



## Agenda for Cabinet Wednesday, 5th June, 2019, 5.30 pm

### Members of Cabinet

Councillors: M Armstrong, J Bailey, K Blakey, S Bond (Vice-Chairman), P Faithfull, B Ingham (Chairman), G Jung, P Millar, G Pook and I Thomas

**Venue:** Council Chamber, Blackdown House, Honiton

**Contact:** Amanda Coombes, Democratic Services Officer;  
01395 517543 or email [acoombes@eastdevon.gov.uk](mailto:acoombes@eastdevon.gov.uk)  
(or group number 01395 517546)  
Friday, 24 May 2019

East Devon District Council  
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[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)

- 1 Public speaking  
Information on [public speaking](#) is available online
- 2 Minutes of the previous meeting (Pages 7 - 12)  
Minutes of the previous meeting held on 3 April 2019
- 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 - Exemption from Contract Standing Orders for temporary arrangements to ensure the ongoing maintenance of Council Homes (Pages 13 - 15)  
An approval to an exemption to Standing Orders is sought in order to ensure continuity of repairs and maintenance to the Council's housing stock during a period of demobilisation of the current contract for day to day repairs and work to void properties.
- 6 Confidential/exempt item(s)  
To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.
- 7 Forward Plan (Pages 16 - 17)
- 8 Minutes of New Homes Bonus Panel held on 19 March 2019 (Pages 18 - 22)

**RESOLVED that the following recommendations be agreed:**

**Minute 8 Budleigh Food Event - £2,687.28**

Budleigh Salterton Chamber of Commerce be supported on the condition that money be raised to pay for a similar event in 2020.

**Minute 9 Application from Honiton transport to dementia support - £4,000**

from Honiton Dementia Alliance. That an independent evaluation comparing the Honiton dementia scheme and the Ottery dementia scheme be a condition of the grant, and that this be paid for using some of the Communities Together Fund underspend, be supported.

**Minute 10 Application from Lypstone Parish Council - £7,700**

to reduce flood risk

**Minute 11 Application from Newton Poppleford Playing Field Foundation – air ambulance landing site - £1,500**

to put in a night landing site at Newton Poppleford playing fields, be supported.

**Minute 12 Application from Ottery St Mary Help Scheme – Dementia Action Alliance and outreach - £10,390**

1. the Ottery St Mary Help Scheme for £10,390, be supported.
2. an independent evaluation comparing the Honiton dementia scheme and the Ottery dementia scheme be a condition of the grant and that this be paid for using some of the Communities Together underspend.

**Minute 13 Seaton Town Council - £2,921.60**

Seaton Town Council's request for funding to produce a leaflet for walkers from walks from Sidmouth to Seaton, be supported.

**Minute 14 Application from Stoke Canon Parish Council – Improving section of footpath - £1,960**

the application from Stoke Canon Parish Council to improve a 100m of public footpath, be supported.

**Minute 15 Application from Uplyme Parish Council – Air ambulance landing site - £2,783.62**

the Uplyme Parish Council application for an air ambulance landing site, be supported.

**Minute 16 Application from Upton Playing Fields Association – footpath - £5,000**

the application from Upton Playing Fields Association for funding for £5,000 to create a safer access to Glebe Park sports and playing fields, be supported.

**Minute 17 Application from West Hill Parish Council – Football goals - £1,581**

West Hill Parish Council's application to purchase full size portable goals, be supported.

**Minute 18 Seaton Majorettes purchase of 30 new batons - £3,360**

Seaton Majorettes application for funds for 30 new batons, not be supported.

### **Minute 19 Any other business**

#### **Exmouth Town Council - Drainage - £1,292.90**

Exmouth Town Council's request to keep the Exmouth Dragon's Den 2018/19 underspend of £4,938.76 to distribute through a similar Dragon's Den style event in 2019/20 be supported.

#### **Otterton Parishes Together Fund project 2016/17 - £3,289.50**

Otterton and Woodbury Parish Councils request to spend the £3,289.50 grant from the Parishes Together Fund 2016/17 on urgent repairs and replacements for footpath signage in their parishes be approved.

- 9 Minutes of Arts and Culture Forum held on 27 March 2019 (Pages 23 - 26)
- 10 Minutes of Exmouth Regeneration Board held on 28 March 2019 (Pages 27 - 31)
- 11 Minutes of Housing Review Board held on 28 March 2019 (Pages 32 - 43)

**RESOLVED that the following recommendations be agreed:**

#### **Minute 74 Brexit preparations**

a number of the housing plans be stress tested as part of the housing service's preparations for Brexit to ensure service continuity for tenants and customers.

#### **Minute 75 Future rent policy**

future rent setting has regard to the national rent setting policy as set out in rents for social housing from 2020 published by the Ministry of Housing, Communities and Local Government.

#### **Minute 76 Review of landlord disabled adaptation policy**

1. the revised landlord disabled adaptation policy to council homes, and
2. delegated authority be given to the Acting Housing Service Lead in consultation with the Portfolio Holder for Housing for any minor amendments to be made to the policy prior to its publication.

#### **Minute 79 Tenancy agreement changes update**

1. the results of the consultation.
2. the implementation of the revised tenancy agreement in line with the process outlined in the report.

- 12 Minutes of Overview Committee held on 28 March 2019 (Pages 44 - 48)

**RESOLVED that the following recommendations be agreed:**

#### **Minute 28 Poverty, homelessness, human rights and health and wellbeing in East Devon - scoping report**

the additional suggestions for key areas of focus go forward to the Devon Strategic Partnership Welfare Task Group for consideration alongside Cabinet's agreed themes of the scope.

#### **Minute 29 Environmental sustainability and climate change emergency**

to recommend to Council that we work with Devon County Council on a shared climate change programme, and signal our commitment to tackling climate change in areas where we can affect positive and meaningful change in our activities, and those of our partners, communities and residents.

- 13 Minutes of Recycling and Waste Partnership Board held on 24 April 2019 (Pages 49 - 54)

**RESOLVED that the following recommendation be agreed:**

**Minute 50 HM Government strategy consultation**

the SUEZ Director of Municipal Services be invited onto the Recycling and Waste Partnership Board.

- 14 Minutes of South and East Devon Habitat Regulations Executive Committee held on 29 April 2019 (Pages 55 - 61)

**Matters for Decision**

- 15 **Payhembury Neighbourhood Plan ('the Plan') to be formally 'made'** (Pages 62 - 64)

The Plan has now passed referendum and must be formally made by East Devon District Council in order to form part of the development plan.

- 16 **Revenue and Capital Outturn Report 2018/19** (Pages 65 - 72)

During 2018/19 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.

- 17 **Leader's annual report on urgent executive decisions** (Pages 73 - 77)

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.

- 18 **Appointment of Lead Members**

Appointment of Lead Members

The Leader will present his list of Lead Members for the Cabinet to approve in accordance with the delegation given by Annual Council on 22 May 2019.

<b>Axminster</b>	Ian Hall	Sustainable Homes and Communities
<b>Culture</b>	Joe Whibley	Environment
<b>Cranbrook (NEW)</b>	Kim Bloxham	Strategic Development
<b>Exmouth</b>	Nick Hookway	Strategic Development
<b>Business Enabling and Support</b>	Mike Allen	Economy
<b>Flooding</b>	Chris Pepper	Environment
<b>Health and Wellbeing</b>	Tony Woodward	Sustainable Homes and Communities
<b>Member Development and Engagement</b>	Maddy Chapman	Corporate Services

<b>Neighbourhood Planning</b>	Bruce de Saram	Strategic Development
<b>Building Design and Heritage</b>	Helen Parr	Economy
<b>Procurement</b>	Dan Ledger	Finance
<b>Rural Economy</b>	Andrew Moulding	Economy
<b>Sport and Recreation</b>	Vicky Johns	Economy
<b>Tourism</b>	Chris Wright	Economy
<b>Youth</b>		Corporate Services
<b>Community Safety</b>	Tom Wright	Environment
<b>NPPF</b>	Kathy McLauchlan	Strategic Development
<b>Environmental Health</b>	Olly Davey	Environment
<b>Council Housing</b>	Tony McCollum	Sustainable Homes and Communities
<b>Affordable Homes</b>	Paul Jarvis	Sustainable Homes and Communities
<b>Parks and Open Spaces</b>	Nick Hookway	Environment
<b>Consultation</b>		Corporate Services
<b>Branding and Marketing</b>		Corporate Services
<b>Customer Services</b>		Corporate Services
<b>Estates and Property Services</b>	Sam Hawkins	Asset Management
<b>Commercial Property</b>	Geoff Pratt	Asset Management
<b>Inclusivity (NEW)</b>	Steve Gazzard	Corporate Services

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.

[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 Council Chamber, Blackdown House, Honiton on 3 April 2019****Attendance list at end of document**

The meeting started at 5.30 pm and ended at 6.30 pm

**182 Public speaking**

There were no members of the public wishing to speak.

The Chairman thanked everyone for their help and support over the last 12 months.

**183 Minutes of the previous meeting**

The minutes from the Cabinet meeting held on 6 March 2019 were confirmed and signed as a true record.

**184 Declarations of interest**

None

**185 Exmouth Neighbourhood Plan to be formally 'made'**

The Exmouth Neighbourhood Plan had now passed referendum and must be formally made by the council in order to form part of the development plan.

**RESOLVED:**

1. that the Plan was made so it forms part of the development plan, and
2. that the council congratulates the Neighbourhood Plan Steering Group on their hard work and advise them that once made the Plan will carry full weight in the planning decision making process.

**REASON:**

The Plan received a majority 'yes' vote in their referendum as required by the regulations and there was no substantive reason not to make the Plan.

**186 Cranbrook temporary GP Practice**

The Projects Director presented the report which sought approval for up to £150k of funding from the Enterprise Programme to enable the delivery of a temporary GP practice in Cranbrook town centre. This was an urgent requirement because of the lack of capacity at the current practice. Whilst Access Healthcare had had their contract extended there were significant concerns over the ability to deliver increasing patient numbers. Expanded facilities were therefore urgently required.

Discussions included the following:

- if not supported this would create a massive health inequality
- this was a loan therefore the borrowing would be repaid
- as well as helping the health service, this was a benefit to the residents of Cranbrook as the existing provision was under pressure.

**RECOMMENDED:**

- that the borrowing of up to £150k against ring fenced business rate income and for these funds to be made available to the NHS Devon Clinical Commissioning Group to enable the delivery of a temporary GP facility in Cranbrook town centre, be agreed
- that delegated approval be granted to the Chief Executive in consultation with the Leader and Strategic Leads for Finance and Governance & Licensing to agree the final level of funding, terms of how these funds are made available and subsequently recovered and to complete the funding agreement and any other necessary legal documentation.

**REASON:**

Cabinet received a paper on the Enterprise Zone in April 2018. This sought approval for the principle of borrowing up to £8m against ring-fenced business rate income, with detailed approval for investing up to £3.4m for four specific projects. During the intervening period work had focused on the delivery of the approved projects, along with supporting the development of other opportunities. This had focused on overcoming barriers to delivery and bringing forward catalytic investments.

The current GP practice in the Younghayes Centre was at capacity. The temporary GP practice would enable the continued delivery of primary care services in Cranbrook for a period of 5 years. It would also bring increased footfall to the town centre and act as a catalyst for attracting wider investment.

187 **Confidential/exempt item(s)**

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

188 **Forward Plan for key decisions for the period 1 May 2019 to 31 August 2019**

Members agreed the contents of the forward plan for key decisions for the period 1 May 2019 to 31 August 2019.

189 **Minutes of the Asset Management Forum held on 25 February 2019**

Members received and noted the Minutes of the Asset Management Forum held on 25 February 2019.

190 **Minutes of the Community Fund Panel held on 19 March 2019**

Members received and noted the Minutes of the Community Fund Panel held on 19 March 2019.

191 **Minutes of the Scrutiny Committee held on 7 March 2019**

Members received the Minutes of the Scrutiny committee held on 7 March 2019.

192 **Monthly Performance - February 2019**

The report set out performance information for the 2018/19 financial year for February 2019 and was supplied to allow the Cabinet to monitor progress with selected

performance measures and identify any service areas where improvement was necessary.

There were three indicators showing excellent performance:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse.
- Percentage of non-domestic rated collected
- Days taken to process changes to Housing Benefit claims

There were two performance indicators showing as concern:

- **Days taken to process new Housing Benefit claims** - Officers were currently working through a transition period to Universal Credit which is impacting on performance.
- **Working days lost due to sickness absence** - It was anticipated that EDDC would be below the target for absence for 18/19. As previously reported, there had been a significant increase this year in employees who have been absent for two months or more as a result of surgery and serious health issues for 2 or months. These cases were all proactively managed and started to see levels reduce towards the end of 2018.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2018/19 financial year for February 2019, be noted.

**REASON:**

The performance report 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.

193 **Environmental sustainability and climate change emergency**

The Strategic Lead Housing, Health & Environment presented the report which explored, highlighted and refreshed EDDC's environmental commitments and contributions towards addressing climate change.

The council was well placed to influence, promote and lead local initiatives to protect and enhance the environment, which was consistent with the valuing the outstanding environment theme in the Council Plan. There was logic in all local authorities working together on this agenda and the report proposed that EDDC work with Devon County Council following their recent consideration of a climate change emergency motion. DCC have said that they would be working with strategic partners across the county to ensure the county was doing what it could to reduce carbon emissions as well as ensure Devon was carbon neutral by 2050.

Discussions included the following:

- Global warming was the greatest threat to mankind, we should be bringing forward the date for Devon to be carbon neutral
- Devon has 2 coastlines which could be used to create energy from the wind and sun
- There was no Government support for renewable energy
- Vehicles used by EDDC were still using diesel fuel and not LPG which was better for air quality



- Younger people should be able to voice their concerns and listened to through proper discussions; there were the next generation to which climate change would have the most impact
- Fabric manufacturing took up a lot of energy. Clothes labelling should indicate the longevity of the garment to encourage people to buy clothes that lasted longer
- We were just a small country, tackle the countries in the world who created the most pollution
- ensure our drivers switched off their engines once stopped, if anything, this would also send out the correct message
- East Devon has numerous rivers and streams, these could be harnessed to create green energy to run a local bus for instance
- We must try to raise the bar in tackling climate change
- EDDC committee reports could have an environmental impact assessment
- We need to be more ambitious or at least try to be with tougher targets. Set hard targets and start now. Planning have to set high standards and the NPPF allows for this.

**RESOLVED:**

- that EDDC work with Devon County Council on a shared climate change programme, and signal its commitment to tackling climate change in areas where it could affect positive and meaningful change in its activities as well as those of our partners, communities and residents, and
- that EDDC consider setting a more ambitious date for becoming carbon neutral and that a report be brought back to Cabinet highlighting how this could be achieved together with what actions would be required for an effective supporting implementation plan.

**REASON:**

To ensure that this Council states its position and contributes towards tackling climate change where it could make a positive impact. There was an opportunity to work in collaboration with Devon County Council and others to ensure they were coordinated and had the greatest impact.

194 **Adoption of the Blackdown Hills AONB Management Plan 2019-24**

The Blackdown Hills AONB manager stated EDDC, together with Devon and Somerset County Councils, Mid Devon and South Somerset District Councils and Taunton Deane Borough Council, had authorised the Blackdown Hills AONB Partnership to undertake a review of the Management Plan for the AONB by April 2019, as required under Section IV of the Countryside and Rights of Way Act 2000.

Public consultation on the review took place in autumn 2018. Following endorsement by the AONB Partnership and final approval from the statutory consultee, Natural England, adoption of the AONB Management Plan by EDDC and the other local authorities was required before lodging the Plan with Defra.

**RESOLVED:**

That the formal adoption of the Blackdown Hills AONB Management Plan be agreed.

**REASON:**

Under Part IV of the Countryside and Rights of Way (CROW) Act 2000 the relevant local authorities were required to review the AONB Management Plans for the Blackdown Hills

and East Devon AONBs at intervals of not more than 5 years. The review for the 2014-19 Plans needed to be completed by April 2019. EDDC with other local authorities had authorised the Blackdown Hills and East Devon AONB Partnerships to review the AONB Management Plans on their behalf.

**Attendance List**

**Present:**

**Portfolio Holders**

I Thomas

P Skinner

D Barrow

I Chubb

G Pook

T Wright

**Cabinet apologies:**

A Dent

M Hartnell

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

Brian Bailey

Paul Carter

Maddy Chapman

Bruce de Saram

Peter Faithfull

Roger Giles

Steve Hall

Cherry Nicholas

Eleanor Rylance

Pauline Stott

Rob Longhurst

John Dyson

Steve Gazzard

Mike Howe

**Also present:**

**Officers:**

Mark Williams, Chief Executive

Richard Cohen, Deputy Chief Executive

Simon Davey, Strategic Lead Finance

John Golding, Strategic Lead Housing, Health and Environment

Henry Gordon Lennox, Strategic Lead Governance and Licensing

Karen Jenkins, Strategic Lead Organisational Development and Transformation

Charlie Plowden – Countryside and Leisure

Andy Wood, Projects Director

Tim Youngs, Blackdown Hills AONB Manager

Amanda Coombes, Democratic Services Officer

.....

Chairman .....

Date:



**Report to:** Cabinet  
**Date of Meeting:** 5 June 2019  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None

**Agenda item:** 5

**Subject:** Exemption from Contract Standing Orders for temporary arrangements to ensure the ongoing maintenance of Council Homes.

**Purpose of report:** This report is written to seek Cabinet's approval to an exemption to Standing Orders in order to ensure continuity of repairs and maintenance to the Council's housing stock during a period of demobilisation of the current contract for day to day repairs and work to void properties. The temporary arrangements that are required are for a period of approximately 4 weeks as part of mobilisation of the new Integrated Asset Management Contract.

**Recommendation:** That Cabinet approve the Exemption from Contract Standing Orders to ensure continuity of service to Council tenants and the protection of the Councils housing stock in relation to day to day repairs and void management.

**Reason for recommendation:** An exemption from standing orders is appropriate in the circumstances.

**Officer:** Amy Gilbert-Jeans. Acting Housing Service Lead  
[agilbert@eastdevon.gov.uk](mailto:agilbert@eastdevon.gov.uk)

**Financial implications:** The amount highlighted in the report can be met from the existing budget approved.

**Legal implications:** As the EU procurement threshold has not been reached, Cabinet are permitted to grant an exemption from contract standing orders under Rule 3.1 of Contract Standing Orders. The logic and rationale for seeking the exemption here appears sound and so an exemption can be validly granted. There are no other legal implications requiring comment.

**Equalities impact:** Low Impact

**Risk:** High Risk

A full risk assessment has been carried out as part of the award of the new Integrated Asset Management Contract. A key risk revolves around our ability to maintain tenant's homes during demobilisation of the current contract for day to day repairs and work to void property. The potential lack of labour has been recognised as a significant risk at this stage of the project. As mitigation officers have been discussing this exact scenario with Ian Williams Ltd and have agreed a short term contract to cover this risk period ahead of the main contract commencing with them.

Guidance is being sought from Communications around reputational risk and how best to ensure tenants/stakeholders are aware of the need for us to evoke this temporary arrangement. We will need to ensure clear, consistent information is provided and we will consider carefully how this is done.

**Links to background information:**

- [Integrated Asset Management Contract for housing repairs - Cabinet report September 2018](#)

**Link to**

Encouraging communities to be outstanding

**Council Plan:**

**Reasons for an interim repairs and maintenance arrangement and exemption from Standing Orders.**

1. Mobilisation work is currently underway to deliver our new Integrated Asset Management Contract. This contract will capture all responsive repairs, works to void properties, servicing schedules and a number of additional work streams to ensure maintenance and management of the Council's housing stock over the next ten plus years.
2. Due to the high value of the contract, this has been through a full EU procurement process and a Partnering Contract is ready to be entered into with Ian Williams Limited for a period of 10 years (plus 5 years) which commences on the 1<sup>st</sup> July 2019.
3. Mobilisation work has been underway for the past 6 months and we have been liaising closely with our incumbent contractors to ensure day to day business continues until the new contract commences. As part of the demobilisation of the two contractors currently contracted to undertake this work we are now liaising on a daily basis to keep constant track of labour levels and work in progress. We are also beginning to understand capacity with regards to what works orders they will not be able to take on, and work that they will not be able to complete prior to July 1<sup>st</sup>.
4. Our risk register highlighted a number of risks at this stage of the process, including the loss of labour that often comes as a result of the transfer of undertakings (TUPE) process.
5. We have had some ongoing concerns that one of the contractors in particular has been struggling to meet our service demand already, which we recognised through a build-up of outstanding orders, and we now feel this has the potential to put tenants at risk as well as have a reputational impact on EDDC.
6. We also need to be prepared for increasing customer demand at any time due to unforeseen circumstances. We must be reasonable with current contractors in relation to the point where they will no longer be able guarantee the completion of works prior to the end of the contract, for example a high demand in the final week of June will have the potential to cause significant disruption to tenants.
7. As part of managing the risks this situation presents, we have entered into discussion with Ian Williams Ltd about some additional support that can be provided in order to get us through the few weeks transition period before the new contract starts. This will include the provision of 4 operatives for two weeks (3 multi-trades and an electrician). The total value agreed with Ian Williams Ltd to cover this work is £28,428.82. It should be noted that Housing Revenue Account budget is already in place to cover responsive repairs and work to bring void property up to standard for re-letting.

8. We are continuing to work with incumbent contractors to understand any build-up of works in progress and discussions are continuing around what they are realistically able to complete prior to the 1<sup>st</sup> July. As a large proportion of the works is demand led by residents it is impossible to predict the exact level of demand over the coming few weeks prior to the 1<sup>st</sup> July, therefore setting up this temporary arrangement will give us certainty and ensure continuity of service, and limit any disruption to residents.
9. It is recommended that we agree this arrangement in order to allow the Property and Asset Manager to utilise this resource as and when required over the course of the next few weeks. This may or may not need to include the provision of out of hour's emergency cover. Setting up this temporary provision will mean immediate availability of resources for us to utilise to ensure a streamlined transition between the current repairs contract and the new Integrated Asset Management contract.
10. Under contract standing orders, a contract value of this level would normally require quotations to be obtained from three suppliers in accordance with a written tender. However, with Ian Williams taking over the contract on 1<sup>st</sup> July and being geared to take on the work and having been through rigorous due diligence for the main repairs contract, it is considered that they are best placed to handle this additional work in the short term, should it arise, and therefore the contract should be awarded to them and it is not therefore appropriate to follow contract standing orders in this instance.

## EAST DEVON DISTRICT COUNCIL

### Forward Plan - For the 4 month period: 1 July 2019 to 31 October 2019

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 are shown with a Y in the Key Decisions column.**

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, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton. 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 plan also identifies Key Decisions which are to be considered in the private part of the meeting (Part B) and the reason why. Any written representations that a particular decision should be moved to the public part of the meeting (Part A) 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.**

#### **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) or by calling 01395 517546.

<b>Decision</b>	<b>Relevant Officer</b>	<b>Other meetings where the matter is to be debated / considered</b>	<b>Cabinet meeting date</b>	<b>Council Meeting date (where decision is required by Council)</b>	<b>Key decision (Y/N)</b>	<b>Part A = Public meeting Part B = private meeting [and reasons]</b>
Heart of the South West Productivity Strategy	HotSW Joint Committee		TBC			
Beer Pilot	Deputy Chief Executive	Asset Management Forum 13 June 2019	10 July 2019	24 July 2019	N	Part A

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 Democratic Services, Council Offices, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ. Telephone 01395 517546.



**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of New Homes Bonus Panel held at Clyst Room, Blackdown House, Honiton on 19 March 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.20 am

**4 Apologies**

Apologies for absence were received from Councillors Mike Allen, David Barratt and Douglas Hull.

**5 Notes of previous meeting**

The notes of the previous meeting held on 25 October 2018 were confirmed as a true record.

**6 Declarations of interest**

Councillor Tom Wright

Minute 8

Personal Interest – Chairman of Budleigh Salterton Town Council.

Councillor Geoff Jung

Minutes 10

Personal Interest – Ward Member for Otterton and Member of Woodbury Flood Resilience Steering Group

Councillor Dean Barrow

Minute 9

Personal Interest – East Devon representative on TRIP.

**7 Communities Together Fund Rules**

The Parishes Together Fund guidance notes and application form, circulated with the agenda were noted

**8 Budleigh Food Event £2,687.28**

This was a project from Budleigh Salterton Chamber of Commerce with support of Otterton and East Budleigh Parish Councils to celebrate the Raleigh 400 years centenary and to hold a community street party in Budleigh on 6 July 2019. A question was raised regarding what community development the event was going to generate. A representative of the organising committee reported that he hoped it would promote the town centre and its shops and bring people together in the town.

**RECOMMENDED:** that the application for £2,687.28 from Budleigh Salterton Chamber of Commerce be supported on the condition that money raised be used to pay for a similar event in 2020.

**9 Honiton transport to dementia support £4,000**

This was a project from Honiton Dementia Action Alliance to pay TRIP community transport to collect people from surrounding villages and rural areas and bring them into Honiton to take part in the dementia support activities. Ali Eastland, Devon County Council and Jamie Buckley, Engagement & Funding Officer, proposed the idea to the Panel of setting up an independent evaluation to look at both the Honiton and Ottery St Mary dementia support schemes that were recommended for funding after they had finished. They proposed that this work would be paid for by underspend from the Communities Together Fund.

- RECOMMENDED:**
1. that the application for £4,000 from Honiton Dementia Alliance be supported.
  2. that an independent evaluation comparing the Honiton dementia scheme and the Ottery dementia scheme be a condition of the grant, and that this be paid for using some of the Communities Together Fund underspend.

10 **Lympstone flood resilience project £7,700**

This was a project from Lympstone Parish Council with the support of Woodbury Parish Council to reduce flood risk in the Wotton Brook catchment in Lympstone and Woodbury. The Panel were impressed with the levels of working together on the project, with many different organisations involved.

- RECOMMENDED:** that the application for £7,700 from Lympstone Parish Council be supported

11 **Newton Poppleford air ambulance landing site £6,490.36**

This was a project from Newton Poppleford Playing Field Foundation with support of Devon Air Ambulance to put in a night landing site at the playing field. This would potentially enable the air ambulance to land at night to save lives in Newton Poppleford and surrounding towns and parishes.

- RECOMMENDED:** that the application for £1,500 from Newton Poppleford Playing Field Foundation be supported

12 **Ottery St Mary Dementia Action Alliance and outreach £10,390**

This was a project from Ottery Help Scheme to set up a sustainable Dementia Action Alliance across the Ottery St Mary District and deliver roaming memory cafes in rural parishes around. This will involve working with a variety of local organisations and businesses. Ali Eastland, Devon County Council and Jamie Buckley, Engagement & Funding Officer, proposed the idea to the Panel of setting up an independent evaluation to look at both the Honiton and Ottery St Mary dementia support schemes that were recommended for funding after they had finished. They proposed that this work would be paid for by underspend from the Communities Together Fund.

- RECOMMENDED:**
1. that the application for £10,390 from Ottery Help Scheme be supported.

2. that an independent evaluation comparing the Honiton dementia scheme and the Ottery dementia scheme be a condition of the grant and that this be paid for using some of the Communities Together Fund underspend.

13 **Seaton Walkers leaflets and information £2,921.60**

This was a project from Seaton Town Council with support of Axmouth Parish Council to produce a leaflet for walkers/information for walks from Sidmouth to Seaton, highlighting Seaton. A leaflet would also be produced with information specifically about Goat Island.

**RECOMMENDED:** that the application for £2,921.60 from Seaton Town Council be supported

14 **Stoke Canon footpath £1,960**

This was a project from Stoke Canon Parish Council with support of Brampford Speke Parish Council to improve 100m of public footpath between the two parishes, which had become so degraded residents with pushchairs, buggies, wheelchairs etc can't use it. The two parishes regularly need access to each other to use community facilities. .

**RECOMMENDED:** that the application for £1,960 from Stoke Canon Parish Council be supported

15 **Uplyme air ambulance landing site £2,783,02**

This was a project from Uplyme Parish Council with support of Devon Air Ambulance Trust to put in a night landing site at King's George's Field, Uplyme. This would potentially enable the air ambulance to land at night to save lives in Uplyme and surrounding towns and parishes.

**RECOMMENDED:** that the application for £2,783.02 from Uplyme Parish Council be supported

16 **Upottery playing fields footpath £6,250**

This was a project from Upottery Playing Fields Association with the support of Upottery Parish Council who were applying for funds to create safer access to Glebe Parks sports and playing fields as it was currently on a blind bend. This project would encourage more walking and more people to use the playing fields and sports clubs, especially school children. It would benefit school children from parishes outside Upottery.

**RECOMMENDED:** that the application for £5,000 from Upottery Playing Fields Association be supported

17 **West Hill football goals £1,581**

This was a project from West Hill Parish Council to purchase full size portable goals for the use of The King's School in Ottery St Mary and West Hill Wasps junior football club.

They will replace a current set of fixed football goals that are at the end of their life. The portable goals will also allow flexibility for better football coaching. They would be used daily throughout the school year and for West Hill Wasps on training nights and match days. The goals would enhance sports provision in the area.

**RECOMMENDED:** that the application for £1,581 from West Hill Parish Council be supported

18 **Seaton Majorettes**

This was a project from Seaton Majorettes with support from Seaton Town Council to purchase 30 new batons for Seaton Majorettes. There was considerable concern expressed over the significant cost of the batons, which did not yet include any customs charges/import duty from the USA. Members felt that cheaper batons could have been sourced.

**RECOMMENDED:** that the application for £3,360 from Seaton Majorettes not be supported.

19 **Any other business**

a) Exmouth Dragon's Den underspend

Consideration was given to a request that Exmouth Town Council keep the Exmouth Dragon's Den 2018/19 underspend of £4,938.76 to distribute through a similar Dragon's Den style event in 2019/20.

**RECOMMENDED** that Exmouth Town Council be allowed to keep the Exmouth Dragon's Den 2018/19 underspend of £4,938.76 to distribute through a similar Dragon's Den style event in 2019/20.

b) Communities Together Fund 2018/19

Members noted that the total amount applied for totalled £51,902.50. with applications approved, this would leave an underspend of around £150,000., which was mainly due to it being the first year that the fund had run. It had been indicated that Devon County Council (DCC) would allow EDDC to keep the underspend to distribute in East Devon through crowdfunding, which was the proposal that came from DCC if we wanted to keep the money. Members noted that this the one and only Communities Together Fund decision making meeting, due to changes in funding allocation procedures from DCC. There would be no Communities Together Fund in future years.

c) Otterton Parishes Together Fund project 2016/17

Members noted that Otterton and Woodbury Parish Councils had applied jointly for £3,289.50 from the Parishes Together Fund for a countryside education signage project in 2016/17. They had sent a letter, which was circulated to members, asking whether this funding could be spent on something slightly different to that originally approved. This was urgent repairs and replacements for other footpath signage in the area.

**RECOMMENDED** that the Otterton and Woodbury Parish Councils request to spend the £3,289.50 grant from the Parishes Together Fund 2016/17 on urgent repairs and replacements for footpath signage in their parishes be approved.

**Attendance List**

**Councillors present:**

D Barrow (Chairman)  
P Diviani  
S Grundy  
G Jung  
T Wright

**Councillors also present (for some or all the meeting)**

S Bond  
R Giles

**Officers in attendance:**

Jamie Buckley, Community Engagement and Funding Officer  
Ali Eastland, Locality Development Officer  
Christopher Lane

**Councillor apologies:**

M Allen  
D Barratt  
D Hull

Chairman .....

Date: .....

**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of Arts and Culture Forum held at Blackdown House, Honiton on 27 March 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 12.13 pm

**12 Public speaking**

There were no members of the public wishing to speak.

**13 Minutes**

The minutes of the meeting held on 10 October 2018 were signed as a true record.

**14 Declarations of interest**

None

**15 Villages in Action 2018/19**

Claire Marshall from Carn to Cove and Rick Blowers of Villages in Action presented 'Rural Performance in Devon, Update on activity for East Devon District Council'. They reminded the Forum of the project's aims

- **Stabilisation** of rural touring in VIA areas of Devon (not covered by Beaford Arts)
- **Introduce** digital systems for IT and ticketing
- **Expansion of** international programming content
- **Organisational Development** – test new models of working with new stakeholders for sustainable system: Options Appraisal Panel

They informed the group of performances coming up in the next few months as well as new partners and expansion of international programming content. This year VIA would gather opinions from stakeholders, review the organisation development plans and present the findings from the options they had appraised during the project so far:

- **Hub & Spoke:** collaborative working
- **Made in Devon:** developing Hefted in the community
- **New partnerships:** The Inn Crowd; Doorstep Arts

**16 South West Museums Partnership 2018/19**

Victoria Harding, Programme Manager presented the South West Museums Development Programme (SWMD). There were 7 accredited museums in East Devon; 2 major National Trust properties, A La Ronde, Killerton and 5 museums run entirely by volunteers - Sidmouth, Allhallows, Fairlynch, Axminster and Topsham. She explained that Museum Development was established in 2006 and restructured in 2012. SWMD is one of nine regional Museum Development Providers in the South West, hosted by Bristol City Council on behalf of the SW region.

There were approximately 400 museums and heritage organisations in region with

210+ Museums within the Accreditation Scheme. Museum Development has worked closely with 200+ museums in 2017-18. Over 30% funding in a network of local MDOs. Over 30% of the sector is wholly operated with volunteer workforce and 60% of the museums were Independent charities. Half the museums attract under 10K visits per annum.

East Devon 2017/18 investment came from;

- EDDC, Sidmouth Town and Budleigh Salterton Parish Councils
- External grants from National Lottery Heritage Fund of £241,800
- A wide range of SWMD technical and thematic support services e.g. collections and audiences
- £30,000 of additional project investment direct to East Devon's Museums

£241,000 over 2018-20 would come from Rural Proofing Resilience for 16 museums across Cornwall, Devon, Dorset and Somerset; Sidmouth Museum and Fairlynch Museum were key project beneficiaries. Victoria hoped EDDC would continue to invest in order for the Council to access enhanced services offered by SWMD such as;

- increased Museum Development Officer capacity to support fundraising and partnership development
- free skills for heritage organisations
- Grant Programme £1K - £7K
- Development Grants up to £5K
- increased investment through external funded projects
- access to micro consultancy development support from Thematic Officers.

## 17 **EDDC Public Health Plan (2019) priorities**

Helen Wharam, EDDC Public Health Officer presented a summary of the East Devon Public Health Strategic Plan 2019-23. Across the district EDDC could influence health and wellbeing outcomes at a local level in ways less available to Devon County Council or NHS colleagues by;

- working closely with tenants, residents and local businesses
- working in partnership with local third sector and community groups who were active in the towns
- managing green spaces that enable EDDC to offer health and wellbeing activities second to none
- regenerating towns and developing communities
- planning the built environment.

The Plan's strategic aims were:

1. To help more people to be healthy and stay healthy
2. To enhance self-care and support community resilience
3. To integrate and improve support for people in their homes

## 18 **Thelma Hulbert Gallery & Arts Council England programme 2019/20**

Emma Molony, THG Projects and Fundraising Officer presented an update of activities, partnerships and initiatives.

- Art on the East Devon Way activities and how to develop partnership with East Devon AONB

- From Tree to Sea - a project to celebrate East Devon's Coastal heritage
- Form a strategic partnership with Devon Insight to reach more people living with sight-loss in East Devon
- Develop the gallery audio-tiles by working with Honiton Community College to create guided tours for people living with Dementia and their carers
- Form a steering committee for THG to ensure we fairly represent our diverse communities.

Emma introduced and welcomed Ruth Gooding, the newly appointed Gallery and Arts Development Manager for THG.

## 19 **Wild Exmouth Heritage Lottery Fund project**

Debs Ryland, EDDC Wild Exmouth Ranger presented the Wild Exmouth initiative that sought to improve experiences for local people, tourism and traders. Wild Exmouth was about renewing places and creating memorable experiences for visitors and holidaymakers. It combined the knowledge of the tourism industry and experience of vision and designing resorts and infrastructure. It promoted the awareness of looking out for ways to help wildlife at home and getting active by joining community groups to enhance the places people live in through culture and nature.

It hoped to deliver links to show that economic and social development could be led by revitalising historic assets, greening villages and cities, and engaging communities - regenerating through heritage.

## 20 **EDDC Events programme work 2019/20**

Andrew Hopkins, EDDC Events Consultant updated the Forum on the Queen's Drive Space and Gate to Plate.

### Queen's Drive Space

- In talks with the Royal Opera House re performance screening
- Open air cinema screening
- Promoting the area as an event space
- In partnership with Ocean Blue and Pavilions
- Improved ticketing box office
- Events on the beach using the 'Space' as a secondary location
- Many enthusiastic traders
- Has to be sustainable in order to income generate

### Gate to Plate

- To be held this year on Saturday 10 August
- Has to be a sustainable event in order to income generate
- Show kitchens
- Working with businesses in Honiton

Charlie Plowden, Service Lead Countryside and Leisure on behalf of the Forum, thanked the Chairman Councillor John O'Leary for his support for the Arts and Culture Forum as



Culture Champion as well as his valued personal support. In response Councillor O'Leary thanked Charlie and his team and Democratic Services for their assistance over the last eight years of his chairmanship.

**Attendance List**

**EDDC Councillors present:**

J O'Leary (Chairman)  
J Brown  
P Faithfull  
B de Saram  
T Wright  
J Dyson

**Community representatives:**

B Norris

**Town Representatives**

E Pang, Ottery St Mary Town Council

**Officers in attendance:**

Charlie Plowden, Service Lead Countryside and Leisure  
Ruth Gooding, Gallery and Arts Development Manager  
Emma Molony, Projects and Fundraising Officer  
Helen Wharam, Public Health Officer  
Debs Ryland, Wild Exmouth Ranger  
Andrew Hopkins, Events Consultant  
Amanda Coombes Democratic Services Officer

**Also Present**

Claire Marshall, Carn to Cove  
Rick Blower, Villages in Action  
Victoria Harding, SW Museums Programme Manager  
Wendy Van der Plank, Beehive Honiton

Chairman .....

Date: .....

**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of Exmouth Regeneration Board held at Committee Room, Exmouth Town Hall on 28 March 2019****Attendance list at end of document**

The meeting started at 9.30 am and ended at 11.40 am

**1 Introductions and apologies received**

Those present were welcomed to the meeting.

**2 Notes from previous meeting**

The report of the meeting held on 13 December 2018, was confirmed as a true record.

**3 Declarations of interest**

Cllr Pauline Stott – Personal interest. She was on the board of the water sports centre.

**4 Matters arising**

There were no matters arising.

**5 Coastal Communities Funding**

AH reported that we had now heard back from the MHCLG on the outcome of the Coastal Community Funding bids. Members noted that we had submitted a bid called Access East Devon which was focussing on a number of initiatives that were aimed at creating more accessibility for all within our seaside towns in East Devon. Grenadier Estates had also submitted their own bid for funding towards the Watersports Centre.

Bids were received totalling £84 million, with only £34 million available for this round, unfortunately, neither the EDDC nor Grenadier's bids were successful this time round. AH reported that she was in the process of analysing the successful bids to see what sort of activities they had funded and would contact Groundwork who assessed the bids to secure more feedback on the reasons why we were unsuccessful. The round's allocation went to 26 projects nationally, including eight in the southwest.

Grenadier Estates would progress with the Watersports centre project anyway as previously confirmed to Cabinet. The officers would review the outputs of the Access East Devon proposal which included a menu of investments including free WiFi and beach trampers and see what might be able to be achieved through other means, for example, in partnership with others.

It was noted that EDDC had set up a £20million commercial investment fund itself, so in future would be less reliant on central Government funding for commercially viable projects.

**ACTION:** AH to circulate the bulletin from MHCLG announcing the successful bids to members of the Exmouth Regeneration Board.

## 6 **Flood defence and sea wall repairs**

Alison Hayward provided an update from Dave Turner on the Exmouth Tidal Defence Scheme. Planning permission for the whole scheme had been granted in January 2019. The reserved matters application for Morton Crescent had now been submitted, and the revised design incorporated feedback from the residents, with the wall to be constructed on the line of the existing garden wall, with similar detailing. Plans for Alexandria Terrace were being actively worked on, and the reserved matters application for that area was programmed to be submitted within the next couple of months.

There had been some early work to remove trees and vegetation before the bird nesting season along the route of the new defences. Over the next couple of weeks the compound area in the lorry park would be expanded to form the main compound for the works. The estuary side alongside the car parks and down into the recreation ground would also be the main area of focus when the Environment Agency's (EA) contractor TVO started work, with a 2 metre deep foundation to be constructed in advance of the precast concrete walls being delivered. TVO, the EA and EDDC had been working with businesses in the area to accommodate them as far as practicable during the works. TVO would ensure that access was available for the Exmouth festival.

Work on the seafront would start after the Easter holidays, with that work mainly consisting of strengthening the seawall, including excavating and reinforcing the foundations. All works on the seafront would stop during the summer holidays due to embargoes. The main works on constructing the new flood defences in this area would not begin until the autumn.

AH advised the Board that TVO had an excellent public liaison officer, Jane John who had been very proactive with communication. Jane could be contacted at [Exmouth.PLO@Kier.co.uk](mailto:Exmouth.PLO@Kier.co.uk) and would be sending out a monthly newsletter for the works.

Jeff Trail raised an issue with transportation craft at the marina. Richard Cohen reported that EDDC were aware of the issue and of conversations between the user, Devon County Council and the EA, however it was not a district responsibility.

## 7 **Propeller Group update**

Jim Hill gave the Board an update on Propeller, which is occupying the old working man's club in Victoria Road, Exmouth. It offered a co-working space with a focus around growing companies and running events. Over the last few months they had been attracting people from much further afield and the not for profit organisation was growing fast, providing employment opportunities. There had been 104 members of the 'meet up' over the past three months.

Some of the organisations Propeller were in touch with included Exeter University Business School, South West Business Network, Grow East Devon magazine. It was noted that EDDC had supported Propeller by granting them business rates holiday. They would continue to assist by promoting the work of Propeller, building links and helping them overcome barriers where possible.

On behalf of the Board the Chairman thanked Jim for his update and for promoting the area as a quality place for business.

## 8 **Queens Drive update**

Andrew Hopkins, Events Manager was introduced to and welcomed by the Board. He had commenced a ten month contract in January 2019 for the Regeneration and Property Team as an events consultant.

### **Queens Drive Space**

Andrew Hopkins advised the Board that bar and food traders at Queen's Drive space would open on Saturday 6 April. Royal Opera House tour tickets were going on sale at midday on 28 March. Royal Opera House was a free ticketed event, with people encouraged to use the food stall and bar at the Queen's Drive space. Open screen cinema events which will take place in July and August will be ticketed and charged. It was also hoped to run relaxed Friday evening music events, working with the bar. It was noted that the play park had been well used over the winter period and had a good reputation.

It was hoped that partnerships would be formed with LED Pavilion, Ocean, Wild Exmouth and East Devon Countryside team. The focus would be on relationship building, working collectively to co-ordinate the Exmouth offer. There would also be increased social media interaction, for example working jointly with Ocean to promote events packages. Andrew was meeting the Savoy Cinema that afternoon to discuss sharing and jointly marketing Royal Opera House events. It was suggested that Last Night of the Proms could be shown on the large open air screen at Queen's Drive space. However, it is understood that this is shown at the Pavilion. It was also hoped that a family based approach to big football matches could be explored.

On behalf of the Board the Chairman thanked Andrew.

### **Phase 1 – road and car park**

Alison Hayward reported that work was going well on site, with the works due to complete on 19 June 2019. It was noted that the footpath in front of Queen's Drive space had been dug up and was likely to remain like that until 19 June as it was being used for utility cables. When the contractors leave their compound this area will form part of phase 3. In the meantime we are exploring the possibility of additional temporary car parking spaces being provided over the summer.

### **Phase 2 – Grenadier Estates**

Alison Hayward reported that Grenadier Estates were finalising their tender process for their contractor selection. Contracts would be signed in mid May and work would start on site (late June 2019) as soon as the road was complete. Completion was due end of April/May 2020, with the water sports centre expected to open in early June 2020.

Information boards would be displayed providing details about the overall Queen's Drive regeneration. It was suggested that the 'train time line' could be used again. Consideration needed to be given to local advertising across the town and at gateway points such as the train station. A request was made for the transport interchange issue to be an agenda item for the next meeting of the Exmouth Regeneration Board.

Jeff Trail reported that the car park signage was still not correct in respect to motor homes and Alison Hayward agreed to report this back to EDDC's Service Lead – Environmental Health and Car Parks.

### **Phase 3 – Hemmingway Design**

Alison Hayward reported on the Hemmingway Design work and the stakeholder event. EDDC had been working with Hemmingway Design and commercial property advisers looking further at commercial deliverability, so that there was both a capital and revenue outcome for the council from the area. There would be more information available in the future and the public would have an opportunity to feed into the process.

On behalf of the Board the Chairman thanked Alison Hayward for her updates.

**ACTION:** transport interchange to be included as an item on the next meeting of the Exmouth Regeneration Board.

## 9 **Communication update**

Councillor Stott asked what was happening about Warren View. The Chairman advised that it was still progressing and that he would request an update report from Dave Turner on the Warren View engineering report.

**ACTION:** Dave Turner be requested to give a progress report on engineering at Warren View.

## 10 **Dates of future meetings**

Dates of future meetings, all commencing at 9:30am were noted as:

20 June 2019

19 September 2019

12 December 2019

### **Attendance List**

#### **Councillors present:**

P Diviani

J Elson

P Skinner

T Dumper

P Stott

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

J Hill, Propeller

R Jacobs, EIC Group

#### **Officers in attendance:**

Richard Cohen, Deputy Chief Executive

Alison Hayward, Senior Manager Regeneration & Economic Development

Alethea Thompson, Democratic Services Officer

Andrew Hopkins, Events Consultant

#### **Councillor apologies:**

L Bowman

J Brown

J Humphreys

I McQueen

S Morton  
R Pryke  
L Rix  
T Wood

Chairman .....

Date: .....

**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of Housing Review Board held at Council Chamber, Exmouth Town Hall, Exmouth EX8 1AW on 28 March 2019****Attendance list at end of document**

The meeting started at 2.35 pm and ended at 4.40 pm

**63 Public speaking**

There were no questions raised by members of the public.

**64 Minutes of the previous meeting**

The minutes of the Housing Review Board meeting held on 24 January 2019 were confirmed and signed as a true record.

The Chairman informed the Board that there would be a modular homes workshop starting at 10:30am on 24 April 2019 in Exmouth Town Hall and invited members to attend.

**65 Declarations of interest**

Pat Gore: Personal interest - housing tenant.

Peter Sullivan: Personal interest – housing tenant.

Cat Summers: Personal interest – housing tenant.

Cllr Steve Gazzard (non Board member): Personal interest – housing tenant.

**66 Matters of urgency**

There were no matters of urgency raised at the meeting.

**67 Confidential/exempt item(s)**

There were no confidential or exempt items.

**68 Introduction to Ian Williams Ltd**

The Chairman introduced and welcomed Jane Cox, Operations Director, and Claire Harris, Project Manager, from Ian Williams Ltd to the meeting. They explained that Ian Williams Ltd was a family business first established in 1946. It was privately owned and had a turnover of £80m. It was a stable business with 15 offices nationwide and contracts of £300m to 2033.

Ian Williams Ltd invested in people and their staff. They had Investors in People (IIP) gold status and had recently received the RoSPA president's award. It employed 850 people and had more than 10% apprentices. In the South West Ian Williams had long term relationships with:

- Exeter City Council
- Plymouth Community Homes
- Teign Housing

They had over 100 employees, 9 apprentices, 4 trainee surveyors and 50 local small to medium enterprises (SME). They were the Price Waterhouse Cooper (PWC) South West Business of the year in 2017.

The Ian Williams Ltd contract with EDDC would start on 1 July 2019. To begin with it would be for repairs, voids and compliance, with planned works in the future. There would be seven office staff based at Woodbury Business Park, with desk space available for EDDC employees. A Business Manager had been appointed through internal promotion and other vacancies would be advertised locally. There would be 25 site staff, with 2 apprentices. Employees of the incumbent contractors could transfer under TUPE.

The commitments to EDDC tenants requesting a repair were:

- Appointments made on the first call
- Risk assessments and emphasis on safety.
- Photographs (before and after the repair).
- Signature of completion & satisfaction questionnaire on every job.
- Job update cards for follow on appointments.
- Confirmation of follow up appointment from site before operative leaves the property.
- Follow up on feedback.
- Post inspections jointly with EDDC.

The Ian Williams Academy offered employee development and knowledge expansion. It was award winning and in 2018 had 6.5 training days per employee. For EDDC the IW Academy would provide

- 1 additional apprentice per annum
- 1 additional trainee surveyor every 3-4 years
- Annual engagement with schools & colleges
- Upskilling existing workforce

Ian Williams Foundation was established in 2016 and aimed to support local communities. It was an employee led team, with over £50,000 a year in donations. With EDDC the IW Foundation would provide:

- Active resident representation
- Resident trade training days
- Attendance at resident workshops
- Community sponsorship and donation

On behalf of the Board the Chairman thanked Jane Cox and Claire Harris for their informative presentation.

## 69 **Integrated asset management contract update**

The Acting Service Lead's report summarised progress on the mobilisation of the new integrated asset management contract, and introduced the structure and timetable for the process.

The revised start date for the contract, which had been awarded to Ian Williams Ltd, was 1 July 2019. Six sub groups had been set up to carry out specific tasks to ensure mobilisation was carried out as seamlessly as possible. These were:

- Delivery sub group
- ICT sub group
- Commercial sub group



- Communications sub group
- Health and safety group

All subgroups would contain both Ian Williams and EDDC staff. There were tenants on most of the sub groups too. A steering group would oversee the work of the six sub groups and had overall management of the 'live' mobilisation project plan. The communications sub group was key to how the contract worked on a day to day basis and how the change of contractors was communicated to tenants. The group were looking at innovative ways to communicate the change with tenants.

ICT integration was the biggest challenge of the project and also related to the majority of the milestones. In order to ensure critical milestones were met and in line with some internal staffing challenges (absence of some key roles) the Acting Housing Service Lead outlined additional consultancy support was being considered to assist with the final stages of the project.

The Vice Chairman thanked the Acting Housing Service Lead for her presentation and for attending the Tenant Involvement Forum to keep them informed. Tenants had been involved in the new contract from the start.

**RESOLVED:** that the progress made in the mobilisation of the new integrated asset management contract be noted by the Housing Review Board.

## 70 **Housing Review Board Forward Plan**

The Acting Housing Service Lead presented the forward plan and advised Members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either herself or the Democratic Services Officer.

The following items were added to the forward plan:

- Presentation on modular homes – 10:30am, 24 April 2019, Exmouth Town Hall.
- Report on the Homes (Fitness for Human Habitation) Act 2018.

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

## 71 **Homelessness Strategy 2019 -2023**

The Housing Needs and Strategy Manager presented the Homelessness and Rough Sleeping Strategy 2019 – 2023. This was a statutory requirement, as directed by the Homelessness Act 2002, and a general fund matter that has already been adopted at Cabinet.

The previous strategy has been reviewed alongside the current homelessness data and new responsibilities for action to prevent homelessness introduced by the Homelessness Reduction Act 2017. This placed a statutory duty on local authorities to assist individuals and households who were homeless. The definition of being threatened with homelessness has been extended from 28 days to 56 days.

It explained why the strategy had been prepared, the strategic context and influences on homelessness locally and nationally, and why it mattered to the Council.

As outlined in the strategy, the key priorities were to:

- Maximise prevention activities and outcomes
- Increase accommodation options
- Minimise rough sleeping
- Improve health and wellbeing

The strategy had been prepared in consultation with members, officers and housing teams internally, and representatives of local partnership and homelessness support agencies externally. Individuals who had experienced homelessness had also been interviewed. Following adoption of the Strategy, the Council would:

- Set up a steering group of member, customer and officer representatives to oversee implementation.
- Design and publish the strategy including pictures and quotes from customers and case studies.
- Develop an action plan with SMART objectives to progress our key priorities.
- Report progress against outcome and evaluation measurements.

The Housing Needs and Strategy Manager explained that the Council had purchased a house of multiple occupation to provide temporary accommodation and also announced two successful bids to combat rough sleeping. The detail of the successful bids was currently being refined as both bids were joint projects with other authorities. The Housing Needs and Strategy Manager outlined the concept of Housing First principles and that one project was considering an approach that could see the designation of two to three EDDC properties being used for this purpose. It was agreed that the Portfolio Holder would be kept up to date with progress being made and that decisions and approval may need to be sought prior to the next Housing Review Board meeting. The Board were also informed of the recent bid submission that has been made for the provision of a specialist mental health support worker to assist with tenancy sustainment work with tenants who suffered from more complex mental health conditions.

**RESOLVED:** that the information in the report be noted by the Housing Review Board.

## 72 **Poverty, Housing and Safeguarding**

Members of the Housing Review Board considered the report of the Strategic Lead – Housing, Health and Environment, which explored the links between social policy, increasing levels of poverty, homelessness and safeguarding. The safeguarding protocol for housing had been presented to the Devon Safeguarding Adults Board to highlight the concerns and ensure that the issues surrounding housing were reflected in the business plan and priorities of the Board.

The purpose of the report was to better understand how poverty was impacting on people and communities and to ensure that the Council's tenants and other housing customers were safeguarded through the adoption of up to date safeguarding practices.

Poverty was a growing problem across the country. 14 million people in the UK, a fifth of the population, lived in poverty. In East Devon some 18% of children were identified as being in poverty by the End Child Poverty 2014 Child Poverty Map of the UK. EDDC were working proactively on a local level to try and understand the poverty factors in the region and the Acting Housing Service Lead and Service Lead for Revenues and Benefits were currently working as part of a task group to look specifically at the East Devon situation. The Devon Strategic Partnership Welfare Task Group had been established initially to focus on East Devon and Exeter, to understand:

- the impacts of welfare reform at a local level,

- the actions the authorities could take to alleviate the effects of poverty on individuals and communities.

A future report on this would be brought back to the Board when more details were known.

**RESOLVED:** that the protocol for safeguarding in housing be adopted, and a report be invited back on the findings of the local research into poverty and the consequences.

### 73 **Housing Policy Note on the Mental Capacity Act 2005**

The Landlord Services Manager presented the draft Housing Policy Note on the Mental Capacity Act 2005 for approval by the Housing Review Board.

The Mental Capacity Act 2005 applied to anyone who had dealings with people that may lack capacity, and provided the legal framework for acting and making decisions on behalf of adults who lacked capacity to make some decisions themselves.

There were increasing numbers of vulnerable people living in the community whose mental capacity was inhibited by disease, mental ill health, injury, or disability, and the Council had a responsibility to safeguard their interests in line with the statutory requirements of the Mental Capacity Act and best practice set out in the Code of Practice.

The Housing Policy Note would be applied across the Housing Services to:

- Facilitate the necessary decisions to be made in relation to council housing services, including homelessness.
- Ensure the best interests of individuals whose mental capacity may be in doubt.
- Minimise recourse to litigation.

The Landlord Services Manager advised that there was training on the Mental Capacity Act for appropriate staff on 9 April. If there were remaining spaces these could be opened up to Board members on a first come first served basis if they wished to attend.

**RESOLVED:** that the Housing Policy Note be approved.

### 74 **Brexit preparations**

The Strategic Lead – Housing, Health and Environment's report looked at some of the implications that might occur on leaving the European Union and the potential impact on tenants and customers of the housing service. There was the opportunity to 'stress test' the Housing Revenue Account Business Plan using a number of different scenarios. This was a useful exercise to ensure it remained fit for purpose in adverse conditions.

EDDC was in contact with all contractors and suppliers seeking reassurance that they could continue to provide their service post Brexit.

It was noted that the situation in relation to Brexit was changing rapidly, but as a responsible landlord EDDC was assessing the risks.

**RECOMMENDED:** that a number of the housing plans be stress tested as part of the housing service's preparations for Brexit to ensure service continuity for tenants and customers.

**RESOLVED:** that ongoing communications with all contractors and partners currently being undertaken to prepare for the potential impact of Brexit be noted.

75 **Future Rent Policy**

The Strategic Lead – Housing, Health and Environment’s report outlined the Government’s position on future rent setting for social housing tenants. Following a period of rent reduction and a consultation exercise Government had confirmed a future rent increase of CPI + 1% for a period of five years. There would also be a rent standard published by the Social Housing Regulator that would be applicable to all local authorities.

The current business plan assumed an increase of 3% from 2020/21 onwards with CPI = 1% currently equating to 2.8% (as at January 2019). CPI + 1% would add an estimated £480,000 of income assuming the current stock and void levels.

**RECOMMENDED:** that Cabinet agree that future rent setting has regard to the national rent setting policy as set out in rents for social housing from 2020 published by the Ministry of Housing, Communities and Local Government.

76 **Review of Landlord Disabled Adaptation Policy**

In 2017 Members agreed a revised landlord adaptation policy. The Acting Housing Service Lead’s report set out a further review to the policy with a recommendation that going forward the policy was reviewed every two years or sooner if there is a significant legislative need to review the position. Tenants, staff and key stakeholders had been consulted with in order to test the policy.

The Policy provided a clear framework which set out the Councils approach to providing adaptations for tenants or their household members to help them live independently at home.

The Council was continuing to see a growing demand for adaptations to its stock. There was an increased demand for adaptations to general needs housing, not just in sheltered accommodation. The most common requests came from sheltered housing properties and were for wet room showers. It was recognised that these adaptations could be considered when sheltered properties became void, therefore preventing demand in the future.

Since the start of the 2018/19 financial year 327 requests had been received for adaptations. These were a mix of formal statement of needs (received from Occupational Therapists) as well as Mobile Support Officer requests for adaptations to tenants homes (mainly minor adaptations). In total for the year 2017/2018 353 adaptation requests were received. Properties currently in the Right to Buy process were not eligible for adaptations.

It was noted that on a day to day basis the policy had worked well, providing a solid framework for providing adaptations and ensuring consistency. Individual cases could be extremely complex, particularly when a household had a number of family members with individual needs that needed to be met. Strong partnership working with Occupational Therapists was vital and their presence at the internal adaptation panel meetings helped with the management of these cases.

Minor changes to the revised policy included;

- An additional clause to recognise adaptations that might be required as a result of a hospital discharge. Attempts would always be made to prioritise such cases where practical to do so although it was never guaranteed all needs could be met and any adaptations required would be reviewed on an individual basis by the Adaptations Officer.
- An increase in the minor adaptation cap from £1000 to £1200, to capture rising costs of building works.
- Installing wet room showers on all sheltered housing voids where a bathroom replacement was due.
- Where major adaptations were required and it was deemed alternative accommodation could be considered, if after a period of 3 months alternative accommodation had not been secured the case will be reviewed again.

The Board acknowledged that it was likely the demand for adaptations would continue to rise as there was a continuing shift in national policy that encouraged people to remain in their homes for longer. The revised policy would continue to ensure that all requests were treated consistently.

**RECOMMENDED:**

1. that Cabinet approve the revised Landlord Disabled Adaptation Policy to Council Homes.
2. that delegated authority be given to the Acting Housing Service Lead in consultation with the Portfolio Holder for Housing for any minor amendments to be made to the policy prior to its publication.

**77 Use of shipping containers in social housing**

Members had expressed an interest in learning more about the potential for using shipping containers as part of the Council's response to emergency accommodation and housing supply. The Housing Needs and Strategy Manager's report explained that a number of Councils were using shipping containers and porta cabins which had been converted to form self-contained living accommodation for emergency and temporary accommodation. This was in response to the rise in the number of rough sleepers and homeless applicants, the cost and reliance of using Bed & Breakfast and the lack of supply of suitable housing. The Councils who had taken this approach were mostly inner city Councils where rough sleeper numbers were high and the supply of affordable accommodation was low. In Bristol a social enterprise 'Help Bristol's Homeless' had been addressing the rise in numbers of rough sleepers by providing converted shipping containers as accommodation. This had been funded through donations and good will of local people, the land had been leased by Bristol City Council at a peppercorn rent.

Shipping containers were proving popular for the following reasons:

- Potential to reduce homelessness
- Reduce reliance on Bed & Breakfast accommodation
- Efficient use of space
- Cost, time and flexibility

Whilst there were many benefits there were also challenges and drawbacks to housing people in shipping containers. These could be summarised as:

- There had been reports that the containers are cold and inadequately heated.
- Whilst temporary in nature many people in containers in Ealing had been there for 18 months and had reported that they felt they were 'not living in a real home' and were 'feel contained'.

- There had also been problems with anti-social behaviour and residents not feeling safe as a result. Housing large numbers of people in a small area often resulted in anti-social behaviour especially if there were residents with additional support needs who led chaotic lives.
- Some re-purposed shipping containers have had problems and damage from previous rough handling and seawater. The previous use was also important as many containers could have been used to transport dangerous chemicals and biohazards.

The Housing Needs and Strategy Manager's report concluded that shipping containers offered a quick, affordable, flexible alternative to housing people where demand was very high and supply of suitable accommodation and land was limited. However it did not provide 'a home' and was only ever a temporary solution. The response to the rise in homelessness within East Devon was to purchase the House of Multiple Occupation which would be used as temporary, emergency accommodation rather than rely on Bed & Breakfast. This would be a test base to see if this type of accommodation worked and provided the stop gap that people needed to help them move on. It was also noted that the work of the Homelessness Strategy task group would review the opportunities that such initiatives presented and it was important that the Board kept up to date with innovation in the sector and what was going on around the country in this area.

**RESOLVED:** that the Housing Review Board note the information contained in the report.

#### 78 **Garage Task and Finish Forum update**

The Garage Task and Finish Forum (TaFF) was set up in 2012 to review the Housing Revenue Account (HRA) portfolio. It considered which garages across the district should be retained, developed or disposed of. Two sites (Plymtree and Luppit) had been sold. Other sites identified by the TaFF were on going considerations and further details were contained in the report. Advice was being sought on how to redevelop some sites.

The Chairman suggested that Garage TaFF sites be revisited. The Acting Housing Service Lead advised that all garage sites would be included in the stock condition survey and although some good progress had been made this was an ongoing project.

**RESOLVED:** that the information contained in the report be noted by the Housing Review Board.

#### 79 **Tenancy agreement changes update**

The Housing Needs and Strategy Manager's report updated members on the results of the tenant consultation on the proposed changes to the tenancy agreement and presented the final version of the 2019 tenancy agreement for approval.

The revised tenancy agreement was approved by the Housing Review Board in November 2018. A preliminary notice letter was sent to all tenants on 13 December 2018, this marked the start of a seven week consultation period. 53 responses were received in relation to the proposed changes and had been considered by the legal team. These would be responded to once the implementation of the revised tenancy agreement was approved. The three main areas that were raised were:

- Loft spaces
- Mobility scooters

- Permissions (CCTV and firearms)

The tenancy agreement was now ready to progress to the final stages and would 'go live' on 17 June 2019. The Final Notice of Variation and the tenancy agreement document would be sent to all tenants on 25 April 2019. An explanation of the proposed changes would also be included with the letter. In line with this the tenant handbook would be revised to reflect the changes to the tenancy agreement and the queries raised during the consultation period.

**RECOMMENDED:**

1. that Cabinet note the results of the consultation.
2. that Cabinet approve the implementation of the revised tenancy agreement in line with the process outlined in the report.

80 **Together with Tenants National Housing Federation**

The Strategic Lead – Housing Health and Environment's report drew the Board's attention to the National Housing Federation (NHF) publication and consultation – Together with Tenants. This document had been produced in response to the Housing Green Paper and the aftermath of the Grenfell tragedy. Whilst the document was intended for housing associations, it was suggested that the Board follow the project and use some of the recommendations to strengthen the work of the Housing Review Board and rejuvenate the tenant involvement processes.

The Government's Social Housing Green Paper – a New Deal for Social Housing was published on 14 August 2018 and was structured around five themes:

- Ensuring homes were decent and safe
- Effective resolution of complaints
- Empowering residents and strengthening the regulator
- Tackling stigma and celebrating thriving communities
- Expanding supply and supporting home ownership.

The Green Paper addressed a range of issues that affect housing associations, on issues such as safety, supply and the stigma of social housing tenants. However, at its heart was a desire to rebalance the relationship between social housing tenants and their landlords – looking at issues such as complaints procedures, transparency and accountability.

The Green Paper set out proposals of how those issues could be addressed, including through increased regulatory oversight and performance standards. It also referenced the Offer for Tenants work (now known as Together with Tenants) that was already being done as a sector, which offered an important sector-led response to the challenges around accountability and transparency. There was an opportunity for strengthening the relationship between housing associations and their tenants and residents. However, there was a lack of consistency between landlords and in some housing associations there was a lack of trust between residents and landlords.

The National Housing Federation have developed a draft plan for strengthening the relationship between housing associations and their tenants and residents. The overriding ambition of 'Together with Tenants' was to strengthen the relationship between housing associations and their tenants and residents. A four-point plan for delivering this ambition had been developed. The four actions were:

1. A new requirement in the Code of Governance for boards to be accountable to their tenants and residents.

2. A new charter setting out what tenants and residents can expect from their housing association landlord.
3. Tenant and resident oversight and scrutiny of the charter with a report on how their landlord is doing against charter commitments.
4. A closer link with regulation.

The Board noted the project and recognised the opportunity to link this with the work that was currently underway to revise the tenant involvement strategy.

**RESOLVED:** that the progress of the National Housing Federation project Together with Tenants be followed and good practice recommendations that were relevant to East Devon be imported.

## 81 **Housing Revenue Account update to end of February 2019**

The Housing Accountant's report provided the Board with the current position to February 2019 and details of the year end forecast of the draft Housing Revenue Account (HRA) for 2018/19. It was noted that due to year end work currently being finalised that some minor adjustments may still be made. The HRA showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a HRA business plan had been a statutory requirement for Councils who manage and own their own stock for some time, and therefore a key document for the Board to influence.

The report also provided the position of the HRA capital programme for both affordable housing and other capital items outside of the HRA.

The notable items of budget variance were:

- Reduction in spending on gas related items due to a delay in the contract.
- Lower than budgeted requirement on asbestos spending.
- Lower than expected salary costs as recruitment continues.
- Higher than budgeted spend on voids and responsive maintenance.

The business plan included a programme of expenditure to replace properties lost through Right to Buy sales and ensure that Right to Buy receipts were invested and not returned to central government. It was noted that if Right to Buy sales declined this would have an impact on capital expenditure in future years.

**RESOLVED:** that the Housing Review Board approve the report on the Housing Revenue Account update to February 2019.

## 82 **Quarterly performance monitoring report**

The Board was presented with the Housing Service performance indicator report for quarter 3 2018/19, with details of selected indicators measuring performance across the Housing Service.

The Portfolio Holder for Sustainable Homes and Communities thanked tenants for paying their rent on time, providing high rent collection figures.

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



### 83 **Devon Home Choice update**

The report of the Housing Enabling & Allocations Manager updated the Board on Devon Home Choice (DHC), which East Devon District Council had been a member of since 2010. EDDC and ten other Local Authorities and Registered Providers (RP's) made up the DHC Board.

DHC was an online based housing register that enabled individuals to register, then bid for suitable rented homes either with a RP or Local Authorities. DHC had been designed to allow applicants to register on line or if necessary over the phone. It bands individuals into housing need, the highest being band A (urgently need housing) the lowest Band E (no housing need). DHC was managed within the Council's Allocations Team which included a dedicated DHC Officer in addition to other team members that processed all enquiries and applications.

As of the 1 April 2018 there were 3915 applications on DHC compared to 3361 at the same time the previous year. Currently there are 4654 DHC applicants looking for a home in East Devon (including Band E applications). The total number of properties allocated so far this year was 445, this was an improved on the previous year's figure of 379.

The Council's Allocations Team were about to embark on a review of all applicants that had registered on DHC and not either bid for a property or accessed their DHC records within the past twelve months. Emails and letters would be sent to all the applicants concerned. The applications would be cancelled if there had been no change to the application after 14 days. If necessary, the applicant could reactivate the application at a later date.

Due to repeated and ongoing issues with the current software provider a decision was made by the DHC Board to source a new supplier. DHC Partners had continually experienced technical problems with the provider, including lack of processing capacity, protracted periods when the system had failed completely and other day to day 'back office' operational issues.

It was not clear at the present time as to the actual cost of switching to another provider. The DHC Board's reserves would cover any initial set-up costs incurred by the new provider. Currently EDDC contributed £1,000 per annum to the Board, plus £25 per advert that appeared in the newsletter and online. EDDC might have to contribute an additional amount to facilitate the new service, depending on the overall cost of employing the new software provider. If additional funding was required then a further report will be presented to the Board.

**RESOLVED:** that the report be noted.

### 84 **Homes (Fitness for Human Habitation) Act 2018**

The Chartered Institute of Housing's (CIH) briefing note on what you need to know about the Homes (Fitness for Human Habitation) Act 2018 was included on the agenda for the Board's information. A more detailed report on this would be brought to next meeting of the Housing Review Board.

**Attendance List**

**Board members present:**

Councillor Pauline Stott (Chairman)  
Peter Sullivan, Tenant (Vice-Chairman)  
Pat Gore, Tenant  
Cat Summers, Tenant  
Councillor Megan Armstrong  
Councillor Brenda Taylor

**Councillors also present (for some or all the meeting)**

J Elson  
S Gazzard

**Officers in attendance:**

Graham Baker, Senior Technical Officer Asset Management  
Sue Bewes, Landlord Services Manager  
Amy Gilbert-Jeans, Service Lead Housing  
Tim Laurence-Othen, Housing Projects Officer  
Andrew Mitchell, Housing Needs and Strategy Manager  
Giles Salter, Solicitor  
Rob Ward, Accountant

**Councillor apologies:**

Christine Drew, Independent Community Representative  
Alek Williams, Tenant  
Councillor Helen Parr

**Officer apologies:**

John Golding, Strategic Lead – Housing, Health & Environment

Chairman .....

Date: .....

**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 28 March 2019****Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.11 pm

**24 Public Speaking**

There were no questions from the public on items on the agenda.

**25 Minutes of the previous meeting**

The minutes of the Overview Committee held on the 15 November 2018 were confirmed as a true record. The minutes of the joint meeting held with the Scrutiny Committee on the 16 January 2019 were also confirmed as a correct record.

A query was raised on the issue of SMART objectives and if that discussion, as set out in the minutes of 16 January, had taken place.

In response, the committee were informed that the process of reviewing the service plan objectives would have involvement of the Scrutiny and Overview committees in the next civic term earlier in the process, with joint meetings in the autumn to debate the service objectives coming forward from the new Council Plan.

Councillor Allen challenged that the objectives put forward on 16 January had not been amended at their request, specifically in regard to those relating to Economy and Regeneration.

The Chairman advised that the new Overview Chairman in the new civic term would have to closely monitor any developing plans accordingly.

**26 Declarations of interest**

Minute 28 Poverty, homelessness, human rights and health and wellbeing in East Devon - scoping report.

Councillor Mike Allen, Personal, Works in food bank run by Honiton Community Church.

Minute 30 Overview Draft Annual Report.

Councillor Ian Hall, Personal, Chairman of Cloakham Lawns Sports Centre.

**27 Digital East Devon - Firmstep presentation**

The Chairman welcomed the Service Lead for Organisational Development and Transformation, Karen Jenkins.

She outlined steps the Council will be implementing as part of the Digital Strategy. This included a step change in the delivery of digital services, by introducing new software – Firmstep. The outcome would be to meet the growing customer demand for the choice to transact online, with better customer journeys – both in completing the transaction, but also kept informed of progress in getting to completion.

The committee received a presentation from Firmstep Customer Ambassador, Hilary Jones and colleague Tamsin Cooper. Hilary explained her own experience of implementation at Scarborough Borough Council, and gave practical examples of what customers can expect from the changes.

Tamsin Cooper took the committee through some specific examples of transactions that a customer could complete in one place, through their own customer account. This meant that a customer didn't need to search for each individual service they required, or had to complete information for each of those services required. Logging into their customer account provided access to all the relevant information to that customer.

Other benefits of the new software included:

- Tailoring ability to provide the right questions and validate the responses, streamlining the process to what the customer needs;
- Ability to transact on behalf of others, such adult with mature parent who is not confident in transacting online;
- Transactions working across smartphones, tablets and other devices;
- Feedback built in to keep customer updated on progress and provide reminders;
- Frees up frontline staff to help with customers who do need personal interaction in order to transact, because much of the administration will have been dealt with by the software.

Developers from Strata – John Williams and Roy Podbery – were also present. They would be working on moving the existing online transactions to the new software, and creating new ones, working closely with officers delivering the service.

Councillors raised several questions on service delivery to understand how the changes would benefit residents of East Devon.

Debate on the issue covered:

- Helping digital inclusion for all sectors of the community, through front line staff helping people to become more confident in transacting online, and Councillors championing that support;
- Recognition that not all transactions can be offered online, because of their complexity;
- Frontline staff helping customers complete information online was already happening, and this would extend that further, to other transactions;
- Using a wide range of means to help people, including community groups and family members, as well as frontline staff;
- Expected take-up was high, based on experience both with existing LAGAN (current software) transactions at the Council, and with authorities across the country using Firmstep;
- Firmstep was compliant with data protection regulation, working with a secure workflow and on a permissions basis;
- The Digital Strategy was clear that this was not a channel shift to all transactions being online – but to offer the choice, accepting that some services, such as homelessness triage cases, needed personal interaction;
- Positive approach to providing a solution to customers that can signpost to what they need, regardless of who is providing it - such as other authorities or voluntary bodies that can provide help and advice.

The committee were advised to look specifically at Scarborough Borough Council's website, as a working example of the range of services available to residents to transact with online. A customer network also existed to provide lots of case examples and shared good practice.

In response to a question about timeframe for implantation, the committee were informed that Phase 1, covering existing transactions that the Council offers online, would take between 12 and 18 months, before moving onto Phase 2 for new transactions. There would be continual improvement to keep developing what was available, to meet demand. Development for the Cloud 9 based East Devon App was also planned, to include voice recognition.

The Chairman welcomed the development in online services and agreed that it was an exciting time for improving service delivery further. He thanked the representatives for their extensive presentation and helpful examples.

## 28 **Poverty, homelessness, human rights and health and wellbeing in East Devon - scoping report**

Cabinet received the report at their meeting of the 6 March 2019, in response to a Council motion in December 2018.

The motion put was "Following the findings of both the UK Equalities and Human Rights Commission and the UN Special Rapporteur on the impact of benefits changes and other spending cuts on people living in the UK, this Council will receive a report on the potential impacts on residents in East Devon and the need for further support from this Council, for example in supporting the roll-out of Universal Credit, homelessness prevention or for local food banks".

The report tried to scope the subject, and suggested themes for further investigation to provide a locally meaningful analysis of poverty and interventions that could influence, and perhaps provide action, to alleviate the impact of poverty on individuals and communities. It was recognised that the implications highlighted were as a result of national social welfare policy decisions, where the Council had limited influence. The report also proposed that the council work alongside Devon County Council, who were also investigating the issues and share the same concerns.

Cabinet resolved to agree the scope with the themes set out in the report, namely:

- Welfare benefits
- Homelessness
- Food banks
- Local economy
- Health and wellbeing of individuals and communities

Draft terms of reference have been made for this work, falling to the formed Devon Strategic Partnership Welfare Task Group. This group includes representation from East Devon District Council.

The committee discussed:

- Including in the review what local services can provide;
- Defining affordable homes and pushing back against developer arguments for not fulfilling the target percentage of affordable homes being built;

- Impact on affordable housing, recognising housing crisis, and reduction or withdrawal of grants to build homes;
- Profit had increased for house builders.

Cllr Allen tabled a paper setting out his suggestions for key areas of focus for the Council's approach that should be included, which is appended to these minutes. The suggestions would go forward with the minutes of the meeting to the Task Group.

**RECOMMENDED** to Cabinet

that the additional suggestions for key areas of focus go forward to the Devon Strategic Partnership Welfare Task Group for consideration alongside Cabinet's agreed themes of the scope.

29 **Environmental sustainability and climate change emergency**

Devon County Council have agreed, following a proposal by their Cabinet, to declare a 'climate emergency' and start a county-wide partnership to ensure that Devon is carbon neutral by 2050. The report before the committee, due to go before Cabinet in April, requests a commitment from this authority to be part of this partnership. The County will be working with Exeter University and others who can draw in the necessary experts to ensure that any plans adopted have the impact sought.

The committee discussed:

- Delivery of charging points in car parks. Many authorities were undertaking their own installations. There was some debate that, whilst this might help in respect of emissions, the electricity still had to be produced;
- Need for government support to change housing build requirements to include better standards, such as quality insulation and PV panels, balanced with what those measures cost on the overall cost of build;
- Society demand for new products, rather than repair, reuse and recycle;
- Need to see some specific proposals, on how the District can sustain itself and how;
- Need to bring forward the proposed date for these measures – too little too late?;
- Need of a test bed – such as East Devon – to establish what would be needed to reach the target;
- Future Council Plan should reflect the need to address climate change.

**RECOMMENDED to Cabinet**

to recommend to Council that we work with Devon County Council on a shared climate change programme, and signal our commitment to tackling climate change in areas where we can affect positive and meaningful change in our activities, and those of our partners, communities and residents.

30 **Overview Draft Annual Report**

The committee considered the draft report on the work of the Committee in the current civic term.

The Vice Chairman, Councillor Ian Hall, voiced his concern that despite a successful Housing Taff undertaken by the committee during 2017/18, no real progress was evident. He wanted to see progress in providing more social housing and assisted living accommodation, giving an example of opportunity in his own Ward. He asked that this issue be pursued into the next civic term to bring about progress.

There was also a request to make clear that the committee had always strived to push forward for a more business approach to aspects such as commercial property investment.

**RESOLVED** that the final version of the Overview Annual Report be agreed by the Chairman and Vice Chairman before submission to Annual Council in May 2019.

**CLOSING WORDS OF THE CHAIRMAN**

The Chairman gave thanks to the support from officers, both in terms of reports provided, legal advice, and from the Democratic Services Officer.

He asked the committee to continue to, and to develop, strategic forward thinking in the coming civic term. He felt that the role of the committee was important to the Council and should continue to be so.

**Attendance List**

**Councillors present:**

G Godbeer (Chairman)  
I Hall (Vice-Chairman)  
M Allen  
T Dumper  
P Faithfull  
R Longhurst  
G Pratt

**Officers in attendance:**

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)  
Karen Jenkins, Strategic Lead Organisational Development and Transformation  
Mark Williams, Chief Executive  
Debbie Meakin, Democratic Services Officer

**Councillor apologies:**

M Evans-Martin  
S Hall  
D Hull  
J Humphreys  
M Williamson

Chairman .....

Date: .....

**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of Recycling and Waste Partnership Board held at Council Chamber, Blackdown House, Honiton on 24 April 2019****Attendance list at end of document**

The meeting started at 10.00 am and ended at 11.50 am

**42 Minutes of the previous meeting**

The minutes of the Recycling and Waste Partnership Board meeting held on 30 January 2019 were confirmed and signed as a true record.

The Chairman welcomed Rebecca Boulton, SUEZ Recycling Officer to the meeting and invited those present to introduce themselves.

**43 Contract and operational report**

The Recycling and Waste Contract Manager and the SUEZ Interim Contract Manager gave the Board a joint presentation on a contract review and operational update. The main operational events were the January catch up period, which had gone very well, and the commencement of the Woodbury cardboard sack trial.

It was noted that there had been a very small number of complaints in relation to the suspension period of the green waste scheme. As a result wording on the terms and conditions had been amended and the messaging regarding future suspension periods would be made clearer.

Performance on missed collections had been excellent over the first quarter of the year, despite January typically being a difficult month. Missed collections in March were the lowest since recording had begun with Core. There were still improvements to be made with regards to litter and spillages. SUEZ were developing an enhanced training package for littering and spillages, which would initially be delivered to the crews that were felt needed it most.

In response to a question following recent windy weather it was noted that it was possible to replace the lids only of the newer recycling bins. However if a customer had an older style receptacle both the box and the lid would be replaced.

The Interim Contract Manager introduced Rebecca Boulton, newly recruited SUEZ Recycling Officer. He reported that the SUEZ driver recruitment had been positive with all driver vacancies currently filled. The driver apprenticeship scheme would be continued so that SUEZ had a contingency.

The Woodbury cardboard sack trial had begun and was progressing very well. All sacks had been delivered and collections were taking place. Overall participation was high (approximately 80%), separation of materials was going well and SUEZ had seen an improvement in quality and volume. It was too soon in the trial to determine productivity savings. Credit was given to ward member Councillor Geoff Jung for being a great ambassador of the trial.

There had been an increase of 40 tonnes of materials sold, compared with the previous quarter, although material value had declined. Cardboard value dropped significantly in



February due to a processor shut down. In late March the plant suffered a breakdown due to equipment failure so it was likely that a further loss in material revenue would be experienced as some materials would be sent as a mixed grade. It was noted that the equipment was still under warranty and a claim for loss of revenue would be pursued.

On behalf of the Board the Chairman thanked the teams for all their efforts and thanked the Recycling and Waste Contract Manager and the SUEZ Interim Contract Manager for their report.

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

44 **Performance framework**

The Recycling and Waste Contract Manager reported that performance had been good. Performance on missed collections had been excellent, with March being the best performing month since the contract had begun.

There continued to be a few issues with littering and spillages, but SUEZ were aware of the crews concerned, who would be targeted with training.

Councillor Brian Bailey commented that the performance of the crews in the Withercombe area of Exmouth was first class and he thought that they did an excellent job.

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

45 **Risk register**

The Recycling and Waste Contract Manager reported that the risk register had been reviewed and updated. Risk A3, lack of Strata design capacity to meet deadlines for communications materials, continued to be a problem, causing a blockage in developing and improving the service.

New items had been added as a result of the Government's Waste and Resources strategy. Scoring and narratives would be added to once more information was known and consultation process progressed.

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

46 **Green waste collection service update and year end accounts**

The Recycling and Waste Contract Manager updated the Board that the customer base was now 10,200, with a year end revenue just over £470,000. Sales had continued over the winter months and were increasing towards the spring gardening season.

The highest priority lately had been the subscription renewal process in order to retain the current customer base. Renewal notices had been sent out in batches, predominantly electronically where possible.

Prices for new vehicles to replace the old fleet had been obtained. A capital allocation had been made to purchase two RCVs with RFID equipment fitted at manufacture and one RFID equipment to be retrofitted to an existing RCV. Orders had been placed, with delivery expected in October/November. The service would need to continue to be

maintained with the old fleet in the interim. It was noted that the new fleet had been ordered in green, with advertising fitted to keep the service in high profile.

A member of the Board questioned whether SUEZ had considered the use of bio gas to run their vehicles. The Director of Municipal Services explained the reasons why this was not possible at present, but that SUEZ were conscious of it and would keep this under review.

The core marketing plan for 2019 was an advert on the council tax reminder envelope, door drop deliveries in spring and autumn and the Christmas bin hanger. It was hoped to improve the presence of the service on social media.

It was noted that the target for the 2019/2020 financial year was to achieve a customer base of 13,000. The team were confident that most of the existing customers would renew their subscriptions and the presence of the green bins on the streets would encourage others.

The Recycling and Waste Contract Manager explained the year end accounts summary and the Board were asked to decide if and how the profits for 2018/2019 were taken by the partners.

**RECOMMENDED:** that Cabinet approve that 100% of the profit be distributed on the 60/40 (EDDC/SUEZ) split.

#### 47 **Participation programme 2019 update**

The Recycling and Waste Contract Manager reported that over the quarter the recycling team had made presentations and carried out question and answer sessions at:

- Colaton Raleigh
- Cranbrook
- Axminster
- Exmouth
- Budleigh Salterton
- Umbourne

There had also been two joint sessions with SUEZ in Woodbury for the cardboard sack trial.

Previously a metal matters campaign had been carried out. A joint door drop leaflet with the Salvation Army (who would fund 50%) was planned for summer 2019 to promote the recycling of textiles at the kerbside. Composition analysis showed that 3% of the refuse stream was made up of textiles and the campaign would be aimed at capturing more of this.

A focus had been made on improving poorly used communal bin stores. The team had worked with some of the major registered social landlords and EDDC's housing team to improve the appearance and organisation of a series of bin stores, including clearing fly tipped waste and installing racking.

The recycling team had also designed a reusable in-door bag intended to make the storage of dry recyclables in properties such as flats and houses of multiple occupation, that have very restricted storage space easier. These would be distributed and trialled in June. Use of the new bag was intended to be an incentive for residents who used

communal recycling facilities and it was also intended to compliment the work done on improving communal bin stores.

The Recycling and Waste Contract Manager informed the Board that the recycling team were working closely with Cloud 9 to produce a 'Recycling Skill' for the Amazon Alexa product. The Skill would put comprehensive recycling information into residents' households making it even easier for them to access details on the service. The Ask East Devon project was in an advanced stage of development and had passed its first stage of testing. It was hoped that it would be available to residents in the summer of 2019 and would be well publicised at launch.

The Board agreed that these were good examples of demonstrating that the recycling team was not complacent, but always looking for ways to improve the service.

RESOLVED: that the participation programme update be noted.

48 **Woodbury trial update**

As reported earlier in the meeting the Woodbury cardboard sack trial was going well, with participation high. It was too early to quantify efficiency savings, but the quality of the material had improved. A resident survey had been conducted, with a response rate of 43% of questionnaires being returned. The results were currently being collated.

49 **Tipping point update**

The Recycling and Waste Contract Manager explained that the tipping point in the contract was 70,000 properties. An additional sum on the monthly base payment was due via agreement that the number of properties receiving recycling and waste collections in accordance with the contract was at or over 70,000 properties at 1 April. However, if this occurred later in the year payments would not be made until 1 April 2020. SUEZ believed that at least 70,240 properties were receiving standard collection services across the district and had provided data sets to the Council for ratification. SUEZ requested that the monthly base payment should be amended to period 4, effective from 1 April 2019 once all data had been reviewed and an outcome on the number of properties agreed. The increase in payment would allow SUEZ to continue to invest in its partnership with EDDC.

The Recycling and Waste Contract Manager reported that the Valuation Office Agency (VOA) figure for council tax banded properties receiving standard collection services was 69,632 at 31 March 2019. There were three other groups of properties that needed quantifying and the recycling team were currently going through them one by one. This was a time consuming task for the team but necessary in order to reconcile the figures. It had been stalled due to the green waste service subscription renewals, but would commence again as soon as possible.

The Director of Municipal Services reiterated that SUEZ had not yet made any money on the contract with EDDC. It was critical that the number of properties receiving collections at 1 April was agreed to be over 70,000 as the additional payment would not take effect until the following April, not when the tipping point was hit.

Officers assured SUEZ that they would do a proper reconciliation of property figures as soon as possible and report back to SUEZ. The Chairman agreed that there was a very positive feeling across the Council towards SUEZ and that they would want to be fair.

## 50 **HM Government strategy consultation**

The Chairman advised the Board that he had attended a consultation event on the Government's Waste and Resources strategy. The Devon wide forum had concentrated on four areas:

- EPR – Extended producer responsibility. It had agreed with the principles but it was hard to see how this would work in practice with the information available at present.
- DRS – Deposit return scheme. The group was against this as it was felt that it duplicated the existing system. An 'on the go' system was preferred for a limited range of materials.
- Free garden waste service – The forum felt that this was a bad idea. Most people were willing and/or already paying for such a service.
- Collection scheme with consistency – consistency in materials being collected across the country would be a good thing.

The SUEZ Director of Municipal Services informed the Board that SUEZ had worked with DEFRA early on in producing the strategy. The driver behind the strategy was to encourage recycling. EPR was the biggest challenge to the industry. He also explained why he thought that the Government were considering introducing a free garden waste collection service. The biggest risk to the waste stream for local authorities was the DRS as the high value material would be removed from the waste stream.

The Chairman recommended that the Director of Municipal Services be invited to sit on the Recycling and Waste Partnership Board. As the new government strategy progressed his input would be very valuable.

**RECOMMENDED:** that Cabinet approve that the SUEZ Director of Municipal Services be invited onto the Recycling and Waste Partnership Board.

## 51 **Hard to recycle items/Terracycle**

Following a Board member raising the issue of hard to recycle materials the Recycling and Waste Contract Manager had met with SUEZ's Recycling Officer to do some research. Recycling things like crisp packets tended to be driven and funded by specific manufacturers, for example Walkers. Different materials tended to be collected at different times. It was brand determined and brand specific. It was noted crisp packet collection points existed in some schools across the district. There was a danger that if EDDC got involved in collecting hard to recycle materials as it would require a lot of time and effort for something that would not increase the overall recycling rate. If a service was provided but the manufacturers decided to stop funding it EDDC could be left with funding the service.

The Board agreed that the Council could encourage and promote the collection of hard to recycle items in schools in East Devon working, where appropriate, with Terracycle. It was noted that the collection containers were specific to the collector and that they would supply the containers on request.

The Board were warned not to tie the partnership into any specific collections until more was understood about how EPR would work.

**RESOLVED:** that the Terracycle scheme be promoted in all schools across the district.

52 **Any other business**

Councillor Gazzard reported that an audit of the content of the bins in the Magnolia Centre, Exmouth had been conducted on Saturday 9 February. The results had been interesting highlighting the need for better recycling facilities in the town centre. Some of the materials disposed of included:

- Coffee cups
- Crisp packets
- Bottles
- Tins
- Dog waste
- Shoes

Another audit would be carried out during the summer for comparison. Following this there would also be a study of seafront bin material.

**Attendance List**

**Board Members:**

**Councillors present:**

T Wright (Chairman)  
B Bailey  
S Gazzard  
M Hartnell

**Officers present:**

G Bourton, Recycling and Waste Contract Manager  
J Golding, Strategic Lead Housing, Health and Environment

**Suez present:**

S Jellings, Senior Contract Manager  
M Canning, Regional Manager

**Councillors also present (for some or all the meeting)**

**Officers in attendance:**

Tammy Down, Streetscene Budget and Equipment Monitoring Officer

**Suez representatives in attendance:**

Rebecca Boulton, Recycling Officer  
Steve Holgate, Director of Municipal Services  
Harry Mcleman, Interim Contract Manager

**Board Member apologies:**

Councillor Geoff Jung  
Andrew Hancock, Service Lead, Streetscene  
Nick Browning, General Manager Municipal Operations, SUEZ

Chairman .....

Date: .....

**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of South and East Devon Habitat Regulations Executive Committee held at King Charles room, Forde House, Teignbridge District Council, Brunel Road, Newton Abbot, TQ12 4XX. on 29 April 2019****Attendance list at end of document**

The meeting started at 2.00 pm and ended at 3.10pm.

**1 Public speaking**

The Chairman, Cllr Humphrey Clemens, welcomed everyone present to the meeting and explained that there had not been a recent meeting of the Executive Committee as this had been a year of implementation of previous decisions made.

Cllr Martin Wrigley, Teignbridge District Council asked the following questions:

- Since Teignbridge District Council had passed a motion to deal with climate change issues. What was the Habitats team doing to reduce their carbon footprint?  
Neil Harris, Habitat Regulations Delivery Manager responded that Teignbridge District Council had only declared on the climate change issue in the last couple of weeks, but he agreed that this was an issue that demanded attention in the future. The environment was at the core of what the group did.
- Was very impressed with the Habitat teams working patterns. The SUV was seen driving around Dawlish at 8.00pm one evening and asked what were they doing at this time in the evening?  
Neil Harris, Habitats Regulations Delivery Manager responded that the Habitat Mitigation Officers sometimes worked outside normal office hours. There was a particular issue in Dawlish at present that some walkers were waiting until staff had finished their shift and walking in restricted areas. Staff had become aware of this and had changed their shift to a later one to try to prevent this activity and would have been driving home in the SUV at 8.00pm.
- In reading the reports there were a number of elements to the various projects. What was the monitoring and measurement of how well the projects have been going? There seemed to be no feedback given on targets and no progress monitoring. Where can this information be found?  
Neil Harris, Habitat Regulations Delivery Manager responded that there was on going monitoring of wildlife and a number of the reports presented to the Executive Committee contained feedback on things like visitor numbers, number of people spoken to and number of events provided. Changes in populations of species and visitor behaviour is evidenced over the long term and relies on a number of surveys to draw reliable conclusions. Species monitoring was also going on at Dawlish Warren. A further report on wildlife monitoring would be given at the next meeting.

**2 Minutes of the previous meeting**

Minutes of the South East Devon Habitat Regulations Executive Committee meeting held on 20 April 2018 were agreed as a true record.

3 **Declarations of interest**

Cllr Paul Diviani – Personal Interest as Chairman of Blackdown Hills AOB.

Cllr Ollie Pearson – Personal interest as partner worked for National Trust.

4 **Matters of urgency**

There were no matters of urgency.

5 **Financial Report 2019**

The Executive Committee considered the Habitats 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.

The report set out details of the contributions received from inception to date and anticipated income from contributions where planning permission had been granted but the contribution had not yet been paid. Details of expenditure against 2017/18 and 2018/19 Annual Business plans, as well as total expenditure to date were also provided. Updated housing forecasts had been made available from each partner authority and were reported in Table 3. These projections had also been used to assist in outlining the indicative 5 year Delivery Plan.

- RESOLVED** 1. that the Executive Committee notes the update on the overall financial position including contributions received, expenditure and anticipated contributions (from signed S106).
2. that the Executive Committee notes the expenditure against budget for the 2018-19 Annual Business Plan and reasons given for any variance.

6 **2018/19 Annual Business Plan - Annual Report**

The Executive Committee considered the Habitats 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 and 2018-19 Annual Business Plans and ongoing measures from the 2016-17 Plan. It was important that progress continued to be made, or this would put the delivery of partner Authorities Local Plans at risk due to the continued legal duties under the Habitat Regulations.

The measures outlined in the plan had been debated and endorsed by the Officer Working Group. The plan outlined the delivery of ongoing measures established in the 2016/17 and 2017/18 ABPs, as well as a range of additional measures. In total, the plan earmarked expenditure of an estimated £192,170.

Fergus Pate, Principal Growth Point Officer, Teignbridge District Council, reported on the changes to the car park at Dawlish Warren. The Parking Order had been made and there had been further discussions with the traders which had caused the District Council to look again at its bylaws powers. There was the need to report back to the Executive Committee at the next meeting and make recommendations on changes to the car park

at Dawlish Warren as the legal process had been very complex. There would also be a report necessary to be made to Teignbridge District Council's Executive Committee.

- RESOLVED**
1. that the progress made in delivering the 2017-18 and 2018-19 Annual Business Plans be noted.
  2. 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.

## 7 **2019/20 Annual Business Plan and Five Year Delivery Plan**

The Executive Committee considered the EDDC Growth Point Principal Project Officer's report, which set out the principles for the on-site projects, which had been recommended as a priority by the Habitat Regulations Delivery Manager, in conjunction with the Officer Working Group. Following the request for a rolling 5 year Delivery Plan from Natural England, this has been incorporated into an updated 5 year plan.

- RESOLVED**
1. that the 2019-20 Annual Business Plan and the commitments and actions set out therein be approved.
  2. that the updated 5 year Delivery Plan be noted.
  3. that the adjustment of the Habitat Mitigation Officers contracts to permanent status to align with the funding allocated in the mitigation strategy be approved.
  4. that the retention of the Devon Loves Dogs project Coordinator for 5 years from November 2019 and funding for a used vehicle from May 2019 as outlined in Section 2 be approved.
  5. that redirecting the funds outlined in section 3 to cover the associated costs of 4. Above be approved.
  6. that a further report be received on funding the Delivery Manager role and specific accountancy/monitoring officer resource at the next meeting.

## 8 **Risk Register Report 2019**

The Executive Committee considered the Habitat Regulations Delivery Managers report which sought to update members of the Executive committee on the Risk Register 2019. As part of the project development of the South-Est Devon European Site Mitigation Strategy a detailed risk register is used to take account of the various categories of risk that exist or emerge in all elements of the Strategy.

It was noted that although none of the risks on the register were noted as severe, there remained a number of risks which had the potential for high strategic and operational impact, if not carefully addressed. Continued partnership working and keeping updated on changes in the operational environment would assist in mitigating these risks. Continued and effective delivery of the Strategy and the development this enabled remained of very high importance to all partners.

Amanda Newsome, Natural England, questioned whether developers should be listed as joint risk owners and whether it was appropriate for a third party to be considered responsible for a risk.



- RESOLVED**
1. that the identification, categorisation and prioritisation of risks as recorded in the accompanying Risk Register, associated with the delivery of the South-East Devon European Site Mitigation Strategy be noted.
  2. that the control measures in place to mitigate the risks identified be noted.
  3. that an updated Risk Register report be received in 6 months.

## 9 **SANGS Delivery at Dawlish and SWE**

The Executive Committee considered the Teignbridge District Council's Green Infrastructure Officer's report, which highlighted that significant progress had been made on SANGS land agreements with developers at South West Exeter (SWE) with 17 hectares now agreed. This was expected to transfer to Teignbridge District Council in July 2019 and agreement for a further 4.5 hectares was underway. The Delivery Strategy for the site had been updated prior to procurement and establishment, which would be led by TDC Green Spaces, following the same approach as at Dawlish SANGS. TDC were negotiating head of terms with Land Trust for a long-lease of both Dawlish and South-West Exeter to ensure effective management in-perpetuity. The intention was to work towards finalising the lease and funding agreement this summer (2019).

Cllr Humphrey Clemens, Chairman, reported on how successful the SANGS sites at Dawlish had been and how popular they were with walkers. He asked whether it would be possible to have a hot drink facility on site. Estelle Skinner, TDC Green Infrastructure Officer reported that it would not be appropriate and against the principles of the SANGS.

- RESOLVED**
1. that the progress made by Teignbridge District Council towards the delivery of Suitable Alternative Natural Green Space (SANGS) at South West Exeter (SWE) be noted.
  2. that the progress made by TDC in developing and securing long lease funding agreements for management in perpetuity at Dawlish and SWE SANGS be noted.
  3. that Devon County Council's success in securing the Housing Infrastructure (HIF) award for development at SWE, including SANGS, be noted.
  4. that a report be received at the next meeting on the specific funding arrangements of the HIF and consideration of the implications on current SANGS funding arrangements.

## 10 **Dates of future meetings**

Tuesdays 16 July 2019, 29 October 2019, 28 January 2020 and 28 April 2020 at 2.00pm. All dates are subject to the existing terms of reference that meetings will be held according to workload. Meetings will be held in the Council Chamber, East Devon District Council, Blackdown House, Border Road, Honiton EX14 1EJ.

### **Attendance List**

#### **Councillors present:**

Cllr Humphrey Clemens, Teignbridge District Council (Chairman)

Cllr Paul Diviani, East Devon District Council

Cllr Ollie Pearson, Exeter City Council (Sub for Cllr Rachel Sutton)

**Officers in attendance:**

Neil Harris, Habitats Regulations Delivery Manager (ECC)

Anita Williams, Principal Solicitor (and Deputy Monitoring Officer) (EDDC)

Chris Lane, Democratic Services (EDDC)

Amanda Newsome, Natural England

Fergus Pate, Principal Growth Point Officer (TDC)

Estelle Skinner, (TDC)

Peter Hearn, Strategic Infrastructure Planning (ECC)

Andy Wood, East of Exeter Projects Director (EDDC)

Naomi Harnett, (EDDC)

Ed Freeman, Service Lead –Planning Strategy and Development Management (EDDC)

**Apologies:**

Cllr Rachel Sutton, Exeter City Council

Henry Gordon Lennox, Strategic Lead – Governance and Licensing (EDDC)

Chairman .....

Date: .....



SOUTH EAST DEVON  
HABITAT REGULATIONS  
PARTNERSHIP

## South East Devon Habitat Regulations Executive Committee - Decisions

Below is a summary of the decisions taken at the meeting of the South East Devon Habitat Regulations Executive Committee meeting held on Monday 29 April 2019. Decisions made by the Executive Committee will be subject to call-in (individual authority call-in procedures apply) – decisions will become effective from 10am on 9 May 2019 unless ‘called-in’.

Please note that the wording below does not necessarily reflect the actual wording that will appear in the minutes.

The agenda can be viewed at:

<https://democracy.eastdevon.gov.uk//ieListDocuments.aspx?CId=156&MId=356&Ver=4>

The agenda has been circulated to all Councillors.

If you have any queries about matters referred to in this decision sheet please contact Chris Lane, Democratic Services Officer on 01395 517544 or email [clane@eastdevon.gov.uk](mailto:clane@eastdevon.gov.uk).

<b>1.</b>	<p><b>Financial Report</b></p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. that the update on the overall financial position, including contributions received, expenditure and anticipated contributions (from signed S106), be noted.</li> <li>2. that the Committee note the expenditure against budget for the 2018-19 Annual Business Plan and reasons given for any variation.</li> </ol>
<b>2.</b>	<p><b>2018-19 Annual Business Plan</b></p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. that the progress made towards delivering the 2017-18 and 2018-19 Annual Business plans be noted;</li> <li>2. 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.</li> </ol>
<b>3.</b>	<p><b>2019-20 Annual Business Plan and Five Year Delivery Plan</b></p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. that the 2019-20 Annual Business Plan and commitments and actions contained therein be approved.</li> </ol>

	<ol style="list-style-type: none"> <li>2. That the updated 5 year delivery plan be noted.</li> <li>3. That the adjustment of the Habitat Mitigation Officers contract to permanent status to align with the funding allocated in the mitigation strategy be approved.</li> <li>4. That the retention of the Devon Loves Dogs Project Coordinator for 5 years from November 2019 and funding for a used vehicle from Mau 2019 as outlined in Section 2 be approved.</li> <li>5. That the redirecting the funds outlined in Section 3 to cover the associated costs of (4) above be approved.</li> <li>6. That the Committee receives a further report on funding the Delivery Manager role and specific accountancy/monitoring officer resource at the next meeting.</li> </ol>
4.	<p style="text-align: center;"><b>Risk Register Report 2019</b></p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That the identification, categorisation and prioritisation of risks as recorded in the accompanying Risk Register, associated with delivery of the South-east Devon European Site Mitigation Strategy be noted.</li> <li>2. That the control measures in place to mitigate the risks identified be noted.</li> <li>3. That an updated Risk Register report be received in 6 months' time.</li> </ol>
5.	<p style="text-align: center;"><b>SANGS Delivery at Dawlish and SWE</b></p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That the progress made by Teignbridge District Council (TDC) towards the delivery of Suitable Alternative Natural Green Space (SANGS) at South West Exeter (SWE) be noted.</li> <li>2. That the progress made by TDC in developing and securing long lease funding agreements for management perpetuity at Dawlish and SWE SANGS be noted.</li> <li>3. That Devon County Council's success in securing the Housing Infrastructure Fund (HIF) award for development at SWE, including SANGS be noted.</li> <li>4. That a report be received at the next meeting on the specific funding arrangements of the HIF and consideration of the implications on current SANGS funding arrangements.</li> </ol>



**Report to:** Cabinet  
**Date of Meeting:** 5 June 2019  
**Public Document:** Yes  
**Exemption:** None

**Agenda item:** 15

**Subject:** **The Payhembury Neighbourhood Plan ('the Plan') to be formally 'made'**

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

**Recommendation:**

**It is recommended that:**

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

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

**Officer:** Phil Twamley, Neighbourhood Planning Officer (01395 571736)  
[ptwamley@eastdevon.gov.uk](mailto:ptwamley@eastdevon.gov.uk)

**Financial implications:** No specific financial implications

**Legal implications:** Following a majority vote in favour of the plan at referendum the Council must proceed to adopt (or 'make') the plan, unless in doing so it causes a breach of EU obligations or Convention rights. The Council has adopted a Screening Opinion, accepted by relevant statutory consultees, which confirms that there is no need for a formal SEA or HRA and accordingly there would be no breach in respect of those obligations under EU legislation. The Independent Examiner concluded that regard has been had to Convention rights. It is considered that there are no breaches of relevant EU obligations that can be identified. Accordingly, the legal position is that the Council must 'make' the Neighbourhood Plan as modified. As noted, following being made, the neighbourhood plan will become part of the Development Plan for decision making on planning applications.

**Equalities impact:** Low Impact

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

**Risk:** Low Risk

The only reason for the Plan not to be made now is if the Council consider that to do so would breach an EU obligation or a Convention

right. There is a risk that should we take that decision it will be subject to legal challenge and that the Parish Council will feel disenfranchised that their right to produce a Neighbourhood Plan under the Localism Act has been prevented.

**Links to background information:**

- [The Localism Act](#)
- [Plain English Guide to the Localism Act](#)
- [National Planning Policy Framework \(2019\)](#)
- [National Planning Policy Framework \(2012\) \(As used to examine the Plan under transition arrangements\)](#)
- [Neighbourhood Planning Regulations](#)
- [East Devon Neighbourhood Planning pages](#)

**Link to Council Plan:**

Neighbourhood planning helps to deliver the priorities identified in the Council plan by:

Encouraging communities to be outstanding

Developing an outstanding local economy

Delivering and promoting our outstanding environment

## 1.0 Payhembury Neighbourhood Plan Referendum

1.1 On 2 May 2019, a referendum was held on the Payhembury Neighbourhood Plan at Payhembury Parish hall, from 7am to 10pm.

1.2 Voters were asked the following question:

***"Do you want East Devon District Council to use the Neighbourhood Plan for Payhembury to help it decide planning applications in the neighbourhood area?"***

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

1.4 In East Devon the development plan currently consists of the East Devon Local Plan, 2013-2031; the East Devon Villages Plan, July 2018; any made Neighbourhood Plan; the Devon Waste Plan, December 2014; and the Devon Minerals Plan, 2011-2033.

1.5 The final results of the Payhembury Neighbourhood Plan referendum are shown below:  
Yes: 207  
No: 34  
Voter turnout 42.25%  
In favour: 82%

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

1.7 Once the Plan is formally made it will carry full weight in the planning decision making process. As part of the development plan any planning applications in Payhembury Parish

will be judged against the Plan as well as policies of East Devon District Council and also the National Planning Policy Framework. Application of the policies of the Plan will ensure that the hard work that has gone into its production will result in effective application of local community expectations and aspirations in the decision making process.

- 1.8 The only reason for the Plan not to be made now is if Cabinet consider that to do so would breach an EU obligation or Convention right. During the examination process the Examiner stated that they were satisfied that the Plan was compatible with EU obligations.

## **2.0 Next stages**

- 2.1 Following the decision whether or not to make the Plan (or where the referendum results in a 'no' vote or the Plan is refused as it would cause a breach of an EU obligation or Convention right), we will produce a decision notice for the Plan (detailing the decision and reasons for it and where it may be viewed) and publish it:-

- on the neighbourhood planning pages of our website
- by sending a copy to the Plan producer and requesting that they notify those persons who live, work or carry on business in the neighbourhood area to which the Plan relates
- by notifying the 'consultation bodies' referred to in the consultation statement
- by advising:-
  - those adjoining authorities
  - anyone who asked to be notified of a copy of the decision
  - all those who made representations on the relevant plan



**Report to:** Cabinet  
**Date of Meeting:** 5 June 2019  
**Public Document:** Yes  
**Exemption:** None

**Agenda item:** 16

**Subject:** Revenue and Capital Outturn Report 2018/19

**Purpose of report:**

During 2018/19 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 any reserve transfers.

The Council's Unaudited Accounts were issued on 31<sup>st</sup> May 2019 and published on the Council's website, it is anticipated the Audited Accounts will be issued on 25<sup>th</sup> July 2019.

**Recommendation:**

Cabinet consider and agree the outturn position for 2018/19 including the implications and proposals relating to the Balances and Reserves held by the Council.

**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 2018/19 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 2019 and are published on the Council's website [Final Accounts 2018/19](#) , it is anticipated the Audited Accounts will be issued on 25<sup>th</sup> July 2019.

## **2. General Fund position**

- 2.1 The 2018/19 budget was set by Council with a balance of £0.144m to be met from the General Fund Balance to meet the cost of one off items of expenditure included in the budget. The final year end outturn position has resulted in a surplus of £0.272m, which is a saving of £0.416m against the net budget of £14.571m.
- 2.2 There has been positive and negative variations against the budget set, the main areas being.

General Fund 2018/19 – main outturn variations against budget	Variation £000	Comment on Future budget implications
Employee savings mainly from vacant posts, the overall budget for employee costs is £14.050m.	(139)	No implication
Savings returned by Strata higher than budgeted.	(122)	No implication
Car Park income higher than projected - good weather generated high use.	(161)	No implication
Housing Benefit net costs after subsidy above budget. £230k variance against £29.9m expenditure budget is a minor variation in percentage terms but results in a significant sum.	230	No implication
Saving obtained in administration costs in Revenues & Benefits service - Council Tax, Housing Benefit, Council Tax Support, Business Rates, Fraud and Sundry Debtors. Plus additional incentive payments from Government. Savings have been reflected in the 2019/20 budget where continuous.	(226)	No implication
Homesafeguard income down on budget, loss of some corporate customers – marketing strategy being revisited. Income budget was reduced by £34k for 2019/20 budget	77	This will be monitored closely Concern
Additional rental income in a numbers areas including beach huts, cafes, kiosks and other leased commercial properties. Additional income has been reflected in 2019/20 budget.	(99)	No implication
Street Trading income below budget, scheme modified to reflect feedback. Budget reduced by £16k in 2019/20	16	No implication
Public Conveniences overspend on utility and maintenance costs, in particular water charges. Total budget £440k.	32	This will be monitored closely Concern
Recycling & Refuse additional costs associated with extra stock purchases as a mitigation against Brexit (£121k), also income from Green Waste not as high as targeted in the Transformation Strategy (£45k reduction), but these have been more than offset by additional recycling income due to increased volume and better than expected market rates.	(241)	No implication
Savings through procurement on retender of insurance. This has been reflected in 2019/20 budget.	(150)	No implication
Transformation Strategy saving on Legal fee recovery down on budget. Budget reduced in 2019/20 to a more realistic figure	28	No implication

<p>Additional Homelessness Costs.</p> <p>The budget level was not increased in 2019/20, actions have been taken to mitigate costs in relation to more cost effective provision of temporary accommodation.</p>	58	<p>This will be monitored closely</p> <p><b>Concern</b></p>
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- 2.3 The main positive variations relate to volatile areas such as car park income, staff vacancies and recycling income which can vary significantly based on external factors. Budgets in these areas are set prudentially due to the implications on Council finance should adverse variations occur.
- 2.4 A new reserve has been created in 2018/19 with £8,020 for a new online box office system at Manor Pavilion enabling the carry forward of funding for 2019/20. This transfer has been assumed in the outturn position.
- 2.5 The Council was granted 100% business rates pilot status for 2018/19, this has generated additional rating income of £1.1m to be retained by the Council. The bid to Government to obtain this status was on the basis that this additional income would be used to promote and protect economic development in the district. The Council to date have agreed to support two areas from this additional income; £0.6m additional share purchase in Exeter Science Park Company Limited (ESPL) and the purchase of £0.05m founder shares in South West Mutual Ltd (the setting up of South West Mutual Bank). The remaining surplus of £0.450m has been transferred to a reserve making it available for future members' consideration.
- 2.6 The overall General Fund Balance position at year end is given below, this shows the effect of the outturn variation of £0.416m.

<b>General Fund Balance Position</b>	<b>£000</b>
<b>Opening Balance 1/4/2018</b>	<b>(3,666)</b>
Agreed use of General Fund Balance in 2018/19	144
Outturn variation 2018/19	(416)
<b>Closing Balance 31/3/2019</b>	<b>(3,938)</b>

- 2.7 The General Fund Balance at £3.938m is £0.138m above the proposed adopted range which is between £3m and £3.8m. The agreed adopted range calculation is still considered appropriate 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 which gives £3m; to this is added £0.8m headroom to give £3.8m 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.

In setting the 2019/20 budget Council agreed for £0.261m to be used from the General Fund Balance; £0.080m for the District Election and £0.181m to meet general expenditure. It is therefore proposed to leave the General Fund Balance at £3.938m to enable a small offset of this call on the Fund in 2019/20.

2.8 The year end position on the other main Balances/Reserves held for the General Fund are:

- **£1.689m Transformation Reserve.** 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. Of this sum a further £0.326m has been committed by Council leaving £1.363m available.
- **£0.954m Asset Maintenance Reserve.** Used to support the Council's General Fund Assets and planned maintenance backlog/essential work/asset failure (created from one off VAT refunds). 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.
- **£0.639m Business Rates Volatility Fund.** Available 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.
- **£0.103m 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 and is spent in consultation with Economy Portfolio Holder.

### 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 2018/19.

## 3 Housing Revenue Account (HRA)

3.1 The 2018/19 budget was set to achieve a surplus of £1.413m, the outturn position gives a surplus for the year of £1.187m; a variation of £0.226m, the main variations are given below.

HRA 2018/19 – Outturn variations against budget	Variation £000	Comment on Future budget implications
HRA income was extremely close to budget. A variance of only £16k on Council Dwelling income against a budget of £18.2m.	22	No implication
An increase of £8k has been made to the bad provision, not budgeted for as this is a year end assessment.	8	No implication
Supervision & Management saving of £165k of which £97k was through employee savings mainly from vacant posts (employee budget £3.3m).	(165)	No implication

Responsive repairs over budget by £0.476m (budget was reduced by £0.170m from previous year as it thought reductions could be made). This is an area where particular attention has been given in preparing and awarding of a new maintenance contract to be implemented in 2019/20, this will be based on a fixed price per property to control such costs.	561	This area will be monitored closely  <b>No implication</b>
Major Repairs spending was £0.253m below budget, of which £0.160m is to be transferred to reserves to be used in 2019/20.	(93)	<b>No implication</b>
Savings in interest paid as internal resources utilised for house purchases	(69)	<b>No implication</b>

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

HRA Balance	£000
<b>Opening Balance 1/4/2018</b>	<b>(3,901)</b>
Agreed surplus in 2018/19	(1,413)
Outturn variation 2018/19	226
<b>Closing Balance 31/3/2019</b>	<b>(5,088)</b>

3.3 £0.165m has been transferred to a Property Maintenance Reserve to undertake works which were budgeted in 2018/19 but will now be carried out in 2019/20, the work mainly relates to a programme of eave replacements. This transfer to reserves has been included in the outturn position.

3.4 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 at £1.988m above the adopted range.

3.5 The Council set an HRA surplus budget for 2018/19 with the option to repay a £1.581m loan due for repayment at year end or to refinance the loan and use the surplus to meet other key housing spending plans. Refinancing was undertaken given the ability to obtain a fixed loan for a further 20 years at 2.5% taking advantage of still low fixed rates and taking into consideration the request from the Housing Review Board to urgently fund Fire Risk Assessment works and essential lift maintenance totalling £3.550m. The £3.550m cost will be met from the 2018/19 HRA Balance position above the adopted range now confirmed at £1.988m with the remaining sum of £1.562 being available from housing capital receipts.

3.6 The year end position on other Balances/Reserves held for the HRA are:

- **£1.6m in the HRA Business Volatility Fund.** The HRA self-financing business plan relies on a number of assumptions outside the control of the Council, with significant debt repayment schedules this reserve was established to mitigate this risk giving time if necessary to reshape the HRA budget to accommodate any negative changes.
- **£0.980m New Housing Development Fund.** Used for house purchases to meet 70% of the cost where 30% comes from Right to Buy receipts.

- **£1.901m capital receipts** available for general HRA capital expenditure, after allowing £1.562m committed in 3.5 above leaves £339m available.
- **£3.945m capital receipts** to be spent on Right to Buy replacements. If receipts are not spent within 3 years then they are required to be returned to Government together with an interest payment of 4% above base rate.

#### 4 Capital Budget

4.1 The revised net capital budget (after grants and contributions) for 2018/19 was £21.511m, the outturn position is lower by £4.579m at £16.932m. The majority of this underspend is from scheme slippage which needs to be re-profiled into 2019/20 or later years. From the list below there are a number of property related schemes that have been delayed as a consequence of staff vacancies in the property and estates team, a new team and structure is now in place.

<b>Capital 2018/19 – Outturn variations against budget</b>	<b>Variation £000</b>
Agreed loan to Beer Community Land Trust was not requested by year end	(170)
Strata Convergence IT Projects – slippage in programme	(305)
Savings on Camperdown & Phear Park Depot improvements	(59)
Relocation Project - Re-profiling of expenditure into 2019/20	(515)
Seaton Workshops – on hold subject to re-evaluation of project	(573)
Disabled Facility Grants under budget and additional funding received – budget carried forward to 2019/20. This is an area that government has continued to fund well and demand at times does not meet the budget.	(498)
Resurfacing of workshop yards and other improvements – work slipped to 2019/20	(259)
Queens Drive Leisure Area Infrastructure expenditure slipped	(1,050)
The Strand Exmouth – Remaining project still to be defined	(125)
Growth Point Projects slipped to 2019/20	(136)
Axe Wetlands Developments and Seaton Jurassic access from Wetlands - complex land ownerships issues	(212)
Delay in sports centre and swimming pool improvement schemes – revised dates agreed with LED.	(812)
Feniton Flood Alleviation Work – project delay through complex negotiations	(706)
Recycling & Refuse slippage in vehicle and equipment purchases	(405)
Gypsy and Traveller sites – location/s still to be identified	(500)
Energy saving/renewable initiatives (EDBC & Industrial Sites)	(132)
Beach Property improvements – scheme slippage	(109)
Magnolia Public Conveniences Improvements – scheme slippage	(100)

Loan made to Norman Lockyer Observatory not in programme, agreed in year by Council	25
Expenditure funded through s106 agreements not in programme	199
Purchase of shares in South West Mutual (proposal for new bank in the South West) not in programme, agreed in year by Council	50
HRA house purchase replacement scheme not included in original programme, separately agreed – funding through HRA resources	3,024
HRA Major Repairs - underspend	(450)

4.2 The capital funding position given below takes the gross capital position (before grants and contributions) and was funded as follows:

Capital Programme	<b>£18.821m</b>
<b><u>Funded by</u></b>	
HRA Capital Receipts	-£1.945m
Government Grants and other contributions Applicable to be applied in the year	-£0.918m
HRA – Major Repairs Reserve	-£4.152m
New Homes Bonus Grant from revenue	-£2.592m
Monies from 100% business rate pilot	-£0.650m
Other direct revenue contributions	-£2.120m
Increase in underlying need to borrow – cash position met from internal borrowing	-£6,444m

4.3 To remind members a capital budget is agreed to complete a particular scheme/project (normally in the annual budgeting setting process). Profiling between years is undertaken to help understand yearly financial commitments and for members to understand the annual funding position. Capital scheme slippage will be re-profiled with advice from the project/budget manager but this will be within the total budget approved for the scheme by members.

**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>11 July 2018</b>	<b>Norman Lockyer Observatory Society</b>	For the request of up to a £50,000 loan to the Norman Lockyer Observatory Society, requested by the Strategic Lead Finance.  <b>Reason for urgency:</b> The report was a matter of urgency as it needed Council approval.
Decision Minute 24	That making the loan of up to £50,000 to the Norman Lockyer Observatory Society, be agreed and recommended to Council. To delegate authority to the Strategic Lead Housing, Health and Environment to ensure legal compliance and to complete contractual arrangements in consultation with the Strategic Lead Governance and Licensing.	
Reason for decision:	The Council has supported this society in the past and its further enhancement of facilities meets objectives in the Council Plan.	
Decision made by Council	25 July 2018, Minute 25	

<b>3 October 2018</b>	<b>House of Lords Select Committee on Regenerating Seaside Towns and Communities – call for evidence</b>	The House of Lords Select Committee on Regenerating Seaside Towns and Communities was appointed by the House on 17 May 2018. The remit of the Committee is “to consider the regeneration of seaside towns and communities”. The Committee will explore a number of key issues in detail and has issued a public call for written evidence to a list of questions. Overview Committee considered and debated a draft submission on the 27 September 2018 and asked the Deputy Chief Executive to bring forward a further draft to Cabinet.  <b>Reason for urgency:</b> The final document will be submitted to both the House of Lords Select Committee before the 9 October 2018, and to the Local Government Association Coastal Special Interest Group workshop on 31 October 2018.
Decision Minute 74	that the agreed response is submitted to both The House of Lords Select Committee before the 9 October 2018 and to the Local Government Association Coastal Special Interest Group workshop on the 31 October 2018.	
Reason for decision:	The Council has a wealth of information and experience to offer The House of Lords Select Committee on Regenerating Seaside Towns and Communities.	



Decision made by Council	24 October 2018, Minute 33
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<b>3 October 2018</b>	<b>Commercial Property Investment: V-Sim Building, Science Park</b>	That a sum up to £5,815,000 be made available for investment in the V-Sim Building at Exeter Science Park.  <b>Reason for urgency:</b> To reflect both that the detail around the proposed investment had not been finalised until 2nd October and to make this investment deliverable and provide the University with a completed building by their required operational date in 2019, a decision was needed by Council on 24th October.
Decision Minute 76	That authority be delegated to the Deputy Chief Executive, in consultation with Strategic Lead for Finance and Strategic Lead for Governance and Licensing, to undertake due diligence, negotiate, and agree detailed terms and conditions and complete related documentation to enable the investment to proceed.	
Reason for decision:	<ol style="list-style-type: none"> <li>1. To provide funding for investment;</li> <li>2. To support the Council in generating the £450,000 additional net income from property investment as per the Medium Term Financial Plan and Transformation Strategy;</li> <li>3. To enable the Council to act in a commercial and agile manner to ensure this investment is deliverable within the required timeframe and to the required investment objectives</li> </ol>	
Decision made by Council	24 October 2018, Minute 33	

<b>31 October 2018</b>	<b>Queen's Drive Regeneration Project</b>	To seek approval to commence the Queen's Drive road and car park works in November 2018.  <b>Reason for urgency:</b> To create the best opportunity to complete the road and car park by spring 2019 thereby avoiding disruption to Exmouth seafront in the busy summer months.
Decision Minute 80	<ol style="list-style-type: none"> <li>1. that the commencement of works to the realignment of Queen's Drive and the replacement car park to take place in November 2018; and</li> <li>2. that delegated approval was given to the Deputy Chief Executive in consultation with the Leader, Portfolio Holder Finance and Chairman of Exmouth Regeneration Board to instruct the contractor to proceed with this work without further delay, be agreed.</li> </ol>	

Reason for decision:	To ensure that work can commence on the road and car park so that; 1. Delivery commences before the winter to minimise the possibility of delay owing to bad weather; 2. create the best opportunity to complete the road and car park by spring 2019 thereby avoiding disruption to Exmouth seafront in the busy summer months; 3. cost increases due to any delay were minimised, and 4. it would not be necessary to undertake a re-procurement exercise for the contractor which could result in a further delay and cost increase.
Decision made by Council	12 December 2018, Minute 43

<b>6 March 2019</b>	<b>Queen's Drive Watersports Centre Development</b>	To advise of the latest position on the development of the Watersports Centre on Exmouth seafront and seek approval of the terms of variation to the completed Development Agreement and delivery timescale negotiated between the Council and Grenadier Estates.  <b>Reason for urgency:</b> The timing of this late report was necessitated by the negotiation process between the council and Grenadier Estates; having reached a satisfactory conclusion as late as Monday 4 March 2019.
Decision Minute165	1. Cabinet authorises the revisions to the agreement as detailed in the report together with related consequential and minor amendments.  2. Cabinet authorises the Deputy Chief executive to complete the revisions to the Development Agreement contemporaneously with Grenadier confirming discharge of the conditions precedent.	
Reason for decision:	So the Council and Grenadier Estates can conclude all outstanding matters and enable the Watersports Centre site development to begin in summer 2019 with a view to completion within 12 months following the council's completion of the new road and car park in June 2019.	
Decision made by Council	24 April 2019, Minute 65	

<b>3 April 2019</b>	<b>Exmouth Neighbourhood Plan to be formally 'made'</b>	The Exmouth Neighbourhood Plan had now passed referendum and must be formally made by the council in order to form part of the development plan.  <b>Reason for urgency:</b> In order to meet the statutory timeframe from referendum to being formally 'made'.
Decision Minute 185	1. that the Plan was made so it forms part of the development plan, and 2. that the council congratulates the Neighbourhood Plan Steering Group on their hard work and advise them that once made the Plan will carry full weight in the planning decision making process.	
Reason for decision:	The Plan received a majority 'yes' vote in their referendum as required by the regulations and there was no substantive reason not to make the Plan.	
Decision made by Council	24 April 2019, Minute 65	

<b>3 April 2019</b>	<b>Cranbrook temporary GP Practice</b>	Approval was sought for up to £150k of funding from the Enterprise Programme to enable the delivery of a temporary GP practice in Cranbrook town centre.  <b>Reason for urgency:</b> This was an urgent requirement because of the lack of capacity at the current practice. Whilst Access Healthcare had had their contract extended there were significant concerns over the ability to deliver increasing patient numbers. Expanded facilities were therefore urgently required.
Decision Minute 186	<ul style="list-style-type: none"> <li>• that the borrowing of up to £150k against ring fenced business rate income and for these funds to be made available to the NHS Devon Clinical Commissioning Group to enable the delivery of a temporary GP facility in Cranbrook town centre, be agreed and,</li> <li>• that delegated approval be granted to the Chief Executive in consultation with the Leader and Strategic Leads for Finance and Governance &amp; Licensing to agree the final level of funding, terms of how these funds are made available and subsequently recovered and to complete the funding agreement and any other necessary legal documentation.</li> </ul>	

Reason for decision:	<p>Cabinet received a paper on the Enterprise Zone in April 2018. This sought approval for the principle of borrowing up to £8m against ring-fenced business rate income, with detailed approval for investing up to £3.4m for four specific projects. During the intervening period work had focused on the delivery of the approved projects, along with supporting the development of other opportunities. This had focused on overcoming barriers to delivery and bringing forward catalytic investments.</p> <p>The current GP practice in the Younghayes Centre was at capacity. The temporary GP practice would enable the continued delivery of primary care services in Cranbrook for a period of 5 years. It would also bring increased footfall to the town centre and act as a catalyst for attracting wider investment.</p>
Decision made by Council	24 April 2019, Minute 65