councillors on their election declaration through a basic criminal records check be given to the Monitoring Officer if such an approach is determined to be lawful.



**REASON:**

given the nature of Member's roles and other safeguards that exist and with the potential risks in terms of data protection and human rights, there was no basis to be applying a blanket approach to requiring and then disclosing any sort of DBS checks in relation to the Council's safeguarding and protecting role. However, given that there were responsibilities there was a basis for requiring Members to have training. There appears to be a justifiable rationale for having a check for Members following election in light of the declarations given as part of the election process.

**\*64 Temporary Accommodation Policy**

The report set out to ensure a policy to how temporary accommodation be procured and responsibilities would be met, in order to provide temporary accommodation to eligible people who were homeless or threatened with homelessness.

**RESOLVED:**

that the policy be agreed.

**REASON:**

it was good practice to have a temporary accommodation policy in place.

**\*65 Driving at Work Policy**

The Service Lead, Environment Health and Car Parks presented the report. The Council's policy for staff and Members who drive on council business, providing controls and guidance for people driving as part of council duties required consideration and approval. There were 59 Members and 186 staff all of whom drive over 1000 business miles a year and another 69 who cover fewer business miles but were still driving on Council business. The policy made explicit the systems and procedures expected to ensure driver safety was considered as part of the work throughout the organisation.

**RESOLVED:**

that the policy be agreed.

**REASON:**

more than a quarter of all road traffic incidents involve somebody who was driving as part of their work according to the Department of Transport. In 2015 there were 186,000 people killed and injured on the road, and accidents would often require significant time and resource to deal with afterwards.

The Council was a major employer and was legally required to comply with the Health and Safety at Work etc. Act 1974. There was an expectation that work-related road safety was integrated into the arrangements for managing occupational safety and health. It should be clear what arrangements had been made for complying with the law and specify who was responsible for implementing these arrangements.

**\*66 Financial Monitoring report; Month 4, July 2017**

The Strategic Lead, Finance presented a summary of the Council's overall financial position for 2017/18 at the end of month four (31 July 2017). Current monitoring indicated that the General Fund Balance was being maintained at or above the adopted level. The Housing Revenue Account Balance would be maintained at or above the adopted level.

**RESOLVED:**

that the variances identified as part of the Revenue and Capital Monitoring process up to month four be acknowledged and agreed.

**REASON:**

the report updated on the overall financial position of the Authority following the end of each month and included recommendations where corrective action was required for the remainder of the financial year.

**\*67 Footprint Ecology - Exemption from Standing Orders**

Exemption to standing orders had been applied to enable the appointment of Footprint Ecology to undertake a Habitat Regulations Assessment of the Greater Exeter Strategic Plan.

**RESOLVED:**

that the use of the exemption to contract standing orders be noted.

**REASON:**

to enable the appointment of Footprint Ecology on behalf of the five local authorities collaborating in production of the Greater Exeter Strategic Plan.

**\*68 Manor Pavilion Car Park**

To report the outcome of the public consultation exercise carried out alongside the statutory consultation relating to the proposed arrangements for managing 21 spaces as a public pay and display car park.

**RESOLVED:**

1. that the outcome of the public consultation exercise be noted, and
2. that the earlier decision made by Cabinet on 5 April 2017 Cabinet resolving that “public pay and display parking in Sidmouth’s Manor Pavilion car park be offered”, be confirmed and agreed.

**REASON:**

section 122 of the Road Traffic Regulation Act 1984 sets out the duties of all local authorities in respect of a range of traffic related functions including the provision of off-street parking. The needs of the community as a whole based on responses to the public consultation exercise had been reconsidered and were reflected in the recommendations.

The proposals would not interfere with the security of or access to any other premises and they would not be prejudicial to the amenity of the locality. They were in all other material respects consistent with the legal duties and responsibilities to communities.

**\*69 Ombudsman complaints 2016/17**

The report provided information on complaints referred to the Local Government Ombudsman during 2016/17.

**RESOLVED:**

that the number of complaints dealt with and their outcomes be noted.

**REASON:**

to continue to improve and learn from the way complaints were handled.

**70 Exclusion of the public**

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

**\*71 Queen's Drive, Exmouth Update and Action**

A report from the Deputy Chief Executive updated on progress regarding Queen's Drive regeneration and sought urgent approval to offer an extended tenancy agreement to one site.

**RESOLVED:**

1. it was noted that the council had re-acquired the former fun park site and the extended license arrangement of the former tenant had been completed, and
2. that the Council offer a further extended lease arrangement to the tenant of the Harbour View café pending future re-acquisition to enable redevelopment of the site, incorporating the terms detailed in the report but with delegated authority given to the Deputy Chief Executive to negotiate and agree Heads of Terms and complete the relevant documentation.

**REASON:**

The former fun park site had returned to council ownership in line with both legal and planning expectations. The council had been deriving no rent from the site by agreement with the former tenant for over a year. The offer of an extended arrangement to enable the café to continue trading is a reflection of council, especially local Exmouth members' willingness to allow continued trading and a further opportunity for the café business to plan for its future.

**Attendance list****Present:**

Paul Diviani                      Leader

**Portfolio Holders:**

Phil Twiss	Deputy Leader/Strategic Planning and Developments
Ian Thomas	Finance
Tom Wright	Environment
Marcus Hartnell	Deputy Portfolio Holder Environment
Iain Chubb	Corporate Services
Jill Elson	Sustainable Homes and Communities
Phil Skinner	Economy

**Cabinet Members without Portfolio:**

Geoff Pook  
Eileen Wragg

**Non-Cabinet apologies:**

Simon Grundy  
Alan Dent  
David Barratt  
Ian Hall

John O’Leary  
Stuart Hughes  
Steve Gazzard  
Geoff Jung

**Officer apologies:**

Karen Jenkins, Strategic Lead – Organisational Development and Transformation

**Also present (for some or all of the meeting)**

**Councillors:**

Megan Armstrong  
Brian Bailey  
Bruce de Saram  
Dean Barrow  
Steve Hall  
Mike Howe  
John Humphreys  
Graham Godbeer  
Douglas Hull  
Ben Ingham  
Cherry Nicholas  
Mark Williamson  
Roger Giles  
John Dyson  
Colin Brown  
Brenda Taylor  
Maddy Chapman  
Cathy Gardner  
Eleanor Rylance

**Also present:**

**Officers:**

Mark Williams, Chief Executive  
Richard Cohen, Deputy Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead – Housing, Health and Environment  
Henry Gordon Lennox, Strategic Lead – Governance and Licensing and Monitoring Officer  
Anita Williams, Principal Solicitor (& Deputy Monitoring Officer)  
Andrew Ennis, Service Lead - Environmental Health and Car Parks  
Charlie Plowden, Service Lead – Countryside and Leisure  
Amanda Coombes, Democratic Services Officer

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

## EAST DEVON DISTRICT COUNCIL

### Forward Plan of Key Decisions - For the 4 month period 1 November 2017 to 28 February 2018

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

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

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

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

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

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

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

#### **Obtaining documents**

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

Decision		List of documents.	Lead/reporting Officer	Decision maker and proposed date for decision	Other meeting dates where the matter is to be debated / considered	Operative Date for decision (assuming, where applicable, no call-in)	Part A = Public meeting  Part B = private meeting [and reasons]
1.	Public Toilet Review		Service Lead – Street Scene	<b>Cabinet tbc</b>	Asset Management Forum tbc Overview Committee tbc		Part A
2.	East Devon Local Economy		Deputy Chief Executive	Council	Cabinet date tbc		Part A
3.	Exmouth Regeneration Update - Queen's Drive		Deputy Chief Executive	Council 13 December 2017	Cabinet 1 November 2017	14 December 2017	Part A
4.	Port Royal Update		Deputy Chief Executive	Council 13 December 2017	Cabinet 1 November 2017	14 December 2017	Part A
5.	Exmouth Regeneration Update - Mamhead slipway		Deputy Chief Executive	Council 13 December 2017	Cabinet 1 November 2017	14 December 2017	Part A
6.	Council Tax Support Scheme 2018/19		Service Lead – Revenues and Benefits	Council 13 December 2017	Cabinet 29 November 2017	14 December 2017	Part A
7.	Enterprise Zone Investments		East Of Exeter Projects Director	Council 28 February 2018	Cabinet 3 January 2018	1 March 2018	Part A

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

Future Decisions		Lead / reporting Officer	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision  To be confirmed
1	Business Support – options for the future	Deputy Chief Executive (RC)		

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

September 2017

**Recommendation for Cabinet that will resolve in an action being taken:**

**Recycling and Waste Partnership Board on 23 August 2017**

**Minute 25 Garden waste collections – outline options**

**RECOMMENDED** by the Recycling and Waste Partnership Board:

1. that Cabinet approve that officers write to Otter Rotters Ltd to inform them that alternative options for the provision of a green waste collection service in East Devon would be pursued and therefore the expired contract with Otter Rotters Ltd not be renewed.
2. that Cabinet approve that officers be invited to work up a detailed business case, in partnership with SUEZ, for a new district wide garden/green waste collection service with a preference for a chargeable, fortnightly, all year round service, modelling options for charging and likely service demand
3. that Cabinet approve that Devon County Council be requested to undertake any necessary procurement exercise for the disposal of green/garden waste in East Devon.



## **EAST DEVON DISTRICT COUNCIL**

# **Minutes of a meeting of the East Devon Recycling and Waste Partnership Board, Room One, Knowle, on 23 August 2017**

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

The meeting started at 10.00am and ended at 1:15pm.

#### **\*16 Minutes**

The minutes of the Recycling and Waste Partnership Board meeting held on 25 May 2017 were confirmed and signed as a true record.

The Chairman welcomed those present to the meeting and invited everyone to introduce themselves.

#### **\*17 Declarations of interest**

None

#### **\*18 Otters Rotters Ltd**

The Recycling and Waste Contract Manager introduced Mandy Jennings, from Otter Rotters Ltd to the Board. She had been invited to attend the meeting to provide information on Otter Rotters Ltd's current position and future plans for a garden waste collection service in the district. She explained that Otter Rotters Ltd was a social enterprise which had previously worked in partnership with EDDC as a community group.

Mandy outlined various issues experienced over the past few years and confirmed that Otter Rotters Ltd had dissolved in February 2017 and was not operating at present. There had been no formal agreement between EDDC and Otter Rotters Ltd since April 2016.

Concerns were expressed about Otter Rotters Ltd's ability to complete waste dataflow returns required on the amount of green waste collected necessary for Devon County Council (DCC) and the drawdown of Recycling Credits. Despite assistance Otter Rotters Ltd have been unable to convince DCC of the accuracy of their responses. The Board also expressed concerns about Otter Rotters Ltd's ability to provide a reliable collection service across the whole of East Devon.

On behalf of the Board the Chairman thanked Mandy Jennings for attending the meeting and expressed his appreciation for the service and its value to the community. He also explained that any future garden waste collection service for the district required a firm business plan.

#### **\*19 Mobilisation update**

The Recycling and Waste Contract Manager presented the SUEZ Business Improvement and Mobilisation Manager's mobilisation report to the Board. It was noted that the mobilisation team were no longer at Greendale but were on back up if help was required.

Since the roll out of phase two residents had successfully adapted to the new recycling service and tonnages were significantly higher than expected. Work was currently being undertaken to assess the additional resources required for the contract to ensure that the tonnages collected and operations were sustainable for the remainder of the contract. From September there would be an additional four permanent rounds in place to support existing crews.

Additional CORE support had remained on site at Greendale to ensure a smooth transition from the mobilisation phase to the standard day to day operations. The export report from CORE to feed the Cloud 9 app was still being worked on between SUEZ and Strata. Strata had raised some queries relating to a series of specific UPRN numbers which were currently being checked individually by the operational team to ensure that there were no issues prior to the work being completed.

The Strategic Lead – Housing, Health and Environment questioned whether CORE was stable as there had been a number of failure incidents. The SUEZ Contract Manager reported that there had been a few short periods of ‘down time’. The technical issues would be resolved and lessons would be learnt for the future. There were comprehensive paper back up records for all of the rounds in case CORE was not available. The SUEZ Director of Municipal Services reported that CORE was extremely stable and that the issues experienced were specific to East Devon.

It was noted that initial ‘hitches’ were inevitable with any new system and the increase in tonnages and extra work this created being moved around had affected this too. The Recycling and Waste Contract Manager and the SUEZ Contract Manager would draw up a business continuity plan and contingency arrangements to maintain operations. CORE was being constantly reviewed and developed by the relevant teams and the CORE support team was being expanded to assist across all the SUEZ contracts.

**RESOLVED:** that the mobilisation update be noted.

**\*20 Communications programme update**

The Communications and Public Affairs Manager reminded the Board that there had been an extremely comprehensive communications plan supporting the new recycling and waste service. Communications for phase two had been very successful, with only a few queries being received. The Recycling and Waste Contract Manager advised that in total there had been 210,000 mailings and thanked the Communications and Public Affairs Manager for all the positive work. The Customer Services Manager also thanked SUEZ and the Communications and Public Affairs Manager for all their help in communicating complex service changes so effectively.

The Communications and Public Affairs Manager reported that from a media perspective there had been a flurry of interest initially, which had all been positive. There had been some social media issues mainly relating to missed collections, but between the communications team and the waste management team these had been resolved, with responses even being given during the weekends. The communications relationship with SUEZ had also been excellent.

The East Devon app had been heavily promoted and now had 15,500 downloads. This demonstrated good positive communication.

The service had received a prestigious multi sector, multi category Green Apple award and had made submission for LARAC (Local Authority Recycling Advisory Committee) awards. The EDDC Recycling and Waste Contract Manager and the SUEZ Director of Municipal Services were going to be guest speakers on partnership working at the forthcoming LARAC conference. It was noted that many other local authorities wanted to come to East Devon to see how the service was working.

The Strategic Lead – Housing, Health and Environment commented on the well-orchestrated joint communications campaign, which had been a major success. It had gone back to basics using letters, as well as social media and the East Devon app, with good use of branding through the entire campaign.

**\*21 Joint contract review and operational update**

The Recycling and Waste Contract Manager and the SUEZ Senior Contract Manager gave the Board a joint contract review and operational update. Overall, particularly in the context of the level of change currently being undertaken, performance and customer service levels remained high. Testing times had been experienced and work continued to be undertaken on improving the current position – particularly on improving performance in missed collections and container returns. Recycling Officers would be walking a random selection of streets to monitor and measure the standard of container returns.

Participation by residents had been excellent and this was reflected in the tonnages presented and collected. This had given rise to operational and capacity challenges, but were borne out of success. The current recycling rate was 57%, an increase of 15% from the old collection system.

A number of complaints had been received about container returns. One of the reasons for this was that the additional tonnage being collected was much higher than anticipated (2,600 tonnes more per annum), meaning the crews were having to rush. There were now additional crews and vehicles in place and efforts would concentrate on improving the quality of the service. A large number of agency staff had also been used so there was unfamiliarity with the rounds, all of which exacerbated the issues of missed collections and container returns. The crews on the whole had been able to complete the majority of their rounds every day down to their hard work and great team effort. The crews had been particularly challenged during the first few weeks of the contract due to the unusually hot weather.

It was noted that the number of road safety incidents had increased over the quarter, but there were also more vehicles in operation. The number of injuries were slightly reduced and there had been no major health and safety issues.

Some of the positive outcomes from the first quarter of the new service included:

- CORE in-cab and back office system being implemented – with approximately 150 staff trained.
- Over 51,000 recycling sacks and bin hangers delivered.
- New routes and services for over 51,000 properties.
- Delivering over 10,000 additional recycling containers to residents.
- Sustaining an extraordinary recycling tonnage
- A current recycling rate of 50% for 2017, and 10% growth over pre-phase 1 months.

The SUEZ Contract Manager reported that overall staff turnover in the last 12 months had been approximately 40%. Therefore familiarity and regularity of rounds had been difficult to sustain. There had also been difficulty initially in locating vehicles with similar capacity to the Romaquips to support the new rounds. Suitable vehicles had now been located and were in operation.

The focus for the next quarter was on improving performance areas as a result of the challenges that had been faced and returning to 'normal service' provision. The increased

level of demand and performance failures were not unexpected as a result of the significant amount of change that had taken place. All partners were working to reduce the performance failures and the numbers were reducing. It was noted that as a result of the additional staff and vehicles required to provide the service SUEZ was incurring a large amount of unanticipated additional expenditure.

SUEZ were reviewing all of the data from the service to undertake a productivity review. A report would be brought to the next Board meeting detailing the number of additional resources (vehicles and crews) required to maintain the service if the tonnages remained the same. The Board expressed their appreciation of the way that SUEZ had put additional resource into achieving the work required and gathering robust evidence, before requesting additional support from EDDC. Additional resources would be discussed in partnership once the service levels had been assessed to be correct.

The Recycling and Waste Contract Manager reported that the development of the Materials Recycling Facility (MRF) at Greendale had been delayed due to the influence of the additional tonnages experienced. SUEZ engineers had been working with the preferred supplier to ensure that the new facility was able to cope not only with the current levels of recycling tonnage, but also those as the service matured and at peak periods, such as Christmas. It was anticipated that the plant would be operational by early January 2018. The commissioning program and details of the MRF would be reported to the next Board meeting.

A temporary team of four Recycling Advisers had been put in place to assist customers through the changes that the implementation of the new system presented. The team would be disbanded now that the main implementation phase was complete and the new service bedding in. Two Advisers were leaving in August, and the other two leaving in September. The face to face communications that the team had achieved with customers had been a key contribution to the success of the roll out. Between them they had made over 10,000 personal customer visits.

**RESOLVED:** that the contract review and operational update be noted.

**\*22 Driver shortage/recruitment/training**

Driver recruitment and retention had been an issue for SUEZ as it was industry wide. It was noted that there was a shortage of HGV drivers across the UK. SUEZ was investing in their own employees by identifying staff to put through HGV training and obtain licenses. It now had a high level of permanent driver availability. SUEZ was also working on an apprenticeship scheme, looking to the future to maintain the current position.

**\*23 Performance framework/penalty calculator**

The Recycling and Waste Contract Manager reported that the performance penalty framework and the penalty calculator were currently in a suspension period during the roll out of the new contract. The framework was currently being used as a performance measure rather than as a penalty, with the emphasis on partnership working and improving, not imposing penalties. It was noted that the level of missed collections was high.

**RESOLVED:** that the performance framework/penalty calculator statistics be noted.

**\*24 Risk register**

The Recycling and Waste Contract Manager reported that the risk register was a work in progress. It was to be looked at in two parts. The main focus was on the roll out and

service change, as well as 'business as usual'. As the contract was rolled out one would transfer into the other, with an overlap between the two. This was the last time that the risk register would be brought to the Board in its mobilisation format. The register would be edited and turned into an ongoing operational document for the future.

It was noted that many risks were now falling away. The risks highlighted were:

- Lack of STRATA design capacity to meet deadlines for communications, with overreliance on a single employee.
- HGV driver shortage and recruitment.

**RESOLVED:** that the risk register be noted.

## 25 **Garden waste collections - outline options**

The Board received a presentation from the SUEZ Contract Manager on the service delivery options for a garden waste collection service in East Devon. This included:

- SUEZ experience at other local authorities
- Proposed service design
  - Collection schedule
  - Length of user contract
  - Phase one: scheduled service
  - Phase two: ad hoc/one off service
  - Pricing and marketing
  - Disposal arrangements
  - Customer care
- Financial arrangements
  - Procurement options
  - Financial options
  - Financial risks

Despite customer demand there was currently no operating garden waste collection service across East Devon. By introducing such a service it would increase recycling rates as well as meeting customer demand. SUEZ recommended that East Devon District Council should introduce this chargeable service as a separate business unit. They also recommended that EDDC should retain ownership of its customers and administer the service, using the customer contact centre and payment facilities. Communications and marketing of a new service would have a massive impact on the initial uptake. It was noted that the current Devon County Council (DDC) disposal point in the district at Hill Barton Industrial Estate was not contracted to take garden waste from EDDC. If a garden waste scheme was to be put in place DCC would need to run a procurement process to provide EDDC with a disposal facility.

It was possible to vary the current contract with SUEZ in order to provide a garden waste service. Under the procurement regulations 2015, EDDC could use the existing contract terms to carry out the service with SUEZ under a variation on the provision that the payment does not exceed 50% of the existing contract terms. Alternative options were the issue of a VEAT (Voluntary Ex-Ante Transparency) notice, or for SUEZ to provide the service on a commercial basis.

The Board welcomed the presentation on the options for a new garden/green waste collection service and invited officers to work up a detailed business case, in partnership with SUEZ, for a district wide service with a preference for a chargeable, fortnightly, all year round service, modelling options for charging and likely service demand. They discussed

the importance of having a good reliable professional service with a sound business plan. The Board understood the social value of the service provided by Otter Rotters Ltd, but indicated a lack of confidence in Otter Rotters Ltd's ability to provide a garden/green waste service in the future to the standard expected by residents, covering the whole of the district. The Board agreed that officers should write to Otter Rotters Ltd to inform them that the Board would be recommending to Cabinet that alternative options be pursued for the provision of a green waste collection service in East Devon, and that the expired contract with Otter Rotters Ltd would not be renewed.

**RECOMMENDED:**

1. that Cabinet approve that officers write to Otter Rotters Ltd to inform them that alternative options for the provision of a green waste collection service in East Devon would be pursued and therefore the expired contract with Otter Rotters Ltd not be renewed.
2. that Cabinet approve that officers be invited to work up a detailed business case, in partnership with SUEZ, for a new district wide garden/green waste collection service with a preference for a chargeable, fortnightly, all year round service, modelling options for charging and likely service demand
3. that Cabinet approve that Devon County Council be requested to undertake any necessary procurement exercise for the disposal of green/garden waste in East Devon.

**\*26 CORE and VT live access by EDDC**

The Recycling and Waste Contract Manager requested that SUEZ allow EDDC to have access to the CORE reporting facility and VT live, so that they could deal with customer demand and not have to pass customers around. It was noted that getting access to VT live during the working day was very reliant on the cab having a satellite signal. The Director of Municipal Services, SUEZ stated that he would arrange for EDDC to have access, as requested.

**\*27 Improvement projects/working groups**

The Recycling and Waste Contract Manager advised that this standing agenda item was an audit requirement. At present there was nothing to report, but he anticipated bringing a report to the next Board meeting.

**\*28 Customer services update**

The Customer Services Manager reported to the Board that the customer service centre had worked very hard during the roll out of phase two and had had to suspend some of their web contact enquiries, but these were now operating again. Call levels had stabilised but were still about 150 extra calls a day since before the roll out of phases one and two. The main reasons for the calls tended to be missed collections, missing bags, and which items should be placed in which containers.

There were ten members of staff in the customer service centre and there had been very little sickness absence during a very busy and stressful period. The Chairman commended the team for 'so valiantly coping with the sometimes overwhelming volume of calls arising from the roll out. It is especially remarkable that during this stressful period the team had no-one report sick'.

At present it was difficult to do an accurate analysis of the calls received, but the Customer Services Manager estimated that approximately 70% of the calls were waste related. It was hoped that the new phone system would allow for a more detailed analysis of calls.

**RESOLVED:** that the customer services update be noted.

**\*29 Any other business**

On behalf of the finance team the Recycling and Waste Contract Manager requested income levels from SUEZ.

**'Black plastics' message**

A request was made for an update on the situation with 'black plastics', the communications message being delivered and whether 'black plastics' would continue to be collected. Although black plastic was not a serious contaminant, it devalued the material and reduced its appeal to reprocessors who had to deal with its disposal. It was not a reason for collection crews to reject plastic presented for recycling (unless it was the only plastic presented) at this point, but its presentation should be discouraged to help maintain material quality.

The communications team would manage the 'black plastics' message very carefully and consideration would be given as to how to change the message in the new year. In the meantime it would remain as:

- It can be put out in the recycling sack
- We cannot guarantee it will be recycled, as it is a challenge for reprocessors to deal with.
- We have taken this approach to keep things as simple as possible for residents.

While there were risks associated with this messaging, the communications project group had agreed that the benefits on minimising confusion outweighed the risks.

Both EDDC and SUEZ were monitoring advancements in the processor sector across the wider industry. They were hopeful that an economic means of processing black plastics would become available in the future and would keep this under review.

**\*30 Date of next meeting**

**RESOLVED:** that the next meeting of the Recycling and Waste Partnership Board be held on:  
22 November 2017 – 10am

**Present**

**Councillors:**

Tom Wright – Portfolio Holder, Environment (Chairman)

Steve Gazzard

Marcus Hartnell (Vice Chairman)

**Officers:**

Gareth Bourton - Recycling and Waste Contract Manager, EDDC

Cherise Foster – Customer Services Manager, EDDC

Andrew Hancock - Service Lead – StreetScene EDDC

John Hudson, Accountant, EDDC

John Golding – Strategic Lead, Housing, Health and Environment, EDDC

Alison Stoneham – Communications and Public Affairs Manager, EDDC

Alethea Thompson – Democratic Services Officer, EDDC

**SUEZ:**

Nick Browning, General Manager – Municipal Operations, SUEZ  
Steve Holgate, Director of Municipal Services, SUEZ  
Stuart Jellings, Contract Manager, SUEZ  
Dave Swire – Regional Manager, SUEZ

**Also present:**

Councillor Susie Bond  
Mandy Jennings, Otter Rotters Ltd

**Apologies:**

Councillor Geoff Jung  
Councillor Geoff Pook  
Karen Jenkins, Strategic Lead – Organisational Development, Equalities and Transformation  
Steve Joyce, Waste Management Officer, EDDC  
Melvin Dhorasoo, Business Improvement and Mobilisation Manager, SUEZ  
Harry McLeman – Assistant Contract Manager, SUEZ  
John Scanlon, Chief Operating Officer for Processing, SUEZ

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



## **STRATA JOINT SCRUTINY COMMITTEE**

Wednesday 6 September 2017

### **Present:-**

Councillors Leadbetter, Wood, Prowse, Dent, Jung and Nicholas

### **Also Present**

Strata IT Director, The Teignbridge Strata Director, Compliance and Security Manager, Programme & Resource Manager, Strata Business Systems Manager, Strata Document Centre Manager, Chief Finance Officer, Strata Lead for Human Resources and Democratic Services Officer (Committees) (HB)

40

### **CHAIR**

In the absence of Councillor Lyons, the meeting was chaired by Councillor Leadbetter of Exeter City Council.

41

### **APOLOGIES**

These were received from Councillors Dewhirst, Haines and Lyons.

Councillor Sheldon was substituting for Councillor Lyons.

42

### **MINUTES**

The minutes of the meeting held on 15 June 2017 were taken as read and signed by the Chair as correct.

43

### **DECLARATIONS OF INTEREST**

No declarations of pecuniary interest were made.

44

### **QUESTIONS FROM THE PUBLIC UNDER PROCEDURAL RULES**

None.

45

### **QUESTION FROM MEMBERS OF THE COUNCILS UNDER PROCEDURE RULES**

None.

46

### **STRATA IT DIRECTOR'S REPORT**

The Strata IT Director presented the quarterly report on the functioning of the Strata organisation, the aim being to provide background to the core areas of specialisation within Strata and identifying key activities, successes and areas for improvement. The report included a SWOT analysis. He highlighted the following key areas:-

- the Global Desktop Improvement Programme (GDIP) was in place to improve the overall end user experience of the Global Desktop environment with regular updates issued. Action plans had been drawn up to address issues experienced and Strata was working closely with technology partners;

- in respect of Global Communications, the Strata Service Desk had been moved to the Anywhere365 solution to manage workload across the service desk which was giving better visibility of call patterns and had helped effective management;
- the number of cyber threats identified by Strata remained high and effective protection of the three authorities IT environments was in place, the Strata Compliance and Security team continuing to manage on a daily basis phishing attacks. This was a significant challenge and had increased the workload in the team. Trends in attacks had been identified and there were excellent tools in place to add layers of protection;
- the number of Business Change Requests (BCR's) had reduced through proactive monitoring and management and good progress was being made in reducing workload in a number of areas;
- recruitment of new staff had proved effective enabling members of the Strata management to free up time to enable them to better manage their teams, and to be less operational. There were some 1,800 users and 67 Strata staff;
- Strata was in a position to attract high quality staff with regular approaches from both individuals and from agencies interested in working for Strata, with the East Devon Human Resources team highly supportive. Two new team members had been recruited into the Business Systems discipline and three new apprentices had commenced work on 5 September on a structured two-year apprenticeship programme. Exeter College delivered a programme of work experience, well received by both students and college staff. During a week in June, seven 'IT' students worked alongside Strata teams and the same exercise would be repeated in 2018;
- it was noticeable that Strata was being successful in staff recruitment despite private sector competition as the overall Strata package which included pension rights and sick pay was an attraction;
- monthly town meetings were held with all Strata staff;
- a new Strata web site had been launched; and
- the Multi-Function printer Devices had been launched across the three authorities, Ricoh having won the tender.

The IT Director's report also included a table of project resources and capacity. It showed a drop in project utilisation (which had been over 70% for the majority of the last 15 months) would lead to more time available to work on BCRs. Ideally, Strata project utilisation would be at approximately 50% of available resource time. It was predicted that, by November 2017, project utilisation would be in the region of 55% of available resource time. The Director also presented a Key Performance Indicator table showing improvements in all areas - incidents, service requests, security, problems, maintenance and BCR's. He also reported reductions in the spend analysis, highlighting for example a reduction in overtime from £6,000 to £1,500 largely due to the completion of the global desktop rollout.

Referring to the transfer of the telephony system to the integrated Skype Business System, a Member asked whether Members would receive any benefit from the migration to the new platform, and whether, for example the cost of calls into the authority could be included or reduced. It was agreed that Strata would look at the possibility of deploying the new platform to Members and hence offering a more attractive call tariff for calls into the authorities.

With regard to work experience and apprentice recruitment, the need to include all Colleges of Further Education across the three authorities was recognised and hence engagement should ideally be extended beyond Exeter College. Strata would therefore look to engage other such educational establishments during 2017/18 and explore ways of potentially working together.

Individual managers presented their respective areas as set out below:-

#### Compliance and Security – Robin Barlow

There had been a consistent improvement in line with that seen over the last four months although issues with Lagan at East Devon continued to cause outages even with support from the supplier. The annual Public Service Network CoCo submissions for each council had not been accepted by the Government PSN assessment team who were taking a zero tolerance approach to Windows 2003 servers, of which there were currently five between the three Councils.

The migration of the PSN network connections was behind target due to the supplier (Vodafone). Dates to migrate email services had been confirmed for early September allowing the East Devon and Teignbridge connections to be terminated.

There was additional focus on the security position which remained high with additional measures in place to bolster the current position. This level reflected the volume of security threats being seen generally even though there has been a success in identifying the recent email campaign through some advice in a Government security forum.

#### Infrastructure Projects – Robin Barlow for Adrian Smith

Speed of the Global Desktop Improvement Programme (GDIP) had improved but there were still issues to resolve including Outlook failing with external specialists brought in to review performance. Fortnightly updates were being provided to users. A detailed breakdown of the programme was provided.

The Global Telecoms project was progressing well and Exmouth staff had been retrained following re-fit of new building. Strata remained involved in the Honiton build. The relocation of IT equipment to facilitate the building works at Forde House had provided positive feedback

The service desk was performing well in supporting the Business as Usual activities of the three authorities. In July 2017, out of the 285 feedback responses, 265 were positive, 12 neutral and 8 negative, representing a 93% positive feedback performance. Devon County Council had increased the Wide Area Network costs and Strata was therefore exploring with KCOM the transfer of the service. Because of increasing emails a further 20TB's of Storage Area Network disk capacity had been installed.

Councillor Prowse left the meeting at this point leaving the meeting inquorate.

#### Document Centres - Martin Millmow

The new Ricoh printers had been installed at Exeter City Council Civic Centre allowing printing to be collected from any printer using a council ID card. Benefits of 'Follow Me printing' technology was that prints could be retrieved from any printer and the system also provided increased data protection. Installation at remote offices would follow. Four printers were being installed at East Devon including one at the refurbished Town Council office with Teignbridge installation to follow later in September, the whole project to be completed by December.

The graphic design team had recruited a part time graduate designer based at Teignbridge.

### Programme and Resources – Steve Gammon

The Programme and Resources Manager detailed the 16 systems convergence projects being undertaken as requested by Council service managers and as agreed by the partner Councils and set out in the annual Strata Business Plan together with 60 service projects.

50% was the guideline resource allocation for project work, leaving the remaining 50% for all other tasks such as support, BCRs and all other activities. The current high demand for projects, seen to run until October was impacting capacity for delivery of BCR's.

The Programmes and Resource Manager met regularly with departmental heads to ensure Strata understood the needs of each authority and action plans drawn up to address reported problems. It was planned to provide the Draft Business Plan to the Councils' earlier this year.

Overall governance would be examined with the authorities to agree a potential new governance model for 2018 and beyond.

### Business Systems – Dave Sercombe

The Business Systems Manager reported that the BCR queue continued to reduce as BCR's were completed with the need of others being re-assessed to provide a more accurate picture. Project work was continuing with several major projects due to go live in the next couple of months. The Uniform project in Exeter had gone live helping harmonise software across the authorities. In Exeter also, Planning, Building Control, Housing Grants and Land Charges were live with the new Uniform system, now used across all three partners. All three authorities were entering into a project scoping exercise to explore the deployment of a common Street Scene as part of a review of Asset Management requirements.

The Firmstep project had been updated and agreed with the project board to manage all customer enquiries from all sources and was expected to go live at the fourth quarter of 2017/18.

Teignbridge had gone live with the Garden Waste renewals scheme and East Devon's new Waste system across their refuse service was fully operational. This involved Waste Management, Customer Services, the external contractor Suez, and Strata.

Other major projects progressing well included iTrent payroll and core Human Resources in Teignbridge which were expected go live in October 2017, the Digital Platform in Teignbridge and Updates to Website and Intranet in East Devon.

Strata recognised the importance of meeting users' expectations whilst, at the same time, retaining appropriate project work balance.

Strata Joint Scrutiny Committee noted the report and thanked the Strata staff for their hard work and the significant progress made.

The Director responsible for Finance reported that Strata had been given a total of £6,104,000 to run the IT Services in 2017/18 along with funding for various capital projects. The 2017/18 Business Plan had revised the savings profile set out in the original Business Cases over the initial ten year period of the Company.

The Strata budget was on track to deliver around £255,000 of revenue savings for the Councils in 2017/18. Strata had asked for £210,000 for specific service improvements but this had not yet been approved by the three Councils. At the three month stage the Board was projecting a savings of £255,520 against the total original target of £252,836.

The report set out variations in the capital budget.

The Board was satisfied that the refund provided to the three owners during May 2017 was appropriate, subject to final approval at Teignbridge of the company being allowed to keep the additional £210,000.

Strata Joint Scrutiny Committee noted and supported the report.

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### **PEOPLE DATA REPORT - 2016/17**

The Alternate Director with Lead Responsibility for Human Resources presented the report setting out key people information for 2016/17. The report covered headcount, turnover, absence, recruitment, apprentices and age profiles. Strata had recruited three apprentices for each of the three councils.

Strata Joint Scrutiny Committee noted and supported the report.

(The meeting commenced at 5.30 pm and closed at 7.02 pm)

Chair

**Recommendation for Cabinet that will resolve in an action being taken:**

**Housing Review Board on 7 September 2017**

**Minute 20 Housing Revenue Account Business Plan update**

**RECOMMENDED** by the Housing Review Board:

that Cabinet note the contents of the draft Housing Revenue Account Business Plan 2017-2022 and approve the Plan.

**Minute 22 Responsive repairs and works to void properties contract procurement process**

**RECOMMENDED** by the Housing Review Board:

1. that Cabinet note the progress being made on the renewal of the responsive repairs and work to void properties contract;
2. that Cabinet approve the direction of travel and the terms of reference for the project group formed to discuss the procurement;
3. that Cabinet approve the brief for the appointment of procurement consultants.

**Minute 23 Fire safety and policy update**

**RECOMMENDED** by the Housing Review Board:

1. that Cabinet adopt the fire safety policy and endorse the approach towards fire safety in Council owned housing.
2. that Cabinet approve the inclusion of an article on fire safety in the next Housing Matters magazine.

**Minute 24 Compliance review**

**RECOMMENDED** by the Housing Review Board:

that Cabinet agree the recommendations outlined in the compliance review (section three of the [Housing Review Board report](#)).

**Minute 25 Sewage treatment works progress**

**RECOMMENDED** by the Housing Review Board:

1. that Cabinet approve that applications for First Time Sewerage should be submitted at up to 10 locations, and
2. that Cabinet approve that applications for sewer requisitions should be submitted at 3 locations at a cost of £2,500 per location,
3. that Cabinet approve further consideration being given to options for transfer of sites which are not eligible for the above.

#### **Minute 26 Tenancy succession policy**

**RECOMMENDED** by the Housing Review Board:

1. that Cabinet approve the tenancy succession policy,
2. that Cabinet approve the inclusion of an article raising tenants' awareness of the succession policy in the Housing Matters magazine.

#### **Minute 28 Annual report to tenants**

**RECOMMENDED** by the Housing Review Board:

that Cabinet approve the content of the annual report to tenants, subject to the information being graphically designed for reproduction in the December Housing Matters magazine.

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 7 September 2017**

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

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

#### **\*16 Public speaking**

There were no questions raised by members of the public.

The Chairman welcomed everyone to the meeting and invited those present to introduce themselves. She informed the Board that a previous tenant representative, Sue Saunders, had been taken into hospital and circulated a card to be signed.

#### **\*17 Minutes**

The minutes of the Housing Review Board meeting held on 15 June 2017 were confirmed and signed as a true record.

#### **\*18 Declarations of Interest**

Mike Berridge: Personal interest - family member lives in a Council owned property and a housing tenant.

Joyce Ebborn: Personal interest – housing tenant.

Pat Rous: Personal interest - housing tenant.

Cllr Ian Hall: Personal interest – family member lives in a Council owned property and uses Home Safeguard.

#### **\*19 Forward plan**

The Strategic Lead, Housing, Health and Environment presented the forward plan and advised Members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either himself or the Democratic Services Officer. Members were advised that items that would be coming forward and added to the plan were the Tenant Scrutiny Panel report, a report on the introduction of Universal Credit and a report about joint working in Broadclyst around the community centre.

**RESOLVED:** that the forward plan be noted and updated.

#### **20 Housing Revenue Account Business Plan update**

The Strategic Lead – Housing, Health and Environment's report presented the updated Housing Revenue Account (HRA) Business Plan to the Board. The Business Plan set out the known income and expenditure plans and a series of assumptions projected over the next thirty years.

The Business Plan was originally produced to coincide with the reform of social housing finance and the introduction of self-financing. It had now been updated to include the latest developments and challenges likely to affect the HRA over the next few years. The Business Plan was a key policy document for the landlord element of the housing role.

The Business Plan had matured over eleven years and reflected ambitions and priorities. Producing a Business Plan was a good discipline and guided the annual budgeting process. The HRA was in a healthy position so that the service could afford to keep tenants' homes in good condition and deliver good quality housing management services. However,



it needed to be carefully monitored and managed. It was a dynamic document, with complex spreadsheets underpinning it which could be manipulated to model various financial scenarios.

There had been some key operational considerations, which had recently prompted a review of the business, including the governments rent reduction policy, and work had been undertaken with Capita on some technical/financial pieces of work. The Plan was based on a series of assumptions and predictions about income and expenditure. It was noted that asset information regarding stock condition would benefit from being more up to date, and a stock condition survey would be undertaken and the results built into business planning process. The impact of Universal Credit on rental income was unknown, but from experience elsewhere in the country the introduction was likely to have a negative effect on rent income. A development programme for 25 additional homes every five years was also factored into the Plan.

**RECOMMENDED:** that Cabinet note the contents of the draft Housing Revenue Account Business Plan 2017-2022 and approve the Plan.

**\*21 Financial monitoring report**

The Board was presented with a summary of the overall financial position on the Housing Revenue Account, HRA Capital Programme and the Business Plan for 2017/18 at the end of month four (July 2017).

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

Current monitoring indicated that:

- The Housing Revenue Account Balance would be maintained at or above the adopted level.

The Portfolio Holder for Sustainable Homes and Communities suggested that the success of the service should be flagged up and included in the monthly performance report going to Cabinet. Good news stories should be better communicated.

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

**22 Responsive repairs and works to void properties contract procurement process**

The Strategic Lead – Housing, Health and Environment's report updated the HRB on the progress being made to tender and procure a new responsive repairs and works to voids contract. The Board were invited to agree the appointment of consultants to support the Project Group through the procurement, and the revised terms of reference for the Project Group were presented.

The Project Group had been reconfigured, consisting of officers to oversee the drawing up of the specification and the procurement process. The project was extremely large and complex with an estimated value over a 10-year period of well in excess of £100million. It was an involved procurement process and could be subject to challenge. The EDDC Legal team would be drawing up the contract, but were not able to provide support with procurement, specification and the technical aspects of the work. The Devon County Council procurement team were overseeing the procurement of the contract, but did not

have the capacity to give detailed or intensive assistance. Therefore, it was intended to go out to tender for consultants to support officers through the whole process and specifically with assistance in drawing up the contract specification, tender documents and evaluation, contract award, TUPE, mobilisation and so on.

Tenants would be kept fully informed by regular reports to the Repairs Service Review Group and the Tenant Involvement Forum, as well as specific consultation events as and when required. The HRB would be kept engaged in the process with regular reports.

**RECOMMENDED:**

1. that Cabinet note the progress being made on the renewal of the responsive repairs and work to void properties contract;
2. that Cabinet approve the direction of travel and the terms of reference for the project group formed to discuss the procurement;
3. that Cabinet approve the brief for the appointment of procurement consultants.

(Christine Drew, independent community representative, requested that her vote against the proposal be recorded).

**23 Fire safety review and policy update**

The Strategic Lead – Housing, Health and Environment reported on an internal review of fire safety following the Grenfell Tower fire in London. Fire safety was a key element of compliance work and a priority for the Council as a landlord. The Housing Review Board were invited to recommend to Cabinet an updated fire safety policy which outlined the Council's approach to fire safety in housing. It was anticipated that new learnings and revisions to fire safety practice would emanate from the Grenfell Tower inquiry, and this would be embraced when it emerged.

It was acknowledged that tenants also had a critical role to play in fire safety. There was a need for good staff awareness of the fire safety policy and tenants needed to be aware of it too. It was noted that hoarders were a significant risk to fire safety. It was also suggested that East Devon become a non-smoking housing provider.

**RECOMMENDED:**

1. that Cabinet adopt the fire safety policy and endorse the approach towards fire safety in Council owned housing.
2. that Cabinet approve the inclusion of an article on fire safety in the next Housing Matters magazine.

**24 Compliance review**

The Senior Technical Officer – Asset Management reported on an internal review of property and asset related compliance. This was a priority area of service delivery for the Council as a responsible landlord with tenant safety at the centre. It was critical that good practices were adopted and basic compliance requirements exceeded wherever possible. The Council employed a dedicated Compliance Surveyor.

Compliance covered a wide range of areas including gas safety, electrical safety, asbestos management, fire safety and legionella. The Council also adhered to the Construction Design & Management Regulations 2015 and Building Regulations. The Council had legal obligations to fulfil, however, it also adopted good practices with solid fuel, passenger lifts, stair lifts and track hoist servicing, clos-o-mat servicing, rainwater harvester servicing, air

source heat pumps, solar PV panel servicing and servicing and maintaining a number of sewage treatment plants and boreholes.

To ensure that the Council's housing service was compliant it regularly reviewed compliance. The OpenHousing computer system held information on the housing stock and when certain components were due to be serviced. Each month servicing extracts were sent to contractors to ensure they carried out the servicing in line with legislation or best practice, once the service has been completed data was then uploaded to show that the service had been carried out. Each month a report was produced by OpenHousing giving an overview of compliance. These reports were important as they would highlight if the Council was not compliant, and action could be promptly taken to rectify this.

To ensure the housing service remained compliant it was important that tenants were aware of the Council's legal duties as a landlord. Regular articles in the Housing Matters Magazine would create more awareness around compliance and why it was important to allow contractors in to their homes to carry out servicing. The report also proposed that awareness sessions were held within the community where tenants could come along to a coffee morning and talk to staff about health & safety.

It was noted that gas safety checks were undertaken on a 10-month cycle. Contractors were only gaining access to 75% of properties on their first attempt. The profile and importance of this needed to be raised amongst tenants. It was suggested that an article on this should also be included in the Housing Matters magazine.

**RECOMMENDED:** that Cabinet agree the recommendations outlined in the compliance review.

## **25 Sewage treatment works progress**

The Board considered the report of the Engineering Projects Manager, which updated the HRB on the current position regarding the sewage treatment plants (STPs) that served Council properties, and sought approval on proceeding with steps to transfer properties onto the public sewerage system.

The EDDC Housing Service currently owned and managed 15 sewage treatment plants across the district. These served 55 properties, only 22 of which were council properties. The others were ex-council properties sold under the Right to Buy. The current 15 STPs were of varying types ranging from simple septic tanks to more complex processes. Engineers had found a way to transfer 10 of these, the details of which were contained in the report.

### **RECOMMENDED:**

1. that Cabinet approve that applications for First Time Sewerage should be submitted at up to 10 locations, and
2. that Cabinet approve that applications for sewer requisitions should be submitted at 3 locations at a cost of £2,500 per location,
3. that Cabinet approve further consideration being given to options for transfer of sites which are not eligible for the above.

## **26 Tenancy succession policy**

The Housing Needs and Enabling Manager's report presented to the Board the new tenancy succession policy. The rules on succession were given in the tenancy agreement

but it was good practice to also have a succession policy in place to ensure that all cases of succession were treated fairly, consistently and in accordance with current legislation.

**RECOMMENDED:**

1. that Cabinet approve the tenancy succession policy,
2. that Cabinet approve the inclusion of an article raising tenants' awareness of the succession policy in the Housing Matters magazine.

**\*27 Revision of tenancy agreement**

The Board were made aware of planned revisions to the tenancy agreement. The current tenancy agreement required updating to bring it into line with current practice and legislation. The consultation process was lengthy if significant changes were being made. The Board would be kept informed of progress.

**RESOLVED:** that the Housing Review Board note that the tenancy agreement was in the process of being revised.

**28 Annual report to tenants**

The Strategic Lead – Housing, Health and Environment presented the draft of the annual report to tenants for 2016/17. The draft was in word text format and would be graphically designed once the wording had been finalised. The Board felt that every District Councillor should receive a copy of the annual report.

**RECOMMENDED:** that Cabinet approve the content of the annual report to tenants, subject to the information being graphically designed for reproduction in the December Housing Matters magazine.

**\*29 Performance digest – quarter 1 monitoring report**

The Board was presented with the Housing Service performance indicator report for quarter 1 2017/18, with details of selected indicators measuring performance across the Housing Service.

The Board discussed various issues including rough sleepers, anti-social behaviour, the St Andrews Road shared house and welcome packs for tenants. The fantastic work of the SWITCH team was noted. A request was made for ward members to be informed of new tenants moving into their area.

**RESOLVED:** that the performance of the Housing Service be noted by the Board.

**\*30 Housing Review Board selection panel**

The Board noted that following the resignation of Angela Bea, there was a vacant tenant representative position on the Board, with two tenants expressing interest in joining the Board. Some of the previous members of the selection panel were no longer Board members so the Board were asked to select three new members.

**RESOLVED:** that the Housing Review Board selection panel consist of Councillor Megan Armstrong, tenant Mike Berridge and independent community representative Christine Drew, and the Chairman Councillor Pauline Stott. Councillor Ian Hall would substitute where necessary.

**\*31 Dates of the forthcoming Housing Review Board meetings**

It was noted that the district council would shortly be having a presence at Exmouth Town Hall, with housing officers located there. It was suggested that the 2018 HRB meetings be held in the Town Hall, Exmouth.

The Board noted the dates of the HRB meetings for the forthcoming civic year:  
Thursday 2 November 2017 – 2:30pm, Council Chamber, Knowle, Sidmouth  
Thursday 11 January 2018 – 2:30pm, Council Chamber, Exmouth Town Hall  
Thursday 8 March 2018 – 2:30pm, Council Chamber, Exmouth Town Hall

**Attendance list**

**Present:**

Cllr Pauline Stott (Chairman)  
Cllr Megan Armstrong  
Cllr Jenny Brown  
Cllr Ian Hall  
Cllr Brenda Taylor

**Co-opted tenant members:**

Pat Rous (Vice Chairman)  
Mike Berridge  
Joyce Ebborn

**Independent community representatives:**

Julie Bingham  
Christine Drew

**Officers:**

Graham Baker, Senior Technical Officer – Asset Management  
Sue Bewes, Landlord Services Manager  
Amy Gilbert, Property and Asset Manager  
John Golding, Strategic Lead - Housing, Health and Environment  
Andi Loosemoore, Rental Manager  
Mike Purcell, Interim Property and Asset Manager  
Alethea Thompson, Democratic Services Officer  
Rob Ward, Housing Accountant

**Also present:**

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities  
Cllr Simon Grundy  
Josie Ireland, tenant  
Peter Sullivan, tenant

**Apologies:**

Cllr Steve Gazzard  
Victor Kemp, tenant  
Danielle Furzey, Housing Options Manager  
Andrew Mitchell, Housing Needs and Strategy Manager  
Giles Salter, Solicitor

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

## East Devon District Council

### Notes of meeting of the Steering Group for the Sidmouth Beach Management Scheme, held at Council Offices Sidmouth on Wednesday 13 September 2017

Attendance list at end of document. The meeting started at 9.00am and completed at 10.07am.

#### Welcome and introduction

The Chairman welcomed everyone present and members of the Steering Group introduced themselves.

#### Notes of the 15 March 2017

The notes of the previous meeting of the Group were agreed, subject to the following amendments:

The notes to be corrected in that the 2011 planning application for a rock reventment along the East beach was withdrawn **prior to a decision being made on the application**;

A point was clarified by Tony Birch relating to the benefits of a scheme not being attributed to Pennington Point, as when that point erodes, there is an ongoing impact on the River Sid.

In discussing the notes of the previous meeting, comments were made from the group on a reluctance to the agreement in going forward with option S1, but taking a pragmatic approach to moving work forward whilst also considering modelling work on option S4. Many group members felt it was worth keeping options, should future work on S1 reveal that option S4 could be a more viable option. As had been discussed at previous meetings, S4 was much preferred by most of the group but was not deemed viable at the present time because of the funding gap identified between it and the more viable S1 cost.

During the discussion on the notes of the meeting, Councillor Cathy Gardner commented that she was unhappy with a number of issues, including the accuracy of the minutes, meetings not happening as anticipated, lack of clarity on who had voting rights in the Group, and concerns at the overall process of delivery of a scheme. She voiced her concern at delivering the right scheme to protect the town and its residents in light of continued accelerated erosion, and commented that she felt she was wasting her time in attending the meeting.

Cllr Gardner and Cllr Rixon then left the meeting.

Costs for modelling option S4 had already been sought as the Group had previously requested. This equated to an additional £40K on top of the costs of dealing with option S1. With the significant gap in cost between the two options and the previous decision to go forward with the Plan containing option S1, work had been progressed by officers as instructed. The additional £40K was challenged and therefore newly

contracted consultants Royal Haskoning DHV agreed to provide a scale of costs against the level of cost certainty that they could provide.

**ACTION** Scale of costs against levels of work to be provided by Royal Haskoning DHV

### **Procurement of OBC and bathymetry**

The criteria breakdown of the tender process was set out for the Group, with the successful contractor achieving the highest or joint highest scoring against those criteria.

Royal Haskoning DHV was awarded the contract for OBC; whilst Clinton Marine AB was awarded the contract for bathymetry, with the bathymetry now complete, checked by PCO and issued to RHSK.

### **Introduction to Royal Haskoning DHV**

The Group received an introduction from the newly appointed consultants, including information on their recent projects.

Work to date as included:

- EA agreed modelling approach
- Setup and import of data into wave model
- Initial discussions with LPA and statutory consultees to confirm the scope of the Environmental Impact Assessment (EIA) including the Landscape and Visual Impact Assessment (LVIA) and the Habitats Regulations Assessment (HRA)

Work on the SMP in the autumn covered:

- Modelling overtopping, flood propagation and sediment transport
- Calculating “do nothing” coastal flood and erosion damages
- Confirm scope of EIA

Work for the consultants over the winter months included:

- Develop and appraise option S1
- Review construction costs and calculate new
- Start outline of preferred options
- Start EIA and HRA

Spring and early summer work covered:

- Complete outline design of the scheme
- Environmental Impact Assessment complete
- Produce outline business case for submission to Environment Agency review group

Question arose during the presentation on the extent of work that would be carried out. In response:

- Modelling of overtopping will also examine risk and consequences of a breach of the River Sid western wall
- The brief for numerical modelling does not include looking at ground water levels or increased rainfall prediction. It is considered that these factors are unlikely to have a significant effect on the long term cliff erosion rates
- Locations for and frequency of recharging the beach will be reviewed
- Information from the 1995 scheme modelling report would be considered

There had been past challenges and concerns with the previous consultant, Halcrow CH2M. The approach outlined by the consultants would help affirm or uncover any inconsistencies in that previous work to ensure that a robust scheme would be ready to be deployed once the Council was in a position to bid for funding.

The intention was for the Outline Business Case to be completed in June 2018.

### **Key Issues Register**

The issues log currently used by the Group would be continued to be fully utilised by the consultants and officers – referred to as the Key Issues Register.

The current list covered:

- Locations of beach replenishment
- Adaptions to river training wall
- Accuracy of economic benefits (values, erosion rate, key areas identified by review)
- Environmental acceptability
- Operational costs
- Smart pebbles (devices to track shingle movement)

The Group requested the addition of issues, including:

- Land Ownership – this was particularly relevant to land owned by the National Trust that had been impacted by changes in mean high water and erosion, altering from a length of land to individual pockets of land, much being the cliff face
- Be mindful of the Port Royal development
- Frequency of beach replenishment; equally as relevant as location
- Alma Bridge

**ACTION** To re-circulate the relevant documentation from the BMP which sets out the environmental constraints that need to be taken into consideration when developing the BMP, taking into account the Jurassic Coast status and the AONB.

**ACTION** to check liability of land owner in regards to cliff fall and debris onto beach below is still the same position as advised to Cliff Road owners in 2007 – Cllr Tom Wright will check this position and respond directly



## **Any other business**

Through the Chairman, Cllr Stuart Hughes had asked for a one-way gate installation to be considered for Alma Bridge. Nick Jennings confirmed that the County have already indicated that this will be undertaken.

Date for next meeting will be confirmed, but will cover interim updates on the work being undertaken by the newly appointed consultants.

## **Attendance list**

Steering group members present:

Cllr Phil Twiss (Chairman)

Mary Bagwell, Sidmouth Trawlers – commercial fishermen representative

Tony Burch, by invitation of the Chairman

Tony Flux, National Trust representative

Paul Griew, Cliff Road Action Group (CRAG)

Christopher Holland, Clerk to Sidmouth Town Council

John Radford, Cliff Road Action Group (CRAG)

Phil Shepperd, Operations Manager, Sidmouth Lifeboat

Cllr Jeff Turner, Sidmouth Town Council

Martin Davies, Flood Risk Coastal Manager, Environmental Agency

Nick Jennings, Principal Engineer Bridges and Structures – DCC

Amanda Newsome, Lead Advisor – Devon Sustainable Development – Natural England

Sam Scriven, Jurassic Coast World Heritage Team

Ward Members

Cllr Cathy Gardner

Cllr Marianne Rixson

Cllr David Barratt

Officers

John Golding, Strategic Lead – Health, Housing and Environment, EDDC

Dave Turner, Engineering Project Manager, EDDC

Debbie Meakin, Democratic Services Officer

Consultants

Alexander Lee, RHDHV

Caroline Price, RHDHV

Apologies

Robert Crick, Vision Group for Sidmouth

Cllr Stuart Hughes, DCC & EDDC

Ed Harrison, Sidvale Association

Oliver Salter, Sidmouth Sailing and Sea Angling Club

# **EAST DEVON DISTRICT COUNCIL**

## **Notes of a Meeting of the Budget Working Party held on Wednesday, 13 September 2017**

The meeting started at 3.30pm and ended at 4.25pm.

### **1. Last meeting of Working Party – 14 September 2016**

The notes of the meeting of the Working Party held on 14 September 2016 were received and noted.

### **2. Declarations of interest**

Councillor Perter Burrows

Type of interest – personal

Reason: Son was employed by the Council

Councillor Jill Elson

Type of interest – personal

Reason: Chairman of the Exmouth and District Community Transport Group

Councillor John Dyson

Type of interest – personal

Reason: Trustee – Sidmouth Folk Week

### **3. Medium Term Financial (MTFP) and Transformation Strategy**

The Strategic Lead Finance presented his report updating Members on the current position of the Council's Medium Term Financial Plan (MTFP) and asking them to consider actions proposed for inclusion into the Council's Transformation Strategy in order to prepare future balanced budgets. The report also asked Members to consider providing an early steer on the Council's intention regarding the level of Council Tax Support Grant to be given to enable town and parish councils to plan their budgets for the next year.

The Working Party were guided through the report, with attention drawn to an extract from the latest MTFP 2018/19 to 2027/28 which projected that if no action was taken, the Council's budget would have a £4.2m deficit by 2027/28. It was noted that in 2020/21 the deficit increased significantly due to the Government indicating that there would be a rebasing of business rates – all growth to date would disappear and growth would start from scratch. A detailed analysis of the MTF, including assumptions, had been appended to the agenda papers and key areas to note had been highlighted.

Following a joint meeting of Cabinet and the Strategic Management Team in July:

- A longer view of the Council's MTFP had been taken with an objective to set a 2 year balanced budget leading to the next Council;
- An objective of becoming self-funding due to Government withdrawing funds from 2019/20;
- Additional income through commercial thinking were reflected in part in the Transformation Strategy savings listed, however was not completely in line with the development/asset based income return Members had been indicating.

The Strategic Lead Finance advised that the Council was close to being able to set a balance budget for the next two years, subject to a further £500k being found. Members were asked to consider a list of items for inclusion in the Transformation Strategy – these were items where savings could be made/income generated – and to give a steer as to whether or not they wished officers to pursue these. Items to be included would be written into the Financial Plan (including the MTFP) and presented to the October Cabinet meeting along with an updated Transformation Strategy.

During discussion on items proposed for inclusion in the Transformation Strategy included:

- Proposed items for the Transformation Strategy appeared modest and not particularly ambitious. In response, it was confirmed that further work was required.
- Also there seemed to be barriers on progressing investment ideas due to a need for resource and the skills required to bring these items forward.
- The Working Party were minded not to include a Streetscene recharge cost for clearing up after events, however for the deposit scheme (if organiser clean up after the event the deposit is returned) retained.
- Clarification was given regarding the organisation 'fit for purpose' item – this was advised as an ongoing process.
- Regarding the income from concession and events, the Deputy Chief Executive advised that there was a need to start promoting concessions and establish a charging system.
- The public toilet review would form part of the asset review and members were advised that asset based items had not been included at this stage as details were still uncertain and under consideration.

The Working Party also considered and discussed the provisional service funding requests as detailed in the Transformation Strategy Monitor.

Picking up on the point of developing investment ideas the Strategic Lead Finance asked Members to consider options for how resources could be found to drive forward financial self-sufficiency, particularly looking at 2020/21 and beyond. It was suggested that a small Member group, possibly either the Capital Strategy and Allocation Group or the Budget Working Party could be asked to meet to consider business cases for schemes to support self-sufficiency and act as a project overview group. The need to assess the cost benefits from an early stage in the process and for standards/criteria were highlighted.

The Working Party was minded to reduce the Council Tax Support paid to parish and town councils in line with the reduction seen by the Council's own Revenue Support Grant, as has been done in previous years.

**RESOLVED:**

1. that the current budget position be noted and proposed action for savings identified through the Transformation Strategy be supported, subject to the Streetscene recharge for clean up after events being removed;
2. that a small Member group be used to consider projects for financial self-sufficiency;
3. that town and parish councils be advised of the anticipated reduction in the Council Tax Support Grant for 2018/19 as 24%– in line with the reduction being made by the Government and that this would be the final year of payment.

**Attendance list**

**Present:**

**Councillors:**

Ian Thomas, Portfolio Holder - Finance (Chairman)

Iain Chubb, Portfolio Holder – Corporate Business

Paul Diviani, Leader

Jill Elson, Portfolio Holder – Sustainable Homes and Communities

Phil Twiss, Portfolio Holder – Strategic Development and Partnerships

Dean Barrow

Colin Brown

Peter Burrows

John Dyson

Geoff Pook

**Officers:**

Mark Williams, Chief Executive

Richard Cohen, Deputy Chief Executive

Simon Davey, Strategic Lead – Finance

John Golding, Strategic Lead – Housing and Environment

Henry Gordon Lennon, Strategic Lead – Governance and Licensing

Hannah Whitfield, Democratic Services Officer

## **EAST DEVON DISTRICT COUNCIL**

### **Report of a meeting of the Capital Strategy and Allocation Group held in Room 1, Knowle, Sidmouth on Wednesday, 13 September 2017**

Attendance list is at the end of the document

The meeting started at 13.30 pm and ended at 3.17 pm.

#### **1 Chairman**

Councillor Ian Thomas, Portfolio Holder – Finance, was elected Chairman of the Group

#### **2 Report of the meeting of the Group**

The report of the meeting held on 1 December 2016 was noted.

#### **3 Declarations of interest**

No declarations were given.

#### **4 Matters of urgency**

No matters of urgency were raised.

#### **5 EDDC Guide to Project Management**

The Strategic Lead for Finance, Simon Davey, explained that a recent report from the South West Audit Partnership (SWAP) sent to Audit & Governance Committee had raised issues of consistency in the current approach taken to project management by EDDC. As a result a Guide had been drafted and presented to SMT for consideration prior to being brought to this meeting. The Guide sets out the key principles for how project management should take place at EDDC. It is based on PRINCE2 methodology but has been tailored to EDDC's governance structure.

The Capital Strategy & Allocation Group are asked to consider the Guide and endorse the principles contained therein, with a view to making a recommendation to Cabinet that it is formally adopted as EDDC Guidelines. Further to this it is recommended that the Terms of Reference for the Group are amended in order to meet on a quarterly basis to consider EDDC projects in future and undertake monitoring more regularly in line with the Guide, which will also form part of the report to Cabinet.

Simon Davey took the meeting through the Guide, making reference to the variance in size of projects which would require different handling. In future it was suggested that the Group meets quarterly to monitor capital and major projects, and all capital proposals would continue go to the group. There was a Standard Project Initiation Document (PID) included in the Guide. Large projects (£100K+) would require reports to Cabinet first. All Projects would be recorded on Spar.net, as the corporate database across EDDC. Progress on projects would be reviewed by SMT on a monthly basis, alongside overview by members of the Group.

Subject to Cabinet agreement the Guide would be rolled out across EDDC.

Discussion about the Guide went on to cover;

- The size of projects
- Definitions of projects (e.g. Housing repair programmes were not)
- Joint projects – ownership and legal issues

- The HRA – projects would be discussed by Simon Davey and John Golding
- Minimum standards – much of the Guide was already in place

SWAP will undertake a follow up to their report to Audit & Governance Committee during the next quarter.

**RECOMMENDED:** that the Guide to Project Management be presented to Cabinet for consideration and adoption, and Cabinet agree that the Terms of Reference of the Capital Strategy & Allocation Group are amended so that it meets on a quarterly basis to undertake more regular project monitoring in line with the Guide.

## **6. Update on key projects**

In line with the intended future use of the Group to review projects, Members were presented with a number of reports in respect of two of the Council's ongoing major projects. Members found the reports to be well presented and informative.

### **a) Queens Drive**

A number of reports were presented to provide key updates on the project. The Group considered the Highlight report; the Road and Car Park timeline; the Risk Management Plan and Budget Summary. Consideration was given to the issues raised.

**RESOLVED:** that progress on the Queens Drive project is noted, particularly that tenders for the road and car park works have been received and are within the allocated budget.

### **b) Mamhead Slipway**

A number of reports were presented to provide key updates on the project. The Group considered the Highlight report; project timeline; the Risk Management Plan and Budget Summary. There was discussion that the slipway was now open and successful but there were contractual issues which remain to be resolved. It was noted that Cabinet would be receiving a further report in respect of the contractual dispute in due course.

**RESOLVED:** that progress on the Mamhead Slipway project be noted. The papers showed a project forecast overspend of £146k and additional risks associated with contractual issues.

## **7. Future meetings of the Group**

### **RESOLVED**

that the date of the next meeting will be on Wednesday 6<sup>th</sup> December at 15.00pm in the Committee Room.

### **Councillors:**

#### **Present:**

Ian Thomas (Chairman)

Phil Twiss

Iain Chubb

Geoff Pook

**Apologies:**

Philip Skinner

**Also present:**

Paul Diviani

**Officers:**

Mark Williams, Chief Executive

Simon Davey, Strategic Lead – Finance

Laurelie Gifford, Financial Services Manager

John Hudson, Accountant

Henry Gordon-Lennox, Strategic Lead – Governance & Licensing

Susan Howl, Democratic Services Manager

Chairman: ..... Date:.....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 21 September 2017**

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

The meeting started at 6.00pm and ended at 7.41pm.

#### **\*14 Public speaking**

There were no questions from the public.

#### **\*15 Minutes**

The minutes of the Scrutiny Committee held on the 20 July 2017 were confirmed and signed as a true record.

It was reported that the Communities and Local Government Committee's inquiry into Local Authority Overview & Scrutiny had not proceeded as a consequence of the General Election. The Committee has now been reconstituted and Members of Parliament have agreed that the inquiry should now resume and will be considering evidence submitted in October 2017.

#### **\*16 Phase 2 of Recycling and Waste Contract update**

The Chairman welcomed the Portfolio Holder for Environment, Cllr Tom Wright, and his deputy Cllr Marcus Hartnell, alongside Gareth Bourton, Recycling and Waste Contract Manager.

The committee had received an update report covering the implementation of Phase 2 of the contract, which covered the remaining areas of the District under the new collection terms. Roll out commenced on the 12 June 2017 as planned, and overall the implementation is successful. Residents of the District have overall embraced the new service, which was reflected in the figures reported to the committee on the recycling rate – now at 57%, an increase of 15% from the previous collection service.

Significant changes have been made for the new contract implementation, including:

- In-cab and back office systems in place with approximately 150 staff trained in its use;
- Over 51,000 recycling sacks and bin hangers delivered; over 10,000 additional recycling containers delivered;
- New routes devised for collecting from over 51,000 properties.

The Portfolio Holder stressed that the team strived for continued improvement to the service, including a desire to add a green waste collection service in the future.

Questions and debate from the committee included:

- The new Materials Recovery Facility (MRF) at Greendale was anticipated to be online from January 2018. This improved facility was to cope with the high volumes of materials;
- Work to ensure that all methods of reporting missed collections were recorded to give clear data. Missed collections level had vastly improved from the initial weeks of implementing Phase 2 and the Streetscene team worked closely with Suez crews to ensure rounds were accurately updated accordingly;
- Good reports from Members on action taken with problems that had arisen, such as helping deal with residents that had difficulty in sorting their waste; and in taking a practical approach to small incidents of accidental mixed recycling waste;



- Suez have strong record on health and safety and work continues to ensure that crews are as safe as possible on what is, by nature, a risky job;
- Container return improvements now a focus for the service, looking at improving the quality of collections;
- Welcomed the recognition of the improvement to the service with the recent Green Apple environmental award;
- Driver retention approach by Suez was explained to the Committee, with a positive approach to training drivers with a two year retention package;
- In cab technology allowed each vehicle to be tracked, and crews updated on route with collection information for example logging each assisted collection;
- Size and number of collection containers would remain an issue for flats and small homes. This was an issue nationally, but a necessity in order to collect the volume of waste that was being produced;
- The cost of additional vehicles put in place to deal with demand was currently being absorbed by Suez. Any future negotiation on costs in the contract would have to be put to Cabinet for a decision;
- Market prices for recycled materials varied due to global influence. Contracts were in place with DCC and Suez for the sale of those materials and a best estimate on the return made for future budgets;
- “Avoided waste disposal savings”, where the County are benefitting from the reduction of waste disposal at the Energy from Waste (EfW) plant and could pass on their savings to Districts, were now agreed with DCC.

The committee were keen to have a report back in future months to ensure that any means of reporting missed collections were handled correctly and promptly, and that the East Devon App was also working correctly and consistently.

## **RESOLVED**

1. that the committee receive a further report from the Portfolio Holder in March 2018 on the implementation of Phase 2 of the Recycling and Waste Contract, to specifically cover:
  - a. Health and safety data and progress
  - b. Reporting mechanisms for missed collections (via app, online, phone and other means), and clear associated data on reporting for performance monitoring
  - c. Staff turnover rate
  - d. Savings realised from the change in contract
  - e. Impact of installation of improved MRF at Greendale
2. That the officers and local communities be congratulated on their hard work and engagement to bring about the success in the implemented scheme;
3. That the committee welcomes the actual reduction in waste disposal at the Energy from Waste (EfW) plant; and
4. That the committee welcomes the actual increase in recycled materials.

### **\*17 Quarterly monitoring of performance quarter 1 2017/2018**

The committee raised issues on the following performance indicators:

- Delivery of Manor Pavilion car park as a pay and display car park. The Chairman expressed his annoyance at the officer remarks to this indicator, which as set out in the report, suggested that the delay to delivery was due to the involvement of the Scrutiny Committee. He reiterated to the committee that had the pending change to pay and display

been consulted upon at the outset with local interested parties, Ward Members and the Town Council, the committee would not have been requested to review the decision and terms of the change of use. He also commented that it was disappointing that Cabinet had not chosen to agree with the committee's recommendation on the charging hours;

- Return empty homes to beneficial use. This is "on track" but with no narrative. The previous shared post of a dedicated officer with Exeter City Council has not been replaced when that individual retired; Exeter City did not have any appetite to continue with a shared arrangement on that post. Therefore the work has been absorbed back into the Housing Team to continue with. The committee decided to refer the issue to the Housing Review Board, with future monitoring reports being updated accordingly;
- Beach Safety Officer – post now filled;
- Fly tipping – many committee members had concerns about the continuing changes in charges at Devon County Council (DCC), and how that directly impacted on the scale of fly tipping. Whilst the charges were the responsibility of the County Council, Members wished to pursue some form of action and agreed to ask the Portfolio Holder for Environment to pursue this issue; roadside litter was also an issue that needed addressing, which had been researched by a member of the committee. Dangerous stretches of road were difficult to clean because of safety issues for Streetscene operatives, but the committee hoped that the Portfolio Holder may be able to work with the team to reach a safe solution;
- Percentage of planning appeals decisions allowed against authority's decision. This has been discussed at both Strategic Planning Committee (SPC) on 11 July and Development Management Committee in August. Members noted the minutes from SPC on the issue;
- Improvement in processing housing benefit/council tax benefit new claims and change events was welcomed;
- Younghayes centre transfer – this was currently awaiting response from the Town Council solicitors, so no solid completion date could be provided at this time;
- District design guide – being monitored by the Overview Committee;
- Member development programme – Lead Councillor for Member Development sought views on how to ensure good attendance by Councillors to arranged information events and training sessions. Previous events had been poorly attended, despite trying a mix of both daytime and evening events. Scrutiny training had been arranged for November and confirmed numbers were being sought, but a program of events needed to be developed. The Lead Councillor agreed to reconvene her Member Development working Group to look at developing a programme and seek views of Councillors on ensuring attendance;
- More detail was requested on the Business rate relief policy in operation;
- If the business plans for the both Area of Outstanding Natural Beauty partnerships were available online yet;
- More information requested on the location of sites for monitoring air pollution, levels of pollution and how that related to new or expanding development;
- Congratulate officers on the current work in refurbishment of Exmouth Town Hall and the start of the build of Blackdown House at Honiton.

**RECOMMENDED to the Housing Review Board** that work allocated to return empty homes to beneficial use be reviewed to establish if a dedicated officer, shared with other authorities, could be established again to deliver a higher number of homes returned to use.

**RESOLVED** to ask the Portfolio Holder for Environment to approach the County Council on the issue of increasing costs to residents for using their recycling facilities and the impact that has on the District with increasing fly tipping; and to look into what safe practices could be adopted to deal with roadside litter

**\*18 Scrutiny Forward Plan**

Work continued to pursue agreement from the Cabinet Member for Adult Social Care and Health Services of Devon County Council (DCC) to attend the committee to discuss mental health services in the District. There had also been no response from the Chairman of the DCC Health and Adult Care Scrutiny Committee to the letter sent on behalf of the Scrutiny Committee on 26 June 2017.

**RESOLVED** that local County Councillors be asked to assist in requesting attendance by the DCC Cabinet Member.

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

**Scrutiny Members present:**

Roger Giles  
Bruce de Saram  
Simon Grundy  
Maddy Chapman  
Alan Dent  
Dean Barrow  
Bill Nash  
Val Ranger  
Marianne Rixson  
Eleanor Rylance

**Other Members**

Marcus Hartnell  
Tom Wright  
David Barratt  
Pauline Stott  
Brian Bailey

**Officers present:**

Gareth Bourton, Recycling and Waste Contract Manager  
Anita Williams, Principal Solicitor  
Debbie Meakin, Democratic Services Officer

**Apologies:**

Cathy Gardner  
Cherry Nicholas  
John O'Leary  
Jill Elson  
Darryl Nicholas  
Iain Chubb  
Dawn Manley

Andrew Hancock, Service Lead Streetscene  
John Golding

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

**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 15

**Subject:** Discretionary Rate Relief – 2017 Revaluation Support

**Purpose of report:** The Government in the 2017 Spring Budget announced a fund to local authorities to help provide support to businesses who have had an increase in their rates bill due to the 2017 Revaluation. It is for billing authorities to determine a local scheme.  
This report sets out a discretionary rate relief scheme for businesses impacted by the 2017 Revaluation for approval.

**Recommendation:** To recommend to Council that the discretionary scheme as set out in section 2 of this report is approved and delegated authority is given to the S151 officer in consultation with the Economy Portfolio Holder to review the scheme, and if necessary increase the thresholds to ensure that Government funding is being fully directed to businesses in East Devon.

**Reason for recommendation:** Members need to approve a local discretionary scheme in order to ensure that funding made available by the Government to support businesses impacted by the 2017 Revaluation can be directed to ratepayers based on the approved local scheme.

**Officer:** Libby Jarrett, [ljarrett@eastdevon.gov.uk](mailto:ljarrett@eastdevon.gov.uk) 01395 517450

**Financial implications:** Financial details are contained within the report.

**Legal implications:** As the report identifies, it is for the Council to determine the scope of any discretionary policy. This has been done and the justification/rationale detailed in the report. Should Members approve the Policy then the Council will need to ensure that the Policy is followed when considering whether relief should be granted.

**Equalities impact:** Low Impact

**Risk:** Medium Risk  
If the scheme costs exceed Government funding then the cost will be met by the pool.  
Schemes can be subject to legal challenge

**Links to background information:** <https://www.gov.uk/government/publications/42017-spring-budget-update>

## [Discretionary Rate Relief 2017 Revaluation Support Policy](#)

**Link to Council Plan:** Developing an outstanding economy

### Report in full

#### 1.0 Background

1.1 The Government in the Spring Budget of 2017 announced three measures to help support businesses that had been impacted by the Revaluation. These measures are:

- a. Supporting small businesses
- b. Support for pubs
- c. Discretionary Relief Scheme – Local Authorities to design

1.2 The first two measures are summarised as follows:

##### 1.2.1 **a. Supporting small businesses**

This will help ratepayers who as a result of the change in rateable value (as at Revaluation) are losing some or all of their Small Business Rate Relief (SBRR) or Rural Rate Relief and, as a result, are facing large increases in their bills. This means that any business coming out of SBRR will benefit from an extra cap – meaning their rates will not increase by more than £600 per year (£50 a month). Ratepayers can remain in the scheme for 5 years or until they reach the bill they would have paid without the extra cap.

In East Devon we have approximately 34 businesses that will benefit from this measure. We are waiting on new software to be installed in order to apply this relief.

##### 1.2.2 **b. Support for Pubs**

There is a £1,000 discount on business rates bills for pubs with a rateable value of less than £100,000. The discount is for 2017/18 year only. Where pubs are part of a chain relief will be available for each eligible property in the chain, subject to meeting State Aid requirements.

We have already granted 58 pubs this relief and we will be sending reminders to those that haven't yet claimed it who we think maybe entitled.

1.3 The criteria for the first two measures (Supporting small businesses and Support for pubs) has been defined by the Government. In line with previous principles we are implementing these two measures as criteria has been determined by Government and are fully funded. More information about these is available at <https://www.gov.uk/government/publications/42017-spring-budget-update>

1.4 Billing authorities will be compensated through a Section 31 grant for the cost to the authority of granting the relief. For the first two measures the cost will be fully met but for the third measure funding will be up to the maximum amount based on the authority's allocation of the £300m fund. For East Devon this is:

2017/18	£259,000
2018/19	£126,000
2019/20	£52,000
2020/21	£7,000

See appendix A for the funding amounts across Devon.

1.5 It is for each local authority to develop their own scheme.

- 1.6 The Devon Chief Finance Officers (S151's) were keen to work under a Devon wide framework to ensure that the principles of the schemes were similar but adjusted to reflect local needs/funding levels.
- 1.7 Members of the Finance Think Tank considered proposals for a Discretionary Rate Relief Scheme at their meeting on 13 September 2017 and are recommending to Cabinet that the Scheme as outlined in section 2 below is approved.
- 2.0 The main principles of the scheme being proposed:**
- 2.1 Scheme is designed to assist ratepayers who have suffered increases in their rate liability as a result of the 2017 Revaluation.
- 2.2 In assessing any potential entitlement to an award under this scheme the council will compare:
- The rate liability of the ratepayer as at 31 March 2017 after any reliefs and reductions; and
  - The rate liability of the ratepayer as at 1 April 2017 taking into account any transitional relief, relief or reductions.
- 2.3 There are two parts to the scheme in which ratepayers can be considered:
- Part A – Formula based for financial years 2017/18 & 2018/19 only
  - Part B – Case by case for four years from 2017/18 until 2020/2021
- 2.4 **Part A – Formula based criteria (all criteria must be met)**
- 2.4.1 Relief can only be awarded where the comparison in 2.2 results in an increase of more than 2%. No relief will be given for the first 2% increase.
- 2.4.2 Relief can only be awarded where the comparison above results in an increase of £250.00 or more per annum. For 2017/18 relief will be paid up to a maximum of £2,000 (to be reviewed by 31 January 2018 by the S151 Officer in consultation with the Finance Portfolio Holder to consider whether the thresholds should be increased to ensure that Government funding is being fully directed to ratepayers in East Devon). For 2018/19 this will be at 50% of the 2017/18 award amount, provided this does not fall below the minimum threshold of £250.00.
- 2.4.3 Relief will only be granted to premises that are liable for occupied rates. No relief will be awarded to empty premises.
- 2.4.4 Relief will only be granted to ratepayers who were in occupation at 31 March 2017 and in occupation on 1 April 2017 and for each day subsequent.
- 2.4.5 Ratepayers taking up occupation after 1 April 2017 will not be eligible for relief on the basis that new ratepayers would not have suffered from increases as a result of the Revaluation.
- 2.4.6 Relief will be targeted at local businesses. For the purpose of this scheme local businesses are those which have premises wholly or predominately in the Devon area.
- 2.4.7 Relief may be awarded to a ratepayer who has more than one premises as long as all other criteria is met.
- 2.4.8 Relief under Part A will not be awarded where:
- Charity relief has been granted
  - Rateable value exceeds £200,000
  - The ratepayer is a public body
  - The ratepayer has been granted a reduction under S44A of the Local Government Finance Act 1988
  - The property is within the Enterprise Zone

- 2.4.9 Additional discretionary relief will not be awarded for rateable value increases after 1 April 2017.
- 2.4.10 Pubs that meet the criteria under the Government's £1,000 Supporting Pubs Scheme will be able to apply for the difference to bring them up to the £2,000 threshold for 2017/18. For 2018/19 relief will be awarded at 50%. Pubs will be required to apply (where they meet the criteria) for the Government's Supporting Pub Relief first before being considered for the additional relief.
- 2.4.11 Ratepayers that could qualify for other reliefs, such as; Small Business Rate Relief, Charity relief, Rural Rate Relief, etc must apply for those reliefs first.

## 2.5 **Part B - Case by case basis**

2.5.1 Where any ratepayer can demonstrate they have experienced financial difficulties as a result of the Revaluation the Council will consider these on a case by case basis. The Council will take into account:

- the amount of the increase in rate liability due to the 2017 Revaluation
- the amount of rates in relation to other business expenses and income of the business
- the amount of reserves held by the business; and
- the ability of the business to pay the increase.

2.6 Full details of the scheme are available [here](#)

## 3.0 **Reasons for adopting this scheme**

- having a mainly formula based scheme for years 1 and 2 means we can identify and provide targeted support to businesses that have been impacted by Revaluation.
- Our scheme is designed to make sure that we are passing on funding made available by Government to support ratepayers impacted by Revaluation.
- The formula based scheme will be relatively easy to administer as we will be identifying potential qualifying businesses and automatically sending them an application form.
- Our scheme still allows for individual businesses that may not meet the formula based criteria to apply.

## 4.0 **East Devon businesses that could benefit**

- 4.1 Under part A of the Scheme (formula based criteria – section 2.4) it is estimated that there are approximately 230 businesses that could benefit from this relief which for 2017/18 will cost in the region of £194K to £214K.
- 4.2 Subject to the Scheme being approved we will be looking to contact potential qualifying businesses before 31 October 2017.
- 4.3 Estimating the costs has been extremely difficult as we don't know from our data whether businesses will meet all the criteria, such as State Aid rules or being predominately based in Devon. This is why it is recommended that the levels can be increased by the S151 Officer in consultation with the Economy Portfolio Holder to ensure that Government funding is being fully directed to support eligible businesses who are impacted by Revaluation.

## 5.0 **Administering the scheme**

- 5.1 Ratepayers will be expected to apply on-line for the relief.
- 5.2 As discretionary rate relief falls under State Aid we will require a declaration that they don't breach State Aid rules.

- 5.3 Relief is calculated on a daily basis so if a business vacates part way through the qualifying period then the relief will be apportioned.
- 5.4 Any under/overspends cannot be carried forward. If we spend above the Government funding then the cost to East Devon will be approximately 40%. We don't appear to be able to carry forward any underspends.
- 5.5 As the Government will be reimbursing local authorities by way of a Section 31 Grant payment the following conditions need to be met:
- Funding is capped based on the allocation levels in section 1.4.
  - The grant must be used to support only ratepayers facing an increase in their bills following 2017 Revaluation
  - Where a business falls within an enterprise zone then they cannot be awarded this relief as they would be expected to apply for relief under the discretionary scheme that specifically relates to Enterprise zones
  - A business that is entitled to other reliefs must apply for those reliefs first.
  - The grant determination is conditional that the billing authority has consulted with major precepting authorities.
- 5.6 We have consulted with our major precepting authorities on our proposed scheme.

## Appendix A

### Funding Distribution across Devon

Authority	Year 1 £	Year 2 £	Year 3 £	Year 4 £	Total £
East Devon	259,000	126,000	52,000	7,000	444,000
Exeter	357,000	174,000	71,000	10,000	612,000
Mid Devon	118,000	57,000	24,000	3,000	202,000
North Devon	251,000	122,000	50,000	7,000	430,000
South Hams	307,000	149,000	61,000	9,000	526,000
Teignbridge	294,000	143,000	59,000	8,000	504,000
Torridge	208,000	101,000	42,000	6,000	357,000
West Devon	112,000	54,000	22,000	3,000	191,000
Unitary					
Torbay	211,000	103,000	42,000	6,000	362,000
Plymouth	443,000	215,000	89,000	13,000	760,000



**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 16

**Subject:** Financial Plan and Transformation Strategy (2018 – 2028)

**Purpose of report:**

**Recommendation:** That Cabinet recommend to Council to approve the Financial Plan and Transformation Strategy.

**Reason for recommendation:**

It is good practice in managing the finances of the Council to produce a Financial Plan looking at the future direction of the Council's budgets.

To consider the implications of spending plans and the level resources likely to be available. It is only by looking at the Council's budget over a longer period, that action can be taken that will influence the direction and shape of future service delivery within a balanced budget.

The Transformation Strategy identifies key strategic themes that underpin our transformational activity to help us achieve savings/efficiencies and to continue to protect front line services.

**Officer:** Simon Davey, Strategic Lead – Finance  
[sdavey@eastdevon.gov.uk](mailto:sdavey@eastdevon.gov.uk)

01395 517490

**Financial implications:** The Financial details are contained within the Medium Term Financial Plan; the position presented is inline with previous reports and updates to Members.

**Legal implications:** There are no direct legal implications requiring comment.

**Equalities impact:** Low Impact  
Each action will be assessed individually for equality impact.

**Risk:** Medium Risk

**Links to background information:** [Financial Plan 2018 – 2028 with appendices](#)  
[Transformation Strategy 2018 with appendix](#)

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

## **Financial Plan and Transformation Strategy (2018 – 2028)**

### **1. Introduction**

- 1.1 Cabinet last adopted the Financial Plan and Transformation Strategy in October 2016 which covered the period 2017-2022. The messages still continue with the financial pressures for the Council not going away and the need to continue to develop actions within the Transformation Strategy in transforming our services and the way we work which will also reduce our costs or increase income available to us.
- 1.2 A balanced budget was agreed by Council for 2017/18 despite a projected gap of £0.792m for the year alone, the Strategy contained actions that reduced our spending levels or increased the income available to us in order to balance our books going forward. In preparing the 2017/18 members gave an early steer that consideration needed to be given to additional investment in economic development and estate management. Additional resources were agreed within the final budget set by Council in February 2017.
- 1.3 This report presents for members an update of two key documents for approval; Financial Plan and Transformation Strategy 2018 – 2028, moving another year forward and extending the look ahead to a further 5 years. Both documents are linked to this report. Details of these documents were debated by the Budget Working Party on 13 September 2017 who agreed in principle with the proposed direction being outlined. The minutes of this meeting are contained on this agenda for information.

### **2. Members' Consideration**

- 2.1 The Budget Working Party help's the Council by considering the budget position at an early stage, to consider the Council's Medium Term Financial Plan and proposed Strategy to prepare balance budgets. The work of the Group is mainly focused on the General Fund position. It enables plans/ideas to be presented for discussion to determine if there is an in principle agreement to the approach being taken before reports are presented to Cabinet and Overview for consideration. If agreed by these Committees then this will form the approach adopted in preparing the detailed annual budget which will then go to Council for approval in February 2018 and give officers a steer for producing balanced budget up to 2027/28.
- 2.2 As can be seen from the minutes of the Budget Working Party agreement was given to the direction now outlined in the Financial Plan and Transformation Strategy. These documents will also be considered by Overview with any recommendation coming back to Cabinet for final consideration.

### **3. A reminder of what transforming means for East Devon District Council.**

- 3.1 East Devon District Council's purpose is to be a successful district council delivering or commissioning the services our council tax payers expect despite the significant reductions in grants.
- 3.2 Our Transformation Strategy sits alongside our Council Plan and outlines how transforming the way we work will deliver our purpose despite our projected budget gap of £5.4m if no action is taken by 2027/28.
- 3.3 It is intended that this is a dynamic strategy which will require review and update on at least an annual basis so that we can track progress and savings made.

3.4 The following ‘strategic themes’ make up our Transformation Strategy.

- 1) Deliver our Worksmart Strategy and transforming our culture through new ways of working underpinned by the right technology at the right time
- 2) Deliver improved online services through our Open for Business project
- 3) Implement systems thinking reviews across all services
- 4) Maximise the value of our assets through commercial thinking with a focus on income generation, sustainability and developing local economies
- 5) Actively pursue alternative service delivery methods and models

The ‘strategic themes’ of this Transformation Strategy will be used to ensure that spending and savings proposals can be tested on an ongoing basis against pre-agreed criteria. Keeping the ‘strategic imperatives’ in mind will help everyone in the council keep a firm focus on how it directs its human and financial resources so that we steer a steady course to deliver despite the reductions in government funding.

#### 4. Summary position

4.1 The Medium Term Financial Plan (MTFP) model, contained within the Financial Plan, calculates a projected deficit for the Council’s General Fund in 2018/19 of £0.735m and a further £0.529m in 2019/20 which would take us through to a new Council’s first budget in 2020/21. An annual budget shortfall is projected through the life of the Plan up to 2027/28, equating to a cumulative budget deficit to find of £5.4m.

4.2 Key actions are identified within the Transformation Strategy, some of which need further exploration to determine the financial implications whilst other more immediate actions have been defined with a financial estimate of the savings/income generation that they will achieve. The table below shows the MTFP projected annual budget shortfall and compares this to the savings identified **so far** within the Transformation Strategy.

General Fund	2018/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000
Annual Budget Shortfall	735	529	1,705	229	346	282	281	530	780	(19)
Transformation Strategy where finance identified	(210)	(481)	(30)	-	-	-	-	-	-	-
Outstanding annual Shortfall/(Surplus)	525	48	1,675	229	346	282	281	530	780	(19)

4.3 In order to prepare a balanced budget for the next two years, taking us through to a new Council, there is a shortfall to meet of £0.573m (£0.525m 2018/19 and £0.048m 2019/20). There is still more to do and this was highlighted by the Budget Working Party who requested more actions need to be identified to generate savings. There is confidence however that **the Council is able to demonstrate it has in place a proven mechanism to deliver balanced budgets.**

- 4.4 Included within the MTFP position are items where we have no choice in order to remain legal e.g. implications of new Homeless Act and to keep services to the current standards, but items have been excluded where funding requests need consideration on priority and consideration of how to be funded. These items are **excluded** from the position above as currently they are unaffordable, details are contained in the linked documentation.
- 4.5 There is a significant shortfall projected in 2020/21 (£1.705m) which is as a result of an assumed rebasing of business rate income thereby reducing our income by £1.3m. It is proposed in the Finance Plan that work is started now in bridging this gap and driving self-sufficiency of the Council. Members have indicated that the strategic theme within the Transformation Strategy “Maximise the value of our assets through commercial thinking with a focus on income generation, sustainability and developing local economies” is one they believe has significant potential. The Financial Plan considers how this might be progressed with the use of a Member Group (possibly the Budget Working Party) to consider business cases and suggests that a fund is created to unlock barriers to the Council progressing this aim. Detailed recommendations will be presented within the 2018/19 Budget approval process.

**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release** None



**Agenda item:** 17

**Subject:** Homelessness Reduction Act 2017

**Purpose of report:** To comment on and identify the challenges and implications of new homelessness legislation

**Recommendation:** That the Cabinet note the challenges and implications of the Act

**Reason for recommendation:** To meet with good practice and provide information

**Officer:** Andrew Mitchell, Housing Needs and Strategy Manager  
[amitchell@eastdevon.gov.uk](mailto:amitchell@eastdevon.gov.uk) 01395 517649

**Financial implications:** The Act contains additional responsibilities for the Council which is likely to incur significant costs. Funding will be received by Government but this is only likely to meet approximately 50% of the expected costs and it appears will only be for a limited time period. Cost considerations will have to be included in the 2018/19 draft budget proposals, the Medium Term Financial Plan assumes a net cost for next financial year after Government Funding of £50,000.

**Legal implications:** The Act amends Part VII of the Housing Act 1996 ss175 -211 and imposes new duties on Local Authorities to those that are threatened with homelessness within 56 days (extended period from the original 28 days), duty to provide advisory services, duty to assess and review every eligible applicant's case and produce a plan, new duties in cases of threatened homelessness, new duties to those who are intentionally homeless, procedures for ending and/or refusing duty to house etc. There will also be Statutory Guidance document, which is yet to be published. The report sets out in some detail the issues which this Authority's Housing Needs Team will face once the Act becomes effective at some point likely to be in 2018.

**Equalities impact:** Low impact

**Risk:** Low Risk

**Links to background information:**

- <http://eastdevon.gov.uk/housing/housing-strategies-and-policies/homelessness-strategy-2013-18/>

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

## **1. Background**

- 1.1 The Homelessness Reduction Act 2017 is expected to come into effect from April 2018. The Act will create the biggest changes to homelessness legislation for 40 years.
- 1.2 The purpose of the Act is to give people the help they need to avoid becoming homeless in the first place, and to give those already experiencing homelessness access to help regardless of whether or not they have a priority need or if they are considered as intentionally homeless. Everyone will receive assistance and Local Authorities will be expected to intervene at earlier stages.
- 1.3 The three main new duties for LA's are to assess all eligible applicants and agree a plan (Personal Housing Plan), take reasonable steps to prevent homelessness (the duty lasts for 56 days) and relieve homelessness by helping the applicant secure accommodation (again, 56 days)
- 1.4 Similar duties relating to the prevention and relief of homelessness were introduced in Wales in the Housing (Wales) Act 2014, and have been in place since 2015. A complaint from Local Authorities in Wales is that the additional responsibilities have resulted in them 'drowning in paperwork and legal notification letters.'

## **2. Challenges and Implications for EDDC**

- 2.1 Applicants will be regarded as 'homeless' within 56 days rather than the current 28 days. This will result in an inevitable rise in homeless applications, in turn causing an inevitable rise in the demand for emergency and temporary accommodation.
- 2.2 Costs will rise as a result creating budget implications
- 2.3 Rather than the current '5 tests' of homelessness (eligibility, homelessness, priority need, intentionality and local connection) there will be a more complex system (flowchart attached)
- 2.4 There will be additional opportunities throughout the process where reviews of decisions can be requested by applicants, causing an expected rise in cases to go through the review process
- 2.5 Current resource levels, in particular staff numbers, are not sufficient to cope with the additional demands and responsibilities that then Act will impose.
- 2.6 Current staff will need to be retrained to familiarise themselves with the new legislation
- 2.7 The choice of case management system used by EDDC to record applications and statistics needs to be reviewed. Any current systems set up for current legislation will be out of date when the new Act commences. The system selected needs to be set up specifically to implement the provisions of the new Act and meet new reporting requirements.

## **3. Other challenging factors**

- 3.1 Austerity measures - there will be further cuts to available existing supported accommodation throughout Devon from April 2018 – a further 60% reductions are expected (although not yet confirmed) on top of the 50% cuts that massively reduced the numbers of supported accommodation projects throughout Devon three years ago. This will significantly reduce our ability to provide prevention and relief to homeless applicants, as well as taking away planned and progressive supported move on plans at a time where a statutory duty to prevent and relieve homeless is being introduced.

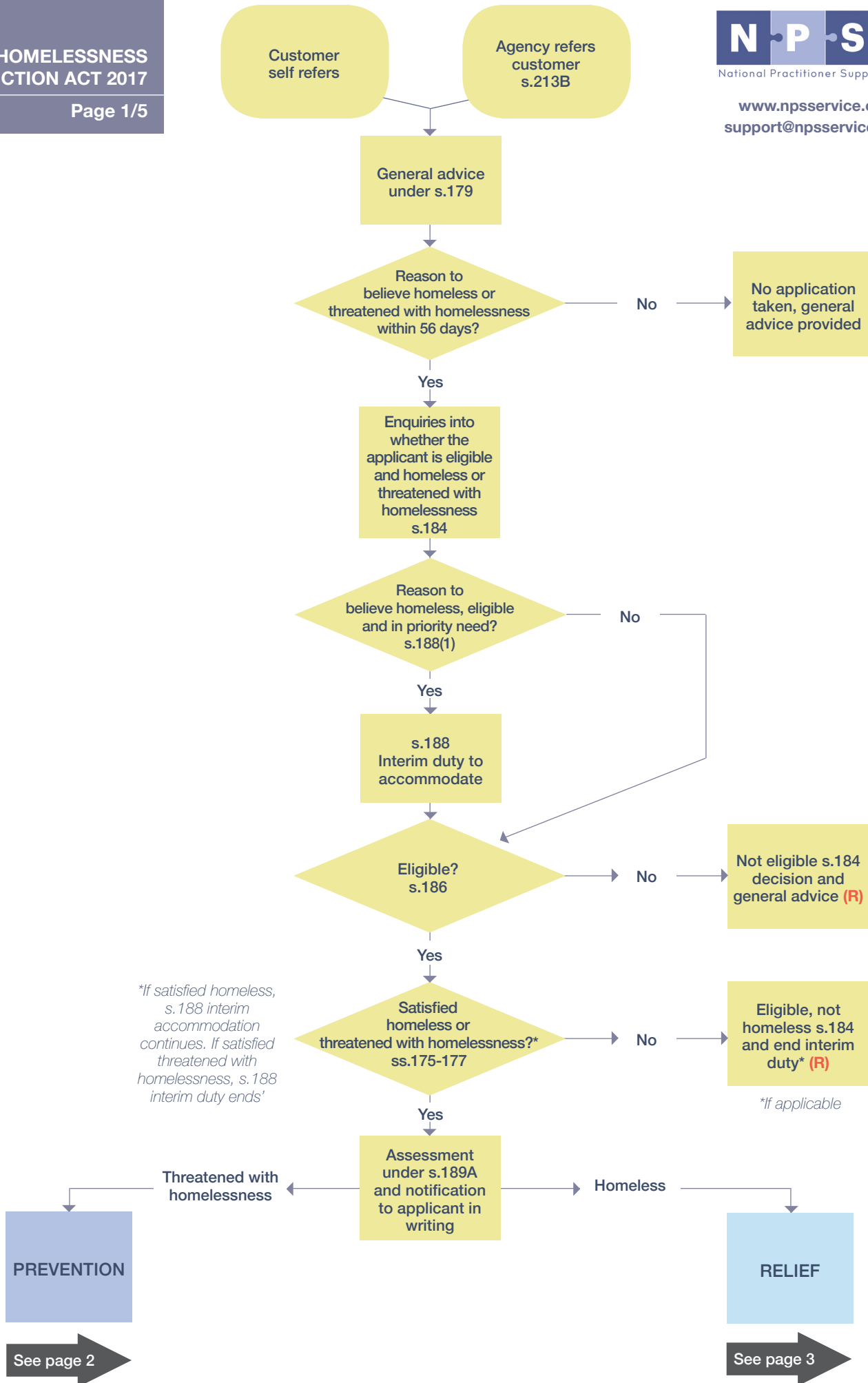
- 3.2 There has been a large rise in the number of 'complex needs' applicants approaching our service over the past three years with issues including physical and/or mental health, offending etc. Coupled with the loss of supported accommodation projects, and expected further cuts, it will be harder to place people in appropriate accommodation, especially in the private sector and lower level supported housing projects.
- 3.3 The cuts to other specialist services that would otherwise have provided options for this customer group have added to the negative impact.
- 3.4 Welfare reforms – Universal Credit has negatively impacted on our ability to assist homeless applicants into the private sector for two main reasons. Firstly, the significant rises in private sector rents have not been matched by the amount of assistance available to tenants, with the Local Housing Allowance effectively remaining at a constant, lower level than that of the private sector. This has led to the private sector becoming unaffordable and therefore inaccessible to many of our customers. Secondly, the landlords and letting agents that we work alongside hold a mistrust of universal credits due to negative experiences and the time it takes for them to receive money. Despite constant pushing and encouragement, the number of loans and bonds we have carried out over the last few years has reduced.
- 3.5 There is nothing in the Act to address the two main underlying contributing factors towards homelessness, namely lack of supply of affordable housing and affordability.

#### **4. What is expected - preparation**

- 4.1 We will review current operational practices and arrange appropriate training for staff
- 4.2 We will review the resources available and determine if additional staff are required to meet the additional requirements and responsibilities placed on the Council through the Act.
- 4.2 We will consider how personalised housing plans will be delivered and resourced. We will need to ensure all steps are recorded in writing and a copy given to the applicant. This will be similar to our current 'confirmation of advice' letters that applicants currently receive after an options interview, although this responsibility will now be considerably more detailed and involved, impacting on available resources. This will be considered as a duty rather than an example of good practice.
- 4.3 We will encourage a change in mind-set for the service, as we will no longer be dealing with one application and one statutory decision on that application but we will be dealing with one application and several statutory decisions with a requirement to keep going back to the application and assessment. (The flowchart illustrates the changes in direction for dealing with a homeless approach)
- 4.4 Key to our preparations, and in order to ensure we have a system in place that is fit for purpose, we are currently looking at system options including a web-based system specifically built to incorporate the new Act and the related responsibilities and reporting capabilities. It is essential to have the correct system in place to guide and assist us through the changes and meet the legal requirements of the Act.

#### **5. Recommendation**

- 5.1 That the Cabinet note the challenges of the Act and implications to EDDC.



**KEY**

(R) Decision is reviewable

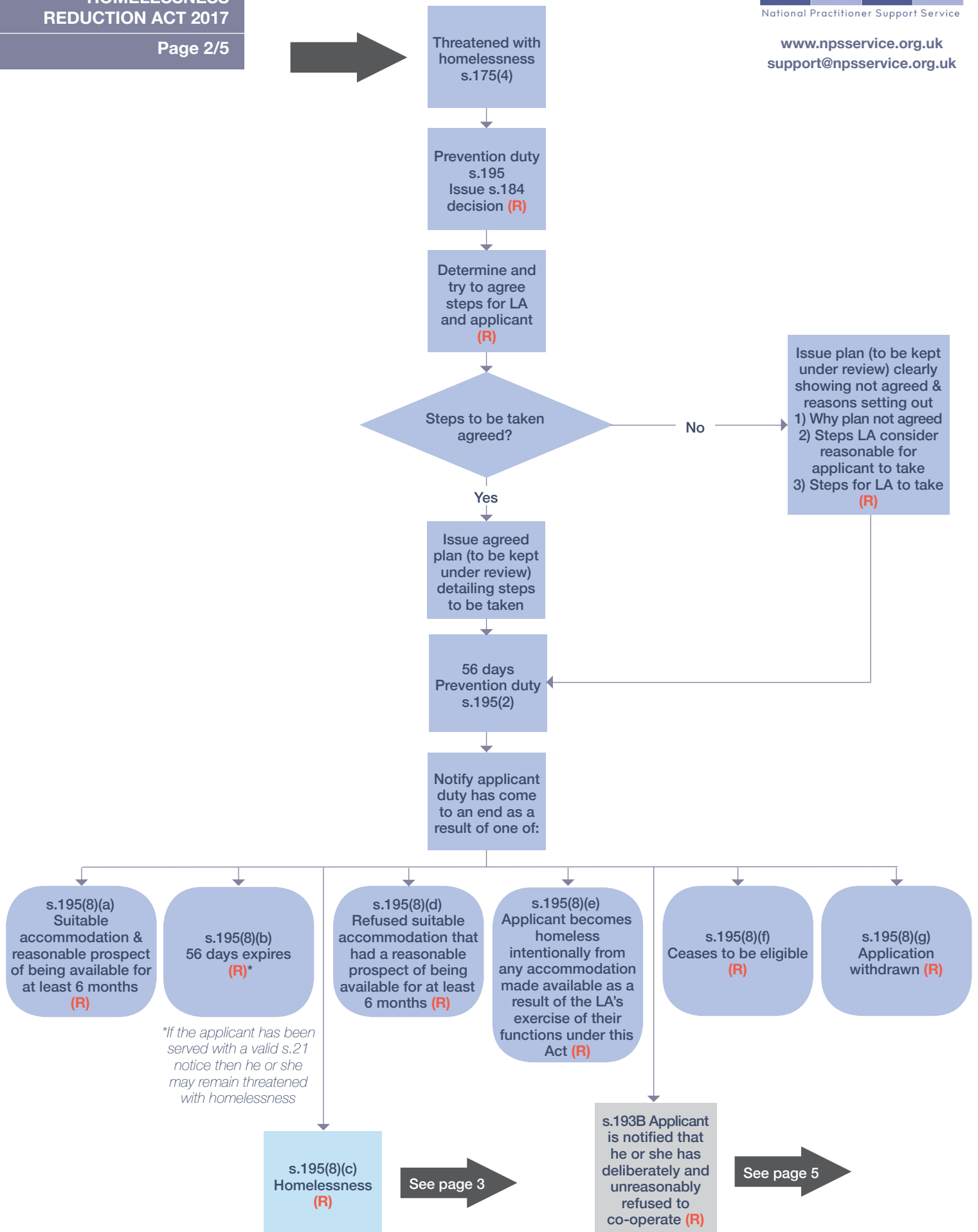
All statutory references are to Housing Act 1996, as amended by Homelessness Reduction Act 2017

Disclaimer: The NPSS Homelessness Reduction Act flowchart was legally checked at the point of production by Liz Davies. NPSS recommends local authorities should always seek their own legal advice to satisfy themselves on any issues or questions raised.

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PREVENTION s.195



**KEY**  
(R) Decision is reviewable

All statutory references are to Housing Act 1996, as amended by Homelessness Reduction Act 2017

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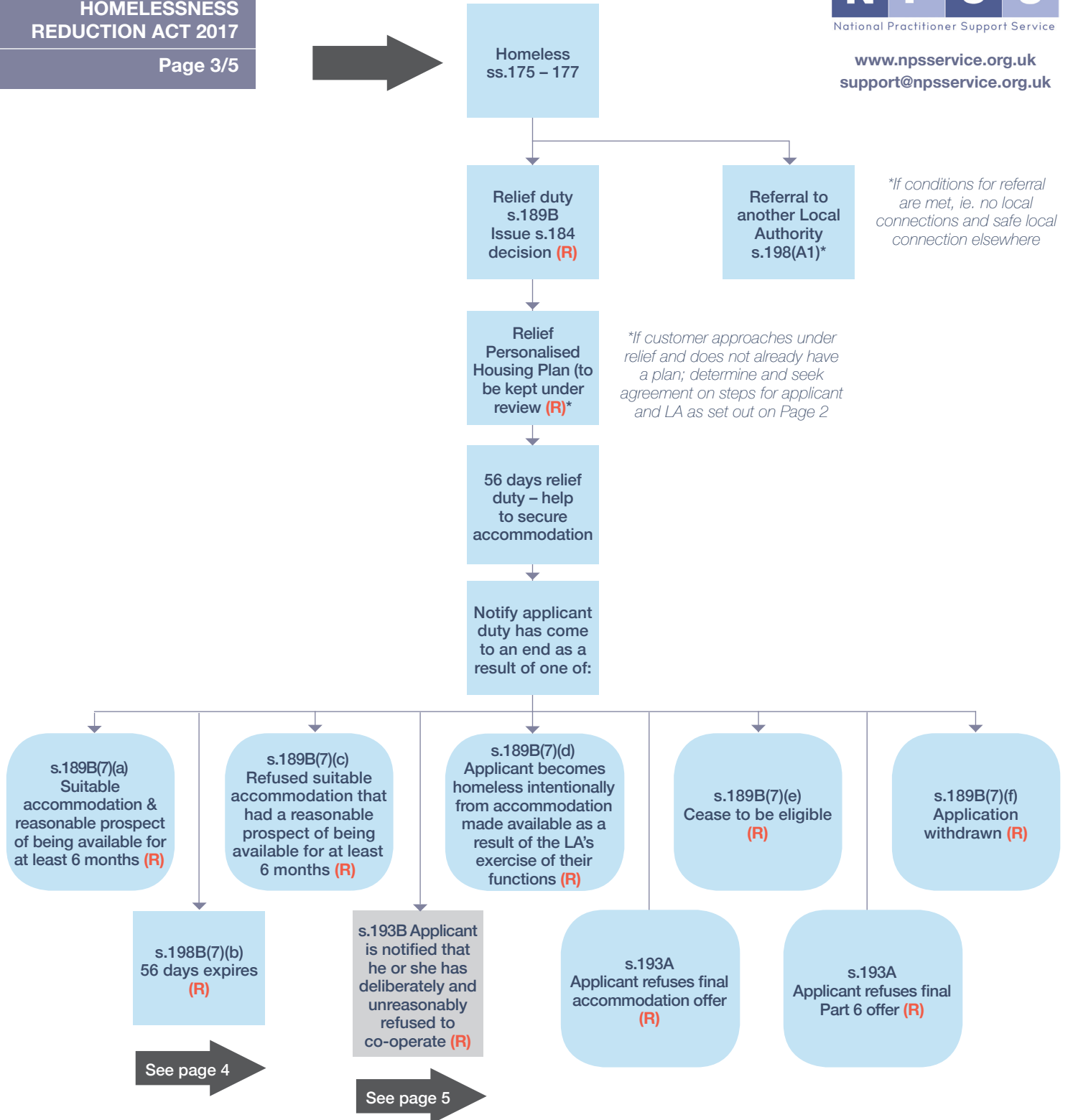
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RELIEF s.189B



National Practitioner Support Service

www.npsservice.org.uk  
support@npsservice.org.uk



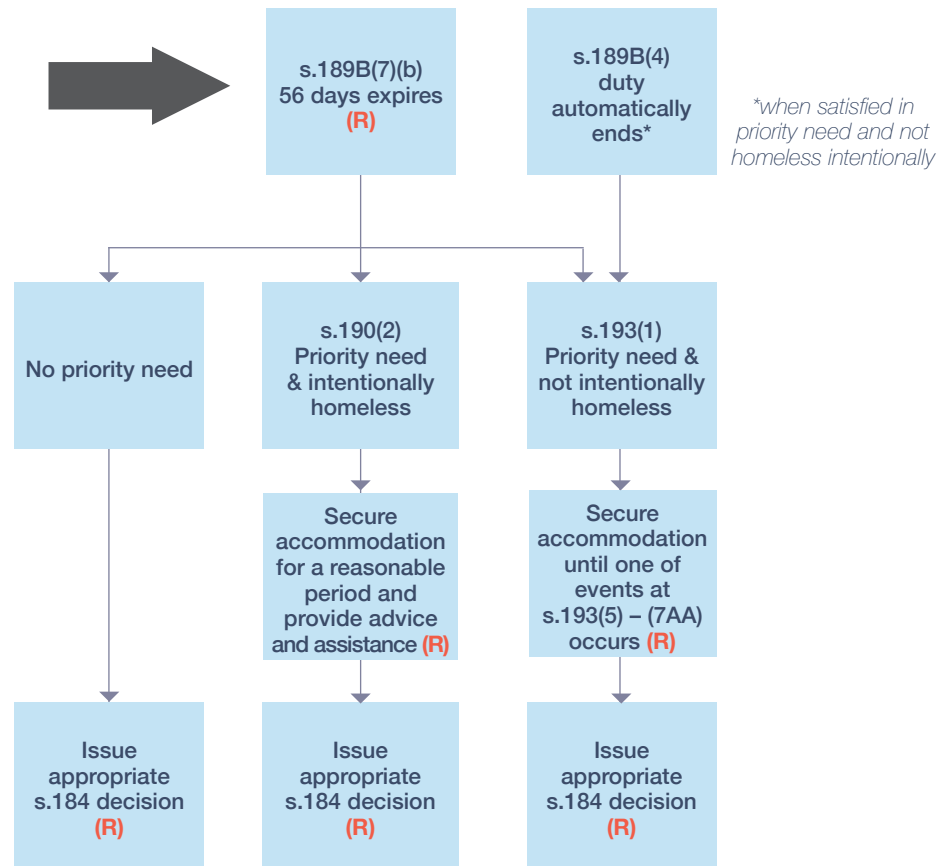
**KEY**  
(R) Decision is reviewable

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RELIEF s.189B *continued*



**KEY**

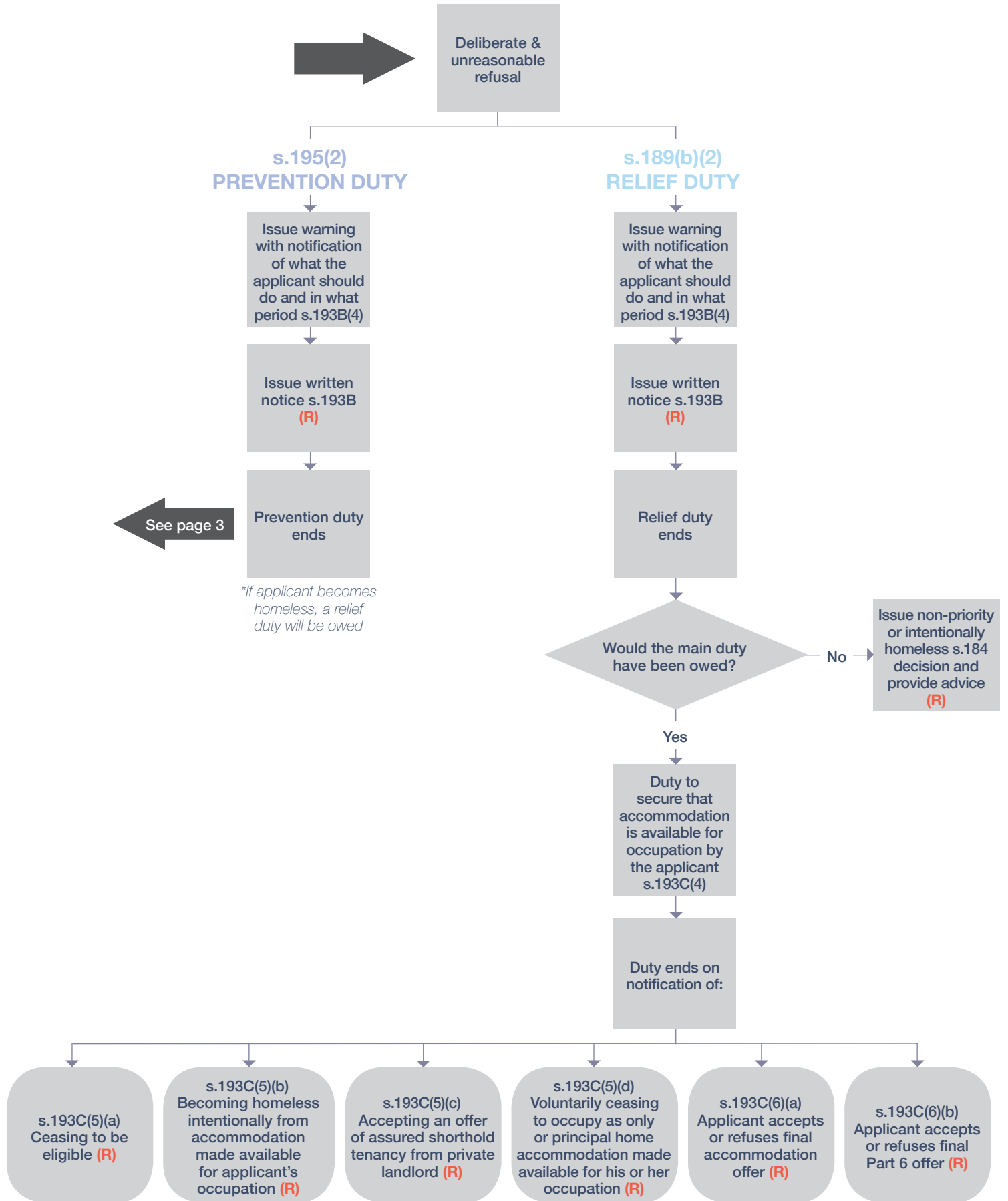
(R) Decision is reviewable

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Deliberate and unreasonable  
refusal to co-operate  
s.193A & s.193B



**KEY**  
(R) Decision is reviewable

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**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 18

**Subject:** Monthly Performance Report August 2017

**Purpose of report:** Performance information for the 2017/18 financial year for August 2017 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

**Recommendation:** 1. That the Cabinet considers the progress and proposed improvement action for performance measures for the 2017/18 financial year for August 2017.

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

**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:** There are none arising from the recommendations in this report

**Equalities impact:** Low Impact

**Risk:** Low Risk

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

**Links to background information:**

- [Appendix A – Monthly Performance Snapshot for August 2017](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2017/18 financial year up to August 2017](#)
- [Appendix C – System Thinking Reports for Housing, Revenues and Benefits and Development Management for August 2017](#)

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

## Report in full

1. Performance information is provided on a monthly basis. In summary most of the measures are showing acceptable performance.
2. There is one indicator showing excellent performance:
  - Percentage of Non-domestic Rates Collected
3. There is one performance indicator showing as concern.
  - **Percentage of planning appeal decisions allowed against the authority's decision to refuse** - Three appeal decisions received this month, all of which were dismissed.
4. Monthly Performance Snapshot for August is attached for information in [Appendix A](#).
5. Performance highlight – [Annual Report 2016/17](#) which charts our progress against the priorities set out in the Council Plan 2016-20 has now been published.
6. A full report showing more detail for all the performance indicators mentioned above appears in [Appendix B](#).
7. Rolling reports/charts for Housing, Revenues and Benefits and Development Management appear in [Appendix C](#).

# Monthly Performance Snapshot – August 2017



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

- **4 days** to process your Housing or Council Tax Benefit claims
- An estimated **56%** of all waste collected was recycled in August
- **96%** of invoices received by us are paid within 10 days
- Visitor numbers to Thelma Hulbert Gallery's (THG) Evolver Prize 2017 Exhibition (July & August) are up 25% on the last Evolver Exhibition (1,898 vs 1,516 visitors). THG has secured a grant of £12,000 from GWR to create artwork with East Devon District Council tenants for and about the 'Avocet' line.

Latest headlines:

- East Devon's Gov Delivery residents' e-magazine has an average rate of engagement of 68.2%, which puts us in the top 20 users in the country!! Gov Delivery's average rate of engagement for users is 57% and the very top rate for users is 68.4%. Also the East Devon App now has 14,491 users this is up from 8,413 back in January. The App has been promoted widely particularly for the new recycling service.
- Affordable housing delivery statistics for Quarter 1 of 2017/2018 - 45 affordable homes were delivered in quarter 1 and a further 159 are proposed. EDDC through right to buy receipts purchased 10 houses in quarter 1 with a further 16 due to complete in Q2 and Q3.
- Refurbishment of Exmouth Town Hall - The refurbishment works at Exmouth Town Hall are progressing satisfactory with the Contractor on target to hand back the building on 25 September. Currently, subject to commissioning and snagging, the top floor is completed, the first floor nearing completion and the ground floor should be finalised during w/c 11 September. Once handed back, we have a six week period to finalise the fit out, finalise the IT & AV installations, carry out essential external property maintenance, and relocated staff from Knowle. The Furniture, Fixtures and Equipment (FF&E) has been sampled, procured, subsequent recommendations advised and decisions on the final choice agreed by SMT. All the FF&E has now been ordered and will be delivered and installed during the first few weeks of October. The anticipated reopening of Exmouth Town Hall remains as 6 November 2017.
- Blackdown House, Heathpark - Progress at the New HQ at Heathpark – Blackdown House – is also progressing satisfactory and to programme. During August the Contractor has excavated the foundation trenches, poured concrete foundations and commenced the brickwork and blockwork generally up to dpc ready for the installation of the precast concrete planks. The size and general layout of the ground floor can now be visualised on site. The time lapse camera has been installed and has started recording. The handover date by the Contractor for Blackdown House is 15 October 2018
- The Rt Hon Hugo Swire MP officially opened Mamhead Slipway on 2 August, restoring the vital maritime access to the town after an absence of more than four years. Larger and more practical than the previous structure, the new slipway on the River Exe reinstates the town's maritime

leisure tradition and will bring more business to the town. The majority of the work was funded by East Devon District Council with Devon County Council putting £275,000 in to the project. It's almost five metres which is much wider than the previous slipway, giving the opportunity for two craft to be launched in parallel. There is also additional vehicle manoeuvring space for vehicles and trailers reversing down the slipway.

- An important milestone has been reached in the regeneration plans for Exmouth with the signing of a Development Agreement between East Devon District Council and Grenadier Estates, which will see the creation of a locally focused watersports centre on Exmouth seafront.
- East Devon Business Centre now has 100% occupancy with the last available office being rented by Aspin Foundations Limited. Our new tenant undertakes civil, geotechnical and structural engineering and is developing a satellite office in the South West.
- The number of planning application responses processed by the Economic Development team has increased by 213% since 2015. By providing economic intelligence and evidence relevant to Planning Officers' consideration together with a recommendation to support or refuse applications as appropriate, the team strives to protect existing employment land and ensure the provision of employment premises across the district.
- The Economic Development team has made a 3-year commitment to the Local Growth Support Programme that will deliver expert advice and assistance to almost 350 new and growing businesses in East Devon. The support offer includes face to face business need diagnostic sessions, follow up workshops and networking events as well as ongoing direct support where there is a clear business need
- We dealt with 179 reactive building maintenance cases at EDDC's public buildings during August 2017, this compares with 149 in the previous month, and 209 in August of 2016. Sadly, 18 of these 179 cases were all at Jacob's Ladder Beach Huts in Sidmouth, which have been receiving a spate of vandalism. Other highlights;
  - Completion of installation of new low energy lighting throughout East Devon Business Centre in Honiton, which is already achieving results of a 50% reduction in electricity consumption.
  - Re-roofing projects at Honiton and Sidmouth Leisure Centres reaching completion.
  - Window replacement project at Seaton Town Hall got underway.
  - New lease granted at Honiton former chapel on New Street to new tenant, Harriet Spence, who will be creating a family café with soft play facilities.
- There has been a huge success at the Manor Pavilion Theatre, with the Summer Play Season 2017, this year has broken all box office records with more tickets sold than ever before.
- The Autumn Season has just been launched at the theatre with an exciting mix of music, ballet, drama, variety and of course this year's pantomime Jack and the Beanstalk. Advance ticket sales are extremely strong.
- A busy August for the countryside team with over 1000 people attending events run by the team! Popular events included rockpool rambles, bug hunts, outdoor yoga and canoe safaris. The winter events programme is being put together and includes favourites such as the reindeer trail at Seaton Wetlands and wreath making in Seaton and Cranbrook.



**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 19

**Subject:** Guide to Project Management

**Purpose of report:** For Cabinet to consider and approve a set of guidelines to ensure minimum standards and processes are consistently applied across the Council for the management of projects.

**Recommendation:**

- i) To approve the “Guide to Project Management” appended to this report.**
- ii) To revise the Terms of Reference of the Capital Strategy and Allocation Group to include the monitoring of Council projects.**

**Reason for recommendation:** To introduce minimum standards and processes across the Council to ensure a consistent approach is adopted for the management of Council projects.

**Officer:** Simon Davey  
Strategic Lead Finance (s151/CFO)

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

**Legal implications:** The adoption of the guide will provide a proper framework for the oversight and monitoring of capital projects. While there is no obligation to do this, the outcome of the recent audit confirms that this framework is something that the Council ought to have in place. There are no other legal implications arising from the recommendations in the report.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** • [Guide to Project Management](#)

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

## 1. Background

- 1.1 The 2016/17 Internal Audit Plan included a review of the “Achievement of Major Capital Projects - EDDC”. The audit was requested by the Council’s Strategic Management Team and approved by the Audit & Governance Committee in adopting the Audit Plan.
- 1.2 The audit assessed the adequacy of the controls and procedures in place for major capital projects. The subsequent report produced by South West Audit Partnership (SWAP) was debated by the Audit and Governance Committee at its meeting in March 2017 and the recommendations within the report endorsed.
- 1.3 A key finding of the audit was the Council did not have a central/corporate framework to manage capital projects. Financial approval and monitoring was found to be sound but there was inconsistency across the Council in terms of project management processes such as the use of milestone monitoring, risk registers and formal review meetings.
- 1.4 To address this gap a “Guide to Project Management” has been produced which upon approval will be adopted across the Council. This Guide has been reviewed and amended following feedback from SWAP.

## **2. Guide to Project Management**

- 2.1 The proposed [Guide to Project Management](#) is linked for member adoption.
- 2.2 The Guide includes:
  - Standard definition and terminology to determine what a project is and what should be involved in project management before a project starts, during its execution and in closing a project.
  - It helps determine the size and complexity of a project from the start which will then determine the documentation and process for approval, monitoring and close off.
  - Links are given to documentation to be completed and used.
- 2.3 The Guide may require slight amendment when it is fully rolled out picking up any necessary changes not considered in drafting stage; however the principles adopted will remain the same.
- 2.4 Staff project management training has been introduced and will continue to be available, the intranet will contain the Guide and links to other key documents. Officers will be encouraged to share their knowledge and skills across the Council.

## **3. Capital Strategy and Allocation Group**

- 3.1 The Guide details (see paragraph 3.2.1) that the Capital Strategy and Allocation Group meet on a quarterly basis to monitor the progress of certain capital projects. This is with a view to enhancing member governance / oversight of this key part of the Council’s activities. The intention is that the minutes from the Group will be presented to Cabinet.
- 3.2 The Capital Strategy and Allocation Group was established by Cabinet on 31<sup>st</sup> October 2012 and its Terms of Reference where to ‘*approve a method of allocation and bid prioritisation*’ with a view to bids being reviewed against available resources using an agreed allocation framework.

- 3.3 Given that the monitoring of Council projects would be a new activity for the Capital Strategy and Allocations Group, it is requested that Cabinet agree to amend the Group's terms of reference to include the monitoring of Council projects.
- 3.4 The Guide has been presented to a meeting of the Capital Strategy and Allocation Group who recommend their adoption by Cabinet, the minutes of the meeting are contained on the agenda.
- 3.5 Monitoring reports were also presented to the Group on two main projects that are currently in progress; Queens Drive and Mamhead Slipway. The purpose of this being to highlight the type of reports and process now being adopted in anticipation of the Guide being approved and to highlight any matters that required reporting on these two projects. Areas to note can be seen from the minutes of the meeting which is the proposed standard practice going forward.

**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None



**Agenda item:** 20

**Subject:** The Budleigh Salterton Neighbourhood Plan to be formally 'made'

**Purpose of report:** The Budleigh Salterton Neighbourhood Plan has now passed referendum and must be formally 'made' by East Devon District Council in order to form part of the development plan.

**Recommendation:** **It is recommended that:**

- 1. The Budleigh Salterton Neighbourhood Plan is 'made' so it forms part of the development plan.**
- 2. That the Council writes to the Neighbourhood Plan group to congratulate them on all their hard work and advise them that once 'made' the Neighbourhood Plans will carry full weight in the planning decision making process.**

**Reason for recommendation:** The Budleigh Salterton Neighbourhood Plan received a majority 'yes' vote in their referendum as required by the regulations and there is no substantive reason not to 'make' the Plan.

**Officer:** Claire Rodway, Senior Planning Officer (01395 571543)  
[crodway@eastdevon.gov.uk](mailto:crodway@eastdevon.gov.uk)

**Financial implications:** No additional financial implications

**Legal implications:** Following a majority vote in favour of the neighbourhood plan referendum the Council must proceed to adopt (or 'make') the plan, unless in doing so it causes a breach of EU obligations or Convention rights. The Independent Examiner has concluded that regard has been had to Convention rights in the neighbourhood plan. Moreover, the Council has adopted Screening Opinions for the neighbourhood plan, accepted by relevant statutory consultees, which confirms that there is no need for a formal SEA or HRA and accordingly there would be no breach in respect of those obligations under EU legislation for the plan. It is not considered that there are any other breaches of EU obligations that can be identified. Accordingly, the legal position is that the Council must 'make' the Neighbourhood Plan. As noted, following being made, it will become part of the Development Plan for decision making on planning applications in the area

**Equalities impact:** Low Impact

The Neighbourhood Plan has been produced with considerable community engagement. All persons living in the parish have been engaged throughout the Plans production and all persons registered to vote in the area could vote in the referendum.

**Risk:** Low Risk

The only reason for the NP not to be made now is if the Council consider that to do so would breach an EU obligation or a Convention right. There is a risk that should we take that decision it will be subject to legal challenge and that the Parish Council will feel disenfranchised that their right to produce a Neighbourhood Plan under the Localism Act has been prevented.

**Links to background information:**

- [The Localism Act](#)
- [Plain English Guide to the Localism Act:](#)
- [National Planning Policy Framework:](#)
- [Neighbourhood Planning Regulations:](#)
- <http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/>

**Link to Council Plan:** Living in, working in, enjoying this outstanding place

## 1.0 Budleigh Salterton Neighbourhood Plan Referendums

1.1 On 6 September 2017, a referendum was held on the Budleigh Salterton Neighbourhood Development Plan at the Budleigh Salterton Hall from 7am to 10pm.

1.2 Voters were asked the following question:

***"Do you want East Devon District Council to use the neighbourhood plan for Budleigh Salterton to help it decide planning applications in the neighbourhood area?"***

1.3 The regulations advise that if more people vote 'yes' than 'no' in the referendum, East Devon District Council should use the Neighbourhood Development Plan to help it decide planning applications in Budleigh Salterton Parish. The Neighbourhood Development Plan once adopted will then become part of the Development Plan.

1.4 In East Devon the development plan currently consists of the adopted East Devon Local Plan, 2013-2031; the adopted Devon Waste Plan, December 2014, and the Minerals Local Plan, June 2004.

1.5 The final results of the Budleigh Salterton Neighbourhood Plan referendum are shown below:

Yes: 1320

No: 73

Voter turnout 31.3%

In favour: 94.7%

1.6 The results show a clear majority in favour so now the cabinet must consider whether it would be appropriate to 'make' the neighbourhood plan.

- 1.7 Once the Neighbourhood Plan is formally made it will carry its full weight in the planning decision making process. As part of the Development Plan any planning applications in the Budleigh Salterton parish will be judged against the relevant Neighbourhood Plan as well as policies of this Council and also the National Planning Policy Framework. Application of the policies of the Neighbourhood Plan will ensure that the hard work that has gone into its production will result in effective application of local community expectations and aspirations in the decision making process.
- 1.8 The only reason for the Neighbourhood Plan not to be made now is if Cabinet consider that to do so would breach an EU obligation or Convention right. When the Neighbourhood Plan was independently examined the examiners stated that they were satisfied that the relevant Neighbourhood Plan was compatible with EU obligations.

## **2.0 Next stages**

- 2.1 Following the decision whether or not to make the NP (or where the referendum results in a 'no' vote or the NP is refused as it would cause a breach of an EU obligation or Convention right), we will produce a decision notice for the neighbourhood plan (detailing the decision and reasons for it and where it may be viewed) and publish it;
- on the NP pages of our website
  - by sending a copy to the plan producer and requesting that the Plan Producer notifies those persons who live, work or carry on business in the Neighbourhood Area to which the NP relates
  - by notifying the 'consultation bodies' referred to in the consultation statement
  - by advising those adjoining authorities
  - Anyone who asked to be notified of a copy of the decision
  - All those who made representations on the relevant plan

**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 21

**Subject:** Safety Advisory Group

**Purpose of report:** To consider the public safety risks from organisers holding large public events without consultation with public safety authorities; and recommend adoption of a Safety Advisory Group that would

- promote high standards of public safety at large public events in our area;
- provide organisers with sensible, practical health and safety information to allow them to comply with their legal responsibilities without undue expense;
- as far as practical, reduce any inconvenience to residents, businesses and the general public arising from events;
- provide organisers with an approach that would be consistent with other Local Authorities across Devon.

**Recommendation:** **That East Devon District Council establish a formal Safety Advisory Group, to meet on a quarterly basis, to provide event organisers with a single point of contact to obtain relevant advice on managing public safety at large events.**

**After two years a formal review will be conducted to assess the effectiveness of the Group and the costs and benefits to the Council, event organisers and the general public.**

**Reason for recommendation:** At present there is no formal mechanism in East Devon for event organisers to easily arrange contact with all the regulators who have a role in advising them on public safety matters. It is possible for an organiser to devote considerable resource to developing an event without adequately considering public safety or nuisance issues which could have a significant impact on the viability of the event. Having a well publicised Safety Advisory Group (SAG) would provide businesses with a single point of contact for the provision of that information.

**Officer:** Allison Ferrero, Principal Environmental Health Officer,  
[aferrero@eastdevon.gov.uk](mailto:aferrero@eastdevon.gov.uk) 01395 571581

**Financial implications:** No provision has been made in 2017/18 budgets, therefore any costs incurred will need to be met from the current year's budget. A provision will need to be made for expenditure & recovery of costs in 2018/19 budget process starting shortly

**Legal implications:** A SAG is a non-statutory body which provides advice to event organisers on, primarily, public safety issues. It can comprise a number of bodies /

agencies and it has no legal powers, with any decision making resting with the relevant bodies / agencies who comprise the SAG. It is discretionary and so the Council has no responsibility to set one up, although there are benefits to doing so as detailed in the report. It is essentially a way for event organisers to draw on the expertise of relevant bodies and agencies to ensure they provide a safe event. As an advisory body it generally won't have any responsibility should anything untoward happen at an event – primary responsibility for ensuring a safe event resting with the event organisers. However, this is not absolute, and in certain circumstances (where there is an assumption of responsibility or failure to perform an assigned duty) it is possible that claims could be brought against the SAG. Accordingly it will be necessary for the Council (and its officers) to ensure that the SAG conducts itself so as not to give rise to claims of negligence. Specific advice will be given to those involved in the SAG should it be formally set up to address this. Finally, it is important to ensure that there is a clear distinction between the role of the SAG and any actions of the Council as event organiser / landowner. Essentially the SAG cannot be relied upon to discharge the Council's legal responsibilities.

**Equalities impact:**

Low Impact

The outcome should be events that are safer for all and there will be no disproportionate impact on any of the equalities groups.

**Risk:**

Medium Risk

Event organisers may receive advice from the agencies they contact in isolation, and may be unaware of another agency that would have an interest in regulating the safe conduct of an event or offering advice.

If the organiser does not know of a potential source of advice or guidance, they will not receive that information.

East Devon and Torridge are the only District Councils in the Devon area which do not operate a Safety Advisory Group to cover large public events in their district.

**Links to background information:**

- <http://www.hse.gov.uk/event-safety/safety-advisory-groups.htm>
- [http://www.cieh.org/uploadedFiles/Core/Policy/2012\\_Olympics\\_and\\_Paralympics/Olympics\\_SAG\\_discussion\\_paper\\_FINAL.pdf](http://www.cieh.org/uploadedFiles/Core/Policy/2012_Olympics_and_Paralympics/Olympics_SAG_discussion_paper_FINAL.pdf)

**Link to Council Plan:**

Encouraging communities to be outstanding; Developing an outstanding local economy.

**Report in full**

1. Over the years there has been both an increase in the number of public events arranged across the district and an increase in the number of people that attend events, some of which have been taking place for many years now.
2. The Council is not necessarily even aware of all events that take place as there may have been no formal reason for an organiser to contact us. In some cases the event organiser will apply for a licence or for permission to use Council land. In others that is not the case.



3. The fact remains that under the Health and Safety at Work Act we are the enforcing authority for almost all events where the main activity includes cultural, entertainment or sporting activities.
4. We therefore have a clear responsibility for the enforcement of the relevant statutory provisions to ensure the health, safety and welfare of employees, members of the public and any other person affected by a work activity.
5. Accidents causing injury to the public do occur at events and unfortunately there are recent examples of this, including hearing damage affecting people in the crowd at the Exmouth Remembrance Parade in 2013 and two people crushed under a water container at the Sidbury Village Fete in August 2014. With hindsight we believe that a more structured risk assessment processes could have prevented both of these incidents.
6. At present there is no formal mechanism for event organisers to easily arrange contact with all the regulators who have a role in advising them on public safety matters. It is possible for an organiser to devote considerable resource to developing an event without adequately considering public safety or nuisance issues which could have a significant impact on the success of the event.
7. We believe that having a well-publicised East Devon Safety Advisory Group (SAG) would yield a number of clear benefits including the following:
  - a. It will provide businesses with a single point of contact for the provision of regulatory advice and information.
  - b. The SAG would encourage a focus on risk management and should shift the emphasis towards effective planning and away from monitoring and inspection.
  - c. The SAG will promote safer events and in consequence will contribute to community health and wellbeing.
  - d. It will support businesses and organisers through having a single point of contact for the Event and providing consistent professional advice and support.
  - e. A SAG structure enables the regulatory partners to have a more efficient communications network to share intelligence about events more effectively.
8. SAGs do not have legal powers or responsibilities and are not empowered to approve or prohibit events from taking place. It is not the role of the SAG to plan the event, or to write management plans, or produce risk assessments.
9. The purpose of the SAG and its members is to offer guidance to help organisers discharge their legal responsibilities for public safety. The SAG cannot accept or adopt any of the responsibilities of the organiser.
10. It should be noted that the various organisations taking part in the SAG may well have powers in their own right to require event organisers to comply with specific legal requirements.
11. The SAG would assess an event plan prepared by the organiser, and advise the event organiser of any obvious deficiencies of the plan. It remains the responsibility of the event organiser to take appropriate action in the light of that assessment.
12. There is a formal SAG for the Ottery Tar Barrels event that was started by Devon County Council several years ago. East Devon Council took this over last year and is presently liaising for the coming event. This is held quarterly and successfully advises and supports the event.

13. There are also a number of events across the district where ad-hoc, stand-alone SAGs have been arranged, usually by Environmental Health, Licensing, Devon County Highways, or by the organisers themselves. These have included Beautiful Days, Sidmouth Folk Festival, Devon County Show, Dub Fest, the National Lifesaving Championships and the Tour of Britain.
14. These events already see the benefits of the various regulatory services working in collaboration with each other and in each case the event organisers have received what we believe to be far more effective and consistent advice on the proper management of public health and safety risks associated with their event.
15. East Devon hosts a number of large scale events where we have no formal communication concerning public health, safety and welfare with the event organisers. Some of those that we already know about include the Axminster Show, the Honiton Show, numerous fireworks displays at Exmouth, Westpoint, Bicton College and various town New Year's Eve events, various events at Poltimore House, Killerton estate, the Classic Car shows in Exmouth, Sidmouth and Seaton along with Carnivals in Newton Poppleford, Exmouth, Seaton, Colyton and the Royal British Legion Remembrance Parades.
16. Currently each regulator may or may not contact the organisers individually and discuss their arrangements for event safety with them. At best this is inefficient for the regulators, involves a substantial time commitment on the part of the event organisers and risks repetitive (or worse, potentially conflicting) advice being given.
17. It is a challenge in itself to articulate the right criteria to determine which events should be considered by a SAG. The guiding principle should be that events presenting a significant public safety risk (both in terms of numbers of people attending, the nature of the event or the challenge of the environment itself) should be considered. For example, small events like farmers markets would clearly not need to go to a SAG.
18. The Council would need to determine a lead officer for a regular SAG along with its Chair. In Mid Devon District Council the Chair and Lead Officer is their Community Safety and Emergency Planning Officer. In Exeter and North Devon the Head of Service tends to take the Chair. In East Devon the Principal Environmental Health Officer (Commercial Team) is prepared to be the Lead Officer. As with other similar groups, for the process to be effective we would need to identify and put in place an appropriate level of secretarial support.
19. Officers will be scoping a piece of work around wider event organisation and the implications for the hire of council land and facilities, clear up operations, additional demand for council services etc. We will be considering a more commercial approach to recovering our costs and the potential conflict with support for community events and tourism.

**Report to:** Cabinet  
**Date of Meeting:** 4 October 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 22

**Subject:** Seaton Tramway new Terminus

**Purpose of report:** To advise members that the new lease agreement with Seaton Tramway has now been entered into. Through the granting of this new, longer lease which incorporated additional land, the council has enabled Seaton Tramway to invest in the redevelopment of its terminus site in Seaton to provide a modern facility that completes the regeneration of this area of land to the east of the Underfleet.

To provide a summary of the enabling and investment activities that the council has undertaken over the last 10 or more years that has facilitated the growth and investment now being undertaken by the private sector.

**Recommendation:** That the report be noted

**Reason for recommendation:** To provide a summary of the enabling and investment activities that the council has undertaken over the last 10 or more years.

**Officer:** Alison Hayward, [ahayward@eastdevon.gov.uk](mailto:ahayward@eastdevon.gov.uk) 01395 571738

**Financial implications:** There are no direct financial implications as a result of the report, but the report highlights the use of Council land and receipts from previous decision to facilitate regeneration of Seaton.

**Legal implications:** There are no implications arising from the content of the report.

**Equalities impact:** Low Impact

**Risk:** Low Risk  
There are no risks associated with this report.

**Links to background information:**

- Cabinet approval was granted in 2015 to grant a new lease to Seaton Tramway. <http://eastdevon.gov.uk/media/1465835/150415-cabinet-mins.pdf>
- [Representation of new terminus from planning application](#)

**Link to Council Plan:** Developing an Outstanding Economy

## Report in full

- 1.1 Seaton Tramway has been operating since the 1970's and has made an impressive contribution to the tourism offer for the town, drawing over 82,000 visitors in 2016. It contributes to the social, economic and employment levels within the town, employing 12 full time staff, including apprentices, 40 seasonal staff and over 40 volunteers. The Tramway is highly successful at operating a fascinating and well-respected tourist attraction, as well as running an important public transport service route between the coastal town of Seaton and Colyton, 3 miles inland.
- 1.2 For some time, the Tramway has wanted to improve its main terminus in Seaton to develop the business and improve its offer to visitors. The current Tramway terminus building in Seaton is a 1990's small ticket office that is nearing the end of its life and fails to meet the needs of visitors, whose numbers have grown considerably in the last 20 years.
- 1.3 As the Tramway's landlord, the council has played a significant role in facilitating this ambition. The council has entered into a new longer lease for 50 years with the Tramway, thereby allowing it to attract the funding investment required for the project. The Council has also extended the area of land included within the lease, allowing for a larger terminus building and in the future, an additional tramline. The Council has further assisted the delivery of the new terminus by offering a compound lease and an access licence to the construction company in order to facilitate the building work which will shortly commence on site.
- 1.4 The new 440 sq m terminus will cost £2m and will cater for 250 visitors per hour with catering, retail, toilets and interpretation within the terminus area. It will enable the Tramway to:
- Attract more visitors with an increase from 83,000 in 2016 up to approximately 93,000 by 2021
  - Complement the recently completed Seaton Jurassic centre, enabling improved partnership working and more opportunities for visitors to the centre to explore the local area including the Seaton Wetlands by Tramway
  - Provide a high quality starting point for a tram journey
  - Add to visitor 'dwell time', encouraging spend in the local economy
  - Extend the season and build off-peak and shoulder visits
  - Provide a visually stunning 'shop window' of illuminated trams when closed
  - Extend the current range of special events
  - Create 4 more full time jobs, and 12 more part time jobs (8 FTE)
- 1.5 The new terminus building will be funded by a mix of private and third sector funding including a grant from the Heritage Lottery Fund.
- 1.6 The delivery of the new terminus development is the latest regeneration and investment activity in Seaton that has been underway over the last 10 years.
- 1.7 Seaton was designated as a Regeneration Area in the 2006 Local Plan. The closure of the Racal factory in 2000 and the Warner Holiday Camp, with a total loss of nearly 400 jobs, were determining factors. The consequent demolition of these facilities left a physical and psychological scar on the town as it visibly fell into decline.

- 1.8 The Council intervened through the Local Plan designation and developed a masterplan for the combined brownfield sites, acting as a catalyst by using its own landholdings, part of the underused Underfleet car park, for the Seaton Jurassic project.
- 1.9 Tesco was the first major regeneration project, opening in 2011 and creating 260 jobs. The S.106 receipt from this development, of over £1.8m, along with the partners' funding, facilitated the building of Seaton Jurassic, which opened in spring 2016, incorporating the TIC. The centre which attracted over 50,000 visitors in its first year is estimated to generate an additional £4m GVA p.a.
- 1.10 Complementing Seaton Jurassic is another EDDC project – the expansion of the Seaton Wetlands nature reserve, a 200-acre wetland site attracting 60,000 visitors a year and bringing an estimated £750,000 additional GVA.
- 1.11 The installation of Discovery Points as part of the Seaton Jurassic project encourage visitors to Seaton Jurassic to meander through the town centre, dispersing spend to local small businesses. The creation of a new car park to the west of Underfleet has helped to provide more spaces to replace some of those that were lost and generate additional car park income. In 2014 the Council's old 316 space car park provided £53,000 income. In 2016 the new car parks with just 181 spaces provided an income of £98,000.
- 1.12 The council's enabling activities through the Local Plan process, and direct capital investment in projects such as Seaton Jurassic, the Wetlands and the new car park has been key to bringing forward wider investment and confidence in local economic opportunities:
- 220 Bovis Homes close to completion on remaining land adjacent to Tesco;
  - 75 bed Premier Inn currently on site, creating 24 FTE jobs;
  - Approval for 90 home development fronting the Axe;
  - Private investment delivering Seaton's first gym now operated by LED.
- 1.13 Alongside these larger scale investments, there has been some new activity in the retail area in the town centre which will soon see a new café opening within Fore Street and a new restaurant opposite Fisherman's Gap. In addition, the Town Council now has approval for the esplanade improvement project.
- 1.14 The continued activities of the Seaton Town Team such as the Artisan Market, Cycle Fest, and Seaton Eats along with the entertainment offer of Seaton Gateway, some excellent new cafes and the weekly Seaton parkrun on the esplanade, have helped to create a more vibrant town with more to offer for its residents and visitors. Anecdotal comments all point towards a positive attitude towards the town's future prospects.
- 1.15 Progress on these development projects that are underway or in the pipeline will be discussed at a future meeting of the Seaton Regeneration Group which will meet in October, chaired by Cllr Marcus Hartnell.