

## Agenda for Cabinet

Wednesday, 13 July 2016; 5.30pm

### [Members of Cabinet](#)

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

[View directions](#)

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

- 1 [Public speaking](#)
- 2 Minutes of 8 June 2016 (pages 4-12), to be signed as a true record
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#)
- 6 Confidential/exempt items – there are no items which officers recommend should be dealt with in this way.

- 7 Forward Plan for key decisions for the period 1 August 2016 to 30 November 2016 (pages 13-17)
- 8 Minutes of the Housing Review Board held on 16 June 2016 (pages 18-25)
- 9 Minutes of the Recycling and Refuse Partnership Board held on 22 June 2016 (pages 26-30)
- 10 Minutes of the Overview Committee held on 28 June 2016 (pages 31-34)
- 11 Notes of the Exmouth Regeneration Programme Board held on 30 June 2016 (pages 35-40)

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

- 12 **West Hill Boundary Review** (pages 41-47)  
At its meeting in July 2015, Council agreed that a Community Governance Review be undertaken. This arose out of a request from the 'West Hill Parish Council Campaign'. The second statutory period of consultation expired on the 16th June 2016 and this report now recommends alternative decisions for the Cabinet/Council to consider.  
**Appendix A** - West Hill Parish ward boundary map  
**Appendix B** – Proposed new boundary following consultation map  
**Appendix C** – [written responses](#)
- 13 **Local Government Boundary Committee for England (LGBCE) Electoral Review Programme 2015-2019** (pages 48-51)  
To consider and recommend to Council a future number of Councillors for the District of East Devon (currently 59) and to approve the draft submission to be sent to the LGBCE (due w/c 18<sup>th</sup> July 2016).

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

- 14 **Heart of the South West Formal Devolution Bid** (pages 52-56)  
This report seeks approval to sign up 'in principle' to the pursuit of a Devolution Deal and the creation of a Combined Authority for the Heart of the South West sub-region to administer the powers devolved through the Deal. An 'in principle' agreement from all of the authorities, partners and MPs involved in the Heart of the South West devolution process will open up negotiations with Treasury to work towards a deal.
- 15 **Sidmouth and East Beach Management Plan** (pages 57-59)  
An increase in budget for the Sidmouth and East Beach Management Plan (SEBMP) is requested.
- 16 **Monthly Performance reports – May 2016** (pages 60-63)  
Performance information for the 2016/17 financial year for May 2016 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.  
**Appendix 1** – May Snapshot

17 **Exemption to Standing Orders - purchase of recycling sacks for new recycling service** (pages 64-67)

When the new improved recycling service is rolled out in early 2017, an additional recycling sack to contain the new materials will be required by residents.

18 **East Devon Local Development Scheme** (pages 68-81)

This report comes to Cabinet for consultation purposes to provide details and timetable for future planning policy production in of the proposed revised Local Development Scheme for East Devon.

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

**EAST DEVON DISTRICT COUNCIL**  
**Minutes of the meeting of Cabinet held**  
**at Knowle, Sidmouth on 8 June 2016**

**Attendance list at end of document**

The meeting started at 5.30pm and ended at 7.20pm

**\*1 Public Speaking**

Kevin Blakey spoke on agenda items 15 and 16 – Cranbrook Town Centre Facilities and Team Resources. Mr Blakey is the Chairman of Cranbrook Town Council, he spoke of how important it was for Cranbrook's town centre facilities to be brought up to a high specification. There were many young families living in Cranbrook who did not have their own transport therefore it was essential that the facilities reflected their needs.

Mr Blakey said the team of officers working for Cranbrook was concerned mainly with planning matters and that the community support officer was a critical resource and major asset. He asked that consideration be given to the location of the team emphasizing the importance of being hands on within the community, to get a strong feel for the day to day issues the community has and it's aspirations for the future.

**\*2 Minutes**

The minutes of the Cabinet meeting held on 11 May 2016 were confirmed and signed as a true record.

**\*3 Declarations**

None

**\*4 Matters referred to the Cabinet**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committees. The Chief Executive informed Members that the deadline for registering for the EU Referendum had been extended to midnight on 9 June 2016.

**\*5 Exclusion of the public**

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

**\*6 Forward Plan**

Members noted the contents of the forward plan for key decisions for the period 1 July 2016 to 30 October 2016. There was one addition, which was the Local Government Boundary Commission for the next Cabinet meeting.

**7 Minutes of the Recycling and Refuse Partnership Board held on 27 April 2016**

Members received minutes of the Recycling and Refuse Partnership Board held on 27 April 2016.

**RESOLVED (1) that the following be noted:**

**Minute 68 – Statistical information**

**Minute 70 - Sustainable waste service trial (Feniton & Exmouth) – update**

1. the sustainable waste service trial update

**Minute 71 - Mobilisation planning, working groups and sub groups, and timeline**

**Minute 72 - Communications plan**

This draft communications strategy outlined the Council's overarching communication and engagement approach relating to the delivery of the new recycling and waste collection service.

**Minute 77 - Dates of future meetings**

**RESOLVED (2) that the following recommendations be approved:**

**Minute 70 - Sustainable waste service trial (Feniton & Exmouth) – update**

2. that thanks be given to all the various teams involved in the success of the trial so far.
3. that interventions to increase the recycling of food waste be supported.
4. that a visit to the energy to waste plant be arranged to allow officers to conduct waste analysis of the trial areas.

**Minute 74 - Update on Otter Rotters**

that the Board continue to support Otter Rotters.

**Minute 75 - Devon County Council avoided waste disposal cost sharing**

that the Strategic Lead, Housing, Health and Environment report back on progress at the next Board meeting.

**Minute 76 – Any other business - Award finalists**

EDDC and SUEZ had been nominated for a national recycling award for the best public/private partnership, based on the success of the recycling trial. The awards ceremony would be held in London on 6 July 2016 and a Board member representative was requested.

1. that a nominated elected member represent the Recycling and Refuse Partnership Board at the forthcoming awards ceremony.

**RECOMMENDED that the following recommendations be referred to Council:**

**Minute 76 - Any other business - Textile collection**

It was suggested that the Council should publicise that the Salvation Army had won the textile collection contract in Devon. It was also hoped that the use of bring banks for textile collections would be promoted.

1. that textile collection be promoted and publicised via press releases.

**\*8 Notes of Community Fund Panel held on 9 May 2016**

Members received the notes of the Community Fund Panel held on 9 May 2016 and approved the Panel's recommendations.

**\*9 Council Tax Support Scheme for 2017/18**

The Service Lead – Revenues and Benefits updated Members to the Council Tax Support (also known as Council Tax Reduction). This was introduced in April 2013 and replaced the national Council Tax Benefit scheme, with a 10% funding reduction.

**RESOLVED:**

1. that the draft scheme for consultation be agreed
2. and a meeting of the Finance Think Tank consider the results of the consultation and agree the recommendation to be presented back to Cabinet.

**REASON:**

There were a number of welfare changes announced in the 2015 Summer Budget and the Autumn Statement. These changes were reflected in the Council Tax working age scheme in order to keep the scheme aligned with Housing Benefit (HB), Pensioner Council Tax Support Scheme and Universal Credit (UC).

The Devon Local Government Steering Group (DLGSG) met on 15 April 2016 to consider a report from County and District Heads of Finance on Council Tax – Future Strategy. The report asked them to consider whether changes should be made to the council tax support scheme for 2017/18. There were 4 options presented:

- Option 1 – No change.
- Option 2 – Further restrictions in liability level.
- Option 3 – Administration changes to align with Housing Benefit and Universal Credit.
- Option 4 – Option 3 plus the introduction of a minimum income floor for self employed.

All Members of the DLGSG agreed to progress with option 4. This option would deliver savings both to the cost of the scheme and in its administration.

The cost of the scheme was met through the Council Tax collection fund and all the major precepting authorities needed to continue to make significant savings due to cuts in funding.

All the Devon Authorities (including the two Unitary authorities) were proposing the same changes to their 2017/18 scheme.

Each year continued to see a reduction in our administration grants for both Council Tax Support (CTS) and HB, which is why it was important to keep the schemes aligned so that we are not creating additional administration. Now that roll out of UC for working age was being expanded it made sense to minimise the administrative process.

## 10 **Revenue and Capital Outturn Report 2015/16**

The Strategic Lead – Finance presented his report. The budget book had been issued with the agenda and this included full details of variations, transfers and other matters. During 2015/16, monthly budget monitoring reports had informed members of budget variations and the anticipated year-end financial position. No concerns had been raised – the Council had maintained its net spending within overall approved budget levels. Members were asked to note the final position for the year and compare this outturn position with the budgets set (General Fund, Housing Revenue Account and the Capital Programme). The report outlined the implications of these results on the Council's reserves and made recommendations on reserve transfers.

Members were asked to reflect on the reserves and balances held by the Council at this stage and determine if these were appropriate. It was proposed that as the year end General Fund Balance (£4.045m) was £0.445m above the upper limit of the previously adopted range for this Fund (£2.8m - £3.6m).

Members were advised that the National Non Domestic Rate (NNDR)/business rate income was higher than budgeted by £0.294m for the reasons set out in the report. It was recommended that this amount be transferred to the NNDR Volatility Fund to be used in case of possible future deficits in the NNDR Collection Fund.

Members also noted that the outturn position of Housing Revenue Account showed an under-spend against budget giving a year-end balance of £6.347m which was £4.065m above the minimum level for this Account. It was proposed that the surplus over budget of £1m be transferred into the Housing Revenue Account Business Plan Volatility Reserve giving a total sum of £4.4m This Reserve had been set up in 2012/13 to provide a cushion to ensure sufficient funds were available to service the self-financial loans' commitment.

Discussions included the following:

- Fund new builds from the Right to Buy budget
- The Exmouth Sea Cadet grant would not benefit the wider district and should be offered as a loan

**RECOMMENDED:**

1. that the outturn position for 2015/16 be agreed
2. the level of Reserves detailed in the report and the transfers/use as recommended; namely
  - a) to use the General Fund to fund an additional grant payment to Exmouth Sea Cadets of up to £0.050m upon final negotiation and agreement by the Chief Executive in consultation with the Leader of the Council and Portfolio Holder Finance,
  - b) the transfer of £0.294m from the General Fund to the NNDR Volatility Fund together with any sum received as this Council's share of any gain in the Devon NNDR Pool for 2015/16,
  - c) the remaining General Fund Balance above the adopted maximum range, currently calculated at £0.101m, is transferred from the General Fund into the Capital Reserve,
  - d) the Transfer of £1m from the Housing Revenue Account into the HRA Business Plan Volatility Reserve,
  - e) the Transfers to other earmarked reserves for specific projects where funding contributions have been made in advance of spend and monies are held at year end to fund this work in future years. The Outturn Book contains full details of these transfers in 2015/16, all be agreed.

**REASON:**

To report the Outturn position for the Council has approved budgets for the General Fund, Housing Revenue Account and Capital Expenditure. This final position would flow through to the Council's Statement of Accounts.

Members were asked to note the variations from the budgets identified within the report and consider the final position. It was appropriate at this stage to reflect on the reserves and balances and determine if these were the correct reserves and levels.

\*11 **Annual Treasury Management Review 2015/16: 1 April 2015 to 31 March 2016**

This report details the overall position and performance of the Council's Treasury Management Strategy during 2015/16.

**RESOLVED:**

1. that the investment values and performance for the year to 31 March 2016 be reviewed and noted
2. that Council approves the amendment to the strategy narrative regarding the maturity of investments with building societies from '...less than 6 months...' to '...6 months or less...' as detailed in section 13 of the report.

**REASON:**

The Council was required by regulations issued under the Local Government Act 2003 and the Code of Practice on Treasury Management in Public Services published by the Chartered Institute of Public Finance & Accounting (CIPFA) to produce an annual review of its treasury management activities and performance.

12 **Discretionary Housing Payments Policy**

Discretionary Housing Payments (DHPs) had been in operation since 2 July 2001 to provide additional help to tenants who had a shortfall in their housing costs, who were facing exceptional hardship such as debt issues, or additional short-term expenditure or other exceptional circumstances that required short-term support for people claiming Housing Benefit or Universal Credit. The past few years had seen the DHP fund maximised as a result of everyday difficulties, the recession and Welfare Reform changes. With new Welfare Reforms, an increase in demand was predicted. The Council would continue to monitor applications to this fund and subsequent expenditure.

**RECOMMENDED:**

that the new Discretionary Housing Payments Policy be agreed

**REASON:**

To ensure the policy reflects the latest DWP guidance

\*13 **Monthly Performance reports – April 2016**

The report set out performance information for April 2016. This allowed Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

There were three indicators that were showing excellent performance:

1. Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
2. Creditor Days - % of invoices paid in 10 working days
3. Working days lost due to sickness absence

There is one performance indicator showing as concern.

1. Percentage of planning appeal decisions allowed against the authority's decision to refuse - The Council received six appeal decisions during the month of April which are subject of the performance indicator. Three appeals were dismissed and three were allowed. This does not reflect any



particular trend at this stage, as the figures are cumulative over a twelve month period. It was anticipated that the performance figure would stabilise over the next few months.

**RESOLVED:**

that the progress and proposed improvement action for performance measures for the 2015/16 financial year for April 2016 be noted.

**REASON:**

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

\*14 **Cranbrook Town Centre Facilities**

East of Exeter Projects Director explained that Cranbrook was key to the delivery of the adopted Local Plan and would accommodate the majority of the remaining new homes to be delivered in the District over the course of the Local Plan period. More generally Cranbrook had a vital role to play in providing a place for a vibrant new community to develop, helping to enable economic growth, improve productivity and achieve a more balanced demography in the District. The primary school was the fastest growing school in England, this being a major consideration to young families wishing to live in the town.

A major determinant of the role, function, character and success of Cranbrook would be its town centre. Delivering a centre that was fit for the 21<sup>st</sup> century in the face of trends such as internet retailing was the greatest challenge facing the town. The town centre of the future would serve a much wider function than just the traditional role of a shopping centre. The report put forward a financial proposition in the form of a contribution to the interest payments on a loan to be secured by the New Community Partners from the Homes and Communities Agency (HCA). This would support the accelerated delivery of key town centre facilities and also help to underpin current housing delivery rates.

Discussions included the following:

- Facilities could get further funding through grant aid
- The design of the town centre and facilities were critical and must be got right
- Members wished to see some ideas of the layout through plans and models etc
- Was there a priority over the order in which the facilities were built to reflect the aspirations of the residents?
- The importance of making Cranbrook an attractive place to live

**RESOLVED:**

1. that Cabinet endorse the Chief Executive in consultation with the Leader, the Deputy Chief Executive – Development, Regeneration and Partnership, the Strategic Lead, Finance and the Strategic Lead, Legal, Licensing and Democratic Services negotiating terms with the New Community Partners, Homes and Communities Agency and Devon County Council regarding management and repayment arrangements of funding associated with a loan from the HCA's Local Infrastructure Fund.
2. that a further report detailing the terms of the proposed financial contribution for approval be submitted

**REASON:**

To support the accelerated delivery of key facilities in the town centre of Cranbrook.

**\*15 Cranbrook Team Resources**

The Service Lead, Planning Strategy and Development Management presented the report that set out the issues facing the future development of Cranbrook and the associated implications in terms of resources and team structure. It recommended the creation of a Team Leader post to manage the team and provide additional planning officer capacity to deal with the high levels of workload that the new community was generating. Cranbrook was vital to the delivery of the Local Plan and maintaining a 5-year housing land supply and so providing timely decisions on issues at Cranbrook was very important. The proposed extra resource would help to ensure that this happened. The need for the team to engage with the community and to work within the town where possible was acknowledged and opportunities for the team to have a greater presence in the town would be explored.

**RESOLVED:**

that the recruitment of a Team Manager post for the Cranbrook Team be agreed

**REASON:**

To ensure that sufficient resource is in place to ensure the good planning of the Cranbrook new community.

**\*16 Exemption from Contract Standing Orders – Stockland Neighbourhood Plan**

Exemption to standing orders had been applied in order to appoint an independent examiner to examine the Stockland Neighbourhood Plan. In order to secure a quick examination and to accord with the wishes of the plan producers it was seen as desirable to secure the services of Nigel McGurk. Mr McGurk had established a track record in Neighbourhood Plan examination work and had undertaken a previous Neighbourhood Plan examination for East Devon District Council at Lypstone. Early adoption of the Neighbourhood Plan would help to establish a positive planning policy framework for the parish, to inform determination of planning applications in Stockland.

**RESOLVED:**

that the exemption to Contract Standing Orders be agreed

**REASON:**

To ensure that an independent examiner was in place and appointed.

**\*17 Access to information 2015/16**

This report provided information about requests received under the Freedom of Information Act (and Environmental Information Regulations) between 1 April 2015 and 31 March 2016. The report also looked at steps taken during the last 12 months to improve the accessibility of information. 588 requests had been dealt with under the Freedom of Information Act (Environmental Information Regulations) during the year 2015/16. This figure had risen from 486 in 2014/15.

**RESOLVED:**

that the number and type of requests received under the Freedom of Information Act and the steps being taken to improve access to information be noted

**REASON:**

To continue to improve the way requests for information were dealt with

**\*18 Fixed penalty notice for fly tipping**

The Service Lead, Environmental Health and Car Parks informed Members that on 9 May 2016 The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 inserted a new Section 33ZA of the Environmental Protection Act 1990. Authorised Council Officers could now serve a fixed penalty notice on a person who they had reason to believe had committed a waste deposit offence. East Devon was an Area of Outstanding Natural Beauty with the draw of the Jurassic Coast and set high standards to keep it an outstanding place. The critical message to fly-tippers was ‘you are not welcome here’.

The power would typically be used by Officers to deal with small, medium and large fly-tipping offences that were being committed by householders or small scale “man and a van” operations. The investigation of very large-scale commercial fly tips would remain the responsibility of the Environment Agency.

Discussions included the following:

- offer an incentive for any information given that identified offenders

**RESOLVED:**

that the following be agreed:

1. the use of fixed penalty notice enforcement for fly tipping offences,
2. the amount of the fixed penalty payable in respect of offences committed in East Devon be set at £400,
3. that the Council should accept a reduced amount of £200 if payment is received within 10 days of service of the notice.

**REASON:**

To enable Officers from both the Environmental Health and Streetscene teams to issue fixed penalty notices to any person who had committed a fly tipping offence.

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

Paul Diviani	Leader
Andrew Moulding	Deputy Leader/Strategic Development and Partnership

**Portfolio Holders:**

Tom Wright	Corporate Business
Iain Chubb	Environment
Jill Elson	Sustainable Homes and Communities
Phil Twiss	Corporate Services
Ian Thomas	Finance

**Cabinet apologies:**

Philip Skinner	Portfolio Holder Economy
Geoff Pook	
Eileen Wragg	

**Non-Cabinet apologies:**

Matt Booth  
David Chapman

Maddy Chapman  
Simon Grundy  
Ian Hall  
Steve Hall

**Officer apologies:**  
Richard Cohen

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

**Councillors:**

Megan Armstrong  
Brian Bailey  
David Barratt  
Colin Brown  
Paul Carter  
Alan Dent  
John Dyson  
John Humpreys  
Ben Ingham  
Geoff Jung  
Cherry Nicholas  
Helen Parr  
Pauline Stott  
Brenda Taylor  
Mark Williamson

**Also present:**

**Officers:**

Mark Williams, Chief Executive  
Simon Davey, Strategic Lead – Finance  
John Golding, Strategic Lead Housing, Health and Environment  
Henry Gordon Lennox, Strategic Lead - Legal, Licensing and Democratic Services  
Andrew Ennis, Service Lead - Environmental Health and Car Parks  
Ed Freeman, Service Lead - Planning Strategy and Development Management  
Libby Jarrett, Service Lead – Revenues and Benefits  
Andrew Wood, East of Exeter Projects Director  
Janet Wallace, Principal Environmental Health Officer  
Amanda Coombes, Democratic Services Officer

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

## EAST DEVON DISTRICT COUNCIL

### Forward Plan of Key Decisions - For the 4 month period 1 August 2016 to 30 November 2016

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

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

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

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

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

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

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

#### **Obtaining documents**

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

Decision		List of documents.	Lead/reporting Officer	Decision maker and proposed date for decision	Other meeting dates where the matter is to be debated / considered	Operative Date for decision (assuming, where applicable, no call-in)	Part A = Public meeting  Part B = private meeting [and reasons]
1	Relocation Update		Deputy Chief Executive	<b>Cabinet 14 September 2016</b>		22 September 2016	Part A
2	Manstone Depot improvements		Strategic Lead – Housing, Health and Environment	<b>Cabinet 14 September 2016</b>		22 September 2016	Part A
3	Syrian Refuge Resettlement progress		Strategic Lead – Housing, Health and Environment	<b>Cabinet 14 September 2016</b>		22 September 2016	Part A
4	Public Toilet Review		Service Lead – Street Scene	<b>Cabinet 12 October 2016</b>	Asset Management forum 1 September 2016	20 October 2016	

Decision		List of documents.	Lead/reporting Officer	Decision maker and proposed date for decision	Other meeting dates where the matter is to be debated / considered	Operative Date for decision (assuming, where applicable, no call-in)	Part A = Public meeting  Part B = private meeting [and reasons]
5	Exmouth flood prevention scheme		Strategic Lead – Housing, Health and Environment	Council 26 October 2016	Cabinet 14 September 2016	27 October 2016	Part A
6	Sidmouth Beach Management Plan		Strategic Lead – Housing, Health and Environment	Council 26 October 2016	Cabinet 12 October 2016	27 October 2016	Part A
7	Council Tax Support Scheme for 2017/18 and possible changes Final Scheme		Revenues & Benefits Service Lead	Council 26 October 2016	Cabinet 12 October 2016	27 October 2016	Part A
8	Street Markets and Street Trading Consultation Outcomes		Deputy Chief Executive	Council 26 October 2016	Overview 27 September 2016 Cabinet 12 October 2016	27 October 2016	Part A

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

Future Decisions		Lead / reporting Officer	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision  To be confirmed
1	Sports and Activity clubs – Rent and Rent support Scheme Outcomes	Deputy Chief Executive	Cabinet 11 November 2016 Council 21 December 2016	22 December 2016
2	Relocation Update and Delivery	Deputy Chief Executive	Cabinet 7 December 2016 Council 21 December 2016	22 December 2016
3	Specific CIL Governance Issues	Deputy Chief Executive <b>(RC)</b>		
4	Business Support – options for the future	Deputy Chief Executive <b>(RC)</b>		
5	Thelma Hulbert Gallery - progress	Strategic Lead (Housing, Health and Environment) / Service Lead (Countryside)		



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

July 2016

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Housing Review Board held at Knowle, Sidmouth on 16 June 2016**

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

The meeting started at 2.30pm and ended at 4.20pm.

#### **\*1 Public Speaking**

Sylvia Martin apologised that no representative of the Tenant Scrutiny Panel (TSP) had been present at the last HRB meeting and thanked the Landlord Services Manager for all her work on the response to the TSP on tenant participation. It was noted that it was becoming harder to recruit tenants despite advertising widely in the Housing Matters magazine, on the website and via social media.

#### **\*2 Appointment of Vice Chairman**

The Chairman welcomed all those present to the meeting, in particular new Board member Councillor Brenda Taylor. Those present introduced themselves.

Nominations for Vice Chairman were received for co-opted tenant member Pat Rous.

**RESOLVED:** that tenant representative Pat Rous be appointed Vice Chairman of the Board for the ensuing year.

#### **\*3 Minutes**

The minutes of the Housing Review Board meeting held on 10 March 2016 were confirmed and signed as a true record.

#### **\*4 Declarations of Interest**

Angela Bea: Personal interest – housing tenant.

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

Joyce Ebborn: Personal interest - housing tenant

Cllr Ian Hall: Personal interest – family member lives in a Council owned property and uses Home Safeguard: Chairman of the Millwey Rise Community Hall group.

Pat Rous: Personal interest - housing tenant.

#### **\*5 Matters of urgency**

There were no matters of urgency identified.

#### **\*6 Community Development update**

The Chairman agreed for this item to be moved up the agenda to allow the Community Development to present their work to the Board. Presentations were received from the Education Ranger, the Community Development worker and the Community Development Apprentice on their work, including:

- Countryside outreach project;
- work with children's centres;
- SWITCH youth group;
- community festivals;
- fun days;
- SWITCH residential;
- Community Development Workers networking meeting;
- Youth tenant conference;
- Loan shark bite back week;

- community orchards;
- and future activities and goals.

The Board agreed that the community development work was invaluable. It encouraged people to spend more time outdoors in a supported way and reached out to target and early help families. Trust had been built up with families and young people and partner agencies were now sharing knowledge and recognising the value of the team. All activities were free at the point of take up. It was recognised that it was hard to measure the value of the projects but everyone acknowledged the positive impact it had on tenants and their families.

The Chairman and other members all praised and thanked the Community Development team and the Countryside Education Ranger for their hard work on behalf of the community.

**RESOLVED:** that the work carried out by the Community Development team be noted.

**\*7 Forward plan**

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

The Portfolio Holder – Sustainable Homes and Communities updated the Board on Danby House and Exebank. Contractss had been signed and Devon and Cornwall Housing would be bringing forward a planning application for the site in the next few weeks.

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

**\*8 Update on unused land at Millwey Rise and Foxhill, Axminster**

The Housing Projects Officer gave a brief verbal update on land at Millwey Rise and Foxhill, Axminster. She hoped to bring architect plans to a future Board meeting showing what the site could look like. Community centre aspirations would be built into this brief, as well as a play area, a multi use games area and housing.

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

**\*9 Storm damage and water penetration update**

The Property and Asset Manager's report updated the Board on work that had taken place on over 400 of the Council's properties as a direct result of the severe 2013/14 winter storms. Two update reports had previously been presented to the Board in June 2014 and January 2015. Due to the complexity of works required, work had been organised into 3 phases:

**Phase 1:** immediate stabilization and emergency repair to areas of significant damage and water penetration, to include immediate removal of sodden cavity wall insulation. This stage was almost entirely complete although there were a couple of properties that had been brought to officers' attention later on.

**Phase 2:** Addressing less obvious failures of the external envelope of the building, including re-pointing, brickwork, roof works, door and window replacements. Again, the majority of these works were now complete. There remained a few properties where problems had been more complex to solve. This phase had highlighted where previous planned

programmes of maintenance had not captured all areas of property improvements to the level that the Council would have liked. This information could now be used to plan accordingly for future programmes.

**Phase 3:** The Council were about to embark on this phase that addressed issues left by the removal of cavity wall insulation. It was important to note that the solutions required would differ from property to property and officers were working closely with specialist contractors to assess the options. A significant amount of time had been spent educating tenants with regard to the benefits of, or problems with, cavity wall insulation. Many tenants wanted what had been taken away replaced, but there was the need for the Council to carefully consider its next steps in the best interest of both the tenant and the property. If not, properties could easily end up in the same position as two years ago should there be further extreme weather events. It was stressed that wet insulation was worse than having no insulation.

The approximate cost of the remedial works to date was in the region of £1 million. Claiming on the Council's insurance was a long process and approximately £450,000 compensation had been received so far. A further payout was expected within the next few months. The full costs would never be recovered as each affected property had an excess of £100. It was reported that there was the possibility of grant funding being available, depending on how the Council chose to re-insulate its properties. Members noted that there was a not a 'one size fits all' solution.

Officers had learnt a great deal from the incident and the experience had added knowledge in the following areas:

- the fabric and construction of Council properties;
- running future maintenance programmes to ensure properties were more robustly protected from storm/water damage;
- good and bad practice with regards to insulating properties.

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

## 10 **Condensation awareness update**

The Property and Asset Manager's report updated the Board on on-going issues relating to condensation and mould in Council properties. There had been a noticeable steady rise in tenants complaining about condensation and damp issues, many of which resulted in Maintenance Surveyors carrying out lengthy inspections and investigations. Condensation and damp was often the result of people's lifestyle and a property having:

- inadequate heating;
- inadequate insulation;
- inadequate ventilation;
- possible excessive moisture production.

In many of the cases investigated, the problems could be significantly improved or solved when tenants changed the way they lived in their properties. Every opportunity was taken to raise awareness of such issues via a variety of methods, including articles in Housing Matters magazine, stalls at tenant events and leaflets.

Currently, the ventilation of tumble driers was an area that fell under tenants' responsibility. This often caused significant issues within Council properties and the report sought the ability to install appropriate ventilation in order to protect the property as officers saw

necessary. For a minimal cost this would save significant officer time and safeguard the fabric of the properties concerned.

It was the Council's responsibility to ensure its properties had heating systems that were adequate, affordable and fit for purpose. However, many tenants were classified as being in fuel poverty and officers supported these tenants in a variety of ways. Front line staff were trained to recognise the signs of fuel poverty and act accordingly.

**RECOMMENDED:**

1. that the contents of the report be noted in relation to condensation, thermal efficiency and fuel poverty and how the Council was addressing those issues.
2. that where it is deemed appropriate, the installation of ventilation for tumble driers in certain properties be approved.

**\*11 Handy person scheme review**

The report of the Property and Asset Manager outlined to the Board the outcomes of the first six months of the handy person service trial scheme (October 2015 - March 2016). Following a recommendation from a Task and Finish Forum the Board agreed to an initial six month trial of a handy person scheme for tenants of EDDC. The trial scheme was open to all tenants in sheltered accommodation, all tenants over the age of 70 or with a disability, and all tenants on the Individual Garden Maintenance scheme. The service had two parts:

1. to provide a free handy person service for specific tenants.
2. to carry out EDDC small scale repairs, under the approximate value of £100.

One aim of the trial was to find out if by passing small jobs to the handy people, EDDC would save on overall costs and be able to fund the handy person service through these savings.

The report concluded that the scheme had been very popular with the tenants that used the service. It provided benefits other than purely financial. Overall take up had not been as high as anticipated. Take up was reasonable with sheltered tenants, but had not been very high with general needs tenants and more work promoting the scheme would be required. When the scheme was proposed it was anticipated that the savings made by passing the small EDDC jobs to the handy persons would cover the majority of the costs of running the handy person service for tenants. The figures in the report demonstrated that this had not proved to be the case. If the number of small jobs passed to the handy persons could be increased, and the selection refined to be the most cost effective jobs, such as doors, fencing and kitchen units, locks, light bulbs and toilet repairs then more of the handy person scheme could be paid for by the savings achieved.

**RESOLVED:** that the outcomes of the six month trial of the handy person service be noted.

**12 Handy person scheme future options**

The Property and Asset Manager's report asked the Board to consider whether or not the Housing Service continued to offer a handy person service in the future. It also outlined ways the service could work to ensure best value for money and best service for current and future customers.

The two options given were:

1. discontinue the handy person scheme at the end of the pilot trial.
2. continue with the handy person service with one of the following scenarios:
  - a. continue with running the service as it is currently.

- b. continue to run the service with the contractors and consider introducing charges for some or all tenants.
- c. employ a handy person in-house.
- d. employ an in-house handy person and introduce charges for some or all tenants.
- e. employ an in-house handy person, introduce charges for some or all tenants and also extend the service out to private customers and take on work for Home Safeguard.

The report suggested that if the Board decided to continue with the service after August 2016 that delegated powers be given to the Strategic Lead – Housing, Health and Environment, Portfolio Holder for Sustainable Homes and Communities and the Property and Asset Manager to decide on the best way forward for the service. The aim would be to reduce the costs within a five year timescale, with regular reporting to the Board.

**RECOMMENDED:** that the handy person service be continued, with delegated powers given to the Strategic Lead - Housing, Health and Environment, the Portfolio Holder for Sustainable Homes and Communities and the Property and Asset Manager to decide on the best way forward with the service along the lines of the various scenarios outlined in the report.

### 13 **Gas servicing contract 2016-2020**

The Property and Asset Manager's report updated members on progress towards tendering a new gas maintenance, safety and heating systems contract to commence on 1 October 2016 and to run for a period of four years, with the option of a further extension for up to a two year term. It contained the timetable for the retender of the contract and a breakdown of the contract evaluation criteria. The report also requested authorisation for the Strategic Lead – Housing, Health and Environment and the Property and Asset Manager to award the contract to the successful tender bid following the tender bid exercise that had commenced (May – July 2016). EDDC were working jointly with Mid Devon District Council to procure the contract.

**RECOMMENDED:** that authority be given to the Strategic Lead – Housing, Health and Environment and the Property and Asset Manager in consultation with the Portfolio Holder for Sustainable Homes and Communities, to award the contact to the winning tender as determined through the joint procurement exercise currently underway with Mid Devon District Council.

### \*14 **Use of Right to Buy receipts**

The Housing Development and Enabling Officer's report provided an update on property currently being acquired using Right to Buy receipts and Commuted Sums. A number of properties that were considered suitable to add to the Council's housing stock were listed in the report. Based on the figures in the report the Council remained on target to meet deadlines to spend the Right to Buy receipts by 30 September 2016 and 30 December 2016. Officers were also working on other options to spend the Right to Buy receipts beyond January 2017, which was the likely time the Commuted Sums that were currently match funding the property acquisitions would have run out. Options included working with Registered Providers to bid for the Right to Buy monies and possibly borrowing from the Public Works Loan Board.

**RESOLVED:** that the update report on the use of Right to Buy receipts and Commuted Sums to secure suitable property to add to the Council's affordable housing stock be noted.

**15 HRA Outturn report 2015/16**

Members were asked to note the final position for the year end and the Housing Accountant's report compared this outturn against the budgets set for 2015/16. During the year monthly budget monitoring reports had informed members of the anticipated year end position. It was noted that the surplus this year was greater than the budgeted surplus by approximately £1 million and the report suggested that this sum was transferred into the HRA Business Plan Volatility Reserve from the HRA, giving it a total sum of £4.4 million.

**RECOMMENDED:**

1. that the HRA outturn position for 2015/16 be agreed.
2. that £1 million be transferred into the HRA Business Plan Volatility Reserve.

**\*16 Housing senior management structure**

The Strategic Lead – Housing Health and Environment's report considered the interim senior management structure in the housing service and confirmed a more permanent structure suitable for delivery of services to the Council's tenants and customers in the private rented sector.

Following the retirement of the Housing Needs and Strategy Manager, recruitment to the Housing Needs and Strategy Manager post produced two excellent internal candidates who performed better than the external competition. The Housing Needs & Strategy Manager position was filled on a permanent basis and the Property & Asset Manager filled on an interim basis for one year. The interim period expired in May, which prompted a review and the need to confirm a structure going forward. A permanent appointment was made to the position of Property and Asset Manager and the Board congratulated the postholder on this.

The current senior management structure in Housing was shown in the report. This had worked well over the past 12 months with individuals demonstrating a great passion, energy and commitment to their work. There was a good mix of experience and creativity, fresh ideas, whilst recently being able to reward aspiring younger talent, and having an eye to future succession planning. This structure was operated some time ago prior to colleagues acting up and taking on additional duties.

The Strategic Lead – Housing Health and Environment reported that he anticipated a further retirement in the next two years and proposed to review the structure again when that event occurred.

**RESOLVED:** that the implementation of the housing senior management structure as set out in the report be noted.

**\*17 Housing and Planning Act 2016**

The Strategic Lead – Housing Health and Environment reported that the Housing and Planning Act 2016 would create radical changes to how the Council operated as a social landlord. Regard of the Act would be needed when revising and refreshing the Housing Revenue Account Business Plan. It was noted that Overview Committee had been requested to consider the Act.

**RESOLVED:** that the Housing and Planning Act 2016 be noted.

- \*18 Reduction in social housing rents and income management CIH charter for housing**  
The Strategic Lead – Housing, Health and Environment presented to the Board two publications; a briefing note on the reduction in social housing rents, from the Chartered Institute of Housing; and ‘income management: CIH charter for housing, by the Chartered Institute of Housing. This set out six commitments to work to and offered a good working guide to good practice.

**RESOLVED:** that the information papers included in the agenda be noted.

- \*19 Housing Revenue Account Business Plan Task and Finish Forum**  
The Board was presented with the scoping document for the forthcoming Housing Revenue Account Business Plan Task and Finish Forum (TaFF). The first meeting would be held at 10am on Friday 17 June. Following changes to the membership of the Housing Review Board, the Chairman invited other members of the Board to join the TaFF

**RESOLVED:** that the membership of the Housing Revenue Account Business Plan Task and Finish Forum be confirmed as Councillors Megan Armstrong, Ian Hall and Pauline Stott, tenant representatives Angela Bea, Mike Berridge, Joyce Ebborn and Pat Rous, and independent community representative Christine Drew.

- \*20 Dates of future Housing Review Board meetings**  
The Board noted the dates of forthcoming HRB meetings. These would start at 2:30pm and would be held in the Council Chamber, Knowle, Sidmouth. The dates were as follows:  
Thursday 8 September 2016  
Thursday 3 November 2016  
Thursday 12 January 2017  
Thursday 9 March 2017

**Attendance list**

**Present:**

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

Co-opted tenant members:

Pat Rous (Vice Chairman)  
Angela Bea  
Mike Berridge  
Joyce Ebborn

Independent community representatives:

Julie Bingham  
Christine Drew

Officers:

Sue Bewes, Landlord Services Manager  
Mark Dale, Senior Technical Officer  
Penny Evans, Education Ranger  
Amy Gilbert, Property and Asset Manager  
John Golding, Strategic Lead - Housing, Health and Environment



Penny Hartnell, Community Development Apprentice  
Victoria Robinson, Community Development Worker  
Giles Salter, Solicitor  
Alethea Thompson, Democratic Services Officer  
Melissa Wall, Housing Projects Officer  
Mandy White, Accountant

**Also present:**

Cllr Jill Elson, Portfolio Holder – Sustainable Homes and Communities  
Cllr David Barratt  
Cllr Peter Faithfull  
Cllr Douglas Hull  
Sylvia Martin - Tenant Scrutiny Panel  
Peter Sullivan - Tenant

**Apologies:**

Cllr Jim Knight

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

## **EAST DEVON DISTRICT COUNCIL**

# **Minutes of a meeting of the East Devon Recycling and Refuse Partnership Board, Council Chamber, Knowle, on 22 June 2016**

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

The meeting started at 10.05am and ended at 11:40am.

#### **\*1 Appointment of Vice Chairman**

**RESOLVED:** that in his absence, Councillor Geoff Pook be appointed Vice Chairman of the Partnership Board.

#### **\*2 Minutes**

The minutes of the Recycling and Refuse Partnership Board meeting held on 27 April 2016 were confirmed and signed as a true record.

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

None

#### **\*4 Matters arising**

None

#### **\*5 Statistical information**

The Street Scene Service Lead reported that the statistical information would now be reported to the Board six monthly. Monthly stats reports would be emailed to members as they were at present.

#### **\*6 SUEZ Senior Contract Manager update**

There was no SUEZ Contract Manager's report as the SUEZ Contract Manager was currently off on long term sick leave and likely to return in August. The SUEZ General Manager and Supervisor updated the Board on the following items:

- There was a covering manager for the contract manager, supported by the regional manager. An assistant contract manager had recently been appointed.
- Other staffing issues, including:
  - Three ongoing suspensions on health and safety grounds. The outcome of a disciplinary hearing would be known on 24 June.
  - The possible long term illness of a driver.
  - There were currently 103 members of staff, including the three suspensions, four long term sick and seven management. There were also six agency staff.
  - The apprentices had now been retained as a valuable member of staff. A holistic, rather than contract specific, apprenticeship point of view was adopted.
  - More drivers were required. Training was provided internally as company investment.
- Greendale depot works – it was hoped that the lighting would not require planning permission. Environmental Health had confirmed that they were satisfied with the noise levels and Saturday catch up hours.
- There was an ongoing issue with the quality of the recycling transfer boxes.
- Reports of recycling boxes not being replaced correctly were dealt with through contractor complaints. It was thought that the installation of cameras on the vehicles might resolve this.

- Pick up rates of romaquip were queried as these would be vital for round optimisation. The General Manager reported that he could get intelligence from a new contract starting elsewhere with SUEZ. The Street Scene Service Lead also reported that he had received some reassuring information from Teignbridge District Council who were using 20 new romaquip vehicles. He advised that there was a useful romaquip video on YouTube which showed how material was collected and compacted.

The Chairman sent the Board's best wishes to the SUEZ Contract Manager.

## **7 Partnership Charter**

The final version of the Partnership Charter, which would form part of the contract with SUEZ was circulated with the agenda papers. The Partnership Charter would run for the complete duration of the contract. The Recycling and Refuse Partnership Board would become a true partnership, working together co-operatively. The Charter stated that the functions of the Board were:

- To monitor service performance,
- To be innovative,
- To be proactive,
- To ensure partnership,
- To resolve differences,
- To review partnership performance,
- To report on performance.

Underpinning the Board would be improvement forums which could be set up as and when necessary.

**RECOMMENDED:** that the Board endorse the Partnership Charter.

## **8 Schedule 2 property collections**

The Street Scene Service Lead asked the Board to consider the frequency of collections from schedule 2 properties. The current frequency of collections for schedule 2 properties mirrored that of residential properties. As the specification of services document didn't specify the frequency of collections from properties classed as schedule 2, this provided the opportunity for flexibility of service rollout, but an increased collection frequency would increase the service costs. Schedule 2 was priced on a per collection basis and a financial modeling exercise to determine the cost to the Council of maintaining the current collection frequency (weekly recycling and fortnightly refuse) or continuing to mirror that of residential collections (weekly recycling and three weekly refuse) was included in the Street Scene Service Lead's report. The Street Scene Service Lead explained that to maintain the current collection frequency would cost the Council an additional £24,243. It would also not provide parity with the residual service nor would it help achieve the stated aims of improving recycling rates and protecting the environment by minimizing the amount of waste sent for disposal.

It was noted that schedule 2 customers could contract with another commercial operative if they wanted to receive a more frequent collection. If schedule 2 properties requested more frequent collections the Council would refer them to SUEZ's commercial and industrial collection operation at Greendale.

**RECOMMENDED:**

1. that weekly recycling and three weekly residual collections for schedule 2 properties be approved, to mirror the residential collection service and encourage recycling .
2. that any customers who require a more frequent collection be directed to SUEZ's commercial and industrial collection department or another suitable waste contractor.

**\*9 Improved recycling sack**

When the new improved recycling service was rolled out in 2017 an additional recycling sack would be required to contain mixed plastics, mixed metals and tetrapax. A trial 70 litre sack was used in the trial area and feedback from residents had been used to improve the design.

The Waste Management Officer demonstrated to the Board the original sack used for the trial areas, and alternative design and the improved sack. The final design had a weighted bottom and incorporated a Velcro fastening on both the lip and at the top of the sides as the front and back of the sack came together. The new sack had a capacity of approximately 75 litres and would be olive green to match the existing recycling box. The enhanced sack had been tested in the trial areas and received good feedback so far.

**RESOLVED:** that the improved sack design for use with the new service roll out be approved.

**\*10 Key performance indicators**

The Street Scene Service Lead outlined the key performance indicators (PIs) which would form part of the contract and indicate the level of service required. The PIs all related to systems thinking principles. These were linked to the performance framework in the contract. If service standards slipped and SUEZ failed to meet the PIs the Council could choose to levy charges. It was noted that failure to meet PIs was included in the contract as an automatic penalty, but there was a rectification period.

The Street Scene Service Lead explained that the whole process had been worked through with SUEZ and was still subject to contract negotiations. It was part of the systems thinking approach and he believed that reasonable levels had been set.

**RESOLVED:** that the key performance indicators be noted.

**\*11 Mobilisation planning, working groups and sub groups, and timeline**

The Street Scene Service Lead presented the key activities time line to the Board. It was noted that roll out of phase one was timetabled for February 2017. Board members discussed whether March would be more appropriate from a communications and bank holidays point of view. Also included in the agenda papers were the action points from the various delivery group meetings.

**RESOLVED:** that the report and key activity time line be noted.

**\*12 Communications strategy**

The Waste Management Officer presented the communications strategy for the recycling and waste collection roll out. This outlined the Council's overarching communication and engagement approach relating to the delivery of the new recycling and waste collection service. The strategy was an evolving document which would be continuously reviewed and updated to support the delivery of the roll out. An action plan drawn up by the Recycling and Waste Collection Communications Delivery Group would sit alongside the

strategy. It would detail the activities associated with communicating and engaging with residents, councillors, staff and stakeholders.

Key issues to be communicated included:

- changes to the recycling and waste collection days in some areas,
- changes to the collection frequency for the non-recyclable waste bin,
- the extra recyclables being collected every week and extra recycling containers,
- optimising the weekly food waste collections,
- bring banks to be removed.

The communications lessons learnt from the trials helped develop a 'template' for how the Council could successfully communicate changes to its residents. Feedback from the trials would inform communications decisions around the new service.

The Board discussed the potential risk of messages 'getting lost' during the Christmas period and various methods of communicating changes to residents were considered. The Board wanted to replicate the success of the trial and did not want to risk messages being lost. However, legitimate reasons would be required to delay the start of the service from February to March 2017.

**RECOMMENDED:**

1. that officers seek clarification from SUEZ regarding the reasons for and rationale behind delaying the start date of phase 1 from February to March 2017.
2. that the draft communications strategy be noted.

**\*13 New recycling and waste contract – what has changed?**

The 'what has changed?' document was circulated with the agenda papers. It was noted that this would be tailored to three different audiences:

- SUEZ staff,
- EDDC staff,
- and residents.

A frequently asked questions document would also be produced.

**RESOLVED:** that the new recycling and waste contract – what has changed document be noted.

**\*14 New contract risk register**

In the absence of the Interim Recycling and Waste Contract Manager, this would be considered at the next Board meeting.

**\*15 Any other business**

**Award finalists**

The Service Lead – Streetscene reported that EDDC and SUEZ had been nominated for a national recycling award for the best public/private partnership, based on the success of the recycling trial. The awards ceremony would be held in London on 6 July 2016

**Devon County Council avoided waste disposal cost sharing**

The Strategic Lead, Housing, Health and Environment updated the Board on avoided waste disposal cost sharing with Devon county council (DCC). DCC had sent out a draft contract with what appeared to be a 50-50 sharing arrangement for cost saving. The contract would

last for 10 years, with the ability to terminate at three years. Further information was required on the calculation process within the contract.

**\*16 Dates of future meetings**

**RESOLVED:** that future meetings of the Recycling and Refuse Partnership Board be held on the following dates:

- Wednesday 20 July 2016 – 10am
- Wednesday 5 October 2016 – 10am
- Wednesday 7 December 2016 – 10am

**Present**

**Councillors:**

Ian Chubb – Portfolio Holder, Environment (Chairman)  
Steve Gazzard  
Geoff Jung

John Dyson

**Officers:**

Lorna Christo – Waste Management Officer, EDDC  
John Golding – Strategic Lead, Housing, Health and Environment, EDDC  
Andrew Hancock - Service Lead – StreetScene EDDC  
Steve Maclure – Waste Management Officer, EDDC  
Alethea Thompson – Democratic Services Officer, EDDC

**SUEZ:**

Nick Browning - General Manager Municipal, SUEZ  
James Gatter – Supervisor, SUEZ

**Apologies:**

Councillor Simon Grundy  
Councillor Geoff Pook  
Cherise Foster – Customer Services Manager, EDDC  
Alison Stoneham – Communications and Public Affairs Manager, EDDC  
Nigel Trueman – Interim Recycling and Waste Contract Manager, EDDC  
Dave Swire – Regional Manager, SUEZ  
Andy Williams – Senior Contract Manager, SUEZ

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

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Overview Committee held at Knowle, Sidmouth on 28 June 2016**

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

The meeting started at 6.00pm and ended at 8.25pm.

**\*1 Councillor David Chapman**

The Chairman asked that Committee members spend a few moments remembering the life and Council work of Councillor David Chapman who had sadly passed away on Sunday.

**\*2 Public speaking**

There were no public speakers at this point of the meeting.

**\*3 Minute confirmation**

The minutes of the Overview Committee held on the 22 March 2016, were confirmed as a true record. Councillor Matthew Booth raised an issue arising from the minutes on coastal erosion issues at Pennington Point, Sidmouth and the Sidmouth Beach Management Plan and where responsibility for any coast protection works lay

Councillor Mike Allen advised that he had attended a meeting of the Joint Economy and Regeneration Think Tank but had not had a chance to discuss his report entitled 'East Devon Economic Development Policy in Rural Areas'. The Chairman reported that the Committee at its meeting on 29 November 2016 would discuss economy, including in rural areas.

**\*4 Role of the Committee**

Members noted changes to the Constitution agreed at Annual Council on 16 May 2016. The briefing paper set out the role of the committee following these changes.

**5 Local Government Boundary Committee for England Electoral Review Programme 2015 - 2019**

The Committee received a report from Mark Williams, Chief Executive, asking the Committee to consider and recommend to Cabinet/Council a future number of councillors for the District of East Devon (currently 59) and to approve the draft submission to be sent to the LGBCE (due week commencing 18 July 2016). The report had proposed for the purposes of debate that the minimum number of East Devon Councillors required was 45.

The key requirement the LGBCE needed was the council's view on the appropriate number of Councillor for the future. The LGBCE advised that effective representations would address:

- a. Decision Making;
- b. Scrutiny and Partnerships;
- c. Representational Requirements.

During discussions, the following further points and questions were also raised:

- If the Council were minded to reduce the number of councillors, was the need for Councillors to represent the Council on partnerships and outside bodies and Member Champions capable of being properly addressed? There was also the need to consider the representational requirements of constituents;
- Disappointment that only 31 councillors had replied to the latest survey;

- Less Councillors meant more work for those in post and that affected their work/life balance;
- There was not a standard number of electors per Councillor;
- Concern over a suggestion made in the report for there to be the same number of Councillors on Cabinet and Scrutiny, which would reduce the number of Councillors on Scrutiny;
- Mention should be made in the report of the Exeter to Waterloo rail line;
- There were originally 60 councillors at EDDC and this would be the ideal number to enable the work to be spread around ;
- The way Councillors now worked has changed greatly over the last 10 years and this work had increased considerably;
- What was the ideal number of councillors to properly service and represent East Devon?
- East Devon was a diverse district and had an ageing population,
- The number of planning applications in the District was increasing which meant more work for all Councillors, particularly those on Development Management Committee;

## RECOMMENDED

1. that the appropriate number of Councillors for the District of East Devon to be recommended to the LGBCE was 60 and that the justification for this was:
  - a. The need to ensure an appropriate work/life balance for new Councillors;
  - b. The need for enough members to ensure effective scrutiny and properly represent the full diversity of the district;
  - c. The role of the district councillor was seen to be a more active and demanding role as a consequence of developments in ICT and social media together with an increased interest in local democracy, planning and general societal changes;
  - d. Increased role of councillors resulting from changes in devolution and the funding of services;
  - e. The need to reflect the growth in population in East Devon both at Cranbrook and generally.
2. that a revised and updated draft submission based on that attached to the report be approved for the purposes of submission to the LGBCE;
3. that the Chief Executive, in consultation with the Group Leaders, be given delegated authority to make any recommended changes by the LGBCE to the draft submission following its consideration by the LGBCE.

## 6 Heart of the South West Formal Devolution Bid

Members received a report from Mark Williams, Chief Executive, which sought approval to sign up '*in principle*' to the pursuit of a Devolution Deal and the creation of a Combined Authority for the Heart of the South West sub-region to administer the powers devolved through the Deal. An '*in principle*' agreement from all of the authorities, partners and MPs involved in the Heart of the South West devolution process would open up negotiations with Treasury to work towards a deal.

During discussions, the following points and questions were raised:

- Concern about possible future financial implications of taking on responsibility for health, social and wellbeing issues;
- Future of development of Hinkley Point C following the EU Referendum result;
- The process chosen by the government to introduce devolved powers was flawed.



**RECOMMENDED**

1. that the Leader's current approach to devolution be endorsed and that agreement be given to signing up to the principle of creating a Combined Authority for the Heart of the South West, as set out in the Prospectus for Productivity, as the basis for negotiation with Government towards a Devolution Deal for the area;
2. that it be noted that giving this endorsement does not commit the Council to entering into a Devolution Deal or becoming a member of a Heart of the South West Combined Authority. This would be subject to future debate and agreement by the Council and subject to negotiations with Government.

**7 Communications Plan 2016/20**

The Committee received a report from Karen Jenkins, Strategic Lead - Organisational Development and Transformation, on the Communications Plan 2016/20. The plan aimed to deliver effective communications to EDDC's customers. The Council strongly believed that customers who were informed about its services and benefits were more positive in their view of the Council than those who were not so informed.

Although there had been a great increase in social media activity, the Council used other methods such as the local press and leafleting to get its message across.

Karen Jenkins, Strategic Lead - Organisational Development and Transformation was thanked for her report.

**RECOMMENDED**

that the Communications Plan 2016-2020 be endorsed.

**\*8 Overview forward plan**

The Committee discussed items for the forward plan, and agreed the following topics to be scoped before further consideration on how to proceed:

**RESOLVED**

That the forward plan include:

27 September 2016 – Affordable homes, Street Markets and trading consultation outcomes.

29 November 2016 – Economy.

11 January 2017 – Draft budgets and service plans 2017/18.

28 March 2017 – Tourism economy and cultural enhancement of natural environment.

**Attendance list**

**Councillors Present:**

Peter Bowden (Chairman)

Graham Godbeer (Vice Chairman)

Mike Allen

Matthew Booth

Peter Faithfull

Maria Hale

Ian Hall

Rob Longhurst

**Councillors Also Present:**

David Barratt

Paul Diviani  
John Dyson  
Jill Elson  
Cathy Gardiner  
Roger Giles  
Ben Ingham,  
Andrew Moulding  
Marianne Rixson  
Pauline Stott  
Tom Wright

**Officers**

Anita Williams, Principal Solicitor  
Mark Williams, Chief Executive  
Karen Jenkins, Strategic Lead - Organisational Development and Transformation  
Rebecca Heal, Solicitor  
Chris Lane, Democratic Services Officer

**Councillor Apologies:**

Pat Graham  
Christopher Pepper

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

**EXMOUTH REGENERATION PROGRAMME BOARD  
ACTION POINTS FROM A MEETING  
HELD AT EXMOUTH TOWN HALL, EXMOUTH ON THURSDAY 30 JUNE 2016**

Present:

Councillor Philip Skinner	PJS	EDDC
Andrew Moulding	ATM	EDDC
Jill Elson	JME	EDDC
Pauline Stott	PS	Exmouth Town Council
Deborah Hallett	DH	Chairman, Rolle Exmouth Ltd
Richard Cohen	RC	Deputy Chief Executive, EDDC
John Humphreys	JH	EDDC
Chris Lane	CL	EDDC
Eileen Wragg	EW	Devon County Council
Alison Hayward	AH	EDDC
Lisa Bowman	LB	Exmouth Town Council
Richard Jacobs		EIC Group
Tom Vaughan	TV	Devon County Council
Linda Perry	LP	EDDC
Neil Downes	ND	Exe Estuary Partnership
Steve Gazzard	SG	Exmouth Town Council
Graeme Thompson	GT	Planning Officer
Tim Wood	TW	Honorary Alderman

Apologies:

Andrew Leadbetter	AL	Devon County Council
Ian MacQueen	NM	Exmouth Chamber of Commerce
Bernard Hughes	BH	Devon County Council
Ian Harrison	IH	Consultant
Andrew Ardley	AA	Devon County Council

The meeting started at 9.15am and finished at 12.00noon.

Item	Notes/Decisions	Action
1.Councillor David Chapman	Councillor Andrew Moulding asked all members to stand and recognise the life of Councillor David Chapman who had sadly passed away on Sunday.	
2. Election of Chairman	<b>RESOLVED;</b> that Councillor Phillip Skinner be elected Chairman of the Board for the ensuing year.	
3.Introduction	Councillor Phillip Skinner welcomed all those present to the meeting. He wished to thank Councillor Andrew Moulding for all his work as Chairman of the Regeneration Programme Board.	
4. Report of meeting held on 31 March 2016	The report of the meeting held on 31 March 2016, was confirmed as a true record.	To note
5. Update on Mamhead Slipway	<p>AH reported that she and IH had a site meeting on progress made on the Mamhead Slipway. Work was progressing well however the piling phase of the work was slow to start and additional piles were needed but this was now mainly completed. Completion of the slipway was now likely to be in late September. There would be a press release issued next week in relation to progress on the Slipway and the slight cracking of the sea wall, which had now stabilised.</p> <p>EEW reported that the residents were very pleased with the communication between themselves and the contractors. AH advised that the additional contribution from DCC had been agreed. Consultants were advising on the additional costs due to the piling work. <b>ACTION</b> IH and David Turner (DT) be invited to the next meeting to give a presentation on progress.</p>	<p><b>Noted</b></p> <p><b>IH/DT</b></p>
6.Exmouth Tidal Defence Study	AH reported on progress made with the EA on the Exmouth Tidal Defence Study. It had been taken to their Board to discuss the options available. <b>ACTION</b> DT to email all members on progress made.	<p><b>Noted</b></p> <p><b>DT</b></p>
7. REL	DH reported on progress made by REL on the use of part of the Rolle site for economic and educational uses. The work hub at Rolle was now open from Friday. But the licence from Plymouth University only allowed it to be open until 30 September 2016. There was the need to engage with the Vice Chancellor and Board to keep the Owen Building open for community uses. This would involve finding additional funding to carry the project forward. It was noted that Plymouth University were not willing to contribute additional funding for all elements of maintenance of the Owen Building.	<b>Noted</b>

	<p>Plymouth University were holding off from any further developments on the site as they wanted to achieve best value on the site through the granting of planning permission for their application for housing on parts of the Rolle College site.</p> <p>Members of the Board acknowledged the significance of community development at the Rolle College site and its importance to Exmouth and felt that this should be rigorously supported by EDDC. Plymouth University were willing to trade off community use for part of the site against a reduced level of affordable housing provided on the site. JME indicated her support for this approach.</p> <p>DH reported that she considered that Plymouth University had placed a number of obstacles in REL's way in their pursuit of establishing community use for the Owen Building. It was important that dialogue was established with Plymouth University in order to achieve community use on the site and that EDDC, DCC and ETC would be encouraged to write to the University and express their support for this outcome.</p> <p><b>RESOLVED 1.</b> that RC discuss with the Planning Service progress with the Plymouth University planning application for the site and work out the best way forward for EL's continued use of the Owen Building for community use;</p> <p>2.that the Board establish a Rolle College Working Party with representative of various interested parties.</p>	
<p><b>8. Coastal Community Team/Economic Plan</b></p>	<p>AH reported that the Economic Plan for Exmouth as submitted by EDDC on behalf of the Exmouth Coastal Community Team to the DCLG in January had been approved. The Team had commissioned a tourism survey for Exmouth by the South West Research Company, who would hold 1,100 face to face interviews. It was hoped that a report would be ready by Christmas time and would include benchmarking against other seaside towns.</p> <p>The Board noted that a press release would be made on this tourism survey for Exmouth. AH reported that it was proposed that a bid for £1.2 million be made for Coastal Community Fund Phase 4 funding.</p> <p><b>RESOLVED</b> that the Board authorise the bid for £1.2 million of funding from the Coastal Community Fund for road and car park work at Queen's Drive.</p>	

<p><b>9. Playing Pitches Strategy for Exmouth</b></p>	<p>GT reported on the Playing Pitch Strategy (PPS) adopted by EDDC in July 2015 and the subsequent Draft Exmouth Sports Pitch Strategy which was currently out for consultation.. Members were reminded that one of the key points arising from the PPS for Exmouth was to find a site for relocation of Exmouth Rugby Club; Only one site had been found that was big enough to accommodate all their needs in one place (Courtlands Cross), but this was not considered a suitable location for the floodlights, covered stand, perimeter rail; and large clubhouse they would require. That being the case it was recommended that 2 pitches be retained at the club's current location at Imperial Ground and an additional two and a half pitches be established at Courtland's Cross as additional pitches to meet the current and future demand of the club together with two football pitches to serve Lympstone FC. Some regeneration development could still potentially be delivered alongside retained pitches at the Imperial Ground but this would require further detailed work.</p> <p>Another important site for Exmouth was the pitches at Rolle College. Ideally the whole of this site would be retained for sports pitches which would negate the need to find a site for additional football pitches however the Council had previously attempted to purchase the site to no avail and there was a current planning application proposing redevelopment of part of the site for housing and enhancement of the existing pitches. That being the case the best opportunity may be to accept loss of part of the site to housing for the benefits that brought but require a contribution towards what pitches could be accommodated otherwise being delivered elsewhere. If additional were therefore required then these would best be delivered at the Hulham Road site.</p> <p>King George playing field was currently used as a public park and could be laid out for a youth football pitch GT confirmed that this would not mean that it was taken out of use for public open space, rather simply allow Exmouth town FC to use the field for the youth sides on a Saturday morning.</p>	<p><b>Noted</b></p>
<p><b>10. Transport Hub</b></p>	<p>TV reported work would be starting on the new bus stops next month and temporary shelters would be put up in the meantime. There were on going discussions between GWR and EDDC regarding provision of an improved transport hub. There was likely to be a delay to the works to improve the GWR station until the autumn.</p> <p>Work on the Marks &amp; Spence store would start very</p>	

	<p>shortly and it was anticipated that the store would be open by the end of January. Members discussed the provision of overnight bus parking once the bus station had gone. It was understood that buses would be driven to Exeter and stored overnight, returning in the morning. RC reported that an offer had been made to Stagecoach for use of the Estuaryside Lorry Park for this purpose, but that this offer had not been taken up. This matter had also been discussed by the Exmouth Transport Partnership.</p> <p><b>ACTION</b> EEW to make enquiries at DCC to encourage Stagecoach to park their coaches in Exmouth.</p>	<p><b>EEW</b></p>
<p><b>11. Dinan Way</b></p>	<p>TV reported that DCC had appointed a consultant to take on the appraisal of the 3 options for the preferred route for the extension to the Dinan Way. There were on going discussions with interested parties and also site investigation works going on. It was hoped a planning application could be made for the agreed route by the end of the year.</p> <p>(EEW declared a personal interest as a member of the DCC Development Management Committee).</p>	<p><b>Noted</b></p>
<p><b>12. Queens Drive update</b></p>	<p>RC gave an update on the Queens Drive development. It was noted that agreement had now been reached with tenants. There was a meeting next month with Grenadier and there was enthusiasm that the project was moving forward. It was hoped that planning permission would be in place for Phase 2 of the project by the end of the calendar year.</p> <p>It was reported that a more thoughtful approach could be taken towards Phase 3 of the project and take steps to take this to the market. There was a need to go out to public consultation on Phase 3 of the works and also go out to tender.</p> <p>Agreement had been reached with the tenants of Harbour View Cafe to end the formal lease and they were currently on licence until the end of September. A request had been made to leave the tenant in situ until the Council needed the site for redevelopment works. The Board members were keen that the building was not left vacant and the tenant remains in situ.</p> <p>TW expressed his disappointment that a cafe/restaurant had not been established at Orcombe Point.</p> <p>JME raised the issue of having a Master Planning meeting of all /Exmouth District Councillors on</p>	<p><b>Noted</b></p>

	Monday 12 September at 6.00pm.	
<b>13. Camperdown Creek</b>	AH reported that work was on going with the Sea Cadets and that the Estates Section had been contacted by the Sea Scouts for them to be granted a 28 year lease in order that they were able to apply for funding. <b>ACTION</b> RC to find out the lease term for the Sea Scouts and to push this forward.	<b>Noted</b>  <b>RC</b>
<b>14. The Strand</b>	TV reported that the bus shelter was now in place. RC reported that consultants had now started for the relaxation of rules for Street Markets and Street Trading throughout the District. 100 different responses had been received so far and he encouraged business and residents of Exmouth to respond to this consultation.	<b>Noted</b>
<b>15. Communication Update</b>	Alison Stoneham would be preparing a press release on the Mamhead Slipway.	
<b>16. Dates and times of future meetings</b>	The next calendared meeting to be held on Thursday 15 September 2016.	<b>CL/All</b>



**Report to:** Cabinet  
**Date of Meeting:** 13 July 2016  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 12

**Subject:** West Hill – Community Governance Review

**Purpose of report:** At its meeting in July 2015, Council agreed that a Community Governance Review be undertaken. This arose out of a request from the 'West Hill Parish Council Campaign'. Following publication of the Terms of Reference and the first phase of consultation Council subsequently agreed that the Review should proceed to a second stage and draft proposals were formally published. The second statutory period of consultation expired on the 16<sup>th</sup> June 2016 and this report now recommends alternative decisions for the Cabinet/Council to consider.

**Recommendation:**

**Either:**

A – That having regard to all the representations received, the relevant statutory criteria and also the LGBCE review of District Council wards that has now commenced, no further action is taken with regard to this Community Governance Review and that the matter be further considered following the conclusion of the LGBCE review.

Or:

B – That having regard to all the representations received and the relevant statutory criteria:

- A new Parish Council be established for the area known as 'West Hill'
- That the boundary be as set out in Appendix B
- That the new Parish Council be known as 'West Hill Parish Council'
- That the Membership will comprise of 7 councillors
- That no warding provisions are incorporated in the Parish Council
- That there be consequential changes to the remaining wards of Ottery St Mary Town Council
- That these recommendations are duly published and the appropriate Order be made with delegated authority to the Chief Executive to incorporate all necessary provisions into the Order

That it be noted the Parish Council will come into formal legal effect on the 1<sup>st</sup> April 2017 and the first elections will be held in May 2017.

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<b>Reason for recommendation:</b>	<p>In accordance with the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007; the principal legal framework within which councils must undertake these reviews.</p> <p>Members will recall that the rationale for undertaking this review arose from a 379 signature petition which claimed that: 'West Hill is a separate, thriving community with its own sense of identity and strong desire to manage its own affairs. West Hill requires its own parish council comprising residents entirely from West Hill who are best placed to make decisions affecting the village.</p> <p>We also highlight...a key consideration highlighted by the Guidance when considering community governance - the size of the settlement concerned. West Hill is by far the largest settlement in East Devon without its own representation'</p>
<b>Officer:</b>	<p>Mark Williams, Chief Executive</p> <p><a href="mailto:mwilliams@eastdevon.gov.uk">mwilliams@eastdevon.gov.uk</a></p>
<b>Financial implications:</b>	<p>If a new Parish Council is established its first precept will be set by the District Council. There will be a charge levied to the District Council by our software provider for changes to the Council Tax system.</p>
<b>Legal implications:</b>	<p>Section 81 of the Local Government and Public Involvement in Health Act 2007 provides that it is for the Council to decide the terms of reference of any community governance review.</p> <p>The legal requirements for recommendations arising out of the community governance review are set out in Part 4 Chapter 3 of the 2007 Act. This includes recommendations as to what new parish or parishes (if any) should be constituted in the area under review, and its electoral arrangements. There must be recommendations as to the name of any new parish, and as to whether or not the new parish should have a parish council, and if so, its style [parish/town/community/neighbourhood/village].</p> <p>The Council must have regard to guidance issued by the Secretary of State under s100 of the 2007 Act about carrying out community governance reviews and giving effect to any recommendations arising out of the review. The Council must also have regard to guidance from the Electoral Commission on electoral recommendations arising out of the review.</p>
<b>Equalities impact:</b>	<p>Low</p>
<b>Risk:</b>	<p>Low Risk</p> <p>This has proven to be a contentious process with the likely consequence that an effective working relationship between a new Parish Council and Ottery St. Mary Town Council may take some time to establish.</p>

- Links to background information:**
- [Local Government and Public Involvement in Health Act 2007](#)
  - [The Electoral Commission Guidance on Community Governance Reviews, April 2008](#)
  - Previous Cabinet reports

**Link to Council Plan:** N/A

## Report in full

### **1 Introduction to Community Governance Reviews**

- 1.1 A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:
- creating, merging, altering or abolishing parishes;
  - the naming of parishes and the style (i.e. whether to call it a town council or village council etc) of new parishes;
  - the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;
  - grouping parishes under a common parish council, or de-grouping parishes.
- 1.2 Under the legislation the District Council must aim to ensure that community governance in the area under review:-
- reflects the identities and interests of the community in that area
  - is effective and convenient
  - takes into account any other arrangements for the purpose of community representation or community engagement.
- 1.3 When considering this, the Council should take into account a number of factors, including:
- the impact of community governance arrangements on community cohesion; and
  - the size, population and boundaries of any new local community or parish.

A review involves the following stages:

- (1) Setting terms of reference of the review;
- (2) Publicising the terms of reference (for the purposes of the Act, the review formally commences when the terms of reference are published);
- (3) Undertaking consultations with the local government electors for the area and any other person or body (including relevant Parish Councils) who appear to have an interest in the review;
- (4) Considering representations;
- (5) Preparing and publishing draft proposals;
- (6) Undertaking consultation on the draft proposals;
- (7) Considering representations;
- (8) Publishing recommendations;
- (9) Making an order to bring into effect any decisions arising from the review;
- (10) A review must be concluded within 12 months of the publication of the terms of reference.

- 1.4 When undertaking a CGR a principal council must have regard to guidance issued by the Secretary of State and the Electoral Commission. However, subject to this, it is for the Council to decide how to undertake the review.

## **2 Relevant Considerations**

- 2.1 Ottery St. Mary Town Council comprises 4 wards: North, Tipton St. John, Town, and West Hill. The West Hill ward currently covers the area shown on Appendix A. The ward includes not only the hilltop village of West Hill but also the hamlets/areas known as Fluxton, Higher Metcombe, and Salston.
- 2.2 The current electoral register has 1630 voters registered within the West Hill ward and there are 867 properties registered for Council Tax purposes.
- 2.3 As referred to above, the West Hill Parish Council Campaign requested that a Community Governance Review be undertaken with the intention that the existing West Hill ward boundary be the boundary for the proposed new Parish Council. Their supporting petition contained 379 signatures or some 23% of the electorate. Although not a majority of electors I did conclude that this level of representation was adequate for the purposes of commencing a review and Cabinet/Council agreed with this recommendation.
- 2.4 Following the conclusion of the first round of consultation 322 representations from electors in the ward (19.75%) supported the establishment of a Parish Council on the existing ward boundary. Some 68 representations within the ward objected to the proposal and a small number of other representations made comments about the appropriateness of the proposed boundary for the new Parish Council. The majority of electors did not express a view.
- 2.5 As reported to Cabinet at its meeting in February, consideration of these representations caused me to recommend a revised boundary as I considered that there was sufficient doubt as to the strength of community identity and interest in the 'border' areas (see Appendix A). During the second stage of consultation I wrote to all the properties in the affected area to seek their views. Whilst this approach has been criticized it does recognize that for over a hundred years West Hill has been an integral part of Ottery St Mary. The fact that there is now a body of opinion within the 'new village' that they are distinct from Ottery cannot negate the identity and association that has existed for some considerable time and which it is appropriate to reflect.
- 2.6 A considerable number of responses have been received in a variety of formats. A file containing copies of the responses can be accessed here:

<http://eastdevon.gov.uk/elections-and-registering-to-vote/proposed-creation-of-west-hill-parish-council/>

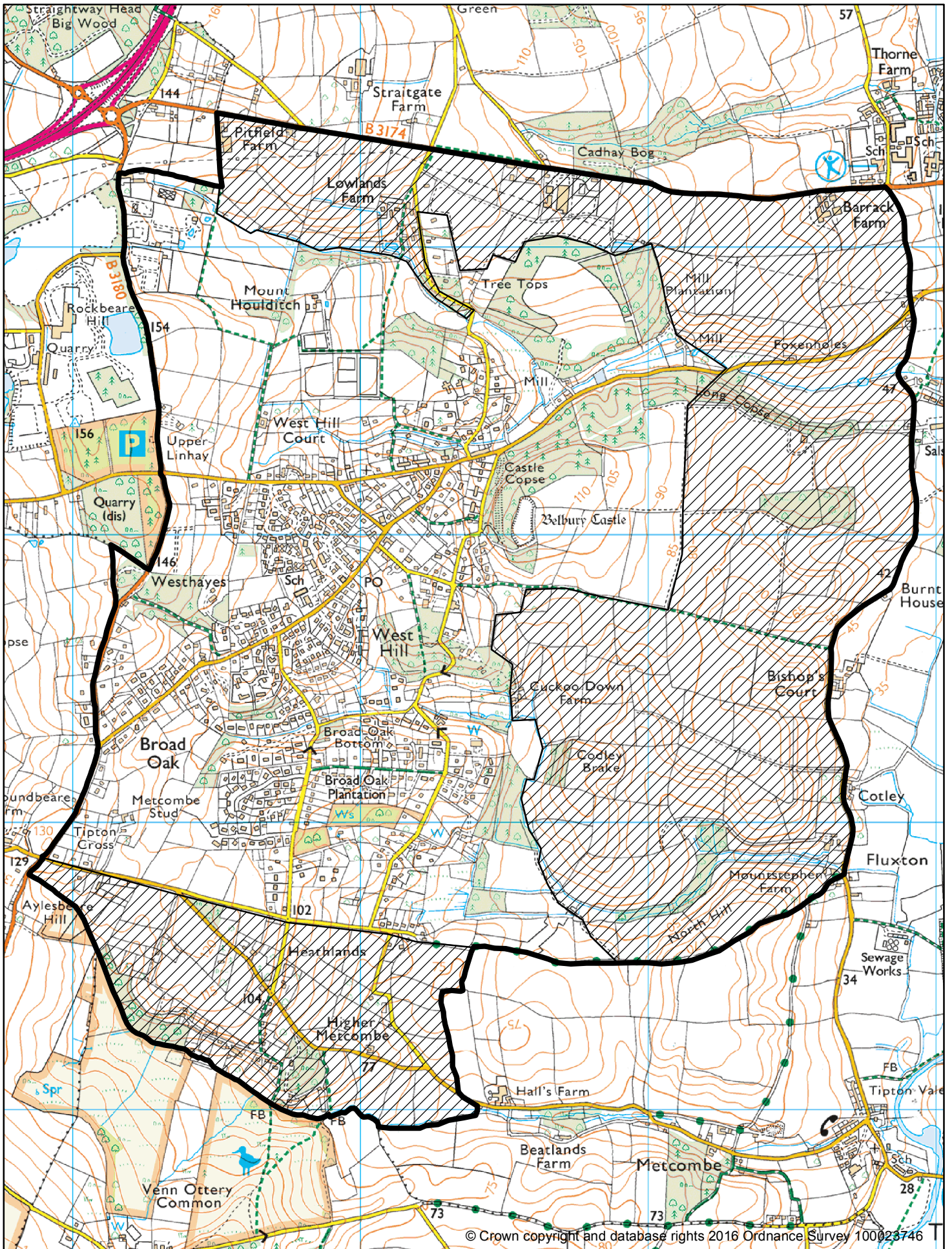
A summary of the numbers (590) of responses is as follows:

Do not agree with a new Parish Council	99
Agree with EDDC proposal	297
Agree with existing ward boundary	142
Other responses	8
Responses from border area	44



- 2.7 I have shown on Appendix B the responses received from those living in the border area, (the actual responses are in Appendix C). Green dots/shading highlight that those respondents are of the view that their community identity and interest remains with Ottery rather than West Hill. Red dots denote that those respondents consider their community identity and interest is with West Hill. It can be seen that the majority of those in the 'border' areas consider themselves to be part of Ottery rather than West Hill.
- 2.8 The issue for the Council to assess is what weight it proposes to place on the views of those who live in the 'border' area as against those who live in the new village of West Hill itself. Notwithstanding that the majority of electors within the West Hill ward have no opinion on the matter, those who have responded from the new village can only speak to their community and interest, not that of others. The main points made from residents in the new village appear to be more related to planning matters rather than community identity and interest. Reference is also made to the historical nature of the ward boundary. Whilst it is the case that for administrative purposes Ottery has been divided into wards for a long time, these boundaries are primarily used for polling purposes rather than any previous assessment of community identity.
- 2.9 As a result of considering these responses I am recommending that if Cabinet/Council continues to be minded to approve the creation of a new Parish Council that the boundary should be as shown by the thick red line Appendix B. I consider that this boundary best reflects community identity and interest as it is based on the evidence of those who actually live in the affected area as opposed to those who live in the new village. I would also add that even with the new boundary 'West Hill' would numerically be one of the larger villages in East Devon.
- 2.10 I am aware that this recommendation will be the subject of debate and strong disagreement by some. A factor that has arisen since this process started is the LGBCE review of the District Council. Those members who attended the briefing at the Knowle on the 8<sup>th</sup> June will be aware that it is likely that all the District Council wards may be varied as a result of the current electoral imbalance. Since parish council/parish ward boundaries will form the building blocks of any new or revised district ward boundaries, members might consider that it is now more appropriate to await the outcome of this review.
- 2.11 I say this because the current position is that the West Hill ward of Ottery St. Mary Town Council is in the District ward of Ottery Rural (as indeed are the Town Council wards of Tipton St. John and North). The Town ward of Ottery St Mary Town Council comprises the District Council Town Ward. In terms of the District Wards Ottery Rural has an electoral imbalance of -5% and Ottery Town +7%. Looking forward to 2022 (the required electorate projection total) these imbalances increase to -12% and + 15% respectively.
- 2.12 As we saw with the creation of the new Richmond Road ward for Exmouth Town Council (arising from the recent review of the County Council divisions), it may be that the LGCBE might recommend an alternative approach to that being considered. In the light of the ongoing disagreement about the need for a new Parish Council and the appropriate boundary this could be a prudent approach. The issue of a new Parish Council for West Hill can be revisited once the outcome of the LGBCE review is known.



# Appendix A



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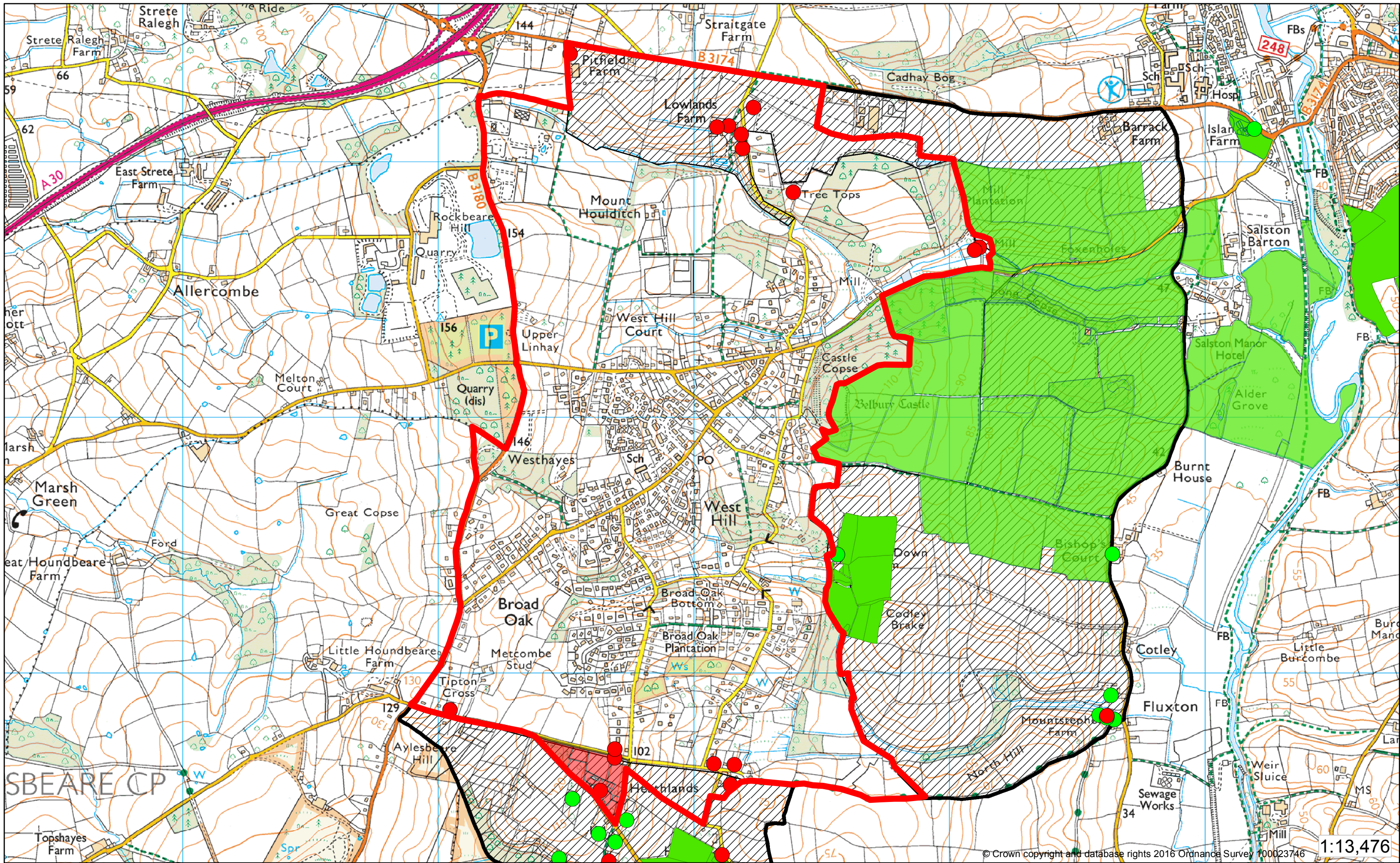
-  Consultation Area
-  West Hill Parish Ward Boundary

1:17,000





# Appendix B



<span style="color: red;">●</span> Don't agree with the original consultation area boundary	<span style="color: green;">●</span> Agree with the original consultation area boundary	Consultation Area
Heathlands	Salston Estate/Greenlands Farm/ Island Farm/Gerway Farm/Cuckoo Down Farm.	West Hill Parish Ward Boundary
		Proposed New Boundary Following Consultation



**Report to:** **Cabinet**  
**Date of Meeting:** 13 July 2016  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release** None



**Agenda item:** 13

**Subject:** **Local Government Boundary Commission for England (LGBCE)  
Electoral Review Programme 2015 - 2019**

**Purpose of report:** To consider and recommend to Council a future number of Councillors for the District of East Devon (currently 59) and to approve the draft submission to be sent to the LGBCE (due w/c 18<sup>th</sup> July 2016)

**Recommendation:**

- 1. That consideration is given to the appropriate number of Councillors for the District of East Devon to be recommended to the LGBCE**
- 2. That the draft submission attached to this report be approved for the purposes of submission to the LGBCE**
- 3. That the Chief Executive, in consultation with the Group Leaders, be given delegated authority to make any recommended changes to the draft submission following its consideration by the LGBCE.**

**Reason for recommendation:** To comply with the timetable and requirements of the LGBCE

**Officer:** Mark Williams, Chief Executive

**Financial implications:** None at this stage

**Legal implications:** The review takes place within a legal framework and when finally completed there may well be a need for the Council to review its polling districts and polling places. The approach put forward for debate would result in the loss of the Overview Committee, which would combine with the Strategic Planning Committee. It should be noted that Cabinet members are precluded from sitting on any Overview or Scrutiny Committee which has been established in accordance with the requirements of the Local Government Act 2000 and therefore any revised committee structure would need to take account of this requirement when being set up.

**Equalities impact:** Low

**Risk:** Low Risk

Need to ensure the Council is well prepared for any changes to electoral arrangements



**Links to background information:**

- [Cabinet agenda 15 July 2015](#)
- [Overview agenda 22 September 2015](#)
- [Overview agenda 17 November 2015](#)
- [Overview agenda 22 March 2016](#)
- [Electoral Review draft submission](#)

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

**Report in full**

1. Members have given previous consideration to reports outlining the implications of the forthcoming LGBCE review. This has included, amongst other things, the results of a member survey. To date, it has been the view of the Council that there should be minimal change to the number of councillors representing the District albeit a reduced number would be acceptable if required in the interests of electoral equality. A major factor in forming this view was the evidence from the survey that, on average, members spend a full 2 days a week on Council related business. A new survey has been issued and the results will be reported to members at the meeting,
2. The LGBCE attended at the Councils offices on the 8<sup>th</sup> June where they briefed the Group Leaders and also presented to members in plenary session. This latter event allowed members to question the LGBCE and better understand the reasons for, and implications of, the review.
3. Members have previously been sent the [presentation given by the LGBCE](#) and also their guide for councillors (appendix B). Key dates to note are that the LGBCE require the Councils draft submission w/c 18<sup>th</sup> July 2016 and the final submission w/c 15<sup>th</sup> August 2016.
4. The key requirement the LGBCE need from this Council is our view on the appropriate number of councillors for the future. The LGBCE advise that effective representations will address:
  - a. Decision Making
  - b. Scrutiny & Partnerships
  - c. Representational Requirements.
5. The attached draft submission contains all the background information that I understand the LGBCE require. It is based on one submitted to the LGBCE by Stroud DC which was recommended as an example of best practice,
6. In reaching a view on the appropriate number of councillors the following suggestion is offered for the purposes of debate:

Decision Making

There has to be an appropriate number of councillors to allow the Council to function effectively through its meetings and for councillors themselves to consider that they are able to make an effective contribution in meetings.

The risk of having too few councillors is that the Council cannot operate effectively whereas with too many it leads to 'occasional' councillors who are off the pace in terms of understanding and contributing meaningfully to the work of the Council. On this basis it could be argued that at least 45 councillors are required if the following optimum number of councillors per committee is accepted (I have assumed that a councillor can be on more than one committee):

Cabinet – 10 (the maximum allowed)

Scrutiny – 10 (to reflect Cabinet)

Audit & Governance – 7 (assuming a membership that reflects a high degree of expertise in this area)

Development Management – 15 (one less than current but would reflect a third of the membership if 45)

Housing Review Board – 5

Licensing – 15 (this would reflect a third of the membership if 45)

Standards – 5 (as per present numbers)

Strategic Planning/Overview – 15 (to be drawn from Cabinet, A&G, DMC to provide a broad overview input and reflecting a third of the membership)

There is no right number of councillors or committees but there is a need for Councils to operate with increasing effectiveness to adapt to changing circumstances.

### Scrutiny & Partnerships

Effective scrutiny is difficult but is at its most effective when it can reflect the level of expertise and competence that is expected of Cabinet. Clearly a member cannot be on both but a focused Scrutiny function that facilitates the development of relevant expertise is important. Arguably, a Scrutiny Committee that is too big dissipates effectiveness which is the reason for suggesting a level of membership the same as Cabinet.

In terms of Partnerships, these are of increasing importance, but the key thing is that those who represent the authority are appraised of the bigger picture, can speak with authority and can influence the resulting debate 'back' at the Council. In this respect there should be a degree of doubling up such that there is no requirement to increase the number of councillors for this reason.

### Representational Requirements

This section is about councillors having the appropriate level of capacity to effectively represent their constituents. Experience in EDDC tells us that the clear majority of residents/electors have and need little or no direct contact with their councillor. This is a reflection of the Council providing good services. If there is evidence of service failure, the first port of call is normally the Council itself and it is only if the Council itself cannot remedy the matter that the ward councillor is called upon to help the constituent. By far the greatest level of engagement is in the area of planning. Even the simplest application can give rise to objection and arguably the members of the Development Management Committee have the busiest roles after those of Cabinet members. A key question for members to consider is whether the particular characteristics of East Devon require the current level of representation to remain to fulfil this factor. The evidence from the LGBCE is that we have one of the highest number of councillors when compared with our family group and this will be something they take into consideration.

7. The Overview Committee considered this report and the draft submission on the 28 June 2016 and recommended that:
  1. that the appropriate number of Councillors for the District of East Devon to be recommended to the LGBCE was 60 and that the justification for this was:
    - a. The need to ensure an appropriate work/life balance for new Councillors;
    - b. The need for enough members to ensure effective scrutiny and properly represent the full diversity of the district;

- c. The role of the district councillor was seen to be a more active and demanding role as a consequence of developments in ICT and social media together with an increased interest in local democracy, planning and general societal changes;
  - d. Increased role of councillors resulting from changes in devolution and the funding of services;
  - e. The need to reflect the growth in population in East Devon both at Cranbrook and generally.
- 2. that a revised and updated draft submission based on that attached to the report be approved for the purposes of submission to the LGBCE;
  - 3. that the Chief Executive, in consultation with the Group Leaders, be given delegated authority to make any recommended changes by the LGBCE to the draft submission following its consideration by the LGBCE.

**Report to:** Cabinet  
**Date of Meeting:** 13 July 2016  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 14

**Subject:** **Heart of the South West Formal Devolution Bid**

**Purpose of report:** This report seeks approval to sign up '*in principle*' to the pursuit of a Devolution Deal and the creation of a Combined Authority for the Heart of the South West sub-region to administer the powers devolved through the Deal. An '*in principle*' agreement from all of the authorities, partners and MPs involved in the Heart of the South West devolution process will open up negotiations with Treasury to work towards a deal.

**Recommendation:** That Cabinet recommend Full Council to:

1. Endorse the Leader's current approach to devolution and agree to sign up to the principle of creating a Combined Authority for the Heart of the South West, as set out in the Prospectus for Productivity, as the basis for negotiation with Government towards a Devolution Deal for the area;
2. Note that giving this endorsement does not commit the Council to entering into a Devolution Deal or becoming a member of a Heart of the South West Combined Authority. This would be subject to future debate and agreement by the Council and subject to negotiations with Government.

**Reason for recommendation:** These recommendations seek to gain authority to pursue solutions that help the Council maximise the potential opportunities of devolution. They do not commit the Council to a formal devolution deal, only to the principle of a combined authority to open up negotiations with Government.

At this stage of the process the Council is not required to take decisions on the detail of future service provision but rather to be actively aware and involved in discussions.

**Officer:** Mark Williams, Chief Executive

**Financial implications:** Each of the partner councils S151 officers will be involved in the development of the draft deal and the investment framework that would support a Combined Authority. This will allow each partner Council and the Partnership as a whole to understand the financial implications of any Devolution deal.

**Legal implications:** Each of the partner Councils legal teams will be involved in the development of the draft deal and the structure of a Combined Authority for the Heart of the South West. This will allow each partner Council and

the Partnership as a whole to understand the legal implications of any Devolution deal.

- Equalities impact:** Low Impact
- None at this stage however the whole population of our authority could be affected by a devolution deal. Any final devolution deal with government will be subject to further approval / ratification by all partners, and will require other implications and impacts to be considered at that stage.
- Risk:** Low Risk
- The involvement of technical specialists such as S151 officers and legal advisers in the development of any draft deal and combined authority model will help to understand the risk implications for the Council and the wider partnership. A risk register will be developed to sit alongside the development of the draft deal and the combined authority.
- Links to background information:**
- [Cabinet agenda 6 April 2016](#)
- Link to Council Plan:** Devolution potentially covers a wide range of services and plans. The detail of these will develop as formal proposals are developed, negotiation with Government takes place, and the final devolution deal is put into place.

## Report in full

Devolution for the Heart of the South West (HotSW) is being led by the Leaders of Somerset and Devon County Councils, all Somerset and Devon Districts, Torbay Council, Plymouth City Council, Dartmoor and Exmoor National Parks, the Local Enterprise Partnership and the three Clinical Commissioning Groups

Our shared Devolution Statement of Intent was submitted to Government on 4 September in response to announcements in the July Budget and a deadline set by the Chancellor of the Exchequer.

Since September, work has progressed on the completion of a HotSW Prospectus for Prosperity (previously circulated) that builds on the three basic ambitions to unlock productivity, improve health, care and wellbeing and improve connectivity and resilience. A number of thematic groups were established to develop the detail for the proposition.

- Health, social care and wellbeing
- Skills and employment
- Business support
- Infrastructure, Resilience and connectivity
- Housing and planning
- Governance

Our Prospectus for Prosperity was submitted to Government at the end of February 2016. Since then the Partnership has pressed the Secretary of State to enter into discussion with its negotiation team to secure a deal for the Heart of the South West. Following an invitation from the Secretary of State, on the 25th May 2016, leaders from the upper tier authorities met with the Greg Clarke, Secretary of State for the Department of Communities and Local Government to seek his view on our next steps forward.

The Secretary of State made the following comments:

- **Geography** – the Devon and Somerset area is agreed as the appropriate scale. The proposal must clearly demonstrate why this is the right geography for the Devolution agreement and all councils and MPs must support the proposal.
- **Combined Authority** – the Partnership will move forward into the negotiation process based on a Combined Authority model. The Mayoral issue may be considered at a later stage, within the timeline agreed by our Partnership. A Mayor will not be imposed or be a pre-condition of any initial deal.
- **Extent of the deal** – areas that have agreed to have a Mayor will get more powers than a non-Mayoral Combined Authority deal. However, the negotiation process will be an opportunity to push the limits of this initial deal, and the process should be viewed as being incremental
- **Timeline** – we will still work towards an Autumn Statement timeline for the announcement of an initial deal
- **Growth Deal 3** – the LEP would not be penalised in Growth Deal 3 negotiations because the area does not have a Devolution deal with a Mayor. The decision for allocation will be based purely on the quality of the Growth Deal bid.

The Secretary of State went on to advise that if the Partnership, backed by each Council and MPs, would sign up to the principle of creating a Combined Authority by the end of July 2016 he would arrange for the Treasury to open up negotiations towards a deal.

This report seeks approval to sign up *'in principle'* to the pursuit of a Devolution Deal and the creation of a Combined Authority for the Heart of the South West sub-region to administer the powers devolved through the Deal. An *'in principle'* agreement from all of the authorities, partners and MPs involved in the Heart of the South West devolution process will open up negotiations with Treasury to work towards a deal.

Any final devolution deal with government will be subject to further approval / ratification by all partners individually. A Heads of Terms document will be used as a negotiating tool to seek additional powers and funding to accelerate the delivery of 163,000 new jobs, 179,000 new homes and an economy of over £53bn GVA by 2030.

It should be noted that there is no intention for the Combined Authority to take existing powers or funding from local authorities, or existing city deal governance structures, without the explicit agreement of those constituent local authorities. More detailed work will be undertaken to identify the decision making powers and the constitution of the Combined Authority, and all partners will be fully involved and consulted on these arrangements as they develop.

Any final devolution deal with government will be subject to:

- Further approval / ratification by all partners
- Consultation, as appropriate, before delivery of parts of the deal.

## Combined Authority - Briefing Sheet

Combined authorities (CAs) were introduced under in the [Local Democracy, Economic Development and Construction Act 2009](#) ('2009 Act'), amended by the Cities and Local Government Devolution Act 2016. The Heart of the South West partnership has developed this briefing note as a simple explanation of both a Mayoral and Non-Mayoral Combined Authority (CA). In line with the briefing note sent out at the end of May 2016, the partnership is considering the creation of a non-Mayoral CA.

### What is a Combined Authority (CA)?

England has one of the most centralised governance systems in the world. By creating a CA, the Heart of the South West partnership aims to draw down a range of new strategic powers and funding from central Government, through a Devolution deal, and make decisions based on local not national priorities.

A CA can be set up by two or more local authorities. It is a legal structure recognised as a single body and with one representative from each member authority, operating on either a Leader and Cabinet or Committee structure. A Mayoral CA would have a directly- elected Mayor.

The 2016 Act removes previous limitations on the powers the CA can exercise and permits the Secretary of State to transfer a wide range of statutory functions or functions of public bodies to CAs, the only qualifications on this relate to the transfer of health service functions. The extent of the powers transferred depend on the Devolution deal agreed with Government. The Secretary of State has been, to date, clear that a Mayoral CA model would draw down more extensive powers. Examples of some of the functions undertaken by CAs can be found on the Devolution Register or on existing CA sites:

- [Greater Manchester Combined Authority](#)
- [Sheffield City Region](#)
- [Liverpool City Region](#)

### How would it impact on my Council?

The CA does not replace existing councils, it just allows the members of the CA to draw down a range of powers and funding from Government they would not be able to access within their individual authorities. It means that local politicians could have greater control over decision making traditionally held in Westminster - the extent of those powers would be determined by the Devolution deal.

### What is the process for setting up a CA?

There are a number of routes to establish a CA:

- 2009 Act – requires the authorities to carry out a governance review and publish a scheme recommending the creation of a CA.. This requires the consent of the authorities involved

in the scheme and the Secretary of State will agree to make an Order under the Act to create the CA

- 2016 Act – the Secretary of State can establish a CA if the councils in the area consent. The Secretary of State must hold public consultation if this has not been undertaken locally. The Secretary of State needs to be satisfied that the CA is likely to “*improve the exercise of statutory functions*” in the area.
- An existing CA – can be changed into a mayoral CA via a further order of the Secretary of State. Any authorities that do not consent must be removed from the CA when the elected Mayor is established.

The governance review is important in determining the best model of CA for the area and this would be described in the scheme. In a non-mayoral CA the constituent members would need to decide if they wanted a Leader and Cabinet or a Committee model for the CA.

### **Can the membership of a CA be changed?**

It is possible for councils to leave or for new councils to join a CA, but Government agreement is required to amend or dissolve the CA.. If a local authority wished to leave the CA, a new review of governance arrangements would have to take place, and a revised scheme would need to be published, before the Statutory Order could be amended.

### **What is a Mayoral CA?**

A Mayoral CA is a new variant introduced under the 2016 Act and is different to the elected Mayors that a number of councils already have in place, such as Torbay.

Up until recently, the Mayor of London had a unique position within English local government, with powers over strategic planning, transport, fire and emergency planning, policing and crime, and economic development over all of London, together with an elected 25-member London Assembly with scrutiny powers. The remaining local government functions in London are performed by the 32 borough councils.

Through Devolution deals a number of areas have agreed to have a directly elected Mayor and a CA in return for a range of additional powers. An example of this is Greater Manchester Combined Authority (GMCA). It will have a different model from London as they will operate a Cabinet model CA, where all GMCA leaders have a clear portfolio of responsibilities that will act as a supporting and advisory function to their Mayor and CA in respective policy areas.

In this example the Mayor will need to consult the Cabinet on his/her strategies which it may reject if two-thirds of the Members do not agree. Some functions such as the Statutory Spatial Framework will need to be approved by a unanimous vote of the Cabinet. Elections for the GMCA Mayor will take place in May 2017.

### **More information**

House of Commons Briefing Paper on Combined Authority – February 2016

<http://researchbriefings.files.parliament.uk/documents/SN06649/SN06649.pdf>



**Report to:** Cabinet  
**Date of Meeting:** 13 July 2016  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 15

**Subject:** Sidmouth and East Beach Management Plan

**Purpose of report:** To agree an increase in budget for the Sidmouth and East Beach Management Plan (SEBMP)

**Recommendation:** That EDDC make a provision of £54,000 in the current financial year for completion of the Sidmouth and East Beach Management Plan

**Reason for recommendation:** To complete the Sidmouth and East Beach Management Plan, so that EDDC have an integrated, justifiable and sustainable option for beach management across Sidmouth and East Beach to:

- Maintain the 1990's Sidmouth Coastal Defence Scheme Standard of Service (protection against flooding and erosion).
- Reduce the rate of beach and cliff erosion to the east of the River Sid (East Beach).

**Officer:** Dave Turner, Engineering Projects Manager  
[dturner@eastdevon.gov.uk](mailto:dturner@eastdevon.gov.uk) tel: 01395 571619

**Financial implications:** The financial details are outlined in the report, this is a request for a supplementary revenue budget of £54,000 at this stage. The report also highlights that a further request will be made for funding to progress an outline Business Case (OBC) to seek Flood and Coastal Erosion Risk Management Grant aid.

**Legal implications:** As the report is solely seeking an increase to the relevant budget there are no direct legal implications arising

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** [Sidmouth and East Beach Management Plan](#)

**Link to Council Plan:** Encouraging communities to be outstanding  
Developing an outstanding local economy  
Delivering and promoting our outstanding environment

## Report in full

1. Beach Management Plans act as a guide for East Devon for management of the beach and hard coastal defences with a view to managing the risk of flooding and erosion to properties and community infrastructure.
2. Sidmouth and East Beach Management Plan (SEBMP) will help East Devon determine the most appropriate way to maintain the protection provided by Sidmouth Beach (and its associated defences) and reduce the rate of erosion at East Beach which has been of concern to the local community for some time.
3. Specifically, the SEBMP aims to:
  - i. Maintain the 1990's Sidmouth Coastal Defence Scheme Standard of Service (protection against flooding and erosion).
  - ii. Reduce the rate of beach and cliff erosion to the east of the River Sid (East Beach).Carry out (i) and (ii) in an integrated, justifiable and sustainable way.
4. The aims and objectives for the SEBMP have been agreed with the SEBMP Steering Group, who are made up of other agencies (Environment Agency, Devon County Council, Natural England, Jurassic Coast Team), community groups (Sidmouth Town Council, Sailing Club, Lifeboat, Fishermen, Vision Group, Chamber of Commerce, Cliff Road Action Group) and landowners (National Trust). The Steering Group have been closely involved in the project throughout, providing advice and engaging the community with SEBMP.
5. EDDC approved an £80,000 budget for Sidmouth and East Beach Management Plan in 2012, with £27,000 to come from EDDC and the remaining £53,000 to come from the project partners.
6. Following this, contributions for the project were secured as follows:

Environment Agency (EA)	£27,000
Sidmouth Town Council (on completion)	£10,000
Cliff Road Action Group	£7,500
7. Following a tender process and appointment of a CH2M (formerly Halcrow) and an assistant project manager (Tony Burch) the original budget required to deliver the project was confirmed as £80,500 and the project progressed.
8. The evidence base for the SEBMP has now been completed, with coastal process, economic, defence assessment and environmental baseline reports finalised and published on the EDDC website. Further to this, a short list of beach management options was agreed with the Steering Group in April and consultation with both the steering group and members of the public has been ongoing throughout June.
9. The short list includes some exciting options for management of the beaches in Sidmouth, with good potential to improve further the appeal and amenity of the sea front and beaches whilst ensuring continued protection from flooding and coastal erosion.
10. During the course of the project there have been a number of variations from the original scope and timescales, resulting in an increase in the budget for the SEBMP and associated project management. Primarily this increase has been due to:
  - A request from the BMP Steering Group to review additional anecdotal evidence regarding coastal processes
  - A change in approach to assessing the protection from wave overtopping
  - A request from the BMP Steering Group for additional detail on the long list of options
  - Additional time responding to queries from the Steering Group
  - Additional meetings and revisions of reports as a result of the above
  - An extension of the overall project management time due to the above

11. This has resulted in an increase in the budget to complete the SEBMP, including for assistance with project management of £66,250 based on invoices received to date and projections of the work required to completion.
12. A number of queries have been raised regarding the increased costs with our suppliers and it is anticipated that this will reduce the final cost. However, an additional £54,000 is required from EDDC to meet current commitments and to fund the project to completion.
13. The Environment Agency have increased their contribution by a further £23,000 during the course of the project to top up the partner contributions and assist with additional budget required for changes in the scope.
14. It is therefore recommended that a further £54,000 is made available in the EDDC 2016/17 budget to complete the Sidmouth and East beach Management Plan.
15. All funding and resources provided by EDDC to complete the BMP can be included as a contribution towards the eventual beach management scheme as part of the application for funding from DEFRA.
16. Following agreement of the preferred BMP option, further funding will be required from EDDC in this financial year to prepare an Outline Business Case (OBC) to seek Flood and Coastal Erosion Risk Management Grant in Aid (FCERM GiA) from DEFRA for the detailed design and construction of the SEBMP scheme. Further authorisation from EDDC cabinet will be sought for funding of the OBC at that time.

**Report to:** Cabinet  
**Date of Meeting:** 13 July 2016  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release:** None



**Agenda item:** 16

**Subject:** Monthly Performance Report May 2016

**Purpose of report:** Performance information for the 2016/17 financial year for May 2016 is supplied to allow the Cabinet to monitor progress with selected performance measures and identify any service areas where improvement is necessary.

**Recommendation:** **That the Cabinet considers the progress and proposed improvement action for performance measures for the 2016/17 financial year for May 2016.**

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

**Officer:** Karen Jenkins, Strategic Lead – Organisational Development and Transformation

[kjenkins@eastdevon.gov.uk](mailto:kjenkins@eastdevon.gov.uk) ext: 2762

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

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

**Equalities impact:** Low Impact

**Risk:** Low Risk

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

**Links to background information:**

- [Appendix A – Monthly Performance Snapshot for May 2016](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2016/17 financial year up to May 2016](#)
- [Appendix C – System Thinking Reports for Housing, Development Management, Revenues and Benefits and Streetscene for May 2016](#)

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

## Report in full

1. Performance information is provided on a monthly basis. In summary most of the measures are showing acceptable performance.
2. There are two indicators that are showing excellent performance:
  - Days taken to process Housing Benefit/Council Tax Benefit new claims and change events
  - Working days lost due to sickness absence
3. There is one performance indicators showing as concern.
  - **Percentage of planning appeal decisions allowed against the authority's decision to refuse** - The dip in performance is simply due to the period covering a very small sample of appeals at the start of the yearly reporting period. At the time of reporting we had received 6 appeals with 3 allowed and 3 dismissed resulting in a 50% performance. The figures from the 1st April to the start of July are now running at 73.3% dismissed (11 appeals dismissed and 4 allowed). We are therefore already back above the 70% target.

For information we have actually won 15 appeals with 4 allowed but the other 4 appeals did not technically count for our stats (as they related to appeals against non-determination, a Listed building application and prior approval application that the Government do not count in terms of our returns). From the decisions, 6 were in respect of major applications and we won 5 of them. The appeal that was allowed being the solar farm at Hawkchurch that officers recommended for approval but which was overturned at DMC.

4. Monthly Performance Snapshot for May is attached for information in [Appendix A](#).
5. A full report showing more detail for all the performance indicators mentioned above appears in [Appendix B](#).
6. Rolling reports/charts for Housing, Development Management, Revenues and Benefits and Streetscene appear in [Appendix C](#).

# Monthly Performance Snapshot – May 2016



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

- **4 days** to process your Housing or Council Tax Benefit claims
- **97%** of rent due on council owned homes collected
- **92%** of invoices received by us are paid within 10 days
- Less than **3 days** on average to clear fly tipping cases, dealing with **58 cases** in May
- We dealt with 190 reactive building maintenance cases at EDDC's public buildings during May, this compares to 208 in April of this year, and 150 in May of last year.
- At the Thelma Hulbert Gallery, gallery sales were up by 314%, donations up 80% and visitor numbers up 62% compared to May last year.

Latest headlines:

- On 31<sup>st</sup> May Members of Development Management Committee resolved to consult on an Issues and Options report on the future development of Cranbrook new town. The report seeks views on a vision and objectives for the future of the town as well considering various issues associated with its growth and development and options for addressing them. The consultation will begin on 13<sup>th</sup> June and various events are planned to engage with the community of Cranbrook and the adjacent communities as well as developers, land owners and other interested parties.
- A public consultation has been launched on draft Sports Pitch Strategies for Honiton and Exmouth which recommend a mixture of new sites on which to provide new sports pitches as well as opportunities to improve existing sports pitches in the town. The consultation runs until 8<sup>th</sup> July and the Draft Honiton Sports Pitch Strategy can be accessed at: <http://eastdevon.gov.uk/planning/planning-policy/evidence-and-research/environment-and-green-infrastructure/open-space/honiton-sports-pitch-strategy/> and the Draft Exmouth Sports Pitch Strategy can be accessed at: <http://eastdevon.gov.uk/planning/planning-policy/evidence-and-research/environment-and-green-infrastructure/open-space/exmouth-sports-pitch-strategy/> or a hard copies are available at the District Council Offices reception here in Sidmouth
- The Planning Team are currently dealing with a number of major applications including a new regional distribution centre for Lidl at the Intermodal Distribution Centre site on the old A30, the development of the Council offices at Knowle for an assisted living retirement complex and the Sidford employment site.

- Paul Taylor- Mills the producer for the Summer Play Festival at the Manor Pavilion Theatre, Sidmouth has just received 3 Olivier Awards and also been appointed as Andrew Lloyd Webbers advisory producer. This will be his 4th year presenting the Summer Season, and tickets sales have gone through the roof. At the official launch night Paul gave thanks to EDDC and stated what a special venue the Manor Pavilion Theatre is.
- Events for Housing during May:
  - Estate walkabouts took place in Summer and Berry Closes, Exmouth
  - Tenants of Dray & Morgan Courts in Exmouth and Housing staff made hundreds of pom poms for the Exmouth Festival Art Trail
  - Picnic and campfire event held with residents of Streamers Meadow in Honiton
- Over £270 raised at the Seaton Wetlands plant and cake sale. Thank you to all the volunteers who manned the stalls and baked cakes for the day – it was a lovely sunny day! It was enjoyed by lots of visitors and children who took part in orienteering and pond dipping as well.
- Record number of entries to this year's OPEN exhibition which celebrates the talent of artists living in the South West. 95 of the 190 entries were selected by a panel of 5 judges, the exhibition opened on Saturday and runs until 27 August.
- Our Museums at Night Garden Party was a huge success. With more than 230 people joining us for the celebrations, EDD Cllr Stuart Hughes officially opened the event which included food stalls, music, charcoal burning, face painting, badge making, charcoal drawing with artist Richard Rochester and a fancy dress competition

**Report to:** Cabinet  
**Date of Meeting:** 13 July 2016  
**Public Document:** Yes  
**Exemption:** None  
  
**Review date for release** None



**Agenda item:** 17

**Subject:** Exemption to Standing Orders - purchase of recycling sacks for new recycling service

**Purpose of report:**

When the new improved recycling service is rolled out in early 2017, we will require an additional recycling sack to contain the new materials. We used a trial 70L sack in the new Feniton and Colony area in Exmouth for service trials and have taken elicited feedback from the residents in the trial to improve the design.

The feedback on the capacity (70L) of the trial sack was largely positive with 73% saying they could fit their recycling into the recycling box and bag every week and 18% saying it would fit most of the time and only 9% saying it didn't fit the majority of the time.



In relation to the design of the trial sack the response was not quite as positive with 50% stating they were very satisfied, 29% fairly satisfied and 13% dissatisfied. The response from residents when questioned about the reason for their dissatisfaction stated that it was due to the rain being able to get in as the bag didn't seal properly (as pictured above, the sack has a single Velcro fastening on the lip) and that it blew around in the wind (The sack provided was weighted but made from 140gsm material.)

As a result of the feedback the recycling & waste team have worked through a number of designs and prototypes. In the first redesign we maintained the shape and increased the capacity to 90L and added a further 2 velcro fastenings along the edges where the handles are positioned (as shown below)





The fastening on the sack was still felt not to be suitably robust and



therefore set about looking for alternative designs to address this issue. The final design is the one shown below.

This design incorporates a Velcro fastening on both the lip but also at the top of the sides as the front and back of the sack come together. The new sack has a capacity of approximately 75L and shall be made from 180gsm material with a 1% UVI rating. The final colour of the sack will be an olive green to match that of the recycling box.

This design however, is protected by patent (GB2508854) and as such this would prohibit any other manufacturer emulating the design. Following consultation with procurement officers we have determined that an exemption for the purchase of these sacks is the most efficient use of Council resources and ask Cabinet to support this approach. It is understood that with the patent in place and the design fully meeting the requirements of residents that any procurement exercise would result in a single bid from the holder of the patent. Any competitive process therefore being a redundant exercise and one that would detract from ordering the sacks and focusing on mobilisation of the new contract.

The design is a marked improvement on the trial sack used in the new Feniton & Colony Trial areas having extra capacity, greatly improved fastening and shall be made from 180gsm, rather than 140gsm material. The Recycling & Waste Board Members have seen the sack prototype and approved the design principles.

Although Olive Green has been selected for a further trial of the much revised design, final colour and livery sign off will be progressed through

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the Recycling & Waste Board and can be finalised after placing the initial order. The initial order needs to be placed as soon as practicable (16



week lead time) to ensure delivery of the sacks prior to the commencement of the improved recycling service in early 2017.

Dark Green Securesack (54x40x60) for the containment of additional recycling materials, collected under the new Recycling and Waste Contract. The sack provides approximately 75 litres of the capacity when closed and is weighted to prevent the sack from being blown around in light winds. The main feature of the sack is the method of closure which is a 3 point Velcro securing system which will ensure that materials shall remain dry and the content protected from Gulls. The supplier is:

J & H M Dickson Ltd  
Seath Road  
Rutherglen Industrial Estate  
Glasgow  
G73 1RW

**Recommendation:**

**Cabinet to note the use of an exemption for the procurement of the recycling sacks required for the improved recycling service**

**Reason for recommendation:**

To endorse the action taken by officers to purchase a sack which best meets the requirements of the service using an exemption due to the existence of a patent and the need to order the sacks as soon as possible to ensure delivery before the new service roll out.

**Officer:**

Andrew Hancock Service Lead – StreetScene  
[ahancock@eastdevon.gov.uk](mailto:ahancock@eastdevon.gov.uk) tel: 01395 571611

**Financial implications:**

Financial details are included in the report.

Whilst the team were developing the design of the new recycling sack we also requested prices based upon the design. Our 90L square sack was quoted on from both Weir & Carmichael & Securesack. The prices quoted were:

Company	Size	Capacity	UVI	gm	Price (£)
Weir & Carmichael	45x45x45	90L	3%	180	2.13
Securesack	40x40x70	90L	1%	180	1.47

**Legal implications:** The identified contract value falls below the threshold established pursuant to the Public Contracts Regulations 2015 and therefore the EU procurement procedure does not apply and an exemption can be validly given pursuant to the Council's Contract Standing Orders Rule 3.1.

**Equalities impact:** Low Impact

**Risk:** Low Risk

The supplier listed in the exemption hold the patent for this design of sack; therefore risk of challenge from another supplier is low.

If another supplier were awarded the contract and this was deemed to breach the patent it may result in the council being drawn into legal proceedings, or delays in delivery as a financial settlement is negotiated between supplier and patent holder. This is why we have chosen to use an exemption.

**Links to background information:** [Exemption Certificate 75L Sack.pdf](#)

**Link to Council Plan:** Delivering and Promoting an Outstanding Environment

**Report to:** **Strategic Planning Committee**

**Date of Meeting:** 12 July 2016

**Public Document:** Yes

**Exemption:** None

**Review date for release** Later in 2016



**Agenda item:** Cabinet agenda item 18

**Subject:** **East Devon Local Development Scheme**

**Purpose of report:** This report provides details of the proposed revised Local Development Scheme for East Devon. The actual Local Development Scheme that is recommended for approval is appended to this report and it sets out details and timetable for future planning policy production in East Devon.

**Recommendation:** **That it be recommended to Council that the East Devon Local Development Scheme, appended to this report, is adopted as from 28 July 2016**

**Reason for recommendation:** To ensure that the Council has an up to date plan for future planning policy production.

**Officer:** Matthew Dickins, Planning Policy Manager [mdickins@eastdevon.gov.uk](mailto:mdickins@eastdevon.gov.uk)

**Financial implications:** No financial implications have been identified

**Legal implications:** As there is a legal requirement to maintain a Local Development Scheme it is important that the Council complies with this requirement. By adopting the revised LDS Members will be ensuring compliance with our legal obligations. Other legal implications are covered in the report.

**Equalities impact:** Low Impact  
There are no specific equalities issues associated with production of the Local Development Scheme.

**Risk:** High Risk  
The production and adoption of policy documents requires that an up to date Local Development Scheme is in place.

**Links to background information:** Links to background documents are provided in the body of the report and the accompanying appendix.

**Link to Council Plan:** The reports referred to in this report (and the appendix) relate to all priorities set out in the Council Plan.

## **1 Background Information**

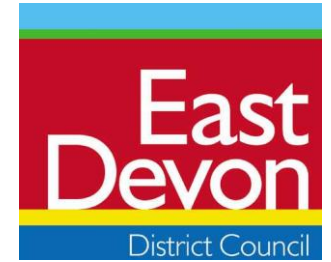
- 1.1 There is a requirement for councils to have an up to date Local Development Scheme (LDS). The LDS sets out future policy documents that are to be produced, including in respect of a timetable for production.
- 1.2 The current LDS for East Devon is now dated (it was approved in July 2015) and needs updating to identify revised proposals and timetables. The highest tier of policy documents are called Development Plan Documents (DPDs). There were five DPD identified for production in the previous LDS, they were:
- a) The Local Plan;
  - b) The Villages Plan
  - c) An Obligations plan;
  - d) A gypsy and Traveller Plan; and
  - e) The Cranbrook Plan.
- 1.3 Following extensive public consultation and Examination the Local Plan was adopted in January 2016. In common with the Local Plan all DPDs need to follow a quite complex route to final adoption.

## **2 Policy Documents for Inclusion in the New LDS**

- 2.1 In the new LDS, draft recommended for approval is appended, three DPDs are now identified for production.
- 2.2 Of the above the local plan is now adopted and so does not need to feature and it is no longer seen as appropriate or desirable to produce an Obligations Plan. The Obligation Plan was included last time round as a policy document that would set out detail on the scale, nature and type of contributions that would be sought through the planning process. It is now considered that matters relating to securing developer contributions are best addressed through more detailed Supplementary Planning Guidance (SPDs) (see below for commentary) or through other policy documents.
- 2.3 In this new LDS, there are, therefore three DPDs that are proposed for production in 2016 and 2017 and stretching into 2018, these are:
- Villages Plan
  - The Cranbrook Plan; and
  - Gypsy and Traveller Plan.
- 2.4 The DPDs will be complemented by SPDs (and potentially other policy documents) that will set out more detail on the implementation of planning policy. SPDs are less complex and time consuming to produce than DPDs and they are especially useful in respect of providing additional guidance and detail on policy implementation. The LDS refers to potential SPDs that will be produced.

### **3 Greater Exeter Plan**

- 3.1 The LDS refers to the fact that a greater Exeter plan (addressed in detail in an earlier agenda item to this Committee) may be produced. However the LDS does not set a proposed timetable. If and when final formal endorsement is received for production of a greater Exeter plan a new LDS will need to drawn up for Committee consideration.



# **East Devon Local Development Scheme**

**Work Programme for Planning Policy Production for 2016 and 2017 and into 2018**

**July 2016**

## **1 Introduction**

- 1.1 The Local Development Scheme (LDS) of East Devon District Council sets out a programme and timetable for production of future planning policy documents. For full details of consultation arrangements for both Planning Policy work and Development Management (specifically in respect of processing and determination of planning applications) please see the separate Statement of Community Involvement (SCI) at: <http://eastdevon.gov.uk/media/344008/statement-of-community-involvement-2013.pdf>  
The Council will be reviewing the need for a new SCI.
- 1.2 The Council has resolved that this new LDS should take effect from ..... (assuming endorsement of the LDS, the date of adoption of 28<sup>th</sup> July 2016, will be inserted here). Most of the planning policy documents referred to in this LDS will be produced by, or primarily by, the Planning Policy Section of the Council; there will, however, be other lead services or teams for some documents. This LDS covers the years of 2016 and 2017 and into 2018, it is envisaged, however, that it will be revised and superseded at or before 2018 (if not before this date).

## **2 The Adopted East Devon Local Plan**

- 2.1 The East Devon Local Plan, covering most policy matters across the District, was adopted on the 28 January 2016. It covers the 18 year period from 2011 to 2031. Well before this 2031 end date it will, in all likelihood, be superseded by a new overarching plan. The new policy documents detailed in this LDS will be written within the context of the policy of the newly adopted East Devon Local Plan and will provide more detailed policy and guidance for the defined locations/subject matters.

## **3 Potential for a Joint Greater Exeter Plan**

- 3.1 It should be noted that one option currently being considered is the production of a new joint plan that will cover the local planning authority areas of:
- a) East Devon District Council;
  - b) Exeter City Council;
  - c) Mid Devon District Council; and
  - d) Teignbridge District Council.
- Parts of Dartmoor National Park fall in Teignbridge and Mid Devon. Dartmoor National Park Authority is a planning authority in its own right and it is not envisaged that a joint plan will cover Dartmoor National Park or any areas in it.



- 3.2 This LDS does not provide possible dates or other information on joint plan production but should proposals for a joint plan take on a formal agreed status then a new LDS will be drawn up.

#### **4 Future Development Plan Documents for East Devon**

- 4.1 Development Plan Documents (DPDs) sit at the top of the hierarchy of District Council planning policy documents. The term ‘local plan’ is used interchangeably with DPD; although the Council has an adopted plan called the ‘East Devon Local Plan’ the use of the wording ‘local plan’ should also be taken to include all DPDs as well. On adoption DPDs are therefore part of, and in effect incorporated into, the adopted Local Plan and they specifically form part of the Development Plan for East Devon. DPDs are of fundamental importance in respect of informing prospective developers of the types of development and locations for development that are likely to be appropriate and they are the key policy document used in determining planning applications. There are specific legally defined procedural steps that need to be complied with in order to produce a DPD, some of these are referred to in this LDS, however for a full complete picture see: The Town and Country Planning (Local Planning) (England) Regulations 2013, at:  
[http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi\\_20120767\\_en.pdf](http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_20120767_en.pdf)
- 4.2 This LDS sets out that there will, in 2016 and 2017 and running into 2018, be three extra DPDs that will be produced, these are:
- a) **Villages Plan** – this plan will be specifically concerned with development issues and boundaries in and around the main villages in East Devon and town of Colyton. For more information see:  
[The villages plan - East Devon](#)
  - b) **Gypsy and Traveller Development Plan** – this document will identify the permanent and transit housing needs of the gypsy and traveller community and allocate sites to meet this need and provide policy guidance on site development. For more information see:  
<http://eastdevon.gov.uk/planning/planning-policy/gypsy-and-traveller-plan/>
  - c) **Cranbrook Development Plan** – this document will allocate development sites and establish policy to enable the new town of Cranbrook to expand to provide around 8,000 homes and associated social, community, employment and environmental facilities. For more information see:  
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/>

- 4.3 It should be noted that responsibility for waste planning and minerals planning in East Devon rests with Devon County Council; they have legal responsibility for producing plans and determining planning applications. The County Council adopted a new Devon Waste Plan in 2014: <https://new.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/devon-waste-plan> and a minerals Plan in 2004: <https://new.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/minerals-local-plan> a new Devon Minerals Plan was submitted for Examination in 2016: <https://new.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/devon-minerals-plan> The adopted waste plan and minerals plan are/will also be part of the Development Plan for East Devon.

## **5 Programme for Development Plan Documents Production**

- 5.1 Tables 1 sets out the proposed programme for DPD production. For full details of consultation on DPD plan preparation please refer to the SCI. It is stressed that information relating to plan making regulations is provided as a guide only and for a complete record, specifically in respect of legal defined processes, legislation and regulations (as may be updated or amended at any point in time) should be consulted.

## **6 Supplementary Planning Documents and Other Planning Policy Documents**

- 6.1 In addition to DPDs we will also produce Supplementary Planning Documents (SPDs). These SPDs are simpler in nature and in production process, they provide extra guidance on development, and will assist with and encourage sustainable development.
- 6.2 Details of SPDs that are planned to be produced, as well as other planning policy related documents, are set out in Table 2. It is stressed that this is not, and is not intended to be, a definitive list of supplementary plans that may be produced but it does give a guide that is of current relevance.
- 6.3 Legislation and regulation relating to SPD production is also set out in 'The Town and Country Planning (Local Planning) (England) Regulations 2013', specifically Regulations 11 to 16.
- 6.4 As a minimum, noting the need to comply with legislative requirements:
- SPDs will need to be produced in draft and approved by the council for public consultation;
  - consultation will need to run for at least four weeks (though typically we will aim for at least six weeks);

- be formally adopted by the Council, where appropriate with amendments from consultation added; and
- adoption will need to be supported with a formal adoption statement.

6.5 Occasionally the Council will produce additional policy documents or guidance that may not be in the form of a DPD or SPD (it may not have met legal tests of production to qualify) but it will be approved or adopted by the Council to help inform decision making and as such could constitute a material consideration in the determination of planning applications.

## **7 Neighbourhood Plans**

7.1 Many Parish groups and Parish Council's in East Devon are actively involved in Neighbourhood Plan production. Neighbourhood Plans are produced by the local community for their local area and they can include planning policies and also community related actions/proposals. The Planning Policy team at the District Council provide active support to local communities but it is stressed that whilst the District Council ultimately adopt Neighbourhood Plans, and they become part of the Development Plan for the District, the responsibility for plan production rests with the neighbourhood group preparing the plan.

7.2 More information on Neighbourhood Plan making can be viewed on the District Council web site at:  
<http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/>

## **8 Sustainability Appraisal, Strategic Environmental Assessment and Other Assessment**

8.1 All of the DPDs we produce will need to be supported by a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). Legislation covering the need for these assessments is separate from plan making legislation but for a plan to be adopted relevant assessment will need to be undertaken. The SA and SEA work is produced alongside and parallel to plan making, it inform plans and alternative options as they emerge and evolve and it considers the potential impacts of plans. Although the SA and the SEA processes can be undertaken separately they cover similar matters in similar ways and it is common practice to combine both assessments together. The expectation is that for all DPDs the Council will produce a combined SA and SEA. In this LDS, where we use the term SA (without qualification) this should be read as a generic reference to cover both SA and SEA.

8.2 In this LDS we have, for each DPD shown in Table 1, identified at least one draft plan stage of consultation and running parallel to this a draft SA consultation. Any feedback from the SA consultation will be taken in conjunction with feedback on plan consultation and used to help

inform, and where appropriate adjust or refine plan policy as it develops. At plan Publication stage there will also be an SA report that will be available for consultation.

- 8.3 In some cases SPDs and other planning documents of the Council, and sometime Neighbourhood Plans, will need to be subject to an SA (or more specifically it may be the legal requirement for SEA that will be critical).
- 8.4 There are also further assessment processes that maybe either legally required or otherwise desirable or appropriate that may also support or be required for plan production. At the outset of plan making, and through review as plan production proceeds, we will asses the need or appropriateness for assessment, to include:
- a) Assessment under the Habitat Regulations; and
  - b) Equalities Impact Assessment.

## **9 Community Infrastructure Levy**

- 9.1 East Devon District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule with the expectation that the schedule will come into affect (charges will apply) from 1 September 2016. CIL provides a means to secure monies from development to help support provision of infrastructure. The CIL charging schedule is not a DPD but production of the CIL Charging Schedule has run in parallel with the Local Plan and monies collected will support implementation of proposals in the Local Plan and other DPDs. For more information on the charging schedule and relevant charges see:  
<http://eastdevon.gov.uk/planning/planning-policy/community-infrastructure-levy-cil/>
- 9.2 Later in 2016 the Council may review the possible need for production of a revised CIL Charging Schedule.

**Table 1 - Timetable for Development Plan Document Production – Key Stages Only Are Shown**

		2016												2017												2018											
Plan and Key Stages (and Plan making regulation number)	Reg Number	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
<b>East Devon Villages Plan</b>																																					
Plan preparation (& carried over from 2015 & before)	18																																				
Committee approval for consultation																																					
Consultation on preferred boundary options																																					
Consultation on preferred options SA/SEA Report																																					
Consideration of representations																																					
Committee approval for publication consultation																																					
Publication consultation & representations	19 & 20																																				
Consultation on SA/SEA report																																					
Collate representations																																					
Council approval sought to submit																																					
Submission and Examination	22 & 24																																				
Oral hearing sessions (if required)	24																																				
Receipt of Inspectors report	25																																				
Main Modification consultation (if required)																																					
Committee approval and Adoption	26																																				

**Notes and Comments on the Villages Plan:**

1. The Villages Plan will provide more details on how Local Plan Strategy 27 will be translated to the village (and Colyton) level through the definition of Built-up Area Boundaries. There will be inset maps for the 15 settlements referred to in Strategy 27.
2. The villages Plan will also have Inset maps for Greendale Business Park and Hill Barton Business Park.

Plan and Key Stages (and Plan making regulation number)	Reg Number	2016												2017												2018													
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec		
<b>Cranbrook Plan</b>																																							
Information gathering		■	■	■	■																																		
Committee approval for consultation						■																																	
Consultation on Draft Proposals						■	■																																
Consultation on Draft SA/SEA Report						■	■																																
Consideration of Representations								■	■																														
Committee approval for consultation										■	■																												
Consultation on 2 <sup>nd</sup> Draft Proposals										■	■																												
Consultation on 2 <sup>nd</sup> Draft SA/SEA Report										■	■																												
Consideration of Representations												■	■	■	■																								
Committee approval for Publication															■																								
Publication Consultation & Representations	19 & 20														■	■																							
Consultation on SA/SEA Report															■	■																							
Collate Representations																■	■	■																					
Council approval to Submit																																							
Submission and Examination	22 & 24																																						
Oral Hearing Sessions (if required)	24																																						
Inspectors Report	25																																						
Committee Consideration of Inspector's Report																																							
Main Modification Consultation (if required)																																							
Adoption	26																																						

**Notes and Comments on the Cranbrook Plan:**

1. The Cranbrook Plan DPD will set out future policy for the development of Cranbrook.
2. The Cranbrook Plan is being produced (as at July 2016) by the Growth Point Team, enquiries should be addressed to: [plancranbrook@eastdevon.gov.uk](mailto:plancranbrook@eastdevon.gov.uk)
3. The above timetable is produced on assumption that a second stage of public consultation/engagement will be held ahead of plan publication.

Plan and Key Stages (and Plan making regulation number)	Reg Number	2016												2017												2018												
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	
<b>Gypsy and Travellers Plan</b>																																						
Preparation - Gathering site choice information	18	■	■	■	■	■	■	■	■	■	■	■	■																									
Committee approval for consultation									■	■																												
Consultation on Draft Proposals									■	■																												
Consultation on Draft SA/SEA Report									■	■																												
Consideration of Representations													■	■	■	■																						
Committee approval for Publication																																						
Publication Consultation & Representations	19 & 20																																					
Consultation on SA/SEA Report																																						
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Submission and Examination	22 & 24																																					
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Inspectors Report	25																																					
Committee Consideration of Inspector's Report																																						
Main Modification Consultation (if required)																																						
Adoption	26																																					

**Notes and Comments on the Gypsy and Traveller Plan:**

1. The above timetable is set out on the basis that it is deemed necessary to produce a gypsy and traveller plan. As at July 2016 consultation is being undertaken on the Cranbrook DPD. Adopted Local Plan policy provides for up to 30 gypsy and traveller pitches at Cranbrook and the Cranbrook Plan Issues and Options report consultation (June and July 2016 consultation) seeks opinion on scope for accommodation at Cranbrook. Should the Cranbrook Plan work conclude that the most appropriate site or sites for the identified gypsy accommodation needs are at Cranbrook and that the Cranbrook Plan will ultimately allocates sites (or make alternative clear policy provision for development) then it is likely that a separate Gypsy and Traveller DPD will not be produced.
2. The timetable above is produced on the basis that a Gypsy and Traveller DPD will be appropriate. The production of the DPD and therefore the proposed timetable is held back by the need to understand more about scope and potential for provision to be made at Cranbrook and therefore draft plan consultation is aligned to the proposed 2nd round of consultation on the Cranbrook Plan.

**Table 2 – Production Schedule - Supplementary Planning Document and Other Planning Documents**

It should be noted that the schedule below sets out some of the documents that the Council may produce. It is provided for guidance purposes only and should not be regarded as a definitive list of all or any documents that will be produced.

Document Title	Category	Status	Draft Production Timetable	Commentary
Green Infrastructure Strategy for East Devon towns	Natural Environment	SPD	<ul style="list-style-type: none"> <li>• Produce consultation draft – early 2017</li> <li>• Consult - 2017</li> <li>• Adopt SPD – late 2017 or 2018</li> </ul>	<p>The Green Infrastructure Strategy will set out specific proposals and guiding principles to secure such measures as footpaths, open spaces, improved environments and links between green spaces across East Devon.</p> <p>The timetable provided is indicative only and the work may need to be produced on a town by town basis.</p>
Bats Guidance - Beer Quarry Caves	Natural Environment	SPD	<ul style="list-style-type: none"> <li>• Produce consultation draft - 2017</li> <li>• Consult – 2017/2018</li> <li>• Adopt SPD - 2018</li> </ul>	<p>The bats guidance will establish information to assist those submitting planning applications as well as providing evidence to help inform future policy making, including Neighbourhood Plans.</p> <p>Further work will be undertaken to establish need for this guidance.</p>
Local list procedure	Built Environment	SPD	<ul style="list-style-type: none"> <li>• Produce consultation draft – Late 2016;</li> <li>• Consult – 2016/2017;</li> <li>• Adopt SPD – 2017.</li> </ul>	<p>Local lists are produced at a local level (e.g. at a Parish level) and they provide a means to identify features or assets (such as buildings, telephone boxes, walls, old orchards or other assets) that do not necessarily benefit for specific protection (e.g. they are not Listed Buildings) but which are, nonetheless, seen as important in the local context.</p> <p>The Local List SPD will set out guidance for establishing how local lists can be established and what types of features can be appropriate for inclusion and how they will be assessed.</p>
Design guide	Built Environment	SPD	<ul style="list-style-type: none"> <li>• Produce consultation draft - 2017</li> <li>• Consult - 2017</li> <li>• Adopt SPD – 2017/2018.</li> </ul>	<p>The Design guide will set out guidance for developers and builders on the types of designs, materials and buildings that could be appropriate in Eats Devon. It will be of specific relevance to those preparing and submitting planning applications.</p>
Coastal Change Management Areas assessment	Natural Environment	Planning Guidance	<ul style="list-style-type: none"> <li>• Dates to be confirmed.</li> </ul>	<p>The potential need, content and format of this work will need to be determined.</p>
Viability Assessment and Affordable Housing	Housing	SPD	<ul style="list-style-type: none"> <li>• Dates to be confirmed.</li> </ul>	<p>It is envisaged that viability evidence will need to be refreshed but precise format and timescale for work is yet to be determined.</p>



Document Title	Category	Status	Draft Production Timetable	Commentary
Strategic Housing Land Availability Assessment (SHLAA)	Housing	Planning Guidance	<ul style="list-style-type: none"> <li>• Call for sites – Autumn 2016;</li> <li>• Site Assessment – Autumn/Winter 2016;</li> <li>• Write-up/completion – early 2017.</li> </ul>	The SHLAA is a means to gather information about sites that could have scope for future residential development. It allows land owners to promote land for house building and provides a record of scope for development and options and technical assessment to help inform possible future planning policy and land allocations. The expectation is of joint working with the planning authorities of Exeter, Mid Devon and Teignbridge.
Self-build register and policy	Housing	Planning Guidance	<ul style="list-style-type: none"> <li>• System design – March 2016;</li> <li>• System went live – late March 2016;</li> <li>• Refinement of system – ongoing.</li> </ul>	There was a requirement, from 1 April 2016, to have a live self build register on the council web site. This has been completed and allows people that may be interested in self building a home in East Devon to register their interest.
Brownfield Land Register	Housing	Planning Guidance	<ul style="list-style-type: none"> <li>• Site identification – Summer 2016;</li> <li>• Log sites – in/by Autumn 2016;</li> <li>• Refinement and updating of system – ongoing.</li> </ul>	There will be a requirement for the council to keep a register of Brownfield land that may be suitable for development. A draft register will be on the Council website in Summer 2016 and refinement and improvement of records, specifically amending listing as appropriate, will be ongoing.
Honiton and Exmouth Sports Pitch Strategies	Recreation	Planning Guidance	<ul style="list-style-type: none"> <li>• Produce consultation draft – June 2016;</li> <li>• Amended final draft – Summer 2016;</li> <li>• Adopt as guidance – Late Summer 2016.</li> </ul>	Separate Sports Pitch Strategies will be produced for Honiton and Exmouth to identify where the additional pitches required by the adopted Playing Pitch Strategy should be accommodated in years to come. Draft currently out for consultation. Amendments will subsequently be made before a final strategy is considered by Members and adopted later in the Summer.

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