

East Devon District Council Meeting on 19th July 2023

Agenda Item No 8

Questions by Members to Full Council under Procedure rule 9.2

Question 1: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities (Councillor Dan Ledger) from Councillor Marcus Hartnell

It is reported that potentially a third of our housing stock may be suffering from some level of damp and mould. Can the portfolio holder please provide an update on the recruitment of a Damp & Mould Surveyor, and the number of damp and mould jobs currently open?

Answer:

We currently have a stock condition survey being undertaken across 100% of our stock. Based on the sample that has been completed so far, the data is indicating that 35% of our stock is suffering from some level of damp and mould. This ranges from minor issues with condensation (where the solution is based around lifestyle) right through to serious levels of disrepair that relate to damp. Data so far suggests that only 2% of our stock are in this very serious category and on discovery of such properties, they are being passed to us for urgent assessment/action.

Our system (as of 12th July) indicates there are currently 582 open orders that relate to damp and mould.

On the 24th July, a specialist damp and mould Building Surveyor is due to start working on our stock. We have worked closely with our Contractor to agree the scope and requirements of this role in order to help us manage issues that relate to damp and mould within our properties. For the past few months we have also redeployed one of our maintenance surveyors to work solely on this area.

Question 2: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities (Councillor Dan Ledger) from Councillor Marcus Hartnell

The high number of voids in the housing stock is of significant concern, not least because of the number of people needing a home, but also because of the income lost from rent. Are you concerned that the shortfall in rent combined with inflation will reduce the ability to invest in housing stock?

Answer:

Each year we budget for expected lost rent due to void turnaround times and in 2022 this figure was £0.33m, however, the actual amount lost was in excess of £0.7m. Whilst this is disappointing, significant inroads are being made to address the issues and we have kept the Housing Review Board informed of the position, the reasons why this has occurred and our

plans to address it. Issues have included a significant increase in the number of void properties being returned colliding with a temporary backlog that stemmed from covid. We have also seen an increase in the number of properties returned to us in a poor condition, this has meant it is taking us longer to turn properties around. A delivery plan is in place with our contractor and this is being monitored closely.

The lost rent is in effect a revenue cost to the HRA. During the past 3 years we have built up our revenue reserves to a level that ensures that any shocks such as this can be appropriately mitigated without any significant impact on our ability to service our revenue cost base (which includes property maintenance, staff costs and interest payable) and then subsequently invest in our stock. The vast majority of the future investment in our current and new housing stock will be a capital expense and will be funded from a combination of reserves, ring fenced right to buy receipts and additional borrowing going forward whilst ensuring that our revenue reserves levels are appropriate for the current economic climate.

From 15 June 2023, central government introduced the HRA rate which applies an interest rate of the gilt yield plus 40 basis points (0.40%) or the equivalent of a 60 basis point (0.60%) saving versus PWLB core borrowing rates. This rate is solely intended for use in Housing Revenue Accounts and primarily for new housing delivery to encourage investment in the Council's stock. Although interest rates have moved detrimentally due to inflationary pressures this offering goes some way to redress the balance and makes funding through borrowing more affordable for the Council. So, in conclusion, we don't expect the lost income to detrimentally impact our investment plans, however, that and the inflationary pressures you mention will result in higher levels of borrowing with the knock on impact of higher interest rates meaning that servicing our debt will be more expensive than we would ideally like.

Question 3: Procedure Rule 9.2 to the Portfolio Holder for Culture, Leisure, Sport & Tourism (Councillor Nick Hookway) from Councillor Marcus Hartnell

Can the portfolio holder provide an update on the implementation of the Tourism Strategy?

Answer:

The Tourism Strategy for East Devon was approved by EDDC's Cabinet in September 2022. It seeks to support the tourism sector to achieve sustainable growth and deliver economic benefits to the district. It outlines our strategic vision and key objectives in a mid-term 5-year strategy. It builds on the quality of the existing tourism offer and encourages growth through a commitment to quality, sustainability, inclusivity and collaboration. It has been developed in alignment with the Cultural strategy for East Devon and has informed the EDDC's UK Shared Prosperity Fund Investment Plan.

The following activities and outcomes have been delivered for the period September 2022 – June 2023:

Deployed EDDC internal resource: Senior Economic Development Officer time allocated to lead on the tourism strategy implementation and wider tourism-related activities

Established partnership working between the new Cultural Producer role and the Senior Economic Development Officer resource

Procured 2021 tourism impact data as baseline: Value of Tourism data for 2021 has been procured via The South West Research Company (data pack to be released in October 2023)

Established Sustainable Tourism Fund: EDDC's UKSPF Investment Plan features a £210k allocation over 3 years from the Shared Prosperity Fund to deliver on the priorities of the tourism strategy.

Included Sustainable Tourism Policy in the emerging Local Plan: the policy incorporates 3 of the core values of the tourism strategy (quality, accessibility and working towards net zero).

Culture, Leisure and Tourism Fund launched: The Sustainable Tourism Pathway of the fund is open to tourism businesses seeking funding for equipment to decarbonise their operation or to improve the accessibility of their premises for visitors with a disability or impairment above and beyond statutory requirements. The fund launched on 12th June and is open for applications till 21st July 2023. The level of funding is between £2,500 and £5,000, and there is a 50% match funding requirement.

Established East Devon Tourism Network: led the procurement to secure a private sector partner (East Devon Excellence) to develop and manage a network of local tourism businesses to share best practise and encourage collaboration across the wider sector. It's a value driven network which centres around sustainability/net zero, accessibility, quality and collaborations. The first event took place on 28th March at Deer Park and second event took place on 14th June at Future Skills Centre, Exeter College. Events received very positive feedback from attendees and partners and informed the audience of tourism businesses on topical issues and strategy priorities (e.g. accessibility, net zero, leadership, quality). There were 130 attendees at the first two events.

Established a centralised events directory: 'What's On' guide which features events with tourism appeal: [Local Events in East Devon \(eastdevonexcellence.co.uk\)](http://eastdevonexcellence.co.uk)

Question 4: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Marcus Hartnell

As per 6.10 of the constitution, will the Leader be establishing politically balanced Portfolio teams to assist the cabinet in carrying out their responsibilities?

Answer:

This is something that we would be happy to look at moving forward and would suggest that it is added to the motion proposed by Cllr Hayward at Agenda Item 13 so that we can review this.

Question 5: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Mike Goodman

The Constitution 13.3 includes the notice of key decisions and 14 the forward plan by Council, this is good governance and helps to inform members and residents of what the Council plans are. Can the Leader confirm how many key decisions have been made since July 2022 till July 2023 that were included and agreed by Cabinet in the forward plan?

Answer:

There were 6 key decisions that were included in the forward plan during that time period. The Monitoring Officer is currently reviewing the forward plan and will be doing some work to remind Service Leads and Portfolio Holders of the importance of ensuring, moving forward, that it is fully populated.

Question 6: Procedure Rule 9.2 to the Portfolio Holder for Communications and Democracy (Councillor Sarah Jackson) from Councillor Mike Goodman

Could the Cabinet member update members on progress of implementing an online petition facility?

Answer:

The Scrutiny Committee recommended to Cabinet on the 9 June 2022 that they consider a petition platform within the Council's website. That recommendation went to the Cabinet on 13th July 2022 and they referred the matter to the Overview Committee for looking at in the New Year (2023). All of the meetings of the Overview Committee were cancelled in early 2023 so this is a matter that still needs to be considered by that Committee.

Question 7: Procedure Rule 9.2 to the Portfolio Holder for Coast, Country and Environment (Councillor Geoff Jung) from Councillor Mike Goodman

Planting of trees is part of the climate change strategy for East Devon. Can the Portfolio Holder confirm how much money we have secured from the farming in protected landscapes allocation from Defra or FiPL which can be used to plant trees and hedgerows in East Devon?

Answer:

The Defra allocated funding to East Devon AONB for Farming in Protected Landscapes (FiPL) covers grants, administration and advice and guidance. It is available for the period 2021-2025. The grant can cover a range of farmland-based activities, including tree planting.

The total available funding for projects in 2023-25, which will be applied to fund existing multi-year projects as well as new projects is:

2023-24	£197,596
2024/25	£260,056

For other areas of East Devon District, it should be noted that the Blackdown Hills AONB also operates a FiPL programme and has a slightly larger allocation.

Thank you, Councillor, for your question, which I hope has been answered but I would like to add that this fund to encourage tree planting in the AONBs is not the only offsetting we are engaged in, in fact it's only a small contributory factor to the work we are doing.

It's really important to remember that the subject of "Climate Adaptation" is a massive topic and includes much more than just trees. Climate adaptation also relates how we farm, which provides massive potential for carbon storage just in our soil management, plus how we manage our intertidal wetlands, our commons and even the seabed off our coasts with carbon guzzling seagrass and seaweeds. There are green energy projects plus supporting the transitioning to greener energy and buffering the grid during the transition with battery storage. Together with our partners I believe we are getting there.

Examples on our delivery for increased tree cover recently has been our support for the Lower Otter Restoration Project where 23,000 trees were planted but note that some of these plantings were done to compensate for some loss of trees to the inter-tidal habitat created under the scheme. The longer-term net gain of tree (and hedgerows) in the area, and the project itself ticks many boxes for Climate Adaption.

In my ward the Woodland Trust has planted 13,000 trees in a new woodland known as "Yonder Oak Wood" between Woodbury and Lypstone on 53 acres of land, and again its will also benefit upper catchment flood alleviation to protect communities.

The Clyst Valley Regional Park, target for tree planting is also a fine example of our work with a target of increasing our tree canopy cover from a very poor 12% to over 20%.

We are working with a Devon County Council to produce a County wide new tree policy and this I hope will be adopted by ourselves and all Authorities in Devon and included into the Local Plan Policy.

There is so much exciting work still to do on Trees and Nature adaption that will probably require a "Portfolio Group" to oversee details coming forward in the next few months.

Question 8: Procedure Rule 9.2 to the Portfolio Holder for Finance and Assets (Councillor Paul Hayward) from Councillor Mike Goodman

Under the Department for Transport's "Inclusive Mobility" Guidance of 2021, related to disabled parking provision it is recommended under 8.2.iii *"For car parks associated with shopping areas, leisure or recreational facilities, and places open to the general public: a minimum of one space for each employee who is a disabled motorist, plus 6% of the total capacity for visiting disabled motorists."* Can the portfolio holder confirm in light of the changes made to a number of car parking spaces to accommodate EV's what is the current policy followed by East Devon Council?

Answer:

We currently offer 143 disabled car parking spaces across our 56 car parks, which averages around 2.5 dedicated bays per car park. Our disabled spaces are strategically located to be close to pay and display machines and pedestrian access to amenities.

Installation of electric vehicles chargers does come at the expense of our total car park capacity, especially as 2 new electric vehicle chargers, requires the space of 3 normal car parking bays. However, we will not be seeking to reduce the number of disabled parking bays in any of our car parks to provide additional EV charging spaces.

Should the installation of EV chargers require the loss of disabled parking for logistical/technical reasons, then we will replace any lost disabled spaces elsewhere in the car park in the most convenient alternative place.

We are aware that disabled motorists will also be using the EV chargers within our car parks, and we will allow blue badge motorists additional time upon the end of their charging session to return to their vehicle.

We will shortly be installing 2 x new disabled bays close to the mobility beach hut at Queen's Drive Echelon (Exmouth), and we would welcome feedback on any of our car parks where there is felt to be insufficient disabled parking, so that we can carry out an assessment of our provision in relation to the context of the wider area, as Devon County Council also provide dedicated disabled spaces close to town centre and leisure amenities. It should also be noted that Devon County Council allow blue badge holders to park on single yellow lines for 3 hours, which subsequently reduces the demand for disabled parking within our car parks.

Stats:

143 disabled spaces, 2.55 per car park.

Lime Kiln, Budleigh Salterton – 4 out of 450 (1%)

Manor Road, Sidmouth – 8 out of 360 (2.2%)

London Hotel, Exmouth – 8 out of 150 (5%)

Ham West, Sidmouth– 7 out of 191 (3.6%)

West Street, Axminster – 7 out of 111 (6.3%)

Total spaces – 5216 (2.7% disabled)

Question 9: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Mike Goodman

Considering residents views when making decision is important in providing the right service to residents. To help listen to residents The East Devon constitution page 22 6.10 says the Leader and each Portfolio Holder will be advised and assisted in carrying out their responsibilities by a group of members. The group will be informal and flexible all working within each portfolio area. They will be of up to 15 members and shall as far as reasonably practical reflect the balance of the Council. The Monitoring Officer will work with Group Leaders to agree the composition of the portfolio teams.

I note that no such team has been in place for at least two years. Can the Leader please confirm when such a team is going to be agreed with the other leaders?

Answer:

This is something that we would be happy to look at moving forward and would suggest that it is added to the motion proposed by Cllr Hayward at Agenda Item 13 so that we can review this.

Question 10: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Jess Bailey

Please can the Leader explain why officers decided to enlarge West Hill's built up area boundary prior to the draft Local Plan being issued on 1st November 2022?

Answer:

Production of the new Local Plan involves reviewing the built up area boundaries of all settlements in the district where such a boundary is proposed including West Hill. This work has been overseen by Strategic Planning Committee who considered a topic paper on the principles of defining settlement boundaries at their meeting on 5th October 2021 and then agreed a proposed methodology for defining the boundaries at their meeting on the 5th April 2022. Officers then drew the boundaries using the agreed principles and these were included in the papers for Strategic Planning Committees meeting on the 1st November 2022 where it was agreed that these be consulted on as part of the draft Local Plan consultation.

Any enlargement of the built up area boundary for West Hill follows the principles agreed by Strategic Planning Committee. It will now be for the committee to review the responses received on the proposed boundary and decide how this is taken forward.

Question 11: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Jess Bailey

Please can the Leader advise whether EDDC requires hirers of Council-owned land for public events to have published safeguarding policies?

Answer:

Our event conditions of hire include the following: **Safeguarding children and vulnerable adults** - Event organisers have a duty to safeguard and promote the welfare of children and vulnerable adults at their event. You are responsible for and must comply with all regulations and laws in respect of safeguarding children and vulnerable adults at the Event.

This was discussed in 2017 and put in place from that point, being formally added to our conditions of hire in 2020 as part of the preparation of our Events Strategy and Plan. It is the event organiser's responsibility to comply with this. We have not required them to publish their policies, but reference to them in risk assessments are checked by the events team as part of the application process and the Safety Advisory Group when events are called to this (dependent on size).

Question 12: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Jess Bailey

Please can the Leader advise the amount of S.106 funds and CIL funds that EDDC holds for town and parish councils?

Answer:

The monies held by the Council in S.106 receipts and CIL are freely available through the Council's website at: [East Devon PFM - Home \(exacom.co.uk\)](http://East Devon PFM - Home (exacom.co.uk)).

Question 13: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Jess Bailey

Please can the Leader advise how much interest has been accrued to EDDC on S.106 and CIL monies it holds for town and parish councils since 2019 and whether that has been credited to the town and parish councils?

Answer:

The Council does not account for interest earned at this level, it is calculated at total authority level. On a daily basis taking all cash balances available, or not, interest is either paid or earned on a total basis for the Council.

Question 14: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott) from Councillor Jess Bailey

Please can the Leader advise how many voters were turned away as a result of not having photo ID at the elections on 4th May?

Answer:

38 did not get a vote.
80 were initially turned away, with 42 coming back with appropriate identification.

Question 15: Procedure Rule 9.2 to the Portfolio Holder for Strategic Planning (Councillor Olly Davey) from Councillor Melanie Martin

There are increasing calls for a new law to guarantee Swift bricks in every new home. The Swift is in decline partly due to loss of habitat and this hollow brick can also be used by other endangered roof nesting birds such as House Martins, Sparrows and Starlings. Would the Portfolio Holder therefore commit to seeking to ensure that the forthcoming East Devon Local Plan contains Swift-friendly policies, in particular a requirement that new buildings will be Swift-friendly?

Answer:

The draft Local Plan which was consulted on earlier this year includes a range of policies designed to protect and enhance habitats and bio-diversity within the district including Policy 91 which among other things requires the provision of at least 1 bird box per new dwelling. It will be for Strategic Planning Committee to consider how these policies should be amended and what is then included in the final draft of the plan which is then taken forward to an examination in public.

Question 16: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities (Councillor Dan Ledger) from Councillor Melanie Martin

Council owned accommodation 'voids' are advertised as available and can be bid on by people desperate for a home when in actual fact they are not available because they are undergoing necessary repairs before they can be let. There have been instances where this situation has gone on for several months and it is frustrating both for people looking for somewhere to live and for the Housing officers whom they liaise with.

Would the Portfolio holder commit to seeking agreement that properties are only placed on the list within one month of them being ready and not several months to a year?

Answer:

At present properties are advertised on Devon Home Choice when we receive notification that the property is to be terminated. When void works are complete and are ready to let shortlisted applicants are contacted and viewings are arranged. At present we are working with our partners to reduce void times and when void performance is improved we will then be in a position to review when properties are advertised on Devon Home Choice.

Question 17: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities (Councillor Dan Ledger) from Councillor Melanie Martin

The situation with 'Voids' has recently come under scrutiny by the Housing Review Board. As of June 2023, EDDC had 187 empty properties undergoing repairs with 30 due to be ready within a week but another 60 coming up for repair. Void repairs have been taking up, to an average of six months to be completed but, after an independent review by Echelon and implementation of new processes, the housing Solutions Manager has committed to clearing the backlog by mid-July, then going forward, to turn around a Void in category 1 within 15 days and category 2 within 20 days.

Would the portfolio holder seek agreement for the implementation of SLA's or some other means of accountability to ensure these timescales are adhered to?

Answer:

As outlined in detail to the June Housing Review Board, we are currently working to improve void times across the whole process. Steady progress is being made to clear the backlog and this work is continuing and we are monitoring this closely. Realistic targets can and will be set based on what is achievable given the current market conditions and the factors that are feeding into the challenges we face in this area. Once set, these targets can be monitored and gradually we can begin to set stretching targets so that we can seek continuous

improvement. Given where we are currently, the focus remains on clearing the backlog and establishing the new 'norm' given the considerably higher numbers of voids we are now seeing returned.

**Question 18: Procedure Rule 9.2 to the Leader (Councillor Paul Arnott)
from Councillor Melanie Martin**

Wales has become the first country in the UK to ban the use of snares and glue traps to catch wild animals. The snare has been used to catch rabbits and foxes but is indiscriminate and cannot distinguish between different species of animals such as household pets and protected animals such as badgers. Last year the UK banned glue traps, with exemptions under licence, with pest controllers still able to use them.

The RSPCA is against the use and manufacture of snares, the Welsh government is showing that it is a compassionate country and they say no to these devices which cause immeasurable suffering to animals, we should be following their example.

Would the Leader seek to have snares and glue traps banned without exemptions, on EDDC owned land and show support of a total ban across Devon and England?

Answer:

The Glue Traps (Offences) Act 2022 introduces a number of offences relating to glue traps in England and means that those found to have used a trap could face up to 6 months in prison and/or an unlimited fine. The Act will come into force in the next year or so and we await further guidance from the government. In addition to this, following a petition against the use of snares, the government has launched a call for evidence. We await the outcome of that call for evidence. Both will inform any steps that we take moving forward.