

## Agenda for Cabinet

Wednesday 6 June 2018; 5.30pm



### [Members of Cabinet](#)

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

[View directions](#)

**Contact:** [Amanda Coombes](#), 01395 517543

(or group number 01395 517546)

Issued 24 May 2018

East Devon District Council  
Knowle  
Sidmouth  
Devon  
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

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

This meeting is being audio recorded by EDDC for subsequent publication on the Council's website.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

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

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

- 1 [Public speaking](#)
- 2 Minutes of 2 May 2018 (pages 5-12), 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 is one item which officers recommend should be dealt with in this way.

7. Forward Plan for key decisions for the period 1 July 2018 to 31 October 2018 (pages 13-15)
8. Minutes of the Exmouth Regeneration Board held on 19 April 2018 (pages 16-19)
9. Minutes of the South East Devon Habitat Regulations Executive Committee held on 20 April 2018 (pages 20-22)
10. Minutes of the New Homes Bonus Panel held on 14 May 2018 (pages 23-24)

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

11. **Revenue and Capital Outturn report 2017/18** (pages 25-36)  
During 2017/18 monthly budget monitoring reports have informed members of budget variations and the anticipated year-end financial position. This report contains the final position for the year and compares this outturn position against the budgets set.
12. **Monthly Performance reports – April 2018** (pages 37-40)  
Performance information for the 2017/18 financial year for April 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** - April 2018 snapshot
13. **Leader's annual report on urgent executive decisions** (pages 41-45)  
Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations:  
Under Regulation 19, there is a requirement to submit an annual report containing details of each executive decision which was agreed as urgent under Regulation 11 (Cases of special urgency) where less than 5 days' notice could be given.
14. **Communities Together Fund** (pages 46-65)  
The Communities Together Fund for East Devon in 2018/2019 amounts to £126,830. Currently, EDDC does not have a way of distributing this funding and are required to develop rules for the scheme which must be in accordance with the formal principles of the Communities Together Fund received from Devon County Council. Working within these parameters the Community Engagement and Funding Officer has drafted the application form and guidance notes for approval and adoption.  
**Appendix 1** - Fund Scheme 2018-19 Guidance Principles  
**Appendix 2** – Guidance Notes  
**Appendix 3** – Application form
15. **Sale of Local Authority garage sites** (pages 66-77)  
Following an agreement in principle to the sale of rural EDDC garage blocks in Luppitt and Plymtree on 10 February 2016, EDDC HRA Officers instructed external agents to market the sale of these sites. This report provides details of the process leading up to agreement of Heads of Terms for the sales. This report requests approval to proceed with these 2 sales on the broad terms agreed and set out within report.  
**Appendix 1** - Planning response regarding the sale of garages at Luppitt  
**Appendix 2** – Luppitt garages plan  
**Appendix 3** – Plymtree garages plan

## **Appendix 4 – Garage photographs**

16. **Homelessness in East Devon** (pages 78-89)  
This report highlights the challenges facing the Council with rising levels of homelessness and securing temporary accommodation and long-term affordable housing for homeless households. There has been an increase in homelessness consistent with national trends, and an extended set of statutory duties to tackle homelessness. Homelessness has always been a priority for the Council and has been managed through prevention, timely advice and assistance, early intervention, resulting in relatively low numbers of homeless cases and minimal use of temporary accommodation.  
**Appendix 1** - EDDC Housing Options: Homeless Approaches 2010- 2018  
**Appendix 2** – Homelessness Acceptances  
**Appendix 3** – Business Case for new post: Temporary Accommodation Officer
17. **Devon Wide Housing Assistance Policy** (pages 90-94)  
To present a revised Housing Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 for consideration. The policy has been agreed across Devon for the delivery of the Better Care Fund.
18. **Exeter Airport Instrument Landing Systems (ILS) Exemption from Standing Orders** (pages 95-100)  
The lack of operational headroom in the current ILS system at the Airport is a major barrier to nearby commercial development coming forward. The proposed upgrading of the system has been the subject of a detailed project appraisal. An exemption from Standing Orders is sought to support this process which will be undertaken by the Airport themselves.

**Private meeting: Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012:** Notice is given of intention to hold this part of the meeting in private as required by the Regulations. The statements of reasons for meeting to be held in private, details of any representations received why the meeting should be open to the public in response to the '28 clear days notice' already posted on the Council's website, and the Council's response to the representations, are set out against each agenda item below. Where it has been impracticable to comply with the private meeting notice procedures, the required agreement has been obtained from the relevant chairman or vice chairman that the meeting is urgent and cannot reasonably be deferred. Notice of this agreement, if relevant to this meeting, may be viewed on the council's website. [View statutory exclusion information here.](#)

19. **The Vice Chairman to move the following:**  
“that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B)”.

## **Part B Matters for Decision**

20. **Suez additional contract resources request** (pages 101-108)  
The report sets out Suez's request for additional resources, the reasons why and to consider this within the context of the Council's own budget picture.

**Reasons for consideration in Part B:**

- 1) Para 3 Schedule 12A Information relating to the finance or business affairs of any particular person
- 2) The report includes details of contractual and financial information.

[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 2 May 2018**

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

The meeting started at 5.30pm and ended at 6.16pm

#### **\*208 Public Speaking**

There was one member of the public who wished to speak at Minute 225.

#### **\*209 Minutes**

The minutes of the Cabinet meeting held on 4 April 2018 were confirmed and signed as a true record.

#### **\*210 Declarations**

Councillor Geoff Pook, Minute 223; personal interest – member of the Beer Neighbourhood Planning team

Councillor Pauline Stott: Minute 220; personal interest – Son member of the lifeboat

Councillor Phil Twiss: Minute 216; personal interest – Member of DCC Health and Adult Care Scrutiny Committee

Mark Williams, Chief Executive, Minute 211; disclosable pecuniary interest.

Simon Davey, Chief Finance Officer, Minute 211; disclosable pecuniary interest.

#### **\*211 Matters of urgency** (this item was debated at the end of the meeting; the Chief Executive and Chief Finance Officer left the room before the debate started)

The Chairman agreed to this late item National pay award 2018/19 and 2019/20 requested by the Strategic Lead, Organisational Development and Transformation. The report was a matter of urgency as following the notification of rejection of the employers' side pay offer by ALACE, the deadline for reports to Cabinet on 2 May 2018 had passed.

#### **RESOLVED:**

1. that the national pay award for 2018-20, be noted, and
2. that the same rate of 2% per year for two years was applied to the Chief Executive and Chief Officers of the Council, be agreed, and
3. that the recommendation to deal with the slight inequity created in different pay offers for 2015 for NJC staff and Chief Officers, be agreed. This created an anomaly such that the Strategic Lead for Finance was being paid 0.2% less than the Strategic Lead for Housing, Health and Environment.

#### **REASON:**

To ensure fair pay across the Council's structure.

#### **\*212 Matters referred to the Cabinet**

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

#### **\*213 Exclusion of the public**

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

**\*214 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 June 2018 to 30 September 2018.

**\*215 Minutes of the Scrutiny Committee held on 22 February 2018**

Members received the Minutes of the Scrutiny Committee held on 22 February 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 31 Crime and Disorder Update**

the post of Community Safety and Anti-Social Behaviour Officer be retained beyond 2018/19, for reasons of continued support in this key area, particularly in maintaining the successful Local Action Groups in the District.

**Minute 32 Quarterly monitoring of performance for third quarter 2017/18**

1. the Overview Committee be requested, as part of reviewing the Council Plan, to also review the Council Actions listed under each Council Priority, to ensure that the action was clear in its intention, and was measurable;
2. future reports on Performance Overview, Council Action Plans and Key Performance Indicators contain comments on every item listed, regardless of action status classification, for reason of providing clear information on progress in that quarter.

**\*216 Minutes of the Scrutiny Committee held on 22 March 2018**

Members received the Minutes of the Scrutiny Committee held on 22 March 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 37 Broadband update**

1. Cabinet recommend to Council that a letter be sent to all local MPs seeking their support to help secure superfast broadband provision for all communities despite their rurality;
2. promote to local parish and town councils the options available to them including the CDS voucher scheme once open again, fixed wireless solutions, and the recent success at Talaton;
3. a letter be sent to the Diocese asking for their continued support using church premises in providing the infrastructure necessary for a broadband solution for rural parishes.

**Minute 39 Exmouth Pavilion Car Park**

1. there must be early consultation with Ward Members for any matter of substance in their local ward;
2. the proposed concession of refunding £2 parking charges for the Exmouth Pavilion car park customers subject to a minimum spend in the Pavilion of £3.50 be a concession, for reason of ensuring existing local people who are regular café customers are not discouraged from continuing to support the Pavilion.

**\*217 Minutes of the Scrutiny Committee held on 19 April 2018**

Members received the Minutes of the Scrutiny Committee held on 19 April 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 43 Election report**

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

**\*218 Minutes from the Arts and Culture Forum held on 14 March 2018**

Members received the Minutes from the Arts and Culture Forum held on 14 March 2018.

**\*219 Minutes of the New Homes Bonus Panel held on 27 March 2018**

Members received the Minutes of the New Homes Bonus Panel held on 27 March 2018.

**RESOLVED (1) that the following recommendations be agreed:**

**Minute 17 Application from Newton Poppleford Parish Council, – Bolt on for Defibrillators - £1,876.80**

**Minute 18 Application from Exmouth Town Council – Publicity - £30,200**  
on the condition that the EDDC and DCC logos and mention of the Parishes Together Fund is on the leaflets and panels.

**Minute 19 Application from Gittisham Parish Council– Defibrillators- £1,586.50**

**Minute 20 Application from Honiton Town Council - Creative workshops - £3,722**

**Minute 21 Application from Ottery St Mary Town Council – Young Person’s mental health project - £8,362.40**

**Minute 22 Plymtree Parish Council - £2,311**

Plymtree, Talaton, Broadhembury and Payhembury Parish Council’s request for funding for a heli-pad.

**Minute 23 Application from Seaton Town Council – Brown Tourism Signage - £3,500**

**Minute 24 Application from Shute Parish Council – Asphalt Project - £716**

**Minute 25 Application from Sidmouth Town Council – Help Scheme - £5,000**

funding for the Sid Valley Help Scheme and the grant be increased to £7,155.60, this on the condition that the Sid Valley Help Scheme contact and share best practice with other towns in East Devon, and that publicity is gained for the Panel’s support of this project. .

**Minute 26 Application from Buckerell Parish Council – Drainage - £246.40**

**Minute 27 Clyst St George Parish Council – Drainage - £683**

**Minute 28 Colyton Parish Council Drainage - £1,292.90**

**Minute 29 Cotleigh Parish Council- Drainage - £200**

**Minute 30 Feniton Parish Council - drainage - £1,650**

**Minute 31 Honiton Town Council - drainage - £7,411.90**

**Minute 32 Luppitt Parish Council – Drainage -£415.80**

**Minute 33 Lympstone Parish Council – Drainage - £1,475**

**Minute 34 Membury Parish Council – drainage - £466.40**

**Minute 35 Musbury Parish Council – Drainage - £513.70**

**Minute 36 Offwell Parish Council–Drainage - £387.20**

**Minute 37 Uptontery Parish Council - drainage - £669.90**

**Minute 38 Yarcombe Parish Council – Drainage - £433.30**

**Minute 39 Seaton Town Council – Natural Seaton Festival Project - £1,550**

Seaton Town Council's request (supported by Colyton Parish Council) for funding to organise workshops for the Natural Seaton Festival project.

**Minute 40 Seaton Town Council – Walkers leaflet project - £750**

to provide a walkers leaflet project providing that the Town Council sent a quotation for the whole project by Friday 6 April. If the quotation did come through the leaflet should feature the EDDC and DCC logos and Parishes Together Fund wording on it.

**Minute 41 Broadclyst Parish Council - £4,869.30**

Broadclyst Parish Council's request for funding for a befriending project.

**\*220 Proposed temporary car park, rear of Old Lifeboat Station, Exmouth**

The Service Lead, Environmental Health & Car Parks asked Members to approve the creation of a temporary car park at this location; subject to Officers obtaining the relevant planning consent.

**RESOLVED:**

1. that the temporary use of land to the rear of the Old Lifeboat Station in Exmouth as a car park and to authorise the statutory advertisement and consultation process for the inclusion of the land in the East Devon (Off Street) Parking Places Order, be agreed,
2. To delegate to the Chief Executive and relevant Portfolio Holders the authority to proceed with the creation of this temporary car park subject to the outcome of the statutory advertising, consultation and the planning application.

**REASON:**

In order to fast-track the creation of a useful temporary car park (to enable the car park to be open for business during the summer of 2018) a planning application has already been submitted for consideration. Officers proposed to commence the statutory process



for a Parking Places Order to run in parallel because both processes will take 2-3 months to complete.

**\*221 Monthly Performance reports – March 2018**

The report set out performance information for the 2017/18 financial year for March 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
- Percentage of Council Tax collected

There was one performance indicator showing as concern:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse – Two appeal decisions had been received, one dismissed and one allowed. 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 decisions.

**RESOLVED:**

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

**\*222 Data Protection Policy**

The Data Protection Officer outlined the forthcoming changes to data protection and sought adoption of an updated policy that took into account the change in legislation.

**RESOLVED:**

1. that the content of the report and actions being taken to implement the General Data Protection Regulations be noted, and
2. the adoption of the revised Data Protection and Document Retention Policy contained at Appendix A with effect from 25th May 2018 be agreed.

**REASON:**

To ensure the Council had a robust policy by which to ensure it is compliant with its legal duties.

**\*223 Response to Beer Neighbourhood Plan Submission**

Member were asked to agree the response by the Council to the current consultation for the Beer Neighbourhood Plan.

**RESOLVED:**

1. that the formal submission of the Beer Neighbourhood Plan be noted and the producers of the plan be congratulated on the dedicated hard work and commitment in producing the document,

2. that the Council make the proposed representation set out at paragraph 5.2 in this report in response to the consultation.

**REASON:**

To ensure that the view of the Council was recorded and informed the consideration of the Neighbourhood Plan by the Independent Examiner.

**\*224 Response to Clyst St George Neighbourhood Plan Submission**

Members were asked to agree the response by the Council to the current consultation for the Clyst St George Neighbourhood Plan.

**RESOLVED:**

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

**REASON:**

To ensure that the view of the Council was recorded and informed the consideration of the Neighbourhood Plan by the Independent Examiner.

**\*225 Ottery St Mary & West Hill Neighbourhood Plan Examiner's Report**

Jo Talbot, Chair of the Ottery St Mary & West Hill Neighbourhood Plan team wished to thank officers for their patience and assistance in getting the Neighbourhood Plan to this stage. She said the Neighbourhood Planning team were pleased with the inspector's report and that there was great relief after taking three years to get to this position.

Councillor Roger Giles congratulated Jo Talbot and Dr Margaret Hall for getting the Neighbourhood Plan to this stage.

Members were provided feedback and proposed changes following the examination of the Ottery St Mary & West Hill Neighbourhood Plan.

**RESOLVED:**

1. that the Examiner's recommendations on the Ottery St Mary & West Hill Neighbourhood Plan, and
2. 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, be agreed, and
3. that the Neighbourhood Plan group be congratulated on their hard work.

**REASON:**

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

**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
Ian Thomas	Finance
Jill Elson	Sustainable Homes and Communities

**Cabinet Members without Portfolio:**

Geoff Pook  
Eileen Wragg

**Cabinet apologies:**

Phil Skinner	Economy
Marcus Hartnell	Deputy Portfolio Holder Environment

**Non-Cabinet apologies:**

Andrew Moulding  
Mike Howe  
Mark Williamson  
Ian Hall  
Simon Grundy  
Brenda Taylor  
Jenny Brown  
Darryl Nicholas  
Bruce de Saram  
Tim Dumper  
Geoff Jung

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

**Councillors:**

Brian Bailey  
Alan Dent  
John Dyson  
Steve Hall  
Pauline Stott  
David Barratt  
Dean Barrow  
Peter Faithfull  
Graham Godbeer  
Steve Gazzard  
Maddy Chapman  
Eleanor Rylance  
Roger Giles  
Val Ranger  
Marianne Rixson  
Megan Armstrong  
Susie Bond  
John O'Leary

Colin Brown  
Douglas Hull  
Rob Longhurst  
Bill Nash  
Cherry Nicholas

**Officer apologies:**

Richard Cohen, Deputy Chief Executive

**Also present:**

**Officers:**

Mark Williams, Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead – Housing, Health and Environment  
Karen Jenkins, Strategic Lead – Organisational Development and Transformation  
Henry Gordon Lennox, Strategic Lead Governance and Licensing  
Andrew Ennis, Service Lead - Environmental Health & Car Parks  
Amanda Coombes, Democratic Services Officer

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

## EAST DEVON DISTRICT COUNCIL

### Forward Plan of Key Decisions - For the 4 month period 1 July 2018 to 30 October 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).

<b>Decision</b>	<b>List of documents.</b>	<b>Lead/reporting Officer</b>	<b>Decision maker and proposed date for decision</b>	<b>Other meeting dates where the matter is to be debated / considered</b>	<b>Operative Date for decision (assuming, where applicable, no call-in)</b>	<b>Part A = Public meeting  Part B = private meeting [and reasons]</b>
1. <b>Queen's Drive update</b>		<b>Deputy Chief Executive</b>	<b>Cabinet 5 September 2018</b>		<b>13 September 2018</b>	<b>Part A</b>

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

<b>Future Decisions</b>		<b>Lead / reporting Officer</b>	<b>Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed</b>	<b>Operative Date for decision  To be confirmed</b>
1	Port Royal update	Deputy Chief Executive	Cabinet 28 November 2018 Council 12 December 2018	13 December 2018
2	HotSW Joint Committee		Heart of the South West Productivity Strategy	
3	Axmouth Harbour Safety Management System	Strategic Lead – Housing, health & Environment	Cabinet, Council	

Future Decisions		Lead / reporting Officer	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision  To be confirmed
4	Recycling & Refuse Contract additional resources	Service Lead - StreetScene	Cabinet, Council	
5	Car Parks consultation	Service Lead – Environmental Health & Car Parks	Cabinet	

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.

June 2018

**EXMOUTH REGENERATION BOARD  
ACTION POINTS FROM A MEETING  
HELD AT EXMOUTH TOWN HALL ON THURSDAY 19 APRIL 2018**

Present:

Cllr Philip Skinner	PJS	EDDC
Cllr Jill Elson	JME	EDDC
Cllr Pauline Stott	PS	Exmouth Town Council
Cllr Richard Scott	RS	Devon County Council
Cllr Jeff Trail	JT	Devon County Council Exmouth
Cllr Tim Dumper	TD	Exmouth Town Council
Alison Hayward	AH	EDDC
Tim Wood	TW	Honorary Alderman
Peter Gilpin	PG	LED
Tom Vaughan	TV	Devon County Council
Jim Hill	JH	Propeller Exmouth
Lisa Bowman	LB	Clerk – Exmouth Town Council
Leigh Rix	LR	Clinton Devon Estates
Roy Pryke	RP	Chairman – Exmouth Neighbourhood Plan Steering Group
Alethea Thompson	AT	East Devon District Council

Apologies:

Ian MacQueen	NM	Exmouth Chamber of Trade & Commerce
Richard Cohen	RC	East Devon District Council
Stephen Morton	SM	Deaf Academy
Jamie Vittles	JV	Exeter City Football Club
Dave Turner	DT	East Devon District Council

The meeting started at 2.00pm and finished at 3:30pm.

<b>Item</b>	<b>Notes/Decisions</b>	<b>Action</b>
<b>1. Introduction</b>	Those present were welcomed to the meeting.	



<b>2. Report of meeting held on 14 December 2017</b>	The report of the meeting held on 14 December 2017, was confirmed as a true record.	<b>Noted</b>
<b>3. Orcombe Point - update</b>	AH reported that the three year temporary catering provision at Orcombe Point was open and successfully trading. It was going well and had been very positively received. Concern was expressed over catering vans being parked on the adjacent site.	<b>Noted</b>
<b>4. Relocation and the Town Hall</b>	<p>AH reported relocation to the town hall had gone positively from EDDC's point of view.</p> <p>There were some teething problems, including acoustics in the Council Chamber. It was noted that carpet had been laid and extra audio visual screens installed.</p> <p>Internal signage for the other tenants of the hall was being installed that day and it was anticipated that external signage for the Town Council would follow.</p>	<b>Noted</b>     <b>AH</b>
<b>5. Queens Drive update</b>	<p>AH gave an update on the Queens Drive development:</p> <ul style="list-style-type: none"> <li>• Phase one - The contractor had been selected for the road and car park. Work would not start on delivering the road and car park until Grenadier had secured planning permission for the water sports centre. It was anticipated that the Grenadier planning application would be considered by EDDC's Development Management Committee on 5 June 2018. The car parks works would be done first and the existing road and car park would remain open throughout. Meetings had been held with Madeira bowling club and the cricket club to explain the practicalities regarding access arrangements during construction, which would remain throughout.</li> <li>• Phase two – Grenadier would start work on site in early 2019, following the six month period required to complete the new road and car park. The build period was around 16 months and the Watersports centre was expected to open in 2020. Grenadier would have an effective communications strategy with the local community throughout the building works.</li> <li>• Phase three – There was a contract with Hemingway Design for a visioning exercise and the proposals had been published on EDDC's website. There would be an inception meeting to discuss information requirements</li> </ul>	<b>Noted</b>

	<p>for Hemingway Design and how they proposed to schedule their work programme. Work would begin now on a 4 month schedule of activity. Wayne Hemmingway would be invited to attend Regeneration Board meetings.</p> <p>It was noted that the Council did not have a developer for phase 3. Following the Hemingway work, it is anticipated that the Council will seek developer/investor partners to work the council with in order to deliver phase 3.</p> <p>PS congratulated AH on the former fun park site. Play facilities were being installed. Seating was being constructed off site but would be installed in the next few weeks. A bar operator had been identified.</p> <p>AH went on to outline licensing and events on the site. There was a licence that covered the sale and consumption of alcohol onsite, with clear signage to reinforce this. Three live amplified music events were proposed, with additional separate non-amplified events being permitted. PG suggested that he and AH discuss and co-ordinate a programme of events so that where possible events already booked at the Pavilion did not clash. The aim was to draw people in, not compete with local venues. Film nights and children's circus events were also being considered. It was expected that the area would appeal to all age ranges, not just those with children.</p> <ul style="list-style-type: none"> <li>• Discussion followed on about regenerating the town centre and what made a successful town centre. This included: <ul style="list-style-type: none"> <li>➤ Balancing what was being done on the seafront with the town centre.</li> <li>➤ What is realistic/possible?</li> <li>➤ Who are you, what do you want to be, where do you want to go?</li> <li>➤ Offer a unique experience.</li> <li>➤ Indoor/covered shopping area.</li> <li>➤ Free parking.</li> <li>➤ Culture, with the community being the catalyst to culture.</li> <li>➤ Work on ways to incentivise people to come into a town centre (start with people) and then grow the culture (the culture will grow the town).</li> </ul> </li> </ul>	<p><b>AH//PG/ AT/All</b></p>
<p><b>6. Communication Update</b></p>	<p>There were no specific issues to communicate. Grenadier would be issuing their own</p>	<p><b>Noted</b></p>

	communications regarding their application and their proposals.	
<b>7. Dates of future meetings</b>	The dates of future meetings, to be held at the Town Hall, Exmouth, were: 21 June 2018 20 September 2018 13 December 2018	<b>Noted</b>   <b>AT/All</b>

## Minutes of the meeting of the South East Devon Habitat Regulations Executive Committee held at Civic Centre, Exeter, on Friday 20 April 2018

Attendance list at end of document

The meeting started at 2.05pm and ended at 3.05pm.

### \*20 Public speaking

The Chairman, Cllr Rachel Sutton, welcomed everyone present to the meeting. There was one member of the public present, Jane Evans, who asked the following questions:

- I attended the SEDHR Executive Committee meeting on 24 January 2018 and observed the decisions made by the committee. Please can you explain why the committee chose to “note” the findings of the audit report, but made no commitment to act on its findings. By contrast the committee chose to accept the findings of the risk assessment review. Why did the committee not decide to implement the recommendations of the audit report? Are minutes taken of the Officer Group?

Neil Harris, Habitat Regulations Delivery Manager responded, that the audit report made clear that it had been carried out by EDDC for their own purposes. The report was presented to the partner authorities so that they may have confidence in the governance and finance arrangements. All the findings in the audit report had been incorporated into the reporting style and content. Minutes had not been taken of the Officer Group to date but will be in future.

- It is noted from the agenda that it is proposed to install marker buoys in the Exe estuary. Please advise under which statutory legislation or byelaws this will be undertaken.

Neil Harris, Habitat Regulations Delivery Manager responded, that ECC did not require a licence to deposit marker buoys in the estuary as Harbour Authority. The Marine Management Organisation (IMMO) and Trinity House would be notified.

- Please advise whether any assessment has been made of the potential environmental impact of the proposed buoys in the Exe estuary. If so please can it be made public and information provided on where it can be located.

Neil Harris, Habitat Regulations Delivery Manager responded, that the position of the buoys will require consent from Natural England, which would be sent in due course; this could be shared with the public. The Harbour Authority would then grant consent. It was possible that the consent of Natural England could be made available to the public at the next meeting of the committee.

- Who will have responsibility for the ongoing maintenance of the buoys and under which budget?

Neil Harris, Habitat Regulations Delivery Manager responded, that as part of the mitigation strategy, the cost would be met from this budget and included in annual business plans going forwards.

**\*21 Declarations of interest**

There were none.

**\*22 Financial Report**

The Executive Committee considered the Habitat Regulations Delivery Manager's report which sought to update members of the Executive Committee on the overall financial position of the developer contributions received by the partner authorities as mitigation payments towards measures identified in the South East Devon European Mitigation Strategy.

In response to a request from Cllr Phil Twiss for more information on the provision of the patrol boat following interest from the public, (delivery of which was expected at the end of June), the Habitat Regulations Manager confirmed that he would provide more information. He also confirmed that software was used to monitor S106 contributions, which had been provided through Strata and was available to all three authorities.

**RESOLVED:**

- 1. that the update on the overall financial position, including contributions received, expenditure and anticipated contributions (from signed S106), be noted.**
- 2. that an update on 5 year income forecasts of develop contribution receipts be received at the HREC meeting in October 2018.**
- 3. that the Committee note the expenditure against budget for the 2017-18 Annual Business Plan and reasons given for any variation.**

**\*23 2017-18 Annual Business Plan**

The Executive Committee considered the Habitat Regulations Delivery Manager's report, which was an update on the progress made in delivery of new mitigation measures set out in the 2017-18 Annual Business Plan and ongoing measures from the 2016-17 Plan. It was important that progress continued to be made, or this would put the delivery of the partner Authorities' Local Plans at risk due to the continued legal duties under the Habitat Regulations.

In response to a question regarding the number of homes that had been given planning permission, the Habitat Regulations Delivery Manager reported that a future report would be provided to the Committee on the number of homes granted permission and the contribution these homes would make to mitigate impacts on the protected sites. Ed Freeman, Strategic Lead Planning Strategy and Development Management (EDDC), reported that the number of homes built was known and their contribution to CIL income. Between the three local authorities involved it should be possible to provide details of this information.

**RESOLVED:**

- 1. that the progress made towards delivering the 2016-17 and 2017-18 Annual Business plans be noted;**
- 2. that changes to the operational year as specified in the 2017-18 Annual Business Plan be noted.**

3. that the status of mitigation measures from each of the plans, as well as explanations given for measures subject to delay and revised completion dates be noted.
4. that the Committee receives a further report on the deployment and implications of the Housing Infrastructure Fund (HIF) award.
5. that the committee receives a further report on in-perpetuity arrangements in relation to Dawlish and South West Exeter SANGS.
6. that the housing delivery against the targets for each partner authority should be reported annually.

\*24 **2018-19 Annual Business Plan**

The Executive Committee considered the Habitat Regulations Delivery Manager's report, which set out the principles for the on-site projects, which had been recommended as a priority by the Habitats Regulations Delivery Officer, in conjunction with the Officer Working Group. The Delivery Manager reported that due to the recent adverse weather it had not been possible for the Officer Working Group to formerly to meet to discuss the Plan.

In response to a question, the Delivery Manager reported that the 5-year Delivery Programme would be reviewed every 5 years. However, the Annual Business Plan was considered to offer the a flexibility to interpret the 5 Year Delivery Programme.

**RESOLVED:**

1. that the 2018-19 Annual Business Plan and commitments and action contained therein be approved.
2. that the changes to the operational year as specified in the report be noted.
3. that a progress update be received on the delivery of the Annual Business Plan at the next meeting (quarterly basis).

**Attendance list**

**Committee Members:**

Cllr Rachel Sutton, Exeter City Council (Chairman)  
Cllr Humphrey Clemens, Teignbridge District Council  
Cllr Phil Twiss, East Devon District Council

**Officers**

Henry Gordon Lennox, Strategic Lead – Governance and Licensing (EDDC)  
Neil Harris, Habitat Regulations Delivery Manager – Growth Point Team  
Ed Freeman, Strategic Lead Planning Strategy and Development Management (EDDC)  
Chris Lane, Democratic Services (EDDC)  
Fergus Pate, Principal Growth Point Officer (TDC)  
Peter Hearn, Strategic Infrastructure Planning (ECC)  
Peter Lacey, Green Infrastructure Board  
Amanda Newsome, Natural England  
Andy Wood, East of Exeter Projects Director (EDDC)

**Apologies:**

Simon Davey, Strategic Lead – Finance (EDDC)  
Tabitha Whitcombe, Democratic Services, (EDDC)

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

## **EAST DEVON DISTRICT COUNCIL**

### **Notes of a Meeting of the New Homes Bonus Panel held at Knowle, Sidmouth on Monday 14 May 2018**

**Present:** Councillors:  
Phil Twiss (Chairman)  
David Barratt  
Iain Chubb  
Douglas Hull  
Geoff Jung

**Apologies:** Councillors:  
Mike Allen  
Simon Grundy

**Officers:** Ali Eastland, Locality Development Officer, DCC  
Jamie Buckley, Community Engagement and Funding Officer  
Chris Lane, Democratic Services Officer

The meeting started at 1:00pm and finished at 1.45pm.

**\*43 Minutes**

The notes of the previous meeting of the New Homes Bonus Panel held on 29 March 2018 were confirmed as a true record.

**\*44 Declarations of interest**

Councillors Phil Twiss and Councillor Iain Chubb declared personal interests in minute 45 as Devon County Councillors.

**\*45 Approval of New Guidance Notes for Communities Together Fund**

Members received the proposed application form and guidance notes for the Communities Together Fund for 2018/19. This needed to be considered by the June meeting of Cabinet and ratified by the July meeting of Council.

During discussion the following points were highlighted:

- How are parishes neighbouring Exmouth going to be affected? They would need to find other parishes to work with.
- What would happen to projects for an organisation that had more than 12 months running costs? This project would be precluded or would have to demonstrate the project was outside of their normal duties.
- What would happen to projects where planning permission was required? They would need to obtain planning permission before applying if it was need for the part of the project they were applying for.

- RECOMMENDED:**
1. that the guidance notes, including the changes listed below, for the Communities Together Fund be approved;
  2. that organisations other than town and parish councils should send details of their projects to Ward Members within their area. This should happen at the same time as the project asks town and parish councils for support;
  3. that town/parish councils be notified of the proposed details of the Communities Together Fund when the report going to Cabinet appears online;

4. that the deadline for applications be changed to the middle or end of January and it be made clear that applications received after the deadline will not be considered.

46 **Approval of New Application for Communities Together Fund**

Consideration was given to the application form for the Communities Together Fund.

**RECOMMENDED:** that the application form for the Communities Together Fund be approved.

\*47 **Feedback from previously funded Parishes Together Fund projects**

Members received feedback from previously funded Parishes Together Fund projects.

**RESOLVED:** that details of the previously funded projects be noted.



**Report to:** Cabinet  
**Date of Meeting:** 6 June 2018  
**Public Document:** Yes  
**Exemption:** None



**Agenda item:** 11

**Subject:** Revenue and Capital Outturn Report 2017/18

**Purpose of report:**

During 2017/18 monthly budget monitoring reports have informed members of budget variations and the anticipated year end financial position. This report contains the final position for the year and compares this outturn position against the budgets set.

The report outlines the implications of these results on the Council's reserves and makes recommendations on reserve transfers.

The Council's Unaudited Accounts were issued on 31<sup>st</sup> May 2018 and are published on the Council's website, it is anticipated the Audited Accounts will be issued on 26 July 2018.

**Recommendation:**

1. The Cabinet agree the outturn position for 2017/18.
2. To agree with the level of Reserves detailed in the report and the transfers/use as recommended; namely
  - a) The transfer to reserves specific underspends in 2017/18 to be carried forward and spent in later years as detailed in the table in 2.2 of the report; items (a) to (g).
  - b) The transfer of £70,000 from an earmarked reserve in 2018/19 into a new Reserve "Economic and Partnership Initiative Fund" (detailed in 2.5 of the report). Delegated authority of spend to be given to the Chief Executive in consultation with the Leader and the Portfolio Holders for Finance and Economy.
  - c) To transfer £801,000 from the Housing Revenue Account into the Future Housing Development Fund (detailed in 3.3 of the report).

**Reason for recommendation:**

To report the outturn position for the Council's approved budgets for the General Fund, Housing Revenue Account and Capital Expenditure. This financial position aligns to the Council's Statement of Accounts but the position in this report is presented in a style that accords to the budget setting and monitoring reports that members receive.

---

Members are asked to note the variations from the budgets identified within the report and consider the final position.

It is appropriate at this stage to reflect on the reserves and balances held by the Council and determine if these are the right reserves at the right levels going forward.

**Officer:**

Simon Davey, Strategic Lead Finance (CFO/S151)  
[sdavey@eastdevon.gov.uk](mailto:sdavey@eastdevon.gov.uk) 01395 517490

**Financial implications:**

The financial details are outlined in the report

**Legal implications:**

There are no legal implications requiring comment.

**Equalities impact:**

Low Impact

No decisions are required which effect service/customer provision

**Risk:**

Low Risk

Financial monitoring reports have kept members informed during the year of budget variations and the projected outturn position of the Council's finances. No areas of concern were raised with the Council maintaining its net spending within overall approved budget levels. All predetermined Balance and Reserve levels were maintained comfortably above the adopted minimum levels. This position has now proven correct in the final outturn position presented in this report.

The report also looks at the monies the Council holds in balances and reserves and considers these in the light of the Council's future financial position and future Government funding cuts. Consideration is given to the Council's financial track record, internal and external audit reports on financial controls and is reflective of occurrences from external factors which affect the Council's finances.

**Links to background information:**

**Link to Council Plan:**

A sound financial position allows the Council to deliver its priorities and outcomes set out in the Council Plan.

**1. Introduction**

- 1.1 This report compares the outturn position (actual amount spent or income received for the year) against budgets set for the financial year 2017/18 for the General Fund, Housing Revenue Account (HRA) and the Capital Programme.
- 1.2 The report looks at the effect the outturn position has on the Council's balances and reserves and considers future policy for holding these sums.

1.3 The Council's Unaudited Accounts were issued on 31<sup>st</sup> May 2018 and are published on the Council's website [Financial Information 2017/18](#) , it is anticipated the Audited Accounts will be issued on 26 July 2018.

## 2. General Fund position

2.1 The 2017/18 budget was set as a balanced budget; with no transfer to or from the General Fund Balance. The final outturn position is a underspend of £0.573m against a net budget of £14.142m, the main variations against the budget set is given below. Further variance analysis is given in Appendix A against Portfolio and by type of expenditure/income.

General Fund 2017/18 – main outturn variations against budget	Variation £000	Comment on Future budget implications
<p>Employee savings mainly from vacant posts as budget is for a full establishment; most significant savings from;</p> <ul style="list-style-type: none"> <li>• Estates &amp; Property Services and Economic Development</li> <li>• Public Health &amp; Environment</li> <li>• Revenues &amp; Benefits</li> <li>• Car Parks</li> <li>• Planning Policy</li> </ul>	(391)	<p>This level of net savings is seen each year after costs associated with recruitment, agency placements etc. 2018/19 budget has had a savings factored included for vacancies of £350k.</p> <p style="text-align: center;"><b>No implication</b></p>
Car Park income higher than projected.	(146)	<p style="text-align: center;"><b>No implication</b></p>
Recycling Income reduced through market conditions	251	<p>This was reported in year and factored into 2018/19 budget.</p> <p style="text-align: center;"><b>No implication</b></p>
Additional surplus payment from Strata – Council owned IT company	(114)	<p style="text-align: center;"><b>No implication</b></p>
Increase in housing benefit payments and reduction in subsidy due to reduced overpayments (effect of real time data).	801	<p>This was reported in year and factored into 2018/19 budget.</p> <p style="text-align: center;"><b>No implication</b></p>
Increase in Business Rates income.	(1,518)	<p>2018/19 budget has been increased by £200k. This is prudent as a significant surplus</p>

		<p>against budget, however the year end collection fund position is a deficit of £958k requiring to be made good in future years.</p> <p><b>No implication</b></p>
<p>Planning Income reduction on that projected – timing on Cranbrook application</p>	169	<p>Highlighted through monitoring.</p> <p><b>No implication</b></p>
<p>Additional Homelessness Costs</p>	90	<p>A separate report is being presented to Cabinet to highlight concerns with these costs.</p> <p><b>Concern</b></p>
<p>Lower income from fees and charges across a number of areas. Individually not material but concern if this a continued position.</p>	170	<p>These will need closely monitoring in 2018/19 and if necessary reported through to the Budget Working Party to consider implications on the Medium Term Financial Plan. Concern as income levels not reduced in budget.</p> <p><b>Concern</b></p>

2.2 Cabinet are asked to agree the creation of the following new reserves from specific underspends in 2017/18 to enable the carry forward of funding for future year expenditure.

	Nature of Reserve	£
a)	<u>Reinvestment of additional car park income into service</u> <ul style="list-style-type: none"> <li>• Car Parks New Parking Machines 20 x £4,500</li> <li>• Electric Vehicle charging points 5 x £12,000</li> </ul>	90,000  <u>60,000</u> <u>150,000</u>
b)	Grant income unspent on homelessness to be used on staff resources and ICT software to be spent in 2018/19	22,450
c)	Specific budget for Licencing Team training now to be undertaken in 2018/19	1,000
d)	Business Support and Advice funds to be used to promote new street trading on Council owned land	13,210
e)	Asset Management Plan budget unspent to be carried forward	18,650
f)	GESP (Greater Exeter Strategic Partnership) budget was to cover work for more than one year, balance carried forward.	180,000
g)	Business Rate Income derived from the Enterprise Zone not spent in year to be used on approved expenditure in future year/s	111,000
	<b>TOTAL</b>	<b>496,310</b>

2.3 The overall General Fund Balance position at year end is given below, this shows a surplus in year of £0.571m and of this sum it is recommended that £0.496m is being transferred to earmarked reserves.

General Fund Balance Position	£000
<b>Opening Balance 1/4/2017</b>	<b>(4,197)</b>
Transfer to Capital Reserve per 2016/17 Outturn report agreed by Council	606
Surplus in year	(573)
Transfer to Earmarked Reserves	496
<b>Closing Balance 31/3/2018</b>	<b>(3,668)</b>

2.4 Taking the General Fund Balance at £3.668m this is within the adopted range previously determined by Council, this being between £2.9m and £3.7m. This range is still considered the appropriate level as there has been no key change to the factors used in its determination. This represents 10% of our net budget equivalent to a two year operational period giving £2.9m; to this is added £0.8m headroom to give £3.7m as a top of the range figure. This is the range we stipulate the General Fund Balance to be within before members need to take action; whether above or below the range.

2.5 Council has previously agreed to transfer in 2018/19 £0.7m of monies to be received through the 100% business rate pool into an Economic Growth/Safeguarding Fund to support growth or to safeguard the existing business base in the District. Through this report a request is being made that £70,000 of this sum is transferred into a separate Reserve "Economic Development and Partnership Fund" to help support events and activities that attract trade and visitors to East Devon such as Tour of Britain, Exmouth Festival etc. Approval for spend will be delegated to Chief Executive in consultation with the Leader of the Council and the Economy and Finance Portfolio Holders.

### 3. Housing Revenue Account (HRA)

3.1 The 2017/18 budget was set to achieve a surplus of £0.522m, the outturn position gives a surplus for the year of £0.801m; the main variations are given below.

HRA 2017/18 – Outturn variations against budget	Variation £000	Comment on Future budget implications
Dwelling rent income was extremely close to budget, a variance of only £12k against a budget of £17.3m, garage rents were below budget by £42k.	54	A report on garages is to be considered by the Housing Review Board.  No implication
General ad hoc landlord expenditure over budget such as tree felling, rubbish removal.	41	No implication
There is significant variation between Repairs and Maintenance budget headings, but they negate each other in part: Annual Programme & Cyclical works General Improvements works Responsive Repairs  Focus has been on compliance related issues such as asbestos, these costs have been met from other budgets explaining the variation shown above.	(169) (336) 441	In preparing the 2018/19 budget these variations were identified from in year monitoring and reflected in setting the 2018/19 budget.  No implication
Supervision & Management – range of heading mainly under “special” underspend on employee budget because of vacant posts and late appointments.	(167)	No implication

3.2 The updated position of the HRA Balance is given below.

HRA Balance	£000
<b>Opening Balance 1/4/2017</b>	<b>(7,070)</b>
Transfer agreed Outturn 2016/17 to Future Housing Development Fund	3,970
Surplus 2017/18	(801)
<b>Closing Balance 31/3/2018</b>	<b>(3,901)</b>

*Note: A surplus of £1.413m is budgeted in 2018/19, it is likely this will be used for debt repayment but this will be considered later in the year depending on differing factors – interest rates, building programme and in year budget variations.*

- 3.3 The adopted minimum level for the HRA Balance is between £2.1m to £3.1m, based on £490 per property with headroom added of £1m. This leaves the HRA Balance £0.801m above the adopted range and its recommended that this sum is transferred into the Future Housing Development Fund

#### 4 Capital Budget

- 4.1 The revised Capital budget for 2017/18 totalled net expenditure of £25,333m; the outturn position is lower at £17.021m, a variation of £8.312m. The majority of this underspend is from scheme slippage and a need to re-profile expenditure into 2018/19 or later years. The main variations against the budget are given below.

<b>HRA 2017/18 – Outturn variations against budget</b>	<b>Variation £000</b>
Agreed loan to Exeter Science Park Company was not requested by year end	(1,723)
Strata Convergence IT Projects – slippage in programme and re-evaluation of priorities by partner Authorities taking place.	(308)
Camperdown Depot, project underway but majority of spend in 2018/19	(68)
Blackdown House (relocation) – re-profiling of expenditure into 2018/19	(782)
Seaton Workshops – project on hold following review of tender process and re-evaluation of project.	(464)
Mamhead Slipway – Negotiation ongoing with Devon County Council on their contribution in the order of £275k not showing as income against this budget head as expected and complications with project already reported.	424
Access to Seaton Wetlands and further development – project delay with complications on land purchase	(212)
Queens Drive Leisure Area Infrastructure – expenditure requires re-profiling	(2,187)
The Strand Exmouth – Remaining project still to be defined	(125)
LED – Leisure Centre Energy saving initiatives – project still under due diligence to ensure delivery of savings.	(262)
Slippage in final Implementation stage of New Housing System	(119)
Feniton Flood Alleviation Work – project delay through negotiation with Network Rail	(823)
Slippage in Play Area Schemes – work in progress but majority of spend now in 2018/19	(106)

Recycling & Refuse Contract – final sums agreed as part of contract to be paid in 2018/19	(505)
Streetscene cleaning equipment – purchase slipped	(118)
HRA Major Repairs - underspend	(151)
Gypsy and Traveller sites – location/s still to be identified	(500)

- 4.2 The Capital Reserve at the end of 2017/18 is nil, being fully used to fund the 2017/18 capital programme; the use of the Reserve in 2017/18 was £0.606m.
- 4.3 The Capital Reserve being fully used was expected and had been highlighted to Members. The balance of funding in 2017/18, after the use of New Homes Bonus grant, Capital Receipts, Revenue Contributions and finally the Capital Reserve has been met through internal borrowing (£2.215m). This has increased the underlying need for the Council to borrow (Capital Financing Requirement) and the Council's cash flow position is monitored carefully to determine if there is need to actually borrow to meet costs or whether it is preferable to use internally available funds. This is a balance between considering expected interest rates achieved on investments, the cost of borrowing and the Council's future requirement on cash flows. These consideration are all made within the perimeters of the Council's approved Treasury Management Strategy.

## 5. **Other Main Reserves and Balances Available (not considered above) – year end position**

### **Transformation Reserve**

The balance as at 31/3/18 is £1.897m. This sum is set aside to assist the Council's transformation programme by meeting upfront costs necessarily incurred in order to produce savings/efficiencies in future years. This was increased by £1.430m in 2017/18 from a transfer from the New Homes Bonus Fund no longer deemed necessary to hold by the Council. Of the £1.897m, £0.350m has been set aside as funding to the General Fund position in 2020/21 to help mitigate the level of savings required in this year and the variation that is likely to arise from projections made in the Medium Term Financial Plan and the final Government Finance settlement changes coming into effect in that year.

### **Local Authority Business Growth Incentive Scheme Reserve**

The purpose of this reserve is to promote and deliver economic development. A programme of spend and authority for spend has been approved by Council. The balance on this reserve as at 31/3/18 is £0.130m.

### **Asset Maintenance Reserve**

This reserve is used to support the Council's General Fund Assets and planned maintenance backlog/essential work/asset failure (created from one off VAT refunds).

The year end balance is £0.954m. This Reserve is currently used at a rate of around £0.100m to 0.200m annually. Details of spend are agreed by SMT (Strategic Management Team) presented to the Asset Management Forum to ensure they do not conflict with asset strategy.



### **Business Rates Volatility Fund**

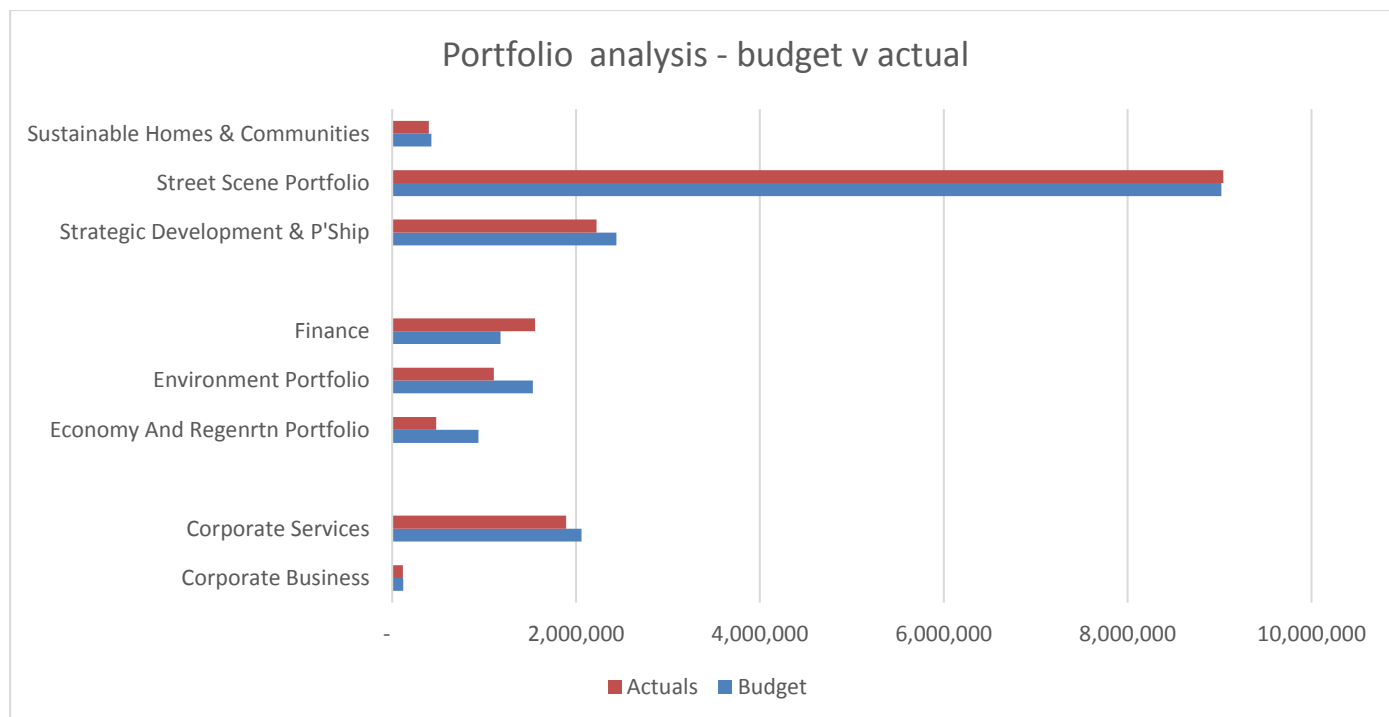
The Balance of this Reserve as at 31/3/18 is £0.639m. The Reserve is used to mitigate the volatility of business rate income should income fall below the expected budget and allows the Council to set a level in the budget with certainty in relation to an income source that can fluctuate.

### **Other Earmarked Reserves**

There are other earmarked reserves for specific projects where funding or contributions have been made in advance of spend and monies are held at year end to fund this work in future years. Complete details are contained in the Council's Statement of Accounts 2017/18.

## Appendix 1 – 2017/18 General Fund Budget v Actual Analysis

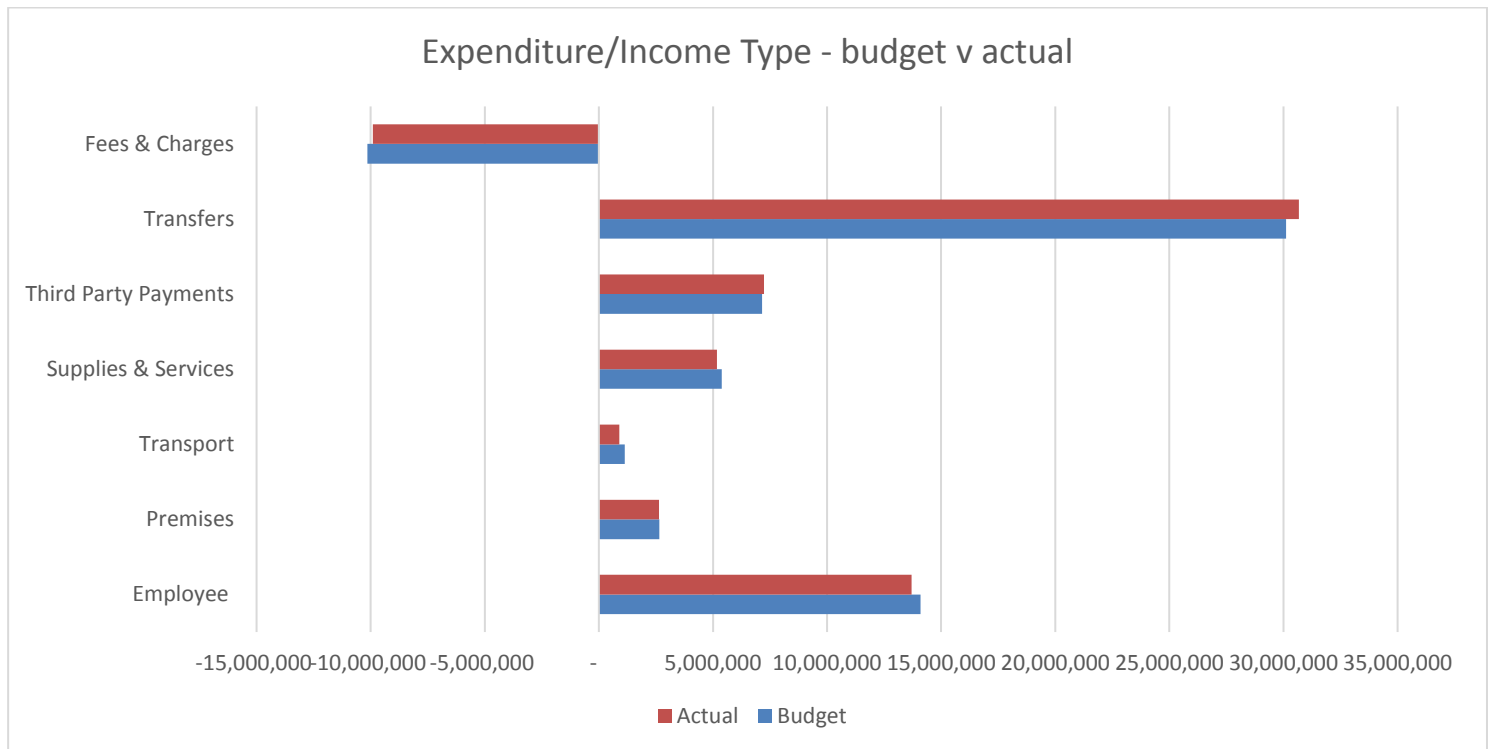
### a) Portfolio Budget v Actual



Portfolio Main Variation	£000
<b>Sustainable Homes &amp; Communities</b>	
<ul style="list-style-type: none"> <li>Homeless Persons – Separate paper to be presented to Cabinet</li> <li>Housing &amp; General Health Group staff vacancies and other areas</li> </ul>	<p>90</p> <p>(120)</p>
<b>Street Scene</b>	
<ul style="list-style-type: none"> <li>Recycling &amp; Refuse – decrease in market rates for recycling</li> <li>Seaton Beach Management – Grant not assumed</li> <li>Monies budgeted for one off payment for Branscombe toilets transfer not paid.</li> <li>Efficiencies/underspends on general maintenance and other costs</li> <li>Staff savings</li> </ul>	<p>251</p> <p>(50)</p> <p>(25)</p> <p>(122)</p> <p>(63)</p>
<b>Strategic Development Partnership</b>	
<ul style="list-style-type: none"> <li>Planning Income down against budget</li> <li>Budget contained full work for GESp which is required to be carried forward.</li> <li>Other areas planned to spent from reserves now to be carried forward</li> <li>Other underspends in area including staff</li> </ul>	<p>169</p> <p>(180)</p> <p>(120)</p> <p>(84)</p>

<b>Finance</b> <ul style="list-style-type: none"> <li>• Increase in Housing Benefit expenditure and reduction in subsidy on overpayments with the introduction of real time data from DWP</li> <li>• Additional grants not budgeted and staff saving in Revenues &amp; Benefits administration</li> <li>• Land charges – additional income and burden funding from Government</li> <li>• Other underspends and efficiencies across service</li> </ul>	801 (277) (78) (68)
<b>Environment</b> <ul style="list-style-type: none"> <li>• Car Park Income above budget</li> <li>• Staff savings across Portfolio</li> <li>• Saving in leisure centre premises costs</li> <li>• Other underspend and efficiencies across portfolio</li> </ul>	(146) (123) (34) (274)
<b>Economy and Regeneration</b> <ul style="list-style-type: none"> <li>• Reserve funding costs (relocation travel &amp; LABGI projects) to be carried forward into future years</li> <li>• Service Lead, property, estates and economic development staff vacancies</li> <li>• Underspend on Asset Management Plan, part to be carried forward</li> <li>• Industrial Site income below budget</li> <li>• Other underspend and efficiencies across portfolio</li> </ul>	(327) (85) (29) 32 (45)
<b>Corporate Services</b> <ul style="list-style-type: none"> <li>• Additional strata savings returned to Council</li> </ul>	(114)
<b>Corporate Business</b> <ul style="list-style-type: none"> <li>• No variation</li> </ul>	-

## b) Main Expenditure/Income Types – Budget v Actual



*Note: Third Party Payments are; Recycling & Refuse Contract, Strata Contract and LED Contract. Transfers are Housing Benefit Payments*

The main variations have been covered, but to highlight;

- Employees - Underspend on staff costs, mainly vacancies £391k
- Transport – Budget included of £200k for office relocation staff payments where majority of costs will be incurred in later years.
- Main reduction in income receipts are: recycling credits £251k, Home safeguard £56k, Planning Income £169k, and a number of other areas but these have been offset by increased car park income £147k

**Report to:** Cabinet  
**Date of Meeting:** 6 June 2018  
**Public Document:** Yes  
**Exemption:** None

**Review date for release:** None

**Agenda item:** 12

**Subject:** Monthly Performance Report April 2018

**Purpose of report:** Performance information for the 2017/18 financial year for April 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 April 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](mailto:kjenkins@eastdevon.gov.uk)

ext 2762

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

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

**Equalities impact:** Low Impact

**Risk:** Low Risk

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

**Links to background information:**

- [Appendix A – Monthly Performance Snapshot for April 2018](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2017/18 financial year up to April 2018](#)
- [Appendix C – System Thinking Reports for Housing, Development Management and Streetscene for April 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:
  - Days taken to process changes to Housing Benefit claims
  - Working days lost due to sickness absence
3. There are two performance indicator showing as concern for the month of April  
**Percentage of planning appeal decisions allowed against the authority's decision to refuse** - Five appeal decisions were received this month, three of the appeals were allowed. However, this sample of decisions is considered to be too small to formulate any conclusions in respect of overall performance.  
**Days taken to process new Housing Benefit claims** - Performance always dips around annual billing due to the increased volume of work.
4. Monthly Performance Snapshot for April 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, Development Management and Streetscene appear in [Appendix C](#).

# Monthly Performance Snapshot – April 2018



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

- An estimated **57%** of all waste collected was recycled in April
- **92%** of invoices received by us are paid within 10 days
- Less than **2.5 days** on average to clear fly tipping cases, dealing with **49 cases** in April
- **97.77%** of rent due on council owned homes collected % excluding former tenant arrears (96.64% including former tenant arrears).
- **1,831** visitors came to 'A Curious Turn' exhibition at the Thelma Hulbert Gallery up by 31% from last April, donations to the Gallery were also up +190% at £878 and shop sales were up +19% at £2,581

Latest headlines:

- East Devon may benefit from two funding submissions to the CCF this month. EDDC has submitted an application for £860,000 to deliver a portfolio of projects to improve connectivity, visibility and accessibility across our coastline. Grenadier Estates is also bidding for £1m funding to build the Exmouth Watersports Centre at Queen's Drive. If successful the projects will be invited to the full application stage in July 2018.
- The Economic Development team supported our Development Management colleagues in successfully defending the employment use at the former Halse of Honiton site. Evidence on economic impact and the lack of available commercial land in the town underpinned the Committee's refusal of the Homes England proposal for residential development of the site.
- We welcomed 531 visitors to East Devon Business Centre over the month of April. This included people attending meetings or training sessions, business visitors to our tenants and Registrar appointments. We are seeing a steady increase in numbers month on month as the Centre continues to be a popular and convenient venue.
- Blackdown House construction continues with eaves and roof height now reached. Contractor advises of some delay following bad weather and will seek opportunities to make up time as weather improves and building is made watertight. Access road to Blackdown House discussed with Business Centre Tenants. Planning application in preparation.
- Knowle Park Gingko tree trenched and prepared for future replanting.
- Registry Office now returned to Exmouth Town Hall.
- The first phase of construction of new Streetscene office building at Manstone Depot is now complete, with the next phase to follow in June.
- Tenants & officers attended the East & Mid Devon Community Safety Conference in Broadclyst to discuss issues around domestic abuse, how it affects young people, organised drug gangs and protecting young people from sexual exploitation.

- Nearly 400 local school children have so far participated in automata workshops coordinating with the current 'A Curious Turn' Exhibition at the Thelma Hulbert Gallery
- The Story of the Beach Boys completely sells out at the Manor Pavilion Theatre. While East Devon Dance Academy performed Multiplicity 2018 from Wed till Saturday and played to 95%.



## Agenda Item: 13

### Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations

Under Regulation 19, there is a requirement to submit an annual report containing details of each executive decision which was agreed as urgent under Regulation 11 (Cases of special urgency) where less than 5 days' notice could be given.

<b>14 June 2017</b>	<b>Planning Obligations SPD</b>	<p>The Planning Obligations SPD had already undergone one consultation exercise in November 2016, following which the Strategic Planning Committee requested a subsequent 4 week consultation.</p> <p><b>Reason for urgency:</b> Reason of requirement in place to inform pending appeal statements.</p>
Decision Minute *4	The Planning Obligations Supplementary Planning Document be adopted.	
Reason for decision:	The Planning Obligations SPD would form a material consideration in the determination of planning applications.	
Decision made by Council	26 July 2017, Minute 25	
<b>14 June 2017</b>	<p><b>Phase 2 of Recycling and Waste Contract</b></p> <p><b>Letter to the Health and Adult Care Scrutiny Committee</b></p>	<p>Portfolio Holder for Environment reported early statistics on increased recycling following the start of phase two of the contract that had begun that week. He expressed his thanks to the officers and contractors involved for their hard work.</p> <p>In response to a question about the recent motion at Annual Council regarding the NEW Devon CCG Sustainability and transformation plan, the Chief Executive confirmed that a letter setting out the concerns raised by councillors had been sent to the Chairman of the Health and Adult Care Scrutiny Committee. Cllr Diviani confirmed that he would be sitting on the Committee as the District Councils Network representative and he would be making sure that this Councils views, echoed by other District Councils, would be put to the Committee.</p>

<p><b>6 September 2017</b></p>	<p><b>Queen's Drive, Exmouth Update and Action</b></p>	<p>The Chairman agreed to this late item which advised members on progress regarding Queen's Drive regeneration and sought urgent approval for a change to terms offered on a site tenancy.</p> <p><b>Reason for urgency:</b> The offer of an extended arrangement to enable the café to continue trading is a reflection of council, especially local Exmouth members' willingness to allow continued trading and a further opportunity for the café business to plan for its future.</p>
<p>Decision Minute *71</p>	<p>1. it was noted that the council had re-acquired the former fun park site and the extended license arrangement of the former tenant had been completed, and 2. that the Council offer a further extended lease arrangement to the tenant of the Harbour View café pending future re-acquisition to enable redevelopment of the site, incorporating the terms detailed in the report but with delegated authority given to the Deputy Chief Executive to negotiate and agree Heads of Terms and complete the relevant documentation.</p>	
<p>Reason for decision:</p>	<p>The former fun park site had returned to council ownership in line with both legal and planning expectations. The council had been deriving no rent from the site by agreement with the former tenant for over a year. The offer of an extended arrangement to enable the café to continue trading is a reflection of council, especially local Exmouth members' willingness to allow continued trading and a further opportunity for the café business to plan for its future.</p>	
<p>Decision made by Council</p>	<p>25 October 2017, Minute 40</p>	
<p><b>29 November 2017</b></p>	<p><b>Introduction of a chargeable Green Waste collection service</b></p>	<p>The Chairman agreed to this late report which outlined service delivery options for a green waste collection service for the residents of East Devon District Council.</p> <p><b>Reason for urgency:</b> To enable the Project Team to continue to plan for the implementation of the new service to meet the indicative timetable, and in the case of recommendations 4, 5 and 6 to provide delegated authority for some time critical decisions.</p>

Decision Minute 134	<ol style="list-style-type: none"> <li>1. Approve the green waste collection service design as set out in the report, and the provisional service start date of 14 May 2018, and</li> <li>2. Approve the proposed customer charges for the service, as detailed in the report, and</li> <li>3. Delegate authority to the Service Lead - StreetScene to provide written confirmation to Devon County Council that EDDC intend to put in place a green waste collection service with a provisional commencement date of 14 May 2018 and thus enable a disposal facility to be put in place, as set out in para 4.5, and</li> <li>4. Delegate authority to the Strategic Lead for Housing, Health &amp; Environment in consultation with the Portfolio Holders for Environment and Finance and the Strategic Lead for Finance to approve the procurement method for purchase of the green waste containers and the initial quantity to be purchased to best meet the projected needs of the service, as set out in para 6.6, and</li> <li>5. Delegate authority to the Strategic Lead for Housing, Health &amp; Environment in consultation with the Portfolio Holders for Environment and Finance and Strategic Leads for Finance and Governance and Licensing to conclude analysis and agree the pricing model which best meets our Transformation Strategy savings targets, negotiate and complete any contract amendments with Suez, finalise the customer service agreement and implement the green waste collection service, and</li> <li>6. That Council receives an update on the financial position at its meeting on 13 December.</li> </ol>
Reason for decision:	To enable the Project Team to continue to plan for the implementation of the new service to meet the indicative timetable, and in the case of recommendations 4, 5 and 6 to provide delegated authority for some time critical decisions.
Decision made by Council	13 December 2017, Minute 53

29 November 2017	Request for a £1.723m two year loan from the Exeter Science Park Ltd to fund Grow-on Building 1A	<p>ESPL has proposed to EDDC a funding arrangement to support their construction of additional 800sqm of business space at the Science Park site.</p> <p><b>Reason for urgency:</b> The site was a key element of the wider Growth Point and was now included within East Devon's Enterprise Zone.</p>
Decision Minute135	<p><b>RECOMMENDED:</b> that Cabinet recommends to Council to;</p> <ol style="list-style-type: none"> <li>1. Approve a 2 year loan arrangement to ESPL for the sum of £1,732,000 plus an appropriate rate of interest to ensure State Aid compliance to enable the construction of 800m2 of additional business space on the Science Park,</li> <li>2. Give delegated authority to the Chief Executive in consultation with the Strategic Leads for Finance and Governance and Licensing to prepare and enter into appropriate loan agreements and security documentation (including against the new building), and</li> </ol> <p>that Cabinet notes that;</p> <ol style="list-style-type: none"> <li>3. SMT will in future receive progress reports on construction and operational phases and loan repayment arrangements with further reports to be brought back to Cabinet as required.</li> </ol>	
Reason for decision:	<p>EDDC was a shareholder and board member of ESPL. The site was a key element of the wider Growth Point and was now included within East Devon's Enterprise Zone. The Science Park was a key element of EDDC and its partners' commitment to promoting a high productivity and knowledge based economy. New business space on the site would enable ESPL to secure additional income to reinvest and EDDC would derive a higher rate of return than it could secure from its current investment arrangements. The council loan would be secured against the building and during the loan period ESPL would pay interest.</p>	
Decision made by Council	13 December 2017, Minute 53	

4 April 2018	<b>Minutes of the Budget Working Party held on 27 March 2018</b>	For budget recommendations for additional resources that required Council approval at the meeting on 25 April 2018.  <b>Reason for urgency:</b> For budget reasons.
Decision Minute *196	<p><b>RESOLVED (1) that the following recommendations be agreed:</b></p> <p><b>Minute 3 - Update on Medium Term Financial (MTFP)</b></p> <ol style="list-style-type: none"> <li>1. the actions set out in Table 2 of the update report paragraph 2.2 and that they be included in the Transformation Strategy, be endorsed;</li> <li>2. £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;</li> <li>3. £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.</li> </ol> <p><b>Minute 5 - Business case for Digital Services Officer</b> the new post of Digital Services Officer be implemented, initially funded from the Transformation Reserve for a three year period.</p> <p><b>Minute 6 - Asset Investment Strategy</b></p> <ol style="list-style-type: none"> <li>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;</li> <li>2. a strategy be prepared by September 2018 to detail and seek approval for: <ol style="list-style-type: none"> <li>a. a capital funding/borrowing stream of up to £10m (income only fund) where justified by business case and strategic considerations. This investment was to be purely for income generation,</li> <li>b. a capital funding/borrowing stream of up to £10m (income plus fund) where justified by business case and strategic considerations, this investment was for wider District benefits and with different assessment criteria,</li> <li>c. covers a preference for investment in the District unless there was a significant greater return in investing in property outside of the District boundary.</li> </ol> </li> </ol>	
Reason for decision:	For budget recommendations for additional resources that required Council approval at the meeting on 25 April 2018.	
Decision made by Council	25 April 2018, Minute 73	

**Report to:** Cabinet  
**Date of Meeting:** 6 June 2018  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 14

**Subject:** **Communities Together Fund**

**Purpose of report:** Devon County Council and East Devon District Council have worked together, for the sixth year running, to put £1.10 per elector into a fund that communities can apply for - £1 from Devon County Council and 10p per elector from the New Homes Bonus.

Previously this funding was given out by the Parishes Together Fund, which no longer exists. Last year the Parishes Together Fund gave out over £100,000 to 34 community projects. This year the money will be given out through the Communities Together Fund, which is a new and significantly different grants scheme. In East Devon in 2018/2019 this amounts to £126,830. Very similar schemes will be in operation throughout the Devon County Council area. The rest of the districts throughout Devon also put 10p per elector into their schemes.

Currently, EDDC does not have a way of distributing this funding, we are required to develop rules for the scheme which must be in accordance with the formal principles of the Communities Together Fund received from Devon County Council.

Working within the overarching formal principles, Councillors have recommended and approved some of the more specific rules for the funding.

Working within these parameters the Community Engagement and Funding Officer has drafted the application form and guidance notes. These have been recommended for approval by the New Homes Bonus Panel (the EDDC panel that is responsible for the Communities Together Fund) and are what you are being asked to approve and adopt at this meeting.

**Recommendation:**

- (1) That Members note that the Parishes Together Fund has now ceased**
- (2) That Members approve and adopt the Communities Together Fund application form and guidance notes as set out in this Report.**
- (3) That delegated authority be granted to the Strategic Lead – Organisational Development and Transformation to agree detailed terms for the operation and management of the Communities Together Fund**

**(4) That delegated authority be granted to the New Homes Bonus Panel to approve the allocation of grant payments to applicants in accordance with the rules of the scheme set out in this Report.**

<b>Reason for recommendation:</b>	To ensure the Council can distribute funding, the majority provided by Devon County Council, to East Devon's communities through an approved grants process.
<b>Officer:</b>	Jamie Buckley Engagement and Funding Officer 01395 517569 email: <a href="mailto:jbuckley@eastdevon.gov.uk">jbuckley@eastdevon.gov.uk</a>
<b>Financial implications:</b>	The budget already exists for this fund, a reserve was originally created from New Homes Bonus monies to meet cost over a 10 year period.
<b>Legal implications:</b>	Legal Services has been involved in the drafting of the guidelines and the application. It will be important that the scheme is administered in an appropriate way and we understand that a scoring matrix will be produced that ensures that this happens. We have no further comment to make.
<b>Equalities impact:</b>	High Impact  The projects funded could have a potentially high positive impact on equalities. For example, projects that apply could be to tackle youth mental health, isolation of older people and improvements to disabled access.
<b>Risk:</b>	High Risk  There is a risk that inappropriate projects and / or inappropriate organisations could be funded. The application form and guidance notes as drafted mitigate that risk as much as possible. For example, by ensuring that only certain types of organisations can apply, and that we have all the information we need, including governing documents, accounts information and quotations, before making appropriate decisions on the application. The scoring matrix that will be used to help make decisions on the grants applications will mitigate this risk further.
<b>Links to background information:</b>	<ul style="list-style-type: none"><li>• <a href="#">EDDC Cabinet 7 March 2018</a></li><li>• <a href="#">EDDC New Homes Bonus Panel Agenda 29 January 2018</a></li><li>• <a href="#">EDDC New Homes Bonus Panel Minutes 29 January 2018</a></li><li>• <a href="#">Parishes Together Fund</a></li><li>• <a href="#">EDDC New Homes Bonus Panel Agenda and Minutes 14 May 2018</a></li></ul>
<b>Link to Council Plan:</b>	<ul style="list-style-type: none"><li>• Encouraging communities to be outstanding</li><li>• Delivering and promoting our outstanding environment</li><li>• Developing an outstanding local economy</li></ul>

## Report in full

### 1. What used to exist

The Parishes Together Fund existed from 2012/2013 until 2017/2018. Devon County Council always referred to it as the Town and Parish (TAP) Fund and districts often had

their own local names for it. Devon County Council put £1 per elector within East Devon into the fund, and EDDC added 10p per elector from its New Homes Bonus. EDDC administered and managed the grants scheme. Parish and town councils had to work together to apply to us for money for community projects. This funded many very successful projects, and also created links between town and parish councils where before there were none.

## 2. **Why has it changed**

Whilst carrying out the grants scheme it became clear that the rules and way it worked could be improved to meet the original aims and get the best use of the funding for community projects; this was further reinforced by the findings of an audit carried out by DCC in 2017/2018. New principles and a new name for the funding were written. Devon wide it is now to be called the Communities Together Fund, and all the districts will allocate the funding using the same overarching principles from Devon County Council. It would still be funded by £1 per elector from DCC and 10p per elector from EDDC, and administered and managed by EDDC. You can see the final principles, as approved, in [Appendix 1](#).

## 3. **What it has changed to**

There is limited scope to set the rules for the funding, as guidance principles for the Communities Together Fund ([Appendix 1](#)) need to be followed. In particular:

3.1. The Fund exists to encourage communities to work together; identifying new ideas for their mutual benefit. Applications are welcome from community projects benefiting, enhancing and making a difference to communities.

3.2. Match funding is encouraged. Demonstrating match funding (which can be in the form of own fundraising and/or other funding sources secured), or equivalent benefits in kind (such as commitments of labour, time or expertise), will increase the chance of an application being approved.

3.3. Applicants need to demonstrate to Fund decision-makers (which includes the relevant District /DCC Members) that:

- a. they have explored opportunities to work with other voluntary and community groups to either identify and/or carry out the proposed project.
- b. the project proposal benefits more than one Town or Parish (or the equivalent in Exeter City).

3.4. As the fund exists to help identify new ideas to benefit communities, regular activity such as grass cutting, ditch and drainage work and any other associated 'lengthsman' duties, are no longer eligible for funding.

3.5. Funds should not be used to support projects that are the direct responsibility or statutory obligation of another organisation.

3.6. Funds cannot be used for on-going staff costs or the day to day running of a project, unless this is during a transition phase with documented evidence of how the project will become sustainable post-transition.

## 4. **The East Devon specific rules**

Taking into account the overarching principles, the New Homes Bonus Panel recommended that:



- The fund be opened up to other community based organisations to fit in with overarching principle 3.1 above. Town and parish councils had sometimes been applying on behalf of other community groups, this nearly always led to difficulties. However, any applicant that wasn't a town or parish council would have to get written support of at least one of the town or parish councils their project covers.
- That the maximum amount organisations could apply for would be £30,000 (20% of the fund's total)
- Match funding of at least 20% of the total project costs must be gained.
- That a trial scheme of a 'Dragons Den' style approach be undertaken in one of East Devon's larger towns. This would be where voluntary and community groups within the town, and the town council, would have a ring-fenced sum of money and be invited to put forward their projects. An event would be held where members of the community can come along, hear a short presentation on each projects and vote for the projects they think should receive the funding. As recommended at the panel meeting, the Exmouth Town Council clerk has had a preliminary discussion with Exmouth Town Councillors, who would be very supportive of this approach.

Cabinet approved these Minutes and made the recommendations above on 7 March 2018.

## **5. The draft guidance notes and application form**

Please see [Appendix 2](#) and [Appendix 3](#). These drafts were recommended to Cabinet for approval by EDDC's New Homes Bonus Panel (the panel that is responsible for the Communities Together Fund) on 14 May 2018.

These have been drafted by the Community Engagement and Funding Officer taking into account both sections 3 and 4 plus:

- Knowledge and experience of funding and running grants streams. In particular, reducing the risk to EDDC of funding inappropriate projects and / or inappropriate organisations. For example, by ensuring that only certain types of organisations can apply, and that we have all the information we need, including governing documents, accounts information and quotations, before making appropriate decisions on the application.
- Comments from the EDDC Legal Team. Additions and changes to the information will be made in co-ordination with the Legal Team to take account of the General Data Protection Regulation once the relevant information is available, which it wasn't at the time of writing this report.
- Comments from the EDDC Finance Team, particularly around the numbers of quotations requested and how those quotations must be obtained.
- Comments from Devon County Council.

## **Fund Scheme 2018-19 Guidance Principles**

Whilst Devon County Council (DCC) acknowledges that each District experiences different demand from applicants and have differing processes for managing the fund in place, decisions on grants from the joint fund **MUST** be made having regard to the following guidance principles:

1. The Fund exists to encourage communities to work together; identifying new ideas for their mutual benefit. Applications are welcome from community projects benefiting, enhancing and making a difference to communities.
2. Match funding is encouraged. Demonstrating match funding (which can be in the form of own fundraising and/or other funding sources secured), or equivalent benefits in kind (such as commitments of labour, time or expertise), will increase the chance of an application being approved.
3. Applicants need to demonstrate to Fund decision-makers (which includes the relevant District /DCC Members) that :
  - a. they have explored opportunities to work with other voluntary and community groups to either identify and/or carry out the proposed project.
  - b. the project proposal benefits more than one Town or Parish (or the equivalent in Exeter City).
4. Funded projects will clearly acknowledge, in any related publicity, the Fund Scheme as a Devon County Council and District / City Council joint initiative.
5. For openness and accountability, all funded applications and the funding allocated will be published on the respective District / City Council website; alongside the total Fund Budget for the year, any unallocated/underspent funds remaining and information on how that will be managed. Any post project evaluations conducted will be made available on request.
6. Repeat funding should not be awarded unless there is a compelling business case proving transition to sustainability.
7. As the fund exists to help identify new ideas to benefit communities, regular activity such as grass cutting, ditch and drainage work and any other associated 'lengthsman' duties, are no longer eligible for funding.
8. Funds should not be used to support projects that are the direct responsibility or statutory obligation of another organisation.
9. Funds cannot be used for on-going staff costs or the day to day running of a project, unless this is during a transition phase with documented evidence of how the project will become sustainable post-transition.
10. Funds cannot be allocated to benefit individuals or private/for profit enterprises.
11. Funds must not be allocated retrospectively.

# Communities Together Fund 2018 / 2019



## Guidance Notes

### Communities Together Fund- An Introduction

Devon County Council and East Devon District Council have allocated a sum of money to be given in grants through the Communities Together Fund. This fund exists to encourage communities to work together; identifying new ideas for their mutual benefit. Projects should benefit, enhance and make a difference to communities.

Projects are more likely to be funded if they involve organisations working together. This could include voluntary and community groups, clubs, town and parish councils, community interest companies or registered charities. All applicants must demonstrate how they have explored opportunities to work together with others on the proposed project.

Projects must benefit two or more town or parish council areas within Devon. For example, this could be factors such as residents of neighbouring parish attending your project, or the project being delivered in multiple locations in different parishes.

Exmouth, as part of a pilot scheme, are managing their own funding so must not be included when counting how many town or parish council areas your project benefits. Although we will consider applications that include a small benefit to Exmouth as well as a larger benefit to two or more other town or parish councils, where there is a significant benefit to Exmouth or where Exmouth is the only beneficiary you must apply to the Exmouth fund through Exmouth Town Council.

### How much can you apply for?

- There is a total funding pot of at least £145,000. An accurate figure will be made available once we have completed the financial year end processes. This made up of £1.10 per elector in East Devon, plus the unallocated funding from the Parishes Together Fund which money was allocated to in the same way.
- You can apply for a maximum of £30,000 and a minimum of £400.
- A minimum of 20% of the total costs of your project must be funded from other sources. For example, for a project that costs £10,000 in total, you can apply to this fund for a maximum of £8,000 and must find

a minimum of £2,000 of the money to pay for the project from elsewhere. You should have at least the vast majority of your match funding in place before applying to us, preferably all of it.

- If the organisation paying for the project is VAT registered and is able to claim back VAT, you must only apply and claim for the net amount (total amount minus VAT).
- We'll pay grants upon receipt of invoices and receipts for the project as outlined in the application form unless you agree an exception with us in advance.
- There is likely to be a lot of competition for the funding, so not all projects will be funded. Have a good think about how much you really need and what other funding you might be able to find from elsewhere.

### Who can apply

Four types of organisations can apply:

1. **Town and parish councils.** Your project must benefit two or more town or parish council areas in East Devon, excluding Exmouth who are managing their own funding. Each application must be submitted jointly by two or more parish or town councils with one application form submitted by a lead parish or town council.

The following can also apply, as long as they have a governing document, which needs to be sent with the application:

2. **Charities registered with the Charities Commission.** You'll need to send in accounts from the previous financial year.
3. Properly constituted and regulated **Community Interest Companies** registered with Companies House. You'll need to send in accounts from the previous financial year.
4. **Voluntary and community groups and clubs** where someone like a town or a parish council has agreed in writing to be accountable for the project and the funding, and bankroll it. Please send evidence with your application. The accountable organisation will need to send in relevant documents.

Organisation types 2, 3 and 4 please note; all projects must benefit two or more town or parish council areas. Exmouth, as part of a pilot scheme, are managing their own funding so must not be included when counting how many town or parish council areas your project benefits. You must have the written support of at least one of the town and parish councils for the areas that would benefit from your project. To find out about town and parish council areas and how to contact them:

[http://www.eastdevon.gov.uk/parish\\_and\\_town\\_councils.htm](http://www.eastdevon.gov.uk/parish_and_town_councils.htm)

### What we will fund

- Projects that benefit two or more town or parish council areas within East Devon. For example, this could be factors such as residents of neighbouring parish attending your project, or the project being delivered in multiple locations in different parishes. Exmouth, as part of a pilot scheme, are managing their own funding so must not be included when counting how many town or parish council areas your project benefits. Although we will consider applications that include a small benefit to Exmouth as well as a larger benefit to two or more other town or parish councils, where there the majority of the benefit is to Exmouth or where Exmouth is the only beneficiary you must apply to the Exmouth fund through Exmouth Town Council, which is not yet open to applications.
- Projects that show communities working together; identifying new ideas for their mutual benefit. Applications are welcome from community projects benefiting, enhancing and making a difference to communities.
- All applicants must show that they have explored opportunities to work with other voluntary and community groups to either identify and/or carry out the proposed project.
- Grants are for both capital (one off costs of a permanent item, structure etc) and / or one off revenue costs (temporary items, events, start-up costs, costs of a time limited project etc.). Can include one off staff costs / time limited project staff costs.
- All grant money awarded must realistically be able to be spent and claimed within 12 months of receiving your grant offer letter.

### **What we won't fund**

- Projects that only benefit one town or parish council area within East Devon.
- Projects where there is a significant benefit to Exmouth or where Exmouth is the only beneficiary. In this case you must apply to the Exmouth fund through Exmouth Town Council.
- Unsustainable projects. For example, projects that need to continue beyond the life of the funding but are unlikely to be able to.
- Projects working with vulnerable people where there isn't a Safeguarding Policy and / or appropriately trained staff / volunteers.
- Projects for organisations that have more than 12 months running costs in reserves.
- Projects where planning permission is required but hasn't yet been given.
- Funds can't be given to help pay off debts.
- Projects that promote religion or politics.

- On-going costs including staff costs or costs for the day to day running of an organisation, unless this is during a transition phase with documented evidence of how the project will become sustainable post transition.
- Regular activity such as grass cutting, ditch and drainage work and other associated 'lengthsman' duties.
- Projects that are the statutory obligation of another statutory organisation for example Devon County Council, the Church or the NHS.
- Projects that will have already started before grant offers are made.
- Repeat projects. You can't apply for funding for the same project twice, unless there is a compelling business case proving this will help the change to the project becoming sustainable. We also won't fund projects that have previously received funding from the Parishes Together Fund.
- Funds can't be given to benefit individuals or private / for profit enterprises.
- Projects that are eligible for East Devon District Council's Community Buildings Fund: <http://eastdevon.gov.uk/grants-and-funding/community-buildings-fund/>

### **What to include as part of your application**

- Please send us quotations, tender specifications and evidence of cost as outlined:
  - All projects that will cost under £5,000 must include at least one written quotation from a contractor (if using a contractor) / supplier.
  - If the total cost of your project is between £5,001 and £100,000 you must provide a minimum of three quotations. For projects between £5,001 and £100,000 you must invite quotations using a written tender specification containing brief details of the project and asking for quotations to be submitted to you by a specified deadline. The same written tender specification must be sent to all organisations you're inviting to send you a quote. This is to ensure all organisations vying for the project have exactly the same information to use for their quotation.
  - If the total cost of your project is over £100,000 you must use a formal tender process and a minimum of 4 suppliers must respond to a written tender specification. If you aren't sure what this involves please contact us.
  - If for some reason you can't submit the required number of quotations please send us information / evidence of why this isn't possible.

## Appendix 2

- If your project doesn't involve any 3<sup>rd</sup> party quotations please give us as much detail as possible on how you reached your conclusion of costs.
- If you are applying as a voluntary or community group, Community Interest Company or a registered charity you'll need to send us a copy of your governing document. You must also send us the previous year's accounts for your organisation, or evidence that another organisation such as a town or parish council will be accountable for and bank roll your project. Also send us a letter of support from at least one of the town and parish councils that your project will cover.
- If your project involves work with vulnerable people then send us a copy of your safeguarding policy/policies and details of how any staff and volunteers are appropriately trained.
- Please send supporting documents wherever possible. This could include things such as; details of offers/ grants from any other funder/ organization, photographs, specifications and drawings, extracts from your Parish Plan(s) or Neighbourhood Plan(s), evidence of consultation e.g. letters of support, evidence of need for your project.

### **When to apply?**

The closing date for all applications is midnight on Thursday 22 November 2018. The fund is confirmed for this year only. Decisions on applications will be made at the middle or end of January 2019. This is a competitive fund, we don't expect to be able to fund all applications.

Once the deadline is reached incomplete applications will not be assessed.

### **How will we assess your application?**

Once the deadline has passed all applications undergo an eligibility check. If your application is incomplete or ineligible we will not take it any further.

If we have any queries on your application we will send those queries to the main contact for the application by email. They will need to respond by the deadline given or we will not take your application any further.

Once your application has been passed as eligible it will be presented to a group made up of EDDC Councillors and a Devon County Councillor, for a decision to be made.

The fund aims to support projects that are:

- needed locally
- of benefit to two or more parish / town council areas
- supported by the local community
- evidencing how they have explored opportunities to work with others
- well thought out and planned

## Appendix 2

- in receipt of the 20% of project costs from elsewhere

You will be told in writing whether your grant application has been successful or not. Successful applicants will receive a grant offer letter which must be signed and sent back to us within one month.

All monies must be claimed within 12 months of receiving your grant offer letter.

### **Privacy statement / data protection**

Please see our online Privacy Statement and Data Retention Policy: [????](#). If you'd like a paper copy please contact us.

All applications including any supporting evidence you send in with your application, and details of any funding allocated will be published on the East Devon District Council website in line with our Privacy Statement. This includes names of individuals and personal contact details being removed. Names and contact details of organisations and businesses will be published as part of your application. Successful projects will need to complete an evaluation form, which will also be published on our website in the same way.

### **Who do I contact?**

If you have any queries or to send in your application form and supporting documents please use the following contact details:  
Jamie Buckley, Community Engagement and Funding Officer, East Devon District Council, Knowle, Station Road, Sidmouth EX10 8HL  
Phone (01395) 517569  
E-mail [jbuckley@eastdevon.gov.uk](mailto:jbuckley@eastdevon.gov.uk)



# East Devon District Council and Devon County Council

## Communities Together Fund Application Form 2018 / 2019

Devon County Council and East Devon District Council have allocated a sum of money to be given in grants. This equates to £1.10 per elector in the District. The fund exists to encourage communities to work together; identifying new ideas for their mutual benefit. Applications are welcome from community projects benefiting, enhancing and making a difference to communities.

Please read the guidance notes thoroughly before completing the application form.

All applications must be with us by midnight on Wednesday 16 January 2019.

IMPORTANT- If your application is incomplete by the deadline, it will not be assessed and will be returned to you. Please ensure that all sections are complete and any supporting documentation has been attached before submitting your application.

### Section A - Your contact details

#### 1. Names of all the organisations involved in submitting this application:

Please nominate one lead person involved and fill in their details below. This nominated person will receive all communications about the funding and will receive and be responsible for any funding received on behalf of all involved.

Please see our online Privacy Statement and Data Retention Policy: [????](#). If you'd like a paper copy please contact us.

All applications including any supporting evidence you send in with your application, and details of any funding allocated will be published on the East Devon District Council website in line with our Privacy Statement. This includes names of individuals and personal contact details being removed. Names and contact details of organisations and businesses will be published as part of your application. Successful projects will need to complete an evaluation form, which will also be published on our website in the same way.

If you are a voluntary or community group where someone like a town or parish council has agreed in writing to be accountable for the project and bankroll it please put both your groups details and the accountable organisations details.

#### 2. Main contacts name, organisation they represent, and address (including postcode):

#### 3. Main contacts phone number:

#### 4. Main contacts e-mail:

Please put your official contact details and not your personal ones where this is different. The contact details on this form will be made public as part of the agenda and minutes of the decision making meeting.

**5. Is the lead organisation (the one who will be accountable for the funding):**

Although voluntary and community groups and clubs are eligible, they must work with a lead organisation who would be accountable and must fit into one of the categories below.

A charity registered with the Charities Commission

A Community Interest Company registered with Companies House

A town or parish council

**If the lead organisation is a registered charity, please put your charity number below:**

**If the lead organisation is a Community Interest Company please put your registration number below:**

## Section B - Eligibility checklist

### 6. If you answer 'No' to any of the following questions you are not eligible for this funding:

	Yes	No	Does not apply
Does your project benefit two or more town or parish council areas within East Devon? Exmouth, as part of a pilot scheme, are managing their own funding so must not be included when counting how many town or parish council areas your project benefits.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does your project show communities working together; identifying new ideas for their mutual benefit?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does your project benefit, enhance and/or make a difference to communities?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have you explored opportunities to work with other voluntary and community groups to either identify and/or carry out the proposed project? For example; town and parish councils, Community Interest Companies, registered charities, other voluntary and community groups.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will a minimum of 20% of the total costs of your project be funded from elsewhere?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are you applying to us for funding of between £400 and £30,000?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you have one written quotation if the total cost of your project is under £5,000, three written quotes if it is between £5,000 and £100,000, or five written quotes if it is over £100,000?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will any grant money awarded be able to be spent and claimed within 12 months of receiving your grant offer letter in around January 2019?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If you aren't a town or parish council, do you have or will you get the written support of one or more of the parish or town councils in the area your project will benefit and send it in with your application?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If you aren't a town or parish council, did you or will you let your EDDC Ward Councillor know about your project before you send in your application?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are you; a town or parish council, Community Interest Company registered with Companies House, or a voluntary or community group where someone like a town or parish council has agreed in writing to be accountable for the project and bankroll it?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If you are a town or parish council, are you submitting this application jointly on behalf of two or more parish or town councils?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If your project is working with vulnerable people do you have a Safeguarding Policy and appropriately trained staff/volunteers?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### 7. If you answer 'Yes' to any of the following questions you are not eligible for this funding:

	Yes	No	Does not apply
Is your project eligible for our Community Buildings Fund? <a href="http://eastdevon.gov.uk/grants-and-funding/community-buildings-fund">eastdevon.gov.uk/grants-and-funding/community-buildings-fund</a>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Has your project received funding from the Parishes Together Fund?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is your project any of the following; promoting religion or politics, unsustainable, the direct responsibility or statutory obligation of another statutory organisation, regular activity such as lengthsman duties, on-going staff costs or costs for the day to day running of an organisation, to fund budget shortfalls or pay off debts, to fund a project where planning permission is needed but hasn't been given.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will any of the project costs be raised by means of a mortgage or loan secured on a property?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is your project due to start before the end of January 2019?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are a significant amount of the beneficiaries of your project within the Exmouth Town Council area? As part of a pilot project, Exmouth Town Council are managing their own funding so aren't included.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**If you are ineligible and feel you should be eligible please call us to discuss on 01395 517569.**

**Section B - About your project**

When filling in section B, please remember you will be competing with others for this funding. We can only assess your application on what you submit, so to have the best chance of being successful please read the guidance notes, the notes underneath the question and give us as much information as possible.

**8. What is your project?**

**Should be approximately 250 words.**

Describe in detail what is involved with your project. What do you intend to do? We want to know what you will do with the grant and what exactly it will pay for.

**9. How have you explored opportunities to work with other voluntary and community groups to either identify and / or carry out your proposed project, and how are you committed to working together on the project:**

**Should be approximately 100 words**

For example; town and parish councils, Community Interest Companies, registered charities, other voluntary and community groups.

Send any accompanying evidence you have of this with your application form.

**10. Why do you want to carry out this project and what difference will it make?**

**Should be approximately 100 words**

Outline what impact / difference the project will have on the quality of life for your users and community e.g. how it will solve a local issue, improve services or engage more residents in their communities.

**11. How do you know this is needed? Who and how have you consulted?**

**Should be approximately 100 words**

How do you know this is what is needed and wanted by the community? You may wish to include letters of support from town and parish councils involved, voluntary and community groups, residents, local organisations, businesses, Councillors etc. Have you undertaken any consultation exercises like Parish Plans, public meetings, other surveys that support your application. Is there any statistical evidence to support your application?

**12. When do you intend to start work on this project and how long is work likely to take?**

Funding can only be given to work that has not happened. Do not start spending on your project until we have confirmed we have received back your signed copy of your official letter offering the grant, which we would normally send to you a couple of months after the November 2018 closing date. We can't pay for the project if it has been started before this has happened. The project must be completed within 12 months of you receiving a grant offer letter if you are successful.

**13. How is your project sustainable?**

**Should be approximately 100 words**

For example, is it a one off event, will the money pay for buying some items that will stay with the project, is it some funding to kick start a project or is it work that the results of will last for a long time. If it is successful and needs longer term funding how will you make sure the project can carry on, for example by paying for it from main parish or town council budgets.

## Section C - Project costs and match funding

**14.** Every project needs to include a written quotation from at least one contractor / supplier / provider. If the total cost of the project is over £5,000 but less than £100,000 you must get a minimum of three written quotations, or detail why this is not possible e.g. only one supplier that can do the project. If your project costs are over £100,000 you must provide five written quotations, or detail why this isn't possible. Have you done this and included it as part of your application?

- Yes - please detail as part of question 17 and send written quote(s) with your application
- No - you need to do this before submitting your application, even with ditches and drainage projects

**15.** What is the total cost of your whole project, and how have you arrived at that cost e.g. please detail and include quotes you have received for the project?

Please note that all of the funding will be passed onto the organisation leading the application. It will be up to the applicants to distribute from there.

We'll pay grants upon receipt of invoices or receipts, unless you agree an exception to this with us in advance.

**16.** Can you claim the VAT back on your project costs?

- Yes - please apply for the costs without including the VAT you can claim back
- No - please apply for the project costs inclusive of VAT

## 17. Funding

You need to have a minimum of 20% of the total project costs from other sources to be eligible.

**Total grant you are requesting from the Communities Together Fund:**

Other confirmed match funding (please give more details below of where the funding is coming from and how much it is for):

Other unconfirmed match funding (please give more details below of funding that has been applied for and how much it would be for):

Total cost of project:

Shortfall (please specify below how this shortfall will be met):

## Section D - Checklist

**18.** Please tick below to indicate that you have understood and agree to your application form and supporting evidence being used and published in both of the ways outlined below:

- You have understood that we are subject to Freedom of Information legislation. Unless the information contained with and within this application is legally classed as confidential or protected under current data protection legislation it will be made public, usually in the form of being published on our website. This will be in the form of the agenda and minutes of the decision making meeting and to fit in with any other Freedom of Information requests. If any information you have given is exempt from disclosure under the Freedom of Information Act, it may be redacted before the remainder is published. Find out more here: <http://eastdevon.gov.uk/access-to-information/freedom-of-information/>



- You have understood our online Privacy Statement and Data Retention Policy: ??? This includes all applications including any supporting evidence you send in with your application, and details of any funding allocated, being published on the East Devon District Council website in line with our Privacy Statement. This includes names of individuals and personal contact details being removed. Names and contact details of organisations and businesses will be published as part of your application. Successful projects will need to complete an evaluation form, which will also be published on our website in the same way.

**If you don't tick this box your application can't go forward.**



**Please check you have completed all of the information above.**

**You must include:**

- Any relevant documents as outlined in guidance notes, for example accounts, governing documents, safeguarding policies.
- The appropriate number and type of quotations for the cost of your project, and any invitations to tender documents.
- If you are not a town or parish council you must include written support from at least one of the town and parish councils in the area your project will benefit. You must also have made your EDDC Ward Councillor aware of your project.

**You may also wish to include the following to support your application:**

- Details of offers/ grants from any other funder/ organisation
- Photographs, specifications and drawings
- Extracts from Parish Plan(s) or Neighbourhood Plan(s)
- Evidence of consultation e.g. letters of support

**Before signing, please read**

**I confirm that:**

- I am authorised by the organisations involved to sign on their behalf.
- Funding will not directly benefit any individual or private business and will only be used for the purposes specified within the application.
- I understand that funding will only be paid upon receipt of valid invoices/ receipts.
- That we will provide East Devon District Council with information of how the funding has benefitted the community on request.

**19. Signature of applicant (or type name and this will be counted as a signature):**

**20. Date:**

**The closing date for applications will be midnight on Wednesday 16 January 2019.**

**At this stage Devon County Council have only been able to confirm their funding of this scheme for this year only.**

**Please send completed forms and accompanying information to:**

**Post: Jamie Buckley, Engagement and Funding Officer, East Devon District Council, Knowle, Station Road, Sidmouth, EX10 8HL**

**E-mail: [jbuckley@eastdevon.gov.uk](mailto:jbuckley@eastdevon.gov.uk)**

**Report to:** Cabinet  
**Date of Meeting:** 6 June 2018  
**Public Document:** Yes  
**Exemption:** None

**Review date for release** None

**Agenda item:** 15

**Subject:** Sale of Local Authority Garage sites

**Purpose of report:** Following an agreement in principle to the sale of rural EDDC garage blocks in Luppitt and Plymtree on 10<sup>th</sup> February 2016, EDDC HRA Officers instructed external agents to market the sale of these sites. This report provides details of the process leading up to agreement of Heads of Terms for the sales. This report requests approval to proceed with these 2 sales on the broad terms agreed and set out within report and to delegate to named Officers the ability to determine detailed terms for the conveyances.

**Recommendation:**

- 1.1 That authorisation be given to sell the garage sites at Plymtree and Luppitt at the agreed sale prices detailed in 7.2.7 and 7.3.6.
- 1.2 That delegated authority be granted to Senior Manager, Property and Estates along with Principal Solicitor to negotiate and agree detailed terms.

**Reason for recommendation:** Following an agreement in principle being agreed to the disposal of these garages sites, this report summarises the progress made towards that aim. We are now in a position to seek formal approval for the sale of the garages sites, subject to detailed terms being negotiated by the delegated officers.

**Officer:** Tim Laurence-Othen, Housing Projects Officer ext:2144  
Email: [TLaurence-Othen@eastdevon.gov.uk](mailto:TLaurence-Othen@eastdevon.gov.uk)

**Financial implications:** Financial details are contained in the report and evidence has been obtained to ensure the Council is receiving best value. This income will be treated as capital receipt to be used within the HRA.

**Legal implications:** Legal Services has provided advice in respect of this transaction. We are content with the transaction as structured to include an overage provision. We have no further legal comment to make at this time.

**Equalities impact:** Low Impact

**Risk:** Low Risk

- 1.1 Selling the garages and associated land carries the risk that should the land be developed in the future, the value of the land may increase beyond that which we sold it for. However, with the planning constraints detailed in this report the risk of this is thought to be low. In addition, the inclusion of an overage clause will ensure that in the unlikely event of such a situation arising, the Council would be able to recover 50% of any increase in value for a term of 20 years from date of sale.



- Links to background information:**
- [Housing Review Board Sept 2012](#) Item 14
  - [Housing Review Board Sept 2013](#) Item 14
  - [Housing Review Board Jan 2016](#) Item 15
- Link to Council Plan:** Continuously improving to be an outstanding council.

## Report in full

### 2. Background

- 2.1 The Housing Review Board (HRB) set up a Garage Task and Finish Forum (TAFF) in 2012 to review the HRA garage portfolio and consider which garages should be retained, which had housing development potential and which sites should be disposed of.
- 2.2 By September 2013 it had been decided that neither Plymtree nor Luppitt were suitable for development due to their location in open countryside.
- 2.3 The next HRB report on the garage review was produced in January 2016. In the intervening period, the review of our garage stock and waiting list was completed.
- 2.4 A report produced in January 2016 for the HRB noted that Plymtree and Luppitt garage sites had high vacancy rates and were in poor condition. Paragraph 6.2 of the same report recommended the sale of these garages. It was felt that little or no income was being generated by the garages and with repairs not being carried out, the garages would further deteriorate and lose value.
- 2.5 It was also noted that the disposal of these garage sites would generate capital receipts which could be reinvested in maintaining the current housing stock.
- 2.6 The HRB recommendation arising from this meeting was taken to Cabinet in February 2016, where it was resolved, and subsequently this decision was approved by the Full Council later that month to dispose of both sites.
- 2.7 Following the HRB report of January 2016, limited resources meant that it was not possible to proceed with all the recommendations raised from the work of the TAFF, including the sale of the garages at Luppitt and Plymtree. However this project was restarted in October 2017 following the recruitment of an additional Project Officer post.
- 2.8 Officers have now proceeded to the point of agreeing a sale price, subject to contract and Council approval. It is this approval now being sought. This paper has been produced accordingly to explain the process we have undertaken and to request authorisation to dispose on the terms agreed.

### **3. Sales Approach**

3.1 Following discussions within the Housing Strategy Team, it was decided to offer the sites on the open market through a local estate agent. Selling in this way enables us to help ensure that the Council achieves best value for the sites.

3.2 Quotes were obtained from two local agents, Seddons and Greenslade Taylor Hunt (GTH). Seddons were instructed.

3.3 As we were not looking to maintain the responsibility for the upkeep of the garage sites post sale, we were keen to sell the garages freehold. It was also our view that we should look to sell the garages as a whole block rather than individually to achieve best value and marketability. Their thoughts echoed our own which gave us confidence that this would be an appropriate method for selling the garages.

3.4 Seddons proposed to market the sites at the following values:

- Luppitt - £60,000 with a view to achieving £56,000
- Plymtree - £44,000 with a view to achieving £40,000

It was emphasised that these prices were only estimates and based on sold prices for other garages in a decent state of repair. An unknown factor was the very rural location of the sites that might also restrict demand.

3.5 The sites were marketed in February 2018.

### **4. Terms of Sale**

#### **4.1 Access rights**

4.1.1 The Legal team prepared legal packs for us in advance of marketing to give us a clear idea of existing access rights on both sites.

4.1.2 Taking advice from Property & Estates the HRA decided to sell with existing access rights in place, but not to extend any rights to neighbouring properties.

#### **4.2 Overage**

4.2.1 On both sites, we have taken advice from Property & Estates and will only proceed with sales with the agreement of a 50% overage clause being in place for a period of 20 years to protect the Council from any enhanced value created through change of use from garages/ storage but also to protect against the sites facilitating access onto adjacent land.

### **5. Planning Advice**

5.1 As the advice from Planning was received over 4 years ago, a more up to date assessment on both sites was requested.

5.2 In respect of Plymtree, the Principle Planning Officer stated –

*'Plymtree is not recognised as a sustainable settlement in the EDDC Local Plan as it does not contain sufficient services required for daily living; neither does it have regular public transport links to more sustainable settlements.*

*As such, any residential development of the garages or adjacent field would need to be facilitated by a neighbourhood plan allocation for housing to meet the needs of the parish (or neighbourhood plan area). There is not currently an adopted neighbourhood plan for this area.*

*As such, at this time, any forthcoming application for either site would not receive officer support.'*

5.3 In respect of Luppitt, the view of Planning in regard to residential dwellings reflected that of 4.1.2 above.

5.4 It was suggested that other types of development (e.g. agricultural buildings, outdoor recreation facility, or small scale economic development) may be acceptable in principle, although this would be dependent on a number of criteria set out in the Local Plan being met.

5.5 The full planning response regarding Luppitt is contained in Annex 1 of this report.

## **6. Consideration of impact on residents**

6.1 At Luppitt, all residents had been informed of the decision to sell the site and the Council had received no objections from residents. There is also sufficient parking outside the properties and there was no evidence of the garage forecourt being used for parking. As a result it was decided that further consultation was not necessary and any enforcement action to ensure sale with vacant possession should not be required.

6.2 At Plymtree, the garage site was not being used by residents prior to it being marketed. Many residents have off road parking and on road parking is also available. For this reason it was felt that further consultation was not necessary and enforcement action to ensure sale with vacant possession should also not be required.

## **7. Site specific details**

7.1 Site Maps and pictures can be viewed in Annex 2 to this report.

### **7.2 Luppitt Garages**

7.2.1 The garages at Luppitt consist of two blocks; one with 3 garages and one with 4. The garages themselves are in a very poor condition. All are leaking, 3 require new doors and the roofs will need replacing. There is also a forecourt that provides enough space for access to each garage.

7.2.2 Initial interest came from local people who asked if the site could be split into two lots (e.g. one block each). After consideration the Council agreed to remarket accordingly.

- 7.2.3 We received 3 separate offers, all of which were significantly lower than the £60,000 asking price, between £28,000 and £35,000.
- 7.2.4 Feedback from viewers was that the state of the garages was a major issue. Some investors had made enquiries to the Estate Agent but felt that it was not a great opportunity for them and did not submit any offers.
- 7.2.5 Following a discussion with the estate agent, we reduced the price to £52,000, this did not attract any further offers.
- 7.2.6 As the agent considered that the offers on the table represented the best value that could be achieved given the state and location of the garages, we instructed Seddons to ask for final offers from the potential purchasers.
- 7.2.7 This resulted in us agreeing a sale price of £38,500 for both blocks of garages together, subject to contract.

### **7.3 Plymtree Garages**

- 7.3.1 There are 4 garages at Plymtree in one block, and a forecourt reached by a narrow approach road included in the sale.
- 7.3.2 Interest in this site also came from local residents.
- 7.3.3 Although these garages are in better condition than those at Luppitt, the roof is not in good condition, leaking into all four garages.
- 7.3.4 We received 3 separate offers for the garages, between £25,000 and £30,000.
- 7.3.5 As with Luppitt, the condition of the garages and lack of development opportunity restricted the level of interest, leading us to reduce the asking price down to £37,500.
- 7.3.6 This did result in a slightly increased offer, and the Council has agreed a sale price of £32,000 subject to contract.

## **8. Comments from Senior Manager, Property & Estates**

- 8.1 Property & Estates have not led on this transaction but have provided professional advice within recent weeks in respect of the need to incorporate overage provisions into both disposals.
- 8.2 The sites are being sold as garages/ storage and this has been reflected in the price offered and I am not aware that the purchaser indeed intends using for any different use. The Council as vendor (separate to its duty as planning authority/ Environmental Health etc.) has no objection if the purchaser wishes to let out the garages, individually or as a whole, nor if the purchaser wishes to demolish and rebuild garages or storage type buildings, or indeed have the site as bare land for storage. If on the other hand, the land were to be developed for a more valuable use in whole or in part, as a standalone plot or together with adjacent land, then the Council would seek 50% of any increase in value for the term of 20 years from the date of transfer. This is to satisfy the Council in evidencing best consideration for this disposal under the requirements of the

Local Government Act 1972. In the unlikely event that overage were to apply, the purchaser would still benefit from 50% of any increase in value.

**9. Recommendations**

- 9.1 That authorisation be given to sell the garage sites at Plymtree and Luppitt at the agreed sale prices detailed in 7.2.7 and 7.3.6 above.
- 9.2 That delegated authority be given to Senior Manager, Property and Estates and Principal Solicitor to negotiate and agree the final Heads of Terms as part of the conveyancing process.

## Annex 1 to Garage Report for Cabinet June 2018.

### Planning response regarding the sale of garages at Luppitt

#### Response from Marjorie Green, Planning Officer – Development Management

- 1.1 “The site is not within any Built Up Area Boundary allocated through the local plan (LP) and Luppitt is not one of the settlements which will have such a boundary allocated to it, according to Strategy 27 of the LP, due to the lack of services, facilities and public transport available there. Neither is the site within an area where there are site-specific allocations shown on the Proposals map. East Devon currently has a housing supply exceeding 5 years and therefore in accordance with the National Planning Policy Framework, the housing policies of the East Devon LP (including Strategies 7, 27 and Policies D8 and H4 referred to below) can be considered up to date and can be given full weight in planning decision making at this current time.
- 1.2 In planning terms, the site is therefore considered to be in the countryside, to which Strategy 7 applies. The site is also within the East Devon AONB.
- 1.3 Strategy 7 resists development within the countryside except where this is in accordance with a specific LP or Neighbourhood Plan (NP) Policy which explicitly permits such development. In addition, that Strategy sets out other criteria to be met, however it is not possible, through this ‘in principle’ advice, to provide an indication of acceptability against those other criteria. There is no NP which has been ‘made’ for Luppitt and no draft plan available either, and therefore there are no NP policies to consider at this time.
- 1.4 The advice below covers the types of development which are likely to be acceptable on the land, in principle. The detailed wording of the LP policies referred to is available at this link to the current LP on the EDDC website (<http://eastdevon.gov.uk/media/1772841/local-plan-final-adopted-plan-2016.pdf>). As no details of specific development proposals are known, it is not possible to provide anything more than this caveated in –principle advice.
- 1.5 Any proposal for a new build open market dwelling (or dwellings) would not be supported by planning policy as there are no LP policies which would permit an open market dwelling at this site.
- 1.6 Conversion of the garages to a non-dwelling use would be acceptable in principle provided that criteria 1 to 5 inclusive of LP policy D8 (Re-use of rural buildings outside of settlements) are met.
- 1.7 A agricultural or rural worker’s dwelling (which would have an agricultural ‘tie’ attached) would be acceptable in principle provided that there was also an associated agricultural or rural worker’s land use of the adjacent land (either proposed or existing) relating to that dwelling, but only if all the criteria listed in LP Policy H4 are met. An agricultural land use of the fields may not need planning permission if those fields already have an agricultural use. Please see local plan for details of the Policy H5 criteria.
- 1.8 An agricultural development (e.g. an agricultural building) would be acceptable in principle provided that it meets all the criteria of LP Policy D7 (Agricultural buildings and development). Please see local plan for details of the criteria.



- 1.9 An outdoor recreation facility/use would be acceptable in principle provided that it meets all the criteria of LP Policy RC4 (Recreation facilities in the countryside and on the coast). Please see local plan for details of the criteria.
- 1.10 A small scale development proposal relating to economic development would be acceptable in principle provided that it meets all of the criteria of LP Policy E5 (Small scale economic development in rural areas). Within the undeveloped fields it may be more difficult for a proposal for a new building to meet the criteria of Policy E5 as the field areas would not be considered to constitute 'previously developed land'. Please see local plan for details of the criteria.
- 1.11 Renewable energy development would be acceptable in principle provided that it meets all the criteria of LP Strategy 39 (Renewable and Low Carbon Energy Development).
- 1.12 In addition to the above, it should be noted that a development may be unacceptable if it would ham archaeological interests, wildlife habitats or high quality trees. We are not able to assess those potential constraints at this stage as details of the footprint of development and input from external consultees and a wildlife/tree survey would be required in order to be able to do this.
- 1.13 The advice above does not cover every possible development type, but I feel it addresses the ones you have mentioned in your e-mails to us in addition to other types of development.
- 1.14 Please note that the advice tendered above is made on a strict without prejudice basis and represents the informal view of the planning team. This advice will not prejudice a formal consideration of any submitted application taking into account the comments and views of any statutory consultees, interested 3rd parties, policies laid out in the East Devon Local Plan (as well as other policy guidance), and the views of the Head of Planning and the Chairman and Development Management Committee."

# Luppitt Garages



Scale: 1:1,500

# Plymtree Garages



Scale: 1:1,500

**Annex 4 – Pictures of Garages**

Luppitt Garages





# Plymtree Garages





**Report to:** Cabinet  
**Date of Meeting:** 6 June 2018  
**Public Document:** Yes  
**Exemption:** None



**Review date for release** None

**Agenda item:** 16

**Subject:** Homelessness in East Devon

**Purpose of report:** This report highlights the challenges we are facing with rising levels of homelessness and securing temporary accommodation and long-term affordable housing for homeless households. We have experienced an increase in homelessness consistent with national trends, and an extended set of statutory duties to tackle homelessness. Homelessness has always been a priority for the Council and has been managed through prevention, timely advice and assistance, early intervention, resulting in relatively low numbers of homeless cases and minimal use of temporary accommodation.

We have seen an increase in homeless approaches, more complex cases and a reduction in available accommodation, resulting in a build-up of homeless cases in temporary accommodation. This does not appear to be a seasonal or short-term variation, and when we factor in the impact of the Homelessness Reduction Act 2017 and welfare benefits reductions, there is a need to plan for a continuation of this trend.

**Recommendation:**

- (1) To recognise the increase in homelessness and agree the responses proposed to increase the supply of temporary accommodation, and**
- (2) Approve the creation of a Temporary or Homeless Accommodation Officer post to support households in temporary accommodation and source new temporary accommodation for homeless households, and**
- (3) To request an update of the Homelessness Strategy in response to the changes made by the Homelessness reduction Act 2017 and the changing demand being experienced.**

**Reason for recommendation:** To ensure we continue to meet our statutory responsibilities and provide a high quality service to meet the needs of homeless households. The report also alerts members to the homeless pressures being experienced by the Housing Service and the implications this is having on service delivery, budgets and staff workloads.

**Officer:** John Golding Strategic Lead – Housing, Health & Environment.

**Financial implications:** Financial details are contained in the report and also highlighted in the 2017/18 Revenue and Capital Outturn report. The position will be monitored closely in 2018/19 and members kept informed through the budget monitoring process.

**Legal implications:** Other than to note that in drawing up a revised Homelessness Strategy the Council needs to have regard to its duties under the Equality Act 2010, there are no legal obligations requiring comment.

**Equalities impact:** Medium Impact  
There is an Equality Impact Assessment with the Government Code of Guidance and our own procedures attempt to ensure that we capture homeless applicants' needs accurately and that we design Personal Housing Plans around the individuals needs.

**Risk:** Medium Risk  
The consequences of providing a poor homeless service impacts on individuals seeking our assistance, our reputation as a Council, and an increase in legal challenges.  
The financial risks are around our budget estimates being inadequate and the service being demand led and influenced by factors outside our control such as the housing market, benefit levels, government policy, lack of supported housing etc.

**Links to background information:**

- <https://www.crisis.org.uk/ending-homelessness/homelessness-knowledge-hub/homelessness-monitor/england/the-homelessness-monitor-england-2018/>

**Link to Council Plan:** Encouraging communities to be outstanding.

## 1. Background and analysis of the current homeless issues

- 1.1 For many years we have quietly but effectively managed homelessness in East Devon. We have refined our approach around early intervention and prevention of homelessness, ensuring that applicants are housed in affordable housing that is suitably located and of an adequate size. This has enabled us to reduce our range of temporary accommodation in the form of private sector leased properties and arrangements with private landlords, reduce the use of bed and breakfast and secure housing through our Devon Home Choice housing register and allocations system. Our homeless budgets were reduced year on year as we became less reliant on temporary accommodation for homeless households.
- 1.2 The local housing market was enabling us to meet the demands of homelessness effectively and our customers had options available through social housing, rent deposits and bonds to access the private rented sector etc. We also enjoyed a good supply of new affordable housing through housing association developments and through planning conditions requiring applicants to meet Local Plan targets. This has reduced over the last two years and is having a significant impact on our ability to accommodate homeless households and those on the housing register.
- 1.3 In recent years we have seen a reduction in the supply of new affordable housing with developers running viability arguments at planning to avoid planning obligations, housing associations facing rent reductions and downscaling development activity, less generous grants from government via the Homes & Communities Agency (now Homes England), Right to Buy depleting social housing stock etc.
- 1.4 We have seen the reduction in supported accommodation as Supporting People funding disappeared and providers were more exposed to the revenue cost of operating specialised supported housing. Reductions in welfare benefits have impacted and just make supported housing a business risk that many providers are not prepared to take now. We have seen an increase in homeless presentations where people have complex mental

health, behavioural, drug dependency, disability etc. needs and will struggle to live independently. Supported housing is required, but simply does not exist now.

- 1.5 A recent report published by the Joseph Rowntree Foundation and Crisis (**Housing Monitor 2018** – longitudinal study) is revealing how the majority of councils in England are struggling to find permanent housing for homeless people and relying more on temporary accommodation. Latest government statistics show 78,000 households in temporary accommodation currently and this figure set to rise over the next few years.
- 1.6 As a consequence of the factors described above homeless pressures have been building and whilst we have been insulated from some of the impacts seen nationally, we are now seeing an increase in homelessness and rough sleeping locally.
- 1.7 These factors combined with the implementation of the Homelessness Reduction Act 2017 from April this year are requiring us to review our approach to managing homelessness in East Devon. Prevention and early intervention will still be core elements of our approach, but with demand unlikely to reduce in the short-term we need a new plan for temporary accommodation to ensure that we can fulfil our statutory duties.
- 1.8 We are dealing with families and people traumatised by homelessness, many demonstrating complex needs beyond not having a home. These applicants require empathy and timely advice and information from us to get a roof over their head. Many need to be supported through the process by our staff as they are unable to secure their housing themselves.
- 1.9 We need to update our **Homelessness Strategy** following the publication of a recent code of guidance that incorporates advice and guidance on implementing the Homelessness Reduction Act. This work is being undertaken as we assess the impact of the new act and how this will affect demand in the longer term.
- 1.10 To provide some context and scale to the issues we facing I can advise that we currently have 36 people in temporary accommodation. In previous years we were often reporting none or very low numbers. During 2017/18 we received 261 homeless approaches and accepted a homeless duty in respect of 28 cases where we could not prevent homelessness. By mid April we had received an unprecedented 51 homeless approaches in the first 17 days of the new legislation.
- 1.11 To put this into context in previous years our homeless approaches and acceptances illustrating the demand we are facing are set out in **annexes 1 & 2**.
- 1.12 I predict that homelessness will be more prominent locally as we wrestle with the challenges of increased demand and limited opportunities to meet the demand, with an impact on our budgets and a higher profile politically and in the media.

## **2. Moving forward**

- 2.1 We have been preparing for the new legislation for some months and reported on this topic to Cabinet in October 2017 and in more detail to the Housing Review Board in March 2018. We also reported to Cabinet our Temporary Accommodation policy in September 2017. The increase in demand predicted is being seen and we need to respond proportionately to ensure that we are meeting our statutory and moral duties towards homeless households. Homelessness has always been a priority for the Council and until we have managed this activity 'under the radar' and with a low profile. A refocusing of this as a priority for the Council and the Housing Service is required.



- 2.2 We have increased the staffing in the Housing Options team and moved some work to the Allocations team to allow a focus on homeless prevention. We have acquired a bespoke software package to assist with case management and the production of Personal Housing Plans for every homeless applicant. Our staff have been trained on the new requirements and we recognise that they are under pressure with what seems like an endless stream of homeless cases, which can be emotionally challenging, and we want to provide good outcomes for the people concerned but have limited resources (available homes) to meet clients' needs as quickly as they require.
- 2.3 Homelessness is a General Fund activity of the Council. We receive relatively small amounts of government grant for homelessness (Homelessness Support Grant £61,161 and the Homelessness Reduction Act New Burdens Grant Determination £31,932). For the last decade we have reduced our homeless costs each year as successful prevention measures have been implemented and we experienced higher numbers of new affordable housing being delivered that allows movement from the housing register.
- 2.4 During 2017/18 we have seen a dramatic rise in temporary accommodation costs as we rely on this form of accommodation to meet our duties. At year end we have spent £296k on temporary accommodation against a budget of £20k. The increased income from rent/benefit was £145k against a budget of £20k. A significant overspend was only avoided by crediting an unbudgeted government homelessness grant of £61k to the budget.
- 2.5 Our 2018/19 budget has been increased to reflect the changing environment and legislation, but I can anticipate reporting budget variations in year if demand continues unabated. The homeless budget is demand led and our ability to control expenditure is limited when we are focused on meeting our homeless duties. Government were alerted to the likely financial impact of the Homelessness Reduction Act on local authorities and their offer of short-term is welcome, but inadequate to meet all of our additional costs.
- 2.6 It is difficult to accurately predict the additional financial burdens we are likely to face as a result of the demand for accommodation. We will attempt to minimise the costs to the General Fund by sourcing temporary accommodation that represents good value for money, optimises the subsidy we can claim, and meets the needs of the household. We will continue to monitor the situation closely and highlight variations in expenditure in the monthly monitoring reports.

### 3. Temporary Accommodation

- 3.1 Our greatest challenge is to ensure that we have sufficient temporary accommodation to fulfil our expanded statutory duties towards homeless households. This accommodation needs to be affordable for the households and the Council, be in the right locations and of a suitable size for the households. Beyond that we need an adequate supply of new affordable housing to be able to offer more permanent housing for the households concerned.
- 3.2 To increase the availability of temporary accommodation I am proposing that we rejuvenate some of our previous policies that we successful in the past in managing our homeless duties. This will include **private sector leasing** where we lease properties from private owners, and allocate and manage the property. These arrangements were cost effective when Housing Benefit covered the cost in most cases.
- 3.3 Our **Rent Deposit and Bond** scheme has been effective in assisting households access the private rented sector where the deposit and rent in advance presents financial barriers.
- 3.4 We are considering entering into an agreement with **bed & breakfast** owners to guarantee access and availability of accommodation when we need it. Many of the establishments we use get fully booked during the holiday season which can make it hard for placements in emergency situations when we are investigating homeless approaches.

- 3.5 We need to revisit the use of our **own housing stock** as temporary accommodation. We make occasional use of our stock at present, but have tried to ensure allocations of Council housing occur via Devon Home Choice. I suggest that we revisit any harder to let stock (typically bedsits) and consider decommissioning sheltered housing for temporary accommodation use. We do not want to inadvertently create 'sink estates/blocks' of homeless people so careful planning is required.
- 3.6 We are investigating the acquisition of property suitable for conversion into **shared housing** or hostel type accommodation to meet some of the demand for single homeless applicants. Our St Andrews Road, Exmouth property was in high demand and we know that there is further demand for shared accommodation from the housing register and homeless approaches.
- 3.7 We are considering the business case for the appointment of a **Temporary Accommodation Officer** to support people in temporary accommodation and work on sourcing new supply of temporary accommodation. We have also recognised the need for a Mobile Support Officer role specialising in mental health to assist homeless household with mental health issues sustain their tenancies. A business case is set out in **annex 3**.
- 3.8 Effective partnership working with other agencies such as CAB, HomeMaker, Young Devon, Registered Providers etc. has the benefit of independent, expert advice for homeless clients from other sources. I would like to see our Registered Provider partners assist more with accommodating homeless households and those with support needs. Similarly more effective support from Social Services would help some clients sustain their tenancies and prevent homelessness. Voluntary agencies and specialist charities can also make a valuable contribution towards preventing homelessness. A multi-agency response will be more effective than a local authority working alone and in isolation.
- 3.9 The position with regard to Housing Benefit and Universal Credit has to be taken into consideration in terms of the cost to the Council. We have to secure the accommodation, but we can make a charge (rent), many households are in receipt of Housing Benefit and this often leaves a shortfall that falls to the Council to meet. We have assessed the benefit shortfalls relating to the subsidy we receive and Local Housing Allowance rates and will attempt to optimise any shortfall. The subsidy loss varies between bed & breakfast; self-contained units, hostel type accommodation etc.
- 3.10 Applying our Systems Thinking principles to the issue our purpose has long been to ensure that – the **Right People are in the Right Home** – in practice this means homeless households are placed in suitable temporary accommodation and secured a permanent home as soon as possible. Linked to this purpose we will always attempt to secure housing that is affordable to our client, that is suitably located, of an appropriate size and of a good quality. We are closely measuring the type and frequency of demand and will measure end to end times of the homeless application process, length of time in temporary accommodation and time taken to secure permanent housing. We will rerun a What Matters to our customers exercise to ensure that we stay 'in tune' with customer needs and expectations.
- 3.11 Changes to homelessness were introduced for Welsh local authorities in April 2015 and whilst it is still too early to draw any firm conclusions, and the Welsh housing market is different, we will take account of lessons learnt and any successful initiatives we can import.

#### **4. Conclusions**

- 4.1 In conclusion we are working on a revision to our Homelessness Strategy and will incorporate a temporary accommodation plan as part of that revision picking up on and progressing the range of options above designed to increase supply.

- 4.2 We will continue to work closely with our Benefits colleagues to optimise the benefit for homeless households and reduce any subsidy loss for the Council. We will closely monitor our budgets and seek out cost effective temporary accommodation.
- 4.3 We are determined to maintain a good quality service for those households who experience homelessness recognising that the loss of a home can be hugely disruptive to family life, lead to poor health & wellbeing, cause emotional and mental strain and many need our help to recover from this trauma. Our corporate and Housing commitment is – **A Decent Home for all** – and our focus will be on achieving our purpose.

**Annex 1 EDDC - Housing Options - Homeless Approaches 2010- 2018**

Month	Year							
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
April	58	44	44	37	37	19	28	17
May	51	57	52	48	40	42	38	32
June	64	51	43	43	44	35	31	16
July	58	60	46	53	44	45	23	23
August	48	65	31	41	19	26	24	25
September	60	61	39	43	27	37	29	25
October	34	58	36	43	29	35	29	16
November	51	56	34	38	31	20	28	18
December	19	28	14	30	12	19	20	19
January	66	63	33	63	31	27	22	34
February	74	46	51	44	37	36	21	19
March	72	65	42	42	45	31	27	27

**Quarterly Totals**

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Q1	173	152	139	128	121	96	97	63
Q2	166	186	116	137	90	108	76	73
Q3	104	142	84	111	72	74	77	53
Q4	212	174	126	149	113	94	70	72

## Annex 2

East Devon District Council	P1E statistics			Homelessness Acceptances	
Year	Q1	Q2	Q3	Q4	Total
2003-04	59	56	67	46	228
2004-05	42	45	36	28	154
2005-06	49	53	42	39	183
2006-07	40	35	22	16	113
2007-08	26	34	30	18	108
2008-09	23	22	16	17	78
2009-10	13	5	6	7	31
2010-11	8	9	8	6	31
2011-12	8	10	12	8	38
2012-13	10	9	7	9	35
2013-14	6	9	8	4	27
2014-15	4	0	3	0	7
2015-16	1	3	1	1	6
2016-17	3	9	5	1	18
2017-18	5	8	5	10	28

## Business Case for new post – Temporary Accommodation Officer

### **Background**

The temporary accommodation budget has increased significantly over the last two years due mainly to a significant increase in homelessness, in line with the national trend. There is also an increase in customers with complex needs, who are in need of support, who are more difficult to suitably accommodate. This is within an environment where the private rented sector is often inaccessible due to the huge gulf between private rent levels and the Local Housing Allowance (LHA), alongside significant reductions in the numbers of supported and specialised housing projects that would have previously provided alternative accommodation options for this customer group.

It is expected that our expenditure will continue to be high for a number of years. This expectation has been compounded by the new obligations placed upon local authorities through the Homelessness Reduction Act 2017, which came into effect in April 2018.

There has been a sharp increase in the number of homeless approaches being made to EDDC. We have received 42 genuine approaches between 3<sup>rd</sup> April 2018 and 23<sup>rd</sup> April alone, a significant rise from previous years. For the whole of April last year there were 17 approaches, with 261 for the entire year from 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018.

In addition to the number of homeless approaches we are having to deal with the Act introduces an expansion to the amount of time local authorities will be legally obliged to accommodate homeless applicants, significantly further increasing our expenditure on emergency and temporary accommodation. Applicants can expect to be accommodated at an earlier stage and in the majority of cases for twice the period since the introduction of the Act.

### **Temporary accommodation - what we currently use:**

At the present time we use the following differing types of temporary accommodation, requiring a wide range of skills and effort to successfully manage them:

- EDDC stock – this is the most cost effective method and can also be useful financially in letting some of our harder to let properties and avoiding costly voids. Years ago we had several properties within our stock used in this way, currently we have six. The arguments against using our own stock include preventing the properties from being allocated through the Devon Home Choice scheme, and internal concerns regarding the management of the customers within our own properties. We have seen recent cases where parts of the service have been unable to provide appropriate support due to complex mental health needs and/or challenging behaviour. Another argument against using our own stock is that customers become settled,

although in the cases we have currently set up within our own stock it has been in our interests to keep the customers in an environment where we can monitor and review their tenancy, before a more permanent arrangement is agreed.

- Gissage House – a supported housing project consisting of six single rooms and two flats in Honiton through a contract with Independent Futures. The contract costs £20k/year for access to nominate our customers into the project, and for the management costs of Independent Futures in supporting the customers placed there. However, we are facing some issues with the arrangement that we are currently dealing with.
- B&B's – these are used as emergency accommodation only, usually whilst we are making enquiries into the situation of the customers presenting and established as homeless. B&B's are used as a last resort as it is acknowledged that they are expensive, not always appropriate for customers and there are also restrictions to the amount of time we can place families in B&B (6 week limit). We currently have 13 single people and 6 families accommodated in B&B's and holiday lets.
- Holiday lets -similar to B&B's, they are most commonly used when we are accommodating whilst making enquiries. Often self-contained so can avoid the restrictions of B&B's but lack of availability in the spring and summer months, restricting their use.
- Place of Safety – an EDDC property set aside for exclusive use for applicants from any part of Devon fleeing domestic violence. There is a high turnover for this property and much support is needed.
- Private Sector Lease (PSL) property – this a property within the private sector with a lease agreement in place with the owners. We manage the property and it is let to a homeless applicant. We are looking to bring more of these into use although the difficulty is finding home owners who will allow their properties to be rented out at a rate close to the Local Housing Allowance (LHA) due to the big differences between the LHA and the market rent. The customer base also provides barriers so there is an element of a need for some form of 'social consciousnesses from the property owner for the arrangement to get off the ground.
- Syrian Resettlement Scheme – this works on a similar basis to the PSL arrangement and again relies on property owners who are willing to rent out their properties at a much lower level than they could otherwise expect from the private sector. EDDC are signed up to this scheme and have pledged that 8 families will be resettled in the East Devon area over the next few years (4 have been resettled to date) although unlike our legal responsibilities towards homeless applicants, this scheme is being delivered as a power not a duty. At the present time this additional responsibility, outside of the legal objectives of the Options team, is being absorbed by the Housing Officers on top of their current responsibilities. There is a great deal of external interest in the progress of this scheme.

Other responsibilities with many of these properties include a responsibility to furnish the properties and to provide ongoing support to the customers placed there.

At the moment, the Housing Officers are spending a considerable amount of their time in making these arrangements, making bookings and searching for the best deal, moving people around when there are issues such as lack of availability or high levels of risk associated with the customer. There have also been occasions when Housing Officers have been called out to help to evict some customers when they have broken the rules at the temporary accommodation establishment or have displayed criminal behaviour, often with the additional need for police to assist. Resources, especially Housing Officer's time, could be better put to use actively working on their caseloads and making progress with prevention of homelessness. These associated duties are restricting their ability to carry out their main responsibilities. Sourcing suitable and available accommodation for a difficult customer could realistically take a whole day of officer time.

### **Temporary accommodation expenditure**

The last year saw a huge rise in the expenditure on temporary accommodation, with the overall total amounting to £174k.

There are some mitigating factors in last year's expenditure being so high, including distractions from managing ongoing homeless cases such as the office relocation and preparation for the Homelessness Reduction Act. There were two exceptional cases last year that accounted for much of the expenditure.

### **Subsidy payments**

Another factor significantly affecting the budget is the recent change to subsidy payments, as a result of these changes an additional £29k has been added to our expenditure. For example, the subsidy shortfall on Gissage House has been added to our costs on top of the £20k contract, making the arrangement much less cost effective.

### **What are we doing to tackle this?**

With assistance from the Revenues & Benefits team we are analysing the most cost effective temporary accommodation placements for our homeless applicants, including looking at certain scenarios and household compositions against different types of accommodation. This will help to make the placements more cost effective although there is only so far this can go to assist. We struggle to place many of the applicants we have to accommodate due to their complex needs and the risk factors involved with them, so often we have no choice other than to place in more expensive accommodation, anywhere that will accept them. Also, the spring and summer seasons always prove a challenge with huge demand on the local B&B's and guest houses, especially in the seaside towns where many of our B&B's are located, and the more cost effective holiday lets that we take advantage of in the winter are no longer being available throughout the spring and summer months.



### **Alternative options we have given consideration to**

- Camperdown Terrace property – a currently vacant 3 bedroom council property that we have held vacant in case it was needed for the Exmouth Regeneration project is now being considered for use as temporary accommodation suitable for a family or as a shared house. There will be a considerable amount of work needed to bring the property up to our Void standard, at considerable cost. Early indications lean towards the shared house option being unaffordable to implement.
- Purchase of property that can be transformed into a HMO – this is an ongoing objective for our Enabling team. However, again the costs are prohibitive for the examples we have considered, not only to purchase a suitable property (we could use Right to Buy receipts) but the overall costs to transform such a property to meet all regulatory requirements. We will continue looking for suitable property.

### **Proposal**

In order to help tackle the issues we are facing and to provide a more efficient and cost-effective service it is proposed that we create a specialised post for a Housing Officer to specifically deal with managing the temporary accommodation for EDDC. Several other local authorities currently employ a similar specific post.

The main functions for the post would be to:

- Support tenants in temporary accommodation and help them sustain tenancies
- Arrange occupancy/tenancy agreements for customers
- Liaise with accommodation providers over vacancies, repairs and contracts
- Carry out property inspections.
- 

A Job Description has been drafted and a job evaluation decision pending.

### **Funding**

The post would be funded from the Flexible Homelessness Support Grant and part HRA (as part sustaining tenants in council homes).

### **Recommendation**

It is recommended that a Temporary Accommodation Officer is recruited to ultimately aim to reduce the spiralling costs of temporary accommodation and provide a more efficient service, freeing up the Housing Officers to manage their caseloads and prevent homelessness in a more proactive manner than they are currently able to achieve. Therefore, the 'flow' of new applicants requiring temporary accommodation would be stemmed, whilst the post holder would work to ensure that the customers stay in temporary accommodation is as short as possible, altogether reducing costs significantly.

The post would also enable a better service to be provided, with more support, to those customers in need of temporary accommodation. It would also be an opportunity to explore move-on options such as accommodation in the private sector or supported projects, so that the end result of the applications is not always council accommodation.

**Report to:** Cabinet  
**Date of Meeting:** 6 June 2018  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 17

**Subject:** **Devon Wide Housing Assistance Policy**

**Purpose of report:** To present a revised Housing Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 for consideration. The policy has been agreed across Devon for the delivery of the Better Care Fund.

**Recommendation:** **That Cabinet recommends approval of the Devon Wide Housing Assistance Policy.**

**Reason for recommendation:** The Housing Assistance Policy sets out the forms of financial assistance that may be available subject to available funding. The policy concentrates on disabled adaptations and assisting elderly and vulnerable people to repair the own homes. This policy therefore substantially updates the Housing Assistance part of the presently being refreshed East Devon District Council Private Sector Housing Renewal Plan which was adopted in 2012. At that time the policy was adopted on a local basis only (i.e. there was no common Devon-county level approach) as it operated without the strategic, policy framework and funding landscape now in place with integration under BCF.

**Officer:** Meryl Spencer – Environmental Health Manager (Private Sector Housing)  
Tel: 01395 517454

**Financial implications:** The assistance detailed in the policy will utilise the Better Care Fund (BCF) allocation received by the Council. The delivery of the assistance will be dependent on available external funding from the BCF pot held by Devon County Council.

The Council is not expected to provide its own capital towards the delivery of the assistance as the BCF is currently sufficient to cover existing demand.

Future allocations of the BCF from Devon County Council will be made on a demand basis and therefore the allocation may differ from that published by DCLG. This is to ensure that the basic demand for mandatory disabled facilities grants (DFG) is met first as a priority for the whole of the County before any remaining funding is distributed to the district councils for the other forms of assistance found in the policy.

There is an ability for the Council to suspend all or parts of the discretionary elements of the policy locally (i.e. everything except the mandatory DFGs) if BCF funding is not adequate within any given year due to exceptional demand.

**Legal implications:** The Council must have an up to date and relevant Housing Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 in order to be able to provide assistance across the district.

**Equalities impact:** Low  
A full equality impact assessment has been undertaken and can be found in Annex 2. No equality issues have been identified within the policy.

**Risk:** Low  
There are no major risks associated with the policy. Not having a relevant policy does mean that the Council would be unable to utilise the BCF for anything other than the mandatory DFG. This may have an impact on the Councils ability to help vulnerable households across the district.

**Links to background information:** [Annex 1 – Devon Wide Housing Assistance policy 2018-19](#)  
[Annex 2 – Equalities Impact Assessment](#)  
[EDDC Private Sector Housing renewal Plan 2012 \(previous policy being refreshed\)](#)  
More information on Wessex Home Improvement Loans is available at <http://eastdevon.gov.uk/housing/housing-in-the-private-sector/grants-and-loans/loans-for-repairs-to-your-home/>  
More information on the national ECO Flex scheme is available at <https://www.gov.uk/government/publications/energy-company-obligation-eco-help-to-heat-scheme-flexible-eligibility>

**Link to Council Plan:** Living in this Outstanding Place

## Report in full

### 1. Introduction

- 1.1 In 2015 the Government introduced the Better Care Fund (BCF) in an attempt to bring health and social care together in an integrated way. The fund is a combination of government funding from the Department of Health and the Department for Communities and Local Government and includes the grant allocation for disabled facilities grants (DFG). The 2017-19 Integration and Better Care fund policy framework document lists the conditions that the better care fund must be used to address and in particular this includes working together on a jointly agreed plan.
- 1.2 The development of this Devon Wide Housing Assistance policy is in response to this condition. It will allow each council to fully utilise the Better Care Fund allocation to meet specific needs across the county that may fall outside of the scope of the Disabled Facilities Grant (DFG).

- 1.3 The Better Care Fund provides more funding to Devon than is currently required to meet the demand for mandatory DFGs only. A wider policy is needed to allow the Devon councils to spend the BCF on assistance that helps a wider range of households and meets more of the BCF objectives for instance; to assist people to maintain independence; assist with the prevention of bed blocking; and facilitate care in the community.
- 1.4 In East Devon the delivery of mandatory DFG's costs around £500,000 a year and our allocation is in the region now of £1m, we are not able to use this funding for anything else until we have an agreed Housing Assistance policy in place, such as the Devon Wide Housing Assistance Policy, which sets out clearly what we are able to provide as long as the funding is available.
- 1.5 The county wide steering group has carried out analysis of the spend and underspend over the past 2 years and is close to an agreement whereby the allocation of the DFG part of the BCF is via formula providing each district with the required mandatory DFG funding and splitting up the remaining funds equally between the districts to use once this policy is in place. The funds are likely to be in the region of £250,000 per authority for the first year.
- 1.6 A task and finish group was set up in November 2016 involving representatives from North Devon DC, Mid Devon DC, Teignbridge DC and Devon CC. The aim of the group was to produce a common policy that could be adopted across the whole of Devon by reviewing existing policies and considering policies from other areas.
- 1.7 This policy therefore substantially updates the Housing Assistance part of the presently being refreshed East Devon District Council Private Sector Housing Renewal Plan which was adopted in 2012. At that time the policy was adopted on a local basis only (i.e. there was no common Devon-county level approach) as it operated without the strategic, policy framework and funding landscape now in place with integration under BCF.
- 1.8 The final draft version of the new policy can be found in [Annex 1 – Devon Wide Housing Assistance policy 2018-19](#)
- 1.9 The policy has a two-year cycle with an annual review point.

## **2. Main scope of the policy**

- 2.1 The policy aims to provide a consistent approach to the delivery of the Better Care Fund across Devon that satisfies the terms of the funding agreement.
- 2.2 The policy will provide the flexibility and discretion for the councils to provide appropriate assistance to meet the following objectives:

**Objective 1** - Assist disabled residents to remain in their own homes through supporting the provision of adaptations (so far as this is necessary, appropriate and reasonably practicable) to prevent admissions to care and to assist with delayed transfers where possible.

**Objective 2** – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health and safety in the home to reduce avoidable emergency admissions

**Objective 3** – Provide adaptations that are suitable for the future by ensuring the scheme of works is dementia aware.

**Objective 4** – assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

2.3 These objectives meet the priorities detailed by the BCF and the various Councils in Devon.

### **3. Summary of the Assistance contained in the policy**

#### **Mandatory Disabled Facilities Grant (DFG)**

3.1 The delivery of the disabled facilities grant programme is mandatory and a statutory function of the local housing authority (Private Sector Housing Team). The delivery of this function is governed by the Housing Grants, Construction and Regeneration Act 1996.

#### **Accessible Homes Grant**

3.2 The Accessible Homes Grant enables an enhanced offer in addition to the Mandatory Disabled Facilities Grant subject to available funding.

3.3 This grant is available in the following circumstances:

- Where a mandatory grant has been approved but the cost of the work exceeds £30,000
- Where there are works that may not be covered by the DFG in relation to adapting the home and making it safe.
- Where the means test identifies that a contribution is required.
- Where moving house more appropriate than adapting the existing property.

#### **Healthy Homes grant**

3.4 The Healthy Homes grant is a flexible grant to provide urgent/essential repairs to the home to ensure the health, safety and welfare of the occupier. The grant is only available where a loan is unavailable (see below).

#### **Home Improvement Loan**

3.5 Wessex Resolutions CIC currently administers loans within the requirements of this policy and the local policies of each district council within Devon. The Home Improvement Loan is a flexible product that can be used for the following purposes:

- Home repairs and improvements
- Adaptation works where grant is not available
- To cover a client contribution to a grant
- To cover the cost of the work over the grant maximum.
- To bring empty homes back into use
- For landlords to carry out repairs or improvement to rented accommodation
- For energy efficiency improvements

#### **ECO flex top up**

3.6 This grant is to provide top up funding for energy efficiency measures where Energy Company Obligation (ECO) Flex funding and ECO top ups (HHCRO) have been provided by energy providers but the available funding does not cover the full cost of the work.

3.7 The eligibility for ECO Flex funding itself is subject to a separate Statement of Intent issued by each Local Authority setting our local criteria. All ECO funding is not provided by the

Local Authority and is accessed by installing contractors directly under the national Energy Company Obligation scheme.

#### **4. Recommendation**

4.1 That the updated policy and recommendations are approved by Cabinet.

**Contact for more Information:** Meryl Spencer Environmental Health Manager (Private Sector Housing).

#### **Circulation of the Report:**

Strategic Management Team

**Report to:** Cabinet  
**Date of Meeting:** 6 June 2018  
**Public Document:** Yes  
**Exemption:** None



**Agenda item:** 18

**Subject:** Exeter Airport Instrument Landing Systems (ILS) Exemption from Standing Orders

**Purpose of report:** To seek approval for an Exemption from Standing Orders to allow the procurement of an upgraded ILS system to proceed.

**Recommendation:** It is recommended that Cabinet approve an Exemption from Standing Orders to enable the procurement of an upgraded Instrument Landing System to proceed.

**Reason for recommendation:**

Cabinet received a paper on the Enterprise Zone in April 2018 detailing proposed investments that would help to enable and bring forward new commercial development and job creation. The lack of operational headroom in the current ILS system at the Airport is a major barrier to nearby commercial development coming forward. The proposed upgrading of the system has been the subject of a detailed project appraisal. This demonstrates that it represents very good value for money and will play a key role in helping to unlock future business rate income. The funding of the upgrade will be recouped from nearby development as this comes forward. The total cost is expected to be circa £1.3m and this will be finalised through the procurement process.

Further dialogue with the Airport has confirmed that there are two main suppliers to the UK market with pre-existing CAA regulatory approval. Whilst there will be a competitive tendering exercise it is proposed that this will only be with the two main suppliers. An exemption from Standing Orders is sought to support this process which will be undertaken by the Airport themselves.

**Officer:** Andy Wood, Projects Director  
[adwood@eastdevon.gov.uk](mailto:adwood@eastdevon.gov.uk) 07740 024918

**Financial implications:** Details and business case were presented to April Cabinet and subsequently approved by Council. The estimated £1.3m cost is forward funding from Enterprise Zone monies which will be recouped in a legal agreement from specific development.

**Legal implications:** Legal Services are advised that satisfactory state aid advice has been obtained in respect of this proposal. Subject to the agreement being appropriately documented Legal Services have no further comment to make.

**Equalities impact:** Low Impact  
Potential impacts on equality will be managed through the Implementation Plan for the Zone.

**Risk:** Medium Risk  
Key risks relate to the timely progression of the legal agreement to secure the repayment of the funds from developers and the timeline for the installation and commissioning of the equipment. It is expected that this can be completed within 12 months and will require robust project management. The Enterprise Zone Board will be kept apprised of progress.

**Links to background information:**

- [Cabinet Paper March 2017](#)
- [Cabinet Paper November 2017](#)
- [Cabinet Paper April 2018](#)

Completed Exemption from Contract Standing Orders Form attached

**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.





## REQUEST FOR EXEMPTION TO CONTRACT STANDING ORDERS

Contract Standing Orders (CSOs) requires certain steps to be followed when carrying out procurement exercises. Exemptions to CSOs can be authorised by Council / Cabinet upon report and separately by officers with the approval of certain senior officers. An exemption can only be relied upon in certain circumstances (as detailed in CSOs Rules 3.1 – 3.5) but in any event cannot be used where the EU Procedure applies.

This form is intended to be used by officers to obtain an exemption to using CSOs.

Name: Andy Wood	Date: 14 <sup>th</sup> May 2018
Service: Economy	Team: Growth Point
Total contract value: £1.3m	

Background (including product and supplier details, costs etc):

The current Instrument Landing Systems at Exeter Airport were installed in 1997. Whilst perfectly serviceable, the 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. The April 2018 Cabinet meeting approved a proposal to forward fund these improvements and then to re-coup the costs over time as development (including outside of the EZ designation) comes forward. This will require each developer to enter in to a bespoke legal agreement with the Council as well as with the Airport.

Further dialogue with the Airport has confirmed that there are two main UK suppliers (Indra Navia and Thales) with pre-existing CAA regulatory approval. Whilst there will be a competitive tendering exercise it is proposed that this will only be with the two main suppliers. An exemption from Standing Orders is sought to support this process which will be undertaken by the Airport themselves.

Business Reasons for an Exemption:

Although the following are justifiably accepted as valid reasons for an exemption to Contract Standing Orders, they are closely monitored and should be applied only in cases where a full procurement exercise is not a viable option. (Tick appropriate boxes)

	✓	Which CSO rule?
An Emergency		
Goods or Services to existing systems or kit		

Purchase or repair of patented or proprietary articles sold only at a fixed price		
Effective competition is prevented by government control		
Goods and/or Services recommended by a Central Government Department		
Extension to an existing contract for the purpose of achieving Best Value		
Purchase or Sale by Auction		
Where the Contract is with a Public Utility Company or other organisation which will assume liability for the works on completion e.g. sewer adoption		
Other Reasons (please provide details)	X	
Limited number of suppliers to the UK market.		

**Business Benefits for an Exemption:**

The lack of operational headroom in the current ILS system at the Airport is a major barrier to nearby commercial development coming forward. The proposed upgrading of the system has been the subject of a detailed project appraisal. This demonstrates that it represents very good value for money and will play a key role in helping to unlock future business rate income. The Exemption will help to ensure that the upgrade can be progressed both quickly and cost effectively.

**What are the implications to the following:**

Finance: The cost of forward funding of the upgrade will be recouped from development as it proceeds.

Human Resources: N/A

ICT: N/A



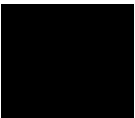
Asset Management: N/A

Strategic and/or Operational Objectives: The upgrading of the ILS system is key to the successful implementation of the Enterprise Zone designation.

**Risk Assessment:**

Detail risks here: Key risks relate to the timely progression of the legal agreement to secure the repayment of the funds from developers and the timeline for the installation and commissioning of the equipment. It is expected that this can be completed within 12 months and will require robust project management. The Enterprise Zone Board will be kept apprised of progress.

Or attach print from the RM system

<u>Signature of line manager or service head</u>	
<u>Supporting signature of Strategic Lead – Finance</u>	
<u>Supporting signature of Strategic Lead – Governance and Licensing</u>	 16.5.17

PLEASE NOTE:

Where the Contract value is £20,001 or above then Rule 3.2 requires you to prepare a report for Cabinet to note their support for the action taken.

The Council is required to keep a Register of Exemptions. Please ensure that a signed copy of this form is provided to the S.151 Officer.