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Agenda for Cabinet

Wednesday, 2nd January, 2019, 5.30 pm

Members of Cabinet

Councillors: D Barrow, I Chubb, A Dent, P Diviani, J Elson, M Hartnell, G Jung, P Skinner (Vice-Chairman), I Thomas (Chairman) and T Wright

Venue: Council Chamber, Blackdown House, Honiton

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Friday, 14 December 2018

1 Public speaking

Information on [public speaking](#) is available online

2 Minutes of the previous meeting (Pages 4 - 20)

Minutes from 28 November 2018

3 Apologies

4 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

5 Matters of urgency

Information on [matters of urgency](#) is available online

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.

7 Forward Plan (Pages 21 - 23)

8 Minutes of the Recycling and Waste Partnership Board held on 7 November 2018 (Pages 24 - 34)

9 Minutes of the Strategic Planning Committee held on 27 November 2018 (Pages 35 - 47)

10 Minutes of the Scrutiny Committee held on 22 November 2018 (Pages 48 - 58)

11 Minutes of the Capital Strategy & Allocation Group held on 5 December 2018 (Pages 59 - 65)

- 12 Minutes of the Asset Management Forum held on 29 November 2018 (Pages 66 - 70)

Part A Matters for key decision

- 13 **Charging developers for the provision of recycling & waste containers to new build properties** (Pages 71 - 77)

A proposed introduction of a charging scheme for recycling and waste bins and containers for new build properties, with the intention that developers pay this charge for their customers.

Part A Matter for decision

- 14 **Draft Revenue and Capital Budgets 2019/20** (Pages 78 - 88)

This report presents the draft revenue and capital budgets for 2019/20 for adoption by the Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board. Recommendations from these meetings will be presented back to Cabinet on 6 February 2019 when members will finalise budget proposals to be recommended to Council.

- 15 **Council Tax Base 2019/20** (Pages 89 - 92)

This report sets out the tax base for 2019/20 and includes the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax will be based. This is an important component in the Council's budget setting process for 2019/20.

- 16 **Exeter and East Devon Enterprise Zone** (Pages 93 - 95)

To seek approval to borrow against future ring fenced business rate income to invest £1.11m in the Open Innovation Building on Exeter Science Park.

- 17 **Beer Neighbourhood Plan to be formally 'made'** (Pages 96 - 98)

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

- 18 **Clyst St George Neighbourhood Plan to be formally 'made'** (Pages 99 - 101)

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

- 19 **East Devon Public Health Strategic Plan 2019-23** (Pages 102 - 107)

The report presents the Council's Public Health Strategic Plan.

Appendix 1 - The role of East Devon District Council within Devon's Sustainability and Transformation Partnership

20 Monthly Performance reports – November 2018 (Pages 108 - 111)

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

Appendix 1 - November 2018 snapshot

21 Honiton Dowell Street car park (Pages 112 - 116)

The report requests authority to enter into an agreement with Honiton Town Council to manage the Dowell Street car park as a public car park for the town and to include it in the East Devon (off street) Parking Places Order.

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

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

[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 2 January 2019

Attendance list at end of document

The meeting started at 5.30pm and ended at 7.29pm

117 Public Speaking

There were no members of the public wishing to speak.

118 Minutes

The minutes of the Cabinet meeting held on 28 November 2018 were confirmed and signed as a true record.

119 Declarations

Cllr Phil Skinner, Minute 132; personal interest – Board Member of Exeter Science Park
Cllr Dean Barrow, Minute 132; personal interest – Shareholder Representative of Exeter Science Park

Cllr Geoff Pook, Minute 129; personal – Member of the construction industry

Cllr Geoff Pook, Minute 133; personal interest – Chairman of Beer Parish Council

Cllr Iain Chubb, Minute 129; personal – is a private landlord

Cllr Roger Giles, Minute 126; personal – Member of Plastic Free Ottery

Cllr Peter Faithfull, Minute 127; personal – Member of Ottery Town Council

120 Matters of urgency

None

121 Matters referred to the Cabinet

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

122 Exclusion of the public

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

123 Forward Plan

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

124 Minutes of the Recycling and Waste Partnership Board held on 7 November 2018

Members received the Minutes of the Recycling and Waste Partnership Board held on 7 November 2018.

RESOLVED (1) that the following recommendation be taken into account with the related report (Minute 129):

Minute 25 Container charging for new developments

the following recommendations be made in the Service Lead – StreetScene’s report to Cabinet on charging developers for the provision of recycling and waste containers and for the provision of replacement waste containers to residents:

1. that from 1 April 2019 the Council no longer supply waste containers free of charge to new build properties.
2. that a recycling and waste container charging policy based on the criteria in appendix 1 to the report be introduced.
3. that developers are charged for the supply of newly constructed property recycling and waste containers at a rate of £80 (per property for one residual bin, one green box, one green sack, one food caddy, one kitchen caddy) and £300 per communal bin supplied.
4. that if the developer does not make the contribution for the new property's recycling and waste containers, to levy this charge to the resident. Communal bin charges would be levied to landlords/managing agents.
5. that a charge of £30 be made per wheeled bin or residual waste container where a replacement is required. Residents will not be charged where containers are damaged during collection.
6. that charges are reviewed annually as part of the annual portfolio holder charges review process.

125 **Minutes of the Strategic Planning Committee held on 27 November 2018**

Members received the Minutes of the Strategic Planning Committee held on 27 November 2018.

RESOLVED (1) that the following recommendation be agreed:

Minute 27 Update report on progress, resource and staffing matters for the Greater Exeter Strategic Plan and also an update on the work programme for future East Devon Local Plan production

To include the sum of £30,000 in the draft budget for 2019/20 as the Council's contribution to the joint budget and to include a sum of £74,800 in the draft budgets for 2019/2020 and 2020/21 each year for staffing costs. Of the total budget requested of £179,600 over the two years, £97,000 will be met from reserves leaving a net additional sum requested of £82,600 required in 2020/21.

126 **Minutes of the Scrutiny Committee held on 22 November 2018**

Members received the Scrutiny Committee held on 22 November 2018.

RESOLVED (1) that the following recommendation be agreed:

Minute 34 Resolution by Cabinet of 31 October to refer a recommendation back to Scrutiny Committee for further explanation

the Council should aim to build a resilient local economy which is as self-sufficient as possible, at the same time as encouraging exports from local businesses and foreign direct investment which benefits the local economy and with particular reference to the Enterprise Zone.

Minute 36 Update report on Street Trading

Cabinet endorse the Street Trading Policy of using biodegradable materials wherever possible and not relying on single use plastics as indicated in their report to Scrutiny Committee and support a reduction in plastic waste.

Minute 38 Review of the Streetscene Service Plan

1. this committee seeks endorsement for the new approach in developing Nature Recovery Corridors across the District.

2. this committee seeks the continuing support of Cabinet to expanding the Green Waste Service.

127 **Minutes of the Capital Strategy & Allocation Group held on 5 December 2018**

Members received the Minutes of the Capital Strategy & Allocation Group held on 5 December 2018.

RESOLVED (1) that the following recommendation be agreed:

Minute 15 Capital bids proposed for the Capital Programme

1. The following items to be added to the Capital Programme 2019/20 to 2022/23:
 - a. Brixington play area, Exmouth enhanced site £100k (part funded externally £6,985);
 - b. Budleigh Salterton skate park £150k (part funded £35k);
 - c. Car park improvements (various sites) £90k;
 - d. Cherry Close Honiton play area enhanced site for £75k.
 - e. Exmouth beach study £80k (part funded £60k);
 - f. Exmouth campervan & boat park £150K (phased over 2020 – 2022);
 - g. Exmouth groyne navigational markers £35k.
 - h. Foxhill Axminster play area enhanced site £120k (part funded £14,845);
 - i. Imperial Recreation Ground parking improvements £55k (phased over 2019 – 2021);
 - j. Maer Road car park Exmouth partial resurfacing £47k;
 - k. Membury Sump Trash Screen £30k;
 - l. Millwey Rise Axminster play area. It is estimated that all costs will be met by available section 106 funding of £136,629;
 - m. Parks and play area fencing (various sites) £55k;
 - n. Redgates Exmouth play area enhanced site for £100k (part funded £3,281).
 - o. Rolle Mews Budleigh Salterton car park resurfacing £30k;
 - p. Seafeld Gardens Seaton play area enhanced site £100k;
 - q. Seaton Coast Protection Scheme £450k (part funded £300k subject to EA funding confirmation);
 - r. Seaton Jurassic car park extension £85,600;
 - s. Seaton skate park replacement of equipment £200k;
 - t. Homesafeguard call handling system £44k (part funded £11k);
 - u. Replacement of Big Belly bins with 240 litre standard bins £84,500 (phased across 2019 – 2021);
 - v. Car parks capital maintenance £20k;
 - w. Members IT system (Modern.gov) £48k;
 - x. Automated mower trial £40k.
2. The following project be included in the Capital Programme but deferred from 2019/20 to 2020/21:
 - a. Phear Park Exmouth access road resurfacing and new parking area £99k, deferred due to the scale of the project including lease aspects of the site;
3. The following projects be deferred for review before further consideration by the Capital Strategy and Allocation Group:
 - a. Greenway Lane Budleigh Salterton footbridge repainting, in order to evaluate if it is more cost effective to replace rather than repair the footbridge;
 - b. Seafeld Gardens Seaton outdoor gym, to establish level of use and impact of maintenance due to location.
4. The following projects be rejected from the Capital Programme:

- a. Land of Canaan Ottery St Mary footbridge reinstatement at £55k for reason of previous decision to remove the bridge in 2017 and an alternative being located 80 metres nearby;
- b. Axminster skatepark £266k for reason of the skatepark not being an asset of the Council.

128 **Minutes of the Asset Management Forum held on 29 November 2018**

Members received the Minutes of the Asset Management Forum held on 29 November 2018.

129 **Charging developers for the provision of recycling & waste containers to new build properties**

The Strategic Lead Housing, Health and Environment presented the report which proposed an introduction of a charging scheme for recycling and waste bins and containers for new build properties and newly created dwellings. The intention being that developers pay the charge for their customers. The report also proposed the introduction of charges for replacement wheeled bins if lost or damaged by the customer.

RESOLVED:

1. From 1 April 2019 the council no longer supply waste containers free of charge to new properties.
2. That a recycling and waste container charging policy based on the criteria in Appendix 1 be introduced.
3. Developers are charged for the supply of newly created properties' recycling & waste containers at a rate of £80 (per property for 1 residual bin, 1 green box, 1 green sack, 1 food caddy, 1 kitchen caddy) and £300 per communal bin supplied.
4. To make a charge of £30 per residual waste container where a replacement is required e.g. the resident has lost or damaged their existing waste container. Residents won't be charged where containers are damaged during collections.
5. Review charges annually as part of the annual portfolio holder charges review process

REASON:

1. To reduce the increasing pressure on our sizeable container supply and renewal budget in order to help set a balanced budget.
2. Transformation strategy saving target.
3. New build housing stock in East Devon is expected to continue to rise. Implementing the proposed policy and charges would allow us to recover costs of waste containers as permitted by the EPA 1990, decreasing this cost pressure by around £40k - £76k per year depending on charging options and numbers of properties created.

130 **Draft Revenue and Capital Budgets 2019/20**

The Strategic Lead Finance presented the draft revenue and capital budgets for 2019/20 for adoption by Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board. Recommendations from these

meetings will be presented back to the Cabinet on 6 February 2019 when members would finalise budget proposals to be recommended to Council.

RESOLVED:

that the draft revenue and capital estimates be adopted before forwarding to a joint meeting of the Overview and Scrutiny Committees and Housing Review Board for consideration.

REASON:

There was a requirement to set balanced budgets and to levy a Council Tax for 2019/20.

131 **Council Tax Base 2019/20**

The Strategic Lead Finance explained that the report set out the tax base for 2019/20 and included the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax would be based. This was an important component in the Council's budget setting process for 2019/20.

RESOLVED:

1. that the tax base for 2019/20 at 59,283 Band D equivalent properties, and
2. the amount for each parish as detailed under section 3 of the report be agreed.

REASON:

The calculation of the tax base was prescribed in regulations and was a legal requirement. The council tax base was defined as the number of Band D equivalent properties in a local authority's area. The tax base was necessary to calculate council tax for a given area.

132 **Exeter and East Devon Enterprise Zone**

The report presented by the Enterprise Zone Programme Manager sought approval to borrow against future ring fenced business rate income to invest £1.11m in the Open Innovation Building on Exeter Science Park. During discussion members were reminded that 3 buildings including the Innovation Centre were almost full with more businesses wanting to be based at the Science Park. The investment met Priority Two of the Council Plan; 'Developing an outstanding local economy'.

RECOMMENDED to Council:

That £1.11m is invested in the Open Innovation Building on the Exeter Science Park and that delegated authority is given to the Chief Executive to make payments in respect of the project, subject to the completion of appropriate legal documentation in consultation with the Strategic Lead (Governance and Licensing).

REASON:

Cabinet last received a paper on the Enterprise Zone in April 2018. This sought approval for the principle of borrowing up to £8m against ring-fenced business rate income, with detailed approval for investing up to £3.4m for four specific projects. During the intervening period work has focused on the delivery of the approved projects, along with supporting the development of other opportunities, including the delivery of floor space at Exeter Science Park.

133 **Beer Neighbourhood Plan to be formally 'made'**

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

RESOLVED:

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

REASON:

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

134 **Clyst St George Neighbourhood Plan to be formally 'made'**

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

RESOLVED:

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

REASON:

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

135 **East Devon Public Health Strategic Plan 2019-23**

The Strategic Lead Housing, Health and Environment, the Service Lead Environmental Health and Car Parks and the Public Health Project Officer presented the Public Health Strategic Plan. The Plan set out how the Council would encourage and assist services across the Council each to support and improve health and wellbeing across the District.

The strategic aims of the Plan were to help more people to be healthy and stay healthy, to enhance self-care and support community resilience and to integrate and improve support for people in their homes. The Public Health Project Officer in her presentation explained that although people were living longer many were often in poorer health. Public Health included physical as well as mental health.

Discussions included the following:

- Rural areas needed to be a priority; for not having access to facilities available in larger towns
- Involve people in the community to prevent loneliness which was becoming a big health issue not just locally
- Our outstanding natural environment was a unique selling point which should be used to improve the health and wellbeing of all who live in and or visit the area
- There were more social prescriptions given out by GPs e.g. cooking classes, walking group or volunteering to decrease the use of anti-depressants
- The need to publicise what was offered by the Council to promote Public Health

- Exercise in all shape and form was essential to improve and maintain people's health and wellbeing and the Council supported and encourages such initiatives e.g. park runs and community hubs
- Information about the evidence used to support the Strategic Plan to be provided to Scrutiny

RECOMMENDED to Council:

That the Public Health Strategic Plan be approved.

REASON:

The Public Health Strategic Plan was recommended so that services were encouraged to help support and improve health and wellbeing across the District.

136 **Monthly Performance reports – November 2018**

The report set out performance information for the 2018/19 financial year for November 2018 was supplied to allow Cabinet to monitor progress with selected performance measures and identify any service areas where improvement was necessary.

Councillor Rob Longhurst wished to thank the officers from the Housing department who dealt with his telephone call concerning a homeless man. He said they were very quick and compassionate to help the man and found him accommodation that same day.

There was one indicator showing excellent performance:

- Percentage of planning appeal decisions allowed against the authority's decision to refuse

There were two performance indicators showing as concern for the month of November:

- **Days taken to process new Housing Benefit claims** – Officers were currently working through a transition period to Universal Credit which was impacting on performance.
- **Working days lost due to sickness absence** - As previously reported, there had been a significant increase this year in employees who have been absent for two months or more as a result of surgery and serious health issues for 2 or months. These cases were all proactively managed through HR and reference to Occupational Health advice to facilitate a return to work as soon as possible. The Council continued to train its managers in this difficult area and work closely with them to facilitate reduced levels of absence.

RESOLVED:

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

REASON:

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

137 **Honiton Dowell Street car park**

The Service Lead Environmental Health and Car Parks presented the report to request authority to enter into an agreement with Honiton Town Council to manage the Dowell

Street car park as a public car park for the town and to include it in the East Devon (off street) Parking Places Order.

RESOLVED:

1. To include Honiton Dowell Street Car Park in East Devon District Council's Off-street Parking Places Order (subject to there being in place a lease in favour of East Devon District Council),
2. that EDDC enters into a ten year full repairing and insuring lease of 'Dowell Street' car park, and
3. To delegate to the Chief Executive in consultation with the Portfolio Holder for Environment, the authority to enter into a detailed agreement with Honiton Town Council to provide car park management services on terms to be agreed.

REASON:

There is demand for additional public car parking in the town and at present the use of the car park is unrestricted.

Attendance list

Present:

Portfolio Holders:

Phil Skinner	Deputy Leader / Economy (in the Chair)
Dean Barrow	Finance
Iain Chubb	Transformation
Alan Dent	Corporate Services
Jill Elson	Sustainable Homes and Communities (Acting Vice-Chair)
Marcus Hartnell	Deputy Portfolio Holder Environment
Geoff Pook	Asset Management
Tom Wright	Environment

Apologies:

Ian Thomas	Leader
Paul Diviani	Strategic Development

Non-Cabinet apologies:

Mark Williamson
Ian Hall
Tim Dumper
Eleanor Rylance
Brenda Taylor
Peter Burrows
Douglas Hull

Also present (for some or all of the meeting)

Councillors:

Bruce de Saram
Pauline Stott
Eileen Wragg
Paul Carter
Graham Godbeer
Cherry Nicholas
Maddy Chapman
Peter Faithfull

Rob Longhurst
Megan Armstrong
Steve Gazzard
Geoff Jung
Brian Bailey

Also present:

Officers:

Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Andrew Ennis, Service Lead Environmental Health and Car Parks
Naomi Harnett, Enterprise Zone Programme Manager
Helen Wharam, Public Health Project Officer
Amanda Coombes, Democratic Services Officer

Officer apologies:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held at Knowle, Sidmouth on 28 November 2018

Attendance list at end of document

The meeting started at 5.30pm and ended at 6.32pm

***97 Public Speaking**

Mr Blakey, Chairman of Cranbrook Town Council requested that the Council undertake litter picking and bin emptying in the area of Cranbrook as a whole, rather than wait for the complete adoption of the roads in the area. He gave the rationale of efficiency and practicality of the Streetscene service operating in the area ahead of full adoption, as that adoption by the highways authority was inevitable. He did not feel that there was any legal impediment that would prevent the Council from undertaking this service.

In response, the Portfolio Holder for Environment informed Cabinet that he had requested a review of this with his officers to clarify costs and any liability implications that needed investigation.

***98 Minutes**

The minutes of the Cabinet meeting held on 31 October 2018 were confirmed and signed as a true record.

***99 Declarations**

Cllr Steve Gazzard, Minute 116; personal interest – as held a season ticket for the football club referred to in the report and is a Member of the ECCT.

Cllr P Skinner; Minute 116; personal interest – as held a season ticket for the football club referred to in the report.

***100 Matters of urgency**

None

***101 Matters referred to the Cabinet**

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

***102 Exclusion of the public**

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

***103 Forward Plan**

Members agreed the contents of the forward plan for key decisions for the period 1 January 2019 to 30 April 2019.

***104 Minutes of the Arts and Culture Forum held on 10 October 2018**

Members received the Minutes of the Arts and Culture Forum held on 10 October 2018. The minutes were commended to the Cabinet by Cllr Bruce De Saram.

RESOLVED that the minutes of the Arts and Culture Forum held on 10 October 2018 be noted.

***105 Minutes of the Budget Working Party held on 17 October 2018**

Members received the Minutes of the Budget Working Party held on 17 October 2018.

RESOLVED that the minutes of the Budget Working Party held on 17 October 2018 be noted.

***106 Minutes of the Overview Committee held on 15 November 2018**

Members received the Minutes of Overview Committee held on 15 November 2018.

RESOLVED that the following recommendation be taken into account with the related report (Minute 111):

Minute 21 Digital Strategy

That the Digital Strategy be recommended to Council for approval, for reason of continuing to improve how customers transact with the Council, whilst maintaining the availability of human interaction for vulnerable groups and other sectors of the community that require help.

***107 Minutes of the Housing Review Board held on 22 November 2018**

Members received the Minutes of Housing Review Board held on 22 November 2018.

The Chairman of the Housing Review Board presented the recommendations and sought support for their approval.

RESOLVED (1) that the following recommendation be agreed:

Minute 41 Chairman's welcome

Pat Gore and Cat Summers be co-opted on the Housing Review Board as tenant/leaseholder representative members.

Minute 45 Revision to the tenancy agreement

1. the revised tenancy agreement, and
2. the next steps and timescales detailed in section 2 of the report,
3. that delegated authority be given to the Portfolio Holder for Sustainable Homes and Communities and the Strategic Lead Housing, Health and Environment to make minor amendments to the tenancy agreement following the consultation process.

Minute 46 Fire safety in blocks of flats (compliance with statutory regulations)

1. the progress made in relation to fire safety in blocks of flats and agree the priority of future works to address property issues related to fire,
2. that members be aware of the significant budget required to bring all blocks of flats up to a fully compliant fire safety standard.
3. the extension of the employment of the additional Programme Works Officer (Fire Safety) for a further 12 months.

Minute 47 Renewal of Advantage South West subscription

continuing to pay the annual subscription to maintain the membership to Advantage South West.

RESOLVED (2) that the following recommendation be taken into account with the related report (Minute 112):

Minute 50 Home Safeguard system upgrade

That Cabinet approve the business case for the upgrade of the Home Safeguard call handling system.

108 Council Tax Reduction Scheme for 2019/20

The Strategic Lead Finance presented the report which asked members to consider and approve the working age Council Tax Reduction Scheme (known as Council Tax Support) for 2019/20 which remained unchanged from 2018/19.

Comments included:

- equalities impact will increase for the scheme planned for 2020/21
- workshops would be beneficial (as had been run previously) to update Members on the benefits system and the changes in place following the introduction of Universal Credit.

RECOMMENDED:

1. The Council Tax Reduction Scheme for working age customers for 2019/20 (unchanged from 2018/19) was agreed, and
2. For Officers to start scoping and developing a 'banded discount scheme' for 2020/21 with any associated costs being met from the specific reserve set aside for this purpose.

REASON:

Each year the Council was required by law to decide whether to revise or replace its scheme. There had been no significant national benefit changes that needed to reflect in the scheme and most authorities in Devon were not proposing to change their scheme for 2019/20. However, the Council would probably need to consider changes for 2020/21. This was because the scheme was very much aligned to Housing Benefit rules and as more customers moved onto Universal Credit, the Council would need to shape the scheme differently in order to simplify the administration process. The Council would no longer be dealing with these as a combined claim.

109 Council Tax - Long Term Empty Homes Premium

The Strategic Lead Finance informed members that legislation had recently been passed that would allow Billing Authorities to increase the long term empty homes premium (currently an additional 50% on the full charge) for properties that were unoccupied and substantially unfurnished and have been for more than 2 years. The Government's aim was to help encourage owners to bring their properties back into use.

In response to a question, the Strategic Lead Finance confirmed that there was no additional cost in collecting the premium; and that negotiations were taking place with Devon County Council to secure more of the money collected from the premium for the District.

RECOMMENDED:

1. that from April 2019 onwards to increase the premium up to the maximum of 100% for properties that had been empty for more than 2 years,
2. from April 2020 onwards to increase this to 200% for properties that had been empty for more than 5 years, and

3. from April 2021 onwards to increase this to 300% for properties that had been empty for more than 10 years.

REASON:

Raising the premium could help to bring empty homes back into use which would benefit the local community as detailed in the report.

110 Heart of the South West Joint Committee - Council update

The report included the recommendation to delegate responsibility for the local authority input into the Local Industrial Strategy (LIS) to the Joint Committee and it was important that this delegation was in place across the councils by the time of the Committee's next meeting on the 25 January 2019 which, would be a key formal date in the development of the LIS.

In response to a question about the value to the authority with the budget investment made, the Chief Executive outlined to Members both the benefits to the Heart of the South West area as a whole, but particularly the Enterprise Zone more locally that was now delivering business rates income and growth to the area.

RECOMMENDED:

1. that the progress report setting out the work of the Heart of the South West (HotSW) Joint Committee since its establishment in March 2018, be noted
2. to delegate the development and endorsement of the HotSW Local Industrial Strategy (LIS) to the HotSW Joint Committee (noting that final approval of the HotSW LIS rests with the HotSW Local Enterprise Partnership (LEP) and the Government), be agreed
3. that the Budget statement for 2018/19 set out in Appendix B and that in accordance with the decisions taken at the time the Committee was established the Council would be asked to make an annual budgetary provision to meet the support costs of the Joint Committee in line with the 2018/19 contribution. Final clarification on any additional 2019/20 budget requirement would be provided following the completion of the review of the Joint Committee's role, function and management support arrangements and development of its work programme for 2019/20, be noted and
4. that the Budget and Cost-sharing Agreement set out in Appendix B to the report be agreed.

REASON:

To update the constituent authorities on the HotSW Joint Committee and the recommendation to delegate responsibility for the local authority input into the LIS to the Joint Committee.

111 Digital Strategy

The Portfolio Holder for Corporate Services gave a short summary of that the Digital Strategy would deliver. The Leader highlighted the key aspect of digital by design, with the technology offering opportunity to customers.

Members also welcomed the strategy reference to retaining the human contract for customers, for those who by choice or circumstance could not access the Council's services through a digital channel.

RECOMMENDED:

that the Digital Strategy be agreed and adopted.

REASON:

In the pursuit of continuous improvement.

***112 Access to information 2017/18**

The report provided information about requests received under the Freedom of Information Act (and Environmental Information Regulations) between 1 April 2017 and 31 March 2018. The report also looked at steps taken during the last 12 months to improve the accessibility of information.

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.

113 Home Safeguard System Upgrade

The Strategic Lead Housing, Health and Environment presented the report, which sought approval for the expenditure necessary to upgrade the Home Safeguard call handling system. The upgrade was a necessity for the continuation of the Home Safeguard Service, which in addition to the alarm for private, sheltered and corporate customers, provided the Out of Hours service for East Devon District Council & Teignbridge District Council plus lone working services for both Authorities.

The report also set out the vision for the service, with the steps that would have to be taken to allow the service to grow. Alongside upgrading the call handling system, the service would have to relocate to two locations, and the staffing levels reviewed in order to meet the telecare industry standards. The service could also expand to incorporate a responder service.

Comments included:

- Developing the telecare service was beneficial to the rural community;
- GPs demand for telecare;
- Increase in income as the service developed would recover cost of upgrade;
- Pride in service, with good quality, caring handlers;
- Demonstrated the Council's commitment to housing tenants.

The Capital Strategy and Allocation Group would look at the project at their next meeting, in balance with other capital projects.

RECOMMENDED:

that the case for the upgrade of the Home Safeguard call handling system be approved.

REASON:

To continue to provide an outstanding service and honour existing contracts. The upgrade would enable the Council to offer a digital solution with the ability to offer a wider range of telecare equipment, and to expand the service. It would also enable EDDC to remain competitive in the current market, and contribute to the Council's income targets and Transformation Strategy.

***114 Monthly Performance reports – October 2018**

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

There were two indicators showing excellent performance:

1. Days taken to process changes to Housing Benefit claims
2. Percentage of planning appeal decisions allowed against the authority's decision to refuse

There were two performance indicators showing as concern for the month of October:

1. Days taken to process new Housing Benefit claims – EDDC was currently working through a transition period to Universal Credit which was impacting on performance.
2. Working days lost due to sickness absence - There had been a significant increase this year in employees who had been absent for two months or more as a result of surgery and serious health issues for 2 or months. These cases were all being proactively managed through HR and reference to Occupational Health advice to facilitate a return to work as soon as possible. EDDC continued to train its managers in this difficult area and work closely with them to facilitate return to work.

The Deputy Portfolio Holder for Environment congratulated the Countryside team for the recent Bronze award in the South West Tourism Awards. The continuing excellent performance in the recycling rate for the authority was also commended.

RESOLVED:

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

REASON:

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

***115 Response to the Payhembury Neighbourhood Plan Submission**

To agree the response by the Council to the current Regulation 16 submission consultation for the Payhembury Neighbourhood Plan. Councillor Bruce De Saram gave this thanks to the team for producing the Plan, as did the Deputy Leader as the local Ward Member.

RESOLVED:

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

REASON:

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

116 Warren View Sports Ground Investigation

The report asked for consideration to an increase of £20,000 in the project budget. The site was marketed to potential tenants early in 2017, with Exeter City Community Trust (ECCT) identified as the preferred tenant, with heads of terms agreed in the summer of 2017. A key part of the offer from ECCT was the development of all-weather pitches and other facilities to maximise the use of the site, and make it economically viable.

During due diligence for the site, ECCT reviewed East Devon's existing information for the site including extensive investigations, monitoring and assessment of the material beneath the site. ECCT subsequently asked that East Devon commission further investigation and assessment of their development proposals in order to provide reassurance regarding the geotechnical and geoenvironmental risks. £40,000 was allocated in the 2018/19 budget for this work.

Comments included:

- ECCT have the expertise in applying for funding, linked with the recognised club of Exeter City;
- There was a lack of 3G pitches in that area;
- Several diverse groups would use the facilities;
- The site would remain an asset for the Council and would be overseen by the Estates Team;
- Challenge to the former tenants of the site was not accepted;
- Whilst the cost into the project may not be recovered by the Council, investment at this stage would help to deliver the grant funding necessary to deliver the site, and the social benefits were much wider for the District as a whole.

RECOMMENDED:

that a further £20,000 for geoenvironmental and geotechnical investigations at Warren View Sports Ground be agreed.

REASON:

To reassure Exeter City Community Trust regarding the risks relating to the ground so they can continue to proceed with their proposed development of the site.

Attendance list**Present:****Portfolio Holders:**

Ian Thomas	Leader
Phil Skinner	Deputy Leader / Economy
Dean Barrow	Finance
Iain Chubb	Transformation
Alan Dent	Corporate Services
Paul Diviani	Strategic Development
Jill Elson	Sustainable Homes and Communities
Marcus Hartnell	Deputy Portfolio Holder Environment
Geoff Pook	Asset Management
Tom Wright	Environment

Non-Cabinet apologies:

Mark Williamson
Ian Hall

Simon Grundy
John O'Leary
Brenda Taylor
Peter Burrows
Douglas Hull
Eileen Wragg
Andrew Moulding

Also present (for some or all of the meeting)

Councillors:

Bruce de Saram
Pauline Stott
David Barratt
Paul Carter
Rob Longhurst
Megan Armstrong
Steve Gazzard
Geoff Jung
Steve Hall
Tim Dumper
Eleanor Rylance
Brian Bailey
Mike Howe
John Humphreys

Also present:

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Karen Jenkins, Strategic Lead Organisational Development and Transformation
Amy Gilbert, Service Lead Housing
Debbie Meakin, Democratic Services Officer

Chairman Date.....

EAST DEVON DISTRICT COUNCIL

Forward Plan of Key Decisions - For the 4 month period 1 February 2019 to 31 May 2019

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

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

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

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

A public notice period of 28 clear days is required when a Key Decision is to be taken by the Council's Cabinet even if the meeting is wholly or partly to be in private. Key Decisions 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.	Beer Pilot		Deputy Chief Executive	Council 27 February 2019	Asset Management Forum Cabinet 6 March 2019	28 February 2019	Part A
2.	Seaton Seafront		Deputy Chief Executive	Council 27 February 2019	Asset Management Forum 29 November 2018 Cabinet 6 February 2019	28 February 2019	Part A
3.	Commercial Property Investment Framework		Deputy Chief Executive	Council 27 February 2019	Special Asset Management Forum (TBA) Cabinet 6 February 2019	28 February 2019	Part A
4.	Corporate Management of Assets		Deputy Chief Executive	Council 27 February 2019	Special Asset Management Forum (TBA) Cabinet 6 February 2019	28 February 2019	Part A
5.	Delivery of Cranbrook Town Centre		Deputy Chief Executive	Council 24 April 2019	Cabinet 6 March 2019	25 April 2019	Part A

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

Future Decisions		Lead / reporting Officer	Consultation and meeting dates (Committees, principal groups and organisations) To be confirmed	Operative Date for decision To be confirmed
1.	Drill Hall update	Deputy Chief Executive	Council 24 April 2019 Cabinet 3 April 2019	Council 25 April 2019
2.	HotSW Joint Committee		Heart of the South West Productivity Strategy	

The members of the Cabinet are as follows: Cllr Ian Thomas (Leader of the Council and Chairman of the Cabinet), Cllr Paul Diviani (Strategic Development Portfolio Holder), Cllr Iain Chubb (Transformation Portfolio Holder), Cllr Philip Skinner (Economy Portfolio Holder), Cllr Tom Wright (Environment Portfolio Holder), Cllr Marcus Hartnell (Deputy Environment Portfolio Holder), Cllr Dean Barrow (Finance Portfolio Holder), Cllr Jill Elson (Sustainable Homes and Communities Portfolio Holder), Cllr Alan Dent (Corporate Services Portfolio Holder), Cllr Geoff Pook (Asset Management Portfolio Holder). 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.

January 2019

Recommendation for Cabinet that will resolve in an action being taken:**Recycling and Waste Partnership Board on 7 November 2018****Minute 25 Container charging for new developments****RECOMMENDED** by the Recycling and Waste Partnership Board:

that the following recommendations be made in the Service Lead – StreetScene’s report to Cabinet on charging developers for the provision of recycling and waste containers and for the provision of replacement waste containers to residents:

1. that from 1 April 2019 the Council no longer supply waste containers free of charge to new build properties.
2. that a recycling and waste container charging policy based on the criteria in appendix 1 to the report be introduced.
3. that developers are charged for the supply of newly constructed property recycling and waste containers at a rate of £80 (per property for one residual bin, one green box, one green sack, one food caddy, one kitchen caddy) and £300 per communal bin supplied.
4. that if the developer does not make the contribution for the new property’s recycling and waste containers, to levy this charge to the resident. Communal bin charges would be levied to landlords/managing agents.
5. that a charge of £30 be made per wheeled bin or residual waste container where a replacement is required. Residents will not be charged where containers are damaged during collection.
6. that charges are reviewed annually as part of the annual portfolio holder charges review process.

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the East Devon Recycling and Waste Partnership Board, Committee Room Knowle, on 7 November 2018

Attendance list at end of document

The meeting started at 10.00am and ended at 12:30pm.

***14 Minutes**

The minutes of the Recycling and Waste Partnership Board meeting held on 13 June 2018 were confirmed and signed as a true record.

***15 Declarations of interest**

Councillor Geoff Jung: Personal interest – Woodbury Parish Councillor

***16 Matters arising**

None.

***17 Joint contract review and operational update**

The Recycling and Waste Contract Manager and the SUEZ Senior Contract Manager gave the Board a joint presentation on a contract review and operational update.

The Chairman congratulated Harry McLeman, Contract Manager on his new position at Greendale. He also wished to record his thanks to Lorna Christo, Recycling & Waste Officer for her incredible enthusiasm and for being such a wonderful ambassador for both SUEZ and EDDC. The Recycling and Waste Contract Manager also thanked Lorna for all her hard work from the early trial period at Feniton and Exmouth, and in recruiting and fostering long term relationships with the customer recycling champions.

The core recycling system was continuing to perform well with over 400 tonnes of dry recycling and food waste being collected almost every week. The RRC (Resource Recycling Centre) was now fully embedded and the benefits of the new plant were feeding through. The Green Waste service had moved from a mobilisation phase and had now bedded in as part of normal service operations.

The partnership and joint management team approach allowed problems to be identified and solved at an early stage and quickly. The focus would now be on maximising the outputs of the transformed system, with emphasis on:

- Growth – managing increasing property numbers. It was anticipated that 70,000 properties would be reached in 2019. Focus would also be on increasing the customer base for the green waste business by renewed advertising.
- Quantity – further increasing recycling and composting tonnages to increase revenue from sales, recycling credits and avoided waste disposal payments. Focus would be on continuous participation, behavioural change and advertising activities to drive this.
- Quality – due to the volatility of the materials market it was necessary to ensure as much protection as possible by improving the quality of the materials. Participation and customer communication activities would play a continuous role in this. The Woodbury trial was also a significant ‘experiment’ in testing whether customers could be encouraged to play a further part in helping to improve material quality.

The Suez Contract Manager explained that the slight drop in performance during quarter 3 was attributable to staffing issues during July and August, where there was a 10% turnover

in staff. As a result of this SUEZ relied heavily on agency employees who did not possess the geographical knowledge of permanent staff. Complaints over quarter 3 rose by 32%. SUEZ had introduced a CSF (Critical Success Factors) monitoring system which identified how each individual crew was performing on areas such as missed collections and complaints. This enabled the supervisor and management teams to more effectively manage those crews who weren't performing to the expected standards. During September performance on missed collections had improved.

In order to combat employee turnover SUEZ had undertaken a driver apprenticeship scheme, where loaders on the workforce who aspired to progress within the business could gain their LGV driving licence. In return for receiving the training staff would agree to remain with SUEZ for a period of up to four years following them attaining their qualification. This had proved very popular, with the first batch of employees expected to qualify at the end of November.

Collected residual tonnages reduced the previous quarter, with an increase in recycling collected. This was due to the green waste service being implemented. The recycling rate for the period was 60%.

The RRC had opened at the end of April and been fully operational for six months. It had been performing very well. Material value had remained steady, despite the volatile market, with an income of £152,050 for materials over quarter 3. The forthcoming challenge would be to ensure protection against the ever changing recycling market. Material quality would be of the upmost importance in order to ensure the partnership could continue to benefit from the collection of kerbside recycling. SUEZ was exploring the idea of increasing covered bale storage at the depot, which would reduce haulage costs. Other initiatives such as the Metal Matters campaign and the Woodbury sack trial would aid in protecting the partnership during the period of uncertainty.

The Recycling and Waste Contract Manager reported that all of the EDDC bring banks in the district had been removed by the end of August 2018, with virtually no customer reaction to the service change. No negative impact on recycling had been experienced. It had also resulted in efficiency savings for StreetScene services who no longer needed to clean and maintain the bring bank sites. The removal of the bring banks signified a key step towards creating a utility model, focusing all efficiencies on a single channel of kerbside collections.

The recycling team had created a more positive relationship with EDDC planners, leading to more proactive contact with major developers, which in turn was providing opportunities to influence the layout of some aspects of new developments from the perspective of recycling infrastructure and collection points.

It was noted that the partnership continued to be in the national spotlight, and recent events and coverage were outlined. The three visitors from Torbay Council, who arrived during this item, were welcomed to the meeting.

A short media clip was shown of the customer Viewpoint survey. During this 3000 people were surveyed at random and the data results produced into a short, snappy animated clip that could be shown on all sorts of platforms, without the need for papers to be sent out. As far as the waste and recycling service was concerned there was almost universal approval and appreciation from the residents surveyed.

The Strategic Lead, Housing, Health and Environment commented that the film demonstrated the critical success factor of the service, but that it was important not to be complacent. Waste and recycling should continue to be collected on time, no spillages, with receptacles returned. Crew behaviours would also have an impact on customer satisfaction.

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

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

***18 Performance feedback demonstration**

The Board received a presentation on contract performance statistics from SUEZ.

Generally there was good crew performance. Efforts were being made to reward good behaviours and focus on those that needed improvement. The measures were made visible to the crews at Greendale and included:

- SIM (safety in mind) conversations. There were 50 checks per month, with staff being congratulated for good work, not just focusing on the negative.
- Snapshots of missed bin statistics for the previous week. This allowed supervisors to know where/which crews to spend more time with.
- Performance Management Framework – allowed visibility of the costs and financial aspects of both good and bad performance.
- Supervisor fleet checks – there were random checks as vehicles left the depot as well as fleet gate checks.
- Accident statistics.
- Monthly missed bin statistics. It was noted that the figure remained incredibly low, at around 0.16%.
- Monthly resident comments and complaints.
- Individual crew missed bin and complaint statistics – this allowed any issues to be pinpointed and team leaders would move across crews to deliver toolbox talks, cover leave, etc.
- Crew of the month. Identifying crews that were performing well and those that required improvement and making this visible increased competition between the crews. A 'crew of the month' were rewarded with gift vouchers. This was well received by the employees and created a competitive atmosphere.
- Long service was rewarded.
- Customer feedback. A questionnaire had been sent corporately to EDDC to complete and a score of 8.8/10 was achieved. This was then followed up by a phone call. Areas to improve on were container returns and complaint response times. Where SUEZ was doing well was in working in partnership with EDDC and being committed to delivering the service to EDDC.

On behalf of the Board the Chairman thanked SUEZ for their presentation.

***19 Performance framework/penalty calculator**

The Recycling and Waste Contract Manager reported that the performance framework and penalty calculator were now out of the suspension period that they had been in during the roll out of the new contract. The framework were being used as a performance measure rather than as a penalty, with the emphasis on partnership working, improving and getting the correct resources in place. It was noted that performance was improving with more or less all of the contractual thresholds being met. Penalties were not being invoked as it was

believed that it would not improve performance. Partnership working should be used to resolve issues.

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

***20 Risk register**

The Recycling and Waste Contract Manager reported that the risk register had been reviewed and updated. He was pleased to report that the risks associated with the green waste service were reducing. There was a need to be aware of the interim elderly fleet in use.

One risk that continually stood out was lack of Strata design capacity to meet deadlines for communications materials. The service was very communications heavy and there was a growing frustration that the communications materials (posters, labels, leaflets) could not be obtained quickly enough, or on time. The team produced high quality materials, but there were capacity issues.

LGV driver shortage and recruitment was a sector wide issue. SUEZ were already mitigating this with their driver training academy

Another risk that was highlighted was the budget risk, with unpredictable elements that EDDC had little control over and limited mitigation. It was noted that the RRC would improve the value of the materials collected. It was hoped that the Woodbury trial would improve material quality and help to mitigate the risk.

The Board noted that an emerging risk was the bottle deposit scheme. The Chairman reported that the last DAWRRC (Devon Authorities Waste Reduction and Recycling Committee) had discussed the likely implications of a bottle deposit scheme, but currently there were so many unknowns. The Director of Municipal Services, SUEZ advised that a bottle deposit scheme would represent a risk as it took the valuable plastics out of the current recycling scheme so would have a negative impact on revenue. However, emerging new regulations on producers paying for more of the cost of recycling packaging may be beneficial to EDDC. EDDC would continue to work with SUEZ, but at present there were too many uncertainties to assess the risk.

On behalf of the Board the Chairman thanked the Recycling and Waste Contract Manager for his report.

RESOLVED: that the risk register be noted.

***21 Green waste collection service update**

The Recycling and Waste Contract Manager gave a summary of the service which commenced on 14 May 2018, as planned. The introduction of the new service was completed and operations were now part of normal business. The project team had worked well, achieving a very smooth implementation. The team was disbanded in July 2018.

The customer base was 9092 bins, representing approximately 13% of the total East Devon property count. The total sales revenue was £436,416. As this was the service launch year the revenue would be allocated to both covering the cost of delivering the service and meeting the year one set up costs. A financial statement covering May to September 2018 was considered by the Board and the following accounting principles were noted:

- All start up costs to be allocated in the first two quarters of the year to account for them as early as possible.
- The cut-off point for the initial income prior to service start was taken as 30 June 2018. This total figure was then divided equally between the quarters of the financial year to give a more balanced revenue profile throughout the year against which to allocate operational costs.
- All sales revenue received after 30 June 2018 was allocated evenly between the four quarters following the quarter in which it was received again to give a more balanced income profiles against which to allocate operational costs.
- Neither partner had allocated any management, supervision of administration overheads to the business. This would be reviewed as the business grew.

Consideration for profit share would be made at year end once a near full year picture emerged. It was noted that the bins were financed as a capital purchase and depreciated over 20 years, as a monthly cost. 10,000 bins had initially been purchased to launch the service in 2018. In order to manage stocks an order had been placed for a further 2,100 bins to handle early demand in 2019. Further orders would be made as demand dictated, balancing the risk of holding stock to meet unknown demand and controlling costs.

At launch the subscription process was only set up for new subscriptions due to time constraints at mobilisation. Processes for renewal subscriptions were now being designed and tested. This was currently the highest priority development for the service to ensure the existing customer base could be preserved at subscription renewal time.

A number of marketing activities had been undertaken, with more marketing activities proposed for 2019 to increase the customer base. These included:

- Christmas bin hanger – green waste incorporated in normal Christmas communications (November/December 2018).
- Council tax reminder – green waste advert to feature on the envelope (March 2019).
- Door drop delivery (May 2019).
- Social media – regular tweets throughout the year but focused on peak times.
- Compost give away events (March 2019) to help publicise the service.
- Christmas bin hanger (November/December 2019).

As customer numbers grew in 2019 the existing old fleet (from within the SUEZ group) would need to be reviewed in terms of size and continued use of old vehicles. Purchase of a new fleet was likely to be necessary during the year. Financing costs for new vehicles would need to be accounted for against the future income. It may be necessary to add another crew if numbers continued to grow, but if possible the partnership would try to keep the service with the three existing green waste collection crews by using route optimisation. Initially there would be a drop in revenue with the introduction of a fourth crew. 14, 000 properties was the tipping point for requiring an additional crew for the service.

The suspension period for the green waste collections was from Monday 17 December 2018 until Monday 14 January 2019. This information would be included on the Christmas bin hangers, the Christmas press release, website and on the East Devon app.

RESOLVED: that the green waste collection service update be noted.

***22 Woodbury trial update**

The Recycling and Waste Contract Manager presented a report on the trial in Woodbury for introducing an additional recycling container and outlined the next steps in the process. A

project team had been established and a timetable for mobilisation was presented to the Board.

SUEZ believed that the introduction of an additional container could provide a more efficient collection method and had performed some local testing to determine the impact of this. Based on research SUEZ expected to generate enough efficiency/improved productivity within the service to remove at least one round, with no loss to service standards. Their research indicated a better service to residents, service efficiencies, improvement in material quality and price received for them, and improved recycling capacity. An additional container for the weekly recycling service would provide extra capacity for recycling to residents.

Quality was a key factor in generating the most value for the recyclables collected. Currently both paper and cardboard grades were suffering from the current collection system; with paper, cardboard and glass being mixed in the same green box. This also presented time pressures to the crew sorting the material kerb side. Separating paper and cardboard more effectively at kerb side was likely to improve the quality of the materials and have monetary benefit to both the Council and SUEZ.

The additional sack for cardboard would be trialed in Woodbury, which involved around 870 properties, with a mix of property types and demographics, and was serviced by a single recycling round. The Parish Council were engaged and willing to undertake the trial. Customer satisfaction with the trial would be a key influencer.

As with any change in service, effective communication was essential to inform and listen to residents' feedback on the proposed change. A communications programme was outlined in the timetable. Should the trial be a success there would be no need to stop residents from using the extra container.

SUEZ would cover the costs associated with the trial and had already procured the sacks. SUEZ would also keep all stakeholder updated on its progress, would thoroughly review all data and produce a report based on the outcomes and proposed next steps.

The trial was due to be formally completed and the results assessed by early May 2019. Should the trial produce positive results consideration would be given to using the additional cardboard container district wide, requiring a district wide mobilisation. Based on previous experience, the best timing for such a mobilisation would be September/October 2019. If this implementation date was met planning and preparation time would be very constrained for a successful mobilisation. The Council's decision making process would need to be progressed as rapidly as possible. Therefore it was suggested that a Partnership Board meeting be held as soon as possible following the May 2019 elections. If there was insufficient time to mobilise in autumn then the next recommended mobilisation 'slot' would be February 2020.

RESOLVED: that a meeting of the Recycling and Waste Partnership Board be held on 29 May 2019 to consider the results of the additional recycling container trial in Woodbury.

***23 Recycling participation programme update**

There were a number of participation projects being run, which the Recycling and Waste Contract Manager outlined in his report.

Metal Matters

This would run from September to December 2018 and was a mixed material focused campaign designed to increase the capture of the most valuable materials – steel and aluminium cans. The core of the campaign was door drop leaflet deliveries with two items being delivered to all EDDC households in the weeks commencing 25 September and 5 November. This was also supported by school roadshows, press releases, public roadshows, promotional material displays in public places and social media.

The campaign was jointly funded between the participating partners: EDDC, SUEZ and Alupro. The total cost of the campaign was £16,500. The income streams targeted were recycling credits, avoided waste disposal payments and materials sales.

It was noted that this campaign was the first one to use mass door drop deliveries. The effectiveness of this would be monitored and the continued use of this type of advertising activity would be assessed for other campaigns.

Food waste

This would run from November 2018 to February 2019 and was a single material campaign designed to increase capture of the most common material left in the refuse stream. At present 15% of the refuse stream was food waste. The core of the campaign would be using social media channels and supported by press releases, the Christmas bin hanger, roadshows, food waste leaflets to new properties and app 'push' messages. The income stream targeted was avoided waste disposal payments. It was hoped that this predominately social media campaign could achieve customer wide awareness.

Textile campaign

The timing for this 2019, single material campaign designed to capture more textiles at kerbside, was still to be decided. Composition analysis indicated that 3% of the remaining refuse stream was recyclable textiles. The income streams targeted would be materials sales, recycling credits and avoided waste disposal payments.

The partnership would look to learn from experience with the metal matters campaign in the use of door drop delivery advertising and working with others on a joint campaign. Partner interest and shared costs would be sought from Salvation Army.

WEEE campaign

SIMS had been in contact due to the metal matters campaign and expressed an interest in working with EDDC on a joint WEEE recycling campaign in 2019. The income streams targeted would be avoided waste disposal payments.

RESOLVED: that the recycling participation programme update report be noted.

***24 Business profiles**

Graphic representation of the following business profiles were presented to the Board:

- Recycling tonnages
- Refuse tonnages
- Green waste tonnages
- Property growth projection

The Chairman reported that Devon was the best recycling authority in the country.

The Recycling and Waste Contract Manager brought to the Board's attention that the contract tipping point in terms of property growth, 70,000 properties was projected to fall within June 2019. This was within the 2019/20 financial year and the Board were made aware that under the contract the base financial payment to SUEZ would not be made until the following financial year (2020/21) if the contract condition was adhered to.

25 Container charging for new developments

Consideration was given to the report of the Service Lead – StreetScene, which proposed charging developers for the provision of recycling and waste containers to new build properties. The current container budget for 2018/19 was £105,000 with an average 18% renewal of recycling boxes, bags and caddies per year. The budget was under pressure as property growth increased and was projected to be £7,000 overspent this year. Levying a charge of £80 per suite of receptacles (to cover all supply and transactional costs) on developers for the provision of recycling and waste containers for a new property would decrease this cost pressure, transferring it to the developers or occupiers of new properties.

Some authorities sought payment for bins through Section 106 agreements with developers for new build properties, however advice from EDDC's planning department was that this was not an option, neither was CIL (Community Infrastructure Levy). However it was possible to levy this charge through a waste policy and it was recommended that planners advise developers of the policy at the pre-application phase. Payment should be requested from the developers at the planning application stage based on the number of units proposed. This policy should also apply to every new property created, not just larger scale developments. It was agreed that the policy should apply to all new dwelling permissions from 1 April 2019.

There was a reputational risk to the Council whereby the cost of receptacles was passed on to the occupiers by the developers. This could also create a selection pressure between competing developers. However, the aim of the kerbside recycling and refuse collection system was to create a utility model. All other utility infrastructure was already paid for by developers

A number of other authorities had already introduced this charging. Exeter City Council charged for the supply and replacement of wheeled bins at a cost of £35 directly to the resident. They made no charge for recycling containers. Comparison figures from other local authorities were contained in the report.

The Board considered the proposal of charging for both new dwellings and also for replacement receptacles. Those present agreed that a charge should not be made for replacement recycling receptacles as the aim was to encourage people to recycle more, rather than disincentive them.

RECOMMENDED: that the following recommendations be made in the Service Lead – StreetScene's report to Cabinet on charging developers for the provision of recycling and waste containers and for the provision of replacement waste containers to residents:

1. that from 1 April 2019 the Council no longer supply waste containers free of charge to new build properties.
2. that a recycling and waste container charging policy based on the criteria in appendix 1 to the report be introduced.
3. that developers are charged for the supply of newly constructed property recycling and waste containers at a rate of £80 (per property for one residual bin, one green

box, one green sack, one food caddy, one kitchen caddy) and £300 per communal bin supplied.

4. that if the developer does not make the contribution for the new property's recycling and waste containers, to levy this charge to the resident. Communal bin charges would be levied to landlords/managing agents.
5. that a charge of £30 be made per wheeled bin or residual waste container where a replacement is required. Residents will not be charged where containers are damaged during collection.
6. that charges are reviewed annually as part of the annual portfolio holder charges review process.

***26 Customer services update**

The Customer Services Manager reported on call volumes. A new phone system had been introduced which allowed for much more accurate call statistics. On average 14% of the total calls received in the CSC were waste related. 88% of calls answered on the waste line were dealt with and resolved at the time by the Customer Service Advisers. 12% of calls were transferred to the waste management team for further investigation

On behalf of the Board the Chairman thanked the CSC team for all of their efforts.

RESOLVED: that the customer services update be noted.

***27 Dates of future meetings**

RESOLVED: that the forthcoming meetings of the Recycling and Waste Partnership Board be held on:

30 January 2019 – 10am

24 April 2019 – 10am – postponed to 29 May 2019

17 July 2019 – 10am

23 October 2019 – 10am

Present (Board members)

Councillors:

Councillor Tom Wright – Portfolio Holder, Environment (Chairman)

Councillor Brian Bailey

Councillor Geoff Jung

Officers:

Gareth Bourton - Recycling and Waste Contract Manager, EDDC

John Golding – Strategic Lead, Housing, Health and Environment, EDDC

Andrew Hancock - Service Lead – StreetScene, EDDC

SUEZ:

Steve Holgate - Director of Municipal Services, SUEZ

Stuart Jellings – Senior Contract Manager, SUEZ

Also present:

Councillors:

Councillor Susie Bond

Councillor Alan Dent

Councillor Eleanor Rylance

Officers:

Tammy Down – StreetScene Budget and Equipment Monitoring Officer, EDDC
Cherise Foster – Customer Services Manager, EDDC
John Hudson, Accountant, EDDC
Alethea Thompson – Democratic Services Officer, EDDC

SUEZ:

Nick Browning - General Manager, Municipal Operations, SUEZ
Harry Mcleman - Contract Manager (interim), SUEZ

Ian Hartley - Service Manager, Waste & Natural Environment, Torbay Council
Kevin Mowat – Assistant Director Business Services, Torbay Council
Cllr Dave Thomas, Torbay Council

Apologies:

Councillor Steve Gazzard (Board member)
Councillor Marcus Hartnell – Deputy Portfolio Holder, Environment (Vice Chairman)
Matthew Canning - Regional Manager, SUEZ

Chairman Date.....

Recommendations for Cabinet consideration from the meeting of the Strategic Planning Committee on 27 November 2018

Minute 27 Update report on progress, resource and staffing matters for the Greater Exeter Strategic Plan and also an update on the work programme for future East Devon Local Plan production

RECOMMENDED that Cabinet:

Include the sum of £30,000 in the draft budget for 2019/20 as this Council's contribution to the joint budget and to include a sum of £74,800 in the draft budgets for 2019/2020 and 2020/21 each year for staffing costs. Of the total budget requested of £179,600 over the two years, £97,000 will be met from reserves leaving a net additional sum requested of £82,600 required in 2020/21.

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 27 November 2018

Attendance list at end of document

The meeting started at 10am and ended at 3.16pm (the committee adjourned at 11.50 and reconvened at 1.30pm).

***22 Public speaking**

The Chairman welcomed everyone present to the meeting.

Cllr Ray Bloxham, Cranbrook Town Councillor and Devon County Councillor, outlined to the committee three areas of concern. Firstly, relating to the Cranbrook Development Plan Document process and whilst the Cranbrook DPD does not design the town centre the expansion areas of Cranbrook can offer funding opportunities for key infrastructure in and around the town centre which need to reflect the scale of the housing development. Cllr Bloxham also expressed concerns around why the Cranbrook DPD has been delayed. Secondly, since 20 March 2018 when the Strategic Planning Committee last considered the Cranbrook DPD, Cllr Bloxham raised concerns that the Town and Parish Councils involved have had no further information or engagement on the production of the Cranbrook DPD. Thirdly, Cllr Bloxham raised concerns that there has been a continued justification from planning officers for the inclusion of the Green Wedge between Cranbrook and Rockbeare in the Cranbrook DPD. He further explained that Green Wedge policies are key elements of the Local Plan and the Rockbeare Neighbourhood Plan and should not be overridden.

***23 Minutes**

The minutes of the Strategic Planning Committee meeting held on 4 September 2018 were confirmed and signed as a true record.

***24 Declarations of Interest**

Councillor Geoff Jung - minute 25 - Personal interest – Member of Campaign to Protect Rural England

Councillor Geoff Jung – minute 34 – Personal interest – Member of the Community Infrastructure Levy Members Working Party

Councillor Peter Faithfull – minute 25 - Personal interest – Member of Campaign to Protect Rural England

Councillor Susie Bond - minute 25 - Personal interest - Member of Campaign to Protect Rural England

Councillor Susie Bond – minute 34 – Personal interest – Member of the Community Infrastructure Levy Members Working Party

Councillor Mike Howe – minute 34 – Personal interest – Chairman of the Community Infrastructure Levy Members Working Party

Councillor Jill Elson – minute 34 – Personal interest – Member of the Community Infrastructure Levy Members Working Party

Councillor Geoff Pook - Personal interest - involved in the construction industry

Councillor Geoff Pook – minute 31 – Personal interest – Member of the East Devon Area of Outstanding Natural Beauty

Councillor Graham Godbeer – minute 31 – Personal interest – Member of the East Devon Area of Outstanding Natural Beauty

Councillor Paul Diviani – minute 31 – Personal interest – Chairman of the Blackdown Hills AONB

Councillor Roger Giles – minute 30 – Personal interest – Member of the Ottery St Mary Heritage Society

25 Future Housing Needs and Requirements in East Devon

The Service Lead – Strategic Planning and Development Management presented the report which outlines how the Government's Housing Needs Calculator has been used to produce a figure of 844 homes per year for East Devon in 2017, as well as the impacts of demographic change and how the affordability ratio is applied.

The report also highlights the changes since the report on growth principles at the September meeting and how new household projections data suggests an uplift to 953 homes per dwelling for East Devon in 2018. It is notable that within East Devon the annual housing needs from 2017 to 2018 has increased, especially when nationally it is in decline. Therefore, the Government are proposing in their consultation document that, for the short term, the household projections published in 2017 be used for housing need outputs to overcome an England wide picture of a housing needs outcome that falls below the 2017 generated level (and also below Government aspirations for 300,000 per year being built). In the longer term, they identify a need for a revision of the methodology to calculate local housing needs. This leads onto the proposed responses from this Council which will be submitted to the Government's consultation on a proposed revised approach to determining housing numbers.

Furthermore, the report also highlights the CPRE evidence and picks up the issues raised in that document and how the conversation around housing needs for all groups can be taken forward. This will be driven through the commissioning of an independent study to consider the specific housing needs of all groups within the community and how these needs make up the overall housing needs for the area. Following this a Member workshop will be set up to consider the findings of the housing needs study and overall housing need.

Discussion covered:

- Clarification was sought as to why East Devon has an increased housing need. In response, the committee were advised that it is partly a result of demographic changes, household projections and affordability ratios within the district. Furthermore, there is a current debate around the usability of the calculator, which has resulted in now using the 2017 housing needs data.
- Concerns around the dysfunctional housing market and how it restricts the development of affordable housing.
- Concerns around the lack of diverse housing developments to meet community need. In response, the committee were advised that the Oliver Letwin Review report identifies options to diversifying housing on large scale developments. It is important to understand what local people need and then to evidence that if we are to have policies in the future to diversify the housing market in East Devon.
- That inward migration is an uncontrollable unknown factor.
- The need to encourage young people to stay within the district to diversify communities.
- Clarification on when the employment monitoring report will be presented to the Strategic Planning Committee. In response, the committee were advised that the employment monitoring report will be presented in January 2019.
- Clarification on when the housing needs member workshop would be held and who would be invited. In response the committee were advised that the would

be with Members, CPRE, the National House Builders Federation and any other relevant bodies in the spring of 2019.

- That an alternation be made to the response to question one in Appendix 1 of the report. That a sentence be added at the beginning of the response to state “crude demographic trends take no account of local infrastructure, type of housing needed or sustainable communities.”

RESOLVED:

1. That the motion on future housing provision in East Devon from the Council meeting of 24 October 2018 be noted.
2. That the proposed responses to the Government consultation on a proposed revised approach to determining housing numbers contained in Appendix 1 to this report be approved, subject to a sentence to be added to the beginning of the response to Question 1 to read: ‘crude demographic trends take no account of local infrastructure, type of housing needed or sustainable communities’.

RECOMMENDED TO COUNCIL:

3. That an independent study be commissioned to consider the specific housing needs of all groups within the community and how these needs make up the overall housing need for the area.
 - a. That a budget of up to £30,000 be set aside to meet the costs of the study.
 - b. That a Member workshop be set up in the new year to consider the housing needs study and the overall housing need.

***26 Housing Monitoring Report to Year Ending 31 March 2018**

The committee considered the Service Lead – Planning Strategy and Development Management’s report outlining the latest monitoring figures on housing completions and projections and setting out the five year housing supply calculation to year end March 2018. The five-year land supply based on the 2018 figures showed that the Council could demonstrate 5.71 years supply of land for housing. However, this year’s five-year land supply figure is down from the previous year. Furthermore, although the number of homes delivered compared to last year has increased, this Council is still not achieving its average target. The projections are ambitious for the future however; some strategic sites have only recently started to deliver house building and so there is a reasonable expectation that delivery will ramp up on these sites over the coming year and increase delivery.

Discussion covered:

- Clarification was sought on the percentage of affordable housing prescribed in planning applications, as well as the percentage of affordable houses that have been delivered. In response, the committee were advised that currently this Council aims to deliver 25%-50% affordable housing and that the current delivery is at 12% - 15% based simply on the number of affordable homes as a proportion of the total number of homes delivered.
- Clarification on the Housing and Economic Land Availability Assessment (HELAA) report and how the monitoring report is based on this. In response, the Housing Monitoring is based on the methodology of the HELAA which details how availability and deliverability should be assessed but not on the outputs of the HELAA which have not been published. The HELAA methodology had previously been agreed by Strategic Planning Committee.

RESOLVED:

That the residential completion data and future projections in the District be noted.

27 Update report on progress, resource and staffing matters for the Greater Exeter Strategic Plan and also an update on the work programme for future East Devon Local Plan production

The report presented to the committee summarised the backstory to the Greater Exeter Strategic Plan (GESP) and its benefits, as well as the need to retain the two additional members of staff to provide sufficient capacity in the Planning Policy Team to continue to work on the Greater Exeter Strategic Plan. The Service Lead – Planning Strategy and Development Management also highlighted that there is a need to fund the continued preparation of the necessary evidence base for the plan over the next year. The report also provided a future timetable for the GESP; the next consultation for the GESP will be in June 2019, which will be based on draft policies and site options, with the draft plan consultation envisaged for the latter part of 2019 and the final publication of the GESP in early 2021.

Points raised during the discussion included:

- Agreement that the work being undertaken on the GESP is vital to East Devon and the need to ensure this Council funds the staff required.
- Clarification on whether minutes are available from the GESP Officers' meeting. In response, the committee were advised that the reports that come to this committee regarding GESP are produced by the Officers that attend the GESP meetings.
- Concerns around the lack of transport for young people to access higher education facilities.
- Clarification on whether the review of the Local Plan will produce a new Local Plan. In response, the committee were advised that the current Local Plan runs to 2031 and that the final published GESP will run until 2040. The Service Lead – Planning Strategy and Development Management highlighted that the timeline for adoption of a Local Plan Review is a long way off but it is important to bear in mind that the GESP will supersede large sections of the currently adopted Local Plan and so in many respects the Local Plan Review is already well underway.
- Clarification on whether the 5-year land supply for each local authority collaborated in the GESP will remain individual or become combined. In response, the committee were advised that the decision has not been made but will need to be considered by Members in due course.
- Concerns that the timetable for the revision of the local plan is indeterminate and that officers are requested to provide clarity on the review of the Local Plan timetable at the next committee. In response, the committee were advised that the gathering of evidence for the review of the Local Plan is already underway, for example Urban Capacity Assessments, however there is only so much officers can do with regard to the Local Plan due to the production of GESP. The committee were also advised that this Council has a duty to cooperate with other neighbouring authorities on the review and production of the Local Plan.
- Clarification was sought on whether the Independent Reference Forum is going to meet regarding GESP. In response, the committee were advised that the Independent Reference Forum will meet, however, there is a delay caused by the current examination of Mid Devon District Council's Local Plan.

RESOLVED:

1. That the future work programme for Greater Exeter Strategic Plan production be noted.
2. That the proposed work plan for new East Devon Local Plan production in the light of Greater Exeter Strategic Plan timetables be noted.
3. That the establishment of a joint budget for the 2019/2020 financial year of 150,000 to fund the continued preparation of the necessary evidence base for the plan on the basis of an equal split of £30,000 per district/city/county Council level authority be endorsed.
4. That the retention of the two additional members of staff to provide sufficient capacity in the Planning Policy Team to continue to work on the Greater Exeter Strategic Plan and backfilling within the planning policy team (non-GESP) to provide coverage for the seconded officer to GESP be endorsed.
5. That a detailed timetable for the review of the Local Plan be presented at the next Strategic Planning Committee;
6. That the Independent Reference Panel be engaged during the production of the Greater Exeter Strategic Plan.

RECOMMENDED TO CABINET:

To include the sum of £30,000 in the draft budget for 2019/20 as this Council's contribution to the joint budget and to include a sum of £74,800 in the draft budgets for 2019/2020 and 2020/21 each year for staffing costs. Of the total budget requested of £179,600 over the two years, £97,000 will be met from reserves leaving a net additional sum requested of £82,600 required in 2020/21.

***28 S106/Community Infrastructure Levy Developer Contributions Annual Report 2017/18**

The report presented to the committee outlined the management and allocation of resources accrued through planning obligations and is the latest in a series of annual reports on the spend of monies collected through Section 106 agreements. This latest report also advises on the monies collected from the Community Infrastructure Levy (CIL), which has been collected in the 2017/18 financial year.

Points raised during the discussion included:

- Concerns that some developer contributions have a set timeline for expenditure. In response, the committee were advised that the S.106 officer retains a list of developer contributions and their relevant timelines and is going to structure the engagement with Town and Parish Councils accordingly.
- Clarification on whether this Council receives a report from each Town and Parish Council outlining how they have spent CIL contributions. In response, this is not something that is regularly carried out, however, it is something that the S.106 monitoring officer could pursue and include in this annual report going forward.
- Clarification as to whether this Council could ask Town and Parish Councils to contribute to strategic infrastructure developments locally. In response, the committee were advised that this Council could broach a conversation with Town and Parish Councils regarding collaborative funding for key infrastructure projects.
- Clarification on CIL expenditure is designed to mitigate the impact of new development. In response, the committee were advised that if a Town or Parish Council has a neighbourhood plan they would receive 25% of CIL which is

subject to certain limitations on use. However, Section 106 monies do have restrictions on its expenditure and will be returned if it is not spent.

- Clarification was sought on the pooling restrictions of Section 106 money and its expenditure. In response, the committee were advised that Section 106 money should be spent adjacent to, or near to the development concerned and must be used to mitigate the harm caused by the development. CIL collected by this Council must be used to unlock future developments.

RESOLVED:

1. That the contents of the S106/Community Infrastructure Levy Developer Contributions Annual Report 2017/18 be noted.
2. That a report outlining Community Infrastructure Levy and Section 106 expenditure by Town and Parish Councils in East Devon be presented to the Strategic Planning Committee in due course.

***29 Government Response to Consultation on Developer Contributions**

In March 2018, alongside consultation on the draft National Planning Policy Framework, the Government also issued a consultation seeking views on a series of reforms to the system of developer contributions. Members will recall that the April 2018 meeting of this committee endorsed a response to this Government consultation. The Government has now responded to the consultation through a summary of consultation responses, and has presented their view on the way forward.

There is currently a limit on the pooling of section 106 contributions, which means that no more than five such contributions can be required for the same infrastructure project or type of infrastructure (where entered into since 6 April 2010). The Government consultation proposed to lift this restriction in certain circumstances. Given that the pooling restriction was a key to encouraging councils' to introduce CIL, the Government will put measures in place to incentivise the uptake and continued use of the Levy to collect contributions towards addressing the cumulative impact of development; although they have not said what these measures are.

Furthermore, the current requirement for preparing a charging schedule is for two rounds of consultation (on a 'preliminary draft' and a 'draft'). There was broad support for the Government proposal's to streamline this requirement. There will continue to be an obligation to consult on draft charging schedules, but the current requirement for two separate rounds of consultation will be removed.

Finally, in order to improve transparency around the system of developer contributions, the Government is taking forward proposals to require reporting of contributions from CIL and s.106 planning obligations in an "Infrastructure Funding Statement". These statements will be prepared by local authorities, and are supported for providing greater clarity and transparency.

Points raised during the discussion included:

- Clarification on whether Members' will have access to the evidence and information regarding the production of the updated charging schedule. In response, the committee were advised that the appointed consultants, Three Dragons, have been commissioned to assess the evidence and viability of developments across the district, which determines the charges geographically, that includes the differences between the coasts and inland development. This will be presented to Members early next year. There are current delays to the

production of the updated charging schedule due to uncertainty with national policy changes and issues with aligning the charging schedule with the Cranbrook Development Plan Document.

- Clarification was sought on the decision to remove Cranbrook from the CIL Charging Schedule. In response, the committee were advised that a decision has not been made regarding the removal of Cranbrook from the CIL charging schedule.
- General support for the removal of Cranbrook from the CIL Charging Schedule.
- Concern that large self-build developments do not contribute to CIL and there should be a limit to the number of these allowed in the district. In response, the committee were advised that CIL contributions are dependent on the floor space of a development and therefore the larger the developer the more CIL is paid. There are however exemptions including for self-build developments. Members were reminded that under the legislation “self-build” is not interpreted literally and so the self-commissioning of a home is sufficient to gain the exemption, however the legislation has strict rules that have to be complied with to qualify for the self-build exemption.

RESOLVED:

1. That the Government response to consultation on reforming developer contributions be noted; and
2. That the update on preparation of a revised East Devon Community Infrastructure Levy Charging Schedule be noted.

***30 Heritage Strategy**

The Service Lead – Planning Strategy and Development Management presented the report, which sought agreement for a public consultation to be undertaken on the draft Heritage Strategy in accordance with the adopted Statement of Community Involvement.

The Heritage Strategy outlines three themes:

- Theme A describes our historic environment and provides information on its designated and undesignated heritage assets and their significance.
- Theme B sets out current policies and programmes relating to development management, conservation areas and heritage assets at risk.
- Theme C looks at the value of our heritage as a part of sustainable development, and the social, economic and environmental benefits it provides for East Devon.

The report also summarises the actions required under each of these which all have their own resource implications.

Cllr Helen Parr, Lead Councillor for Building Design and Heritage, highly recommended the draft Heritage Strategy outlining the positive benefits of our historic environment, that the strategy has a strong theme of working with local interest groups and encompasses the expertise and enthusiasm of local people. Cllr Parr highlighted the exceptional work undertaken by the village of Colyton who celebrate their historic environment by producing historic banners and leaflets, as well as holding engagement days involving local schools and theatre groups.

Points raised during the discussion included:

- Concerns were raised that the conservation of local heritage could have detrimental impacts on future development and that the strategy should only

protect heritage assets where necessary. In response, the committee were advised that the strategy is about striking the right balance between the need for future development and conserving the heritage that is valued by local communities.

- Clarification was sought as to whether the Heritage Strategy is an advisory document or the introduction of new policies. The committee were advised that the strategy is a proactive document designed to guide the implementation of current policies and not the introduction of new ones.
- That the national theme on heritage is to conserve and enhance.
- Agreement that future development and innovation should not be perturbed.
- That planning officers and Members of the Development Management Committee must always make balanced decisions and that this strategy goes some way to supporting those decisions.
- Recognition that this Council has been criticised in the past for not having a robust Heritage Strategy.
- That the developments built today must be of exceptional quality and design as they will be the heritage of the future.
- Concerns from some members that the Heritage Strategy could become weakened and reiterated the importance of heritage in tourism and the economy of East Devon.

RESOLVED:

That the draft Heritage Strategy is agreed for public consultation in accordance with the adopted Statement of Community Involvement.

***31 Glover Review of Designated Landscapes - Call for Evidence Response**

The report presented to the committee advises that the Government has requested an independent review of England's National Parks and Areas of Outstanding Natural Beauty (AONB) and whether they are fit for purpose. The review began in the summer of 2018 and will run until late 2019. The review is currently requesting a call for evidence and there are currently no proposals to alter designations at this stage. The report contained the Council's proposed response to the call of evidence.

Points raised during the discussion included:

- Some members expressed the aspiration of designating the current East Devon and Blackdown Hills AONB's to National Park status. The reasons for doing so included having a greater status, comparable to other areas where it works well, increased funding and that planning would still be controlled by this Council.
- Other members held a contrary view and felt that although AONBs are much smaller they are rooted in local communities and their boards involve local people with knowledge and expertise of the area.
- It would cost £20 billion to change the designation of an AONB to a National Park with no benefit.
- Clarification was sought about whether funding for farming and agriculture will change post March 2019. In response, the committee were advised that there is uncertainty surrounding this however; there are current proposals to replace the Agricultural Bill and its funding mechanisms.
- The definition of a National Park incorporates 'open space for recreation' which is not applicable to East Devon and it would place pressure on those to provide it.

RESOLVED:

That the proposed response to the Glover Review of Designated Landscapes be endorsed.

***32 Landscape Character Assessment – Draft Report and Proposed Public Consultation**

The Service Lead – Planning Strategy and Development Management presented the report which was commissioned jointly by East Devon District Council, Devon County Council, the Blackdown Hills AONB partnership and the East Devon AONB partnership to create a better evidence base to understand the character of our landscape and the impact of development. This report will form as part of the evidence base for the review of the Local Plan. Furthermore, the proposal is to undertake a limited public consultation with target interest groups before the final publication of the document.

Points raised during the discussion included:

- Clarification was sought as to whether the Town and Parish Councils would be included in the limited consultation. In response, the committee were advised that the document would be sent to Town and Parish Councils during the consultation period.

RESOLVED:

1. That the assessment and findings in the draft Landscape Character Assessment report be endorsed; and
2. That the public consultation of this draft document to run for six weeks be agreed.

***33 Cranbrook Plan Development Plan Document**

Cllr Jeremy Wollen, Chairman of Rockbeare Parish Council, expressed concern regarding the proposed expansion of Cranbrook into neighbouring areas as set out in the Cranbrook DPD. He highlighted that the neighbouring communities were promised that the land to the south of the old A30 would not be developed and now the current Cranbrook DPD questions the integrity of the Local Plan and the Rockbeare Neighbourhood Plan. Rockbeare Parish Council and the community of Rockbeare produced a robust Neighbourhood Plan and have put their faith in planning policies to protect and retain the Green Wedge.

Cllr Mark Readman, Rockbeare Parish Councillor, again relating to the Cranbrook Development Plan Document, commented that under the Localism Act 2011, the parish council and local people came together in a neighbourhood forum to determine the designation of housing and neighbourhood shops. In 2012, Rockbeare Parish Council set out their Neighbourhood Plan and decided that they wanted to remain separate from any future development in East Devon's West End. He further commented that East Devon District Council's Local Plan includes Strategy 8, which refers to the development of Green Wedges and states that development within Green Wedges, would not be permitted if it would add to existing, sporadic or isolated development and would damage the individual identity of a settlement or could lead to settlement coalescence. Cllr Mark Readman further explained that any additional houses built in Cranbrook should be outside the designated Neighbourhood Plan

areas of Rockbeare, Broadclyst and Clyst Honiton. Finally, he emphasised the time and money spent in putting together the Rockbeare Neighbourhood Plan which contains a core proposal of Rock06 which looks to protect the Green Wedge which holds a 93% approval rating.

Cllr Ron Forrest, Rockbeare Parish Councillor, again relating to the Cranbrook Development Plan Document, highlighted the enormous programme of housing that is being developed in and around the vicinity of Cranbrook which will overwhelm the village of Rockbeare. Cllr Forrest commented that 81% of housing development is going to be located on green-field sites and will reduce the amount of productive farmland. He also commented that 93% of Rockbeare residents are against the 1550 new houses that are planned as part of the Cranbrook expansion and do not want development to encroach into Rockbeare. Finally, Cllr Forrest expressed that the Rockbeare Neighbourhood Plan should not be overridden.

Paul Smith, speaking as a member of the public, also spoke to the committee about the Cranbrook Development Plan Document. He advised that much of the land overlooking the Rockbeare Valley is unspoilt landscape and that Savills, who were commissioned by East Devon District Council, identified an adverse visibility impact of development and gave alternative options – this advice has been ignored. Mr Smith raised concerns on the loss of green land and the negative impacts on local wildlife and biodiversity.

The committee considered the Service Lead's – Planning Strategy and Development Management report which provides an update on the production of the Cranbrook Plan Development Plan Document and associated timescales, as well as outlining current planning applications and development in the town. It is stressed that this report is not the final draft of the Cranbrook Development Plan Document.

The proposed publication draft of the Cranbrook Plan will be reported to Strategic Planning Committee and Full Council for endorsement to submit to the Planning Inspectorate for examination in public; it is anticipated that the plan will be presented to Strategic Planning Committee at the meeting of 29 January 2019 and will then go to Full Council on 27 February. Following this endorsement, a consultation would take place for a period of not less than 6 weeks. Following this final period of consultation the DPD and associated documents and supporting evidence, including comments received during the consultation, will be submitted for examination. On final adoption by the Council the plan will carry its full statutory weight in decision making processes.

Points raised during the discussion included:

- The need to ensure that Members have all the facts and evidence in front of them during the committee meeting in January 2019 in order to make an informed decision.
- Concerns were raised regarding the reputation of the Council when departures are made from the Local Plan and Neighbourhood Plans.
- Concerns were raised around the Cranbrook development and that the Council is not fulfilling its promise for a balanced community.
- Recognition of the village of Rockbeare and its initial resistance to being joined up to Cranbrook.
- Concerns that the Council is encouraging Town and Parish Councils to invest time and money into producing Neighbourhood Plans for them to be overridden by the Local Plan.

- Concerns that the Council is not adhering to Strategy 8 of the Local Plan where the land between Rockbeare and Cranbrook has been designated as a Green Wedge. In response, the committee were advised that all of the evidence has been assessed with regards to the land south of the A30 and it shows that there is room for development without it leading to the coalescence of Cranbrook and Rockbeare. However, alternatives are still being assessed but there is going to have to be compromises made in the near future.
- The need to uphold the integrity of the neighbourhood planning process in East Devon.
- The need to preserve green wedges throughout East Devon to ensure outstanding communities.
- The recognition that the Planning Inspectorate examines developments on the wording of policies and not the boundaries on a map and officers have to make a judgement on whether developments cause areas to coalesce.
- Members requested that the report presented to the committee regarding the draft Cranbrook Development Plan Document must contain all of the evidence information, and alternative options so that Members can make an informed and balanced decision regarding future development.

RESOLVED:

That the Cranbrook Plan Development Plan Document report be noted.

***34 Community Infrastructure Levy Members Working Party Terms of Reference**

The Service Lead – Planning Strategy and Development Management presented the Community Infrastructure Levy Members Working Party Terms of Reference to the committee.

Members considered the Community Infrastructure Levy Members Working Party Terms of Reference.

RESOLVED:

That the Community Infrastructure Levy Members Working Party Terms of Reference be agreed.

Attendance list

Committee Members:

Councillors:

Paul Diviani - Chairman

Mike Allen – Vice Chairman

Susie Bond

Jill Elson

Left the Chamber at 2.50pm and did not vote on minutes 33 and 34

Graham Godbeer

Mike Howe

Entered the Chamber at 11am and did vote on minutes 25, 26 and 27

Geoff Jung

Rob Longhurst

Geoff Pook

Eleanor Rylance

Philip Skinner

Also present (present for all or part of the meeting):

Councillors:

Ian Thomas

Andrew Moulding

Roger Giles

Helen Parr

Peter Faithfull

Simon Grundy

Alan Dent

Officers present (present for all or part of the meeting):

Mark Williams, Chief Executive

Ed Freeman, Service Lead – Planning Strategy and Development Management

Matt Dickins, Planning Policy Manager

Tim Spurway, Planning Officer

Graeme Thompson, Senior Planning Officer

Shirley Shaw, Planning Barrister

Tabitha Whitcombe, Democratic Services Officer

Apologies:

Councillors

Colin Brown

Mark Williamson

Ian Hall

Brian Bailey

Matt Booth

Stuart Hughes

Chairman Date.....

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

Scrutiny Committee on 22 November 2018

Minute 34 Resolution by Cabinet of 31 October to refer a recommendation back to Scrutiny Committee for further explanation
RECOMMENDED by the Scrutiny Committee:
<p>Recommended to Cabinet</p> <p>That the Council should aim to build a resilient local economy which is as self-sufficient as possible, at the same time as encouraging exports from local businesses and foreign direct investment which benefits the local economy and with particular reference to the Enterprise Zone.</p>

Minute 36 Update report on Street Trading
RECOMMENDED by the Scrutiny Committee:
<p>Recommended to Cabinet</p> <p>That Cabinet endorse the Street Trading Policy of using biodegradable materials wherever possible and not relying on single use plastics as indicated in their report to Scrutiny Committee (Item 10, paragraph 4.1) and support a reduction in plastic waste.</p>

Minute 38 Review of the Streetscene Service Plan
RECOMMENDED by the Scrutiny Committee:
<p>Recommended to Cabinet</p> <ol style="list-style-type: none"> 1. that this committee seeks endorsement for the new approach in developing Nature Recovery Corridors across the District. 2. that this committee seeks the continuing support of Cabinet to expanding the Green Waste Service.

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 22 November 2018

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.32pm.

***29 Public speaking**

There were no members of the public present.

***30 Minutes**

The minutes of the Scrutiny Committee held on the 4 October 2018 were confirmed and signed as a true record.

Cllr Gardner indicated by email that she wanted to ask when members would get an update for the items outstanding from minute 25 on 4 October, the Electoral Services update. The Returning Officer, Mark Williams, was present and provided an update verbally at the meeting on the recommendations requiring his input as follows;

1. That consideration be given to offering training to agents and candidates of political parties in line with Electoral Commission guidelines – training will be offered but attendance cannot be mandated, and a short document will be produced highlighting key points for candidates at the point of their confirmation of acceptance and nomination. Mark pointed out that the legal status of agents and candidates was such that candidates were responsible for actions taken by their agents.
2. That the Committee endorse the increase in staffing resource when necessary to secure the effective running of elections – this is duly noted and there are four members of staff employed presently.
3. That a documented proofing procedure for the printing of election materials is developed – this is duly noted. At present the emphasis is getting the register sorted out before 1 December, but immediately following that procedure notes will be put in place.

***31 Apologies**

The Chair announced that it was his sad duty to recognise the loss of a good friend and valued colleague in Councillor Bill Nash who is no longer with us. He invited colleagues to make comments. Councillor De Saram shared his memories of Councillor Nash. Members stood for a moment in his memory.

***32 Declarations of interest**

Councillor Roger Giles – Minute *36, Update report on Street Trading

Type of interest – Personal interest

Reason – Member of Plastic Free Ottery

Councillor Mike Howe – Minute *34, Resolution by Cabinet of 31 October to refer a recommendation back to Scrutiny Committee

Type of interest – Personal interest

Reason – Owns a local business

***33 Matters of urgency**

The Chair referred to a letter he had received in relation to St John's Court, Exmouth, the future of which had been debated at a meeting of the Scrutiny Committee in October 2016 and resulted in several recommendations. He read out the letter of 1 November, which was from the Secretary of State for Health & Social Care to Mrs Dot Taylor, confirming that the Devon Partnership NHS Trust had no plans to dispose of the site.

***34 Resolution by Cabinet of 31 October to refer a recommendation back to Scrutiny Committee for further explanation:**

On 4 October the Scrutiny Committee made a recommendation to Cabinet on 31 October relating to Minute 26 Review of Economy & Regeneration Services and the Growth Point Team service plans 2018/19, as follows;

“that the Council should aim to boost resilience of the local economy and develop a self-sufficient economy as much as possible, whilst maintaining an international focus”.

At Cabinet, clarification was sought which the Chair was unable to provide at the time and the recommendation was referred back. Following communication with Councillor Rylance who had proposed the recommendation, the intention had been to provide support for indigenous businesses in East Devon. Mark Williams clarified that Cabinet wanted to focus resources where they could have maximum impact and whilst support for boosting the local economy was understood, the introduction of an international focus created two aims which would be difficult to resource. The important element of this issue was to encourage businesses to start, stay and grow, and there should be reference to the Enterprise Zone. The Chair proposed the following recommendation back to Cabinet.

RECOMMENDED to Cabinet

“That the Council should aim to build a resilient local economy which is as self-sufficient as possible, at the same time as encouraging exports from local businesses and foreign direct investment which benefits the local economy and with particular reference to the Enterprise Zone.”

***35 Update on Enforcement issues in relation to trees**

Following the Scrutiny Committee meeting on 6th September, the Chairman formally made a request for Karen Jenkins to raise at the next Senior Management Team (SMT) meeting on 19th September, in relation to issues debated by Scrutiny members.

SMT was asked to consider the introduction of a Key Performance Indicator (KPI) relating to damage/removal of trees and initiation of legal proceedings. In response to this, the Service Lead for Planning provided a list of the tree related enforcement cases recorded on the system since the start of 2017, with a brief summary of the case and the outcome.

Mark Williams clarified that from the information it can be seen that action is taken when necessary, but also that it is not feasible to take action in a lot of cases. With KPIs it is necessary to check if they focus on the right things, and what the key issue is in relation to trees. Whether there are enough trees and whether more should be planted across the district, rather than focussing on the reactionary issues such as complaints which are being dealt with. Mark Williams confirmed that at the meeting of the Senior Management team, it had been suggested that the team which was responsible for this area of work, the Tree Team, should be invited to identify which measures might be effective in dealing with these issues. He suggested that members wait for officers to report back on measures they considered would be helpful.

Councillor Howe confirmed that the Countryside Team were engaged in a Systems Thinking Review and the Planning Team was putting a new IT system in place, so they needed time to consider options before reporting back to committee.

The Chair proposed that a performance measure in relation to trees was desirable and officers would be asked to explore this and report back to Scrutiny Committee.

RECOMMENDED to the Service Leads for Countryside & Arts, and the Planning Service

“That officers consider key issues in relation to trees across the District, particularly whether there should be more planting, with a view to proposing a new Key Performance Measure and reporting back to Committee in six months time.”

***36 Update report on Street Trading**

This report provides an update for the Scrutiny Committee on the implementation and delivery of Street Trading since changing to a Consent designation on 2 October 2017.

Comments and questions included the following;

Question relating to paragraph 3.3. Has this led to an increase in street cleansing due to litter? The response was that the Licensing team work closely with the Streetscene team, developing a strategy for all major events to coordinate activities. There is a requirement for traders to take litter away, which is checked.

Question relating to paragraph 4.3. Has anything resulted from Street Trading which has had an adverse impact on established businesses? The response was that this has not been noticed at present. The team are mindful of possible impacts and it is a policy to review applications which conflict with local businesses.

Question relating to paragraph 5.2. There are groups such as Plastic Warriors which operate in Sidmouth effectively, so how can we encourage such groups to develop across the district?

The response was that there are other groups such as in Ottery St Mary, which operate deposit schemes to deal with plastics at events like Tar Barrels. The team will seek to encourage this with all large planned events.

The Chair confirmed that the clean up after Tar Barrels was a spectacular and comprehensive success through initiatives such as the £1 deposit scheme on plastic mugs.

Question relating to situations if traders were not willing to address the issues. Steve Saunders confirmed that legislation allowed the team to create conditions on the application. This issue could be factored into license conditions and was an area of work to be developed further in 2019.

Question relating to Cranbrook. Cranbrook is designated a healthy town according to NHS regulations, so why was it allowed to have another take-away license approved? Steve Saunders confirmed that it appeared to be an emerging trend of traders from elsewhere to try to operate in Cranbrook. On this particular issue, the Town Council did not object to the street trader but a resolution was subsequently passed on whether to object or not. The licensing team are currently awaiting a view from the Town Council.

Question. Will there be a review of commercial charges for businesses in spring 2019, which would increase resources and enable greater control? Can food hygiene certificates be displayed? The response was that a report was taken to the Licensing & Enforcement Committee this week on this matter and a further report would be prepared for February identifying a fee structure for commercial premises. There are businesses reacting to changes in licence applications, and there is an option to review existing licences. This will be developed further in 2019.

Question relating to staffing in the Licensing team. Has an extra full time post been created in the team? The response is that a post was factored into the budget for 2015/16 and is now in place.

Question relating to comparative statistics. Are any statistics available to compare the situation before and after the changes to street trading? Steve Saunders confirmed that there were no comparative figures because it was a prohibited scheme prior to October 2017. Since then, they had processed 175 applications which represented between 2-3,000 individual traders.

Question relating to the impact of an increased workload due to street trading changes, on other areas of work. Steve Saunders confirmed that there had been an increased workload but the team had been able to deal with this over the year. The team have two performance indicators relating to the number of licensed premises inspections and number of taxi inspections, and since the team has been fully staffed, there have been no backlogs or missed deadlines. Proactive work has taken a back seat but all statutory work has been completed.

Question relating to other events such as the 'Gate to Plate' event in Honiton. The response was that the Licensing team are regulators and not events organisers, so ensure that all events are safely regulated.

Question relating to work between the Licensing Team and Streetscene. The response was that progress has been positive with the Events Manager recruited by Streetscene working closely with the Licensing Team's Street Trading officer. There is streamlining of the application process to be done which requires the input of Strata, but coordination is much improved since 10 months ago.

Councillor Steve Hall, Chairman of the Licensing Committee, commented that the team had been aware of the increased workload over the last year but there had been no complaints from the police or public. The regularisation of matters had put a much stricter regime in place, fees will be received and issues can be progressed on some very complicated events which take place in the district.

The Chair wanted to record the thanks of the Committee to Steve Saunders and Councillor Hall for attending, and proposed a recommendation which was agreed unanimously.

RECOMMENDED to Cabinet

"That Cabinet endorse the Street Trading Policy of using biodegradable materials wherever possible and not relying on single use plastics as indicated in their report to Scrutiny Committee (Item 10, paragraph 4.1) and support a reduction in plastic waste."

***37 Review of the Planning & Planning Policy Service Plan**

At its meeting on 5 July, Scrutiny Committee agreed to review existing service plans ahead of the formal budget setting process, and specifically to receive presentations on existing service plans at its forthcoming meetings prior to February 2019. The review continues with consideration of the current service plans for the [Planning & Planning Policy Service](#).

The Chairman stressed that questions and comments should be about the service plan, and should not go into planning and strategic planning issues where the remit rests outside the Scrutiny Committee.

Comments and questions included the following;

Question relating to Item 9 of the Service Plan. Are there lessons to be learnt about appeals which are lost? Ed Freeman confirmed that there are always lessons to be learnt about appeals and there is a monthly report to Development Management Committee (DMC) and an Annual Report on the issue. The performance of EDDC is on a par with other Local Authorities, with approximately two thirds of appeals being dismissed and one third being upheld.

Question relating to Item 15 of the Service Plan. Where can the Brownfield Land Register be accessed? Response, on the website.

Question relating to Items on page 10 of the Service Plan – building control and high quality homes. Which of the big developers use their own building control services, and does quality suffer as a result? Ed Freeman confirmed that the Council do not have building control in every development across the District but do have a good market share. In some developments,

inspections are not as thorough or as frequent when private companies inspect, compared to when the Council do. However, all developers have to comply with legislation and standards. In the case of unhappy customers, following Grenfell, there has been a review of Building Standards and inspections, so changes to legislation are anticipated.

Question relating to Items on page 11 of the Service Plan – District Design Guide. Is there a move to ensure minimum home space standards are adopted? The response was that the Design Guide cannot deal with this issue which must be addressed through the Local Development Plan, which will be reviewed next year, and through similar documents like the Cranbrook Development Plan.

Question relating to whether the Design Guide will be completed by late 2018. The response was that the Design Guide has been delayed due to the officer resource being committed to the production of the Heritage Strategy, which has been completed on time. The Design Guide should be ready before March 2019 and ready to send out for consultation.

Question relating to flood mitigation measures. Exmouth continue to have problems including sewerage entering people's homes. With heavy rainfall and high tides, water cannot run off to the Exe and so flooding the streets, hence the reason for a Tidal Defence Scheme which will cost £13m. The system was constructed in Victorian times and cannot keep up with new developments, but 700+ houses are planned for the area. A conversation is required with South West Water (SWW) involving Planning. Ed Freeman confirmed that he would be happy to attend a meeting with SWW. He had recently attended a meeting of Lymington's Flood Resilience Group with the Environment Agency and SWW where it was explained that there was no action they could take. SWW are required to connect developments and create the necessary infrastructure for this, but not to challenge or comment on applications, so they also end up picking up the consequences.

Question on what would be different between the existing Service Plan and the one in development for 2019/20. Ed Freeman confirmed that they will continue to deal with business as usual, but also undertake a number of policy and service improvements. This will include a Local Plan Review and progress on the Greater Exeter Strategic Plan (GESP) mid to late 2019. The Service is also hoping to encourage diversity in housing delivery. The government is encouraging more housebuilding and EDDC wants to encourage more self-build and small to medium house builders who are more likely to diversify and produce high quality properties. The District needs a mix of housing stock and additional care places, and homes for young people and older people with mobility difficulties. Alongside this will be a proactive approach to unlocking sites and bringing them forward for such developments.

The service had attempted to recruit a Development Delivery Manager unsuccessfully but are now planning to use specialist agents to do so.

In terms of service improvements, there are planned improvements to the website and increasing public access through better software, and improving the quality of plans available to view, and generally improve planning business online.

The National Planning Policy Framework has changed and the Design Guides need to catch up.

The chair asked whether there would be additional funding bids for staffing next year. Ed Freeman confirmed that there would be no new bids but with a caveat that resources were put aside for two officers to support the GESP team two years ago and since this arrangement was coming to an end, a request had been made to extend this for a further two years to complete the work of the GESP.

Questions relating to gaps in services. Ed Freeman stated that efforts to resolve access to the S106 officer and information on monies for Parish Councils would be addressed by the setting up of a public portal. The portal needs further work by Strata presently, but it is hoped that

Parish Councils will be able to log onto the portal and bring up a table which will calculate how much money is involved in their area. This will reduce the demand on the officer's time so that they can work with local councils more closely, and it is anticipated that this will be in operation next spring. The transfer of data into the new back office system that will feed information to the portal should be completed before the end of the year. In the meantime, the Section 106 officer is trying to balance her time between completing this work and engaging with the town and parish councils when she can. There are two officers currently working respectively on S106 monies and on Community Infrastructure Levy (CiL).

Question relating to the length of time to download planning documents. This is a technical issue which will depend both on EDDC systems but also the Broadband download speeds available to the user.

Question relating to S106 monies. Can it be lost if it is not used within a certain period of time? Ed Freeman confirmed that this indicated the importance of making the data as accurate as possible. Whilst timeframes vary in agreements, the risk is that money disappears if it is not used after five years, but this is dependent upon developers asking for the money back. Ed could not recall a developer doing so.

The Chair asked if Ed Freeman considered the KPIs to be appropriate for the service. Ed said that they were largely set by government and the KPIs reflect what is required, and are, therefore, appropriate.

The Chair wanted to record the thanks of the Committee to Ed Freeman and Mark Williams for attending the meeting and discussing the Service plan.

RECOMMENDED to the Service Lead for Planning

1. That the Service Plan for 2019/20 will make reference to appropriate actions in relation to trees.
2. That there will be an end date recorded for inputting data onto the system in relation to S106 monies.
3. That the Service Lead will take an action to explore the risk of losing unused S106 funds with a view to identifying blockages and speeding up the processes involved, and preventing long delays in future.

***38 Review of the [Streetscene Service Plan](#).**

Andrew Hancock introduced this item and made the following points;

- Streetscene is EDDC's largest frontline service area, accounting for over half the total general fund budget at around £9m.
- Streetscene is one of the council's services that affects every resident and visitor through the broad range of service areas it covers.
- It covers Beaches (visitor economy, seaside awards, tourist draw), Grounds Maintenance, Parks and Gardens, with 2 award winning Green Flags at Connaught and Manor. Public toilets and public realm maintenance, Engineers who look after all of the built infrastructure outside such as bridges, coastal defence schemes and flood alleviation. Street cleansing helping to maintain the outstanding environment and making the landscape an area people want to live in, visit and enjoy.
- The largest single area of spend is the Recycling & Waste contract with a net cost of £3.5mil (all figures rounded). This achieves an income of around £1.5 mil through recycling sales and credits. Green Waste is set to achieve almost £100k in income in 2019/20.
- There is a large staff base with 107 FTEs, 80 of these are frontline service operatives.

- StreetScene services underpin many of the council's aims and objectives. This is done directly by delivering, promoting and protecting the outstanding environment through keeping things clean and green, providing award winning beaches and parks; or by supporting other objectives such as outstanding communities and economies by providing opportunities for health and wellbeing activities, great beaches and public spaces that help to support the visitor economy and the ability to support corporate projects such as Queens Drive Space to make them a success.
- When the work goes well, it goes largely unnoticed, and this is the case most of the time.
- It is known that residents are largely satisfied with the services provided; the recent Viewpoint survey feedback has scores around 70% and above for the services EDDC provides. Some headlines are:
 - o 90% satisfaction with the recycling green box collection
 - o 83% satisfaction with the rubbish bin collection service, after moving to 3 weekly. This really shows the success of leading with the improved recycling service, meaning residents can cope with their rubbish being collected every 3 weeks, as so much waste is now able to be recycled.
 - o 75% satisfied with parks and gardens.
 - o 85% satisfaction with beaches.
 - o 71% think litter is not a big problem.
- Full viewpoint feedback is available on the website.

Comments and questions included the following;

Question relating to the replacement of litter bins. Bins are not in the current plan but will be in the next plan for 2019/20. E.g There will be metal bins for Barbecues and more public information signs.

Question relating to Seaside and Blue Flag awards. The response was that a Seaside award will be sought for Sidmouth and a Blue Flag award will be sought for Exmouth. The latter does not just rely on water quality, but infrastructure issues such as lifeguards being available and so the bid will be taken forward carefully.

Question relating to district-wide public toilet provision. Has consideration been given to the implications for charging for their use, given the tourist population and age profile of residents?

The response from Councillor Tom Wright was that public toilets cost a lot to maintain but there will be no changes until all relevant considerations have been taken into account. The review may take longer than April 2019 but will be included in the forthcoming service plan.

The Chair asked what will be different in the next service plan. Andrew Hancock stated that business as usual will continue despite the financial constraints. Engineering projects will continue, there will be a pro-active tree planting objective and nature corridors. The plan will formalise a schedule of tree planting in more areas. Section 3b of the current service plan refers to managing the current tree stock.

John Golding stated that it is intended to expand the green waste scheme and review the recycling facilities at Greendale so that more items can be separated, which will increase income generation. The Parks offer will also be improved and the potential to run more events. Andrew Hancock is keen to trial the use of robotic mowers.

There is also work being undertaken in relation to the Health & Safety of Streetscene staff, because the nature of activities such as litter picking and tree cutting are inherently dangerous.

Councillor Bailey asked about the possibility of producing a video on the recycling process. Andrew Hancock confirmed that there was already a video on recycling and its end products on the website, with further plans to produce clips on the Woodbury trial; how the food waste

process works and the green waste process. This will be included in the draft service plan and covered in the section on digital communications.

Question relating to keeping the public informed on a regular basis. Cllr Wright stated that recycling rates are included in reports to Cabinet every month and are published on the website. In terms of where the waste goes, it is dependent upon cost. There are about eight different locations for recycling by EDDC and SUEZ will determine the location based on ongoing commercial pressures.

Question relating to the contributions of Town or Parish Councils to grounds maintenance works, such as grass cutting and weeding. Andrew Hancock stated that any Town or Parish Council could enter a contract with EDDC to undertake additional works, but the issues in Exmouth, for example, relate to contracts which Devon County Council (DCC) had withdrawn from during the austerity measures in 2010. EDDC is unable to work on land they do not own or pick up the work previously done by DCC within its existing resources.

John Golding referred to the Nature Recovery Corridor which was about allowing things to grow back in places which have not been allowed to previously. This is a new development which will be included in the forthcoming Service Plans for the Countryside and Streetscene teams, and will be undertaken in partnership with organisations such as the Devon Wildlife Trust and developers amenable to such an approach.

Question relating to SUEZ waste trucks depositing waste on the roads as a result of speeding and keeping their doors open instead of closing them. John confirmed that this spillage had been discussed with SUEZ as an issue, and they were trying to incentivise their staff to alter their practices accordingly. Cllr Wright suggested encouraging people to make complaints and take photos when they see this happening because SUEZ take it very seriously.

Question relating to the training of HGV drivers – are provisions in place to redeem the costs of training if drivers leave their jobs? The response was that training arrangements are put in place with penalties attached if an individual leaves within a certain period of time. Cllr Wright confirmed that SUEZ employ drivers who are contracted to work for at least two years after being trained.

The Chair asked if Performance Measures were appropriate to the service. John Golding responded that the majority of measures were appropriate but could always be refined. Some were defined by legislation whilst others were enshrined in contracts. Andrew Hancock confirmed that the measures were good, but were not likely to change very much.

In terms of gaps in services, Andrew stated that there were predictable pressure points and challenges in the future.

With increasing property growth, increased visitor economy and staycations, rising expectations and a longer season length due to climate change, EDDC resources are under continuing and increasing pressure. The challenge is to maintain standards set against financial constraints. The service continuously looks at technology to help (for example an autonomous mowers trail and new sweepers) to get more for less, but it is considered that soon there will be a need to increase the staff resource. The Medium Term Financial Plan includes items for this set against property growth in key towns such as Exmouth, Axminster, Seaton and Cranbrook.

In relation to the Recycling & Waste service, the biggest single service area, collecting from over 69,000 properties and projecting to reach 70,000 properties by June 2019. This will trigger the contract tipping point, increasing the amount EDDC pay to Suez to operate the service.

EDDC are now making over 525,000 collections a month.

EDDC has a recycling rate of 57%, but reaching 60% for the last 3 months.

There is a lot of work for a very small officer team of four to keep participation high, keep pushing education to increase our recycling rate. £1.5m of income is tied to recycling performance, and a 1% increase or drop equates to roughly £20k of income.

Recycling income is extremely volatile, tied to global markets and is currently depressed and not forecast to increase next year.

In relation to recruitment, especially agency/seasonal., there is a buoyant employment market making it difficult to recruit, especially to lower paid role and seasonal vacancies. EDDC relies on agency and seasonal workers to bolster teams in the summer when visitor numbers are high. Due to 10 years of budget pressure Streetscene are very finely resourced, so that if there is long term sickness (operations or injury), as occurred this summer and then an inability to recruit agency workers to back fill, it has a direct impact on the standards of cleanliness EDDC is able to provide. This is an area which may be further impacted by Brexit, although the proportion of non-UK nationals in the workforce is low.

The Chair asked about preparations for Brexit. John Golding referred to a variety of issues which may be affected including Emergency Planning, fuel shortages, the impact on Environment Agency monies available for coastal defence work.

The Chair wished to record the thanks of the committee to Andrew Hancock, John Golding and Cllr Tom Wright for attending and discussing the future service plan.

Recommended to Cabinet

1. that this committee seeks endorsement for the new approach in developing Nature Recovery Corridors across the District.
2. that this committee seeks the continuing support of Cabinet to expanding the Green Waste Service.

***39 Quarterly monitoring of performance – 2nd quarter 2018/19 July to September 2018**

The Chair asked members for any pressing issues with this report. None were raised, so it was duly noted.

***40 Scrutiny forward plan**

The Chair raised the issue of the referral from DMC on 30 October involving SW Water, and extending an invite from the Scrutiny Committee to a representatives to attend a future meeting. This was agreed and they would be asked to attend one of the meetings in early 2019, as soon as possible.

In relation to Broadband, and given the highly critical email circulated recently about Gigaclear, it was agreed to discuss the issues earlier than in six months' time as suggested at the last meeting.

Cllr De Saram had circulated a Scrutiny Flow Chart from Devon County Council which he suggested that members read with a view to using it in the drafting of the Annual Report from the Chairman on the work of the Committee. This was agreed.

Members agreed to consider a review of how the system of S106 and CiL monies was operating.

Cllr Rixson suggested that there was a review on the health of our High streets. The Chair requested that Cllr Rixson draft a scoping paper on the issues and circulate it to members.

The Chairman closed the meeting at 8.32pm.

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

Scrutiny Members present:

Brian Bailey
Bruce De Saram
Maddy Chapman
Roger Giles
Simon Grundy
Stuart Hughes
Cherry Nicholas

Val Ranger
Marianne Rixson
Eileen Wragg

Other Members

Megan Armstrong
Susie Bond
Paul Carter
Jill Elson
Peter Faithfull
Steve Hall
Mike Howe
Tom Wright

Officers present:

Mark Williams - Chief Executive, Strategic Lead for Planning
John Golding – Strategic Lead – Health, Housing and Environment
Andrew Hancock – Service Lead - Streetscene
Ed Freeman – Service Lead - Planning Strategy and Development Management
Simon Davey – Strategic Lead - Finance
Steve Saunders – Licensing Manager
Anita Williams - Principal Solicitor & Deputy Monitoring Officer
Sue Howl - Democratic Services Manager

Apologies from Scrutiny Members:

Cathy Gardner
Graham Godbeer
Darryl Nicholas
Eleanor Rylance

Apologies from Non – Scrutiny Members:

Geoff Jung
Pauline Stott

Chairman Date.....

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

Capital Strategy and Allocation Group on 5 December 2018

Minute 15 Capital bids proposed for the Capital Programme

RECOMMENDED to Cabinet:

1. The following items to be added to the Capital Programme 2019/20 to 2022/23:
 - a. Brixington play area, Exmouth enhanced site £100k (part funded externally £6,985);
 - b. Budleigh Salterton skate park £150k (part funded £35k);
 - c. Car park improvements (various sites) £90k;
 - d. Cherry Close Honiton play area enhanced site for £75k.
 - e. Exmouth beach study £80k (part funded £60k);
 - f. Exmouth campervan & boat park £150K (phased over 2020 – 2022);
 - g. Exmouth groyne navigational markers £35k.
 - h. Foxhill Axminster play area enhanced site £120k (part funded £14,845);
 - i. Imperial Recreation Ground parking improvements £55k (phased over 2019 – 2021);
 - j. Maer Road car park Exmouth partial resurfacing £47k;
 - k. Membury Sump Trash Screen £30k;
 - l. Millwey Rise Axminster play area. It is estimated that all costs will be met by available section 106 funding of £136,629;
 - m. Parks and play area fencing (various sites) £55k;
 - n. Redgates Exmouth play area enhanced site for £100k (part funded £3,281).
 - o. Rolle Mews Budleigh Salterton car park resurfacing £30k;
 - p. Seafeld Gardens Seaton play area enhanced site £100k;
 - q. Seaton Coast Protection Scheme £450k (part funded £300k subject to EA funding confirmation);
 - r. Seaton Jurassic car park extension £85,600;
 - s. Seaton skate park replacement of equipment £200k;
 - t. Homesafeguard call handling system £44k (part funded £11k);
 - u. Replacement of Big Belly bins with 240 litre standard bins £84,500 (phased across 2019 – 2021);
 - v. Car parks capital maintenance £20k;
 - w. Members IT system (Modern.gov) £48k;
 - x. Automated mower trial £40k.
2. The following project be included in the Capital Programme but deferred from 2019/20 to 2020/21:
 - a. Phear Park Exmouth access road resurfacing and new parking area £99k, deferred due to the scale of the project including lease aspects of the site;

/continued

3. The following projects be deferred for review before further consideration by the Capital Strategy and Allocation Group:
 - a. Greenway Lane Budleigh Salterton footbridge repainting, in order to evaluate if it is more cost effective to replace rather than repair the footbridge;
 - b. Seafield Gardens Seaton outdoor gym, to establish level of use and impact of maintenance due to location.
4. The following projects be rejected from the Capital Programme:
 - a. Land of Canaan Ottery St Mary footbridge reinstatement at £55k for reason of previous decision to remove the bridge in 2017 and an alternative being located 80 metres nearby;
 - b. Axminster skatepark £266k for reason of the skatepark not being an asset of the Council.

EAST DEVON DISTRICT COUNCIL

Report of a meeting of the Capital Strategy and Allocation Group held in The Council Chamber, Knowle, Sidmouth on Wednesday, 5 December 2018

Attendance list is at the end of the document

The meeting started at 2.33 pm and ended at 4.10 pm.

13. Report of the meeting of the Group

The report of the previous meeting held on 26 September 2018 was noted. Councillor Megan Armstrong asked for

14. Declarations of interest

None were declared.

15. Capital bids proposed for the Capital Programme

The Strategic Lead for Finance reminded the Group of the projects currently listed in the Programme, and took them through the bids proposed.

The capital programme financing showed a total of £21,511,259 for expenditure. The proposed budget set for 2019.20 is £10,302,459 for expenditure.

The Chairman reminded the Group that the focus should be on whole life cost and revenue potential of each bid. The statutory or non-statutory status should also be taken into account.

27 of the 29 bids proposed had been scored reflecting on both revenue costs and the safety requirements. The Portfolio Holder Finance was requested to check that the savings identified from capital spend was reflected in the revenue budget.

The new bids were:

1. Brixington play area, Exmouth, where equipment and safety surfacing had reached the end of its economic life. Options were a like for like replacement at £75k or an enhanced site for £100k. Equipment in use at Queens Drive would still be in use for 2019/20 and therefore could not be related to this or other play areas; the Queens Drive equipment was also of a different scale.
2. Budleigh Salterton skate park, where the equipment had reached end of economic life. The bid covers replacement with concrete equipment which will have a lower maintenance requirement. £35k of section 106 contribution has been allocated to the project.
3. Car park improvements (various sites) including Exmouth Echelon car park, Honiton Lace Walk, Sidmouth Bowling Club, Sidmouth Manor Road, Sidmouth Mill Street, Sidmouth Ham East, Exmouth Rolle Mews.
4. Cherry Close Honiton play area, requiring removal of aging play equipment, safety surfacing and perimeter fencing. Options were a like for like replacement at £60k or an enhanced site for £75k.
5. Exmouth beach study covered a review of the 2015 Beach Management Plan, and feasibility of beach recharge and beach structures to maintain an amenity beach at Exmouth. The area that fell under the BMP was clarified to the Group, and the Group were assured that assessment is always made after storms to assess if there is any damage to coastal defence; however

- the project related to the amenity beach which would not attract funding from DEFRA as it did not relate to protecting properties from flooding.
6. Exmouth campervan & boat park bid consisted of a realignment of Exmouth Estuary Lorry Park to provide winter boat storage and summer campervan parking with associated waste facilities and services, providing a new income stream from 2021. Funding would not be spend until 2020/21, with the bulk of the work being undertaken in 2021/22.
 7. Exmouth groyne navigational markers replacement due to corrosion. Temporary repairs have been made in parts, but replacement is required to prevent the markers becoming a hazard.
 8. Foxhill Axminster play area, where equipment and safety surfacing had reached the end of its economic life. Options were a like for like replacement at £80k or an enhanced site for £120k.
 9. Greenway Lane Budleigh Salterton footbridge repainting with suitable protective metal paint, or prevent accelerated corrosion and deterioration of the iron bridge. Discussion on the bridge raised questions over the existing structure, designed originally to pass over a railway line. The Group agreed that the bid should be deferred in order to assess if a more suitable replacement would provide a cost effective solution rather than maintaining the existing structure.
 10. Imperial Recreation Group parking improvements to realign existing parking bays to add over 30 additional spaces at a cost of £55k to provide an estimated additional £30k in annual income.
 11. Maer Road car park Exmouth partial resurfacing and relining to rectify poor surface condition.
 12. Membury Sump Trash Screen to replace the existing screen that is extremely difficult and hazardous to clear in flood conditions. The local flood group have made a number of improvements to the flood scheme themselves already to help reduce debris and provide lighting to aid operations.
 13. Millwey Rise Axminster play area where equipment and safety surfacing had reached the end of its economic life. It is estimated that all costs will be met by available section 106 funding.
 14. Land of Canaan Ottery St Mary footbridge reinstatement. The footbridge was removed by the Council in 2017 as it had come to the end of its useful life; an alternative crossing nearby has better access. Ottery St Mary Town Council have asked for replacement, and have offered to pay for 50% of the cost minus a £1,000 contribution from locality funding. Overall cost is £55K for construction.
 15. Parks and play area fencing (various sites)
 16. Phear Park Exmouth access road resurfacing and new parking area, including lining of access road to discourage parking where obstructive. Discussion on the park centred around the priority to review the amenities on site following lease surrender, before further investment on parking at the site. The Group felt that the bid should be deferred to allow the lease review to be completed.
 17. Redgates Exmouth play area, where equipment and safety surfacing had reached the end of its economic life. Options were a like for like replacement at £75k or an enhanced site for £100k.
 18. Rolle Mews Budleigh Salterton car park resurfacing.
 19. Seafeld Gardens Seaton play area, where equipment and safety surfacing had reached the end of its economic life. Options were a like for like replacement at £65k or an enhanced site for £100k.

20. Seaton Coast Protection Scheme to improve the coastal defences between Heaton Hole and West Walk. The project will require approximately £150k of partnership funding to proceed.
21. Seafield Gardens Seaton outdoor gym, where equipment had reached the end of its economic life. Some questions raised on the frequency of use of the equipment and how the location of it had a bearing on the corrosion level of the equipment. The Group concluded that the bid be deferred subject to a review and report.
22. Seaton Jurassic car park extension, clearing disused scrubland to create an estimated additional 19 bays.
23. Seaton skate park replacement of equipment with concrete equipment that will cost less in maintenance than the existing aged park.
24. Homesafeguard call handling system upgrade has been recommended by Cabinet to Council on 12 December 2018. The project covers the provision of a system compliant with current Telecare Standards Association standards. The project cost of £44k will provide additional revenue from the service in future years, as it is expanded following the upgrade.
25. Replacement of Big Belly bins, following the decision not to renew the lease (expected cost of £252k for next five years, with 240 litre standard bins. The trial proved successful on Sidmouth Seafront. Bin The project also includes installation of bin lifts on 8 vehicles, bringing the total cost of the project to £84k. The bid was commented on as a clear saving in replacing with traditional bins and a much valued service by both locals and visitors.
26. Car parks capital maintenance covering relining at Sidmouth Roxburgh, Ham East/West and Manor Road, replacement lighting at Camperdown, repair of wall at Popular Mount Axminster, and minor drainage improvements to the cliff top car park at Beer.
27. Members IT system, approved by Cabinet on 3 October 2018, would provide a software solution for the Democratic Services Team in delivering documentation to Members. The software included an app for smart devices whereby Members could access the information required for meetings from their device, and download the calendar appointments for Council meetings.
28. Axminster skatepark, on land owned by the Cloakham Lawn Sports Centre for replacement with a concrete park. The bid was for £100k towards the project. In discussion, members of the Group commented that the skatepark was not an asset of the District Council, and therefore should not be supported with capital funding. There were also comments that in agreeing to the request, a precedent would be set for other bodies to request capital funding for assets not owned by the Council.
29. Automated mower trial, included in the Transformation Strategy (approved by Cabinet on 31 Oct 2018). A number of technical aspects of the practicalities of the mowers were asked by Members, and the purpose of the trial explained. Linking the mowers across a number of sites (such as pitches) over a period of time would enable the team to assess if overall savings could be made. The mowers could be purchased and therefore be an asset for the Council.

The Group discussed the approach to maintaining play park areas in detail, as five of the bids presented had two options – replace like for like, or replace with an enhanced play area. The Service Lead Streetscene explained to the Group that the two options had no difference in revenue implications, but the enhanced option concurred with the Council's adopted plans, including green spaces, that advocated enhanced facilities. Evidence from schemes such as the play equipment on

Queens Drive showed that there was a demand for more enhanced play areas as a more attractive option to the traditional schemes. Discussion also included:

- Public expectation was for more enhanced facilities
- Money well spent to enhance in comparison to other projects
- Enhancement should be a preference, as long as funding is available to do so
- Non statutory provision that could be argued as better kept at a minimum level of spend, therefore a like for like replacement.

The Group were in agreement to recommend the play area bids to Cabinet at the enhanced level, but felt that there should be a review of policy in order to look for other ways of securing funding (alongside any section 106 funding already identified) to cover this uplift in capital financing. This could be through precept, sponsorship or other options.

RECOMMENDED to Cabinet:

1. The following items to be added to the Capital Programme 2019/20 to 2022/23:
 - a. Brixington play area, Exmouth enhanced site £100k (part funded externally £6,985);
 - b. Budleigh Salterton skate park £150k (part funded £35k);
 - c. Car park improvements (various sites) £90k;
 - d. Cherry Close Honiton play area enhanced site for £75k.
 - e. Exmouth beach study £80k (part funded £60k);
 - f. Exmouth campervan & boat park £150K (phased over 2020 – 2022);
 - g. Exmouth groyne navigational markers £35k.
 - h. Foxhill Axminster play area enhanced site £120k (part funded £14,845);
 - i. Imperial Recreation Ground parking improvements £55k (phased over 2019 – 2021);
 - j. Maer Road car park Exmouth partial resurfacing £47k;
 - k. Membury Sump Trash Screen £30k;
 - l. Millwey Rise Axminster play area. It is estimated that all costs will be met by available section 106 funding of £136,629;
 - m. Parks and play area fencing (various sites) £55k;
 - n. Redgates Exmouth play area enhanced site for £100k (part funded £3,281).
 - o. Rolle Mews Budleigh Salterton car park resurfacing £30k;
 - p. Seafeld Gardens Seaton play area enhanced site £100k;
 - q. Seaton Coast Protection Scheme £450k (part funded £300k subject to EA funding confirmation);
 - r. Seaton Jurassic car park extension £85,600;
 - s. Seaton skate park replacement of equipment £200k;
 - t. Homesafeguard call handling system £44k (part funded £11k);
 - u. Replacement of Big Belly bins with 240 litre standard bins £84,500 (phased across 2019 – 2021);
 - v. Car parks capital maintenance £20k;
 - w. Members IT system (Modern.gov) £48k;
 - x. Automated mower trial £40k.
2. The following project be included in the Capital Programme but deferred from 2019/20 to 2020/21:
 - a. Phear Park Exmouth access road resurfacing and new parking area £99k, deferred due to the scale of the project including lease aspects of the site;

3. The following projects be deferred for review before further consideration by the Capital Strategy and Allocation Group:
 - a. Greenway Lane Budleigh Salterton footbridge repainting, in order to evaluate if it is more cost effective to replace rather than repair the footbridge;
 - b. Seafeld Gardens Seaton outdoor gym, to establish level of use and impact of maintenance due to location.
4. The following projects be rejected from the Capital Programme:
 - a. Land of Canaan Ottery St Mary footbridge reinstatement at £55k for reason of previous decision to remove the bridge in 2017 and an alternative being located 80 metres nearby;
 - b. Axminster skatepark £266k for reason of the skatepark not being an asset of the Council.

Councillors:

Present:

Ian Thomas (Chairman)
Geoff Pook
Dean Barrow
Tom Wright
Paul Diviani
Jill Elson
Alan Dent
Megan Armstrong
Tim Dumper

Other Councillors:

Pauline Stott
John Dyson

Apologies:

Philip Skinner
Marcus Hartnell
Alan Dent
Rob Longhurst

Officers:

Richard Cohen, Deputy Chief Executive
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing Health & Environment
Andrew Hancock, Service Lead Streetscene
Rob Ward, Accountant
John Hudson, Accountant
Debbie Meakin, Democratic Services Officer

Chairman: Date:.....

EAST DEVON DISTRICT COUNCIL**Minutes of a meeting of the Asset Management Forum held at Knowle, Sidmouth on 29 November 2018****Attendance list at end of document**

The meeting started at 9.30am and ended at 11.15am.

***23 Public speaking**

There were no public speakers at the meeting.

***24 Report of previous meeting and actions from last meeting**

The report of the previous meeting held on 6 September 2018 was confirmed as a true record.

In response to questions from Members, Tim Child, Senior Manager - Property and Estates reported the project to transfer Newton Poppleford Public Conveniences to Newton Poppleford Parish Council was as far as he was aware progressing well. It was noted that Rob Harrison as Case Officer was currently on leave but would have otherwise provided further detail. In addition, in response to a question asked, it was noted that the Ocean building in Exmouth was still on the market with a guide of £2.7m. The Council owned the land and it was the building itself which was being marketed. The building was subject to a lease to LED for a term of 25-years. Purchase of the building was not ruled out and could be a suitable investment to help generate the return from commercial property being identified within the Council's Transformation Strategy.

Regarding Action Points arising from the last meeting, it was noted that, progress on implementation of a more corporate approach to managing assets would be discussed at a Special AMF meeting to be arranged in January. The issue of overage payments was raised and Tim Child, Senior Manager – Property & Estates advised that these payments were typically allocated to the same budget as the initial capital receipt. It was noted that providing information for leases coming up for renewal was an item later in the agenda.

Tim Child, Senior Manager – Property and Estates reported that further discussions had been undertaken with the Council's Communications Team regarding whether the Newsletter met visual guidelines for Council publications. Finally, the Seaton Workshops project would also be added to the list of projects monitored by the Capital Strategy and Allocation Group once a PiD had been taken through the Council's SMT.

***25 Council's approach to managing assets and role of Asset Management Forum**

The Forum noted that a report had been taken to SMT on 22 August setting out a direction from AMF and the Asset Management Portfolio Holder to centralise asset intelligence and strategic management of the General Fund and Non Dwelling HRA portfolios through and bolstering the Strategy and Policy function. Property & Estates Officers were asked by SMT to take forward a corporate discussion on the best way forward to deliver this and to then present a business case back to SMT.

The approach is more about:

1. Making sure that incomes and costs are captured centrally
2. Additional asset intelligence is captured
3. Performance of all assets is monitored and reported on in a consistent manner
4. That this performance data drives decision making
5. That standard policies and procedures operate across the Council

Further work had been undertaken to better understand how land and property assets are currently managed across the Council, notably visibility of Property & Estates to:

- Ownership records
- Incomes
- Lease and licence events
- Cost liabilities – rates, utilities, cleaning, security, reactive maintenance, planned maintenance and investment planning
- Strategies, policies and procedures
- Clarity of why we hold the asset
- Vacant & surplus assets
- Health & Safety compliance.

A workshop had been arranged to bring key officers together, to understand current practice, identify what works well and what doesn't, to gain support for change and inform what that change might be and how it will operate. The workshop will take place on 12 December.

The intention then was to take a Business Case to SMT on 9 January and then to Cabinet on 6 February 2019 to formally adopt a new way forward for the strategic management of land & property assets. It was noted that there would be a special AMF meeting in mid-January to discuss strategic and a more corporate approach to the management of assets.

RESOLVED 1. that progress to date and next steps be noted.

2. that the direction of travel as outlined in the report around how the Council manages its land and property assets be supported.

***26 Performance Dashboard**

The Forum was presented with the second version of the Performance Dashboard. Tim Child, Senior Manager - Property and Estates, helped familiarise the Forum with its contents, highlighting:

- traffic light system for the key projects;
- Useful performance data such as rent roll (total rental income from land and property); number of assets held for sale; completed works; capital receipt total; capital spend to budget; and maintenance spend to budget;
- Comparison data over time to manage performance – for example, the Forum would be looking for an increase in rent roll over time and delivery towards 100% of forecast spend as year progresses;

Comments made on the dashboard included:

- The review of Sports and Social Club tenure arrangements had not yet started This had resulted in Red RAG status.
- Red RAG status had also been given for incorporation of the use of Uniform across other key services as this needed buy-in from other services. The workshop on 12 December will consider this as one possible output.
- The Property & Estates Team were at early stages in considering a scheme for improvements to Magnolia Centre PC's.
- The final line of text on the Income from lease events data had been missed off the printing of the report.

ACTION Reissue the Performance Dashboard to Members with the bottom line of income from lease events added.

RESOLVED that the Performance Dashboard be welcomed and continue to be provided as a standing item for future meetings of the Forum.

***27 Successes Newsletter**

The last Newsletter had been circulated beforehand to members of the Forum to consider.

The purpose of the Newsletter was to raise awareness of the breadth of work undertaken by Property & Estates, successful projects completed and exciting progress on others. Some of the articles would be used by the Communications Team for social media good news stories.

The views of the Forum on the newsletter were:

- Limited circulation of the Newsletter was necessary because of the commercially sensitive nature of some of the content;
- The Newsletter was work in progress and would be improved on an ongoing basis

ACTION To prepare a future Newsletter with completed projects that could be circulated more widely within the Council.

**RESOLVED 1. that the content of the Successes Newsletter be noted.
2. that at each subsequent AMF a Newsletter be provided on completed projects that could be circulated more widely than just members of the AMF.**

***28 Budleigh Salterton Beach Store**

The Forum noted that following a report to the Asset Management Portfolio Holder which was approved, the disposal of the site via auction and preparation of the legal documentation was underway. It was intended that the property would be entered in to an auction in February 2019.

RESOLVED that the update on the Budleigh Salterton Beach Store be noted.

***29 Commercial Investment Fund**

Tim Child, Senior Manager – Property & Estates, gave an update on the current position for the Commercial Investment Fund. Feedback from AMF members had been taken on board and an updated draft prepared. External advice was now being obtained on this final draft before returning to a Special AMF to be arranged in January to consider this framework. The intention was then to take to Cabinet on 6 February and then to Council on 27 February to make a £20,000,000 investment fund available with the objective of generating a £450,000 nett income to the Council and as set out within the Council's Transformation Strategy.

Members noted that there would be a special meeting of the Forum to discuss this issue in Mid-January 2019.

RESOLVED that the update on the Commercial Investment Fund be noted.

***30 Stock Condition**

Members noted that the Council currently operated a very straight forward stock condition capture procedure. Basic data was captured but served limited purpose in terms of understanding stock and informing decisions. The importance of this data was now of significant importance in assessing the financial and non-financial performance of individual assets.

It was proposed that the Council introduce a new survey template, data repository and inspection regime to commence early in January 2019. This would include a 30 year programme of works with indicative costings against each item. The proposal was to inspect all properties within a 6 month period and thereafter update the stock condition surveys every five years on a rolling basis.

RESOLVED 1. that the progress made to date be noted.

2. that the appointment in principle of an interim agency building surveyor for a term of circa 6 months to assist in undertaking stock condition surveys be supported. Funding would come from the existing maintenance reserve and a request had already been made to the Strategic Lead – Finance.

***31 One Public Estate**

The Forum members noted that funding had been secured from Government in early 2018 to scope opportunities in both Exmouth and Axminster to make better use of the wider public estate by working with key public sector partners and by doing so reduce revenue costs, improve services to the public and release land for housing development.

£50,000 was secured for Axminster and £75,000 for Exmouth. Opportunities for the Council were fairly limited and until recently other projects had taken priority. Progress was now beginning to be made and workshops were being set up for December/January to bring public sector partners together to explore opportunities, identify assets and establish whether these were worthwhile and deliverable projects and agree which organisation was best placed to lead.

RESOLVED that the update on One Public Estate be noted.

***32 Younghayes Centre, Cranbrook**

Members noted that the intention when built was always for the Younghayes Centre to transfer to the Town Council. For various reasons the transfer had not been straightforward and earlier this year it appeared an impasse had been reached.

Officers had now been successful in unblocking that impasse and on 19 November the Town Council resolved to progress with the transfer on the current terms agreed and Officers were working with the town Council to ensure the transfer completes ideally before the end of the calendar year.

RESOLVED that the update on Younghayes Centre, Cranbrook be noted.

***33 Seaton Moridunum**

Tim Child, Senior Manager – Property & Estates gave an update on Seaton Moridunum. For the past 5 years the Council had been in discussion with the freeholder of the flats (Fosseway Court) behind the Moridunum to explore opportunities to open up the wider site to facilitate development of the Fosseway Court site but also that of the Moridunum and the wider seafront. Discussions had been unsuccessful.

With the aim of finding a workable solution the Council had instructed Lambert Smith Hampton Property Consultants to assist. If terms could be agreed then this would return to AMF then Cabinet in early 2019.

RESOLVED that the update on Seaton Moridunum be noted.

***34 Any Other Business**

That a report be made at the next scheduled meeting of the AMF on the current structure of the Property & Estates Services for Members information.

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

Councillors:

Dean Barrow
Andrew Moulding
Geoff Pook (Chairman)
Philip Skinner
Ian Thomas

Also Present:

Mike Allen
Megan Armstrong
David Barratt
Tim Dumper
Steve Gazzard
Rob Longhurst
Marianne Rixson
Pauline Stott

Apologies:

Paul Diviani

Officers present:

Richard Cohen, Deputy Chief Executive
Tim Child, Senior Manager - Property and Estates
John Hudson, Accountant Financial Services
Colin Whitehead, Principal Building Surveyor
Adrian Priest, Estates Surveyor
Chris Lane, Democratic Services Officer



Report to: Cabinet
Date of Meeting: 2 January 2019
Public Document: Yes
Exemption: None

Review date for release None

Agenda item: 13

Subject: **Charging developers for the provision of recycling & waste containers to new build properties**

Purpose of report:

A proposed introduction of a charging scheme for recycling and waste bins and containers for new build properties and newly created dwellings, with the intention that developers pay this charge for their customers. Along with the introduction of charges for replacement wheeled bins if the customer has lost or damaged them.

We currently collect from 69,400 properties. Our new development build rate fluctuates between 750 and 900 homes a year, with around 500 band D properties a good average per year.

This creates a significant cost pressure for the council both in terms of supplying new containers to these new build properties and then replacing damaged or end of life containers for an ever increasing 'stock' of homes.

Our container budget for 2018/19 is £105k with an average 18% renewal of recycling boxes, bags and caddy's per year. Bin replacements run at a lower percentage. The budget is under pressure as property growth increases and is projected to be £7k overspent this year. A year from October 2017 to October 2018 saw total container costs run to £126k.

By levying a charge on developers for the provision of the recycling and waste containers for a new property we can decrease this cost pressure, transferring it to the developers of new dwellings/properties. This large annual budget would then be partly self-financing, reducing cost pressures, helping to meet our transformation strategy saving target and moving us closer to setting a balanced budget.

A number of other authorities have already introduced this sort of charging. Exeter city council charge for the supply and replacement of wheeled bins at a cost of £35 per bin directly to the resident. They make no charge for recycling containers.

Aylesbury Vale District Council is now charging £120 per property for a full suite of new bins. We propose to start our charges for developers of new residences at £80 for the full suite of recycling and waste containers.

Recommendation:

- 1) From 1 April 2019 the council no longer supply waste containers free of charge to new properties.
- 2) That a recycling and waste container charging policy based on the criteria in Appendix 1 be introduced.
- 3) Developers are charged for the supply of newly created properties' recycling & waste containers at a rate of £80 (per property for 1 residual bin, 1 green box, 1 green sack, 1 food caddy, 1 kitchen caddy) and £300 per communal bin supplied.
- 4) To make a charge of £30 per residual waste container where a replacement is required e.g. the resident has lost or damaged their existing waste container. Residents won't be charged where containers are damaged during collections.
- 5) Review charges annually as part of the annual portfolio holder charges review process

Reason for recommendation:

To reduce the increasing pressure on our sizeable container supply and renewal budget in order to help set a balanced budget.

Transformation strategy saving target.

New build housing stock in East Devon is expected to continue to rise. Implementing the proposed policy and charges would allow us to recover costs of waste containers as permitted by the EPA 1990, decreasing this cost pressure by around £40k - £76k per year depending on charging options and numbers of properties created.

Officer:

Andrew Hancock, Service Lead – StreetScene.
ahancock@eastdevon.gov.uk 01395 516551

Financial implications:

As a reminder this is an area of cost recovery included in our assumed Transformation Strategy savings for 2019/20 and if adopted along with the other actions identified in the Strategy still leaves us with a further £280k to find elsewhere to enable us to balance our books next year.

Legal implications:

The legal position is detailed in the report and no further comment is required.

Equalities impact:

Low Impact

Risk:

Medium Risk

Reputational risk of charging for a service area which was previously FoC.

Risk that developers do not willing pay the new charge, which may increase transactional costs for the council in perusing the charge.

Links to background information:

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Link to Council Plan: Delivering and promoting our outstanding environment
Continuously improving to be an outstanding council

1. Budget & costs

- 1.1 We provide each new property with a 180 ltr bin, recycling box & lid, recycling sack, indoor food caddy, outdoor food caddy.
- 1.2 This group of containers costs around £30 at current prices. We then have processing charges and admin costs on top of this.
- 1.3 Our annual containers budget is set at £105k, but is predicted to overspend by at least £7k this year, taking it up to £112k. The cost pressure is coming from the increasing property count in East Devon and our annual 18% overall container renewal (from lost, stolen or damaged items). Wheeled bins have a service life of around 20 years and are replaced at a lower percentage, with recycling containers lasting between 2-5 years.
- 1.4 Our current property count is 69,400 and is continuing to grow at a rate of between 750 and 950 properties a year. In 2017 our property count grew by 950. Based on a complete transaction cost of £60 per suite of containers to new build properties, the cost of supplying those 950 properties was around £57k in 2017. The container cost alone is around £30k.
- 1.5 A full years cost for containers for the last 12 months was £126k. For budgeting purposes in 2019/20 we are increasing our containers budget to £130k, made up of 18% container replacements at a cost of £8.73 = £109,605; and new properties at a rate of 800 a year at £25.30 = £20,240 for budgeting purposes. This cost does not include administration, transaction costs and delivery.
- 1.6 The total number of receptacles delivered over the previous 12 month period is around 18405, this can be broken down as follows:
 - 2500 wheeled bins
 - 5847 Recycling boxes
 - 3552 Recycling sacks
 - 6506 Indoor/outdoor food caddies
 - 898 full suite of containers to new build properties (included in above figures)
- 1.7 It is recommended that the cost for a full suite of recycling and waste containers for a new build property be set at £80. This will cover all supply and transactional costs and allow us to offset the cost of some replacement containers where the resident did not cause the damage (in these instances we would supply the replacements free of charge).

2. Legislation

- 2.1 The Environmental Protection Act 1990 (EPA) sets out the legislative requirements for local authorities in relation to waste collection. Section 45: Collection of controlled waste and Section 46: Receptacles for household waste, give us the ability to define how waste is containerised.

- 2.2 Under Section 46 (1, 2) of the Environmental Protection Act 1990, a Council may serve notice on the occupiers of the premises from which it collects household waste, requiring those occupiers to place their waste in receptacles of a particular kind and of a particular number. The Council may specify the size, type and colour of these receptacles.
- 2.3 Under section 46 (3) the Council can: a) provide containers free of charge; b) make a charge to the householder for the containers c) if the householder does not agree to pay for the container from the Council they can make arrangements to supply the container themselves, provided that the container meets the specification of the Authority.
- 2.4 The council cannot force the householder to buy their waste containers from the council, but can enforce that the householder buys the appropriate size, colour and specification of bin and container. This important subtlety requires the householder to comply with our bin and container specification, ensuring containers meet operational requirements (for example the bin can be recognised as one we collect from and can be lifted safely on our vehicles). Wheeled bins purchased directly through third party suppliers are much more expensive than we can procure them for due to volumes and usually cost around £35.00 each.
- 2.5 If a householder refused to purchase/use the councils standard containers, the council could as a result of this, withhold provision of the waste collection service and would need to invoke the powers available to it under Section 46 of the Environmental Protection Act 1990 by service of notice on the occupier to provide suitable containment. Other councils experience here suggests that the exercise of this power is rarely ever required.

3. Charging the Developer

- 3.1 Some councils seek payment for bins through Section 106 agreements with developers of newly created or built properties, whereby the developer undertakes to pay for the container cost, administration and delivery costs arising from the provision of bins. These charges are a one off cost to the developer for the provision of bins to the new household; however the bins remain the property of the council. We don't have this in place at East Devon and our Planning department advises this is not a possible avenue at this time.
- 3.2 Whilst some local authorities secure payments towards refuse and recycling bin charges through planning obligations, there is not currently a sufficiently robust planning policy position in place at East Devon to achieve this. Equally it is not something that the CIL charge could be used towards.
- 3.3 Therefore the levy to developers will not form part of a S106 agreement, however we recommend the planning team advise developers of the policy through the planning process, as well as sending copies of the charges/policy to the main housebuilders. Developers should be notified of the likely charge level, based on the number of proposed units as well as the payment process at the planning application stage.
- 3.4 In conjunction and in agreement with the developer, the council will look to batch deliver new containers to a developer so the new resident has bins and containers at the property when their occupancy starts. Developers would be expected to place orders for waste containers and agree a delivery strategy to suit the nature and size of the development in conjunction with our recycling & waste team. This already takes place in some instances, the adoption of this charging policy and up front information at the pre-application phase should improve this arrangement for the customer. Bulk delivery of bins will be preferable and developers can then store them on site, and place the bins at the properties with a welcome pack the day before the new owner takes possession of the property.

4. Examples from other authorities

4.1 The charges applied by councils across England and Wales vary considerably. The EPA requires councils to make a 'reasonable' charge for containers. Therefore charges should cover reasonable supply and associated costs and costs of container budgets only, but not be seen as an income generator. Some Authorities continue to subsidise the cost of the containers to residents by only applying a delivery and administration fee to customers ordering replacement bins, but charge developers the total cost of the bins, administration and delivery.

4.2 Charges made by others:

- Exeter - £30 per wheeled bin for new and replacements. No charge for recycling bins.
- Dorset Waste Partnership - £56 administration and delivery charge for new properties levied to developers. Residents responsible if developers don't pay.
- Somerset Waste Partnership - £25.90 per wheeled bin for delivery of new or replacement bins. Charges levied to developers of new build properties.
- Wycombe DC - Between £4 – £210 depending on size of container + £7 delivery charge per container. Developers charged through S106 for total cost and delivery.
- Cherwell DC- £30 for replacement wheeled bin. First set free/provided by developers through statutory planning guidance/S106. Current charge £67.50 per dwelling. An additional £42 of investment in the waste service per property is also required.
- Reigate and Banstead £30 – 40 depending on bin size Inc. delivery for replacements. Developers charged through S106. Current charge per dwelling £84 + £14 delivery
- Breckland Council £62 Inc. delivery. Developers charged through S106. No charge for replacements.
- Waveney Council £28 per wheeled bin Inc. delivery for replacement. Current charge per dwelling £84

5 Alternative Options considered

5.1 No charge: The council continue to pay for the provision of all recycling and waste containers in their entirety. This places a significant financial burden on us, we will need to continue to fund the entire projected budget of £130k for 2019/20. At time of writing we are currently trying to balance a deficit of around £450k for the same budget year. With continued growth of the district and the cost of wheeled bins increasing, this is an unsustainable policy without creating a detrimental impact on our overall finances.

5.2 No charge for replacement bins that are lost or damaged by the householder: While all recycling and waste containers paid for remain the property of EDDC, it is expected that the householder will take all necessary action to ensure that the waste containers are stored safely on their property between collections and that they remain in good order.

5.3 Charges for all containers including recycling bin replacement for householder, and charges for new builds via developers. This would maximise the budget off-set but could disincentivise recycling and engagement with our service. We don't recommend this as we still want to still promote recycling and help our residents reduce their waste.

Appendix 1 – Recycling & Waste Container Charging policy

1. Replacement Bins

- 1.1 The Council has provided all existing households with a wheeled bin for residual waste, recycling box, sack and a kerbside and kitchen food caddy free of charge. All waste containers provided by EDDC remain the property of the council.
- 1.2 From the 1 April 2019 the council now charge for new wheeled bins and recycling containers according to the criteria below and at the cost published on our website.
- 1.3 The council will cover the cost of a broken, damaged or lost wheeled bin if;
 - a) The wheeled bin is damaged or lost by our collection crew or any contractor acting on behalf of EDDC.
 - b) The wheeled bin is stolen, in which case it should be reported to the police and a crime number obtained.
- 1.4 To qualify for a free bin, occupiers reporting a missing/broken bin and requesting a replacement are required to make an application and agreed declaration, prior to the bins being delivered, that they have undertaken all reasonable enquiries to locate their bin (s) and the bin is in fact missing/lost or stolen.
- 1.5 Any wheeled bin or waste container that is damaged by the householder through misuse, loss or fire damage will result in a charge to replace the bin (s) at the current rate published on our website all waste containers remain the property of EDDC.
- 1.6 A requirement of the EPA 1990 is that the resident may choose to provide their own bins and containers. This is allowed as long as the bins and containers are to the required specification. Bins must comply with the BS EN 840 standard and all containers must comply with the Council's specifications, dimensions, colouring and markings. If your containers do not meet these criteria, then they will not be emptied by the Council.
- 1.7 Residents who do not acquire the appropriate container(s) (either through the council or privately) will not receive the Council's Recycling & Waste Collection service and in such cases the Council will invoke the powers under Section 46 (3) of the Environmental Protection Act 1990 by service of notice on the occupier.

2. New Build Properties

- 2.1 The Council seeks a one off payment from developers to pay for the provision of the appropriate type and number of recycling and waste containers for each built dwelling, including any costs associated with such provision e.g. administration and delivery.
- 2.2 Charges will be levied at the rates published on our website and charged to developers prior to delivery of the containers. Batch delivery is possible for large developments and developers should liaise with our recycling and waste department.
- 2.2 The waste containers will remain the property of EDDC and if residents move out of their property the waste containers must remain in situ for the next resident to use. Waste containers must not be moved between properties by residents.

- 2.3 Depending on the development size and the types of bins required (e.g. Communal containers) the cost of providing the bins will need to be discussed with EDDC Recycling and Waste departments.
- 2.4 For further information about what bins are required for your development and to arrange payment, [please visit [WEB ADDRESS](#)]
3. Other matters
- 3.1 Where a developer does not enter into an agreement described above then the council will seek this charge through other means.
- 3.2 You may choose to provide bins yourself. This is allowed as long as the bins are to the required standard. Bins must comply with the BS EN 840 standard and with the Council's specifications, dimensions, colouring and markings. If your bins do not meet these criteria, then they will not be emptied by the Council.



Report to: Cabinet

Date of Meeting: 2 January 2019

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: 14

Subject: Draft Revenue and Capital Budgets 2019/20

Purpose of report: This report presents the draft revenue and capital budgets for 2019/20 for adoption by the Cabinet before consideration by a joint meeting of the Overview and Scrutiny Committees and the Housing Review Board.

Recommendations from these meetings will be presented back to the Cabinet on 6 February 2019 when members will finalise budget proposals to be recommended to Council.

Recommendation: That the draft revenue and capital estimates are adopted before forwarding to a joint meeting of the Overview and Scrutiny Committees and Housing Review Board for consideration.

Reason for recommendation: There is a requirement to set balanced budgets and to levy a Council Tax for 2019/20

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

Financial implications: Financial details are contained within the report

Legal implications: No legal observations are required

Equalities impact: Low Impact

Risk: Low Risk

Risks have been considered in preparing the budgets and the financial implications have been assessed at the point of preparation. Various budget assumptions have been made including the treatment of inflation and interest rates; estimates on the level and timing of capital receipts; the treatment of demand led pressures; the treatment of planned efficiency savings/productivity gains; levels of income; financial risks inherent in any new arrangements; capital developments; the availability of funds to deal with major contingencies and the need for any provisions. In each of these areas the Council's financial standing, management and track record have been considered in order to prepare robust budget proposals.

Other specific areas of risk have been highlighted where appropriate within the report and within the budget book at service level.

The risks associated with Brexit were highlighted and considered in the Financial Plan 2019-2029 linked to this report. There is also a Strategic Risk included in the Council risk register. The risks have been assessed under the operational parameters of this Council.

Links to background information:

- [2019/20 Draft Revenue and Capital Budget Book](#)
- [Cranbrook Parish Council request for funding](#)

Link to Council Plan: Budgets and related service plans link back to the Council Plan

1. Process

- 1.1 The Constitution requires Cabinet to approve the draft revenue and capital budget prior to consideration by the Overview and Scrutiny Committees. The Housing Review Board will undertake the same function in relation to the Housing Revenue Account budgets.
- 1.2 Recommendations from these two meetings will be reported back to Cabinet at its meeting on 6th February, along with any comments from the business community. At this meeting members will be required to recommend to Council a budget and the Council Tax requirement for 2019/20.
- 1.3 At the same time as preparing the draft budget, draft service plans have been prepared for member consideration. Service plans and budgets are aligned and link back to the Council Plan.

2. General Fund Budget

The Overall Financial Picture

- 2.1 Under the four year financial settlement arrangement the Council will not receive any Revenue Support Grant (RSG) for the first time in 2019/20; £0.127m is currently received in 2018/19. RSG has in the past been the main grant to local authorities to fund core service delivery; funding is now to be provided through Business Rate income, New Homes Bonus, Council Tax and the Councils' own income raising activities.
- 2.2 The Local Government Provisional Financial Settlement was published on 13th December 2018 which confirmed the position of no RSG for EDDC as stated above, other aspects of the settlement have been reflected in the draft budget.
- 2.3 With the expected reduction in RSG and other budget pressures the Council's Medium Term Financial Plan (MTFP), contained within the Council's Financial Plan, predicted a budget deficit of £0.665m in 2019/20, rising to £2.6m by 2020/21 and to £4.6m by 2028/29 if no action was taken to reduce expenditure and/or increase income. A reminder of this position is given below showing the shortfall in each year in isolation:

General Fund	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Budget Shortfall	665	1,952	279	159	112	125	632	137	309	276

- 2.4 In considering 2019/20 projected deficit of £0.665m it is worth recapping on the main external factors which drive this position in the MTFP; Reduction in Government funding alongside rising costs through the national pay award, effect of inflation and areas such as new homelessness legislation and other increasing demands on our services.
- 2.5 The Council has an adopted Transformation Strategy which sits alongside the Financial Plan. The Transformation Strategy outlines how transforming the way the Council works will deliver our purpose despite significant reductions in government funding and the predicted budget gap. This is a dynamic Strategy which will require continuous update and review so that progress can be tracked to ensure future savings give the Council a balanced budget position.
- 2.6 The preparatory work in developing the latest Financial Plan and Transformation Strategy were considered by the Budget Working Party on 5th September 2018, the overall direction of these documents were endorsed including proposals required to prepare a budget for 2019/20.
- 2.7 The finalised [Financial Plan 2019 - 2029](#) and [Transformation Strategy 2019 - 2029](#) were agreed by Cabinet on 31 October 2018. They were debated by the Overview Committee on 15 November and details were forwarded to the Scrutiny Committee for their awareness. The draft budget has been prepared in line with these agreed documents.
- 2.8 The actions identified in the Transformation Strategy for 2019/20 bridged the predicted budget deficit to within £0.280m of a balanced budget, this included a savings target of £0.250m under the heading of “fit for purpose”. Additional initiatives were required to meet the remaining shortfall and the fit for purpose target needed to be achieved. The actions included in the Strategy for 2019/20 are given below and compared with the position now being presented in the draft budget as being achievable.

Transformation Savings Target compared with draft 2019/20 budget	Target in Transformation Strategy £000	2019/20 Draft Budget position £000	Comments
Print & Post Planning	7	7	
Fit for Purpose	250	250	Currently Short by £126k in terms of identified posts to make up this saving total – SMT will find this sum in year so the full saving figure is included in the draft budget. This is a risk and if not found the amount will have to be met from General Fund Balance.

Property charge for Waste Containers from developers	28	67	Better than target
Street Scene potential to increase event income for existing assets.	15	0	This target was on the basis of event management being in place. Specific events are now to be trialled under a proposed management arrangement (Gate to Plate & Queens Drive). Other areas will be incorporated in 2020/21 to achieve the target and future savings
Property Investment (£300k commercial + £150k District Benefits)	50	50	
East Devon Business Centre - full occupancy & remodelling	10	10	
Rent reviews for commercial properties to ensure up to date	15	15	
Rent reviews for commercial properties to ensure up to date	10	10	
To be identified in budget preparation	280	-	No new items of Transformation have come forward. Although budget managers have worked to hold or reduce existing budget areas.
Total	£665	£409	£0.256m short of savings target based on MTFP assumptions

- 2.9 The above position compares the MTFP and the **savings/income generation through the Transformation Strategy which are now included in the draft budget**, this gives a shortfall projected of £0.256m.
- 2.10 Now turning to the position in the draft budget as this will inevitably be different to the MTFP which was prepared at an earlier stage and at a much higher level. The final position with the draft budget is remarkable close to the expected position with the **draft budget showing a deficit of £0.156m**.

Draft Revenue Budget 2019/20

- 2.11 A summary position of the General Fund draft budget is given below. Further details are contained in the Budget Book linked to the agenda showing the current budget, the draft budget proposed for 2019/20 alongside notes on variation between years and other points of detail to inform members.

The Budget Book provides a summary of the services we operate, the assets and resources involved in each area. For a better understanding of the draft budget and the resources allocated members are recommend to study these pages along with the service plan proposals.

General Fund Revenue Budgets 2019/20

Portfolio Budget - Net Expenditure	2018/19	2019/20	Variation	%age Change	Notes
Corporate Business	129,270	142,800	13,530	10%	
Corporate Services	1,696,130	1,995,945	299,815	18%	1
Economy And Regenrtn Portfolio	557,690	358,020	-199,670	-36%	2
Environment Portfolio	1,540,630	1,516,220	-24,410	-2%	
Finance	1,524,770	1,771,980	247,210	16%	3
Strategic Development & P'Ship	2,466,010	2,303,430	-162,580	-7%	4
Street Scene Portfolio	9,172,930	9,137,525	-35,405	0%	
Sustainable Homes & Communitie	436,350	557,400	121,050	28%	5
Portfolio Totals	17,523,780	17,783,320	259,540	1%	
Reversal of Capital Charges (Depreciation)	-2,550,620	-2,550,620	0	0%	
Portfolio Totals Net of Capital Charges	14,973,160	15,232,700	259,540	2%	
Interest Receipts (Net of investment management fees)	-624,680	-635,180	-10,500		
Interest Payable	200	4,470	4,270		
PWLB Interest & Principal Repayments	222,710	565,980	343,270		
Net Expenditure	14,571,390	15,167,970	596,580	4%	
Government Grants					
New Homes Bonus contribution	-1,500,000	-1,500,000	0		
Rural Services Delivery Grant	-225,590	-225,590	0		
Savings Target	-70,000	-70,000	0		
Use of Reserves					
Use of Collection fund surplus	-137,840	-123,000	14,840		
Earmarked Reserves	-704,700	-683,510	21,190		
Use of General Fund Balance for elections	-143,610	-80,160	63,450		
Use of General Fund Balance		-156,020			
Budget Requirement	11,789,650	12,329,690	696,060	6%	
Revenue Support Grant	-126,670	0	126,670		
Business Rate Baseline Funding	-2,571,060	-2,624,550	-53,490		
Business Rate Retention Inflation Uplift	-1,100,000	-1,300,000	-200,000		
Council Tax Support Grant paid to Parishes	32,830	0	-32,830		
Parish Support Reserve	0	0	0		
Council Tax Requirement	8,024,750	8,405,140	536,410	7%	

High level notes to main variations above – see budget book for detailed analysis.

- 1 £80k increase for District election to be met from General Fund Balance, £253k implementation of Firmstep (Customer Service IT software) to be met from specific reserve.*
- 2 £50k new income stream - investment property, Exmouth Town Hall now fully recharged to services £50k, other property maintenance & running cost savings on corporate buildings £97k which includes the difference between a new build Blackdown House compared with the Knowle*
- 3 £279k additional net costs on Housing Benefit Payments mainly as a result of reduction in HB overpayment income, offset by £114k saving from administration costs and income generation.*
- 4 Reduction in Growth Point budget as £100k included in 2018/19 for Cranbrook Expansion Masterplan, Exeter City Council funding for Growth Point £80k now ceased but this has been offset by additional income and savings.*

£57k reduction in technical and consultants fees as not required in 2019/20 in planning policy
- 5 £112k additional net cost for Homesafeguard – increased costs including new IT system and reduced income (commercial contracts).*

- 2.12 The Financial Plan made an allowance of £0.050m to cover one off items of expenditure previously referred to as special items, these service requests have been prioritised and included in the draft budget. Items classified as priority 1 (health & safety essential maintenance) have been included, but any other items have had to be excluded to keep within the allowance.
- 2.13 The budget requires £0.156m to be met from the General Fund Balance (in addition to a sum for the District election £0.080m), this is not ideal but is financial acceptable.
- 2.14 The budget has been prepared on the basis of continuing to provide existing services without any reductions which considering the financial pressures is a significant achievement. Service areas are under pressure to deliver existing services at reduced costs and in cases meet an increase in demand/workload, this is particularly true within the StreetScene area but they are not alone. StreetScene had flagged the need for additional resources but this has not been possible within this budget and they are to manage with the existing resources. Careful consideration has been given to the budget setting and services need to continue to work more efficiently in order to give them the capacity to meet additional demands, this will need to be monitored carefully through budget monitoring and performance reports.
- 2.15 The Council agreed to consider during its budget process a request from Cranbrook Town Council to support the funding of a Deputy Town Clerk. A report prepared by the Town Council is linked to this report. The request is seeking total funding of £112,222 over a five year period (costs in first year being £21,306). This sum is not included in the draft budget and members are reminded that requests for additional resources from our own teams have not been possible in this budget.

2.16 Council Tax

The draft budget, in line with the agreed Financial Plan, assumes the Council will increase the Council Tax for 2019/20 by £5 a year. This gives a precept for the Council of £8,405,140 raising the current annual council tax charge from £136.78 to £141.78 for a band D property a year, a 3.7% increase.

Details have been released on what level Council Tax increases would trigger a referendum, in that the Government believe they would be excessive. This has been deemed for shire districts to be an increase of £5 a year or 3% whichever is the greater, this is the level the Government have calculated in their assumptions as income available to these Councils.

2.17 General Fund Balance

The Council has an adopted range for the General Fund Balance of between £2.8m to £3.6m which is considered still to be appropriate; the draft budget maintains the Balance within that range. The draft budget assumes using £0.236m of the General Fund balance in 2019/20.

The current prediction for the year end position for 2018/19 is that the General Fund Balance will be at the top end of this range at £3.2m, therefore using £0.236m in 2019/20 would still leave the Balance at the required level. This report highlights the saving target within the budget for “fit for purpose” currently has savings of £0.126m yet to be identified and if not achieved would also have to be met from the General Fund Balance.

This is an estimated position and factors will affect this sum before year end. Based on previous years' experience the year end position is likely to generate a surplus position which can then be used to offset the costs in this draft budget to leave the General Fund Balance at the higher limit of £3.6m. Decisions will be taken at the 2018/19 Outturn stage concerning the Council's balances when the final position is known.

2.18 Business Rates

The 2019/20 budget uses the Government's funding calculation at £2.664m as the income to be derived from Business Rates; to this an additional £1.3m has been added to reflect the Council's own rate estimate which is higher. The Council does hold a Rates Volatility Fund of £0.639m accumulated from previous Business Rate surplus to mitigate the risk if Rates do not achieve this full level and it helps smooth out year on year fluctuations.

The Council was successful in a Devon bid to Government to become a 100% business rates Pilot area for 2018/19. Although Devon applied to be 75% pilot for 2019/20 this was not successful and the budget reflects the Council will revert back to a 50% retention scheme for 2019/20. A 75% retention scheme will be introduced in 2020/21 and proposals of how this will work are still being determined by Government.

The Council still holds £0.5m to £0.6m (depending on final year end calculation) of monies obtained in the current year under the 100% scheme - this income is required to be directed to the promotion of financial sustainability across economic areas and for the investment in encouraging further growth.

2.19 **New Homes Bonus (NHB)**

The Council's policy is to retain £1.5m of NHB annually to fund the General Fund with the balance in the main being used to support the Council's Capital Programme. Therefore the risk of reduced sums is mitigated through the capital programme.

The draft Budget includes HNB grant to be received in 2019/20 of £3.897m, this is based on additional net growth in the Council Tax Base of 901 dwellings relating to the NHB grant calculation which includes 220 additional affordable units.

Budget Strategy for future years

- 2.20 The Council has a good record of tackling and managing budget deficit projections and dealing with issues at an early stage, the Council has an agreed Transformation Strategy which will continually be monitored and reviewed to ensure the Council continues to balance its budget. More initiatives need to be delivered going forward, the Council does have a minimal budget gap in the proposed draft budget which is manageable and can be met from the General Fund Balance.
- 2.21 The Budget Working Party will meet in June 2019 to start considering plans in balancing the 2020/21 budget which has a significant budget deficit projected (in year deficit alone of nearly £2m). This will be under a new Council who will need to consider a new Council Plan which will help steer the work of the Party.

2 **Housing Revenue Account Budget**

The Overall Financial Picture

- 3.1 The Housing Revenue Account (HRA) is underpinned and influenced by the business plan, this plan needs a refresh to consider:
- The implication of a new maintenance contractor,
 - to reflect additional work on asset management planning and to further develop management information from the Housing IT system,
 - the end of rent reductions,
 - implication of Universal Credit, and
 - a need to reconsider the debt level and use of Right to Buy Receipts linked to future development ambitions.

This will be done in 2019/20 for the 2020/21 budget, the picture for the draft 2019/20 budget is very much stand still in that; it provides an acceptable surplus to contribute to the purchase programme to counteract the impact of continuing Right to Buy (RTB) sales and ensures capital receipts are spent and not returned to government. The budget also continues to invest in our existing properties at a similar level.

- 3.2 The Governments Rent Reduction Policy of 1% continues with the final year being 2019/20, with an estimated reduced income of £0.152m. This results in an average weekly rent for

2019/20 of £79.09. Garage rents have been factored in at an increase of 3% taking this to an average weekly rent of £12.50.

- 3.3 The HRA currently has 4,204 dwellings and 738 garages, there has been 8 Right to Buy sales in 2018 to date (32 last full year) and we have added 12 new dwellings in the current year (22 last full year).

Draft Revenue Budget 2019/20

- 3.4 The budget book details the draft estimates for 2019/20.
- 3.5 The budget has been prepared to maintain council homes to a high standard with a comprehensive planned programme of expenditure, adaptations and routine repairs. The 2019/20 draft budget maintains significant sums for:
- Major repairs totalling £4.4m covering new doors, boilers, kitchens and bathrooms, including change of tenancy expenditure, replacement of wooden fascias with uPVC and roof replacements.
 - Day to day repairs, programme maintenance and one off works totalling £4.5m.
- 3.6 Rents have been decreased by 1% in line with legislation giving an estimated rental income from dwellings of £17.1m, with other income including garage rents adding a further £1m in income.
- 3.7 The draft budget proposed generates a surplus of **£1.154m** in 2019/20. This sum is then used to help finance the purchase of properties, continuing with the £5m annual investment programme (£3.5m from reserves/surplus and £1.5m from RTB receipts).
- 3.8 The draft budget excludes a £1.9m principle loan repayment scheduled for 2019/20 and assumes this is refinanced allowing the generated surplus in 2019/20 to be used to support new acquisitions, this will leave the level of debt in the HRA at the same level of £80.6m.
- 3.9 The HRA Balance is maintained within the adopted range of £2.1m and £3.1m, being projected to be retained £3.1m level at the end of 2019/20. There is an additional £1.6m being held in the HRA debt Volatility Fund which remains unchanged.
- 3.10 The draft HRA budget will be reviewed by the Housing Review Board (HRB) on 24th January 2019.

Budget Strategy for future years

- 3.11 The HRA Business plan needs refreshing as outlined in 3.1 above to ensure properties can be maintained at a high standard whilst investing in new properties and keeping the HRA Reserves within the adopted levels. This is currently being achieved.

4 Capital Programme

The Overall Financial Picture

- 4.1 The draft Capital Programme for 2019/20 in isolation after using available resources has an overall surplus of £7.944m as a result of a significant capital receipt from the sale of the Knowle. This surplus is required to offset the significant underfunding of the current capital programme in 2018/19 of £12.357m, for Treasury Management this underfunding is likely to be held as internal borrowing rather than funding from external loan and will be made good from the receipt in the following year (2019/20).
- 4.2 There will however over these two years be a net shortfall in the region of £4.4m and this level of underfunded capital has been factored into the Council's Minimum Revenue Provision (MRP) calculation (the amount required to be charged to the revenue account for unfunded capital) in line with the Council MRP Policy. In addition there will either be interest on any external loans required to be factored in, or the loss of investment interest on any internal borrowing used. Again this has been factored into the 2019/20 draft budget. The higher the unfunded element of the capital programme the greater cost to the General Fund.
- 4.3 The preparation of the draft Capital Budget has been directed by the Capital Strategy & Allocation Group (CSAG) who met on 5th December 2018 to consider scheme proposals. The Group considered funding resources available, the capital appraisal process and then each scheme proposal in turn. Minutes of this meeting are contained on this agenda.
- 4.4 The capital appraisal process has been used to build a capital programme aimed at delivering the Council's stated priorities and ensuring schemes meet set outcomes. Each scheme is given a score against a set criteria such as how the project meets the Council Plan, the risk involved, any part funding, invest to save and service provision. This scoring is used to measure priority against the funding available.
- For each scheme proposed an Initial Project Proposal Form was completed as governed in the adopted "Guide to Project Management".

Draft Capital Budget 2019/20

- 4.5 The attached booklet details the draft capital programme for 2018/19 to 2022/23; scoring information is included against the new capital bid items.
- 4.6 The draft capital budget for 2019/20, detailed in the attached budget book, shows a surplus of £7.944m but as explained this is required to offset the underfunded position in the current year of £12.357m. The greater the surplus in 2019/20 the less funding and cost to revenue in overall terms.
- 4.7 New Homes Bonus monies is helping to fund the capital programme in 2019/20 by £2.144m and going forward, although at reduced sum each year. The Government are reviewing this grant for changes in 2020/21 which could be a significant risk to the capital programme in future years but members will be updated as details are known.

5 Other Balances & Reserves available to the Council

- 5.1 The Council holds a number of earmarked reserves set aside for specific purposes, the use of such reserves in the 2019/20 draft budget are detailed in the budget book for members' information.

6. Robustness of estimates and adequacy of reserves

- 6.1 This part of the report deals with the requirement of Section 25 (2) of the Local Government Act 2003 in that the Council's Chief Finance Officer (CFO) must report on the robustness of the estimates included in the budget and the adequacy of reserves for which the budget provides.
- 6.2 In terms of the robustness of the estimates, all known factors have been considered and the financial implications have been assessed at the point of preparation. Various budget assumptions have been made including the treatment of inflation and interest rates, estimates on the level and timing of capital receipts, the treatment of demand led pressures, the treatment of planned efficiency savings/productivity gains and levels of income, financial risks inherent in any new arrangements and capital developments and the availability of funds to deal with major contingencies and the need for any provisions. In each of these areas the Council's financial standing, management and track record have been considered in order to prepare robust budget proposals.
- 6.3 The proposed draft budgets for 2019/20 maintain both the General Fund balance and the Housing Revenue Account balance at adopted levels provided actual net expenditure is at, or below, the level forecast. Continuous monitoring and reports to Cabinet will highlight and make recommendations on any corrective action necessary to achieve this during 2019/20.

7. Prudential Code

- 7.1 The Local Government Act 2003 also requires under regulation for local authorities to have regard to the Prudential Code for Capital Finance in Local Authorities, issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) when setting and reviewing their affordable borrowing limit.
- 7.2 The key objective of the Code is to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable. A further key objective is to ensure that treasury management decisions are taken in accordance with good professional practice and in a manner that supports prudence, affordability and sustainability.
- 7.3 To demonstrate that local authorities have fulfilled these objectives, the Prudential Code sets out the indicators that must be used and the factors that must be taken into account. These indicators will be presented to the next Cabinet meeting when a recommendation will be made on the budget for 2019/20, Council Tax levy and Council House Rents.
- 7.4 There is a new requirement to produce a Capital Strategy which extends the normal Treasury Management Strategy approved by Council annually to additionally consider any investment property the Council holds or likely to hold, what this means in terms of financial exposure and risk. This will be presented along with the documents above at the next Cabinet for onward approval by Council in February 2019.



Report to: **Cabinet**

Date of Meeting: 2 January 2019

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: **15**

Subject: **2019/20 Council Tax Base**

Purpose of report: This report sets out the tax base for 2019/20 and includes the breakdown for each parish, expressed in terms of Band D equivalent properties on which the council tax will be based. This is an important component in the Council's budget setting process for 2019/20.

Recommendation:

- 1. To confirm the tax base for 2019/20 at 59,283 Band D equivalent properties**
- 2. To confirm the amount for each parish as detailed under section 3 of this report.**

Reason for recommendation: The calculation of the tax base is prescribed in regulations and is a legal requirement. The council tax base is defined as the number of Band D equivalent properties in a local authority's area. The tax base is necessary to calculate council tax for a given area.

Officer: Libby Jarrett, Service Lead – Revenues, Benefits & Corporate Fraud
ljarrett@eastdevon.gov.uk Direct Line: 01395 517450

Financial implications: This calculation forms part of the annual budget setting process and is included within the draft 2019/20 budget.

Legal implications: There is a statutory framework governing the Council tax setting process and this has been had regard to with the key requirements also identified within the report. There are no further comments required.

Equalities impact: Low Impact

Risk: Low Risk

If the Council fails to carry out its duty as prescribed in legislation then the major precepting authority can set the tax base in our place.

The tax base is calculated based on certain assumptions; forecast of growth (new properties), collection levels, adjustments to discounts/disregards, exemptions, council tax reduction and the Council is effective in the administration, billing and collection of the tax. Based on our track record of performance this risk has been assessed as low.

Links to background information: .

Link to Council Plan: Encouraging communities to be outstanding; Developing an outstanding local economy; Delivering and promoting our outstanding environment; Continuously improving to be an outstanding council.

1.0 Background

- 1.1 The tax base for Council tax must be set between 1 December 2018 and 31 January 2019.
- 1.2 The council tax base is the measure of the number of dwellings to which council tax is chargeable in an area or part of an area. It is used for the purposes of calculating an authority's band D council tax.
- 1.3 From 1 April 2013 regulations now prescribe that the relevant date to be used in estimating the tax base will be 30 November in the financial year preceding that for which the tax base is calculated.
- 1.4 The tax base calculation is determined annually by identifying the number of properties listed in the valuation list and then adjusted for the following:
 - an estimate of the number of new properties to come on to the Valuation list for all or part of the year and the estimated level of discounts, exemptions and reliefs that may apply.
 - an estimate of the number of properties to be demolished and allowing for any discounts and exemptions associated with them.
 - the number of discounts, exemptions, premiums and relief that already apply
 - any changes to the level of discounts, premiums, etc.
 - the estimated reduction for the council tax reduction scheme (council tax support)
 - the estimated collection rate for the year.
 - the Contribution in lieu from the Ministry of Defence (MoD properties are treated as exempt for council tax purposes and the MoD makes a contribution in lieu of council tax after deducting an allowance for periods when properties are empty).

2.0 Council Tax Base Calculation for 2019/2020

- 2.1 The table at 2.7 shows the number of properties (by band) in the Valuation list as at 30 November 2018 and then adjusted to reflect discounts, exemptions, premiums and reliefs that already apply, estimate of new builds, deletions, appeals, council tax reduction scheme, collection rate and contribution from MoD.
- 2.2 The estimate for the council tax reduction scheme has been calculated based on the scheme that was approved by Members at Full Council on 12 December 2018.
- 2.3 The adjustments for discounts, premiums have been based using the same percentage levels that currently apply.
- 2.4 There are 390 (378 Band D equivalents) new properties that have been included to come on for the equivalent of the whole of next year. This is after adjustments for discounts, exemptions, number of days within the year, etc.
- 2.5 We have used a collection rate of 99% to reflect our actual collection performance for 2017/18.

- 2.6 There are 160 Band D equivalent MoD properties which has been estimated taking into account the current contribution.

2.7 Totals for East Devon 2019/20

BAND	A*	A	B	C	D	E	F	G	H	Total
1. Properties in list	0	6,396	13,384	15,916	12,705	10,474	6,334	4,069	193	69,471
2. Less adjustments	-10	1,245	1,796	1,647	1,226	847	386	283	35	7,455
3. Plus new Builds	0	36	43	127	104	50	24	5	0	389
4. Adjusted number of properties	10	5,187	11,631	14,396	11,583	9,677	5,972	3,791	158	62,405
5. Less CTR	4	1,453	2,005	1,237	413	134	27	7	0	5,280
6. Total equivalent properties	6	3,734	9,626	13,159	11,170	9,543	5,945	3784	158	57,125
7. Ratio to Band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	N/A
8. Band D equivalent	3	2,489	7,487	11,697	11,170	11,664	8,587	6,307	316	59,720
9. Collection Rate @ 99%										59,123
10. Contribution for MOD properties										160
11. Tax Base										59,283

Key	
1	Properties in list - refers to the number of properties in each band shown in the Valuation list as at 30 November 2018 (A* = band A with a disablement discount).
2	Less adjustments for exemptions, disablement relief, discounts, empty home premiums, etc
3	Newly built properties estimated to come onto Valuation list and adjusted for discounts, reliefs, etc.
4	Adjusted number of properties.
5	Less Council Tax Reduction Scheme (Council Tax Support)
6	Total equivalent number of properties after all adjustments.
7	Band ratios as prescribed by legislation
8	Band D equivalent gives the totals in line 5 expressed in terms of band D.
9	Adjustment for assumed collection rate for 2019/20.
10	The contribution from the Ministry of Defence adjusted to the number of Band D equivalent properties.
11	Tax Base for 2019/20 in Band D equivalents

- 2.8 The tax base for 2019/20 has increased by 614 band D equivalent properties (58,669 for 2018/19), an increase of just over 1%.

3.0 Parish/Town Tax Base for 2019/2020

3.1 The table below shows the tax base expressed as the number of Band D equivalent properties for each of the parish/towns after adjustments. The calculation for each of the towns and parishes is determined in the same way as set out in section 2 of this report.

All Saints	253	Dalwood	206	Plymtree	263
Awliscombe	240	Dunkeswell	610	Poltimore	134
Axminster	2,763	E.Budleigh/Bicton	508	Rewe	188
Axmouthe	250	Exmouth	12,877	Rockbeare	361
Aylesbeare	271	Farringdon	155	Seaton	3,208
Beer	677	Farway	134	Sheldon	84
Bishops Clyst	584	Feniton	665	Shute	296
Brampford Speke	155	Gittisham	254	Sidmouth	7,042
Branscombe	340	Hawkchurch	261	Southleigh	117
Broadclyst	1,666	Honiton	3,906	Stockland	326
Broadhembury	305	Huxham	46	Stoke Canon	238
Buckerell	115	Kilminster	407	Talaton	248
Budleigh Salterton	2,801	Luppitt	214	Uplyme	870
Chardstock	416	Lympstone	921	Upton Pyne	323
Clyst Honiton	109	Membury	276	Upton Pyne	224
Clyst Hydon	124	Monkton	75	West Hill	1,158
Clyst St George	402	Musbury	239	Whimple	731
Clyst St Lawrence	48	Netherexe	23	Widworthy	137
Colaton Raleigh	318	Newton Poppleford	916	Woodbury	1,422
Colyton	1,444	Northleigh	83	Yarcombe	222
Combe Raleigh	101	Offwell	191	Grand total 59,283	
Combpyne-Rousdon	195	Otterton	310		
Cotleigh	106	Ottery St Mary	2,826		
Cranbrook	1,600	Payhembury	305		



Report to: **Cabinet**

Date of Meeting: 2 January 2019

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: **16**

Subject: **Exeter and East Devon Enterprise Zone**

Purpose of report: To seek approval from Cabinet to borrow against future ring fenced business rate income to invest £1.11m in the Open Innovation Building on Exeter Science Park.

Recommendation: **It is recommended that Cabinet:**

That Cabinet recommends to Council that £1.11m is invested in the Open Innovation Building on the Exeter Science Park and that delegated authority is given to the Chief Executive to make payments in respect of the project, subject to the completion of appropriate legal documentation in consultation with the Strategic Lead (Governance and Licensing).

Reason for recommendation: Cabinet last received a paper on the Enterprise Zone in April 2018. This sought approval for the principle of borrowing up to £8m against ring-fenced business rate income, with detailed approval for investing up to £3.4m for four specific projects. During the intervening period work has focused on the delivery of the approved projects, along with supporting the development of other opportunities, including the delivery of floor space at Exeter Science Park.

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

Financial implications: Financial details are contained in the report

Legal implications: The principle of borrowing against future income is acceptable. It will be necessary for the Council to satisfy itself that each project is legally compliant (including in relation to State Aid requirements should this remain applicable) and moreover that appropriate legal documentation is in place in respect of the funding. In that regard the legal team will carry out appropriate due diligence to ensure that it is legally sound and that appropriate documentation is drawn up and entered into.

Equalities impact: Low Impact

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

Risk:

Medium Risk

This paper seeks approval for borrowing against future ring-fenced business rate income to provide grant funding to support the development of floor space at Science Park. The business rate income is ring fenced for a 25 year period (from April 2017) and is dependent upon the delivery of new floor space to deliver benefit to the local authorities.

This project has been subject of a detailed project appraisal and subsequently considered by the Enterprise Zone Board.

The key project risks and associated mitigation have been considered and are frequently reviewed as part of the Implementation Plan for the Enterprise Zone.

Links to background information:

- [Overview report – January 2016](#)
- [Cabinet Paper May 2016](#)
- [Cabinet Paper November 2016](#)
- [Cabinet Paper March 2017](#)
- [Cabinet Paper November 2017](#)
- [Cabinet Paper April 2018](#)

Link to Council Plan:

Working in and funding this outstanding place.

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

1. Introduction

- 1.1 Cabinet has received a series of papers on the Enterprise Zone (EZ) designation which went live in April 2017. The EZ is now in its second year of operation, with businesses on three of the four designated sites benefiting from the Government funded business rates relief. There are also regular enquiries and applicants received from businesses seeking to move into new premises.
- 1.2 The designation also provides the ability to borrow against ring-fenced business rate income generated from the four sites in the EZ. In April 2018 the Council agreed in principle to borrow up to £8m, with detailed approval for £3.4m of expenditure. Three of the four approved projects have progressed (enhanced bus service, Park & Change and design work for Long Lane upgrade). The fourth project (Airport Instrument Landing System upgrade) is likely to be funded by an alternative funding source.

2. Proposal

- 2.1 This report seeks approval for £1.11m to be borrowed against future ring-fenced business rate income.
- 2.2 Exeter Science Park Ltd (ESPL) is requesting a £1.11m Enterprise Zone grant to support delivery of the 20,000ft Open Innovation Building on Exeter Science Park. The Open Innovation Building will provide accommodation that will cater for medium sized SMEs that comply with the site's gateway policy and will form part of a continuum of accommodation offered on the site. Space is predominantly anticipated to be for office rather than laboratory use, reflecting the nature of enquiries to date.

- 2.3 The project's funding package is substantively secured, including a £5.5m grant from the Heart of the South West Local Enterprise Partnership (HotSW LEP) and a land value contribution of £0.191m. Enterprise Zone investment will support the site infrastructure required to unlock development and the fit out of the Open Innovation Building floor space to Category A open plan standard.
- 2.4 Development of the Open Innovation Building will allow the Science Park to reach the critical mass of accommodation needed by STEMM businesses – both those already located on the Science Park (within ESPL buildings and the Met Office's Collaboration Building) and incoming – to take the next step in their growth and innovation journey, as well as the income to create a sustainable operation.
- 2.5 Without additional funding only the basic shell of the Open Innovation Building can be built, therefore making it hard to attract businesses who require fully fitted office space. The LEP has confirmed they require the match funding to be in place to allow the full specification to be delivered as this has the best prospect of securing STEMM jobs. A failure to secure the final element of the funding package would therefore put the whole project at risk. Site infrastructure would also remain undelivered, presenting a further challenge to overall scheme deliverability and the effective operation of the site. This approval of EZ match funding is a critical component in creating a fully functional building and allowing the scheme to proceed.
- 2.6 The Open Innovation Building is forecast to accommodate 134 jobs, which could rise to 158 jobs if the building is 100% occupied. The proposal has been the subject a detailed project appraisal which has been considered by the Enterprise Zone Board. This demonstrates that the proposed investment represents good value for money. The requested grant represents 15% of the total cost of the project which will deliver a further 2,000sq m of employment space on the Science Park. This will ensure continued growth of business rate income, jobs and delivery of floor space within the Enterprise Zone.
- 2.7 If EZ funding is approved it is planned that the Open Innovation Building will be completed by Summer 2020.

3. Conclusion

- 3.1 The Enterprise Zone designation provides a positive way of supporting the delivery of new commercial space and jobs within the designated sites. The delivery of the Open Innovation Building on Exeter Science Park is dependent upon match funding from the EZ to deliver a fully functional building and ensure delivery of the scheme.



Report to: Cabinet
Date of Meeting: 2 January 2019
Public Document: Yes
Exemption: None

Agenda item: 16

Subject: **The Beer Neighbourhood Plan to be formally 'made'**

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

Recommendation:

It is recommended that:

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

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

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

Financial implications: No specific financial implications at this stage

Legal implications: Following a majority vote in favour of the plan at referendum the Council must proceed to adopt (or 'make') the plan, unless in doing so it causes a breach of EU obligations or Convention rights. The Council has adopted a Screening Opinion, accepted by relevant statutory consultees, which confirms that there is likely to be a significant effect on the environment so an SEA and HRA was required. The Independent Examiner concluded in light of the SEA and HRA that subject to the recommended modifications regard has been had to Convention rights and accordingly there would be no breach in respect of those obligations under EU legislation. It is not considered that there are any other breaches of EU obligations that can be identified. Accordingly, the legal position is that the Council must 'make' the Neighbourhood Plan. As noted, following being made, the neighbourhood plan will become part of the Development Plan for decision making on planning applications.

Equalities impact: Low Impact

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

Risk:

Low Risk

The only reason for the Plan not to be made now is if the Council consider that to do so would breach an EU obligation or a Convention right. There is a risk that should we take that decision it will be subject to legal challenge and that the Parish Council will feel disenfranchised that their right to produce a Neighbourhood Plan under the Localism Act has been prevented.

Links to background information:

- [The Localism Act](#)
- [Plain English Guide to the Localism Act](#)
- [National Planning Policy Framework \(2018\)](#)
- [National Planning Policy Framework \(2012\) \(As used to examine the Plan under transition arrangements\)](#)
- [Neighbourhood Planning Regulations](#)
- [East Devon Neighbourhood Planning pages](#)

Link to Council Plan:

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

Encouraging communities to be outstanding

Developing an outstanding local economy

Delivering and promoting our outstanding environment

1.0 Beer Neighbourhood Plan Referendum

1.1 On 8 November 2018 a referendum was held on Beer Neighbourhood Plan at the Mariners Hall, Beer, from 7am to 10pm.

1.2 Voters were asked the following question:

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

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

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

1.5 The final results of the Beer Neighbourhood Plan referendum are shown below:

Yes: 251

No: 28

Voter turnout 25.2%

In favour: 90%

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

- 1.7 Once the Plan is formally made it will carry full weight in the planning decision making process. As part of the development plan any planning applications in Beer Parish will be judged against the Plan as well as policies of East Devon District Council and also the National Planning Policy Framework. Application of the policies of the Plan will ensure that the hard work that has gone into its production will result in effective application of local community expectations and aspirations in the decision making process.
- 1.8 The only reason for the Plan not to be made now is if Cabinet consider that to do so would breach an EU obligation or Convention right. During the examination process the Examiner stated that they were satisfied that the Plan was compatible with EU obligations.

2.0 Next stages

- 2.1 Following the decision whether or not to make the Plan (or where the referendum results in a 'no' vote or the Plan is refused as it would cause a breach of an EU obligation or Convention right), we will produce a decision notice for the Plan (detailing the decision and reasons for it and where it may be viewed) and publish it:-
- on the neighbourhood planning pages of our website
 - by sending a copy to the Plan producer and requesting that they notify those persons who live, work or carry on business in the neighbourhood area to which the Plan relates
 - by notifying the 'consultation bodies' referred to in the consultation statement
 - by advising:-
 - those adjoining authorities
 - anyone who asked to be notified of a copy of the decision
 - all those who made representations on the relevant plan



Report to: Cabinet
Date of Meeting: 2 January 2019
Public Document: Yes
Exemption: None

Agenda item: 17

Subject: **The Clyst St George Neighbourhood Plan to be formally 'made'**

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

Recommendation:

It is recommended that:

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

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

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

Financial implications: No specific financial implications at this stage.

Legal implications: Following a majority vote in favour of the plan at referendum the Council must proceed to adopt (or 'make') the plan, unless in doing so it causes a breach of EU obligations or Convention rights. The Independent Examiner concluded that regard has been had to Convention rights. Moreover, the Council has adopted a Screening Opinion, accepted by relevant statutory consultees, which confirms that there is no need for a formal SEA or HRA and accordingly there would be no breach in respect of those obligations under EU legislation nor is there considered to be any implications in light of the 'People over Wind' case. It is not considered that there are any other breaches of EU obligations that can be identified. Accordingly, the legal position is that the Council must 'make' the Neighbourhood Plan. As noted, following being made, the neighbourhood plan will become part of the Development Plan for decision making on planning applications.

Equalities impact: Low Impact

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

Risk:

Low Risk

The only reason for the Plan not to be made now is if the Council consider that to do so would breach an EU obligation or a Convention right. There is a risk that should we take that decision it will be subject to legal challenge and that the Parish Council will feel disenfranchised that their right to produce a Neighbourhood Plan under the Localism Act has been prevented.

Links to background information:

- [The Localism Act](#)
- [Plain English Guide to the Localism Act](#)
- [National Planning Policy Framework \(2018\)](#)
- [National Planning Policy Framework \(2012\) \(As used to examine the Plan under transition arrangements\)](#)
- [Neighbourhood Planning Regulations](#)
- [East Devon Neighbourhood Planning pages](#)

Link to Council Plan:

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

Encouraging communities to be outstanding

Developing an outstanding local economy

Delivering and promoting our outstanding environment

1.0 Clyst St George Neighbourhood Plan Referendum

1.1 On 8 November 2018 a referendum was held on Clyst St George Neighbourhood Plan at Clyst St George & Ebford Village Hall from 7am to 10pm.

1.2 Voters were asked the following question:

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

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

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

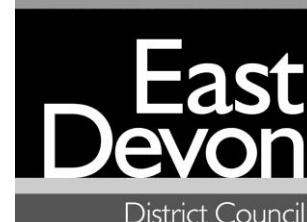
1.5 The final results of the Clyst St George Neighbourhood Plan referendum are shown below:
 Yes: 160
 No: 12
 Voter turnout 25.78%
 In favour: 93.02%

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

- 1.7 Once Clyst St George Neighbourhood Plan is formally made it will carry full weight in the planning decision making process. As part of the development plan, any planning applications in Clyst St George Parish will be judged against the Plan as well as policies of East Devon District Council and also the National Planning Policy Framework. Application of the policies of the Plan will ensure that the hard work that has gone into its production will result in effective application of local community expectations and aspirations in the decision making process.
- 1.8 The only reason for the Plan not to be made now is if Cabinet consider that to do so would breach an EU obligation or Convention right. During the examination process the Examiner stated that they were satisfied that the Plan was compatible with EU obligations.

2.0 Next stages

- 2.1 Following the decision whether or not to make the Plan (or where the referendum results in a 'no' vote or the Plan is refused as it would cause a breach of an EU obligation or Convention right), we will produce a decision notice for the Plan (detailing the decision and reasons for it and where it may be viewed) and publish it;
- on the neighbourhood planning pages of our website
 - by sending a copy to the Plan producer and requesting that they notify those persons who live, work or carry on business in the neighbourhood area to which the Plan relates
 - by notifying the 'consultation bodies' referred to in the consultation statement
 - by advising:-
 - those adjoining authorities
 - anyone who asked to be notified of a copy of the decision
 - all those who made representations on the relevant plan



Report to: **Cabinet**

Date of Meeting: 2 January 2019

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: **19**

Subject: **East Devon Public Health Strategic Plan 2019-23**

Purpose of report:

The purpose of this report is to present our Public Health Strategic Plan. The Plan sets out how we will encourage and assist services across the Council each to support and improve health and wellbeing across the District.

The strategic aims of the Plan are to help more people to be healthy and stay healthy, to enhance self-care and support community resilience, and to integrate and improve support for people in their homes.

The Public Health Strategic Plan underpins East Devon's overarching ambition to be and remain an outstanding place. It aligns with the Council Plan, and also with wider-Devon priorities for instance ones identified by the Devon STP [sustainability and Transformation Partnership]. The STP seeks to transform services to achieve improved wellbeing, better health and better care for Devon's populations. A key STP priority is prevention and early intervention, with a focus on the individual, supported by families and friends, within their local communities, providing the information and support to help them lead healthier lives as independently as possible.

Recommendation: **That Cabinet recommends to Council the approval of the Public Health Strategic Plan.**

Reason for recommendation: The Public Health Strategic Plan is recommended so that services are encouraged to help support and improve health and wellbeing across the District.

Officer: Helen Wharam, Public Health Project Officer.
HWharam@eastdevon.gov.uk : 01395 571651

Financial implications: No financial implications have been identified, however in the event that any financial costs should arise, then those costs would need to be met by existing resources within those Services.

Legal implications: There are no legal implications requiring comment.

Equalities impact: Low Impact

Risk: Low Risk

Links to background information:

A yearly implementation plan identifies activities across the council which are designed to meet public health priorities. Progress against these activities is reviewed annually, highlighting particular achievements such as our work to secure initially 150K for 16/17 then 170K for 17/18 from NHS England for Cranbrook's place on the national Healthy New Towns programme.

Public health implementation plans, annual reviews, and the previous public health strategic plan 14/17, are all available here:

<http://eastdevon.gov.uk/health-and-wellbeing/east-devons-public-health-plan-and-review-of-progress/>

Link to Council Plan:

This report helps to address the four Council priorities:

Encouraging communities to be outstanding

Developing an outstanding local economy

Delivering and promoting our outstanding environment

Continuously improving to be an outstanding council.

Report in full

Our Public Health Strategic Plan is presented [in full here:](#)

The Strategic Plan explains what we mean by public health, and why it matters to us.

It states our strategic aims:

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

It outlines how we will approach our work, monitor progress and feedback.

To approach our aims we will:

- Tackle environmental and social conditions to promote good health
- Encourage healthier behaviour so fewer people become ill
- Address loss of independence
- Promote wellbeing and self-care.

The Public Health Strategic Plan identifies which activities and which communities we should focus upon to most effectively tackle inequalities within the District. We will prioritise those local activities which we are most able to influence.

Our priority activities:

- Physical activity
- Diet and nutrition
- Smoking
- Alcohol use; alcohol-specific admissions in under 18s

- Mental health – children, young people, adults; including self-harm
- Loneliness; social isolation
- Dementia
- Long-term conditions
- Frailty and falls
- Housing and homelessness
- Indoor environment factors.

We will work across the district, with particular focus in priority communities:

- Exmouth Littleham
- Exmouth Town Centre
- Exmouth Withycombe - Raleigh Moorfields Road
- Honiton Dowell Street/Northcott Lane area near High Street
- Cranbrook.

The Plan showcases how we can meet these priorities by playing to our strengths. Our natural open spaces provide valuable opportunities for us to achieve many of our public health priorities, ranging from increasing levels of physical activity, to improved mental wellbeing and reducing social isolation. It offers us tangible opportunities to align with STP work and includes the potential for social prescribing.

For example we invite our Planners to work with partners including Devon Wildlife Trust to ensure the joined-up thinking needed to create local Nature Recovery Networks and avoid social and environmental problems. StreetScene, our Countryside team, our Community Development Workers and others will involve our communities in delivering and deriving benefit from these Nature Recovery Networks.

The Strategic Plan will give structure and direction to our yearly implementation plan, which identifies activities across the council designed to meet public health priorities. Progress against these activities is reviewed annually, highlighting particular achievements such as our work to secure initially 150K for 16/17 then 170K for 17/18 from NHS England for Cranbrook's place on the national Healthy New Towns programme.

Our yearly public health implementation plans, annual reviews, and the previous public health strategic plan 14/17, are all available here: <http://eastdevon.gov.uk/health-and-wellbeing/east-devons-public-health-plan-and-review-of-progress/>

This Public Health Strategic Plan replaces the Public Health Plan 2014-17.

The role of East Devon District Council within Devon's Sustainability and Transformation Partnership

1. Introduction

STPs: sustainability and transformation partnerships

In 2016 the NHS and local councils came together in 44 areas covering all of England to develop proposals to improve health and care. Sustainability and transformation partnerships formed to coordinate services, agree system-wide priorities, and plan collectively how to improve residents' day-to-day health through simple, practical improvements for local communities.

<http://www.england.nhs.uk/integratedcare/stps/>

Devon County Council's public health team reports that currently the national picture is now moving at pace towards Integrated Care Systems (ICS) which is the same direction of travel as STPs.

2. District Councils

To date the Devon District Councils have not played any major role in the development of Devon's STP. However as we can now see from the goal, themes and priorities set out in the STP, East Devon District should now take a more active role in this partnership. The Public Health Project Officer has attended STP meetings on behalf of EDDC, reflected upon STP activities and via the new Public Health Strategic Plan 2019-23 has placed our own public health work definitively within the context of the STP.

3. Devon's STP <http://www.devonstp.org.uk/>

Sets out plans for transforming health and care services for local people to achieve improved wellbeing, better health and better care for Devon's populations.

a. Goal

To look at every part of health and care provision in Devon as a whole.

b. Strategic themes

- i. Enabling more people to be healthy and stay healthy
- ii. Enhancing self-care and community resilience
- iii. Integrating and improving support for people in their homes.

c. Priorities

- i. Prevention & promoting health
- ii. Integrated models of care
- iii. Primary care
- iv. Mental health and learning disabilities
- v. Acute & specialist services

- vi. Productivity
- vii. Children and families.

4. Local Authority Role Prevention and Promoting Health

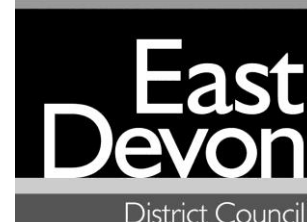
- a. Devon County Council is currently the workstream lead responsible for delivering the STP's Prevention and Promotion priority.
- b. In addition to commissioning services such as screening and immunisation programmes, drug and alcohol services and social care, Devon County Council's priorities within the STP currently include:
 - i. Tackling environmental and social conditions to promote good health
 - ii. Encouraging healthier behaviour so fewer people become ill
 - iii. Changing behaviours and managing early illness to prevent progression
 - iv. Address loss of independence
 - v. Promote wellbeing and self-care.

Cross-cutting themes inevitably include housing and mental health and key areas of work include tackling alcohol, smoking, long-term conditions, falls & frailty, loneliness, mental health and housing issues.

5. East Devon District Council

- a. EDDC is already active, for example through the work of Public Health Project Officer, Housing's Community Development Workers, the Housing Options Team, the Benefits Team, the Countryside Team, THG team etc. in delivering work that significantly contributes to:
 - i. Making every contact count (MECC)
 - ii. Identify and collaborate in social prescribing activities
 - iii. Health messaging / Lifestyle
 - iv. Preventing falls and dealing with frailty.
- b. How can EDDC continue to develop this support within our own organisation?
 - i. Knowing about the key areas of work that have been highlighted to achieve the best results in prevention
 - ii. Prioritising these areas within our own Council Plan, Public Health Plan and Service Plans
 - iii. Understanding the main mechanisms through which we will achieve 'prevention at scale' –in other words being able to view our contribution as a component of a system-wide delivery of the STP programmes
 - iv. Talking to staff and partners about how we can work together to achieve them

Across the district EDDC has opportunities to influence outcomes at a local level in ways not available to County or NHS colleagues. We work closely with our tenants, residents and local businesses. We work in partnership with local third sector and community groups who are active in our towns. We look after enviable green spaces that enable us to offer health and wellbeing activities second to none. We believe that we have a responsibility to consider health and wellbeing in all of our council activities: the Public Health Strategic Plan demonstrates how this can be achieved within current resources.



Report to: **Cabinet**

Date of Meeting: 2 January 2019

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: **19**

Subject: **Monthly Performance Report November 2018**

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

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

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

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

kjenkins@eastdevon.gov.uk

ext 2762

Financial implications: There are no direct financial implications

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

Equalities impact: Low Impact

Risk: Low Risk

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

Links to background information:

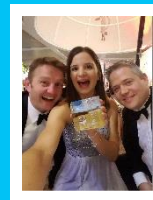
- [Appendix A – Monthly Performance Snapshot for November 2018](#)
- [Appendix B - The Performance Indicator Monitoring Report for the 2017/18 financial year up to November 2018](#)
- [Appendix C – System Thinking Reports for Revenues and Benefits, Development Management for November 2018](#)

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

Report in full

1. Performance information is provided on a monthly basis. In summary most of the measures are showing acceptable performance.
2. There is one indicator showing excellent performance:
 - Percentage of planning appeal decisions allowed against the authority's decision to refuse
3. There are two performance indicator showing as concern for the month of November
Days taken to process new Housing Benefit claims - We are currently working through a transition period to Universal Credit which is impacting on our performance. More detail can be found in Appendix C.
Working days lost due to sickness absence - As previously reported, there has been a significant increase this year in employees who have been absent for two months or more as a result of surgery and serious health issues for 2 or months. These cases are all proactively managed through HR and reference to Occupational Health advice to facilitate a return to work as soon as possible. We continue to train our managers in this difficult area and work closely with them to facilitate reduced levels of absence.
4. Monthly Performance Snapshot for November 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 Revenues and Benefits and Development Management report appear in [Appendix C](#).

Monthly Performance Snapshot – November 2018



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

- An estimated **59%** of all waste collected was recycled in November
- **xx%** of invoices received by us are paid within 10 days
- **99.66%** of rent due on council owned homes collected % excluding former tenant arrears.
- Thelma Hulbert Gallery sales for November: £6,496 up +12% on last November, April – November sales: £27,421. Up by nearly £5,000 / +12% on same period last year.
- Thelma Hulbert Gallery visitor figures: 911 up +13% on last November.

Latest headlines:

- Coastal Communities Fund Round 5 - The council's 'Access East Devon' bid has successfully passed stage one and we are now preparing a full stage two bid. Our project aims to deliver new connectivity, visibility and access across the East Devon coastline and will attract a wider breadth of visitors, benefit residents and support our local economy. Only a quarter of applicants have been invited to submit a full application to the fund which has a budget of approx. £40 million.
- Building Greater Exeter - Economic Development are founder partners of [Building Greater Exeter Programme](#) which is designed to support the construction sector to meet its skilled labour requirements, now, and in the future. The programme has 20 construction sector sponsors to date and has approved a number of projects for 2019. These include the delivery of a travelling Job Shop to advertise live vacancies; and facilitation of 'Adopt a School' which will see local schools matched with construction companies to provide career support and advice.
- Queen's Drive, Exmouth – The results of the HemingwayDesign survey to find out what people would like to see in the future at Queen's Drive, have now been published. Two key themes emerged from the survey which was completed by a total of 1,289 people of all ages from June to September this year. People want an attractive place for the young, old and in-between to spend leisure time together and they want to maximise the site's relationship with its high quality and natural environment. There was also a preference for more active evening events and recreational opportunities as well as creating relaxing and inspiring places to eat and drink throughout the day and evening. People are enthusiastic about regenerating Queen's Drive, with comments coming in such as:
 - 'Getting Exmouth talked about as the place to be'
 - 'Retain its character and not turn it into an identikit town'

- 'Make it a more lively place...'
- Queen's Drive, Exmouth – Road and car park works start on site - Contractors are now on site to deliver the first phase of the Queen's Drive project; the rerouting of Queen's Drive behind the Queen's Drive car park and the building of a new car park on the site of the former golf course. The new road will provide access to a brand new water sports centre, café and restaurant, new public space and beach access. Work is expected to complete in spring 2019.
- We exchanged contracts on a shared house, which will help us to house the homeless more quickly and cost effectively. 2 Community Development Workers from Housing ran a session at the Takeover Day on 'What Community Means to You'. Put new roofs on 20 sheltered bungalows in Burnside in Exmouth
- Seaton Wetlands scooped a bronze award at the Devon Tourism Award for small attraction of the year. (photo attached James Chubb, Elle Taylor and Cllr Marcus Hartnell) More info: <http://eastdevon.gov.uk/news/2018/12/seaton-wetlands-scoops-bronze-at-devon-tourism-awards/>
- The Countryside team has been granted £65,000 of Heritage Lottery funding for an exciting three year community wildlife project in Exmouth. The Wild Exmouth Project will start in the New Year. (photo attached Cllr Tom Wright, Cllr Jeff Trail, Tim Dafforn East Devon Countryside team at Hillcrest Community Nature Reserve) More info: <http://eastdevon.gov.uk/news/2018/10/innovative-wild-exmouth-project-to-benefit-from-65000-heritage-lottery-funding/>
- Four different performances have sold out at the Manor Pavilion Theatre during November including Variety By the Sea. Two performances of this year's pantomime Treasure Island have already sold out. The venue has also seen a large increase in sales of its own Gift Vouchers leading up to Christmas.
- There were 89 Food Hygiene Rating Scheme Inspections. Of which 19 dropped rating (1 down 4 places 1 down 3 places 8 down 2 places, and 9 down 1 place), 46 stayed on the same score and 24 increased (14 by 1 place, 7 by 2 places and 3 by 3 places).
- The car parks team processed 235 permits totalling £28,115. The CEO's served 161 PCN's to vehicles parked in contravention of restrictions. During November 2018 there were 119,910 car park transactions equating to £181,104 inc. VAT (Cash - £159,196 Card - £9,150 Parkmobile cashless - £12,758).



Report to: **Cabinet**

Date of Meeting: 2 January 2019

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: **21**

Subject: **Honiton Dowell Street car park**

Purpose of report: The purpose of this report is to request Members' authority to enter into an agreement with Honiton Town Council to manage the Dowell Street car park as a public car park for the town and to include it in the East Devon (off street) Parking Places Order.

Recommendation:

1. To include Honiton Dowell Street Car Park in East Devon District Council's Off-street Parking Places Order (subject to there being in place a lease in favour of East Devon District Council).
2. That EDDC enters into a ten year full repairing and insuring lease of 'Dowell Street' car park,
3. To delegate to the Chief Executive in consultation with the Portfolio Holder for Environment, the authority to enter into a detailed agreement with Honiton Town Council to provide car park management services on terms to be agreed.

Reason for recommendation: There is demand for additional public car parking in the town and at present the use of the car park is unrestricted.

Officer: Andrew Ennis, Service Lead Environmental Health and Car Parks
aennis@eastdevon.gov.uk

Financial implications: No financial implications have been identified, however in the event that any financial costs should arise, then those costs would need to be met by existing resources within those Services.

Legal implications: Dowell Street car park should only remain in the Council's Parking Places Order ('PPO') for the duration of this arrangement or any extension of the same. Therefore, if there is provision for early determination in the proposed lease which is exercised or the lease is not 'held over' or renewed, then Parking Services should instruct Legal Services to seek removal of this parking place from the PPO. Under relevant legislation, Honiton Town Council can then look to Devon County Council to include it within their Town & Parish Council's Parking Places Order (if Honiton Town Council still wish to use it as a public car park).

The wording of the proposed new lease to be agreed between Legal Services and Property Services. The wording of the proposed commercial agreement to be agreed between Legal Services and Parking Services.

It is noted that each party is to be responsible for their own legal costs in documenting this arrangement.

Equalities impact: Low Impact

Risk: Low Risk

Links to background information: None

Link to Council Plan: This report helps to address the four Council priorities:
Encouraging communities to be outstanding
Developing an outstanding local economy
Continuously improving to be an outstanding council.

Honiton Dowell Street

1. Introduction

Further to a request from Honiton Town Council for a proposal from East Devon District Council's car parks' management team to manage the Dowell Street car park in Honiton on a pay and display tariff, we have now agreed in principle detailed arrangements that will form the basis of a service level agreement between the Town Council and EDDC subject to Members' approval.

2. EDDC's Car Parks' team

- a. This Council currently manages over 5000 car parking spaces in fifty three car parks around East Devon. This already includes almost 500 pay and display spaces in Honiton (New Street, King Street, Lace Walk (long and short stay) and Silver Street). The Council's car park payment machines and pay by phone system are now electronically connected to our back office so rapid response to problems and timely reporting on activity and trends is straightforward.
- b. Our team comprises a Team Leader with 4 full time equivalent qualified and experienced Civil Enforcement Officers and we manage all our car parks in accordance with Civil Parking Enforcement Procedures. Our back office also includes two appropriately qualified and experienced officers who independently deal with challenges and provide a range of administrative functions including permit sales and renewals, refunds, tariff updates, cash collections, card and pay by phone payment systems etc.
- c. Our policy on car parks management remains one of flexibility and response to local need. Our busy car parks do bring in significant revenue that enables this Council to realise the value of its assets and the money goes into our general fund to enable us to continue to deliver our core services in a climate of diminishing central government support. Many of our other car parks are recognised as important

community assets that support the needs of both local economies and local residents and in these cases our expectation is only that the assets get as close as possible to generating sufficient revenue to enable us to maintain and manage them responsibly.

3. The Challenge

- a. I have been informed that whilst the Town Council recognises its duty to manage the Dowell Street car park asset responsibly and to realise its income generating potential to ensure that management and future maintenance costs will be met. For example, the cost of future works such as resurfacing of even a small car park like this will run into many tens of thousands of pounds. This aspiration is especially pertinent recognising the level of demand that now exists because of the activities now taking place within the popular and successful Honiton Community Complex on the ground floor of the Beehive building and the observation that the car park is well used and often full to capacity at peak times. However the Town Council also recognises the importance of the car park facility in supporting the activities within the Community Complex and has asked us to be careful to balance these two elements within our proposal.

4. EDDC's proposal

- a. Honiton TC will enter into an agreement to lease the car park back to EDDC to enable EDDC to manage it as an EDDC branded pay and display car park enabling EDDC to assimilate it within our existing team and infrastructure at minimal cost.
- b. EDDC will include the car park within its Parking Places Order with a charging tariff for private / light goods vehicle to mirror Lace Walk Short Stay car park (50p minimum, £1 per hour, maximum charge £10, charges apply only between 08:00 and 18:00h Monday to Saturday, free of charge overnight and on bank holidays. There will be a non-charging tariff, maximum stay 4 hours, for coaches and "non PLG" trucks and large delivery vans using the marked coach bays.
- c. EDDC will provide and install "welcome" signage and explanatory "tariff boards" along with a pay machine that accepts contactless card payments as well as chip and pin and coin transactions. All of our car parks have a pay by phone option and our current provider is Parkmobile.
- d. Disabled blue badge holders are NOT exempt from charges in EDDC car parks. However, the Town Council have agreed that if a blue badge holder is parked in a designated disabled bay then the vehicle can park for 3 hours without making the necessary payment.
- e. Our current range of EDDC parking permits will not be valid here. However in consultation with the Town Council we will be able to offer a regular visitor permit for this car park, terms and conditions to be agreed.
- f. Honiton Town Council will have an express option with our agreement to request parking charge dispensations or concessions or the reservation of parking bays for specific purposes at their discretion and those requests will not be unreasonably denied by EDDC.

- g. A specified area of the car park capable of accommodating a maximum of 3 cars will be reserved solely for the use of Honiton Town Council and vehicles in this area will need to display a valid HTC permit issued by HTC. Those permits will not be valid within the pay and display area of the car park.
- h. Any vehicle left within the car park during charging hours without a valid permit, dispensation or “paid for” parking session is liable to be served with a penalty charge notice in accordance with civil parking enforcement rules.
- i. We have agreed that the overriding principles in our agreement will be that both HTC and EDDC would benefit financially from the relationship and that neither Council wishes to see either an unreasonable charging regime or unfair enforcement practices.

5. Financial considerations

- a. The cost of Inclusion of the car park in our off street parking places order (legal costs, advertising costs, public consultation) plus legal costs in arranging an initial lease back and service level agreement – I would estimate a one off cost in the region of £1,500 to £2,500.
- b. Provision of a pay machine (with the latest contactless card payment technology, networked to EDDC ‘s back office) plus establishing a pay by mobile phone option for this car park plus design, production and installation of appropriate signage – I would estimate a cost in the region of £5,000.
- c. Operating costs will be minimal and will comprise the time spent by Civil Enforcement Officers, back office staff, cash collection and charges associated with card and mobile phone payments.
- d. I would anticipate that Civil Enforcement Officers will visit the site twice daily, six days per week spending an average of 15 minutes in the car park on each occasion, checking (and attending to as necessary) the pay machine and ensuring all vehicles present are compliant and of course dealing with any that are not. I have estimated that this will amount to approximately £2,500 annually.
- e. The other significant operating costs include a pay machine maintenance contract (now around £500 per year per machine), cash collections are “per collection” and “per £1000 banked”. Card and phone payment charges are a small percentage of the amount being processed.

I am suggesting that we could absorb both our back office and management charges within our existing budgets.

6. Lease

We are proposing a new lease arrangement that will provide that the costs to EDDC in repairing and insuring the car park will be off set against any gross profits derived from EDDC managing the car park, with the remaining shared between the two Councils on a 50:50 basis. The rent for the lease, payable to the Town Council, to be a share of the net profit

7. Discussion

In summary EDDC would invest something of the order of say £7,500 to set this up with first year operating costs of around £3,000. I would propose that EDDC seek to recover some of its initial investment from revenue income over a 5 year lease period and that it would also seek to reimburse its own running costs annually. The pay machine itself would remain the property of EDDC

We have predicted that this car park is capable of yielding around £10,000 per annum comfortably so assuming:

Per year: total income = £10,000

Less EDDC initial investment repayment of £1,500 per year and estimated operating costs of £3,000 =£5,500

After deduction of all running costs (including business rates) the residual income would be subject to an open book profit sharing arrangement between the two Councils on a proposed 50:50 apportionment. It is estimated that this will generate revenue for each Council of around £13,750 over five years.

There is clearly the potential for this car park to generate significantly higher revenues based on the success of attractions at the Community Complex on the ground floor of the Beehive but fettered of course by any charging dispensations that we decide are appropriate.