

Agenda for Cabinet

Wednesday 4 April 2018; 5.30pm

[Members of Cabinet](#)

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

[View directions](#)

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

- 1 [Public speaking](#)
- 2 Minutes of 7 March 2018 (pages 3-9), to be signed as a true record
- 3 Apologies
- 4 Declarations of interest
Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)
- 5 [Matters of urgency](#)
- 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 May 2018 to 31 August 2018 (pages 10-12)
8. Minutes from the Staff Joint Forum held on 8 February 2018 (pages 13-16)
9. Minutes of the Capital Strategy and Allocation Group held on 7 March 2018 (pages 17-22)
10. Minutes of the Asset Management Forum held on 8 March 2018 (pages 23-25)
11. Minutes of the Housing Review Board held on 8 March 2018 (pages 27-32)
Recommendations for Cabinet consideration can be found on page 26
12. Minutes of the Overview Committee held on 13 March 2018 (pages 33-36)

Part A matters for decision

13. **Exeter and East Devon Enterprise Zone** (pages 37-49)
To seek approval to borrow against future ring fenced business rate income to invest in projects that will enable the delivery of new commercial space and jobs in the Enterprise Zone.
14. **Monthly Performance reports – February 2018** (pages 50-53)
Performance information for the 2017/18 financial year for February 2018 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.
Appendix A - February 2018 snapshot
15. **Feniton Neighbourhood Plan Examiner's Report** (pages 54-60)
To provide feedback and set out proposed changes following the examination of the Feniton Neighbourhood Plan

[Decision making and equalities](#)

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

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 7 March 2018

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.37pm

***176 Public Speaking**

There were two members of the public who wished to speak.

One speaker spoke at the appropriate agenda item, Minute 189 - Response to Membury Neighbourhood Plan Submission.

Mr Nick Hookway spoke on Minute 188, Exemption from Contract Standing Orders – Hemingway Design. Mr Hookway asked a number of questions which included:

- Would the brief with Hemingway Design be made public?
- Would there be transparency for the public to have access to Mr Hemingway's design and brief?
- What assurances did the residents of Exmouth have to being able to access consultation with Mr Hemingway's team?
- Would there be consideration for a flexible approach to funding on any future developments recommended by Mr Hemingway?

The Portfolio Holder Economy in response welcomed working with Mr Hemingway and his team and agreed that everyone working on this project were open to all ideas from everyone. He reiterated that the design had to be the best for Exmouth and its residents and. The Deputy Chief Executive stated during discussions on Minute 188 that the agreed brief would be published by the end of March 2018.

***177 Minutes**

The minutes of the Cabinet meeting held on 7 February 2018 were confirmed and signed as a true record.

***178 Declarations**

Councillor Pauline Stott, Minute 188; personal interest – Member of Exmouth Regeneration Board & Executive Group and Queen's Drive Exmouth Community Interest Company

Councillor Geoff Pook, Minute 186; personal interest – Member of Axe Sailing Club

Councillor Phil Twiss, Minute 183; personal interest – Chairman of New Homes Bonus Panel for Devon County Council

Councillor Mark Williamson, Minute 188; personal interest – Member of Queen's Drive Exmouth Community Interest Company

***179 Matters of urgency**

The Leader of the Council read the following statement:

'Cabinet, can I take this opportunity to give mine and yours heartfelt thanks to all our staff who got stuck in during the heavy snows and aftermath over the last few days. Teams across East Devon District Council worked around the clock to help residents and communities caught up in snow and ice storms.

The Council's emergency telephone service, Home Safeguard, took more than 2000 calls from last Thursday to Sunday, as residents reported issues such as loss of power, frozen pipes and boiler failures.

Officers came across a number of situations where they could help including delivering urgent medication, cooking a meal for a resident whose carers were snowed in, arranging temporary housing for council tenants with burst pipes and taking a resident to hospital.

Even though the Council's offices at Sidmouth and Exmouth were closed on safety grounds from last Thursday lunchtime, our up to date technology allows the majority of East Devon officers to work from wherever is suitable such as home and from there were able to co-ordinate emergency support.

As Councillor Moulding said in our recent press release, "Our staff played an important role in helping our residents during a very difficult few days. I am really proud of their commitment and the care they showed to all who needed assistance." I echo that sentiment wholeheartedly.

***180 Matters referred to the Cabinet**

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

***181 Exclusion of the public**

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

***182 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 April 2018 to 31 July 2018.

***183 Minutes of the New Homes Bonus Panel held on 29 January 2018**

Members received the Minutes of the New Homes Bonus Panel held on 29 January 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 16 Options for East Devon's future Parishes Together Fund rules for 2018/19

1. a mixture of Options 1 and 3 as contained in the report be supported, carrying out a very limited form of Option 3 on a trial basis;
2. the DCC Locality Officer continue discussions with one of the East Devon towns about the possibility of a 'Dragons Den' style event as a trial scheme. Their current level of funding could then be ring fenced for that purpose. If they do not take part in this trial then discussions to be held with other East Devon towns;
3. the closing date for funding be November of each year with all the applications being considered at a meeting at the end of January;
4. the maximum limit for individual applications limited to 20% of the fund's total;
5. community groups be allowed to apply for funding, but only with the minuted support of a town/parish council; and
6. match funding of 20% be evidenced before a project could be supported.

*184 **Minutes of the Overview Committee held on 30 January 2018**
Members received the Minutes of the Overview Committee held on 30 January 2018.

*185 **Minutes of the Recycling and Waste Partnership Board held on 31 January 2018**
Members received the Minutes of the Recycling and Waste Partnership Board held on 31 January 2018.

RESOLVED (1) that the following recommendations be agreed:

Minute 51 Improvement projects/working groups: Participation project update

1. the methods set out in the low participation project report, and
2. a systems thinking exercise be undertaken on the recycling and waste service and key supporting functions, to examine options for future strategic organisation change to build an organisation fit to meet current and future demands.

*186 **Seaton Beach Management Plan**

To adopt Seaton Beach Management Plan and agree the approach to progressing the next stage of works to reduce the risk of flood and erosion. The Strategic Lead Housing, Health and Environment assured Members that once adopted the Plan would allow the project to proceed to the outline business case stage where the preferred options will be developed and tested. This stage will include further public consultation.

RESOLVED:

that the Seaton Beach Management Plan and an exemption from contract standing orders to progress the outline design and outline business case be agreed.

REASON:

To continue to work with the Environment Agency, other statutory bodies and local community to manage the risk of flood and erosion along the Seaton frontage.

*187 **Monthly Performance reports – January 2018**

The report set out performance information for the 2017/18 financial year for January 2018 was supplied to allow Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicator showing 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 – The Council was constantly analysing appeal decisions to assess whether there were any particular trends or issues which could be addressed in the decision making process. A detailed assessment of the appeal decisions from 1 April 2017 to 31 March 2018 would be reported to the Strategic Planning Committee following receipt of all of those decisions.

RESOLVED:

that the progress and proposed improvement action for performance measures for the 2017/18 financial year for January 2018 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.

***188 Exemption from Contract Standing Orders – Hemingway Design**

An exemption from contract standing orders had been approved to enter into a contract with Hemingway Design for the supply of consultancy services and request support for the action taken.

The Deputy Chief Executive confirmed the brief had been through thorough consultative stages and had had good public participation already. The Council could not commit to all Mr Hemmingway's designs until the recommendations had been seen however the brief would be published by the end of March 2018.

RESOLVED:

that the use of an exemption from contract standing orders to enter into a contract with Hemingway Design be supported.

REASON:

An exemption from Contract Standing Orders had been sought and approved and Members supported this action.

***189 Response to Membury Neighbourhood Plan Submission**

Members were asked to agree the response by the Council to the current consultation for the Membury Neighbourhood Plan.

Councillor Michael Bell from Membury Parish Council asked members for their full support for the Membury Neighbourhood Plan. He stated that Membury had been a community for over 500 years, with new businesses setting up in the Parish and with better broadband facilities.

RESOLVED:

1. that the formal submission of the Membury Neighbourhood Plan be noted and that the producers of the plan be congratulated on the dedicated hard work and commitment, and
2. that the Council make the proposed representation set out at paragraph 5.2 in the report in response to the consultation.

REASON:

To ensure that the view of the District Council was recorded and informed the consideration of the neighbourhood plan by the Independent Examiner.

***190 Response to Rockbeare Neighbourhood Plan Submission**

Members were asked to agree the response by the Council to the current consultation for the Rockbeare Neighbourhood Plan.

RESOLVED:

1. that the formal submission of the Rockbeare Neighbourhood Plan be noted and that the producers of the plan be congratulated on the dedicated hard work and commitment, and
2. that the Council make the proposed representation set out at paragraph 5.2 in the report in response to the consultation.

REASON:

To ensure that the view of the District Council was recorded and informed the consideration of the neighbourhood plan by the Independent Examiner.

191 **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).

*192 **Office Relocation Project - choice of new access road options for Blackdown House**

The report advised of the identified options for the provision of a new access road for Blackdown House through the East Devon Business Centre site. Approval was sought regarding road access to the new HQ and the size of the car parking retained for the use of East Devon Business Centre, which exists alongside the new road access.

RESOLVED:

1. that Option 5 represented the best value for money and was estimated to be achievable within the existing approved budget,
2. that delegated authority be granted to the Deputy Chief Executive in consultation with the Executive Group to deliver the chosen Option and to progress operational matters and incur spend within agreed budget limits. To ensure that the design and build of the relevant Option and the overall project were achieved to the agreed programme be agreed, and
3. that an exemption to Contract Standing Orders to award the construction work to Interserve Construction Limited in the event of their quote being within the approved budget be agreed.

REASON:

The Council had identified the need for the provision of a new direct access road to Blackdown House. The original intent for access to the new HQ was via the existing roadway arriving at the side of the HQ building from the south. The Relocation Project Executive Group agreed that they would prefer a more direct approach to the front of the building. This could be provided by adapting the existing access road to the East Devon Business Centre. This was recommended to and agreed by Cabinet in April 2017 with a budget allocation of up to £225,000.

Attendance list

Present:

Portfolio Holders:

Paul Diviani	Leader
Phil Twiss	Deputy Leader/Strategic Planning and Developments (in the Chair)
Tom Wright	Environment
Iain Chubb	Corporate Services
Jill Elson	Sustainable Homes and Communities
Phil Skinner	Economy
Ian Thomas	Finance

Cabinet Members without Portfolio:

Geoff Pook
Eileen Wragg

Cabinet apologies:

Marcus Hartnell Deputy Portfolio Holder Environment

Non-Cabinet apologies:

Mike Allen
Ian Hall
John O'Leary
Brenda Taylor
David Barratt
Colin Brown
Jenny Brown
Rob Longhurst
Andrew Moulding

Also present (for some or all of the meeting)

Councillors:

Megan Armstrong
Bruce de Saram
Bill Nash
Alan Dent
John Dyson
Steve Hall
Pauline Stott
Geoff Jung
Peter Faithfull
Paul Carter
Graham Godbeer
Steve Gazzard
Mark Williamson
Maddy Chapman
Cherry Nicholas
Eleanor Rylance
Roger Giles
Mike Howe

Officer apologies:

Mark Williams, Chief Executive

Also present:

Officers:

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 & Monitoring Officer

Dave Turner, Engineering Projects Manager

Stephen Pratten, Relocation Manager

Amanda Coombes, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period 1 May 2018 to 31 August 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.	Queen's Drive update		Deputy Chief Executive	Cabinet 5 September 2018		13 September 2018	Part A
2.	Port Royal update		Deputy Chief Executive	Cabinet 28 November 2018	Council 12 December 2018	13 December 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	East Devon Local Economy	Deputy Chief Executive	Cabinet tbc; Council	
2	HotSW Joint Committee		Heart of the South West Productivity Strategy	

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.

April 2018

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Staff Joint Forum held at Knowle, Sidmouth on Thursday 8 February 2018

Present:	<u>Employers</u>	<u>Employees</u>
	John Golding	Robin Lomas
	Karen Jenkins	Trina Rees
	Sarah Vincent	Nick Wright
Also	Alethea Thompson	
present:		
Apologies:		Marilyn Adhamy Claire Rodway Jill Wheeler

The meeting started at 11.05am and ended at 11.55am.

***1 Election of chairman**

RESOLVED: that Karen Jenkins be appointed chairman of the forum for the ensuing year.

***2 Appointment of vice chairman**

RESOLVED: that Nick Wright be appointed vice chairman of the forum for the ensuing year.

***3 Minutes**

The notes of the meeting held on 18 January 2017 were agreed.

***4 Essential user and car loans**

The Strategic Lead, Organisational Development, Equalities and Transformation explained that significant financial savings needed to be made by 2020-21. In preparing for this the essential car user scheme had come up in the transformation strategy. The essential user scheme had been reviewed a few years ago, with a new process being put into place. The current qualifying threshold of 1000 miles was acknowledged as being very low. Many councils had stopped providing the scheme altogether as a benefit and worksmart had reduced the amount of some officers' travel. It was hoped that East Devon could gradually increase the qualifying mileage threshold and phase out the scheme.

It was noted that it had already been agreed to stop car loans for new applicants from the following year.

The Strategic Lead, Organisational Development, Equalities and Transformation offered to find out what other councils in the area provided in terms of essential car user schemes and car loans. Unison also agreed to make similar branch enquiries

and requested that we attempt to find out whether those councils which have removed the scheme offer car loans.

RESOLVED: that the Strategic Lead, Organisational Development, Equalities and Transformation and Unison investigate essential user car schemes in other councils across the south west.

***5 Holiday pay for voluntary overtime**

The Strategic Lead, Organisational Development, Equalities and Transformation reported that in August 2017 an appeals tribunal decided that voluntary overtime was now subject to holiday pay. It stated that overtime that was regularly worked should be subject to holiday pay. However, the tribunal guidance did not state what it regarded as 'regular'. She informed the forum that the payroll system looked monthly at all overtime worked as a matter of process and ensured that all employees would be paid their holiday relating to overtime in accordance with statutory requirements. This would be based therefore on the first 4 weeks of holiday using the working time regulations.

***6 Update on health and safety issues at Exmouth town hall**

The Unison chairman reported some of the health and safety issues that had been raised by staff working at the new offices at Exmouth town hall. These included:

- Noise/acoustics in the council chamber
- Lighting
- Heating
- Sinks too low in the toilet
- Noise of the hand driers

The Strategic Lead, Organisational Development, Equalities and Transformation responded that all of these issues had been captured in the worksmart workshop and were now on the intranet as a 'to do' list. There was a spreadsheet containing the issues which was regularly updated.

The Strategic Lead, Organisational Development, Equalities and Transformation reported that the sinks in the toilets had been raised, however nothing could be done about the noise of the hand driers which were normal office driers. The heating had been regulated and there were no further issues. Carpet tiles were being fitted in the council chamber to help absorb the sound on 22 February 2018. Acoustic issues had been reported to the relocation team who would cost proposals, which may include employing a specialist acoustic technician. The results of this would be taken to SMT to find the best solution.

Staff that were experiencing problems had been asked to report matters to their line manager who would arrange referral to Occupational Health so that they could give advice on what to do and to build up a body of evidence. Referral numbers had been less than five. An occupational health clinician had been invited to visit the offices at Exmouth town hall and observe the environment.

It was noted that 80% of offices chose the white desks, but the Strategic Lead, Organisational Development, Equalities and Transformation reported that there

would be a review of the desk colour for Honiton. Lights would be more sophisticated in Honiton and would take account of natural daylight.

Another CCTV screen was being requested for behind reception in Exmouth town hall and this was being costed. The width of the desk in cubicle A was being investigated in terms of practicability and cost as it had been reported that there was sometimes a privacy issue with regards to customers being able to see paperwork. It was noted that rooms 1, 2 and 3 had been designed for meetings with more difficult clients.

The key message was that managers and SMT were listening, responding and working through the list of issues, and that money would be spent where necessary to resolve any problems.

The Strategic Lead Housing, Health and Environment reported that the final part of the fire evacuation procedure had been put into place. Re-vac pods were being installed at the refuge points on each floor, with people being trained in the use of these. There had so far been two evacuation procedures undertaken which had gone well. Another fire alarm test was due the next day as the town council had now moved into the building.

***7 Clocking in at Exmouth town hall**

The length of time taken to clock into the flexi system at Exmouth town hall, via global desktop had been raised as an issue. The Unison chairman reported that he had trialled this at Sidmouth via global and it had taken between 6 – 18 minutes each day to log in.

The Strategic Lead, Organisational Development, Equalities and Transformation advised that this issue was known to Strata but that there was not a quick and easy solution. Staff had been told that anyone who found it took more than five minutes to log in should talk to their manager, who had the discretion to authorise a manual adjustment of the clock. Reporting of this would also be fed back to Strata so that they were aware of the extent of the problem.

RESOLVED: that the Strategic Lead, Organisational Development, Equalities and Transformation remind managers that staff could amend their clocks if it was taking them longer than five minutes to clock in via global desktop at Exmouth town hall. Staff should make the amendments themselves and email their managers to inform them that the amendment had been made, manager's should then report the issues of time taken to log into global desktop to Strata.

***8 Allocated smoking area at the new offices**

The forum noted where the allocated smoking area would be located at the new Council offices. Relocation workshops would start again next week and would include this information. The same principles would be adopted for the move to Honiton as had been used for the office move to Exmouth.

Visits to the new building in Honiton would be arranged once the premises were safe and watertight.

***9 2% pay rise**

It was reported that a pay offer had been made by the employer side of the National Joint Council for Local Government Employers. The Strategic Lead, Organisational Development, Equalities and Transformation had emailed all staff to explain this and set out how, if agreed this would impact the existing pay and grading structure.

The headline offer was 2% from 1 April 2018 and a further 2% from 1 April 2019. There was also a proposal for higher percentage increases on the lower spinal column points or of the intention to introduce a new national pay spine in 2019 which was aimed specifically at addressing the impact that the national living wage has had on the lower spinal column points.

***10 Thanks**

The Strategic Lead, Organisational Development, Equalities and Transformation formally thanked Unison for their constructive support over the last year.

***11 Date of next meeting**

The next meeting would be held on Thursday 28 June, at 11am in room 35.

EAST DEVON DISTRICT COUNCIL

Report of a meeting of the Capital Strategy and Allocation Group held in The Council Chamber, Knowle, Sidmouth on Wednesday, 7 March 2018

Attendance list is at the end of the document

The meeting started at 2.30 pm and ended at 4.00 pm.

1. Report of the meeting of the Group

The report of the meeting held on 6 December 2017 was noted.

2. Declarations of interest

None were declared.

3. Matters of urgency

No matters of urgency were raised.

4. Update on key projects

The Chairman clarified that the meeting would focus on a review of projects already underway, and requested that each report cover a general project update; a financial position statement/budget update, progress against mile stones and key project risks.

a) Sidmouth Beach Management Scheme

Project Update

The Engineering Projects Manager, Dave Turner, reported that Phase 1 of the project to produce the baseline numerical models, and confirm the do-nothing economic damages is complete. Work on the outline design, and environmental impact assessment is currently ongoing.

Financial Position

£202k has been committed against a total project budget of £250k including surveys and investigations. Spend to date is £147k.

Program and key milestones

Phase 1 (baseline numerical modelling) was completed in January as per the program.

Phase 2 (option appraisal, EiA and OBC) works are on track for completion by end of June.

Key project risks

Only one risk was identified as high. This related to the possibility of adverse reaction from the public, which would be mitigated by consultation exercises undertaken at key stages in the project.

b) Feniton Flood Car Alleviation Scheme

Project Update

The Engineering Projects Manager, Dave Turner, reported that construction of Phase 1 & 2 has been completed, which consisted of downstream works to mitigate the increase in flows as a result of the scheme.

Network Rails works delivery team have agreed to construct Phase 3 of the project which consists of construction of a length of culvert underneath the railway line. Network Rail have reviewed the outline design submission for that work prepared by East Devon, and EDDC expect to receive technical approval shortly. Network Rail are currently pricing the works, and drafting the accompanying legal agreement and these are expected shortly for review by EDDC legal.

Financial Position

The scheme budget from the approved Project Appraisal Report (PAR) was £1,731,000, of which £500,000 is EDDC capital. The remainder will be coming from Local Levy, DEFRA, DCC and s106.

Costs to date are £438,208.11.

The financial position will be updated once Network Rail cost estimates are known. In advance of this the original 2013 PAR has been reviewed to adjust the economic benefits for inflation in order that additional DEFRA funding can be drawn down if required.

Program and key milestones

Program and key milestones will be updated following receipt of Network Rail agreement for Phase 3.

Key project risks

There are two risks identified as high. One relates to possible ecological restrictions preventing access which could delay the programme, but mitigating actions will be taken in advance. The other related to compensation costs.

c) **Queens Drive**

Project Update

The Regeneration & Economic Development Manager, Alison Hayward, reported on project status, issues, risks and decisions required.

In relation to Phase 1, the road and car park, actions were being progressed.

In relation to Phase 2, the water sports centre, pre-application consultation was completed last autumn, planning application now received and validated, so further opportunity for public comments.

In relation to Phase 3, possibility for Hemmingway Design Ltd for design review and uses for phase 3.

The current budget forecast was within the £3.1m budget agreed.

Temporary uses for next year from Spring 2018. Progressing chosen delivery options.

Items completed this month

Temporary uses planning permission granted for part of vacant site.

Preferred suppliers for food and seating area and play area. Carla Hiley had been appointed for Events Manager

Progress with Wayne Hemmingway.

Grenadier Estates submitted planning application. Now validated and consultation open.

Financial Position

There are no budget concerns at present.

Key project risks

There is one high risk identified. This relates to delays to Grenadier securing planning permission which has already caused a delay with the road and car

park, which will delay the programme and impact on the summer 2018 season. Mitigating actions are underway.

d) **Mamhead Slipway**

The Regeneration & Economic Development Manager, Alison Hayward, reported on project status, issues, risks and decisions required.

The project is now complete and the slipway is open for business, reporting relates to outstanding issues.

The final account is not yet completed but a budget overspend remains.

Knight Brown (formerly Raymond Brown) had initiated adjudication proceedings in early January in relation to a claim for a compensation event which EDDC have countered relating to sea wall failure issues. Adjudication decision now made in Council's favour.

The DCC contribution of £275,000 has not yet been paid. A request has been made for release from future liability.

Items completed this month

Solicitors Bevan Brittan, and project manager, Royal Haskoning preparing the evidence documents for the Adjudication during early February.

Adjudication decision made on 27 February in Council's favour.

Financial Position

Current spend is £1,672,966, representing a current budget shortfall of £117,776. Additional fees relating to the sea wall failure in discussion with Royal Haskoning of £38,381.

Retention sum of £34,000.

Legal and consultant costs in relation to the adjudication approx. £50,000

Additional fee of 2.5% to WSP on outstanding fees (£1300) and other project management (less than £3000).

Key project risks

None are specifically identified as the project is complete, but there is risk associated with any other future claims from KB, and an increase to the budget as a result of increased fee claims from the adjudication process. Each party meets its own costs regardless of outcome.

e) **Green Waste**

Project Update

The Strategic Lead Housing Health & Environment, John Golding, reported that the due to 'Go Live' date of 14th May 2018, was still on track.

The first deliveries of 10,000 green bins occurred last week. There had been problems with the storage compound intended for use; following Planning enforcement notice the compound was found to be unconsented (although not part of the enforcement area). We have withdrawn and are currently looking at a number of contingency sites/options which will probably result in us having to split up the storage. Bin purchase was on budget.

A soft launch marketing/press release is active, with 1600 customers already signed up as interested. Bin hangers (targeted marketing that hangs on wheeled bins (like Christmas calendar) due to go out on all residents bins w/c 5th March. It is estimated that it will take approximately 33 hours to process all of those who have already registered an interest, so our pressing priority is to get the subscription/sign up self-serve web process and back office system live.

Strata are currently working on this and work was due to be completed on 28th Feb to allow some testing before going live to coincide with bin hanger delivery. This has been slightly delayed, but we are still expecting the system to be ready early March (9th).

The social media campaign is continuing with further press releases planned to coincide with bin hanger delivery. We are also exploring secondary marketing (press ad/targeted social media) if the take up is not as predicted following the bin hanger release.

It has been estimated that 2,000 customers could be covered in one day, and optimal routes for delivery are currently being worked out with SUEZ. This can only be finalised when we have a clearer picture of customers subscribing to the new service.

We are still waiting to hear from DCC, in their capacity as waste disposal authority, where the composting disposal site will be following their procurement exercise.

Financial Position

EDDC has decided its preferred payment mechanism in consultation with the Portfolio Holders for Finance and Environment. We are opting for a 60/40 split of profit/loss in favour of the Council. A detailed business model has informed this decision. The Refuse & Recycling contract will be amended to reflect the arrangement.

An EDDC/SUEZ customer agreement has been drafted setting out the service arrangements with the customer.

Key project risks

A detailed risk register was considered at the meeting.

f) Relocation Project

Project Update

The Relocation Manager, Steve Pratten, reported that during the period between 1st – 31st January 2018, the following key events have occurred; Simon Allchurch had agreed to take over the role of Project and Facilities Manager following the resignation of Julia Waddington.

Interserve have continued with the construction of Blackdown House, the New HQ at Heathpark. A copy of the executed Contract has now been returned to the Contractor following the Council's completion. The Contractor has provided a 10% Bond.

The Contractor has advised that the Heathpark works were a week behind programme at the end of the period, although they have expressed confidence that they will complete the Works by the Contract Completion date of 15 October 2018. They have also confirmed that no reportable accidents have occurred on site since the Project commenced on 24 July 2017.

To assist with the mitigation of this delay, permission has been granted, subject to qualification, that the M&E first fix containment and associated works to the ground floor areas can commence at an early date.

Five Options for the New Access Road through the EDBC site have been identified. A Cabinet Report had been prepared so that Members may consider and advise on their preference.

The order for office furniture has now been placed. For the remaining elements (desks, storage etc) a detailed reconciliation and review is currently underway. It is anticipated that the order for these elements will be issued during March 2018.

Exmouth Town Council and the Volunteers have now taken tenancy at Exmouth Town Hall. This is in addition to Exmouth CCTV which have remained in the building throughout the refurbishment works. It is understood that agreement with County Registry Service to return to the Town Hall is imminent.

Workshops have been held with Officers at Exmouth Town Hall and some issues have been identified. Some of these matters relate to ongoing snagging issues. Actions are in hand with the Contractor continuing to carry out and complete remedial works and EDDC Property Services reviewing options going forward.

Financial Position

The overall Project Budget, as defined at the Council meeting on 26 April 2017, is £10,586,000. All relevant expenditure, including accruals, to 31 January 2018 totals £4,933,174. Consequently, there remains a budget balance of £ 5,652,826.

Key project risks

Risk Reviews have continued to be regularly carried out. The current Risk Register confirms 59 Open Risks, comprising of;

7 Red Risks (previously 7),

35 Orange Risks (46)

17 Blue Risks (17).

A new risk in the period relates to Interserve's significant share price fluctuations. This has occurred during the same month that Carillion entered Liquidation. Government sources advised that the issues with Interserve are not the same as for Carillion. Further reassurance can be inferred by Interserve's Bank providing the Bond during the month. It is noted that there does not appear to be any associated progress issues on site such as loss of subcontractors or the lack of plant and materials. The RM will continue to monitor the situation.

The Planning Inspectors Report in respect of the Pegasus Life Ltd Planning Appeal for Knowle was issued on 22 January 2018. The Planning Inspected upheld the Appeal.

5. Date of next meeting

4 July 2018 at 2.30pm in the Council Chamber

Councillors:

Present:

Ian Thomas (Chairman)

Geoff Pook

Philip Skinner

Apologies:

Phil Twiss

Dean Barrow

Also present:

Megan Armstrong

Bruce de Saram

Colin Brown

Graham Godbeer
Jill Elson
Bill Nash
David Barratt
Tom Wright
Brian Bailey

Officers:

Simon Davey, Strategic Lead – Finance
Richard Cohen, Deputy Chief Executive
John Golding, Strategic Lead – Housing health & Environment
David Turner, Streetscene Engineer
Steve Pratten, Strata Service Solutions
Alison Hayward, Regeneration & Economic Development
Susan Howl, Democratic Services Manager

Chairman: Date:.....

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Asset Management Forum held at Knowle, Sidmouth on 8 March 2018

Attendance list at end of document

The meeting started at 9.30am and ended at 11.01am.

***12 Public speaking**

There were no public speakers at the meeting.

***13 Report of previous meeting**

The report of the previous meeting held on 7 December 2017 was confirmed as a true record.

***14 Declarations**

Councillor Geoff Pook: Minute 16; personal interest – Member of Beer Parish Council

***15 Introduction of Tim Child**

Tim Child, Property and Estates Manager, introduced himself to the Forum and outlined his previous experience in the public sector, outlining the commercial approach he would be applying to the role. The Chairman welcomed him on behalf of the Forum and looked forward to working with him for the delivery of the aims of the Forum.

***16 Beer Pilot and interim arrangement**

Since the last update to the Forum on work preparing the pilot scheme, an interim arrangement had been drafted in order to provide the Parish with means of starting operations from the intended transfer date of 1 April 2018. This was to enable the Parish to get underway in preparation for the busy summer season under the terms of the interim arrangement for a year, whilst permitting further time to establish the final terms of the permanent transfer.

The interim arrangement covered aspects such as enquiries and bookings, insurance, liability, charge setting, clearing up and toilet cleaning. Legal would review the form of wording with a view to ensuring a robust agreement wording that retained brevity.

In response to a question about obtaining a licence as required, it was explained that the Parish Council would still have to comply with licensing requirements and either make the necessary application or ensure that the third party hiring from the Parish Council had applied and got the required licence.

In response to a clarification, the Forum were reminded that the asset transfer would not include the car parks – the pilot was set up around discretionary services. A full business plan had been drawn up to identify the potential income, revenue costs and administration costs. From this plan, the District Council still retained the majority of income from the car parks.

For the longer term proposal, further work was required on the title of land in the parish and on the detailed terms for the proposed transfer. This would be reported to Cabinet for approval in due course.

RESOLVED:

1. to check that authority is in place to action an interim arrangement, which may differ from the previously agreed authority for a permanent transfer of assets;
2. that officers finalise the terms of interim agreement;
3. that a timetable for delivery of the transfer be drawn up and provided to the Forum.

***17 Asset Ownership, mapping and visualisation**

Paul Johns, Corporate Property Records Officer showed the Forum the mapped areas of Council non-housing property in the District. Paul had visited all areas of the district, and entered data on the Council's GIS system and investigated records to establish clear ownership.

The visual information could be exported to other mapping systems currently, but there were some issues with migrating data to other systems the Council already held.

The Forum discussed the value of the data and how additional information could be added to each land record in order to build up a comprehensive system that could be interrogated for asset management purposes. Strata had already been approached to see if they could provide an interface between the mapping data and the Council's other databases, including the housing data held.

There was a very practical need for the comprehensive data as a management tool, but there was also a likely requirement from national government to have a public version showing core data in the future, as well as data sharing with other authorities and agencies. In determining what detail was required for assets, the Property and Estates Manager would choose a significant asset to explore the level of detail that could be assimilated.

The Chairman felt that this evaluation of the data needed resourcing, but would ultimately deliver considerable efficiencies both for asset management, and in fielding public enquiries. He wanted to see a plan of what the system solution would achieve, and what was required in order to deliver it, including cost and resource and including projected savings to offset additional resource cost. He felt that on completion of such a project, the savings delivered through efficiency could be significant.

The Deputy Chief Executive would oversee the preparation of a business case for Strategic Management Team, looking at the practical issues of delivery and the technical solutions required for both the management tool and for public use.

RESOLVED:

1. for the Forum to receive a fully costed plan on what the development of a mapping solution integrated with the Council's data will deliver and the resource required;
2. that the asset mapping solution is a standing item on the Asset Management Forum agenda.

***18 Seaton Workshops update**

Tenders for the two sites – Colyford Road and Fosseyway Park – had been returned in 2017 with higher costs than expected. As a result, discussions had taken place with the planning team on the specification of the build to achieve a development which satisfied planners but also in realised a financial saving through a more appropriate design and specification.

With this new specification, expressions of interest were to be sought from March 12, with progression to tendering in April and returns expected by early June 2018. Wider

publication of the tendering process would be considered, as not all suitable commercial building companies had signed up to the portal used for the tendering process.

***19 Rent Support Scheme**

The Forum were updated on the current position with the existing scheme. In light of the existing measures not delivering the intention the Council had, a revised scheme will need to be developed and may need to go through a further formal decision making process. This is likely to take some time and, in the meantime, there may be individual lease renewals and rental reviews that need to be negotiated. Jamie Buckley, Engagement and Funding Officer, was praised for her work in the scheme in what had been undertaken to date.

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

Councillors:

Paul Diviani
Geoff Pook (Chairman)
Alan Dent
Phil Skinner
Ian Thomas

Officers present:

Richard Cohen, Deputy Chief Executive
Tim Child, Property and Estates Manager
Paul Johns, Corporate Property Records Officer
Anita Williams, Principal Solicitor
John Hudson, Accountant
Adrian Priest, Estates Surveyor
Debbie Meakin, Democratic Services Officer

Apologies:

Laurelie Gifford, Financial Services Manager
Colin Whitehead, Principal Building Surveyor

Chairman Date.....

Recommendations for Cabinet that will resolve in an action being taken:

Housing Review Board on 8 March 2018

Minute 55 review of housing policies

RECOMMENDED by the Housing Review Board:

that Cabinet approve the housing policies.
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Minute 56 credit union consideration

RECOMMENDED by the Housing Review Board:

that Cabinet approve advising tenants of the City of Plymouth Credit Union if asked for a replacement service for Plough and Share.

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Housing Review Board held at Exmouth Town Hall on 8 March 2018

Attendance list at end of document

The meeting started at 2.30pm and ended at 4.25pm.

***50 Public speaking**

There were no questions raised by members of the public.

The Chairman welcomed everyone to the meeting. She gave particular thanks to all the officers for their assistance over the recent period of snow and also thanked the tenants who went out of their way to help each other.

Councillor Megan Armstrong queried the timing of the publication of the HRB agendas. She requested that the agendas be produced earlier so that the Tenant Involvement Forum had longer to consider the papers. The Democratic Services Officer and Solicitor explained that agendas were produced and published online in accordance with statutory guidelines. Both tenants and HRB members could view the documents at the same time, as soon as the agenda was publicly available. It would be impractical to produce the agendas any earlier due to pressures on officers' time.

The Strategic Lead – Housing, Health and Environment brought to the Board's attention a colourful pamphlet providing an update on the countryside outreach project. From 2015 the Board had funded one and a half days per week, for an Education Ranger from the Countryside team to work in all areas of the district with high levels of council housing. The Chairman requested that one of these leaflets be provided to all district councillors.

***51 Minutes**

The minutes of the Housing Review Board meeting held on 11 January 2018 were confirmed and signed as a true record.

Tenant Peter Sullivan raised minute 41, rental exchange scheme. He explained some concerns of the Tenant Involvement Forum (TIFF) over data protection issues. They felt that the scheme should be an 'opt in' one, rather than an 'opt out'. It was noted that the decision to join to scheme had already been made by the Board and approved by Cabinet and Council. It was Experian's scheme and the Council had no control over how it was operated, but the basis of the scheme was trying to overcome the unfairness social housing tenants often experienced trying to access credit.

***52 Declarations of Interest**

Pat Rous: Personal interest - housing tenant.

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

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

Peter Sullivan: Personal interest – housing tenant.

***53 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.

The Portfolio Holder – Sustainable Homes and Communities, made a request for extra care housing to be added to the forward plan. Extra care housing facilities was included in the Housing Strategy and should be included on the forward plan. A report would be produced on what had been provided so far and the Council's current position.

The Chairman also requested that a report on modular house building be added to the forward plan for a future meeting.

RESOLVED: that the forward plan be updated and noted.

***54 Homelessness Reduction Act**

The Strategic Lead – Housing, Health and Environment's report provided the Board with a summary of the main features of the new legislation. The new Act, which would become live in April 2018, set out significant changes to tackling homelessness and required local authorities to completely review current systems and introduce a culture change in homeless prevention and reduction.

The report set out an overview and provided a high level summary of the homelessness legislation and the duties, powers and obligations on housing authorities and others towards people who were homeless or at risk of homelessness. The Act signaled a significant change to the national approach to preventing homelessness and required local authorities and their partners to adapt existing protocols to ensure that they implemented the new system in accordance with the guidance and code of practice.

Preparing for the implementation was taking a considerable and sustained effort from the Housing Options team. The changes would require a dramatic shift in homelessness operations. The limited supply and difficulty in accessing temporary and permanent accommodation in the district would be a big challenge for the Council, particularly the lack of supported housing for people who found it difficult to live independently in the community. The aim would be to deliver a service that prevented homelessness wherever possible and secured suitable housing for those homeless households who required the Council's assistance.

It was noted that staff training was critical to the effective implementation of the new scheme and a range of training opportunities had been provided to staff to help smooth the transition from the current familiar system to the new approach. A new member of staff had been recruited and it was hoped to recruit another. It was noted that EDDC jointly funded a young persons worker with social services (DCC) through Young Devon to help prevent homelessness in young people.

A big change was the requirement on the council to intervene earlier. The requirement had moved from 28 days to 56 days as well as a requirement to produce a personal housing plan for each person approaching the council as homeless. The legislation required decisions to be made at a number of key points during the applicant's journey. The council had a prevention duty, a relief duty and a housing duty.

It was noted that the Homelessness Reduction Act fell outside of the remit of the Housing Review Board, but a report had been requested at the last meeting. The Chairman asked for an update report to be brought to a future Board meeting. The Strategic Lead – Housing, Health and Environment advised that a report on homelessness would be taken to Cabinet during the summer and that this could also be presented to the HRB.

Councillor Ian Hall raised a specific case of homelessness in Axminster and thanked the officers for their support. He hoped that investigations would take place into the root causes of homelessness in general. Another request was made for information on the number of homeless people the council had helped over the past 12 months. Members were advised that this featured in the quarterly performance digests on the Board's agenda.

RESOLVED: that the Housing Review Board note and understand the main requirements of the Homelessness Reduction Act 2017.

55 Review of housing policies

The Board was presented with 16 housing policies, requiring its approval. It was important to have an up to date suite of policies covering the approach to areas of housing policy where there was room for discretion and interpretation. The Council's position as a landlord was set out in the various policies and would need to be monitored for compliance, variations and application. The policies had all been considered by the Strategic Management Team. Each policy had a responsible officer and a review date. They would need to be kept under review and updated when changes occurred that could impact on the stance adopted. Staff and tenants would need to be made aware of all the policies once they were adopted.

The following policies were presented for the approval of the Housing Review Board:

- Allocations Policy
- Anti-Social Behaviour Policy
- Car Park Management Policy
- Decant Policy
- Domestic Abuse Policy
- Garage Management Policy
- Gas Safety Policy
- Improvements to Council Properties Policy
- Income Management Policy
- Leasehold Management Policy
- Mutual Exchange Policy
- Recharging Policy
- Repossessions Policy
- Responsive Repairs Policy
- Succession Policy
- Void Management Policy

Various issues were discussed during consideration of the policies and officers answered questions that were raised.

New and existing tenants would be informed of the new policies and policy updates, and these would be placed on the website.

RECOMMENDED: that Cabinet approve the housing policies.

56 Credit union consideration

The Rental Manager's report asked for the Board's approval for the Council to recommend the City of Plymouth Credit Union to housing tenants as a replacement for Plough and Share, since it stopped trading.

The City of Plymouth Credit Union was officially registered in 1997 and was a member of the Financial Services Compensation Scheme. It was an ethical, not for profit, member-owned financial organisation dedicated to the economic development of the community of Devon, Cornwall and the Isles of Scilly. It provided financial services to all of its members, including those who had been excluded from traditional financial services.

RECOMMENDED: that Cabinet approve advising tenants of the City of Plymouth Credit Union if asked for a replacement service for Plough and Share.

***57 Financial monitoring report 2017/18 – Month 10 January 2018**

The Board was presented with a summary of the overall financial position on the Housing Revenue Account (HRA), HRA Capital Programme and the Business Plan for 2017/18 at the end of month ten (January 2018), with forecasts to the end of the year.

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 in line with the budgeted levels within the 30 year business plan. The current budget and year end forecast figures were noted. The cost of financing was also predicted to be on budget including the payoff of the £1.3m 2018 tranche of the Public Works Loans Board loan.

It was noted that asbestos surveys and works were forecast to be over budget by approximately £200,000 as a result of the continued survey programme and resultant management projects. The impact upon the HRA had been mitigated by delaying the energy efficiency program and non-critical fire safety works to the next financial year. Change of tenancy works on void was also forecast to be overspent by over £500,000 as the service continued to use the opportunity a void brought to carry out extensive works that the older stock required without it inconveniencing tenants.

Progress on the purchase of new housing stock was good, with 26 properties purchased and one due to complete.

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

***58 Responsive repairs and works to void properties procurement process**

The Property and Asset Manager's report updated the Board on progress being made to renew the contract for day to day repairs and void work to council housing stock. The contract would be procured through the route of competitive dialogue with negotiation. The OJEU (Official Journal of the European Community) notice was published on 19 February. Potential bidders were able to see clearly all of the requirements as well as the process they would be expected to go through to bid for the contract. This should help the fully determine if they were likely to want to bid for the contract and should eliminate any bidders that may realise later down the line that they no longer wished to proceed. To date 21 expressions of interest had been received. A bidders event was held on 28 February 2018 and 12 organisations attended. This gave potential bidders the opportunity to come and learn more about East Devon as an authority.

Tenant involvement in the procurement process was also outlined in the report. The website had been updated and an article would be included in the next edition of the Housing Matters magazine to ensure that all tenants were up to date with progress. Members were invited to contact the Property and Asset Manager directly with any queries or concerns.

RESOLVED: that the Housing Review Board note the progress on renewing the responsive repairs and works to void properties contract.

***59 Annual report of the Housing Review Board**

Members were asked to note the annual report of the Housing Review Board which highlighted the achievements and detailed the work undertaken by the Board over the last year.

The Chairman announced that tenant member and Vice Chairman Pat Rous was retiring from the Housing Review Board. On behalf of the Board the Chairman thanked Pat Rous for her work and dedication over the years. Pat thanked the Board and in particular thanked the tenants and officers for all their support.

***60 Date of the next Housing Review Board meeting**

The Board noted the provisional dates of the HRB meetings for the forthcoming year:
Thursday 21 June 2018 – 2:30pm, Council Chamber, Exmouth Town Hall.
Thursday 20 September 2018 – 2:30pm, Council Chamber, Exmouth Town Hall.
Thursday 22 November 2018 – 2:30pm, Council Chamber, Exmouth Town Hall.
Thursday 24 January 2019 – 2:30pm, Council Chamber, Exmouth Town Hall.
Thursday 28 March 2019 – 2:30pm, Council Chamber, Exmouth Town Hall.

Attendance list

Present:

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

Co-opted tenant members:

Pat Rous (Vice Chairman)
Sue Saunders
Peter Sullivan

Independent community representative:

Christine Drew

Officers:

Graham Baker, Senior Technical Officer, Asset Management
Sue Bewes, Landlord Services Manager
Charles Derry, Tenant and Communities Section Leader
Amy Gilbert-Jeans, Property and Asset Manager
John Golding, Strategic Lead - Housing, Health and Environment
Tim Laurence-Othen, Housing Projects Officer
Andi Loosemoore, Rental Manager

Paul Lowe, Housing Enabling and Allocations Manager
Andrew Mitchell, Housing Needs and Strategy Manager
Giles Salter, Solicitor
Alethea Thompson, Democratic Services Officer
Rob Ward, Housing Accountant

Also present:

Cllr David Barratt
Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities
Cllr Steve Gazzard
Cllr Simon Grundy

Alek Williams, tenant

Apologies:

Mike Berridge, tenant representative
Julie Bingham, independent community representative

Cllr Ian Thomas – Portfolio Holder - Finance

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 13 March 2018

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.20pm.

***27 Public speaking**

There were no public speakers at the meeting.

***28 Minute confirmation**

The minutes of the Overview Committee held on the 30 January 2018, were confirmed as a true record.

***29 JLL Presentation**

The Chairman welcomed John Kinsey, Simon Bennett, David Roberts and Alexandra Deare from JLL to the meeting. Their presentation covered a number of cases studies on other local authorities moving into the commercial property market, facilitated by their firm.

The [presentation](#) covered:

- The general market in the sector currently, the headlines being a lack of available land, increase in hotel development (attracting a higher weekend rate for the leisure demand), shortage of skilled labour and increasing construction costs as a result, challenges to retail and mid-range restaurant chains;
- Property market is showing increasing good return on investment with rental growth and property market value. With the shift in online retail there was an increase in demand in warehouse space;
- Alternatives to traditional investment that were showing growth included:
 - Self-storage units
 - Private rented housing
 - Student accommodation
 - Car parks
 - Healthcare
 - Retirement living
 - Data centres
- Examples were shared with the Committee covering:
 - Plymouth City Council purchase of industrial space, including the Royal Mail centre;
 - Torbay Council, with the EDF energy building in Exeter, and a retail park in Torquay;
 - Bath & North East Somerset Council with a unit at Aztec West for use of highways officers, plus the purchase of their main HQ offices;
 - Teignbridge District Council, with a shopping centre and associated land for further development of it in Newton Abbott
 - Swindon Council with office place in Bristol
 - South Somerset District Council owning retail space in Yeovil High Street.

Different funding mechanisms were available to local Councils, including access to a better rate of borrowing than the commercial sector. There was also strength in unlocking borrowing against a Council covenant, which would be stronger than that of a commercial covenant. Again, examples of local authorities using different funding mechanisms were given, including Gloucester Council's Kings Walk Shopping Centre where the strength in

the council covenant created both rental profit and additional value in the capital of the site. Many local authorities had also worked with commercial partners for funding and delivery.

JLL had also seen an increase in local authorities developing their own business units rather than wait for the private sector to deliver them. There was clearly a demand for small business units, many of which were being offered on a freehold basis.

At present, there was no restriction on undertaking commercial property outside of the District boundary, but some authorities were exercising caution in developing long-term projects in case there was a change by Government to impose a restriction. In response to a question, JLL held the view that there would be more commercial investment choices and availability to consider if the Council looked at an area wider than its boundaries.

In discussion, the Committee were of the view that taking an approach to investing in commercial property was the right step for the Council to take, and specific opportunities to do so should be explored. Having the necessary skills set, in-house or contracted in was also key to ensure delivery.

The Chairman thanked the representatives from JLL for their informative presentation and the discussion that it had provoked.

RESOLVED that the presentation from JLL be noted.

***30 Naturally Healthy Devon Schools project**

The Chairman welcomed Tim Dafforn, Countryside Team Leader, and Meg Knowles, Education Ranger to talk to the committee about the project. He reminded the committee of the golden thread of health and wellbeing through the Council and service plans, and the importance of this type of work in contributing to that.

The project was to stimulate the demand for schools for outdoor learning, supporting teachers to build learning outdoors into everyday practice by providing training and networking opportunities. The project also looked to increase the understanding of the learning and health benefits that outdoor learning could provide.

Through the [presentation](#), the committee learnt of the scale of work already undertaken by the Education Rangers in working with schools, including some outside of the District. The service does attract an income through fess, with an expected increase in income due to a charging restructure for the coming financial year. The service is well regarded, with an excellent reputation and good approval ratings. The service also has extensive experience in bidding for funding, and continues to do so.

The concept of outdoor learning was explained to Members. The specific project for Devon had covered 20 primary schools in the county that had higher than average obesity levels. The [outcome of the project](#) had shown that there were benefits to both pupils in terms of learning and wellbeing, but also to teachers in terms of job satisfaction and wellbeing. A number of case examples were shown to the committee of how individual children had benefitted during the project.

Going forward, the service hoped to continue through engaging with teachers and train them by means of delivering professional days. Members were welcomed to contact the service to observe outdoor learning, and asked to act as advocates to the concept and spread the word to their local schools and groups about the service.

In response to questions, Members were advised that all uniformed groups in the area already had links to the service. Some suggestions came forward and Members were asked to make direct contact with the service to pursue those.

In terms of existing resources, the area had no field studies centre that could accommodate residential style courses, as fondly remembered by the Vice Chairman. It was agreed that having such a facility would also provide an income for the Council. This option was currently being explored by the service and would come forward to Cabinet if viable.

The Chairman thanked Meg Knowles and Tim Dafforn for their informative and inspiring presentation.

RESOLVED that presentation be noted.

***31 Overview forward plan**

An additional meeting was planned, subject to further work on income generation being prepared, for late April or early May. The frequency of meetings of the committee would also be increased for the coming civic term.

There was an appetite from the Committee membership to progress onto discussion on more specific concepts for increasing income generation, now that the committee had received a degree of background information to help them form what approach the Council should take to provide such income.

Attendance list

Councillors Present:

Graham Godbeer (Chairman)
Peter Faithfull
Mike Allen
Matt Booth
Chris Pepper

Councillors Also Present:

Ian Thomas
Brian Bailey
David Barratt
John Dyson
Geoff Jung
Tim Dumper

Officers

Richard Cohen, Deputy Chief Executive
Tim Child, Property Services Manager
Alison Hayward, Senior Manager Regeneration & Economic Development
Charlie Plowden, Service Lead Countryside and Leisure
Tim Dafforn, Countryside Team leader
Meg Knowles, Education Ranger
Debbie Meakin, Democratic Services Officer

Councillor Apologies:

John Humphreys
Mark Evans-Martin
Pauline Stott

Chairman Date.....

Report to: Cabinet
Date of Meeting: 4 April 2018
Public Document: Yes
Exemption: None



Agenda item: 13

Subject: Exeter and East Devon Enterprise Zone

Purpose of report: To seek approval from Cabinet to borrow against future ring fenced business rate income to invest in projects that will enable the delivery of new commercial space and jobs in the Enterprise Zone

Recommendation: It is recommended that Cabinet;

1. Notes the progress with the operation of the Enterprise Zone designation
2. Agrees the principle of borrowing up to £8m against ring-fenced business rate income to fund the delivery of projects and makes this recommendation to Council
3. Recommends to Council approval of the initial expenditure of up to £3.4m to take forward four specific projects detailed in the report and gives delegated authority to the Chief Executive to make payments in respect of the projects subject to the completion of appropriate legal documentation in consultation with the Strategic Lead (Governance and Licensing).
4. Cabinet receives further papers setting out specific investment proposals in relation Cranbrook town centre and Exeter Airport

Reason for recommendation: Cabinet last received a paper on the Enterprise Zone in November 2017. During the intervening period work has focused on developing projects to both overcome identified barriers to delivery and scoping catalytic investments that can increase the pace at which new commercial space and jobs are delivered. This paper seeks approval for up to £8m to be borrowed against future ring-fenced business rate income.

Officer: Naomi Harnett, Enterprise Zone Programme Manager
nharnett@eastdevon.gov.uk; 07580 297 059 / 01395 571 746

Financial implications: Financial details are considered and detailed in the report.

The report requests that Cabinet recommend to Council a borrowing limit of £8m to progress projects subject to individual approval. The report demonstrates that this level of borrowing can be supported

(principle and interest costs) through a combination of business rates receipts ring-fenced through the EZ and legally binding repayment mechanisms from other parties.

The report presents 4 projects for approval at this stage (one project – long lane upgrade is for costs of scheme design only at this stage). The costs involved in totality for these projects represent:

- A revenue grant of £0.536m
- A capital grant of £1.355m
- A capital loan of £1.4m

The costs of these have been factored into Table 2 contained in the report, this shows how the Council will be reimbursed through a combination of EZ business rate income or third party repayments. The Table shows the likely full position if all projects in time are approved to give members assurance of the full picture and affordability; but within these sums are the four specific projects identified in this report.

The Council will be able to borrow for the capital sums and full costs will be reimbursed to the Council, thereby not impacting the General Fund position.

The Council cannot borrow for the revenue costs (£0.536m); it is therefore proposed for accounting purposes to use New Homes Bonus monies (which is revenue income) to fund this sum with the Council then replacing this income in the Capital Programme from borrowing. The Council will then be reimbursed the principle and interest through EZ business rate income to replace the NHB monies and cover the cost of any interest incurred/lost by the Council's General Fund.

The predicted level of rates income to be received is a risk but prudent estimations have been used and the projects identified are being proposed to drive business activity in the EZ.

Legal implications:

The principle of borrowing against future income is acceptable. While state aid advice has been procured by the Growth Point team, it will be necessary for the Council to satisfy itself that each project is legally compliant and moreover that appropriate legal documentation is in place in respect of the funding. In that regard the legal team will carry out appropriate due diligence when each project comes forward and ensure that it is legally sound and that appropriate documentation is drawn up and entered into.

Equalities impact:

Low Impact

Potential impacts on equality will be managed through the Implementation Plan for the Zone.

Risk:

High Risk

This paper seeks approval for borrowing against future ring-fenced business rate income to invest in a series of enabling projects. Three of the projects have so far been the subject of detailed project appraisals and subsequently considered by the Enterprise Zone Board. Key project risks and the associated mitigation are set out in dedicated risk register which is appended to this paper. Further projects will be reported to Cabinet following consideration by Cabinet. The risks associated with project delivery will be mitigated through robust project management procedures.

Links to background information:

- [Overview report – January 2016](#)
- [Cabinet Paper May 2016](#)
- [Cabinet Paper November 2016](#)
- [Cabinet Paper March 2017](#)
- [Cabinet Paper November 2017](#)

Appendices:

Risk register

Link to Council Plan: Working in and funding this outstanding place.

The Council Plan identifies a range of activities to deliver economic growth – including developing ways to deliver economic benefits, promoting inward investment and working with the Heart of the South West Local Enterprise Partnership to deliver growth.

1 Introduction

- 1.1 Cabinet has received a series of papers on the introduction of the Enterprise Zone (EZ) designation. This went live at the beginning of April 2017. Two businesses are now the recipient of Government funded business rate relief, with a further two businesses soon to be awarded the relief when the occupied premises has a rateable value. Whilst not overwhelming, there are encouraging signs that the benefits associated with EZ status are helping to encourage new occupiers in to the area.
- 1.2 The designation is for a duration of 25 years and a specific attribute of this is the ability to borrow against ring-fenced business rates incomes from the four sites in the Zone. There is though a paradox in the sense that the HMT funded business rate relief incentive applies for the first five years of the designation but business rate incomes are largely back loaded towards the end of the 25 year designation. The more that can be done to bring forward these projects the greater the impact both in terms of business rate income and job creation. The way of achieving this is to borrow against future business rates income to bring enabling projects.

- 1.3 The proposed budget has been based upon the estimated level of income the EZ is expected to achieve, as illustrated in Table 1. This has been conservatively estimated on the level of floorspace likely to come forward. This proposed budget can sustainably support borrowing of circa £8m with sufficient headroom to start repayment of grant borrowing costs from 2019/20 and principal borrowing costs from 2023/24.

Year	Total EZ income	Programme Management	Revenue Budget (studies, professional advice, etc)	Revenue Budget to support borrowing	Total borrowing available
2017/18	£136,305	£26,500	£109,805	£0	£0
2018/19	£170,000	£27,825	£42,000	£100,175	£4,097,158
2019/20	£260,000	£29,216	£44,100	£106,684	£4,363,365
2020/21	£350,000	£30,677	£46,305	£183,018	£7,485,434
2021/22	£440,000	£32,211	£48,620	£209,169	£8,555,016
2022/23	£500,000	£33,822	£51,000	£215,178	£8,800,780

- 1.4 Table 2 (below) illustrates a longer term outlook, with a full repayment programme that includes developer contributions to repay loans. This would apply where key infrastructure improvements have been forward funded.
- 1.5 Since April 2017 work has focused on understanding what investments could be made to accelerate the delivery of new commercial space and jobs in the Zone. This has focused on two main categories:
- 1) Overcoming barriers to delivery
 - 2) Bringing forward catalytic investments
- 1.6 Specific projects have been developed and appraised to ensure that they will support the delivery of the Enterprise Zone objectives. The first of these projects have now been considered and endorsed by the Enterprise Zone Board. This Board operates in an advisory capacity to the Council. Specific investment decision therefore now need to be taken by the local authority to support delivery of this objectives.
- 1.7 State aid compliance has been considered for all projects. Specific legal advice has been commissioned as required.

Year	Total Business Rate Income	Programme Management	Revenue Budget (studies etc)	Revenue budget to support borrowing	Total borrowing available (to cover interest)	Budget for repayment of revenue grant borrowing	Budget for repayment of principal (capital borrowing)	Repayment of loan by third parties (developers etc)
2017/18	£136,305	£26,500	£109,805	£0	£0	£0	£0	£0
2018/19	£170,000	£27,825	£42,000	£100,175	£4,097,158	£0	£0	£0
2019/20	£260,000	£29,216	£44,100	£106,684	£4,363,365	£80,000	£0	£0
2020/21	£350,000	£30,677	£46,305	£183,018	£7,485,434	£90,000	£0	£0
2021/22	£440,000	£32,211	£48,620	£209,169	£8,555,016	£150,000	£0	£0
2022/23	£500,000	£33,822	£51,000	£215,178	£8,800,780	£200,000	£0	£0
2023/24	£641,500	£34,498	£52,020	£215,182	£8,800,926	£117,000	£222,800	£500,000
2024/25	£890,402	£35,188	£53,060	£197,153	£8,063,566	£0	£605,000	£500,000
2025/26	£1,167,787	£35,892	£54,122	£170,773	£6,984,624	£0	£907,000	£1,400,000
2026/27	£1,441,255	£36,610	£55,204	£114,441	£4,680,634	£0	£1,235,000	£0
2027/28	£2,025,793	£37,342	£56,308	£87,143	£3,564,135	£0	£1,845,000	£0
2028/29	£2,408,643	£38,089	£56,871	£43,683	£1,786,624	£0	£2,270,000	£0
2029/30	£2,805,171	£38,851	£57,440	£0	£0	£0	£0	£0

2 Proposal

- 2.1 This report seeks approval for £3,391,250m to be borrowed against future ring-fenced business rate income. The proposal is to fund the following projects:

Enhanced Bus Service

- 2.2 An enhanced frequency bus service (30 minute at peak) connecting Exeter to the Enterprise Zone area. This includes connections via the key transport nodes of Exeter St Davids and Exeter Airport. The service is due to commence at around 05:00 and run through to 23:00 with the intention that this fits with key shift patterns and flight times. Some of the services will also continue to Woodbury and Exmouth funded through existing DCC financial support. Whilst less frequent there will be an opportunity to review this service pattern over time, particularly as the position in relation overnight bus parking in Exmouth becomes clear. The service pattern will also be less frequent at weekends.
- 2.3 The service builds on an existing service tendered by Devon County Council and the intention is to subsidise this for an initial period of 3 years starting from Summer 2018. This will also connect with the proposed Park and Change site (see below). The opportunity to brand the service has the potential to significantly raise the profile of the EZ designation as well as to emphasise the connectivity with key transport nodes.

Delivery partner: Devon County Council

Cost: £536,250 over three years broken down as £175,222 in year 1, £178,726 in year 2 and £182,301 in year 3 (this allowing for 2% inflation p.a.). This would be in addition to the £122,375 p.a. that DCC currently pays to the service that is also subject to an inflation.

Park and Change

- 2.4 This site is located on the frontage development of Exeter Science Park and is intended to provide 309 car parking spaces alongside bike lockers and an e-bike docking station. The facility will both support the development of the Science Park and contribute to the wider transport strategy for the area. The land is currently within the control of Eagle One and there is a contractual requirement as part of the Tithebarn Green s.106 agreement for this land to be transferred to the County Council. It is anticipated that the works will complete during summer 2019.

Delivery partner: Devon County Council

Cost: £2.4m of which £1.355m is sought from the Enterprise Zone programme to match fund £1.045m from the National Productivity Investment Fund.

Airport Instrument Landing System upgrade

- 2.5 The current Instrument Landing Systems at the Airport were installed in 1997. Whilst perfectly serviceable, the current system has now reached the point where there is no further operational tolerance to accommodate additional nearby development. Subsequently this is a significant barrier to development coming forward particularly at both Skypark and the Airport Business Park extension. A technical study has been undertaken to understand the operational constraint and the costs involved in upgrading the system. It is proposed to forward fund these improvements and then to re-coup the costs over time as development

across four sites (including two outside of the EZ designation) comes forward. This will require each developer to enter in to a bespoke legal agreement with the Council.

Delivery partner: Exeter Airport

Cost: £1.4m

Long Lane upgrade

2.6 Long Lane runs immediately to the south of the Airport. It is the principle means of access to the Airport Business Park extension. It is though currently sub-standard to the point where no further development can proceed until it is improved. It is therefore a significant barrier to one of the four EZ sites coming forward. Upgrading of the scheme will also have the benefit of improving access to the Flybe's Headquarters at the Walker Hangar and improve the customer experience for users of the Airport. An initial sum of up to £100k is sought in order to complete scheme design. This will then establish the total project cost and delivery timetable.

Delivery Partner: Devon County Council

Cost: up to £100k

2.7 The key attributes of these projects is summarised in the table below;

Project	Description	Outputs	Total cost	Funding requirement	Delivery partner
Improved Bus Service	Support improved frequency of bus service from Exeter St Davids - Enterprise Zone - Exeter Airport - Exmouth for 3 years. This will support patronage of the airport and improve access to employment sites by public transport.	Improved bus service, 30mins service Mon-Friday	£536,250	£536,250 (Revenue grant)	DCC with Stagecoach
Delivery of Park & Change Site, frontage of Exeter Science Park	Provide grant funding to ensure the delivery of a Park & Change facility.	Delivery of Park & Change facility	£2,400,000	£1,355,000 (Capital grant)	DCC with Exeter Science Park Co and EDDC
Improvement to Instrumental Landing System at Exeter	Forward fund the delivery of the Instrumental Landing System	Scheme supports the delivery of	£1,400,000	£1,400,000 (Capital loan)	Exeter Airport, with DCC, EDDC and landowners

Table 3 – Summary of Enterprise Zone Projects					
Project	Description	Outputs	Total cost	Funding requirement	Delivery partner
International Airport	at the airport. This will enable delivery of new development on surrounding sites. Without this funding, further development in the area will be stalled.	employment space.			
Long Lane Highway Improvement Scheme (design work)	Revenue support to review design of Long Lane highway improvement scheme. This will ensure scheme is designed to meet current highway standards and enable a revised cost estimate.	Deliverable highway improvement scheme for Long Lane which enables delivery of Airport Business Park expansion area.	n/a	£100,000 (Revenue grant, can be capitalised if project proceeds)	DCC with landowners

2.17 It is important to emphasise that whilst investment in the enhanced bus service and park and change facility would be in the form of a grant, a forward funding mechanism is proposed to secure the timely upgrading of the Instrument Landing Systems at the Airport. The costs of this can then be recouped as development proceeds subject to the relevant legal agreements being entered into.

2.18 In addition to the projects detailed above further projects are under development which broadly fall under two main themes;

- Enabling the development of a 21st Century town centre at Cranbrook
- Supporting the growth of Exeter Airport and its role as economic driver

2.19 Whilst not yet fully developed and appraised it is considered that these projects are also likely to make a substantial contribution to the achievement of the objectives of the Enterprise Zone. The challenge of bringing forward a vibrant town centre at Cranbrook in the face of difficult retail trends is well known. The EZ designation deliberately included the town centre in order to provide a further avenue through which to bring forward innovative projects such as the provision of modular space. Equally recent figures from the County Council showed that in 2016 1,875 people worked at the Airport and associated businesses including Flybe. Whilst the Airport is outside of the site boundaries of the EZ designation there is though the opportunity to further develop its role as an economic driver including in terms of providing connectivity to national and international markets.

Borrowing

- 2.20 Modelling work has been undertaken to understand the level of borrowing that can be serviced by expected business rate income in the first 10 years of the designation. This indicates a figure of £8m. Cabinet is requested to recommend to Council to give its approval to borrow up to this full amount in order to allow these projects to continue to be developed. The detailed project proposals will then be submitted to Cabinet for approval within this overall sum if agreed to by Council.

Risks

- 2.22 As part of the process of project development careful consideration has been given to associated risks and how these can be mitigated. A specific risk register is appended to this paper in this respect. It should be also be emphasised that a programme level risk is that the Enterprise Zone designated does not achieve the desired acceleration in the delivery of employment space and jobs. Given that each of the projects is intended to either overcome a specific barrier or to catalyse wider investment there are significant risks associated with the 'do nothing' option.
- 2.23 Consideration has also been given to State Aid through the project appraisal process. A specific opinion has been commissioned in relation to the upgrading of the Instrument Landing Systems to ensure that the proposed funding mechanisms is State Aid compliant. Consideration has also been given to tendering requirements, for example in terms of procuring an operator for the proposed bus service.

3 Conclusion

- 3.1 The Enterprise Zone designation is a powerful means of accelerating the delivery of new commercial space and jobs in the four sites in the West End of the District. Whilst the Government funded business rate incentive applies for the first five years of the designation, the expected profile of business rate receipts is backloaded towards the end of the 25 year period.
- 3.2 The more that can be done to accelerate the delivery of new commercial space the greater the impact there will be both in terms of business rate income and wider economic benefit. Work has focused on developing projects that help to overcome identified barriers to delivery and/or have a catalytic impact in terms of accelerating the pace of new commercial development.
- 3.3 Approval is sought for the funding of an initial set of projects that are considered to contribute substantially to meeting the objectives for the EZ. Additional papers relating to Cranbrook town centre and the role of the Airport will also be brought to Cabinet including setting out further details on the investment propositions.

Appendix 1 – Enterprise Zone Risk Register

Description	Probability	Impact	Response	Risk Owner	Risk Actionee
General Risks (whole Enterprise Zone)					
EZ Board are unable to agree investment priorities.	Medium	High	EZ board will be fully briefed on costs and benefits of all proposed investment opportunities.	EZ Team	EZ Team / EDDC / DCC
Delays in implementing investments after funding agreed.	Medium	High	Ensure regular contact with site/land managers to identify causes of delay and revised completion dates. Work with stakeholders to minimise delays and identify remedial action if necessary.	EZ Team	EZ Team /EDDC/DCC / All site owners
Insufficient funding available to deliver (through forward funding) investment priorities	Low	High	EDDC likely to support borrowing to support initial Investments for EZ.	EZ Team	EDDC/DCC
Developers do not repay forward funding for infrastructure	Low	High	This would result in delays in delivering future infrastructure projects. Mitigation will take place through legal agreements prior to delivery.	EDDC	EDDC/DCC/EZ team / All sites owners
Expiration of planning consents prior to commencement of construction	Low	Medium	Expirations of planning consents to be monitored. Consideration being given to introduction of	All site owners	All site owners

			simplified planning regime.		
Loss of experienced staff within EZ Team	Medium	Medium	Ensure all team members have good awareness of EZ process, priorities and operations.	EZ Team / EDDC / DCC	EZ Team / EDDC / DCC
Unstable economy and Brexit results in empty premises / land	Medium	High	Maintain good understanding of commercial requirements and level of enquiries.	EZ Team /EDDC/DCC / All site owners	EZ Team /EDDC/DCC / All site owners
Strong public reaction against Enterprise Zone, negative press publicity	Low	Medium	Communications plan, consultation on key policies (e.g. Simplified Planning)	EZ Team	EZ Team /EDDC/DCC / All site owners
Competition for tenants between the EZ sites	Medium	Medium	Delineate purpose of each site in implementation plan	EZ Team /EDDC/DCC / All site owners	EZ Team /EDDC/DCC / All site owners
Lack of agreement on ILS improvements	Medium	High	Will continue dialogue with all parties. Lack of agreement would see delay in delivery of the EZ sites.	EZ Team /EDDC/DCC / All site owners	EZ Team /EDDC/DCC / All site owners
Enterprise Zone does not accelerate the delivery of jobs	Medium	Medium	Maintain a good understanding of commercial requirements and local skills availability.	EZ Team /EDDC/DCC / All site owners	EZ Team /EDDC/DCC / All site owners
Science Parks Risks					
Lack of interest in park from potential tenants meeting gateway policy	Medium	High	Market research undertaken to gain understanding of the requirements of science based businesses . Ensure gateway criteria maintained and	Exeter Science Park	Exeter Science Park

			marketing strategy implemented.		
Impact of Boundary (land swap) decision delays / hampers progress	Medium	High	Potential outcomes of boundary committee built into legal agreements.	EDDC/ Exeter Science Park	EDDC/ Exeter Science Park
SkyPark Risks					
Site delivery dependent upon upgrading of ILS. Delay in finalising scheme/funding agreement prevents delivery of the site.	Medium	High	Working to agree design of scheme and forward funding mechanism. A series of meetings between the Airport and main developer parties have been undertaken.		
Airport Business Park Risks					
Site delivery dependent upon upgrade of Long Lane. Delay in finalising scheme/funding agreement prevents delivery of the site.	Low	High	Working to fund design of scheme and forward funding agreement. This will define the delivery programme.	EZ Team / DCC / EDDC / Landowner	EZ Team / DCC / EDDC / Landowner
Site delivery dependent upon upgrading of ILS. Delay in finalising scheme/funding agreement prevents delivery of the site.	Low	High	Working to agree design of scheme and forward funding mechanism. A series of meetings between the Airport and main developer parties have been undertaken.	EZ Team / DCC / EDDC / Landowner	EZ Team / DCC / EDDC / Landowner
Cranbrook Town Centre Risks					
Complexity of delivery of a modern town centre with many	Medium	High	Continue dialogue between key	EZ Team / DCC / EDDC / Landowner	EZ Team / DCC / EDDC / Landowner

interested parties prevents physical delivery.			stakeholders to support delivery of town centre		
Development of out of town retail space within the wider area could impact upon viability of town centre	High	High	Review retail planning applications within the wider area. Regularly review availability of retail premises	EZ Team / DCC / EDDC / Landowner	EZ Team / DCC / EDDC / Landowner
Level of occupier demand for town centre premises	Medium	Medium	Demand for town centre premises is changing, Premises need to be flexible to support the evolving nature of town centres.	EZ Team / DCC / EDDC / Landowner	EZ Team / DCC / EDDC / Landowner

Report to: Cabinet
Date of Meeting: 4 April 2018
Public Document: Yes
Exemption: None

Review date for release: None

Agenda item: 14

Subject: Monthly Performance Report February 2018

Purpose of report: Performance information for the 2017/18 financial year for February 2018 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

Recommendation: That the Cabinet considers the progress and proposed improvement action for performance measures for the 2017/18 financial year for February 2018.

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 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 February 2018](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2017/18 financial year up to February 2018](#)
- [Appendix C – System Thinking Reports for Housing, Revenues and Benefits and Development Management for February 2018](#)

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 are three indicator showing 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
3. There is one performance indicator showing as concern for the month of February **Percentage of planning appeal decisions allowed against the authority's decision to refuse** - Two appeal decisions have been received this month, one dismissed and one allowed. A detailed assessment of the appeal decisions from 1 April 2017 to 31 March 2018 will be reported to the Strategic Planning Committee following receipt of all of those decisions.
4. Monthly Performance Snapshot for February is attached for information in [Appendix A](#).
5. A full report showing more detail for all the performance indicators mentioned above appears in [Appendix B](#).
6. Rolling reports/charts for Housing, Revenues and Benefits and Development Management appear in [Appendix C](#).

Monthly Performance Snapshot – Feb 2018



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

- **5 days** to process your Housing or Council Tax Benefit claims
- An estimated 59% of all waste collected was recycled in Feb
- 94% of invoices received by us are paid within 10 days
- Thelma Hulbert Gallery saw 914 visitors through the door in February making a total of 1743 visitors to our South West Academy Exhibition. The Gallery has been awarded top national Visit England accolade, recognising it as a 'Hidden Gem' visitor attraction.

Latest headlines:

- The Countryside team have published their [annual review](#) for 2017 outlining some of the great work that they have been undertaking across the district.
- Interserve Construction Ltd are continuing their works for Blackdown House, Honiton. The precast concrete floors and stairs to the second floor and the structural topping is about to be applied. Following completion of this element the brickwork and blockwork will proceed to the underside of the roof. First fix M&E works to the ground floor have continued during the period. The exceptionally inclement weather during the month has presented a number of challenges for the Contractor, and mitigation measures have been proposed and considered. The Contractor has advised that he continues to anticipate completion of the building works by October 2018.
- The Queen's Drive redevelopment site in Exmouth is being prepared for an exciting range of temporary leisure uses that will be available on the site during the summer season. Planning approval has been granted for the installation of new play equipment, a seating area for people to relax with a food and drink offer showcasing the South West, and an events area for live theatre, cinema screenings, music and children's entertainment. As plans for the Queen's Drive redevelopment move forward, these meantikme uses will offer new and exciting leisure activities for residents and visitors.
- Grenadier Exmouth Ltd have submitted a full planning application for the construction of new water sports centre including various facilities for water sports users, a cafe, restaurant and retail plus car parking. This proposed development, if approved, will form a key element of the Queen's Drive redevelopment and will build upon Exmouth's unique strength as a venue for a great water sports experience, providing a high quality facility that will embed Exmouth's position as a 'go to' destination. The proposed development aims to create 62 FTE jobs.

- Cabinet have endorsed actions to appoint HemingwayDesign to undertake further consultation and to prepare a vision for Phase 3 of the Queen's Drive redevelopment. Led by renowned urban designer Wayne Hemingway, HemingwayDesign are specialists in coastal regeneration and have worked with local authorities across the country on projects to breathe new life back into seafronts such as Boscombe, Bognor Regis, Margate, Morecambe, Lowestoft and Weston-Super-Mare.
- The Council has been successful in recent adjudication proceedings with contractors in relation to the engineering works undertaken to provide the new Mamhead Slipway in Exmouth. The adjudication related to the damage caused to the seawall during the works period. The combined effort of the council's Legal Services and Regeneration Team with support from external advisors presented a robust portfolio of evidence to the adjudicator who found entirely in the council's favour.
- The Exeter and Heart of Devon (EHOD) Shared Economic Partnership continues demonstrate its value, this time to other Local Authorities. As a direct result of [our article](#) in February's edition of First Magazine (pg 15), the Local Government Association has already received 14 enquiries for their Productivity Experts Programme which provides support to local authorities to save and generate money.
- The Economic Development team has negotiated access to the CoStar database and commercial property suite. CoStar is the most useful commercial property information resource available and is used by a large proportion of local authorities. Access will allow our Economic Development team to provide a far stronger evidence base of commercial unit availability in responding to planning applications, significantly reduce our premises enquiry response time through the generation of tailored reports, and allow Property & Estates to conduct real time rental and sales value comparisons.
- Oliver the musical was so popular with every performance sold out weeks in advance. So for the first time ever Sidmouth Youth Theatre and the Manor Pavilion Theatre decided to open up the dress rehearsal to the public, allowing an extra 220 people see the show.

Report to: Cabinet
Date of Meeting: 4 April 2018
Public Document: Yes
Exemption: None
Review date for release None



Agenda item: 15

Subject: Feniton Neighbourhood Plan Examiner's Report

Purpose of report: To provide feedback and set out proposed changes following the examination of the Feniton Neighbourhood Plan

Recommendation:

1. That Members endorse the Examiner's recommendations on the Feniton Neighbourhood Plan.
2. That Members agree that a 'referendum version' of the Neighbourhood Plan (incorporating the Examiner's modifications) should proceed to referendum and a decision notice to this effect be published.
3. That Members congratulate the Neighbourhood Plan group on their hard work.

Reason for recommendation: The legislation requires a decision notice to be produced at this stage in the process. The Neighbourhood Plan is the product of extensive local consultation and has been recommended to proceed to referendum by the Examiner subject to modifications which, in most part, are accepted by the Parish Council.

Officer: Phil Twamley, Neighbourhood Planning Officer
ptwamley@eastdevon.gov.uk 01395 571736

Financial implications: No Additional Financial Implications

Legal implications: As the report identifies, it is a formal requirement for the Council to consider the Examiner's recommendations and satisfy itself that the proposed plan meets the prescribed 'Basic Conditions'. The purpose of the report is to satisfy this formal requirement. Assuming Members agree then the Council is obliged to publish notice to this effect, pursuant to the applicable Regulations, and Recommendation 2 covers this aspect. The report also identifies that the District Council is responsible for organising the referendum and requires a resolution to

progress this. At this stage there are no other legal observations arising.

Equalities impact:

Low Impact

The Neighbourhood Plan has gone through wide consultation with the community and has been advertised in a variety of formats to increase accessibility. Neighbourhood planning is designed to be inclusive and extensive consultation is a fundamental requirement. All electors are invited to vote in the referendum.

Risk:

Medium Risk

There is a risk that the Neighbourhood Plan could fail the referendum if a majority of the community vote against it.

Links to background information:

- Localism Act 2011
<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- Neighbourhood Planning Regulations 2012
http://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi_20120637_en.pdf
- Neighbourhood Planning Roadmap Guide
<http://locality.org.uk/wp-content/uploads/Roadmap-worksheets-map-May-13.pdf>
- Feniton Neighbourhood Plan and Examiner's Report
<http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/feniton/#article-content>

Link to Council Plan:

EDDC Local Plan 2013-2031

<http://eastdevon.gov.uk/media/1772841/local-plan-final-adopted-plan-2016.pdf>

1.0 The Examination

1.1 The Feniton Neighbourhood Plan has now been examined and, subject to modifications, it has been recommended that it proceed to referendum. The Examiner, Jill Kingaby, was chosen by EDDC in consultation with Feniton Parish Council.

1.2 The examination was undertaken on the basis of considering the written material which forms the Plan, its appendices and accompanying statements as well as any representations received in response to the formal consultations. The Examiner did not consider it necessary to hold a public meeting. The Neighbourhood Plan and Examiner's report are available to download on our website:

<http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/feniton/#article-content>

1.3 The legislation, reflected in the Council’s neighbourhood planning protocol (excerpt below), requires the Policy Team to notify members of the findings and recommendations of the Examiner and how the Council proposes to respond to the recommendations. This response will then be published as a decision notice.

Task in Neighbourhood Plan Production, Commentary and Formal Processes	Role of the Policy Team at the Council	Role of Other Services at the Council
<p>12b – Consideration of and response to the Examiner’s Report <i>(Paragraph 12 of Schedule 4B of TCPA 90)</i></p> <p>The legislation requires the Council to consider and respond to the Examiner’s recommendations.</p> <p>In addition, and before moving on to the next stage, the Council must be satisfied that the draft plan;</p> <p>(1) meets the ‘basic conditions’ being,</p> <ul style="list-style-type: none"> -Complies with national policy and guidance from SoS -Contributes to sustainable development -General Conformity with the strategic policy of the Development Plan for the area or any part of that area -Doesn’t breach or is otherwise compatible with EU obligations – this includes the Strategic Environmental Assessment Directive of 2001/42/EC -The making of the NP is not likely to have a significant effect on a European site (as defined in the Habitats Regulations or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats &c) regulations 2007 9(e) (either alone or in combination with other plans or projects)” <p>(2)is compatible with the Convention rights, and (3)complies with the other legal requirements set out in Sections 38A & 38B of the TCPA 90</p> <p>12c - Produce and publish a Decision Statement <i>(Regulation 18)</i></p>	<p>Consider each of the Examiner’s recommendations and decide what action to take in response.</p> <p>This could be to accept the Examiner’s recommendations to progress to a referendum or to refuse the proposal. It could be to accept recommendations to make modifications or make our own modifications, so as to make the NP meet the ‘basic conditions’, Convention rights or other legal requirements. It could also be to extend the area for the referendum. We could also decide we are not satisfied that the plan meets the minimum requirements notwithstanding the Examiner’s view.</p> <p>We will need to consider if our proposed decision differs from the Examiner’s recommendations and whether this is as a result of new evidence or new fact. If so, and prior to making the decision, we will notify the plan producers and those making representations on the NP and invite further representations. This may entail referring this matter back to the Examiner.</p> <p>A report will be taken to the Determining Committee notifying members of the findings and recommendations of the Examiner and how the Council proposes to respond to the recommendations. In the event of the Officers recommending refusal of the proposal it will not be necessary for the matter to be considered by the Determining Committee unless a Ward Member requests the committee consider the matter.</p>	<p>The Policy Team & Legal Services will assess each of the Examiner’s recommendations and decide what action to take in response.</p> <p>Legal Services will advise whether they are satisfied that the draft plan meets the basic conditions, is compatible with the Convention rights and complies with the other legal requirements</p>

1.4 Essentially the Examiner has recommended a number of textual and related mapping modifications to the Plan and the deletion of some policies. The Examiner’s recommendations are as follows:

Examiner’s Reason for Change	Recommended change
<p>The final paragraph of 4.4 could be misleading and should be modified so that it is in general conformity with the adopted Local Plan and more reflective</p>	<p>PM1 - 4.4 Delete the fourth paragraph and substitute:</p> <p><i>At the 5-year review of Feniton’s Neighbourhood Plan, the effect of any new housing requirement figures for East Devon District Council on Feniton will be assessed. If, at this time, East Devon District</i></p>

<p>of the emerging Villages Plan. Paragraph 4.4 also states that the people of Feniton should be the drivers for choosing any housing sites. However, in reality, landowners and statutory bodies such as Natural England or Historic England, will also need to have an input. I recommend a modification, PM1, to the wording having regard for national policy and development management procedures.</p>	<p>Council is looking towards the Strategy 27 communities to take some level of development, the wishes of the people of Feniton will be a major force for the choice of site(s) put forward.</p>
<p>The reference to the scheme in section 7.6 of the FNP and Policy O3, supporting better pedestrian and cycling access, should be moved to section 7.1 to give more comprehensive coverage of the important transport issue. To reinforce its commitment to promoting more sustainable travel patterns, the FNP could also refer to potential reductions in greenhouse gas emissions which can be achieved when car usage is reduced, having regard for paragraph 30 of the NPPF. I recommend PM2 and PM3 to ensure that the FNP contributes to achieving more sustainable transport development and meets the Basic Conditions.</p>	<p>PM2 - Policy T1 Modify criteria iii) and iv) to read ...around the village new and old Feniton</p> <p>Parking problems in the village new and old Feniton</p> <p>Add a new criterion:</p> <p>v) development that would generate significant new traffic should be accompanied by a Transport Statement or Assessment, indicating how the adverse impact on the transport network and infrastructure could be mitigated, and including a Travel Plan designed to encourage more sustainable travel behaviour.</p> <p>Modify the second paragraph of the text following Policy T1 as follows:</p> <p>Public transport is considered by local people to be poor, in spite of the fact that new Feniton unlike many other settlements in East Devon has an operational railway station. and for villagers at least one car per household is essential. Car ownership and car usage levels in Feniton are high. The Local Futures</p> <p>Paragraph on Page 13 headed Sustainability.</p> <p>Add a final sentence to read:</p> <p>Where feasible and viable, support will be given to measures which would improve the provision of public transport services in Feniton, and encourage local people to use trains and buses (or cycling and walking) in preference to the private car. Reduced car usage reduces greenhouse gas emissions and air pollution which is harmful to health, as well as helping to reduce traffic congestion.</p>
<p>As above.</p>	<p>PM3 - Relocate Policy O3 (regarding pedestrian and cycling) to Page 12, and renumber it as Policy T2.</p> <p>Add new supporting text as follows:</p> <p>The established footpath network around the Parish is detailed in Appendix 4. The provision of a cycle link utilising the previous railway line to Ottery and beyond to Budleigh Salterton is seen as an important objective to be achieved for the community. It was</p>

	<p><i>flagged up by the local population as important during consultation on the neighbourhood plan. It is also referenced in Policy TC5 of the Local Plan.</i></p> <p>Delete the last sentence of the supporting text to section 7.6 on Page 19 beginning: The provision of a cycle link.....</p>
<p>Policy F1 of the Plan will only support development proposals where they would minimise any risk of flooding. Devon County Council Flood and Coastal Risk Management Team supports Policy F1, and recommends that its guidance on sustainable drainage is followed by developers. I agree that a link to this document and the County website should be added to the FNP, to contribute to the achievement of sustainable development. The Environment Agency also expressed its support for the FNP’s acknowledgement of flooding issues, and for objective 2 and Policy F1. Nevertheless, it recommended the addition of a new policy seeking to address pollution and other water quality issues, noting that watercourses around the parish presently achieve only “<i>moderate ecological status</i>”. However, I am aware that the Local Plan deals comprehensively with this issue through Policy EN14 Control of Pollution (covering pollution of surface or underground waters); Policy EN18 Maintenance of Water Quality and Quantity; and Policy EN22 Surface Run-off. There is no need to repeat these policies in full in the FNP, in my view, but I consider that a cross-reference to Policies EN14 and EN18 (as well as EN22 which is already mentioned on Page 14 of the FNP) would ensure general conformity with the Local Plan and contribute to the achievement of sustainable development. PM4 would secure these changes to enhance Policy F1 and should be made.</p>	<p>PM4 - Penultimate paragraph on flood alleviation</p> <p>Insert a new paragraph stating:</p> <p><i>Proposals for new development in Feniton should also comply with Local Plan Policy EN14 Control of Pollution, and Policy EN18 Maintenance of Water Quality and Quantity. Developers should also follow Devon County Council’s guidance on Sustainable Drainage Systems on its website:</i> https://new.devon.gov.uk/floodriskmanagement/sustainable-drainage/</p>
<p>A small discrepancy occurs in Policy H2 which refers to person(s) in housing need who are residents of the Parish, or have a local connection with the Parish. I note that paragraph 16.29 of the Local Plan states that regard should also be paid for affordable housing need in surrounding Parishes; Feniton is grouped</p>	<p>PM5 - Policy H2 Modify the policy wording as follows:</p> <p>Proposals for small-scale housing</p> <p>The affordable housing elementand is a resident of the Parishes <i>of Feniton, Buckerell or Gittisham</i>, or has a local connection with the Parishes because of family ties</p>

<p>with Buckerell and Gittisham. To achieve general conformity with this approach, I consider that PM5 should be made to Policy H2.</p>	
<p>Policy H4 states that developments which provide more parking spaces per dwelling than the minimum will be viewed favourably. Whilst this might reduce on-street parking, it could encourage higher levels of car ownership, thereby increasing not reducing traffic congestion. I am unaware of any evidence that Feniton experiences “<i>unique pressures</i>” over traffic congestion or parking. The approach in Policy H4 is not in general conformity with Policy TC9 of the Local Plan, and I consider that it is contrary to the achievement of sustainable development. PM6 should be made so that Policy H4 meets the Basic Conditions.</p>	<p>PM6 - Policy H4 Modify the policy wording as follows:</p> <p>The Neighbourhood Plan willuniqueconsiderable pressures faced by on road parking ie by proactively providing more parking space per dwelling than the minimum set out in the Local Plan. Regard should be had for the parking spaces per dwelling standards set out in the Local Plan.</p>
<p>I propose a small modification, PM7, to i) b) of Policy C3 for clarification, to ensure that it will effectively guide users of the Plan and contribute to the achievement of sustainable development.</p>	<p>PM7 - Policy C3</p> <p>b) through an up-to-date assessment of the facility in its current form, or to providefor a use of a similar nature and is, that the facility/use is no longer/cannot be made commercially viable. To be redeveloped</p>
<p>Regarding Local Green Space, I consider that the last sentence on Page 18 should be moved forward as it relates to section 7.6 of the FNP. This, in the interests of clarity, would assist readers of the Plan and would be secured by PM8.</p>	<p>PM8 - Remove the last sentence on Page 18 – A list of Feniton’s important Local Green Spaces Insert the sentence in section 7.6 Local Green Space, after the box for Objective 6 and before Policy O1.</p>
<p>There is some doubt, in my view, as to the status of the Bowling Club, old Feniton, since Appendix 2 states that its inclusion as LGS is subject to discussion with the landowner, and it is not mapped on Page 23. Having regard for the District Council’s response to my letter dated 12 January 2018, I consider it should be clarified that this site is a “potential” LGS only at the present time. Its designation will be considered further when the FNP is reviewed in five years time. PM9 would secure this.</p>	<p>PM9 - Amend last item of Appendix 2 to read:</p> <p>Potential future LGS at the Bowling Club, old Feniton</p> <p>The Bowling Club (inclusion is subject to discussion with landowner). The designation of this site will be considered further at the 5-year review of Feniton’s Neighbourhood Plan</p>
<p>I support the inclusion of Appendix 7 to the Plan, although I consider that maps should be added in the interests of clarity to confirm the precise location of</p>	<p>PM10 - Appeal sites in Fenton (Joint inquiry 2014)</p> <p>Append maps to show: Land adjacent to/north of Acland Park; Land west of Ottery Road; Land adjacent to Louvigny Close, Station Road.</p>

the appeal sites and assist the achievement of sustainable development in future. PM10 should be made to achieve this.	
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- 1.5 Under para 12 of the Town and Country Planning Act it is for the Local Planning Authority (EDDC) to consider the recommendations made in the report and the reasons for them and decide what action to take in response to each recommendation.
- 1.6 The District Council must be satisfied that the Neighbourhood Plan meets the 'Basic Conditions', compatible with the convention rights and complies with the provisions under s 38A and 38B or that the draft Neighbourhood Plan would meet those conditions be compatible with those rights and comply with those provisions if modifications were made to the draft Neighbourhood Plan (whether or not recommended by the Examiner) before a referendum is held.
- 1.7 The regulations go on to state that if-
- a) the Local Planning Authority propose to make a decision which differs from that recommended by the Examiner, and
 - b) the reason for the difference is (wholly or partly) as a result of new evidence or a new fact or a different view taken by the authority as to a particular fact, the authority must notify prescribed persons of their proposed decision (and reason for it) and invite representations.
- 1.8 The legislation, which is reflected in our protocol, requires the Council to consider and respond to this report. The amendments suggested by the Examiner, mean that the Council can be satisfied that the Plan:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies of the Development Plan for the area;
 - does not breach, and is compatible with European Union obligations and the European Convention of Human Rights and therefore meets the 'Basic Conditions'.

Given that this is the case and the 'Basic Conditions' are met, there are not considered to be any grounds to reject the findings of the report. Members are asked to agree to accept the recommendations of the Examiner's report and agree that a notice to this effect be published.

- 1.9 A revised version of the Plan (known as the 'Referendum Version'), incorporating the recommended changes, will be available to view on the EDDC website before the Cabinet meeting. The District Council will be responsible for arranging a referendum where all electors within the Parish of Feniton will be invited to vote on whether the Neighbourhood Plan should be used to make planning decisions in the Parish. If more than 50% of those who vote say 'yes' the Neighbourhood Plan will be made and will form part of the Development Plan for East Devon.

EAST DEVON DISTRICT COUNCIL

Notes of a Meeting of the Budget Working Party held on Tuesday, 27 March 2018

The meeting started at 10.30am and ended at 12.03pm.

1. Last meeting of Working Party – 13 September 2017

The notes of the meeting of the Working Party held on 13 September 2017 were received and noted.

2. Declarations of interest

Councillor Perter Burrows

Type of interest – personal

Reason: Son was employed by the Council

Councillor John Dyson

Type of interest – personal

Reason: Trustee – Sidmouth Folk Week

3. Update on Medium Term Financial (MTFP)

The Strategic Lead – Finance took the Party through the update table on the transformation savings and income generation proposals, and what expected levels were predicted from those items listed in future years.

The items covered:

- Continuing the Worksmart Strategy and implementing new technology, elements of which included systems thinking, good management and increasing use of online services that were delivering a reduction in overall staff headcount;
- Income generation projects such as the Green Waste Service;
- Pursuing alternative service delivery methods, including the Housing Company

Options for how to fund the Transformation Strategy were also set out in the report with a recommendation for a balance of £700k transferred into an Economic growth/Safeguarding Fund to either support growth, or to safeguard the existing business base in the District.

Discussion covered:

- Clear and consistent presentation of income, savings and totals would help understanding of the budget requirements for future years;
- Since delaying the request from Clyst Honiton Parish Council for grant funding, the Chairman of Clyst Honiton Parish Council had resigned. Clarification would be sought by officers to establish if the request was still current and therefore any recommendation by the Budget Working Party deferred;
- The essential car users allowance was explained to Members as an additional allowance for users making 1,000 or more miles of business mileage per year; casual users could still claim business mileage. There were sensitivities in negotiations that were not to be underestimated, but the intention was to have either significantly reduced or stopped the allowance by 2021.

RESOLVED

- 1. that the current position with the Medium Term Financial Plan be noted;**
- 2. that a recommendation on the request for grant funding from Clyst Honiton Parish Council be deferred until the request is determined as remaining current.**

RECOMMENDED to Cabinet:

- 1. Endorse the actions set out in Table 2 of the update report paragraph 2.2 and that they be included in the Transformation Strategy;**
- 2. That £350k of New Homes Bonus be set aside to be used in 2020/21 as reserve funding to the General Fund position, with the balance of £1.080m being transferred into the Transformation Fund;**
- 3. That £700k of 100% Business Rate Pool be transferred into an Economic Growth/Safeguarding Fund to either support growth or to safeguard the existing business base in the District**

4. Business Development & Events co-ordination

The Strategic Lead – Housing and Environment set out the business case for an additional post, outlined as a modest investment for long term income generation. The service already had some experience in delivering events on Council land and some examples of those were set out in the report. In light of those experiences, the risk was considered to be a low level. The proposal was consistent with the Green Space Plan and the Culture Strategy.

The report covered an outline of a policy for implementation of the concept, and job description. The proposal had been discussed at a Finance Think Tank on the 7 March 2018 and would be put to the Overview Committee for recommendation to Cabinet.

Discussion covered:

- Establishing clear differentiation between renting out council assets for events, and running the events from council assets;
- Establishing a policy that catered for the differences between commercial rent for events, and charitable rent for events, being mindful of the pressures on charitable and volunteer groups;
- Good relationship had been built between the Council and the Sidmouth Folk Festival in negotiating terms and phasing in fee changes;
- Consider phasing in such a service over a three year period to permit a full testing of the service on level of income achievable, as well as determine a clear value for each asset up for rent;
- Any new project would be monitored under existing project monitoring procedures;
- Consider partner arrangement whereby commercial event organisers could pitch their business, allowing the authority to glean some further background information on the topic as well as establish if a dedicated in house officer was the best option to pursue;
- Need for close links with towns and parishes, many of whom already co-ordinate event listings.

5. Business case for Digital Services Officer

The Strategic Lead – Organisational Development and Transformation outlined the increase in use of the Council website, pending change in software to keep up to

date and integrate with existing systems, and the aspiration to deliver a website that further engaged the public in all aspects of service delivery. Considerable work had already been undertaken by existing officers, operating as Web Editors alongside their day to day work. To take the website to the next step, the proposal of a dedicated officer to assist in the change to Firmstep implementation and developing a creative and engaging website modelled on the gov.uk principles.

Discussion covered:

- Integrated nature of the work did not mean that engaging the services of a partner was a suitable option;
- Strata were able to provide a level of technical assistance, but the creativity and exploiting business development opportunities needed to come from a dedicated post;
- Scale grade of post put forward was in line with the existing pay structure but was felt was sufficient to attract the quality of candidate required.

RECOMMENDED to Cabinet that the new post of Digital Services Officer be implemented, initially funded from the Transformation Reserve for a three year period.

6. Asset Investment Strategy

The report before the Party set out a proposal for developing an approach to investment in commercial property, in terms of developing a strategy to put forward for approval, with a twin approach of borrowing to fund acquisition purely for income generation and borrowing for justified business case and strategic reasons where there are wider benefits for the District.

The proposal required initial funding to engage with external property consultants to source suitable investment opportunities. There was an intention to present a drafted strategy to Cabinet in September, alongside some propositions for acquisitions to begin delivering an investment portfolio.

Discussion covered:

- Types of return had been covered by the last two Overview Committees in presentations from Link Assets and JLL;
- Was investment in property going to give the best return on capital?
- Oversight of the spend from the transformation fund, to deliver the draft strategy and procure external property consultants, had been suggested and general agreement was for this to be put in place. The PH Finance, PH Economy would oversee this as well as link in with the Asset Management Forum;
- Oversight by portfolio holders would help ensure that the draft strategy was on track with the overall approach of the Council;
- Appetite for investing outside of the district was mixed and therefore needed a clear steer. There was a balance to be struck in investing locally that could give secondary benefit in that it helped the local economy, against the expected better returns from investing outside of the area;
- Preference for investment within the District unless there is significant greater return expected from investing outside of the District;

- Proposal covered the twin approach of income only funding and income plus fund that would benefit the District;
- Need to see an effective mix of use for Cranbrook Town Centre;
- Balancing risk of investment against risk of service cuts.

RECOMMENDED to Cabinet:

1. To make available £120k in 2018/19 from the Transformation Fund to explore commercial property income opportunities to enable recommendation (2) to come forward, along with exploring opportunities for Cranbrook Town Centre;
2. That a strategy be prepared by September 2018 to detail and seek approval for:
 - a. A capital funding/borrowing stream of up to £10m (income only fund) where justified by business case and strategic considerations. This investment is to be purely for income generation;
 - b. A capital funding/borrowing stream of up to £10m (income plus fund) where justified by business case and strategic considerations, This investment is for wider District benefits and with different assessment criteria;
 - c. Covers a preference for investment in the District unless there is a significant greater return in investing in property outside of the District boundary.

Attendance list

Present:

Councillors:

Ian Thomas, Portfolio Holder - Finance (Chairman)
Paul Diviani, Leader
Jill Elson, Portfolio Holder – Sustainable Homes and Communities
Phil Skinner, Portfolio Holder - Economy
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
Karen Jenkins, Strategic Lead – Organisational Development and Transformation
Tim Child, Property and Estates Manager
Debbie Meakin, Democratic Services Officer

Apologies:

Iain Chubb, Portfolio Holder – Corporate Business

